



STATE MANAGEMENT PLAN

FEDERAL TRANSIT ADMINISTRATION FUNDED TRANSPORTATION PROGRAMS

Arkansas Department of Transportation
Local Programs Division
Public Transportation Programs Section

In cooperation with U.S. Department of Transportation Federal Transit Administration

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TABLE OF CONTENTS

ACRONYMS.....	vi
INTRODUCTION.....	1
INFRASTRUCTURE INVESTMENT AND JOBS ACT (IIJA).....	2
CHAPTER I.....	4
PROGRAM GOALS AND OBJECTIVES.....	4
I-A Federal Program Goals.....	4
I-B State Policy and Goals.....	5
I-C State Program Objectives.....	5
I-D References.....	6
I-E State Role in Program Administration.....	8
CHAPTER II.....	9
SECTION 5311 RURAL AREA FORMULA GRANTS.....	9
II-A Section 5311 Projects - Eligible Recipients/Subrecipients.....	9
II-B Program Management and Administrative Requirements.....	10
II-C Eligible Service Areas.....	11
II-D Eligible Assistance Categories.....	11
II-E Federal and State Participation Ratios.....	15
II-F Program Income.....	16
II-G Project Revenue.....	16
II-H Local Matching Share.....	17
II-I Private Sector Participation.....	20
II-J Program Measures.....	22
II-K Request for Reimbursement.....	22
II-L Other Payment Requests.....	23
II-M Reporting.....	23
II-N Transfer of Funds.....	23
CHAPTER III.....	25
SECTION 5310 ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES.....	25
III-A Specific Objectives.....	25
III-B State Role in Program Administration.....	26
III-C Relationship to the Section 5310 to Section 5311 Program.....	26

III-D	Eligible Applicants	26
III-E	Eligible Service	27
III-F	Eligible Assistance Categories.....	28
III-G	Section 5310 Priority of Projects.....	28
III-H	Section 5310 Project Selection Criteria	29
III-I	Program Management.....	29
III-J	Private Sector Participation.....	29
III-K	Program Measures	31
III-L	Local Match Sharing.....	32
III-M	Transfer of Funds	33
CHAPTER IV.....		34
COORDINATION AND PLANNING		34
IV-A	Coordination in the Review and Monitoring Process	34
IV-B	Statewide Coordinated Public Transit Human Services Transportation Plan (SCHSTP)	34
IV-C	Other Planning Requirements.....	36
CHAPTER V.....		37
APPLICATION AND PROJECT SELECTION.....		37
V-A	Application Schedule and Procedures	37
CHAPTER VI.....		38
DISTRIBUTION OF FUNDS		38
VI-A	Method of Distribution.....	38
CHAPTER VII.....		40
ANNUAL PROGRAM DEVELOPMENT AND PROJECT APPROVAL		40
VII-A	Notice of the Availability of Funds.....	40
VII-B	Application Development/Review Schedule	40
VII-C	Period of Performance	40
VII-D	FTA Approval/Project Authorization.....	41
CHAPTER VIII.....		42
STATE RURAL TRANSIT ASSISTANCE PROGRAM (RTAP).....		42
VIII-A	Program Delivery	42
CHAPTER IX.....		43
PROCUREMENT AND THIRD-PARTY CONTRACT MANAGEMENT.....		43
IX-A	Regulatory Framework and Guidance.....	43

IX-B	ARDOT Third-Party Program and Procurement Management	43
IX-C	Vehicle Acquisition Process.....	44
IX-D	Property Management	45
IX-E	Capital Equipment Useful Life Schedule and Disposition	46
IX-F	Facility Asset Management.....	48
CHAPTER X.....		49
INTERCITY BUS.....		49
CHAPTER XI.....		50
SECTION 5339 BUS AND BUS FACILITIES.....		50
XI-A	Goal	50
XI-B	Program Management and Project Selection	50
XI-C	Eligible Activities	51
XI-D	Eligible Subrecipients	53
XI-E	Local Match Requirement.....	53
XI-F	Transfer of Funds	54
XI-G	Reporting	54
CHAPTER XII.....		55
OTHER PROVISIONS APPLICABLE TO SELECTED FTA PROGRAMS.....		55
XII-A	Civil Rights.....	55
XII-B	Title VI, ADA, EEO and DBE	56
XII-C	Transportation Services for Individuals with Disabilities	56
XII-D	Section 504 and Americans with Disabilities Act Reporting.....	57
XII-E	Environmental Protection and Clean Air Act.....	57
XII-F	Labor Protection	58
XII-G	Charter Regulations.....	58
XII-H	Buy America	59
XII-I	Drug and Alcohol	60
XII-J	Transit Asset Management.....	60
XII-K	Safety and Security	61
XII-L	Maintenance	62
CHAPTER XIII		64
MONITORING AND EVALUATION		64
XIII-A	Evaluation Methodology.....	66

XIII-B Evaluation Monitoring Outcomes	66
CHAPTER XIV	67
TECHNICAL AND MANAGEMENT ASSISTANCE.....	67
XIV-A Technical and Management Assistance.....	67
CHAPTER XV	68
CONSTRUCTION OR RENOVATION OF FACILITIES	68
XV-A Oversight	68
ATTACHMENTS	
ATTACHMENT ONE:	REQUEST FOR REIMBURSEMENT
ATTACHMENT TWO:	5310 DRAFT APPLICATION
ATTACHMENT THREE:.....	5311 APPLICATION DESK AUDIT
ATTACHMENT FOUR:.....	PROPERTY INVENTORY CONTROL FORM
ATTACHMENT FIVE:.....	5311 CAPITAL ASSISTANCE APPLICATION

ACRONYMS

ACH	Automated Clearing House
CMAQ	Congestion Management & Air Quality
DFA	Department of Finance & Administration
DBE	Disadvantage Business Enterprise
DOL	Department of Labor
EEO	Equal Employment Opportunity
EIS	Environmental Impact Statement
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
FMD	Financial Management Division
FSR	Financial Status Report
ITC	Interagency Transportation Committee
IAD	Internal Audit Division
MPO	Metropolitan Planning Organization
ARDOT	Arkansas Department of Transportation
MTAP	Multi-State Technical Assistance Program
NMA	National Model Agreement
PDD	Planning & Development District
POP	Program of Projects
PTPS	Public Transportation Programs Section
RTAP	Rural Transit Assistance Program
SCHTP	Statewide Coordinated Public Transit-Human Services Transportation Plan
SIP	State Implementation Plan
SMP	State Management Plan
SOP	Standard Operating Procedures
STIP	Statewide Transportation Improvement Program
STP	Surface Transportation Program
TrAMS	Transit Award Management System
TIP	Transportation Improvement Program
VPR	Vehicle Programs Report

INTRODUCTION

This updated State Management Plan (SMP) documents the policies and procedures used by the Arkansas Department of Transportation (ARDOT) in administration of the following Federal Transit Administration (FTA) funded formula transportation programs: Rural Areas Formula Grant Program (Section 5311); Enhanced Mobility of Seniors and Individuals with Disabilities Program (Section 5310); Bus and Bus Facilities Program (5339), the Rural Transit Assistance Program (RTAP) and certain capital grant programs. The SMP is intended to compile the state's program goals along with policies, and administrative procedures in a single reference document. This document **replaces all prior versions** of ARDOT's State Management Plan.

The revised Plan is intended to: serve as an internal program guide for ARDOT's state level administration of the various formula programs, provide a basis for FTA's state level management review of the various programs, and provide a mechanism for public information on ARDOT's general administration of FTA funded programs. This SMP was prepared to comply with the requirements of several updated and recently released FTA Circulars. It has been developed to incorporate current guidance contained in Circular 9040.1 *Rural Area Formula Program Guidance and Grant Application Instructions* (Section 5311); Circular 9070.1 - *The Enhanced Mobility of Seniors and Individuals with Disabilities Program Guidance and Application Instruction* (Section 5310); Circular 4220.1F *Third Party Contracting*; Circular: C 5100.1 *Bus and Bus Facilities* and Circular 5010. *Grant Management Guidelines*. Additional guidance provided by Circulars that are subsequently published by the FTA will, to the extent applicable, be incorporated into this SMP by reference. Except where specifically described by separate references, the policies and procedures as described herein may generally apply to all FTA Programs managed by the Public Transportation Programs Section (PTPS).

ARDOT recognizes that each of the FTA funded transportation programs have distinct differences. However, ARDOT also recognizes that there are parallels that make it desirable and practical to consider the planning, grant administration and program management associated with these programs in complementary and collaborative ways. Consequently, ARDOT has attempted to develop parallel administrative procedures wherever practical. This approach seems to be most appropriate because the majority of ARDOT's Section 5311 and Section 5310 subrecipients are eligible for one or more of these formula programs. In fact, a number of the local subrecipients have or currently receive financial assistance from more than one of these formula programs, as well as technical assistance and training from the Rural Transportation Assistance Program (RTAP).

In keeping with continuing coordination provisions of the Section 5310 FTA program requirements, ARDOT is committed to developing and supporting local and regional coordinated transportation systems. Statewide, ARDOT has historically encouraged Section 5311 and Section 5310 subrecipients to develop coordinated service delivery systems. Consequently, program management and administration policies have frequently coincided.

ARDOT considers the RTAP as a resource to compliment the various formula programs included in this SMP. Therefore, we propose to continue to use RTAP funds for transit research, technical assistance, demonstration and/or special projects and training functions that may benefit public and specialized transportation systems primarily in rural areas. However, to the extent practical the training, technical assistance, research and demonstration, projects or initiatives funded in whole or in part with these resources will be made available to small urban transit operators and primary stakeholders in the coordinated planning process.

The Governor of Arkansas, in accordance with Act 192 of 1977, has designated ARDOT as the recipient of all FTA programs and funding for the purpose of administering those funds in accordance with State and Federal laws, statutes, and regulations. The PTPS within the Local Programs Division is authorized by the Arkansas State Highway Commission to apply for, as well as manage FTA funded formula programs and administer FTA grants.

INFRASTRUCTURE INVESTMENT AND JOBS ACT (IIJA)

Congress establishes the funding for FTA programs through authorizing legislation that amends Chapter 53 of Title 49 of the U.S. Code. On November 15, 2021, The Infrastructure and Investment and Jobs Act (IIJA), or Bipartisan Infrastructure Law (BIL), is a federal investment aimed at upgrading US infrastructure, reauthorizing surface transportation programs for fiscal years 2022 through 2026. General provisions from this recent legislation will be referenced to the extent that circular guidance is available from the FTA. ARDOT will apply all changes applicable to IIJA/BIL as additional directives are made available.

Section 5311 Program Overview

Section 5311 of the Federal Transit Act, as amended, authorizes the Secretary of Transportation to apportion funds to the Governor of each state for public transportation projects in non-urbanized areas. The funds, appropriated annually, are made available on a population-based formula and are to be used for projects included in a statewide Program of Projects (POP). A POP is submitted annually to the FTA Regional Administrator for approval. The POP provides for fair and equitable distribution of funds within the state (including Indian reservations) and attempts to provide the maximum feasible coordination with transportation services assisted by other federal sources.

Program funds may be used for planning, capital, operating, Job Access and Reverse Commute (JARC), and the acquisition of public transportation services in rural areas under 50,000 in population. Eligible recipients include state agencies, local public entities, non-profit organizations and other operators of public transportation services, including intercity bus operators that receive funds indirectly through a recipient. The state may use up to 10% of its Section 5311 Program funds to administer the program and provide technical assistance to subrecipients.

Section 5311(f) ARDOT must spend at least 15% of its Section 5311 apportionment to develop and support intercity bus transportation, unless after consultation with affected intercity bus service providers, it is determined that the intercity bus service needs of the state are met adequately. One objective of the funding for intercity bus service under Section 5311 is to support the connection between rural areas and the larger regional or national system of intercity bus service. Another objective is to support services to meet the intercity travel needs of residents in rural areas. A third objective is to support the infrastructure of the intercity bus network through planning and marketing assistance and capital investment in facilities. Intercity bus projects that includes both feeder service and an unsubsidized segment of intercity bus service to which the feeder service connects, the local match “may be derived from the costs of a private operator for the unsubsidized segment of intercity bus service as an in-kind match for the operating costs of connecting rural intercity bus feeder service funded under 5311(f).

Section 5310 Program Overview

Section 5310 of the Federal Transit Act, as amended, establishes a national policy that elderly people and individuals with disabilities are entitled to the same access to public transportation facilities and services as all other individuals. This program supports transportation services planned, designed, and carried out to meet the special transportation needs of seniors and individuals with disabilities in all areas – large urbanized (over 200,000), small urbanized (50,000-200,000), and rural (under 50,000). Eligible projects include both traditional capital investment and nontraditional investment beyond the Americans with Disabilities Act (ADA) complementary paratransit services. It allows ARDOT to make grants to private non-profit organizations for the specific purpose of meeting the special needs of elderly and individuals with disabilities for whom public transportation services are unavailable, insufficient or inappropriate.

Projects selected for funding must be included in a locally developed, coordinated public transit-human services transportation plan; and the competitive selection process, which was required under the former New Freedom program, is now optional.

Using these funds for capital expenses (including acquisition of public transportation services) requires a 20% local match.

Rural Transportation Assistance Program Overview

The RTAP is intended to be a broad and flexible program of training, technical assistance, research, and other support services for non-urbanized transportation providers. It provides a source of funding to assist in the design and implementation of training and technical assistance programs and other support services tailored to meet the specific needs of transit operators in non-urbanized areas. The RTAP program has two components:

- State Program: The State program provides an annual allocation to each state to develop and implement training and technical assistance activities in conjunction with their administration of the Section 5311 assistance program.
- National Program: The national program element also develops information and materials for use by local operators and state administering agencies.

5339 Bus and Bus Facilities Program Overview

The Buses and Bus Facilities program (49 U.S.C. 5339) makes Federal resources available to replace, rehabilitate and purchase buses and related equipment and to construct bus-related facilities including technological changes or innovations to modify low or no emission vehicles or facilities. Funding is provided through formula allocations and competitive grants. A sub-program provides competitive grants for bus and bus facility projects that support low and zero-emission vehicles. Funds may be allocated to subrecipients that are public agencies or private nonprofit organizations engaged in public transportation.

CHAPTER I

PROGRAM GOALS AND OBJECTIVES

Overview

ARDOT became actively involved in transit programs with the passage of Arkansas Act 192 of 1977. This Act gave ARDOT responsibilities for administering public transportation programs in Arkansas. From this Act, ARDOT became involved with Section 5310: Enhanced Mobility of Seniors and Individuals with Disabilities and Section 5311: Rural Areas Public Transportation programs. The Governor of Arkansas has designated ARDOT as the agency to receive and administer federal FTA program funds.

On behalf of ARDOT, PTPS seeks to fulfill the mandated duties in the areas of FTA transportation program management and grant administration. By reference, ARDOT hereby incorporates the provisions of the previously identified FTA Circulars into this SMP .

I-A Federal Program Goals

The overall national goals of the Section 5311 Program are: (1) to enhance access in rural areas to health care, shopping, education, employment, public services and recreation; (2) to assist in the maintenance, development, improvement and use of public transportation systems in rural and small urbanized areas; (3) to encourage and facilitate the most efficient use of all federal funds used to provide passenger transportation in rural areas through the coordination of programs and services; (4) to provide financial assistance to help carry out national goals related to mobility for all, including seniors, individuals with disabilities, and low-income individuals; (5) to increase the availability of transportation options through investments in intercity bus services; (6) to assist in the development and support of intercity bus transportation, where feasible; (7) to encourage mobility management, employment-related transportation alternatives, joint development practices, and transit –oriented development; and (8) to provide for the participation of private transportation providers in rural transportation services to the maximum extent feasible. The goals of the JARC program are to improve access to transportation services to employment and employment related activities for welfare recipients and low-income individuals; and to transport residents of urbanized areas and nonurbanized areas to suburban employment opportunities. Federal assistance is made available for transportation services planned, designed, and carried out to meet the transportation needs of eligible low-income individuals, and of reverse commuters regardless of income under the Rural Areas Formula Program.

The goal of the Section 5310 Program is to improve mobility for seniors and individuals with disabilities throughout the country, by removing barriers to transportation services and expanding the transportation options available. Toward this goal, FTA provides financial assistance for transportation services planned, designed, and carried out to meet the special transportation needs of seniors and individuals with disabilities in all areas—urbanized, small urban, and rural. The program requires coordination of federally assisted programs and services to encourage the most efficient use of Federal resources and achieve the national goal of improved mobility for seniors and individuals with disabilities.

The goal of the 5339 Bus and Bus Facilities Program is to finance capital bus and bus-related projects that will support the continuation and expansion of public transportation services in the United States. Federal assistance is made available to assist eligible recipients in financing capital projects to replace, rehabilitate, and purchase buses and related equipment, and to construct bus-related facilities.

I-B State Policy and Goals

Coordination between ARDOT and other state agencies and stakeholders that have interests in public, human service and specialized transportation is necessary to provide the most efficient and effective transportation services available. ARDOT requires potential recipients of federal funds to address coordination or consolidation of public and human service programs. Elected Officials have been encouraged to assist in leveraging available federal funds by providing matching funds and in-kind support for local transportation service providers. The overall goal is to effectively and efficiently serve a broad range of consumers, including the general public as well as to the extent practicable, serve people or groups who are eligible for various specialized transportation assistance services.

As an additional statewide transportation goal, ARDOT is committed to providing sufficient transportation alternatives to allow all citizens, including the elderly, low income and those with disabilities, greater accessibility to employment and educational opportunities, social and recreational opportunities, and medical facilities. To accomplish these goals requires that ARDOT's policies reflect: (1) support for the development of rural general public transportation services that are not restrictive or exclusionary, and (2) ensuring the equitable distribution of transportation services in rural areas and small urban communities. To achieve the overall goals, ARDOT's policies and procedures will focus on the following:

1. Providing assistance to local areas in assessing the need for and development of public transportation services.
2. Encouraging the involvement of private sector in the provision of transit services.
3. Coordinating transportation resources at the local, regional and state level.
4. Planning for and supporting the effective utilization of existing resources as well as new resources.
5. Implementing the transportation provisions of the Americans with Disabilities Act to the greatest extent practical, via public transit or coordinated transportation projects.

I-C State Program Objectives

The following objectives have been established by ARDOT as necessary to achieve the overall state goals:

1. Enhance access in rural areas to health care, shopping, education, employment, public services, and recreation.
2. Assist in the maintenance, development, improvement, and use of public transportation systems in rural areas.

3. Encourage facilitating the most efficient use of all transportation funds used to provide passenger transportation in rural areas through the coordination of programs and services.
4. Provide financial assistance to help carry out national goals related to mobility for all, including seniors, individuals with disabilities, and low-income individuals.
5. Increase availability of transportation options through investments in intercity bus services, where feasible.
6. Assist in the development and support of intercity bus transportation.
7. Encourage mobility management, employment-related transportation alternatives, joint development practices, and transit-oriented development.
8. Provide for the participation of private transportation providers in rural public transportation.

In order to provide the rural transit properties with the technical assistance and resources necessary to meet the goal and objectives already stated, ARDOT will provide assistance by:

1. Implementing regulations, rules, and latest technology in the field of public transportation through technical assistance.
2. Providing information to vehicle manufacturers and equipment suppliers for improving the quality of transit products.
3. Responsibility for sustaining the Arkansas Public Transportation Coordinating Council in its effort to enhance transportation services in Arkansas.
4. Assisting the Arkansas Transit Association in a support role, i.e. funding, training workshops exchanging transit-related datasets, and joint production of an annual Arkansas Public Transportation Directory, and an annual statewide transit conference.

I-D References

- Federal Transit Laws, Title 49, United States Code, Chapter 53.
- Fixing America's Surface Transportation Program (FAST) (49 U.S.C. Section 3007).
- FTA Circular 9040.1, "*Nonurbanized Area Formula Program Guidance and Grant Application Instructions*", dated November 1, 2024.
- "*Uniform Administrative Requirements for Grants and Agreements to State and Local Governments*", 40 C.F.R. Part 18.
- Circular, A-133, "*Audits of State and Local Governments and Non-Profit Organizations*," June 27, 2003.
- Circular A-87, "*Cost Principles for State, Local and Indian Tribal Governments*", dated May 2004.
- FTA Circular 4220.1, "*Third Party Contracting Requirements*", updated January 17, 2025. FTA Circular 4704.1, EEO Program Guidelines Requirements", revised April 20, 2017.
- "*Americans with Disabilities Act of 1990*", as amended.

- Surface Transportation and Uniform Relocation Assistance Act of 1987 (Pub. L 100-17).
- FTA Circular 9070.1, "*Enhanced Mobility of Seniors and Individuals with Disabilities Program Guidance and Application Instructions*" dated November 1, 2024.
- U.S. Department of Transportation, "*Participation by Disadvantaged Business Enterprise in Department of Transportation Programs*", 49 CFR Part 26 and the most current Federal Register.
- Federal Highway Administration/Urban Mass Transportation Administration, "*Environmental Impact and Related Procedures*", 23 CFR Parts 660 and 661.
- Federal Transit Administration (FTA), "*Buy America Requirements*", 49 CFR Parts 660 and 661.
- 4710.1 Americans with Disabilities Act: 49 CFR Parts 27, 37, 38, and 39, "*Nondiscrimination on the Basis of Disability in Financial Assistance Programs*".
- 49 CFR Part 604, "*Charter Service, Final Rule*".
- Circular A-110, "*Uniform Administrative Requirements Grants and Agreements with Institutions of Higher Education, Hospitals and other Nonprofit Organizations*".
- 2 CFR 230 (Circular A-122), "*Cost Principles for Nonprofit Organizations*", dated January 1, 2012.
- US Department of Transportation Circular 4702.1B, "*Title VI and Title VI-Dependent Guidelines for FTA Recipients*", dated October 1, 2012.
- FTA Circular 5010.1, "*Award Management Requirements*", dated November 1, 2024.
- FTA Circular 9050.1, "*Urbanized Areas Formula Grant Programs Guidance*", dated November 1, 2024.
- FTA Circular 9500.1, "*Intergovernmental Review of FTA Planning, Capital and Operating Programs and Activities*", dated March 30, 1984.
- 42 U.S.C. Chapter 85, Clean Air Act, as amended.
- U.S.C. 794, Section 504 of the Rehabilitation Act of 1973.
- National Environmental Policy Act, 42, U.S.C. Section 4321 et seq. h.16 U.S.C. Section 470, "*National Historic Preservation Act*".
- 49 CFR Part 17, "*Intergovernmental Review of Department of Transportation Programs and Activities*".
- 49 CFR Part 20, "*New Restrictions on Lobbying*".
- 49 CFR Part 605, "*School Bus Operations*".
- 49 CFR Part 622, "*Environmental Impact and Related Procedures*".
- 49 CFR Part 663, "*Pre-award and Post-Delivery Audits of Rolling Stock Purchases*".
- 49 CFR Part 665, "*Bus Testing*".
- Circular 2 CFR Parts 200 and 1201, Uniform Administrative Requirements.
- 49 U.S.C. Chapter 53 Public Transportation.

I-E State Role in Program Administration

The Governor of Arkansas has designated ARDOT as the recipient of all FTA programs and funding for the purpose of administering those funds in accordance with State and Federal laws, statutes, and regulations. Within ARDOT's Local Programs Division, the Public Transportation Programs Section (PTPS) has the following roles and responsibilities to:

1. Document the State's procedures in a SMP.
2. Notify eligible local entities of the availability of the program.
3. Plan for future transportation needs and ensure integration and coordination among diverse transportation modes and providers.
4. Solicit applications.
5. Develop project selection criteria.
6. Review and select projects for approval.
7. Forward an annual POP and grant application to FTA.
8. Certify eligibility of applicants and project activities.
9. Ensure compliance with Federal requirements by all subrecipients.
10. Monitor local project activity.
11. Oversee project audit and closeout.
12. File a National Transit Database (NTD) for ARDOT and subrecipients and Federal Funding Accountability and Transparency Act (FFATA) report annually for each subrecipient and when Section 5311 Program subrecipients' rolling stock is ordered.

CHAPTER II

SECTION 5311 RURAL AREA FORMULA GRANTS

Under the (IIJA) and (BIL), this SMP includes the most current information from the FTA circular 9040.1 from November 1, 2024. However, ARDOT will continue to administer the remaining funds appropriated under FAST Act until the funds have been expended.

II-A Section 5311 Projects - Eligible Recipients/Subrecipients

1. Eligible subrecipients include State agencies, local public entities and agencies thereof (unless prohibited by state statutes), private non-profit organizations/groups, and operators of public transportation services. Private for-profit operators (taxicab companies that offer service outside the operating hours of public transit providers), of transit services may participate in the program through sub-contracts with eligible subrecipients.
2. Private transportation companies, private non-profit corporations providing public transportation services, and non-profit institutions of higher learning are eligible to receive Section 5311 financial assistance provided the proposed services are designed and operated to ensure accessibility by the general public, and any request for financial assistance is endorsed by resolution of the appropriate public governing entity or entities affected by the proposed services. Such assistance may be awarded directly to private non-profit organizations or may be provided through a third-party contract.
3. The prioritization and selection of Section 5311 projects for funding is the responsibility of ARDOT as the designated state agency. Applicants for or recipients of Section 5311 assistance involving Section 5307 or private intercity carriers will be evaluated based on the provisions of FTA Circular 9040.1 and this Management Plan as appropriate. To the greatest extent practical, ARDOT will promote the coordination of services and encourage cooperation with the private sector.
4. Section 5311 subrecipients may, with substantial justification approved by ARDOT, design project services to target use by transportation-disadvantaged people (i.e. clients of human service agencies); however, the public must be routinely afforded the opportunity to use transportation services funded by Section 5311 assistance.
5. The PTPS may utilize the following guidelines in determining the eligibility of an applicant as a general public service provider:
 - A. The applicants' service delivery plan must address coordination of resources to assure not only availability of services, but also general public accessibility and cost-effectiveness as major factors.
 - B. The applicant must demonstrate positive steps to market the availability of the services to the general public, which may include, but are not limited to; public hearings, the publication or dissemination, at periodic intervals, of the applicant's information about services.

- C. The applicant must demonstrate local involvement in and support of the proposed services.
 - D. The applicant must submit documentation about the proposed project's policy for charging fares to the general public and for contracting transportation services to other agencies. In the absence of fares, comparable revenue to off-set project costs must be documented.
 - E. The applicant's proposal must clearly commit to making all FTA funded vehicles open for public use.
 - F. The applicant's level of service to the public should be based upon variables such as travel demand, accessibility, service availability, and public comments.
 - G. The applicant must demonstrate administrative and financial capabilities to receive and administer federal funds.
 - H. The applicant must demonstrate the requisite authority and commitment to comply with all federal and state regulation, laws and administrative guidance, by executing all required certifications and assurances.
6. The subrecipient application must include evidence substantiating the availability of services to the general public.

II-B Program Management and Administrative Requirements

ARDOT, as the designated recipient of Section 5311 and Section 5339, administers these programs in accordance with FTA Circular 9040.1H, and applicable requirements of 2 CFR Part 200.

1. **Satisfactory Continuing Control:** ARDOT maintains continuing control over all real property, equipment, and other capital assets acquired with Section 5311 and 5339 funds to ensure such assets remain in public transportation use for their designated purpose throughout their useful life. ARDOT requires subrecipients to execute agreements establishing satisfactory continuing control, including provisions addressing incidental use, shared use, insurance, and disposition of property that has reached the end of its useful life or is no longer needed for the originally authorized purpose.
2. **State Financial Records:** ARDOT maintains financial records for all Section 5311 and 5339 grants in accordance with 2 CFR Part 200 and FTA Circular 5010.1, including source documentation sufficient to support all costs charged to federal awards. Records are retained for a minimum of three years from the date of submission of the final expenditure report, or longer if required by an active audit, claim or litigation.
3. **Construction Management and Oversight:** For capital projects involving construction, ARDOT ensures subrecipients follow sound project management practices, including appropriate design review, contractor oversight, and compliance with applicable procurement and Buy America, as applicable.
4. **Reporting Requirements:** ARDOT submits an annual Program of Projects (POP) and grant application to FTA, ensures subrecipient compliance with National Transit Database (NTD) reporting requirements, and submits Federal Financial Reports (FFRs) and Milestone Progress Reports through the Transit Award Management System (TrAMS) in accordance with FTA

schedules.

5. **State Management Plan:** ARDOT documents its policies, procedures, and administrative requirements for the Section 5311 and 5339 programs in this State Management Plan (SMP), maintained on file with FTA Region 6, and updates it as necessary to reflect changes in program requirements or state practices.
6. **FTA State Management Review:** ARDOT cooperates fully with FTA's periodic State Management Reviews (SMR), conducted approximately every three years, which evaluate ARDOT's management of the Section 5311 and 5339 programs against this approved SMP. ARDOT addresses any finding or corrective actions identified during an SMR within the timeframe established by FTA.

II-C Eligible Service Areas

6. Section 5311 funds are available to assist general public transportation projects in non-urbanized areas.
7. The terms "*non-urbanized* and *rural* areas" are used synonymously to mean any area outside an urbanized area, as designated by the Bureau of the Census. An urbanized area consists of a core area and the surrounding densely populated area with a population of 50,000 or more, with boundaries fixed by the Census Bureau or extended by state and local officials. Since the goal of Section 5311 is to enhance access of people living in non-urbanized areas, Section 5311 projects may include the transportation of non-urbanized residents to and from urbanized areas. If Section 5311 funds are used in a joint urbanized/non-urbanized area project, Section 5311 funds must be used proportionately to assist the non-urbanized portion of the service area.
8. For purposes of this SMP, "Public Transportation" is intended to mean transportation by bus or other conveyance, either publicly or privately owned, which provides services to the general public (not including charter, sightseeing, or exclusive school bus services) on a regular and continuing basis.
9. As a general rule, if agencies provide service out of state, they are required to coordinate with Federal Motor Carrier Safety Administration for all permits.

II-D Eligible Assistance Categories

10. In the IIJA/BIL Acts, ARDOT may use up to 10% of its Section 5311 Program funds to administer the program and provide technical assistance to subrecipients. Technical assistance includes project planning, program and management development, public transportation coordination activities, and research ARDOT considers appropriate to promote effective delivery of public transportation in rural areas of the State. These allocations are at the discretion of ARDOT and are funded at 100% Federal share. Planning activities are an eligible expense under Section 5311. ARDOT reserves the right to allocate a portion of these funds to local recipients for the same purposes. Such allocations may have a local matching share requirement.
11. Eligible project costs may be determined in accordance with Circular [2 CFR Part 200](#) as well as other guidance issued by the FTA and ARDOT pursuant thereto.

12. Eligible project costs are defined in this Management Plan, Contract Agreements, [the most current FTA circular](#) and Circular 2 CFR 200. These circulars define assets, liabilities, revenues, and expenditures. These definitions may be used in all ARDOT's external Section 5311 contracts. Expenditures may be defined in three (3) categories: project administration, operating, and capital.

Project Administrative Expenses:

- A. Project administrative expenses include and are generally limited to administrative costs such as:
 - i. Salaries and fringe benefits of the project director, secretary, bookkeeper, or other personnel performing job duties of an administrative nature
 - ii. Office supplies, software, office equipment
 - iii. Facilities and equipment rental
 - iv. Travel
 - v. Marketing
 - vi. Professional services/Purchase of Service
 - vii. Staff training
 - viii. Property insurance/bonds
 - ix. Dues, taxes, fees and training
 - x. Building Utilities
 - xi. Communications
- B. Eligible administrative costs are further identified in Circular 2 CFR 200; ARDOT's Contract Agreements; and the [most recent approved FTA circular](#).
- C. Certain other project expenses may be considered as project administrative expenses with the prior written approval of ARDOT. These costs include:
 - i. Administrative costs for promoting and coordinating ridership activities if the activity is part of a coordinated public transportation program.
 - ii. Indirect costs and overhead rates may be approved to the extent that they have been reviewed by Local Programs Fiscal Coordinator; supported by an indirect cost allocation plan, a calculated indirect cost rate included in their independent audit report, or have an acknowledgment letter from their cognizant agency regarding their Negotiated Indirect Cost Rate Agreement (NICRA), and program funds are available to reimburse the expenses. If an agency does not have a current NICRA or indirect cost allocation plan, they can propose to use the de minimis rate of up to 15%. When applying the de minimis rate, costs must be consistently charged as either direct or indirect costs and may not be double counted or inconsistently charged. See [2 CFR Part 200.414](#).

Project Operating Expenses:

- A. Operating expenses are those costs directly related to system operations and may include, but are not limited to, such items as:
 - ii. fuel and oil
 - iii. replacement tires

- iv. maintenance and repair labor charges or contracts
 - v. Communication
 - vi. spare parts, tools, and other items necessary for the repair and maintenance of public transportation facilities and equipment having a unit cost of \$499 or less
 - vii. salaries and fringes of drivers, mechanics, dispatchers or other personnel performing job duties supporting the system operations
 - viii. licenses, fees and operating taxes
 - ix. uniforms
- B. Eligible operating costs are further identified in Circular 2 CFR Part 200 ARDOT's Contract Agreements, and the [most recent approved FTA circular](#).
- C. Indirect costs and overhead rates may be approved to the extent that they have been reviewed by Local Programs Fiscal Coordinator; supported by an indirect cost allocation plan, a calculated indirect cost rate included in their independent audit report, or have an acknowledgment letter from their cognizant agency regarding their Negotiated Indirect Cost Rate Agreement (NICRA), and program funds are available to reimburse the expenses. If an agency does not have a current NICRA or indirect cost allocation plan, they can propose to use the de minimis rate of up to 15%. When applying the de minimis rate, costs must be consistently charged as either direct or indirect costs and may not be double counted or inconsistently charged. See [2 CFR Part 200.414](#).

Capital Expenses:

- A. Capital expenses include the acquisition, construction and improvement of public transit facilities and equipment needed for an efficient and coordinated public transportation system. Examples of eligible capital costs include, but are not limited to:
- i. buses, vans or other paratransit vehicles.
 - ii. radios or other communications equipment.
 - iii. bus stop signs, benches or shelters, wheelchair lifts restraints and related vehicle modifications, vehicle rehabilitation where candidate vehicles meet extended useful life and rehabilitation cost limits established by the PTPS, construction or rehabilitation of transit facilities including design, engineering and land acquisition, construction of or improvements to park-and-ride lots, where such facilities are served by public transportation or ridesharing modes that are a form of public transportation.

Rehabilitation Expenses:

- A. Requests for rehabilitation of existing transit vehicles must include the most recent annual inspection form. Transit vehicles, that ARDOT currently holds a lien, may be considered for rehabilitation when meeting certain criteria, for example:

- B. A 5-year vehicle (Light-Duty Mid-Sized Bus); (10-Passengers and up) must be 2.5 years old and have a minimum life of 75,000 miles. In addition, submit the most recent annual inspection that indicates the vehicle is not road worthy.
- C. A 12-year vehicle (Large Heavy-Duty Transit Bus); (27-Passengers and up) must be 6 years old and have a minimum life of 250,000 miles. In addition, submit the most recent annual inspection that indicates the vehicle is not road worthy.
 - i. computer hardware and system software; introduction of new technology, through innovative and improved products, into public transportation; spare parts, tools or equipment with a unit cost over \$500 and a useful life of more than one (1) year.
 - ii. lease of equipment or facilities when lease is more cost effective than purchase, based on ARDOT's analysis of criteria that will be developed for determining cost effectiveness.
 - iii. preventive maintenance, defined as associated maintenance costs.
The purchase of used equipment may be an eligible capital expense with the prior approval of ARDOT. The subrecipient must substantiate that the proposed purchase price represents fair market value and that the equipment is in sound working order so the subrecipient can anticipate a reasonable period of remaining useful life.
 - iv. Eligible capital costs are further identified in Circular 2 CFR Part 200, ARDOT's Contract Agreements, the [most recent approved FTA circular](#).

Planning Expenses:

- A. Planning is an eligible expense, providing that a grant under Section 5311 for planning activities may be in addition to funding awarded to a state under Section 5305 for planning activities that are directed specifically at the needs of rural areas in the state. Planning projects must be included in public transit-human services regional plans and can support efforts to:
 - i. develop transportation plans and programs.
 - ii. plan, engineer, design, and evaluate a public transportation project.
 - iii. conduct technical studies relating to public transportation.
- B. Eligible activities include the following:
 - i. Studies related to management, planning, operations, capital requirements, and economic feasibility.
 - ii. Evaluating previously financed projects.

- iii. Peer reviews and exchanges of technical data, information, assistance, and related activities in support of planning and environmental analyses among metropolitan planning organizations and other transportation planners.
- iv. Other similar and related activities preliminary to and in preparation for constructing, acquiring, or improving the operation of facilities and equipment.

Ineligible Costs:

A. Circular 2 CFR Part 200 defines items that are ineligible for reimbursement under all federal grant programs. Among the more common items are:

- i. entertainment expenses
- ii. fines and penalties
- iii. charitable donations
- iv. interest expenses on loans (not previously approved by ARDOT)

B. Additionally, the following transit related expenses are ineligible for Section 5311 assistance:

- i. Indirect transit-related functions or activities of local public governing entities performed as a normal direct aspect of public administration (e.g. expenses of a city council in considering transit matters).
- ii. Depreciation accrued by public agencies on facilities or equipment purchased with federal funds (federal share only).
- iii. Contributions from Federal grant funds to a capital reserve account.

C. Expenses associated with the provision of charter services are ineligible and, therefore, Section 5311 projects must maintain a separate account for charter services. These funds may be used as part of the local matching share(s).

II-E Federal and State Participation Ratios

1. The federal share of eligible project administrative and capital expenditures may not exceed 80% of net costs, including the application of all revenues used to offset costs.
2. Without substantial justification and concurrence from PTPS, total project expenses (Admin, Operating and Capital) may not exceed 10% of the adjusted total budget (i.e. total budget less insurance, major capital cost, e.g. facilities and related equipment and/or vehicles).
3. The federal share of operating expenditures may not exceed 50% of net operating costs, including the application of program income (e.g. fare box and other operating revenues, including the sale of advertising and concessions) and excess local/ match revenues.

II-F Program Income

1. In defining program income, ARDOT recognizes revenue generated directly and indirectly from project supported (i.e. contract supported) activities. Program income does not include sale proceeds (these proceeds are considered as revenues that may be used for capital replacement accounts to purchase vehicles).
2. Program income refers to gross income earned by the contractor/subrecipient as a result of the current agreement. In this context, income is to be applied to activities/costs associated within the specific contract period it is earned.
3. ARDOT's policies for recognition and treatment of program income are governed by Circular 2 CFR Part 200.
4. General: Program income includes income from fees for services performed, from the use or rental of real or personal property acquired with grant funds, from the sale of commodities or items fabricated under a grant agreement, except as otherwise provided in regulations, program income does not include interest on grant funds, rebates, credits, discounts, refunds, etc., and interest earned on any of them.
5. Accountability: Subrecipients must account for program income in their accounting system, which is subject to audit. The accounting system must be capable of identifying program income and the purpose(s) for which it was used.
6. Use: Subrecipients must use program income for public transit purposes.

In accordance with the provisions of the [most recent approved FTA 5311 Circular](#) ARDOT allows income from contracts to provide human service transportation to be used to reduce the net project cost or to provide local match for Section 5311 operating assistance. In either case, the cost of providing the contract service is included in the total project cost. Because the manner in which a subrecipient applies income from human service agencies to a project affects the calculation of net operating expenses and, therefore, the amount of Section 5311 operating assistance the project is eligible to receive, ARDOT reserves the right to limit the application of this option. The priority may be placed on the use of income to reduce the federal share of eligible cost. Program income may not as a general rule, be used to refund the local share of the grant award from which it was earned but may be used for other transit ARDOT funded contracts. In individual cases, ARDOT may work with individual subrecipients to use flexibility in determining the most appropriate application of social service generated income.

II-G Project Revenue

1. Definition/Limitation

- A. For purposes of this SMP project revenue is a general term used to include grant funds income and contributions received by the subrecipient during project period.
- B. All revenues are to be documented in the subrecipient's accounting system and applied to the approved project.

II-H Local Matching Share

1. Definitions/Limitations

- A. Unless specifically authorized by DOT/FTA guidance or regulations, the eligible local match share for a Section 5311 grant must be from non-FTA sources of funding. Local match can include local, state, unrestricted Federal funds or other funds derived from non-FTA purchase of service contracts consistent with the latest FTA guidance or authorizing legislation.
- B. In defining local match, ARDOT has followed the FTA interpretation that allows funds received as a result of agreements with a state or local social service agency or a private social service organization to be considered local match. This is true even if the source of these funds may have been another federal program exclusive of U.S. DOT funds. General guidelines for computing matching share are as follows:
 - 1. Project costs are financed with cash contributions or donations to the project by other non-federal public agencies, institutions and private organizations, individuals, or the sponsoring agency.
 - 2. Contributions, both cash and in-kind, may be accepted as portions of the matching share to the extent such contributions meet the following criteria:
 - i. are verifiable from the project's records;
 - ii. are not included as contribution from any other federally assisted program;
 - iii. are necessary and reasonable for proper and efficient accomplishment of project objectives, in accordance with the [most recent approved FTA Circular](#), Circular 2 CFR 200, or other federal or state guidance;
 - iv. are types of charges that would be allowable under circulars cited above; and
 - v. are provided for in the approved project budget.
- C. ARDOT encourages Section 5311 projects to use "Unrestricted Federal Funds" to match Section 5311 grants, within the statutory limits. Federal funds are considered "unrestricted" if the federal agency administering the funds specifically permits the funds to be treated as local match.
 - 1. Section 5311 project applicants are responsible for identifying unrestricted federal funds.
 - 2. Local funds required to match unrestricted federal funds may be treated as unrestricted federal funds. In no instance may these local (non-federal) funds be used as non-federal local match and unrestricted federal funds simultaneously.
 - 3. Section 5311 projects may accrue unrestricted federal funds by three methods: (1) direct federal grant payments made to the project (excluding FTA funds) (2) interdepartmental fund transfer or agreements; and (3) from the contributions of goods or services from other organizations or programs that have utilized an unrestricted federal funding source to

finance the goods or services.

4. Section 5311 projects may accrue unrestricted federal funds. The formula developed by the U. S. Department of Transportation will be used to calculate the amount(s) of unrestricted federal funds to be used as revenue. This revenue must be deducted from the operating and/or non-operating expenses to determine the appropriate net cost.
 - i. Other examples of non-federal local match that may be used for any or all the local share include state, county or local government appropriations, public or private donations, dedicated tax revenues, net income from advertising and/or concessions.
 - ii. Revenue derived from direct grants, direct local payments, portions of purchase of service contracts or contributions of goods or services may be used upon approval from ARDOT as local cash match, or with ARDOT approval, to fund capital replacement accounts. When used as revenue or local match these funds must be directly related to the eligible cost category being matched. When used to fund capital replacements, the revenues must be based on an accepted allocation methodology.
- D. Non-cash shares of local match, often referred to as "cash equivalent" or "in-kind" are eligible as a portion of the total local match share. As allowed by Section 5311 regulations and Circulars 2 CFR Part 200, non-cash shares such as donations, volunteered services or in-kind contributions are eligible to be counted toward the local match requirements only if the value of such is documented and approved by ARDOT.
- E. Further guidance on this subject is found in [49 CFR Part 18](#), *Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, Circular [2 CFR Part 200](#) as applicable.

2. Capital and Administration and Planning Expenses - Match

- A. The 20%, if applicable, local matching share for capital, administrative and/or planning expenditures, may be provided for in cash, unrestricted federal funds, or a combination of cash and cash equivalent.
- B. "Local Cash" may include local contributions, appropriations, dedicated tax revenues, or excess profit generated from eligible project services.
- C. "Cash equivalent" in the case of capital expenses means the contribution or donation of some portion of the acquisition, construction, or improvement of public transportation facilities or equipment. An example of such a contribution would be the donation of land on which a public transportation maintenance facility was to be constructed. Such non-cash sources of local match are eligible only if the value of the contribution is formally documented and supported in accordance with Circular 2 CFR Part 200. "Cash equivalent" means the contribution or donation of goods, services, or labor directly related to the administrative or

overhead functions of the Section 5311 project and are allowable only when the donation is formally documented and supported in accordance with Circular 2 CFR 200, as applicable.

- D. Unrestricted federal funds used as match must be directly related to the eligible cost category being matched. An example in the administrative category would be the use of a Title X (Older Americans Act of 1965, as amended) worker as a coordinator.
- E. Federal participation for administration, planning and technical assistance grants to local agencies along with Arkansas Transit Administration, expenditures may normally be 80% of total costs (with the exception being up to 100% for state planning or technical assistance activities supported with funds re-programmed from Section 5311 State Admin and RTAP funds), or as part of a partnership with other state agencies.

3. Project Operating Expenses - Match

- A. ARDOT has established a limit of 50% of the project's operation deficit as the maximum federal share. **The local match share provided must therefore be at least 50% of the net operating cost, i.e. cost minus fare revenue deductions.**
- B. When revenues that are used as the subrecipient's local matching share exceed the minimum 50% of the net operating cost such funds may be considered excess revenue. The excess is to be used to reduce the FTA share of the net operating cost or to fund additional eligible project expenses not already reimbursed in the approved project budget. Authorization to use excess revenues, for any purpose other than reducing the federal share must be obtained by the project in writing from ARDOT.

Use of excess revenue must be documented in the year-end financial reports and audit (if required).

- i. Earned program income derived from the expenditure of Section 5311 funds must be used to reduce eligible operating costs or as local cash match.
 - ii. Consequently, excess local match derived from purchase-of-service agreements, advertising revenue(s), unrestricted federal funds used as local or charter profit(s) must be used first to reduce the 50% maximum FTA share of net operating cost. If the subrecipient desires to use excess revenues to fund additional project expenses in lieu of reducing the federal participation share, such a request must be justified and approved in writing by ARDOT.
- C. Revenue derived from direct loan payments, purchase-of-service contracts, or contributions of goods, services, or labor financed wholly by local and/or state funds may be treated as local cash match.
- D. Certain donations collected pursuant to regulations issued by the U.S. Department of Health and Human Services, and the Arkansas Department of Human Development Services,

must be reported as Title III program income. Where these donations are utilized to purchase or provide additional transit service, the donations may be used as local cash match.

II-I Private Sector Participation

ARDOT has established procedures consistent with FTA Guidelines and intent to allow the private sector the maximum opportunity to participate in public transportation activities. To ensure compliance, efforts are monitored during the “ARDOT Public Transportation Programs Management Review”. The following paragraphs outline the steps necessary for Private Sector participation.

1. Notification: Local entities should provide notice to transportation providers, including private for-profit, private nonprofit and public agencies, regarding proposed services and opportunities for private transportation providers to participate in order that they may present their view concerning the development of local plans and programs. To the extent possible, it is also desirable to make known in advance the criteria, which will be considered in making public/private service decisions.
2. Coordination: Whenever possible, Section 5311 Program subrecipients should coordinate with other local entities: public, private, and nonprofit, in the provision of coordinated transportation services, in order to enhance opportunities for private sector participation and facilitate the accomplishment of the other provisions of this policy. All proposed projects would be included in ARDOT’s annual Statewide Transportation Improvement Plan (STIP).
3. Early Consultation: A fair appraisal of private sector views and capabilities should be assured by affording private providers an early opportunity to participate in the development of new transportation services. Private providers should be given opportunity to present their views concerning the development of local transportation plans and programs and to offer their own service proposals for consideration.
4. Consideration of Private Sector Service: When the need for new services is defined or services are significantly restructured, consideration first should be given to whether private carriers could provide such service in a manner which is consistent with local objectives with or without public subsidy. Where feasible, such consideration should be given pursuant to a competitive bid process if services involve public subsidy.
5. Periodic Review of Existing Services: All transit services should be periodically reviewed to determine if they can be provided more efficiently by the private sector.
6. Barriers to Private Participation: If there are local impediments to competition by private providers, public officials should encourage possible adjustments in local regulations or existing service requirements in order to permit private carriers to perform service with or without subsidy.
7. Comparison of Costs: When comparing the service proposals made by public and private entities, the fully allocated cost of public and nonprofit agencies should be disclosed. Subsidies provided to public and private nonprofit carriers, including operating subsidies, capital grants and the use

of public facilities, should be reflected in the cost comparisons. If a private for-profit carrier received public subsidies, these should be indicated.

8. **Local Decision Making:** FTA and ARDOT recognize that in the local decision-making process, factors other than cost must also be considered. Such factors may include safety considerations, services quality and reliability, and sources of volunteer support. Nothing in this policy guidance is intended to impose particular results on that local decision making process, but rather to ensure that private for-profit providers can compete fairly with public and nonprofit providers when decisions are being made, and that decision makers are aware of all costs involved in service provision.
9. **Complaint Procedures:** Since the underlying spirit of the FTA Act is to afford communities maximum flexibility in local decision-making, it is appropriate that questions dealing with the fairness of local procedures and decisions be addressed at the local level. Accordingly, a local mechanism, preferably independent, should be devised for resolving disputes in a manner which assures fairness to all parties. In the absence of a locally developed process, the State may prescribe and/or be party to a local process. Complaints, which cannot be resolved at the local level, should be resolved at the State level. ARDOT will use the procedure for complaints as outlined in the Appeal Process. However, all meetings, correspondence, etc. will be on an informal basis. Any unresolved complaints will then initiate the formal appeals process.
10. **FTA Review of Complaints:** FTA will entertain complaints from private enterprise organizations only upon procedural grounds based on the following claims: that the local project development process has not established procedures for the maximum feasible participation of private transportation providers, or that the local procedures were not followed, or that the State appeals procedures do not provide for fair resolution of local disputes. FTA will not review disputes concerning local decisions regarding service or who should provide the service. Complaints may be submitted through ARDOT's appeal procedures and, where appropriate, through FTA oversight processes.
11. **Documentation:** Subgrantees are expected to maintain public records that document private participation in the project development process and the rationale used in making public/private service decisions. This information, along with State documentation, will be the primary evidence of compliance with the policy if a complaint is sent to FTA.
 - A. **Private Nonprofit Organizations** are exempt from taxation under 26 U.S.C. 501(c) 3 or have been determined under State law to be private nonprofit entities. These organizations are encouraged to participate in the competitive process to select service providers. Nothing in this guidance is meant to exclude private nonprofit organizations from the opportunity to compete to provide service. Rather competition is enhanced by the inclusion of all potential service providers, whether they are private for-profit, private nonprofit, or public agencies. Where private nonprofit agencies are the subrecipients of Section 5311 Program funds, they have the responsibility for complying with this guidance.

- B. Compliance of the Private Participation Policy is included in the Standard Assurances required by any applicant. ARDOT will provide guidance about the private sector policy and how it may be implemented as requested.
- C. ARDOT has prepared an appeals process to resolve any and all complaints that may arise from the administration of the Section 5311 Program. This appeals process is contained in the Policy and Procedures Manual.

Nothing in this guidance is meant to exclude private nonprofit organizations from the opportunity to compete to provide service. Rather competition is enhanced by the inclusion of all potential service providers, whether they are private for-profit, private non-profit, or public agencies. Where private nonprofit agencies are the subrecipients of Section 5311 funds, they have the responsibility for complying with this guidance.

II-J Program Measures

1. The FTA is required by law to “establish performance indicators to be used in measuring relevant outputs, service levels, and outcomes” for each of its programs. These measures will be used at the program level and will not be used to assess individual grants. ARDOT will routinely collect information from all subrecipients of the formula grant programs included in this SMP in accordance with the appropriate circulars. To the extent practical, quantitative and qualitative information will be submitted concerning the various program indicators as a part of the annual grant reports (e.g. milestone progress reports summary) that ARDOT must submit to FTA.
2. Specific Program Measures. Based on guidance from FTA, ARDOT will be capturing overall data necessary to meet the program measures reporting requirements of the Government Performance Results Act and the Performance Assessment Rating. The following program specific measures will be reported on:

II-K Requests for Reimbursement

1. Payment of reimbursable expenses may be made by ARDOT only upon receipt of an appropriately signed and dated itemized invoice or Reimbursement Request. ARDOT reserves the right to require the submitting of support documentation for any and all costs from the subrecipient.
2. The subrecipient will submit request(s) for payment on forms and in a manner prescribed by ARDOT PTPS. ([See Attachment 1](#)).
3. Reimbursement Requests should be submitted monthly, no later than 45 days after the end of the fiscal month, by each subrecipient in accordance with the agency's fiscal year or other guidance. A signed and dated digital copy, along with the required supporting documentation must be submitted via a transmittal letter signed by the agency's Executive Director or other authorized representative.
 - i. All revisions (i.e. line-item transfers) to the approved budget programmed amounts shown on the Reimbursement Request must be noted and explained in writing by the authorized representative. The PTPS reserves the right to disallow or defer any

revisions that are not clearly justified and done in accordance with established procedures.

II-L Other Payment Requests

1. For the purposes of this SMP “Other Payments” include all payments that are not charged to a specific pre-approved Project Budget.
2. All such payment requests may be entered into the check tracking log as they are received.
3. All such payment requests may be distributed to the assigned staff. Agency payment requests may be distributed to the staff assigned as the monitor/contract liaison.
4. When the audit report and/or Statement of Revenues and Expenditures are submitted, they are to be entered in the annual audit review tracking spreadsheet. Assigned staff may review documents to ensure completeness and consistency with records. This is also the time when the staff should review all programmatic records to ensure the subrecipient has complied with all regulations, etc.

II-M Reporting

National Transit Database (NTD) Reporting.

The NTD is the FTA’s primary national database for transit industry statistics. NTD data consists of selected financial and operating data that describe public transportation characteristics. The FTA’s regulatory guidance, requires subrecipients of the Section 5311 Program to report data to ARDOT for submittal to the NTD. The legislative requirement for the NTD is found in 49 U.S.C. 5335(a).

II-N Transfer of Funds

A transfer of funds may be made to projects within the program to balance the project’s needs or to streamline the administration of the award per FTA C 9040.1H.Chapter III. 1.d. The Department initiates the transfer of funds by notifying the FTA regional office of the intent. Notices to transfer funds should include the following:

1. Information on the entity the funds were originally allocated to.
2. The amount of funds to be transferred.
3. The fiscal year in which the funds were apportioned.
4. Program section
5. Specific projects where the funds are to be applied.
6. Contact information if questions arise and need to be addressed.

It may be necessary to transfer Section 5307 funds into the Section 5311 Program or Section 5311 Program funds into the Section 5307 Program. In the case of transferring Program funds, the process described below will be followed.

1. The Department will determine the availability of funds.
2. Consult with local officials and/or public transit agencies about transferring of available funds. However, the Department will use its discretion in determining what funds are to be transferred among Programs.

The transfer of Section 5307 funds may include transferring any determined amounts to existing Section 5307 recipients or into the Section 5311 Program.

3. Request that FTA transfer the funds as determined above. The Department may transfer Section 5307 funds without consultation of local officials within the last 90 days in which the funds are available for obligation.

CHAPTER III

SECTION 5310 ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES

Overview

A number of the provisions previously discussed in this SMP are intended to detail the administration and management policies as well as procedures for the Section 5311 transportation program. The provisions contained in this chapter further define policies and procedures that may be unique to the Section 5310 *Enhanced Mobility of Seniors and Individuals with Disabilities* [most recent FTA circular](#) as administered by ARDOT. This program provides grant funds for capital expenses to subrecipients for the procurement of rolling stock and related equipment.

III-A Specific Objectives

The transportation services provided with vehicles and equipment acquired through this program are to be operated in a manner consistent with each subrecipient's approved application and, if applicable, the regional and/or overall ARDOT coordinated transportation plan covering the service area. While ARDOT acknowledges that the Section 5310 Program focus is on elderly people and/or individuals with disabilities, it is ARDOT's policy that Section 5310 services are to be considered as an adjunct to existing and/or planned coordinated public transportation systems. Rather than establishing exclusive service for closely qualified clientele, these services are intended to provide a full range of mobility to anyone in the categories of elderly and/or disabled.

A major objective of the national Section 5310 Program funds is to provide financial assistance necessary to facilitate a coordinated approach to transportation service. The objectives of ARDOT's Section 5310 Program can be summarized as follows:

1. Improve mobility opportunities for transportation dependent people for whom existing public transportation services are unavailable, insufficient, or inappropriate.
2. Ensure compliance with Federal and State requirements by all Subrecipients.
3. Notify the public regarding program availability and solicitation of applications.
4. Develop project selection and application review processes.
5. Certify that all projects are derived from a locally developed, coordinated public transit-human services transportation plan.
6. Develop new techniques for incorporating the Public Transportation Management System into the planning and management processes.
7. Collect and compile program measures, including ridership and estimates of gaps in service filled, for program analysis and reporting.

8. Maintain an asset management system that inventories active FTA rolling stock and may be used as an analytical tool for future capital investments.

III-B State Role in Program Administration

1. As the state agency designated by legislative action for the administration of the Section 5310 Program, ARDOT must ensure that the program provides for maximum feasible coordination of Section 5310 transportation services with other transportation services assisted by federal sources.
2. Under U. S. Department of Transportation regulations, *Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments*, [49 CFR part 18](#), ARDOT is allowed to rely on existing state laws and agency procedures in the administration of the Section 5310 Program in the following areas:
 - A. Financial management
 - B. Equipment standards
 - C. Procurement

III-C Relationship of the Section 5310 Program to Section 5311 Program

Many of the state's Section 5310 Program subrecipient organizations also serve clients in rural and small urban areas. Although the Section 5310 Program is to serve the elderly and/or disabled in both rural and urbanized areas, there are parallels which make it desirable for Arkansas to coordinate program resources and plan for their use in a complementary way. Many of ARDOT's Section 5311 local subrecipients are private nonprofit organizations and in some cases, a single agency receives both Section 5310 and Section 5311 funding. In other cases, recipients of Section 5310 funds seek to participate in coordinated service arrangements that also include Section 5311 funded projects. ARDOT encourages participation in such coordinated efforts as long all program resources continue to also serve their primary clientele or program purposes, and where these resources can improve the efficiency and effectiveness of both transportation programs.

III-D Eligible Applicants

1. ARDOT has established three categories of eligible applicants for Section 5310 funding:
 - A. Private nonprofit organizations - a nonprofit organization is a corporation or association determined by the Secretary of the Treasury to be an organization described by 26 U.S.C. Section 501(c) which is exempt from taxation under either 26 U.S.C. Section 501(a); or one which has been determined under state law to be nonprofit and for which the designated state agency has received documentation certifying the status of the nonprofit organization.
 - B. Public entities that certify to ARDOT that no nonprofit corporations or associations are readily available in an area to provide the service.

- C. Public entities recognized by ARDOT to coordinate services for elderly people and/or individuals with disabilities.
2. Local public entities eligible to apply for Section 5310 funds as coordinators of services for elderly people and/or individuals with disabilities are those designated or recognized by state or federal funding sources as having the responsibility to coordinate human service activities in a particular area. Examples of such eligible public entities are a local agency on aging, planning, and development district or a public transit provider which ARDOT has identified as the lead agency to coordinate transportation services funded by multiple federal or state human service programs.
3. Eligible subrecipients for other eligible Section 5310 activities include a state or local governmental authority, a private nonprofit organization, or an operator of public transportation that receives a Section 5310 grant indirectly through a recipient.

III-E Eligible Service

1. It is the policy of ARDOT that all resources awarded through the Section 5310 Program must be for the primary purpose of providing transportation to elderly people and/or individuals with disabilities within the general population. Therefore, in addition to specific clients, transportation services are to be routinely made available to other elderly people and individuals with disabilities on a space available basis.
2. While Section 5310 services may be provided in urban and non-urbanized areas, all applicants must identify a specific primary service area for elderly and/or disabled services.
3. Section 5310 vehicles may also serve the transportation needs of general public passengers on an incidental basis. This incidental basis refers to services that do not interfere with the transportation services designed to meet the specific needs of elderly people and/or individuals with disabilities.
4. For the purposes of this Management Plan, the following definitions apply:
 - A. "Elderly Person" refers to a person meeting the requirements for services under Title XX and Title III-B of the Older Americans Act. In general, people age 55 and older are considered eligible for Section 5310 transportation services.
 - B. "Individual with Disability" means any individual who, by reason of illness, injury, age, congenital malfunction, or other permanent or temporary incapacity or disability (including any person who uses a wheelchair or has semi-ambulatory capabilities), is unable without special facilities to utilize public transportation facilities and services effectively.
5. USE OF VEHICLES: Vehicles acquired under the Section 5310 Program may be used only in the following ways:
 - A. By the private nonprofit organization as described in the approved application.
 - B. By private nonprofit organizations in coordinated services for a variety of elderly, disabled, and general public services.
 - C. To assist in providing meal delivery services to homebound people, if this meal delivery does not interfere with the regular transportation services or result in a reduction of service to transit passengers. Purchase and/or use of Section 5310 vehicles exclusively for meal delivery shall not be allowed.

6. **SHARED USE:** During those periods when a vehicle is not needed for specific grant-related purposes, it may be used for services to other elderly people and/or individuals with disabilities. After the needs of these groups have been addressed, the vehicle may then be used for transportation of other members of the general public, on a space-available basis. Such use must be incidental to the primary purposes of the vehicle and must not interfere with the use of the vehicle by elderly and/or person/individuals with disabilities.

III-F Eligible Assistance Categories

FTA Circular 9070.1, allows Section 5310 Program funds to be used for “Traditional” or “Nontraditional” projects, with a minimum of 55 percent of program funds required for Traditional projects. ARDOT limits its Section 5310 Program to Traditional (capital) projects only and does not currently fund Nontraditional projects, as described below.

1. **Traditional Projects:** Capital projects as defined in 49 U.S.C. § 5302(3). Eligible examples include buses and vans, and wheelchair lifts, ramps, and securement devices. Traditional projects are the only Section 5310 project type ARDOT currently funds.
2. **Nontraditional Projects:** Capital and/or operating projects that go beyond the scope of Americans with Disabilities Act (ADA) complementary paratransit service requirements, or that provide public transportation alternatives designed to assist seniors and individuals with disabilities. Eligible examples include travel training; volunteer driver programs; construction of an accessible path to a bus stop, including curb cuts, sidewalks, and accessible pedestrian signals; improvements to signage or way-finding technology; the incremental cost of providing same-day or door-to-door service; purchase of vehicles to support new accessible taxi, ride-sharing, or vanpooling programs; mobility management programs; and non-emergency medical transportation. ARDOT does not currently fund Nontraditional Section 5310 projects.
3. **State Eligibility Restrictions:** Consistent with FTA Circular 9070.1, ARDOT restricts Section 5310 Program funding to Traditional (capital) projects only; ARDOT does not currently fund Nontraditional projects under this program. To ensure ongoing and broad support to agencies across the state providing for the transportation needs of Seniors and Individuals with Disabilities, 5310 Program funding is limited to Traditional Capital Assistance in Arkansas. Should ARDOT later choose to fund Nontraditional projects, ARDOT will update this section to describe the selection process and the policy rationale and methods used, as required by FTA Circular 9070.1.
4. **Program Accessibility:** Consistent with FTA Circular 9070.1, this State Management Plan is maintained in a form readily accessible to potential subrecipients, ARDOT staff, FTA, and the public, and documents ARDOT’s Section 5310 program objectives, policies, procedures, and administrative requirements.

III-G Section 5310 Priority of Projects

When reviewing applications for developing and funding the annual POP, the PTPS will prioritize 5310 projects as follows:

1. The first priority will be given to existing 5310 subrecipients that demonstrate effective

coordination of available resources and have otherwise been operating satisfactorily based on ARDOT's monitoring, review, audit procedures, and are requesting a replacement vehicle.

2. The second priority will be given to newly created elderly and disabled projects that fill a service gap identified through the regional planning process and target services to person meeting the disability eligibility requirements of the ADA.

III-H Section 5310 Project Selection Criteria

The criteria for project selection reflects the following major elements which should be documented in the application:

1. The degree of coordination and cooperation among the following local organizations - existing public and private transit, Para transit, and social services agency transportation providers.
2. The financial and management capabilities of the proposed Section 5310 applicant, particularly in assuring that adequate matching funds exist.
3. The quality and thoroughness of the operating plan
4. The vehicle utilization, ridership projection, and trip purposes.

III-I Program Management

1. It is the policy of ARDOT that the entity, approved as a Section 5310 subrecipient with ARDOT, must maintain control and responsibility for vehicles or other equipment. The original agency must maintain this control and responsibility.
2. Titles to all vehicles purchased with Section 5310 funds shall be in the name of ARDOT approved subrecipient. ARDOT shall be listed as the first and sole lien holder on all titles.
3. Public entities that apply for Section 5310 assistance must allow for public comments on each application submitted to ARDOT for consideration.
4. Section 5310 Agencies must adhere to the same property management standards included in the SMP for the 5311 Program. Deviation from these standards must be based on FTA or other federal or State guidance.

III-J Private Sector Participation

ARDOT has established procedures consistent with FTA Guidelines and intent to allow the private sector the maximum opportunity to participate in public transportation activities. To ensure compliance, efforts are monitored during the "ARDOT Public Transportation Programs Management Review". The following paragraphs outline the steps necessary for Private Sector participation.

1. Notification: Local entities should provide notice to transportation providers, including private for-profit, private nonprofit and public agencies, regarding proposed services and opportunities for private transportation providers to participate in order that they may present their view concerning the development of local plans and programs. To the extent possible, it is also desirable to make known in advance the criteria, which will be considered in making public/private service decisions.

2. **Coordination:** Whenever possible, Section 5310 Program subrecipients should coordinate with other local entities: public, private, and nonprofit, in the provision of coordinated transportation services, in order to enhance opportunities for private sector participation and facilitate the accomplishment of the other provisions of this policy. Projects will be programmed and included in the STIP, when required, in accordance with FTA and FHWA planning requirements.
3. **Early Consultation:** A fair appraisal of private sector views and capabilities should be assured by affording private providers an early opportunity to participate in the development of new transportation services. Private providers should be given opportunity to present their views concerning the development of local transportation plans and programs and to offer their own service proposals for consideration.
4. **Consideration of Private Sector Service:** When the need for new services is defined or services are significantly restructured, consideration first should be given to whether private carriers could provide such service in a manner which is consistent with local objectives with or without public subsidy. Where feasible, such consideration should be given pursuant to a competitive bid process if services involve public subsidy.
5. **Periodic Review of Existing Services:** All transit services should be periodically reviewed to determine if they can be provided more efficiently by the private sector.
6. **Barriers to Private Participation:** If there are local impediments to competition by private providers, public officials should encourage possible adjustments in local regulations or existing service requirements in order to permit private carriers to perform service with or without subsidy.
7. **Comparison of Costs:** When comparing the service proposals made by public and private entities, the fully allocated cost of public and nonprofit agencies should be disclosed. Subsidies provided to public and private nonprofit carriers, including operating subsidies, capital grants and the use of public facilities, should be reflected in the cost comparisons. If a private for-profit carrier received public subsidies, these should be indicated.
8. **Local Decision Making:** FTA and ARDOT recognize that in the local decision-making process, factors other than cost must also be considered. Such factors may include safety considerations, services quality and reliability, and sources of volunteer support. Nothing in this policy guidance is intended to impose particular results on that local decision making process, but rather to ensure that private for-profit providers can compete fairly with public and nonprofit providers when decisions are being made, and that decision makers are aware of all costs involved in service provision.
9. **Complaint Procedures:** Since the underlying spirit of the FTA Act is to afford communities maximum flexibility in local decision-making, it is appropriate that questions dealing with the fairness of local procedures and decisions be addressed at the local level. Accordingly, a local mechanism, preferably independent, should be devised for resolving disputes in a manner which assures fairness to all parties. In the absence of a locally developed process, the State may prescribe and/or be party to a local process. Complaints, which cannot be resolved at the local level, should be resolved at the State level. ARDOT will use the procedure for complaints as

outlined in the Appeal Process. However, all meetings, correspondence, etc. will be on an informal basis. Any unresolved complaints will then initiate the formal appeals process.

10. FTA Review of Complaints: FTA will entertain complaints from private enterprise organizations only upon procedural grounds based on the following claims: that the local project development process has not established procedures for the maximum feasible participation of private transportation providers, or that the local procedures were not followed, or that the State appeals procedures do not provide for fair resolution of local disputes. FTA will not review disputes concerning local decisions regarding service or who should provide the service. Complaints may be submitted through ARDOT's appeal procedures and, where appropriate, through FTA oversight processes.
11. Documentation: Subgrantees are expected to maintain public records that document private participation in the project development process and the rationale used in making public/private service decisions. This information, along with State documentation, will be the primary evidence of compliance with the policy if a complaint is sent to FTA.
 - A. Private Nonprofit Organizations are exempt from taxation under 26 U.S.C. 501(c) 3 or have been determined under State law to be private nonprofit entities. These organizations are encouraged to participate in the competitive process to select service providers. Nothing in this guidance is meant to exclude private nonprofit organizations from the opportunity to compete to provide service. Rather competition is enhanced by the inclusion of all potential service providers, whether they are private for-profit, private nonprofit, or public agencies. Where private nonprofit agencies are the subrecipients of Section 5311 Program funds, they have the responsibility for complying with this guidance.
 - B. Compliance of the Private Participation Policy is included in the Standard Assurances required by any applicant. ARDOT will provide guidance about the private sector policy and how it may be implemented as requested.
 - C. ARDOT has prepared an appeals process to resolve any and all complaints that may arise from the administration of the Section 5311 Program. This appeals process is contained in the Policy and Procedures Manual.

Nothing in this guidance is meant to exclude private nonprofit organizations from the opportunity to compete to provide service. Rather competition is enhanced by the inclusion of all potential service providers, whether they are private for-profit, private non-profit, or public agencies. Where private nonprofit agencies are the subrecipients of Section 5310 funds, they have the responsibility for complying with this guidance.

III-K Program Measures

- The FTA is required by law to “establish performance indicators to be used in measuring relevant outputs, service levels, and outcomes” for each of its programs. These measures will be used at the program level and will not be used to assess individual grants. ARDOT

will routinely collect information from all subrecipients of the formula grant programs included in this SMP in accordance with the appropriate circulars. To the extent practical quantitative and qualitative information will be submitted concerning the various program indicators as a part of the annual grant reports (e.g. milestone progress reports summary) that ARDOT must submit to FTA.

- **Specific Program Measures**

Based on guidance from FTA, ARDOT will be capturing overall data necessary to meet the program measures reporting requirements of the Government Performance Results Act and the Performance Assessment Rating. The following program specific measures will be reported on:

- A. Gaps in Service Filled. Transportation options that would not otherwise be available for older adults and individuals with disabilities measured in numbers of older adults and individuals with disabilities afforded mobility they would not have without program support.
- B. Ridership. Actual or estimated number of one-way trips provided annually for individuals with disabilities and older adults on Section 5310 supported vehicles and services.
- C. Services provided that impact on the availability of transportation services for individuals with disabilities as a result of non-traditional 5310 projects implemented in the current reporting year. Examples include geographic coverage, service quality and/or service times.
 - i. Actual or estimated number of rides (i.e. one-way passenger trips) provided for individuals with disabilities because of non-traditional 5310 projects implemented in the current reporting year.

III-L Local Matching Share

Definitions/Limitations

- a. Unless specifically authorized by DOT/FTA guidance or regulations, the eligible local match share for a Section 5310 grant must be from non-FTA sources of funding. Local match can include local, state, unrestricted Federal funds or other funds derived from non-FTA purchase of service contracts consistent with the latest FTA guidance or authorizing legislation.
- b. In defining local match, ARDOT has followed the FTA interpretation that allows funds received as a result of agreements with a state or local social service agency or a private social service organization to be considered local match. This is true even if the source of these funds may have been another federal program exclusive of U.S. DOT funds. General guidelines for computing matching share are as follows:
 1. Project costs are financed with cash contributions or donations to the project by other non-federal public agencies, institutions and private organizations, individuals, or the sponsoring agency.

2. Contributions, both cash and in-kind, may be accepted as portions of the matching share to the extent such contributions meet the following criteria:
 - vi. are verifiable from the project's records;
 - vii. are not included as contribution from any other federally assisted program;
 - viii. are necessary and reasonable for proper and efficient accomplishment of project objectives, in accordance with the [most recent approved FTA Circular](#), Circular 2 CFR 200, or other federal or state guidance;
 - ix. are types of charges that would be allowable under circulars cited above; and
 - x. are provided for in the approved project budget.

III-M Transfer of Funds

Per the C 9070.1H program circular §III.10, transfers of Section 5310 funds *to other programs* are not permitted (5307 or 5311).

However, the Department reserves the right to transfer funds *between subrecipients* within the program if deemed appropriate. Funds apportioned for small urbanized (<200,000 population) and rural areas may be used for projects serving other areas of the State, only if the Department determines to certify that all of the objectives of the 5310 Program are being met in the specified areas. The governor of Arkansas must also certify that all objectives of the 5310 program are being met in the certified areas prior to the transfer of funds. Funds apportioned to large UZAs (>200,000 in population) may not be transferred to other areas.

A recipient may transfer funds only after consulting with the responsible local officials, publicly owned operators of public transportation, and nonprofit providers in the area from which the funds to be transferred were originally apportioned.

CHAPTER IV

COORDINATION AND PLANNING

Overview

Coordination of transportation services is an integral part of the State's policies and goals for administration of the FTA Programs. ARDOT proposes to make every reasonable effort to implement coordination between state, regional and local agencies involved in providing transportation services. In order to accomplish this, ARDOT supports and will utilize resources of the American Association of State Highway and Transportation Officials (AASHTO), the Community Transportation Association of America (CTAA), Arkansas Transit Association (ATA), local transportation advisory or work groups, input from local area agency/service providers, and Metropolitan Planning Organizations (MPO's). In addition, ARDOT may include coordination of resources as a part of the application for and monitoring of all FTA funded formula programs.

IV-A Coordination in the Review and Monitoring Process

1. As a part of the application process, all applicants are required to document efforts to coordinate with social service agencies and other providers of transit services. Each applicant will be required to submit the names and service area of other transportation providers in the proposed service area. The applicant must document that other providers were made aware of the proposed project, that there will be no duplication of services, and that the existing provider(s) have not demonstrated that they are in a position to provide the service in a more cost-effective or efficient manner.
2. Each applicant is required to submit a copy of the application for proposed service(s) to the Metropolitan Planning Organization. This is done to obtain concurrence or comments that the proposed project will not duplicate existing services, and to comply with planning requirements for developing statewide transportation plans.

As a part of the application process, all applicants are required to allow for citizen participation in the planning of the proposed project. This can be accomplished through various methods, including public hearings, published comment periods, outreach/town hall meetings etc.

IV-B Statewide Coordinated Public Transit Human Services Transportation Plan (SCHSTP)

Federal transit law requires that projects selected for funding under the Section 5310 Program be "included in a locally developed, coordinated public transit-human services transportation plan" and that the plan be "developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, and nonprofit transportation and human services providers and other members of the public" ([49 U.S.C. 5310\(e\)](#)).

The following are the PTPS goals to develop and implement coordinated transportation services statewide:

1. To better serve the general public and groups that have special transportation needs, especially individuals with disabilities, the elderly and people with low income.
2. To get the most efficiency that is practical from existing transportation resources.
3. To reduce duplication in public and human service transportation resource allocation.
4. To expand transportation resources through well-conceived coordination strategies.

The statewide plan is based on information derived from Statewide Coordination Meetings regional advisory group meetings, and each of the individual regional coordinated plans. The individual plans are designed to identify unmet needs and include alternatives for meeting these needs, either through strategies or specific projects. The statewide plan provides summary observations and prioritization of issues and alternatives.

An assessment of available services that identifies current transportation providers (public, private, and non-profit).

1. Preserve and maintain existing vehicles and equipment.
2. Maximize the use of existing fleets operating within the same city or county, especially for the agencies who are providing services to the same types of clientele.
3. Continue to support vehicle and operating needs of transportation providers presently receiving assistance under FTA programs.
4. Coordinate the development of model contracts or agreements for sharing vehicles, personnel, joint supply purchasing, group maintenance, and insurance, etc.
5. Support the development of mobility managers, other coordination programs or one-call centers at the regional level. This includes developing marketing tools which identify regional providers and web-site development.
6. Encourage regional services to employment, shopping, medical, and social centers through several communities.
7. Expand service through existing transit providers. This means expanding current routes, extending hours of service, or increasing demand response times.
8. Invest in new transit service where none presently exists.
9. Bring new funding partners such as the Arkansas Department of Workforce and Area Agencies on Aging to public transit and human service transportation.

IV-C Other Planning Requirements

ARDOT will routinely include all federally funded transit and specialized transportation projects in ARDOT's Statewide Transportation Improvement Program (STIP). To accomplish this, the Public Transportation Programs, through the Local Support Section, will participate in the STIP that is established for the purpose of implementing the appropriate statewide planning requirements. At a minimum, the PTPS will provide STIP update information in the format and at such time as requested by the Program Management Division.

CHAPTER V

APPLICATION AND PROJECT SELECTION

Overview

An application is required when seeking federal funding through Section 5311, Section 5310, and Section 5339 Programs. 5339 funds will be determined within the scope of work and selection process for the 5311 program. Before a specific project can be evaluated and selected for inclusion in the Annual POP for either of the various programs, the appropriate documents must be submitted to the PTPS. The general requirements are discussed in this chapter. Initially, a determination will be made of the extent to which the proposed project meets overall program goals, objectives and application criteria set forth in the current SMP application instructions or subsequent program procedures manuals. Additionally, determination whether the applicant and the project proposal meet the appropriate compliance requirements.

In an attempt to provide consistency and make the process more “user friendly”, ARDOT will employ generic administrative procedures for each of the programs. Therefore, the following guidance and general provision are applicable to application for each of the formula grant programs:

V-A Application Schedule and Procedures

The PTPS will use an annual application cycle for the 5310 Program. [See Attachment 2.](#)

Each established 5311 agency will be required to submit their annual application sixty (60) days prior to the beginning of their fiscal year. Exceptions may be granted if justified to the Program Manager.

Based on the availability of FTA apportionments, applications may be solicited each year, for the next program or federal fiscal year. This should allow for consistent advanced programming of federal funds, since subrecipient agencies are issued for a twelve (12) month period of performance. Exceptions or extensions to this application cycle may be made in response to the availability of excess or unanticipated funds, in response to lapsing federal funds or at the discretion of the Director. [See Attachment 3.](#)

All applications will be reviewed by PTPS staff to determine completeness and eligibility including how the proposed services relate to the local coordinated human service-public transit plan.

Each approved project may be authorized by transmittal of an Award letter. The letters may be executed by the PTPS Section Head.

CHAPTER VI

DISTRIBUTION OF FUNDS

Overview

Projects funded through Sections 5311, 5310, and 5339 Programs may be selected in accordance with FTA requirements. ARDOT will ensure open access and equal treatment of qualified applicants. Projects are derived from the local coordinated planning process and are subsequently selected through a statewide application process for 5310 Programs.

VI-A Method of Distribution

1. The method of distributing Sections 5311, 5310, and 5339 funds annually allocated and/or available to the State, may be based on a completed annual application. An annual application process assists in determining how funds are to be distributed. The following may be considered when distributing funds:
 - A. The need for funds to continue the operation of projects that have demonstrated effective services.
 - B. The availability of other non-Federal options for providing the proposed level of service.
2. Federal funds from either of the 5311, 5310, and 5339 Programs may be committed to those areas where public or other transportation that demonstrate a need for such funds (e.g. access for general public passengers, rural areas, elderly or individuals with disabilities) and provide justification, including local support, within the annual application. This assists in distributing funds to areas in need.
3. Any project meeting the eligibility criteria set forth in this SMP may be considered for possible inclusion in ARDOT's Annual POP for the applicable program.
4. The total funding level (federal share) for the recommended POP may not exceed the total amount of funds available to Arkansas considering funds from the current fiscal year apportionment, unobligated carryover funds from previous years, funds transferred from other FTA programs, and funds de-obligated from prior year grants
5. In accordance with Section 5311 (f) and the guidance contained in current FTA [Circular 9040.H](#) Page V-4, ARDOT programs a minimum of 15% of the annual apportioned funds to support the State's Intercity Bus Program.
 - A. FTA funds allocated to ARDOT for RTAP are to be used to support and provide assistance as follows:
 - i. Training for management, staff and board members of specialized, rural and small urban systems.
 - ii. Technical assistance including, but not limited to, on-site assistance, consultants,

technology sharing, peer-to-peer networks, support for transit advisory group and board member training.

- iii. Other special projects are determined by ARDOT to directly benefit transit providers.
- iv. Supporting technical assistance and training involving ARDOT's staff.

- B. RTAP funds may be used to pay up to 100% of the expenses for specific training or technical assistance projects.
6. The 5339 Bus and Bus Facilities Grant Program provides capital assistance for rolling stock and non-rolling stock and construction projects.
- A. When available, ARDOT will apply for and allocate Section 5339 funds to complement the Section 5311 Program. It may be the policy of the PTPS to fund major vehicle purchases, maintenance facility renovations or construction, and other capital equipment items from available Section 5339 funds, in lieu of Section 5311 funds.

CHAPTER VII

ANNUAL PROGRAM DEVELOPMENT AND PROJECT APPROVAL

Overview

For the Section 5311, 5310, and 5339 grants, the annual POP developed by the PTPS for the various formula programs, may serve as the basis for the State's annual applications for funds to the FTA . Each of these POP's will be reviewed by ARDOT Upper Management as a part of the authorization to apply for FTA funds. These applications, in most instances, are usually submitted to FTA between July 1, and July 30 of each year before the end of September 30th, based on the availability of the annual apportionments and Federal Certifications and Assurances.

VII-A Notice of the Availability of Funds

1. Depending on the date of publication of the annual FTA apportionments, the announcement will be published on ARDOT's website, with Spanish translation.

VII-B Application Development/Review Schedule

Applications to ARDOT's Public Transportation 5311 Program will be due sixty (60) days prior to the beginning of the agency's fiscal year. The 5310 and 5339 Program applications are due in the Spring annually. Extensions will be on a case-by-case basis.

1. The PTPS may prepare the annual statewide formula program applications based on each program requirement for the following periods:
 - A. Section 5310 and 5339 – April thru June of each year
 - B. Section 5311 – May thru December
2. Applicants may be informed in writing of ARDOT's decision to include or decline their project from their award letter.

VII-C Period of Performance

1. The period of performance for all administrative and operating agreements issued by ARDOT may be for a one-year period (12 months). The period(s) of performance may be stipulated in the Master Agreement.
2. The period of performance for all capital agreements may commence on the effective date of the Award Letter and may be extended for a period of time necessary to undertake and complete all project activities. The period of performance may be stipulated in the Award Letter.

VII-D FTA Approval/Project Authorization

1. Certifications and assurances are reviewed by PTPS staff to determine inclusion of all applicable required clauses.
2. Each approved project may be authorized by transmittal of an Award letter. The letters may be executed by the PTPS Section Head or designee.
3. The subrecipient/contractor must sign the certifications and assurances along with the appropriate required attachments and return all signed documents to ARDOT.

CHAPTER VIII

STATE RURAL TRANSIT ASSISTANCE PROGRAM (RTAP)

Overview

ARDOT executes an annual grant agreement with the ATA to provide the RTAP Training Program. ATA's Board of Directors acts as the Arkansas RTAP Advisory Committee and coordinates specific projects and their development. The ATA Board of Directors consists of representatives of rural public transportation providers, urban public transportation providers, the enhanced mobility of seniors and individuals with disabilities community, at-large members, and ARDOT.

VIII-A Program Delivery

ARDOT will maintain flexibility in the RTAP program delivery to transit operators. A range of mechanisms will be used for this purpose, which may include any of the following:

1. ATA submits an annual proposal to provide RTAP-funded services through their staff, which include:
 - A. ATA provides on-demand transit-related training via Learning Management System, real-time transit-related training by webinar, in-person transit-related training at member locations, and in-person transit-related training at the Arkansas Public Transit Safety and Resource Center.
 - B. ATA maintains an online training calendar and an online resource library through which agencies can access training events and resources from around the country, as well as a lending library of training DVDs.
 - C. ATA co-sponsors the annual Arkansas Public Transportation Conference, through which they provide timely and informative educational programs, peer networking opportunities, and access to vendor products and services.
 - D. ATA staff participate in various educational programs to maintain and improve their knowledge of transit-related topics for purposes of providing training and technical assistance.

While RTAP assistance is targeted for rural transit operators and rural human services transportation providers, many urbanized transit systems and human services transportation providers in urbanized areas benefit from this program as well.

CHAPTER IX

PROCUREMENT AND THIRD-PARTY CONTRACT MANAGEMENT

Overview

As the direct recipient of FTA funding, ARDOT is charged with procurement oversight to ensure subrecipient compliance with federal and state statutes. Accordingly, subrecipients must demonstrate that all contracting activities adhere to applicable federal, state, and local regulations.

IX-A Regulatory Framework and Guidance

Procurements reimbursed with FTA funds must adhere to these authorities (including any updates during the contract lifespan):

1. [2 CFR Part 200](#): Uniform Administrative Requirements and Cost Principles.
2. [FTA Circular 4220.1](#): Third Party Contracting Guidance.
3. [FTA Circular 5010.1](#): Award Management Requirements (Asset Management and Disposition).
4. [FTA Best Practices Manual](#): Resource for sample documents and procedures.

IX-B ARDOT Third-Party Program and Procurement Management

ARDOT reviews subrecipient procurement at three distinct "milestones" to ensure compliance:

Phase I: Pre-Solicitation

1. Subrecipient submits the procurement packet (annual 5311/5339 Capital Assistance Request) to ARDOT.
2. ARDOT reviews for federal/state compliance.
3. Action: ARDOT issues authorization to solicit bids.

Phase II: Pre-Award

1. Subrecipient submits bid tabulations, desired vendor, and documentation.
2. ARDOT verifies the process was compliant.
3. Action: Subrecipient awards the contract and subrecipient proceeds with purchase.

Phase III: Post-Delivery & Reimbursement

1. Subrecipient verifies the product/service meets contract specs.
2. Subrecipient submits reimbursement requests and supporting documentation to ARDOT.
3. Action: ARDOT issues federal dollar reimbursement.

IX-C Vehicle Acquisition Process

ARDOT conducts a centralized process for the procurement of specialized vehicles under federal grant programs (Sections 5310, 5311) and state grant programs (TransLease). This ensures compliance with strict federal standards, such as Buy America requirements, ADA compliance, and FMVSS safety standards.

Procurement Phase:

ARDOT (specifically the PTPS) typically issues a statewide bid for various vehicle types (e.g., small cutaways, minivans, or large buses).

1. The Benefit: Subrecipients don't have to conduct their own independent, complex federal bidding process.
2. The Selection: Once the state contract is awarded to vendors, subrecipients are usually given a vehicle list to choose the specific models that fit the agency's needs.
3. ARDOT may authorize direct vehicle purchases by subrecipients. This is conducted on a case-by-case basis (e.g. Eureka Springs Transit, Greyhound, Jefferson Lines) under strict ARDOT oversight. Any such procurement must be made in accordance with applicable federal and state procurement laws and requirements.

Matching Funds & Agreements:

1. Local Match: Subrecipients are generally responsible for a local match (often 20% of the vehicle cost, while federal funds cover 80%).
2. Certifications: Subrecipients are required to sign federal "Certifications and Assurances" agreeing to maintain the vehicle and use it only for its intended purpose.

Post-Delivery Inspections:

Prior to the subrecipient taking possession of the vehicle, ARDOT performs a Post-Delivery Inspection. This includes:

1. Verifying that the vendor built the vehicle exactly to the specifications.
2. Verifying all safety equipment (lifts, tie-downs, etc.) is fully operational.

Vehicle Asset Management and Maintenance:

ARDOT holds the title (with the subrecipient listed as the owner) and the following activities are required:

1. Inspections: ARDOT Asset Specialists will conduct onsite inspections on all vehicle and related equipment purchased with federal and state funds. Vehicle inspections are conducted on-site annually - or more often - to guarantee the safety, reliability, comfort, cleanliness, and cost-effective operation of the fleet. All efforts will be made to minimize disruptions to the subrecipients' transportation service. Identified deficiencies shall be addressed within a timeframe established by the Vehicle Inspector. Any Safety violations may result in the immediate removal of the vehicle from service until the issue is resolved and verified.
2. Preventative Maintenance: All subrecipients must keep detailed maintenance logs, back-up documentation (e.g., work orders, invoices, and receipts) evidencing completion of each preventive maintenance activity, and a written maintenance plan for all FTA funded vehicles. The written maintenance plan must, at a minimum: (a) establish maintenance standards and preventive maintenance inspection intervals compatible with FTA requirements and consistent with the manufacturer's recommendations; (b) include performance measures for the timely completion of preventive maintenance (ARDOT's standard is completion of at least 80 percent of preventive maintenance inspections on time, defined as performed within 10 percent of the scheduled mileage or time interval); and (c) describe procedures for pursuing warranty claims while FTA-funded vehicles remain in revenue service. ARDOT will audit the maintenance logs, back-up documentation, and plan periodically, and ARDOT Asset Specialists will review preventive maintenance records and back-up documentation for on-time performance during each on-site vehicle inspection. These requirements apply to every FTA-funded vehicle for as long as it remains in revenue service. A vehicle's attainment of its minimum useful life does not relieve the subrecipient of maintenance, record-keeping, or reporting requirements, nor does it relieve ARDOT of its oversight responsibilities under 2 CFR § 200.313(d).
3. Usage Reporting: Subrecipients must submit monthly or quarterly reports to ARDOT on mileage and trips for all FTA-funded vehicles for as long as they remain in revenue service, regardless of vehicle age or useful life status.
4. Insurance: Subrecipients must maintain specific levels of insurance as dictated by state and federal law.

IX-D Property Management

1. Whenever FTA funds are used to purchase property, a Capital Inventory is required of all property and equipment. The inventory is updated whenever a request for capital reimbursement is made.
2. ARDOT continually updates the capital inventory and keeps a copy on file. This inventory itemizes all equipment/items that have a useful life of more than one (1) years and an acquisition cost that exceeds \$500.00 per unit. Disposition and useful life standards of vehicles and other capital inventory items are handled in accordance with [49 CFR Part 18](#) and other FTA Circulars [5010.1](#) and [9040.1](#).
3. Section 5311 and 5339 Program capital inventory items that have met its useful life may be retained, sold, or otherwise disposed of with no further obligation to FTA. Public Transportation Program Managers will work with subrecipients on the Useful Life and Disposition Schedule for all equipment

and vehicles. Retention of an FTA-funded vehicle beyond its minimum useful life does not terminate the subrecipient's maintenance, record-keeping, and usage reporting obligations or ARDOT's maintenance oversight activities; those obligations and activities continue for as long as the vehicle remains in revenue service (see Section IX-C, Vehicle Asset Management and Maintenance).

4. Per [2 CFR Part 200.313](#) and [2 CFR Part 200.314](#), when proceeds are \$10,000 or less, subrecipients may retain the full proceeds. If proceeds are greater than \$10,000, per [49 U.S.C. 5334\(h\)\(4\)\(B\)](#), the recipient may retain \$5,000 and the percentage of the local share in the original award of the remaining proceeds. Any remaining federal share must be returned to ARDOT according to FTA guidelines (unless prior approval to use proceeds to offset the cost of a "like-kind" vehicle is given by ARDOT).

- A. For example, if a bus that was originally purchased with federal assistance at an 80/20 split and is sold for the fair market value of \$12,000, the recipient retains \$5,000 plus 20% of the remaining \$7,000, or \$1,400, for a total of \$6,400. The recipient is required to return 80% of \$7,000, or \$5,600, to the FTA through ARDOT.

IX-E Capital Equipment Useful Life Schedule and Disposition

ARDOT has established policies to ensure that capital equipment and vehicles are maintained in an operational condition and a state of good repair. Capital equipment is defined as an item with a purchase price exceeding \$500.00 per unit and a useful life of more than one (1) year and is non-consumable. The following table shows the useful life of transit capital items. If an item is not listed, the subrecipient should contact ARDOT's PTPS Section Head to establish an appropriate useful life.

*Transit Equipment Useful Life

TRANSIT EQUIPMENT	
DESCRIPTION	YEARS
Maintenance Shop Equipment and Tools (engine analyzers, jacks, lifts, fuel tanks, air compressors, gas pumps, tire balancers, scanners, testers, parts washers, etc.)	10
Route Support Equipment (Benches, Shelters, Signs, Real-Time Passenger info.)	10
Office Furniture/Fixtures (Desks, Filing Cabinets, Safes, Communication Equipment)	7
Remanufactured Equipment (Structural Restoration, New or Rebuilt Major Components to Extend Useful Life)	6
Office Equipment (Copiers, Ten-Key Calculators, File Cabinets, Safes, Desktop/Laptop Computers, Document Scanners, VCRs, Televisions, Video Equipment)	5
Fareboxes and Miscellaneous Equipment	5
Vehicle Rehabilitation (body and interior, some new mechanical components)	3
Wheelchair Lifts and Ramps – Same as Useful Life of Vehicle	

*Source: IRS Publication 946, How To Depreciate Property, pages 29-30. <https://www.irs.gov/pub/irs-pdf/p946.pdf>

Transit Vehicles Useful Life

TRANSIT VEHICLES					
Category	Typical Characteristics			Minimum Life	
	Length	Approx. GVW	Seats	Service Years	Miles
Heavy-Duty Large Bus (Over the Road Coach)	35 - 48 ft. & 60 ft. (articulated bus)	35,000 to 45,000	35 to 56	12	500,000
Heavy-Duty Small Bus (Trolley - Rubber Tired)	30 ft.	26,000 to 33,000	22 to 35	10	350,000
Medium-Duty Bus (Purpose-Built Bus)	25 to 30 ft.	17,000 to 26,000	16 to 30	7	200,000
Light-Duty Bus (Mid-Sized to Small Bus, Cutaway)	16 to 28 ft.	10,000 to 16,000	8 to 25	5	150,000
Ramp Minivan, Standard & Conversion Van (Support Staff Vehicle)	--	--	2 to 15	4	100,000

The FTA Bus Testing Facility's reports are used to establish the bus category.

Section 5339 capital inventory items that have met their useful life may be retained, sold or otherwise disposed of with no further obligation to FTA. However, all proceeds from the disposition of property must remain in use for the continuance of that public transit purpose.

Capital items are disposed of in one of two methods:

1. Public auction or
2. Solicitation of sealed bids from any interested party. The method used is determined by mutual consent between the subrecipient and ARDOT.

A Property Inventory Control Form ([See Attachment 4](#)) must be completed with proof of public advertising (photocopy of newspaper ad(s), on your website or social media account(s) and submitted to ARDOT.

Documentation of sales must be retained for a standard period of time following the sale. Sales files are subject to review and inspection by PTPS staff for up to five years.

IX-F Facility Asset Management

Facility Inspections: ARDOT Asset Specialists will conduct onsite inspections on the condition of facilities purchased or refurbished with federal funds. Facility inspections are conducted on-site annually - or more often - to guarantee the asset is being maintained in a proper manner. All subrecipients with FTA funded facilities are required to have a written facility maintenance plan on hand for the Asset Specialists to review during onsite inspections.

Examples of facility types include, but are not limited to: Administrative Offices, Maintenance Offices, Fueling Stations, Wash Bays, Park and Ride Lots, etc. and Trolley Barns. All safety equipment is reviewed to ensure maintenance schedules are being met. FTA's TERM Condition Assessment Scale will be utilized to report the overall condition of each asset. Any deficiencies will be documented and provided to the appropriate manager at the agency. In addition, identified deficiencies shall be addressed within a timeframe established by the Facility Inspector.

CHAPTER X

INTERCITY BUS

Overview

It is ARDOT's intention to develop, implement, and support programs that comply with FTA's Intercity Bus Guidance (e.g., Section 5311(f)). Based on current requirements, in the absence of the Governor's certification, a portion of the annual Section 5311 apportionment is to be made available for the development and support of intercity bus transportation. These programs may be developed cooperatively between the PTPS, local municipalities, local transit operators as well as intercity carriers. For ARDOT, the emphasis will remain on maintaining accessibility in rural areas, collaborating with existing providers and supporting intermodal facilities. As appropriate, ARDOT may also seek certification from the Governor that relates to other rural area transportation needs ensuring that the intercity bus service needs are being met adequately.

1. The requirement did not change under IJJA/BIL for each State to spend no less than 15% of its annual Rural Areas Formula apportionment for the development and support of intercity bus transportation, unless it can certify, after consultation with affected intercity bus service providers, that the intercity bus service needs of the State are being adequately met. The PTPS may request the Director (Governor's designee) to assign a waiver of the 15% requirement.
2. Private intercity bus services may receive Section 5311 Program capital and operating assistance to the extent that they provide public transportation, which supports the connection between rural areas and the larger regional or national system of intercity bus service. ARDOT will give priority to such services where previous service has been provided by other private carriers, where service is no longer available, and the operating cost is an acceptable ratio.
3. ARDOT will implement Section 5311(f)(2) as part of its management of the Section 5311 Program. Approved intercity projects will be included in the annual Section 5311 POP. ARDOT will look at the intercity bus transportation needs of the entire State and will consult available providers. Where feasible, intercity bus feeder service may also provide access to intercity connections with rail or air service. ARDOT will work with neighboring States to ensure coordination of services. ARDOT will provide available information to FTA or its contractors upon request to support a national evaluation of the implementation of Section 5311(f)(2).
4. ARDOT annually advertises in a statewide circulation publication, notifying interested parties offering a public hearing and/or comments.

CHAPTER XI

5339 BUS AND BUS FACILITIES

Overview

The Bus and Bus Facilities Program is authorized under the provisions set forth in the IIJA and BIL. Grants are made available to assist eligible subrecipients in financing capital projects to replace, rehabilitate, and purchase buses and related equipment, and to construct bus-related facilities.

XI-A Goal

The purpose of the 5339 Bus and Bus Facilities Program is to assist eligible recipients in replacing, rehabilitating, and purchasing buses and related equipment and to construct bus-related facilities, thus allowing grantees to address replacement and capital expansion needs.

To ensure that Section 5339 funds are utilized in the most responsible manner possible, ARDOT maintains the goal of encouraging public transit systems to be as cost-effective and efficient as possible. The objectives for accomplishing the goal are as follows:

1. Promote better use of existing fleets and the most economical vehicle for future routes.
2. Utilize all funds that are available for capital projects.
3. Maintain existing levels of service by purchasing replacement vehicles and facility rehabilitation prior to consideration of expansion vehicles or other capital projects.
4. Equitably allocate funds among all public transit systems.

XI-B Program Management and Project Selection

ARDOT has developed procedures to implement the provisions of Section 5339 Program as part of the State's ongoing Section 5311 Program. To the greatest extent practical, selection procedures outlined in this program will be used to determine the allocation of funds for eligible program activities. The guidance contained in the current FTA Section 5311 Program circular will be relied on as the general federal requirements.

Project evaluation and the distribution of funds is based on a fair and equitable process among any and all eligible subrecipients and in compliance with Title VI, Americans with Disabilities Act, EEO, and Section 105(f) requirement, and as specified in 49 CFR Parts 27, 37, and 38.

Priority is given to existing subrecipients who are grandfathered in annually to protect assets. Subrecipients are required to submit applications, typically by April of each year, that propose capital needs and costs. Applications must be submitted to ARDOT's Section 5339 Application Form. [See Attachment 5](#)

Subrecipients must sign this application to reflect their approval of the project and approval to commit local funds. Subrecipients must also coordinate with the Metropolitan Planning Organization (MPO) in their service area(s) to include this in the local Transportation Improvement Plan (TIP), if applicable. ARDOT will review the applications and make recommendations on projects and will support only those costs that meet the “reasonable and necessary” test of Circular A-87. The other considerations of project evaluation are: (1) availability of funds, and (2) a fair and equitable distribution of funds among existing systems.

For the development of new properties, the following criteria are considered: (1) cost efficiency, (2) service effectiveness, (3) technical and financial capacity, and (4) availability of Federal funding.

XI-C Eligible Activities

Eligible capital expenses include projects to replace, rehabilitate, and purchase buses and related equipment and to construct bus-related facilities needed for a safe, efficient, and coordinated public transportation system, as well as certain others.

Examples of eligible capital expenses include, but are not limited to:

1. Acquisition of rolling stock (revenue and non-revenue vehicles)
2. Bus maintenance and administrative facilities
3. Transfer facilities
4. Bus malls
5. Transportation centers
6. Intermodal terminals
7. Park-and ride stations
8. Acquisition of replacement vehicles
9. Bus rehabilitation
10. Passenger amenities such as passenger shelters and bus stop signs
11. Accessory and miscellaneous equipment such as:
 - a. Mobile radio units
 - b. Fare boxes
 - c. Hardware and software, except for annual maintenance/service fees
 - d. Computers
 - e. Shop and garage equipment
12. Construction or rehabilitation of transit facilities including design, engineering, and land acquisition
13. Costs associated with environmental compliance including engineering and design activities-including the preparation of environmental documents

14. Lease of equipment or facilities when lease is more cost effective than purchase. Note that when lease of equipment or facilities is treated as a capital expense, the State must establish criteria for determining cost effectiveness, in accordance with FTA Regulations, "Capital Leases," 49 CFR part 639.
15. The capital portion of costs for service provided under contract
16. Joint development improvements; NOTE: "Joint development improvements" are an eligible capital expense under 49 U.S.C. 5302(3)(G), and the term commonly refers to the coordinated development of public transportation facilities with other, non-transit development, including commercial and residential development. Coordinated development often involves private and public entities and is supportive of the private sector participation provisions of 49 U.S.C. § 5315.
17. Introduction of new technology, through innovative and improved products, into public transportation
18. Crime prevention and security including: projects to refine and develop security and emergency response plans, projects aimed at detecting chemical and biological agents in public transportation, the conduct of emergency response drills with public transportation agencies and local first response agencies, and security training for public transportation employees, but excluding all expenses related to operations, other than such expenses incurred in conducting activities described above.
19. Transit-related Intelligent Transportation Systems (ITS)
20. Clean Fuels Projects; NOTE: Purchases under this category are passenger vehicles used to provide public transportation and powered by compressed natural gas (CNG), liquefied natural gas (LNG), biodiesel fuels, batteries, alcohol-based fuels, hybrid electric, fuel cell, clean diesel (ultra-low sulfur content), or other low or zero emissions technology. Eligible activities also include construction or leasing of clean fuel buses, construction of electrical recharging facilities for such buses, and construction of new or improved existing public transportation facilities to accommodate clean fuel buses.
21. Introduction of New Technology; NOTE: Section 5339 funds may be used for transit- related technology, such as innovative and improved products that provide benefits to transit, including Intelligent Transportation Systems (ITS). ITS refers to the use of electronics, communications, or information processing used as a single component or in combination to improve efficiency or safety of a transit system.
22. Capital projects exclude intercity passenger rail provided by Amtrak, intercity bus service, charter bus service, school bus service, sightseeing services, courtesy shuttle services provided by individual businesses and intra-terminal or intra-facility shuttle services.
23. ARDOT strongly encourages subrecipients to purchase non-rolling stock capital projects within six months of project award or authorization to proceed.

NOTE: Planning activities, Preventive Maintenance, and Mobility Management are not an eligible activity under the 5339 Program.

XI-D Eligible Subrecipients

ARDOT's policy regarding subrecipients eligible to receive Section 5339 funds within the State of Arkansas is consistent with Federal program guidelines. As a designated recipient, ARDOT receives a grant under this section and may allocate any amount of the grant to subrecipients that are public agencies or private nonprofit organizations engaged in public transportation, including those providing services open to a segment of the public, as defined by age, disability, or low income. The FTA definition of "public transportation" explicitly excludes intercity rail or bus service.

XI-E Local Match Requirement

Local Share of Projects

After the appropriate federal share is established, the applicant must provide the local share of the net project cost in cash (or in kind) and must document in its grant application the source of the local match.

[Title 49 CFR part 18](#), *Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Government*, (the common grant rule) at Section 18.24, "Matching or Cost Sharing," describes detailed rules for eligibility, valuation, and accounting for the local matching share:

1. Cash from non-governmental sources other than revenues from providing public transportation services
2. Non-farebox revenues from the operation of public transportation service, such as the sale of advertising and concession revenues. A voluntary or mandatory fee that a college, university, or similar institution imposes on all its students for free or discounted transit service is not farebox revenue.
3. Amounts received under a service agreement with a State or local social service agency or private social service organization
4. Undistributed cash surpluses, replacement or depreciation cash funds, reserves available in cash, or new capital

Local share for capital expenses should be provided in cash, cash equivalent, or other eligible sources. The local share may also be made up of unrestricted funds from other federal programs. Funds generated through service agreements with social service organizations may be treated as local match or project income used to offset operating expenses. Note: local match requirements may not be met by funds provided through another Federal grant.

In 2001 the Arkansas General Assembly passed Act 949 to assist public transit providers receiving FTA funds. This funding (Public Transit Trust Fund) has continued annually with distribution based upon a formula developed by ARDOT and may be used as local match. The formula, as originally developed, is relative to passenger trips, operating costs, demographic data and "Hold Harmless" factors and is currently set at the time of this document's preparation.

XI-F Transfer of Funds

1. ARDOT may find a need to transfer funds between the two Governor's Apportionment amounts from the State's National Distribution Allocation, consistent with [49 U.S.C. 5339\(e\)\(1\)](#). The Governor of the State (or their designee) may transfer any part of the State's apportionment, specifically the National Distribution allocation, to supplement amounts apportioned to the State under Section 5311(c) or amounts apportioned to the State for areas under 200,000 in population under Section 5307. Transferred funds must be used for eligible Bus Program activities, even if combined in a grant with other Section 5307 or 5311 funding.
2. ARDOT will determine the availability of funds and consult with local officials and/or public transit agencies prior to transfer of available funds. However, ARDOT will use its discretion in determining what funds are to be transferred among Programs.
3. ARDOT may transfer Section 5339 funds without consultation of local officials within the last 90 days, in which the funds are available for obligation.
4. The state has the flexibility to transfer funds between small, urbanized areas (UZAs) based on their own defined process. The national distribution funds may be transferred between small UZAs, large UZAs, and rural areas.
5. ARDOT reserves the right to transfer funds between subrecipients within the program if deemed appropriate. The Governor's Designee may approve or validate anything related to transportation. Funds apportioned for small urbanized (<200,000 population) and rural areas may be used for projects serving other areas of the State, only if ARDOT certifies that all the objectives of the 5339 Program are being met in the specified areas. The Governor of Arkansas must also certify that all objectives of the 5339 Program are being met in the certified areas prior to the transfer of funds. Funds apportioned to large UZAs (>200,000 in population) may not be transferred to other areas.
6. A recipient may transfer funds only after consulting with the responsible local officials, publicly owned operators of public transportation, and nonprofit providers in the area from which the funds to be transferred were originally apportioned.

XI-G Reporting

National Transit Database (NTD) Reporting: The NTD is the FTA's primary national database for transit industry statistics. NTD data consists of selected financial and operating data that describe public transportation characteristics. The FTA's regulatory guidance, requires subrecipients of the Section 5311 Program to report data to ARDOT for submittal to the NTD. The legislative requirement for the NTD is found in 49 U.S.C. 5335(a).

CHAPTER XII

OTHER PROVISIONS APPLICABLE TO SELECTED FTA PROGRAMS

Overview

Several laws and administrative requirements apply in common to all federal grant programs and, therefore, are applicable to the FTA transportation programs administered by ARDOT. Compliance features for some of these requirements have been further defined by the FTA's regulatory and program guidance updates. Additionally, there are several unique provisions applicable to all FTA grant assistance programs. It is the policy of ARDOT to comply with each of the provisions through the application of Standard Operating Procedures (SOP's) administrative rules, as well as, policies and procedures that are based on guidance provided by the FTA. In assuring compliance with these provisions, the PTPS will consult and/or coordinate with other organizational units such as Legal Department (on lobbying, ADA and Labor Relations); Procurement (on bus testing and Buy America); and Environmental; and Civil Rights Division (on Disadvantaged Business Enterprises (DBE), Title VI, EEO, and ADA).

XII-A Civil Rights

1. The Civil Rights Division is responsible for assuring that ARDOT follows its policy of equal opportunity to all individuals regardless of race, religion, color, sex, national origin, age and disability. The Civil Rights Division oversees compliance with the following key programs: Title VI and Title VII of the Civil Rights Act of 1964, ADA, DBE, DBE Supportive Services Contract Compliance, and OJT Supportive Services. The Civil Rights Division ensures that these compliance measures are communicated across various operating administrations within ARDOT.
2. ARDOT's PTPS develops a Title VI Plan, monitors subrecipient's EEO Program Plans and DBE Program participation. The Title VI plan is submitted to the FTA for approval. The Civil Rights Officer is responsible for updating the DBE Program Plan, monitoring the Title VI Plan, and reviewing EEO Program Plans for subrecipients.
3. ARDOT's PTPS 5311 Program Managers will receive the required submission of eligible subrecipient's EEO board approved program(s) including identification of the subrecipient EEO Officer and identify a method to avoid potential conflicts of interest. Once received, 5311 Program Managers will electronically forward the subrecipient's EEO programs to ARDOT's Civil Rights Office for review and compliance with FTA/EEO Program components. ARDOT's Civil Rights Office will determine if the subrecipient's EEO Program is in compliance and notify Section 5311 Program Managers in writing that the EEO Program meets FTA threshold requirements. After approved notification has been received, the subrecipient's EEO Programs are acceptable for four (4) years, and will be monitored for compliance as often as annually, which may coincide with the application of Section 5311 subrecipients.

4. Subrecipients are required to sign the Annual List of Certifications and Assurances for FTA Grants and Cooperative Agreements. These Certifications are on file with ARDOT. The following procedures and methods are used to monitor compliance with all applicable requirements and regulations pertaining to the subrecipient of Section 5311 Program funds. FTA Circulars [4702.1](#).

XII-B Title VI, ADA, EEO and DBE

ARDOT assures compliance with Title VI, EEO and DBE to provide an avenue for complaints. A list of complaints and any action taken is kept on file by ARDOT and updated every three years as part of the Work Program and Cost estimate. All Program subrecipients are required to have a Title VI/ADA Complaint form available to the public on their respective websites. Subrecipients are also required to report to ARDOT during the annual application process any Title VI/ADA complaints filed during the previous year. If complaints continue to recur with any subrecipient, ARDOT's Civil Rights Office is asked to investigate the complaint and the subrecipient program.

DBE contracting opportunities are monitored by submission of a monthly reporting form (see Monitoring and Evaluation Procedures). ARDOT has established reporting forms that identify procurement opportunities. These forms also reflect the subrecipients' contacts with DBE firms during the procurement process. This information is accessed for preparing State and Federal reports. Each subrecipient observes an overall goal, which is established every three years by ARDOT of all contractible opportunities, and show "good faith efforts" in meeting this goal. In addition, whenever contractual opportunity exceeds \$250,000 or more (Federal) a DBE goal will be established and stated in the RFP. ARDOT also certifies DBE firms and publishes an online Directory. To ensure compliance, efforts are monitored using the DBE Participation and On-site Inspection forms included in the Monitoring and Evaluation document. The Participation form identifies the DBE Contractors/Sub-Contractors and services to be performed. The On-site Inspection form is utilized during the construction phase and completed by an on-site inspector to ensure that the DBE is performing the contracted work.

XII-C Transportation Services For Individuals With Disabilities

Service must be provided to individuals with disabilities, which is reasonable by comparison with the service provided to the general public and which meets a significant fraction of the actual transportation needs of such people within a reasonable time period. [49 CFR 27.9](#), *"Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance."*

Each public entity operating a fixed route system shall provide Paratransit or other special service (complimentary Para transit 0.75 miles to either side of fixed routes) to individuals with disabilities that are comparable to the level of service provided to individuals without disabilities who use the fixed route system. 49 CFR 37 Subpart D, *Acquisition of Accessible Vehicles by Public Entities*; Subpart E, *Acquisition of Accessible Vehicles by Private Entities*; and Part 38, *Accessibility Standards for Transportation Vehicles*.

XII-D Section 504 and Americans with Disabilities Act Reporting

ARDOT has adopted the final rule implementing the transportation provisions of the Americans with Disabilities Act (ADA). All Program subrecipients must comply with 49 CFR Parts 27, 37 and 38. The rule contains provisions on acquisition of accessible vehicles by private and public entities, requirements for complementary paratransit service by public entities operating a fixed route system, and provision of nondiscriminatory accessible transportation service. ARDOT will monitor subrecipient compliance during annual application process and by reviewing monthly performance reports.

XII-E Environmental Protection and Clean Air Act

1. The FHWA and FTA issued joint environmental protection regulations in the Federal Register on August 28, 1987 ([23 CFR part 771](#)). These regulations require different levels of analysis and documentation for the various projects funded through their programs. It is the intent of ARDOT to conduct environmental analysis to the level required in the joint regulations on all projects not categorically excluded. ARDOT's Environmental Division, and/or an architect through the Categorical Exclusion (CE) checklist in cooperation with the FTA Regional Office will conduct any environmental analysis.
2. The principal CAA requirement with which FTA-funded projects must comply is the transportation conformity rule. The Contractor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act, as amended, 42 U.S.C. §§ 7401. The conformity requirements are contained in an Environmental Protection Agency (EPA) regulation (40 CFR part 93), and they apply in nonattainment and maintenance areas only—areas that, either: (1) currently violate one or more of the National Ambient Air Quality Standards (NAAQSs) (nonattainment areas), or (2) once violated the standards but have since been redesignated to attainment status by EPA (maintenance areas). The transportation conformity process applies not only to federally funded projects but also to long-range transportation plans and transportation improvement programs (TIPs). Determining conformity for transportation plans and TIPs is the responsibility of the metropolitan planning organization (MPO), and FHWA and FTA must review the conformity determination and issue a statement saying that the plan and/or TIP conforms. Determining conformity for individual projects is the project sponsor's responsibility, and, again, FTA and/or FHWA must review this determination and issue a statement, usually in the context of the environmental decision document, saying that the project conforms.
3. The transportation conformity regulation reserves detailed air quality analysis for large projects that have the potential to create new violations or make existing violations worse. There is also a list of exempt highway and transit projects in the regulation that does not require any analysis, which can be found at 40 CFR 93.126. Many transit projects are exempt from the conformity requirements and can be processed expeditiously. Regardless of the type of project being considered, early consultation with FTA is essential for proposed projects in nonattainment and maintenance areas to establish what the requirements are and how best to satisfy them. The planning and environmental staff working in FTA regional offices are the best points of contact for air quality and transportation conformity issues.

XII-F Labor Protection

Letters of attestation indicate that the project will be carried out in such a manner and upon such terms and conditions as will not adversely affect employees of the Section 5310 and Section 5311 grant recipient nor any other surface public transportation provider in the service area of the project.

XII-G Charter Regulations

1. Pursuant to [69 U.S.C. 5323\(d\)](#) and [49 C.F.R. Part 604](#), unless specified in program guidance, FTA funded equipment may not be used in school bus transportation exclusively for the transportation of students and school personnel in competition with private school bus operators. A Public transit agency may provide charter service under the following exceptions:
 - A. Government Officials (80 hrs. yearly)
 - B. Qualified Human Service Organizations (elderly, people with disabilities, and low-income individuals)
 - C. When no registered charter provider responds to a notice sent by a recipient
 - D. Leasing (must exhaust all available vehicles first)
 - E. By agreement with all registered charter providers
 - F. Petitions to the Administrator:
 - i. Events of Regional or National Significance:
 - Hardship
 - Discretion
2. It is ARDOT's policy that charter service may be provided only in accordance with regulations contained in 49 CFR Part 604 and subsequent FTA regulations governing charter service provision. Consistent with the regulations, FTA funded projects are prohibited (with a few exceptions) from providing general public charter services using equipment purchased with FTA funds. All charter exceptions must be consistent with the most recent approved FTA regulations.
 - A. Any Section 5311 project desiring to provide charter services must document to ARDOT that all certifications and/or authorization procedures have been successfully completed as required by 49 CFR Part 604, herein incorporated by reference.
 - B. At a minimum, all projects desiring to provide charter services must be documented in the annual application for funding that they are cognizant of and in compliance with the charter service requirements contained in the most recent Procedures Manual. These requirements are consistent with the most recent [FTA Final Rule on charter service](#).
 - C. The appropriate charter agreement required by FTA may be provided as a part of the

submission of assurances and/or certifications as a part of the subrecipient's application for Section 5311 funding or may be submitted as a subsequent request.

3. It is ARDOT's policy that no FTA funded projects may provide charter or sightseeing services outside the state. Within the state, charter and sightseeing services may only be provided on an incidental basis. The following uses are presumed not to be incidental:
 - A. Weekday charters which occur during peak morning and evening rush hours.
 - B. Weekday charters which require vehicles to travel more than fifty (50) miles beyond the service area.
 - C. Weekday charters which require the use of a particular vehicle for more than a total of six (6) hours in any one day; it is ARDOT's policy that FTA funded projects are encouraged to coordinate services and contract resources with private operators to support charter services.

XII-H Buy America

Section 165 of the Federal Transit Act of 1991 as amended provides that, with exceptions, Federal funds may not be obligated for mass transportation projects unless steel and manufactured products used in such projects are produced in the United States. Section 5311 Program recipients must conform to the FTA regulations, [49 CFR Part 661](#), and any amendments thereto. Buy America requirements apply to all purchases, including materials or supplies funded as operating costs. Requests for Buy America waivers must be submitted to FTA for approval.

There are four exceptions to this basic requirement:

3. The requirement will not apply if its application is not in public interest.
4. The requirements will not apply if materials and products being procured are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality.
5. The requirement will not apply in a case involving the procurement of buses and other rolling stock (including train control, communication, and traction stock (including train control, communication, and traction power equipment) if the cost of components and subcomponents which are produced in the United States is more than 60% of the cost of all components and subcomponents of the vehicles or equipment, and if final assembly takes place in the United States.
6. The requirement will not apply if the inclusion of domestic material increases the overall project contract by more than 25%.

XII-I Drug and Alcohol

1. Section 5311 Program subrecipients will be required to comply with rules issued by the U.S. Department of Transportation on the subject of drug and alcohol testing per [49 CFR Part 40](#) and [49 CFR Part 665](#). In addition, The Omnibus Transportation Employee Testing Act of 1991 mandated the Secretary of Transportation to issue regulations to combat prohibited drug use and alcohol misuse in the transportation industry. The portion of the transportation industry that has to do with the provision of and service to the public of mass transportation, the FTA is the agency delegated with the authority and responsibility for issuing these implementing rules. These rules are encompassed in 49 CFR Part 655, Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations.
2. Subrecipients will also be required to demonstrate participation in random drug and alcohol testing programs as required by U.S. DOT for CDL drivers. In Arkansas, one program available to the transportation agencies, in which many participate, is through the ATA. ATA assists Arkansas' public transit systems and private non-profit human service agencies with meeting U.S. DOT regulations regarding the Procedures for Transportation Workplace Drug and Alcohol Testing (49 CFR Part 40). ATA administers two separate consortiums: one that complies with federal regulations for public transit systems (FTA: [49 CFR Part 655](#)), and another for agencies with commercial motor vehicles (FMCSA: [49 CFR Part 382](#)). To ensure compliance, an annual audit of the FTA consortium programs is performed by ARDOT's Drug and Alcohol Officer in coordination with ATA's Safety and Training Director. At the request of members, ATA also provides a non-DOT testing program.

XII-J Transit Asset Management

1. On July 6, 2012, the Moving Ahead for Progress in the 21st Century Act (MAP-21) federal transportation bill was signed into law. With the approval of MAP-21 came many changes for transit systems across the nation which introduced Transit Asset Management (TAM). On September 30, 2015, the FTA published the TAM Notice of Proposed Rulemaking which ultimately led to agencies being required to develop a TAM plan if it owns, operates, or manages capital assets used to provide public transportation and receives federal financial assistance under 49 U.S.C. Chapter 53 as a recipient or subrecipient. In November 2021, the BIL enacted as the IIJA, continued, without change, FTA's TAM program.
2. The TAM program enables transit agencies to implement strategic approaches to monitoring, maintaining, and replacing transit assets. FTA's TAM rule ([49 CFR Part 625](#)) requires transit agencies to develop a compliant TAM plan, set performance targets for capital assets, create data and narrative reports on performance measures, and coordinate with their planning partners.
3. The goal of the TAM plan is to guide the optimal prioritization of funding transit properties in order to keep transit networks in a State of Good Repair (SGR), the condition in which a capital asset can operate at a full level of performance.

Each TAM plan should:

- A. Outline how people, processes, and tools come together to address asset management policy and goals.
 - B. Provide accountability and visibility for furthering understanding of leveraging asset management practices.
 - C. Support planning, budgeting, and communications to internal and external stakeholders.
4. The FTA categorizes transit agencies as Tier I or Tier II providers. Tier I providers are agencies that 1) operate rail, or 2) have 101 or more vehicles across all fixed route modes, or 3) have 101 or more vehicles in one non-fixed route mode. Tier II providers are agencies that 1) are subrecipients of 5311 funds, or 2) American Indian Tribes, 3) have 100 vehicles or less across all fixed route modes, or 4) have 100 vehicles or less in non-fixed route mode.
 5. ARDOT adopted the original Arkansas Statewide Transit Asset Management Plan (ARTAM) in September 2018. ARDOT sponsored Plan must be updated at least every four (4) years. The next update was completed in October 2022. The ARTAM Plan must be updated by September 2026 for reporting to FTA and the National Transit Database in October 2026.

XII-K Safety and Security

1. The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), signed on December 18, 1991, required the FTA to create a first-ever State-managed safety and security oversight program for rail fixed guideway public transportation systems (RFGPTS) not regulated by the Federal Railroad Administration (FRA).
2. In each successive Act following ISTEA, including the Transportation Equity Act for the 21st Century (TEA-21), signed on June 9, 1998, and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), signed on August 10, 2005, the State Safety Oversight (SSO) program was continued, setting the stage for the safety and programmatic advances required under the MAP-21 signed July 6, 2012 and continued under the Fixing America's Surface Transportation Act (FAST Act), signed on December 4, 2015.
3. On March 16, 2016, FTA issued the [49 CFR Part 674](#) final rule. This rule reflects the requirements of 49 U.S.C. Section 5329(e) and directs States to strengthen their authorities to oversee and enforce safety requirements to prevent and mitigate accidents on the RFGPTS in their jurisdictions.
4. In a letter from the Governor of the State of Arkansas dated June 4, 2013, ARDOT was designated as the State Safety Oversight Agency (SSOA). In another letter from the Governor dated May 15, 2015, ARDOT was designated as the recipient and administrator of FTA funds for the State of Arkansas.
5. Commission Minute Order 2017-096 passed October 18, 2017, authorized the Director of ARDOT to develop and promulgate rules setting forth the procedure to review, approve, oversee, investigate, and enforce rail fixed guideway public transportation safety plans, for the purpose of regulating and enforcing the requirements set forth in [49 CFR Part 674](#).

6. The SSOA authority applies to any Rail Transit Agency (RTA) operating an RFGPTS in Arkansas. References to the RTA or RFGPTS do not apply to one specific RTA, but to any RTA operating in Arkansas. Rock Region METRO (METRO Streetcar) is the only RTA/RFGPTS subject to oversight in the State of Arkansas.
7. The SSO Program is administered by the State Safety Oversight Officer. The SSO Officer is responsible for carrying out the policies enumerated in the State Safety Oversight Program Standard (SSOPS) and the specific activities and objectives provided in the SSO Procedures Manual. The SSO Program is currently administered through the Local Programs Division, PTPS of ARDOT. The SSO Officer and any staff or subrecipients will meet the training requirements of the Public Transportation Safety Certification Training Program (49 CFR Part 672).
8. The SSO Officer is supported by the PTPS Administrator, the Local Programs Division Head, the Assistant Chief Engineer – Program Delivery, the Chief Engineer – Preconstruction, and the Director. If additional technical or staff support is required from ARDOT, the Chief Engineer – Preconstruction is authorized to dedicate these resources to the program. ARDOT retains the authority to use contractors as required to support the performance of safety oversight activities. All contractors used for the SSO Program will be under the supervision and authority of the SSO Officer.

XII-L Maintenance

Subrecipients receiving FTA Section 5310, 5311, or 5339 funds for vehicles, equipment, or facilities must maintain such assets in good operating condition throughout their useful life, in accordance with the following requirements:

1. **Preventive Maintenance Plan:** Each subrecipient shall develop and follow a written preventive maintenance (PM) plan for all federally funded vehicles and equipment, consistent with the manufacturer's recommended maintenance schedule. The PM plan shall, at a minimum, address inspection intervals, servicing schedules, and recordkeeping procedures.
2. **Maintenance Records:** Subrecipients shall maintain maintenance and repair records for each federally funded vehicle for the duration of its useful life, including documentation of scheduled and unscheduled maintenance, repairs, and inspections. Records must be made available to ARDOT and FTA upon request.
3. **Wheelchair Lifts and Accessibility Equipment:** Wheelchair lifts and other accessibility-related equipment must be maintained in operative condition and checked as part of routine daily or pre-trip inspections, consistent with ADA requirements (49 CFR Part 37.161 and 37.163).
4. **Facilities:** Facilities acquired or improved with federal assistance must be maintained in a state of good repair for the duration of the useful life established for the asset. Subrecipients with FTA-funded facilities must keep a written facility maintenance plan on file with ARDOT in accordance with Section IX-F of this Plan.

5. **Monitoring and Compliance:** ARDOT will monitor subrecipient maintenance practices through on-site inspections, desk audits, and periodic compliance reviews, and maintenance documentation may also be examined as part of these reviews. Failure to maintain vehicles/equipment/facilities in good working order may result in findings requiring corrective action and may affect eligibility for future capital assistance.
6. **Disposition:** Vehicles or equipment that are no longer in a maintainable condition, or that have reached the end of their useful life as established in the Capital Equipment Useful Life Schedule (Section IX-E), must be reported to ARDOT for disposition instructions consistent with FTA guidance (Circular 5010.1F, "Award Management Requirements") and 2 CFR Part 200.313.

CHAPTER XIII

MONITORING AND EVALUATION

Overview

The PTPS Managers will monitor and review FTA funded projects to ensure proper administration of grant funds as well as compliance with applicable rules and regulations using the following four (4) methods.

1. Monthly, the PTPS Managers may monitor Section 5311 project performance and expenditures. The agency may invoice for actual project expenditures, on an approved Request for Reimbursement form. Each routine reimbursement request is to be accompanied by the required Vehicle Activity Report, Performance Report, DBE Contractible List, Good Faith Effort form and documentation that costs submitted for reimbursement have been paid.
 - A. Reimbursement Requests and accompanying reports may be reviewed to determine if expenses are reasonable, allowable, and allocable, if expenditures are within the approved budget line items and categorical amounts, if the subrecipient's revenues have been reported correctly, if budget adjustments are necessary, and if vehicle use/level of services supports the amount of resources that are currently allocated.
 - B. Expenditures may be reported by administrative, operating and capital categories, less any applicable revenues.
 - C. The PTPS reserves the right to establish a predetermined invoicing schedule in the event it becomes necessary to monitor project expenditures more frequently than allowed by the agencies current invoicing schedule.
2. The PTPS Managers may review and take approval actions on certain key project tasks, including, but not limited to, procurements and budget revision/amendments decisions. This is done to determine that the agency is adhering to applicable state law(s) and major compliance requirements of FTA programs. Approval of these key tasks, when appropriate, may be in writing based on project submissions.
3. The PTPS Managers may also conduct periodic site visits to monitor project implementation and progress or to conduct assessments in any area of project performance. To the greatest extent practical, these visits may be conducted no less than annually for all awarded agencies. Variations from this requirement may be approved by the PTPS Section Head.
 - A. On-site monitoring may be conducted using a comprehensive inspection/monitoring format.
 - B. Additional specific monitoring may be done at any time based on a request from the local subrecipient or evidence of possible non-compliance.

- C. Monitoring site visits may be scheduled at any time by staff assigned to a subrecipient with the approval of the PTPS Section Head. On-site monitoring must be coordinated by the local agency's Executive Director or designee. However, the PTPS staff reserves the right to visit any agency site at any time during the normal hours of operation to observe agency activities or retrieve information that is in the public domain. Prior to conducting an on-site monitoring visit, PTPS staff may prepare the required correspondence, including pre-site visit checklist(s), and may review the following:
 - i. The contract and/or supplemental agreements and any special conditions pertaining to it
 - ii. All recent correspondence between ARDOT and the agency
 - iii. All requests for reimbursements
 - iv. The approved project budget and quarterly analysis
 - v. All programmatic reports
 - vi. All prior monitoring and financial reports, including audits
 - D. On-site monitoring is intended to be a comprehensive review of the agency's activities to ensure that the contractor is complying with applicable federal and state regulations, policies and procedures. To accomplish the on-site monitoring function, staff must conduct at least one comprehensive review of all phases of subrecipient compliance. Other on-site visits may be designed to review for continued compliance but should also focus on the provision of technical assistance.
 - E. Desk monitoring will be done when on-site monitoring is impractical due to time, staffing, or budget constraints. This monitoring will include a review of all the agency's financial records readily available to ARDOT.
 - i. Desktop monitoring involves reviewing and evaluating cost, management, or operation data submitted by the subrecipient. The intent is to evaluate selected data in the context of project goals and objectives as well as the contract agreement.
 - ii. Each Section 5311 subrecipient may undergo desk-top monitoring to the extent established by PTPS standard procedures or where necessary, the express direction of the Administrator.
 - F. Other agencies may be monitored based on the requirements of the contract agreement.
- 4. Quarterly and annually progress reports may be used to facilitate desktop monitoring of the overall progress of other FTA funded projects and programs.
 - 5. FTA Program Grants should be maintained in office for five (5) years, for three (3) years after final payment or until audited, whichever is longer, then destroy.

XIII-A Evaluation Methodology

1. FTA funded projects will be evaluated to ensure program efficiency and effectiveness. This evaluation will include, but is not limited to the following:
 - A. Review of periodic Progress Reports and Reimbursement Request(s) submitted by subrecipients
 - B. Review of applicable performance indicators/ standards
 - C. Review of aggregate performance data
 - D. Annual review of applications for funding
2. If deficiencies are found, a plan for corrective action, e.g. a performance improvement plan, may be developed in consultation with the local project. As appropriate, the staff may also seek input from other local entities with an interest in public transportation services (e.g., MPO's, Planning and Development Districts and units of local government).

XIII-B Evaluation Monitoring Outcomes

1. ARDOT may, by notification to the subrecipient's governing authority, take actions necessary to correct major violations of the contract agreement, federal regulations, state laws or program policies. Such actions may include placing a Subrecipient in the high-risk status – this may require additional documentation to ARDOT by the subrecipient.

CHAPTER XIV

TECHNICAL AND MANAGEMENT ASSISTANCE

Overview

The PTPS includes staff members who are available to provide a wide range of technical assistance on request. Technical and management assistance as well as training will be made available primarily by the staff of the PTPS, resources from other Divisions within ARDOT, and third-party contractors as appropriate.

XIV-A Technical and Management Assistance

1. The PTPS will provide technical assistance in the areas of planning and project implementation assistance.
2. The PTPS will also provide technical assistance in the area of project management.
3. As a part of the PTPS's routine responsibilities, RTAP will be administered as a broad and flexible program for accessing or developing training, technical assistance, research and other support services. The RTAP program will be coordinated to the greatest extent practical with the Section 5310 and Section 5311 Programs, the resources available via the ATA and ARDOT's other training organizational units.

CHAPTER XV

CONSTRUCTION OR RENOVATION OF FACILITIES

Overview

Construction or renovation of subrecipient facilities may be necessary to provide for an efficient and effective coordination of public transportation services. The costs of construction or rehabilitation of transit facilities, including design, engineering and land acquisition, are eligible FTA capital expenses. The primary responsibilities for construction management and oversight lie with the local contracting entity (i.e. subrecipient), along with consultation from ARDOT's PTPS.

XV-A Oversight

ARDOT analyzes applications for construction or renovation of facilities on a case-by-case basis. The applicant must be an approved Section 5311 Rural Public Transportation Provider and must submit information concerning: (1) the need for a facility or improvements to a facility, (2) justification for building or renovation, (3) a cost-analysis between leasing, purchasing, building or renovation, and (4) feasibility study of the proposed project. ARDOT will develop a recommendation on the project and submit the application to FTA for approval, if the construction project exceeds \$500,000 or as required by the current FTA Region VI oversight triggers.

If a project, which involves the purchase of property, is approved, FTA Circular 5010.1E (or most current version) and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended ([49 CFR Part 24](#)), shall be followed. ARDOT will place a lien on all real property.

Architectural and engineering plans, including cost estimates, must be submitted and approved, prior to the beginning of any construction. All work of \$50,000 (or more) performed by third-party contractors must be advertised for bids or RFP and comply with the provisions of Section 105(f) of the Surface Transportation Assistance Act. All required Assurances and Certifications must be on file from both the prime contractor and any subcontractor. Certified Disadvantaged Business Enterprises will be encouraged to participate in all construction phases with a minimum goal, which is established on a project specific basis of the contractible amount of the project. All construction projects will follow ARDOT processes and procedures. To ensure compliance, contracts are monitored throughout the process.

**ATTACHMENT ONE:
REQUEST FOR REIMBURSEMENT**

Request for Reimbursement form

ARKANSAS DEPARTMENT OF TRANSPORTATION									
Local Programs Division									
REQUEST FOR REIMBURSEMENT									
Choose One: ☐ Metropolitan Planning Organization ☒ Public Transportation Programs ☐ Railroad									
1. Federal Project No.		7. Name of Recipient			13. Grant Period				
2. ARDOT Job No.		8. Mailing Address			14. Fiscal Year				
3. Claim No.					15. Reporting Period		to		
4. Final Claim: Yes ☐ No ☒					16. Date Submitted				
5. Name of Project/Study		9. Agreement Date			17. Federal ID#				
		10. Railroad Bill No. of			18. Exception 1099 Code: Yes ☒ No ☐				
		11. Annual Risk Assessment has been completed: Yes ☒ No ☐			19. HR ☐ LR ☒				
6. County		12. Date of Last Risk Assessment							
20. Item No.	21. Item Description	22. Budgeted Cost	23. Previous Cumulative	24. Current	25. Cumulative (23+24)=25	26. Remaining Funds Available			
100	Salaries & Fringe	\$ -	\$ -	\$ -	\$ -	\$ -			
102	In Kind - Salaries & Fringe*	\$ -	\$ -	\$ -	\$ -	\$ -			
105	Indirect Cost	\$ -	\$ -	\$ -	\$ -	\$ -			
110	Purchase of Services	\$ -	\$ -	\$ -	\$ -	\$ -			
115	In Kind - Purchase of Services*	\$ -	\$ -	\$ -	\$ -	\$ -			
120	Communications	\$ -	\$ -	\$ -	\$ -	\$ -			
125	In Kind - Communications*	\$ -	\$ -	\$ -	\$ -	\$ -			
130	Building Costs	\$ -	\$ -	\$ -	\$ -	\$ -			
135	In Kind - Building Costs*	\$ -	\$ -	\$ -	\$ -	\$ -			
140	Travel	\$ -	\$ -	\$ -	\$ -	\$ -			
150	Supplies	\$ -	\$ -	\$ -	\$ -	\$ -			
160	Dues, Taxes, Fees & Training	\$ -	\$ -	\$ -	\$ -	\$ -			
170	Insurance	\$ -	\$ -	\$ -	\$ -	\$ -			
*In Kind is shown for reporting purposes; Not included in Total Net Cost									
27. Total Costs		\$ -	\$ -	\$ -	\$ -	\$ -			
28. (Fare Income)		\$ -	\$ -	\$ -	\$ -	\$ -			
29. (Other Income)		\$ -	\$ -	\$ -	\$ -	\$ -			
30. (In Kind)		\$ -	\$ -	\$ -	\$ -	\$ -			
31. Total Net Cost		\$ -	\$ -	\$ -	\$ -	\$ -			
A. Local Match		20%	\$ -	\$ -	\$ -	\$ -			
32. B. State Match		0%	\$ -	\$ -	\$ -	\$ -			
C. Federal Match		80%	\$ -	\$ -	\$ -	\$ -			
33. Total Federal Requested				\$ -					
AUTHORIZATIONS									
ARDOT					DESIGNATED AGENCY OR CONSULTANT				
I certify this claim has all supporting documents and verified as accurate.					I certify that this claim represents actual and bonafide expenditures.				
Program Manager					Finance Manager/Controller				
Examined and Checked by:					Agency or Consultant Authorization				
I certify that required forms have been received.									
Section Head					Director/Executive Director				
Approved for Payment:									
Division Engineer									
ARDOT ACCOUNTING INFORMATION									
Budget	Object	Job No.	FAIN No.	Amount					
850	52904			\$ -					

**ATTACHMENT TWO:
5310 DRAFT APPLICATION**

2027 SECTION 5310 PROGRAM APPLICATION AND INSTRUCTIONS

All Applicants:

To maintain compliance with Federal and State program requirements and to better meet the needs of Arkansans, the Arkansas Department of Transportation (Department) has edited this application to reflect recent Federal Rulemaking and personnel changes. Application Instructions will help you to:

- DETERMINE YOUR AGENCY'S ELIGIBILITY FOR FUNDING,
- COMPLETE THE APPLICATION FOR CAPITAL ASSISTANCE, INCLUDING ALL ATTACHMENTS, AND
- COMPLY WITH ALL PROGRAM REQUIREMENTS TO MAXIMIZE YOUR APPLICATION SCORE.
- SIGNATURES MUST BE WET. NO ELECTRONIC SIGNATURES.

PLEASE NOTE IMPORTANT PROGRAM LIMITATIONS FOR APPLICANTS:

1. THE DEPARTMENT WILL ACCEPT ONE APPLICATION PER RELATED ORGANIZATION. •All Applications for Capital Assistance will be initiated by the Master Applicant (Parent Agency) and not by a Subsidiary, Satellite Location, Controlled Corporation, Partner Agency, or any other Operation of Convenience.
 - The DEPARTMENT will make the final determination regarding related organizations and the need to jointly file an application where a project is jointly operated. The Department reserves the right to limit/exclude/combine applications submitted by sub-corporate entities or partner agencies operating under or through a principle corporate entity.
2. The Master Applicant will choose from among its programs, operations, and related agencies to identify up to two Site Specific Locations and complete the Master Application with the Specific Site Location documented for each vehicle requested.
3. Applications will only be accepted from eligible legal entities operating within the State of Arkansas whose agency/program goals and objectives are consistent with Section 5310 Program limitations (serve only Seniors and/or Individuals with Disabilities) and which possess the experience, financial capacity, technical capacity, and administrative ability to carry out project(s) proposed in the Master Application.
4. Vehicles will be awarded on a competitive basis, at the sole discretion of the Department, and based upon a review of factors, including **prior funding awards**, the **proposed use of a vehicle**, the **needs to be addressed in a community through the award of a vehicle**, the **organizational capacity and performance of the Master Applicant organization and related agencies**, the **availability of funds**, the **following of current preventive maintenance plans**, the **current appropriate usage of FTA funded vehicles**.
5. The federal share of eligible capital costs will not exceed 80% of the net project cost and the local share of eligible capital costs will not be less than 20% of the net project cost. Except where a Federal program permits funds to be used to match Federal funds, local share must be provided from sources other than Federal funds.
6. NO CASH SUBSIDY IS AVAILABLE. Successful Applicants will be responsible for a 20% CASH MATCH AT TIME OF VEHICLE DELIVERY. Application is LIMITED TO VEHICLES LISTED IN ATTACHMENT 8. The Department will PURCHASE ALL VEHICLES AWARDED through the STATE PROCUREMENT PROCESS ACCORDING TO DEPARTMENT SPECIFICATIONS.
7. Vehicles provided to Organizations through this Capital Assistance Program are granted for the sole purpose of providing transportation services to the Population of Seniors and/or Individuals with Disabilities Identified in the Application. An organization may not use a 5310 Program vehicle for any purpose or group of passengers, including service to the public, until they have fully satisfied the transportation needs of the client group described in the

application. Other passengers may be transported on a “space available” basis, as long as no Senior or Individual with Disabilities is displaced.

8. Meal Delivery is not a transportation service under this Program. Administrative use of a vehicle awarded under this Program must be incidental to transportation service provided to eligible riders and cannot displace an eligible rider. Vehicles used primarily for administrative purposes, INCLUDING MEAL DELIVERY, may be available to eligible agencies under the Department’s TransLease Program. Contact the Public Transportation Programs Office for more information: 501-569-2952.
9. The information you provide may be compiled and shared with the FTA and is used by the Program Managers and the Interagency Review Committee to evaluate and rank proposed projects.
10. All Master Applicant organizations will provide:
 - **One (1) completed TYPED Master Application**
 - **Include the Site Specific Location for each vehicle requested**, up to a maximum of two (listed in rank order of importance to your Agency).
 - If submitting more than one vehicle selection, the Order of the vehicles in your application will be a factor in the ranking of each vehicle. (List your most important request first.)
11. Applicant Eligibility Criteria: There are three categories of eligible applicants:
 - Private non-profit organizations determined by the Secretary of the Treasury to be an organization described by 26 U.S.C. Section 501(c) which is exempt from taxation under 26 U.S.C. Section 501(a) or Section 101.
 - Public entities that certify that no non-profit corporations or associations are ready, willing, and available in an area to provide the service.
 - Public entities approved by the Department to coordinate services in a particular area for seniors and individuals with disabilities.

Public Entities wishing to participate in the Program must complete the Certificate of Eligibility for Local Entities Statement and the Availability of Private Non-Profit Response Form.

Private Non-Profit Agencies should complete the Availability of Private Non-Profit Response Form only.
12. Disabled Accessibility Requirement: Vehicles requested through this Program must be accessible to disabled individuals. The Department will consider issuance of a waiver of this requirement (See Attachment 6) only if, in its opinion, specific conditions have been clearly and completely met. To qualify for a waiver your Agency must:
 - Currently meet all demand for service to disabled individuals as requested and required,
 - Provide generally equal service to disabled individuals; and
 - Continue to provide these services after the acquisition of a vehicle under this Program; and
 - Complete a response letter responding to questions 1 through 6 found on Attachment 6.
13. **Nonprofit Financial Disclosure:** Your agency’s IRS Form 990(s), most recent Audited Financial Statement(s) and any audit/management letters issued by the auditor in conjunction with audit findings must be submitted with application.
14. To clarify the application process and request any additional information before all deadlines, you may wish to contact the Section 5310 Program Manager:

April Washington at 501-569-2952, april.washington@ardot.gov

2027 Application & Supporting Documentation File Order

Based upon the organization of your Agency and your Agency's approved status with the Department, select the Application Type that applies to your situation from the three options listed below and include the REQUIRED documents in the specified order for that Application Type:

PRE-CERTIFIED PRIVATE NON-PROFIT APPLICANTS

(These are agencies currently participating in the 5310 Program with active vehicles.

Quarterly Performance Measurement & Monitoring Reports are currently being submitted to the DEPARTMENT.)

- a. Typed Master Application with Original or Electronic Signatures submitted via Email: **Handwritten and photocopy of application are not acceptable.**
- b. Include Site Specific Location including full address for EACH requested vehicle: Include at least one and no more than two per Master Applicant-One per vehicle.
- c. Listing of current Board of Directors with their positions, addresses and occupations.
- d. Agency's Articles of Incorporation: Provide amendments to your Articles of Incorporation, if any. The Department maintains these documents on-file. If your corporate structure/officers changed since your last application, or if you failed to report a change in a previous year, provide updated documentation.
- e. Current or most recent, IRS Form 990 - Return of Organization Exempt from Income Tax. If necessary, include the IRS approval Form 2758 where your Agency filed for an extension.
- f. Vehicle Inventory Form: Use blank form provided-Application Attachments Section, Attachment 1. Note: Include any/all ARDOT funded vehicles, even released vehicles.
- g. Public Notice – the printed on-line listing or scanned copy of actual newspaper clipping or bulletin published prior to submission of the application. See Application Attachment 2 for use as a template. If requesting vehicles for separate sites, make notice in each media market.
- h. Public or Private Operator's Statement(s): Complete and present one form to each Responding Transit Operator in each service area(s) included in the Application for the **Responding Transit Operator to complete and return to you.** Copy and use Attachment 3 for distribution.
- i. Federal Assistance Form 424. Use blank form provided, Attachment 4. **Fill in highlighted areas.**
- j. Certification of Eligibility for All Entities certifying that there are no nonprofit organizations ready, willing, and available in the area to provide the proposed service. See **Application Attachment 5 for the two-page form.** Efforts to solicit service must be documented and included with certification. Documentation shall include a list of all existing transportation providers to whom letters were mailed.
- k. Assessment of Equal Access for Individuals with Disabilities Attachment 6 but only include signed letter response in application **IF The Requested Vehicle Is Not ADA Compliant.** Otherwise, omit.

NEW PRIVATE NON-PROFIT APPLICANTS

(These are agencies applying for the first time or agencies that previously participated in a Department Transit Program but no longer have active vehicles requiring vehicle Quarterly Performance Measurement & Monitoring (QPM) Reports.)

- a. Typed Master Application with Original or Electronic Signatures submitted via Email: **Handwritten and photocopy of application are not acceptable.**
- b. Include Site Specific Location including full address for EACH requested vehicle: Include at least one and no more than two per Master Applicant-One per vehicle.
- c. Listing of current Board of Directors with their positions, addresses and occupations.
- d. Agency's Articles of Incorporation: Provide amendments to your Articles of Incorporation, if any. The Department maintains these documents on-file. If your corporate structure/officers changed since your last application, or if you failed to report a change in a previous year, provide updated documentation.
- e. Letter of Tax Exempt Status from Internal Revenue Service.
- f. Latest completed financial audit, with all management letters on file.
- g. Current or most recent, IRS Form 990 - Return of Organization Exempt from Income Tax. If necessary, include the IRS approval Form 2758 where your Agency filed for an extension.
- h. Vehicle Inventory Form. Blank form is provided for your use as Attachment 1, if applicable

- i. Public Notice - the printed on-line listing or scanned copy of actual newspaper or bulletin published prior to submission of the application. See Application Attachment 2 for example. If requesting vehicles for separate sites, make notice in each media market.
- j. Public or Private Operator's Statements. Complete and present one form to each Transit Operator in each service area(s) included in the Application for the Transit Operator to complete and return to you. Use Attachment 3.
- l. Federal Assistance Form 424. Use blank form provided Application Attachments Section, Attachment 4.
- m. Certification of Eligibility for All Entities certifying that there are no nonprofit organizations ready, willing, and available in the area to provide the proposed service. See Application Attachment 5 page 2. Efforts to solicit service must be documented and included with certification. Documentation shall include a list of all existing transportation providers to whom letters were mailed.
- n. Assessment of Equal Access for Individuals with Disabilities Attachment 6, but only include a signed letter response in package **IF The Requested Vehicle Is Not ADA Compliant**. Otherwise, omit.
- o. Brochure or Flyer on your Agency.

NEW AND PRE-CERTIFIED PUBLIC ENTITIES

(Examples of Public Entities are City and County governments.)
(New and Pre-Certified criteria same as above.)

- a. Typed Master Application with Original or Electronic Signatures submitted via Email: **Handwritten and photocopy of application are not acceptable**.
- b. Include Site Specific Location including full address for EACH requested vehicle: Include at least one and no more than two per Master Applicant-One per vehicle.
- c. Listing of current Board of Directors with their positions, addresses and occupations.
- d. Vehicle Inventory Form. Blank form is provided for your use as Attachment 1.
- e. Public Notice - the printed on-line listing, actual newspaper clipping attached to an 8 1/2" x 11" blank paper or a copy of the notice published prior to submission of the application. See Application Attachments Section, Attachment 2 for example.
- f. A letter from the mayor or county judge stating 1) funding is sufficient, 2) date of the current audit on file.
- g. Latest completed financial audit, with all management letters on file.
- h. Public Entities Bylaws.
- i. Federal Assistance Form 424. Use blank form provided-Application Attachments Section, Attachment 4.
- j. Certification of Eligibility for All Entities certifying that there are no nonprofit organizations ready, willing, and available in the area to provide the proposed service. See Application Attachment 5 for the two-page form. Efforts to solicit service must be documented and included with certification. Documentation shall include a list of all existing transportation providers to whom letters were mailed.
- k. Assessment of Equal Access for Individuals with Disabilities Attachment 6, but only include signed letter response in package **IF The Requested Vehicle Is Not ADA Compliant**. Otherwise, omit.

ATTACHMENTS ARE REQUIRED AS NOTED. YOUR APPLICATION IS CONSIDERED INCOMPLETE WITH THE OMISSION OF ANY OF THE ABOVE LISTED REQUIRED DOCUMENTS.

Additional information that may be included that could be useful in determining applicants' eligibility. (Not required)

- 1) *Letters of support for this application.*
- 2) *Letters of endorsement and justification from federal, state, and local program administrators who provide funding for the services.*

BEFORE ASSEMBLING YOUR SUBMISSION, PLEASE REVIEW THE ENTIRE APPLICATION PACKAGE, INCLUDING ALL INSTRUCTIONS.

LINE-BY-LINE INSTRUCTIONS FOR MASTER APPLICATION (TYPED NOT HANDWRITTEN)

TO ENSURE A COMPETITIVE APPLICATION, PLEASE REVIEW THE ENTIRE APPLICATION AND INSTRUCTIONS AS A FIRST STEP.

THEN, FOLLOW THESE LINE-BY-LINE INSTRUCTIONS AS YOU ORGANIZE YOUR APPLICATION.

MASTER APPLICATION: PAGE ONE:

LINE-BY-LINE INSTRUCTIONS

1. General Agency Information—Master Applicant:

One Master Application will be accepted from an organization—and only one—regardless of the number of subsidiary organizations, satellite locations or other operations controlled by the Master Applicant. A subsidiary, satellite, Partner, otherwise controlled or captive agency may not submit an application except through its parent agency—the Master Applicant.

The parent agency (Master Applicant) completes a Master Application to include Site Specific Locations for each vehicle requested, up to a maximum of two (2) vehicles in this application cycle. The application is available on the Department's Webpage: <https://www.ardot.gov/divisions/transportation-planning-policy/public-transportation-programs/federal-programs-applications/>

Type of Applicant:

- The 5310 Program is limited to Private Not-For-Profit Agencies and Public Entities: **Check one**
- Applicants who check Public Entity, must complete the Certification of Eligibility for Local Public Entities (See Application Attachment 5 page 1 & 2 instructions).
- Was funding awarded to any unit of Master Applicant in the last funding cycle? **Check yes or no**. If no, please explain any denial of funding.

2. APPLICANT ORGANIZATION INFORMATION:

- **Legal Name of Master Applicant Agency: Do not abbreviate name. Identify the Agency's name exactly as it is filed in the Agency's Articles of Incorporation.** Public Entities refer to their creation documents. **This is the name you will use in ALL CORRESPONDENCE with the Department.**
- Is your agency Female or Minority owned? **Check yes or no**. What is the owner demographic? Female or Minority, be specific
- **Executive Director:** Identify the name, title if different than Executive Director, phone number and extension, has staff in this position changed in the previous 2 years and if so, who did they replace and e-mail address (cell phone is optional).
- **Applicant/Grant Writer:** Identify the name, title if different than Grant Writer, phone number and extension, has staff in this position changed in the previous 2 years and if so, who did they replace, e-mail address (cell phone number is optional).
- **Mailing Address:** Indicate complete mailing address of the Master Applicant Agency. **Include ZIP+4** for this location.
- **Physical Address:** If the physical address is different from the mailing address, please enter it here.
- **City, State, and Zip:** For the **mailing address** as it may be different from the Physical Address. **Include ZIP+4** for this location.
- **UEI#:** List the UEI# for the Master Applicant Agency at the primary location. This is the same # now required on QPMs.(Unique Entity Identifier) *** REQUIRED FOR FEDERAL GRANT FUNDING - WE MUST BE ABLE TO VERIFY, SO ENSURE IT'S PUBLIC. Please Enclose a Current Screenshot of your agency UEI as found on SAM.gov.**
- **SAM.GOV UEI# Expiration:** Go to <https://www.sam.gov/SAM/> and do a search for your UEI# to get your expiration date. If nothing comes up, then you need to register your agency and UEI# with SAM.GOV. *** REQUIRED FOR FEDERAL GRANT FUNDING - WE MUST BE ABLE TO VERIFY, SO ENSURE IT'S PUBLIC**
- **ZIP+4:** The Postal ZIP+4 Code for the agencies physical address—not your PO Box Number. Ask Post Office if you have a question or look up your address on <https://www.usps.com/> to get your ZIP+4.
- **Website Address:** List the website address for the Master Applicant Agency.

3. FINANCIAL INFORMATION: APPLICATION PAGE TWO:

LINE-BY-LINE INSTRUCTIONS

- A. Select the status of funding anticipated for your transportation services over the next four years.

- B. Provide information from your most current IRS Form 990 and attach a copy of the entire 990 along with the Agency's most recent financial audit statement, and your Articles of Incorporation. Include management letters if any were issued.
- C. Support Funds and totals for the Master Applicant Agency-all sources.
- D. Income Revenues (Transportation Only): List sources of transportation revenue, amounts for each category listed and Reporting Dates.
 - a. Expenses (Transportation Only): For each category listed, provide actual data and totals (include salaries).
- E. Indicate source of funds, type of funds and amount used for 20% match for this application.

YOUR FEDERAL ASSISTANCE FORM 424, ENTIRE IRS 990, AND ARTICLES OF INCORPORATION MUST BE SUBMITTED TO THE DEPARTMENT WITH YOUR ORIGINAL APPLICATION.

4. TRANSPORTATION MANAGEMENT EXPERIENCE: APPLICATION PAGE THREE:

Agencies are required to follow the Department's Fleet Preventative Maintenance Program and maintain the interior and exterior of the grant vehicle to ensure the comfort, safety, and dignity of riders.

Each organization is responsible for the cost of all labor, parts, and supplies under the Fleet Preventative Maintenance Program. Poorly maintained or dirty vehicles are considered a sign of a poorly managed transportation operation.

- Record the names(s), phone numbers & e-mail addresses of Master Applicant responsible for submitting Quarterly Performance Measurement and Monitoring (QPM) Reports & responsible for the Fleet Preventative Maintenance Program.
- Record the year your organization began operating transportation services.
- Check all that apply when selecting drivers.
- Check all training courses your Agency requires.
- Record the number of passenger vehicles in your fleet that require a Commercial Driver Licensed (CDL) operator (vehicle designed for 15 or more passengers not including the driver).
- Are your CDL drivers enrolled in a Drug & Alcohol Testing Program? Record Yes or No.
- If yes, list the drug and alcohol organization name, location (city and state) and phone number.
- Check what best describes your Agency's Fleet Preventative Maintenance Program.
 - List procedures taken to prevent poor vehicle maintenance. Example: oil changed every 10,000 miles, air filters changed every 20,000 miles, daily pre-trip inspection, etc.

5. APPLICANT TITLE VI CERTIFICATION: PAGE FOUR

Title VI Compliance; Page four: The Master Applicant's Executive Director or CEO answers questions regarding the Agency's history of compliance with Title VI, providing details as directed by the form. The Master Applicant's Executive Director or CEO will sign and date the Title VI Compliance Statement.

6. APPLICANT CERTIFICATION AS TRUE AND CORRECT: PAGE FIVE

Application Certification By Governing Entity; Page Five: The Master Applicant's Governing Entity (Board of Directors or equivalent) must authorize a Board Member to act on their behalf, to certify as True and Correct, the contents of the Application Package submitted to the Department.

- Since 2013, related agencies must apply collectively under a single Master Applicant in a single application. The intent of this certification is to force disclosure of any relationship between the Master Applicant and any other agencies to eliminate multiple or duplicate applications from related, subsidiary, partner, or jointly controlled organizations.
- The **Authorized Board Member** further certifies that the Agency has the financial capacity to produce the required local match within ten (10) calendar days of the Department's issuance of a Notice to Possess the requested vehicle.
- The Master Applicant's **Authorized Board Member** signs and dates the Certification of Information.
- The Master Applicant's **Executive Director** or CEO signs as witness to the signature of the **Authorized Board Member**.

7. APPLICANT'S TRANSPORTATION SERVICE OPERATES IN URBANIZED AREA

- Check Appropriate Bracket. If this Master Application does not involve an Urbanized Area, select Not In These Urbanized Areas.
- Check client's dependency on transportation provided by your Agency.
- Record the number of paid and/or volunteer drivers.
- Record the Type of Transportation the agency provides
- Record the number of days transportation is provided out of the year.
- Are services provided to non-agency clients? Record Yes or No.

8. STATEWIDE TRANSIT COORDINATION PLAN

The Transit Coordination Plan of 2023 is a five-year statewide document. Coordination is designed to reduce duplication of service and service overlaps. Strategies from the plan are provided in Attachment 7 for your use in answering the questions in this Section.

- Note the Strategy from the list (more than one may apply). Describe what your Agency has done in the last year to improve coordination of transportation services at the agency in the community where the proposed vehicle will be operated.
- Answer questions regarding coordination activities, such as leasing, contracting for service.
- Identify any other 5310 funded transportation services operating in the service area where the vehicle will operate.

9. VEHICLE REQUEST AND NON-ADA JUSTIFICATION

NOTE: A proposal to purchase a Non-ADA Compliant Vehicle cannot be approved unless a public notice (Attachment 2) is provided, and specific findings of fact are made. See Attachment 6 for more information.

EQUITABLE SERVICE:

Propose how you serve individuals with disabilities in your area. Attach any policies that are in place to ensure equitable service.

NON-DISCRIMINATION EFFORTS:

Describe effort to identify and meet the transportation needs of ethnic minority individuals and communities in your service area. Example: bi-lingual brochures, advertisement, flyers. We are looking for how you reach out to the community (flyers, brochures, translated docs, interpreters for services) to ensure that the agencies services are open to any individual. It would be beneficial to include the community demographics in this answer and possibly the other agencies or providers who refer clients to you.

Example - We currently serve a population of 387 members across the state, 45.2 % of these members are minorities - 72% male, 27.9% female and 12.1 % seniors. The minority rate for Arkansas is 23.29% while the national minority rate is only 39.7%. We serve a larger minority rate than the state. We transport all clients regardless of race, ethnicity, age or gender. We receive referrals from a variety of different primary care physicians in the area. We provide documents and brochures in multiple languages and have interpreters available for client services.

10. TRANSPORTATION SERVICE DETAILS

Consult Attachment 8 to find Vehicle Order Type, Vehicle Description/State Bid Number and Estimated Base Cost.

VEHICLE REQUEST FORMS

- List Vehicle Preference(s) in the Rank Order of Your Preference for funding.
- Name the Operating Unit & Specific Site address proposed to receive the vehicle and include the County.

APPLICANT'S SUPPORTING DOCUMENTATION

Please submit this form for the service area/program(s) to be served by each requested vehicle Primary and/or Secondary. This establishes the overall transportation program at each service center proposed to be served by the requested vehicle. Check the Client Group served, i.e., Seniors, Individuals with Disabilities.

Record number of hours the vehicle will be used, and total miles driven per day.

Select Strategy utilized from the Transit Coordination Plan (See Attachment 7).

Check the purposes for services currently provided to your clients at **This Site Location (where vehicle will be housed)**.

Record the numbers of each client type eligible for services at **This Site Location And the Entire Agency as a whole**.

Record the number of clients transported daily at **This Location**.

Will services be provided to individuals that do not attend your center? Record Yes or No.

Check the select days of the week operated.

List the geographical areas (cities, towns) clients reside.

Choose one of three options for your transportation needs: New Service, Service or Fleet Expansion, or Equipment Replacement.

*** New Service & Service or Fleet Expansion may only be selected if you are adding routes or increasing ridership**

*** Replacement vehicle selections will be given priority review for available funding.**

Provide additional information for a Replacement vehicle request.

NOTE: If selecting Replacement, all information of the vehicle listed must be included.

Ensure the Vehicle Inventory (Attachment 1) is completed and submit a Certificate of Insurance (Acord) that lists all active insured vehicles for the Agency.

11. CERTIFICATION OF VEHICLE OPERATION

The certification form is signed by CEO or Executive Director of the agency in order to attest to the agencies agreement to be in compliance with operating vehicles funded with FTA funds.

12. NONDISCRIMINATION UNDER FEDERAL GRANTS AND PROGRAMS

To demonstrate compliance with Section 504, ADA, and other programs, check yes or no regarding your organizations written policies or procedures. Provide a copy of the policies in place in the program(s) where the vehicle is requested.

Note: If your Agency has a bus (CDL required) designed to transport 15 or more passengers (not including the driver) a Drug and Alcohol Policy is mandatory.

Report the details and resolution of any complaint or notification of non-compliance.

Answer all Questions in this section with Yes or No even if not applicable. If answering Yes to other policy/procedure not listed, list the additional policy.

List any deficiencies found in ADA or 504 compliance.

13. CERTIFICATION OF EQUAL ACCESS FOR INDIVIDUALS WITH DISABILITIES

Certification of Equal Access: A request for a Non-ADA vehicle cannot be approved unless the required Public Notice is given, and specific findings of fact are made.

If requesting a vehicle without a lift/ramp, the Master Applicant's Executive Director or CEO signs and dates the certification. See Attachment 6, Assessment of Equal Access for Individuals with Disabilities for details regarding the required findings.

APPLICANT'S SUPPORTING DOCUMENTATION

A COMPLETE APPLICATION PACKAGE IS COMPRISED OF:

- One Master Application with signatures
- Site Specific Location for Each Vehicle Requested — maximum of two; and
- A package of attachments based upon the specifics of your application and Agency (pre-certified non-profit, new non-profit, new or pre-certified public entity).

NOTE: Use the lists in Section 1, Page 3 & 4 to determine what you need to include in your application. Applications are considered incomplete with the omission of required documentation.

YOUR FEDERAL ASSISTANCE FORM 424, ENTIRE IRS 990, AND ARTICLES OF INCORPORATION MUST BE SUBMITTED TO THE DEPARTMENT WITH YOUR ORIGINAL APPLICATION.

VEHICLE INVENTORY FORM

APPLICATION ATTACHMENT 1

- Complete and attach one inventory form for the entire agency included in this application (attach additional copies of form as needed).
- Include all agency vehicles engaged in passenger carrier service serving this location (regardless of funding source), noting all ARDOT funded vehicles (Section 5310, 5316, 5317, and TransLease) operating in the area of the vehicle site location and available to the program/site requesting the vehicle.
- Include RELEASED VEHICLES (still in service) in this inventory. Include all transportation activities engaged in by the Master Applicant in the service area. If a cooperative agreement is in place, provide information from cooperative agency(s) to document a determination of vehicle availability in this service area.
- If the Master Applicant operates multiple programs and or multiple sites, attach an additional form(s) describing ALL of ARDOT funded vehicles (include released vehicles) operated by the Master Applicant that are not already described above.
- Complete all information required on the form. List ARDOT funded active and released vehicles used in passenger carrier service. Make additional copies of the form if necessary. Include any released vehicle(s) sold since your last Section 5310 Program Application.

Selected Details:

Vehicle Type: Manufacturer's name (i.e., Dodge, Ford, Chevy, etc.) and use one of the following codes.

- BUS Body on Van Chassis (15 or more passenger bus)
- MBUS Non-CDL (13 passenger bus)
- SVC Van Conversion (Raised Roof - Standard Van)
- SV Standard Van 6-11 passenger (No conversion)
- RV Minivan, Lowered Floor (with Ramp)

Last 5 digits of Vehicle Identification Number (VIN): The manufacturer's unique VIN for each vehicle.

Physical Location: The client service center name and the city in which the vehicle is primarily located for transportation purposes.

Counties Served with Vehicle: The counties in which the vehicle is used to transport clients for Section 5310 Program purposes.

Seating Capacity: Maximum number of passenger seats available on the vehicle.

ADA Accessible: (Wheelchair Lift or Ramp): Enter the type of ADA approved device - Lift or Ramp.

Current Condition: Write the appropriate rating. Be sure to list any released vehicle sold or disposed of in the last year.

- Good Few or no maintenance costs
- Fair Reasonable yearly maintenance costs
- Poor Unreliable with excessive maintenance costs
- Bad Non-running or dangerous
- Released List vehicles awarded by ARDOT that have been released and are still in use
- Sold/Disposed of ... List those released vehicles removed from your inventory since your last 5310 Application.

Current Mileage: Total miles this vehicle has been operated. Enter date/Federal Fiscal Quarter the current mileage was recorded.

PUBLIC NOTICE REQUIREMENTS

APPLICATION ATTACHMENT 2

A recent Public Notice must be provided that recognizes your intent to submit this application for a federal assistance grant. It must be published once as an official notice in a newspaper(s) of general circulation or available on your website. If you are requesting two vehicles, provide notice in EACH service area. It CAN be listed on your Facebook page, or other on-line avenue (print to include with application). Attach notice(s) here and indicate the service area on each (if more than one is provided). ***It must be published 5 days before submission of the application.***

A copy of the Public Notice published in the newspaper or on your website dated prior to submission/completion of the application must be submitted with your application.

*****If requesting a non-ADA vehicle (without lift/ramp), you must include the specified language in your Public Notice ad.***

An application is considered incomplete with the omission of this Public Notice.

2026 PUBLIC OR PRIVATE OPERATOR'S STATEMENT

APPLICATION ATTACHMENT 3

This form must be circulated to all existing transit operators operating in the service area of a Site Specific Location. If an agency is applying for more than one vehicle, these forms must be circulated in each service area for which a vehicle is requested.

Note: Mark/arrange completed forms in application with service area responses grouped and each form marked as to site location.

FEDERAL ASSISTANCE FORM 424

APPLICATION ATTACHMENT 4

SUBMIT A COMPLETED FEDERAL ASSISTANCE Form 424 with the application.

YOUR FEDERAL ASSISTANCE FORM 424 MUST BE SUBMITTED TO THE DEPARTMENT WITH YOUR ORIGINAL APPLICATION.

CERTIFICATION OF ELIGIBILITY FOR ALL ENTITIES

ATTACHMENT 5, PG 2

This form is used to document all non-profit organizations notified of the agencies intent to provide transportation services in the area.

APPLICATION CERTIFICATION

PAGE 22-24

This certification must be filled out and signed by the CEO or Executive Director of the agency requesting funds to be considered for funding. This section serves as a checklist of completion and attachment of all applicable attachments for review.

ADDITIONAL ATTACHMENTS THAT MAY BE REQUIRED—DEPENDING UPON YOUR AGENCY AND THE VEHICLE REQUESTED

CERTIFICATION OF ELIGIBILITY FOR LOCAL PUBLIC ENTITIES

ATTACHMENT 5, PG 1

This form is only required from Governments (Cities and Counties) and the programs they operate. Government sponsored agencies attach the two-page form as Attachment 7—together with any correspondence received from non-profit agencies.

NOTE: Attachments 6, 7, 8 are for use within the application.



STATE FISCAL YEAR 2027 APPLICATION

SECTION 5310

Enhanced Mobility of Seniors and Individuals with Disabilities Program

for the

Capital Assistance Program

U.S. Department of Transportation
Federal Transit Administration (FFY 2026)
in cooperation with the
Arkansas Department of Transportation
Transportation Planning & Policy Division
Public Transportation Programs

Application Deadline: April 22, 2026

ARKANSAS DEPARTMENT OF TRANSPORTATION
Notice of Nondiscrimination

The Arkansas Department of Transportation (ARDOT) complies with all civil rights provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance. Therefore, ARDOT does not discriminate on the basis of race, sex, color, age, national origin, religion (not applicable as a protected group under the FMCSA Title VI Program), or disability in the admission, access to and treatment in ARDOT's programs and activities, as well as ARDOT's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding ARDOT's nondiscrimination policies may be directed to the Civil Rights Division (P. O. Box 2261, Little Rock, AR 72203, (501) 569-2298, (Voice/TTY 711)), or the following email address: Civil.Rights@ardot.gov

Free language assistance may be available upon request.

This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape, and in Braille.

ARKANSAS DEPARTMENT OF TRANSPORTATION

Public Transportation Programs Section 5310 – Enhanced Mobility of Seniors and Individuals with Disabilities Capital Assistance

State Fiscal Year 2027 Master Application Form

1. General Agency Information

Type of Applicant (Check One)	☐ Public Entity (City, County Government)	☐ Private Non-Profit Agency
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Was the applicant approved for 5310 assistance in the most recent funding year cycle (2024 Cycle)? ☐ Yes ☐ No

If no, please explain: _____

2. Applicant Organization Information

Applicant Contact Information

Legal Name of (Parent) Agency:	Is Agency Female/Minority Owned? ☐ Yes ☐ No If so, Which? _____	
Executive Director (or write-in other Job Title):		
Has the staff in this position changed in the previous 2 years? ☐ Yes ☐ No If yes, who did they replace and when?		
E-mail Address:	Telephone Number (and extension)	
Applicant/Grant Writer (or write-in other Job Title) Contact Name:	Telephone Number (and extension)	
Has the staff in this position changed in the previous 2 years? ☐ Yes ☐ No If yes, who did they replace and when?		
Has your agency's administrative policy changed during the previous year (2 CFR Part 200 §201 (1) and (5))? ☐ Yes ☐ No		
Does your agency's policy include conflict of interest prohibitions (2 CFR Part 200 §112 and 318)? ☐ Yes ☐ No		
E-Mail Address:	Cell Phone Number (optional)	
Mailing Address Include ZIP+4 for this location here (PO Box, etc.)		
Physical Address if different from Mailing Address Include ZIP+4 for this location		
Parent Agency UEI #	UEI # Expiration	County
Website Address or Social Media Page:		

3. Financial Information

A. Is funding for your transportation services over the next four years: ☐ Reasonably secure, but some sources of funding are subject to variation and are not reliable.	☐ Stable because of reliable federal or state recurring funding programs. ☐ Uncertain because all funding sources are not reliable.
---	--

B. Report your agency's information from the most current IRS Form 990: Year 20____ Check here ☐ if the organization's gross receipts from all sources are normally not more than \$25,000. Gross Receipts \$ _____	For the _____ calendar year, or tax year beginning _____ and ending _____ Organization Type (check only one) ☐ 501(c) _____ (insert no.) ☐ 4947 (a) (1) or ☐ 527
--	---

C. Record Part 1 Data:			
Direct Public Support	\$----	Total revenue \$	_____
Indirect Public Support	\$ ---	Total expenses \$	_____
Government contribution (grants)	\$----	Excess/deficit \$	_____
Total	\$----	Net assets/fund balance \$	_____

D. Income (Revenues from Transportation Operations)	12-Month Reporting Period
List all sources and amounts (Fares, Grant, Donations, etc.)	List Dates:
Local Funds (list):	
State Funds (list):	
Federal Funds (list):	
Other (list):	
Total Transportation Operating Revenue:	
Expenses (Transportation Only)	
Supplies & Fuel	
Insurance	
Maintenance/Repair Costs	
Miscellaneous or other overhead expenses	
Total Transportation Operating Expenses:	

E. List the Source(s) and Amount(s) of Funds to be Used for 20% Match: Federal, State, Local or Other Type – BE SPECIFIC

4. Transportation Management and Experience

An agency's attention to detail in Quarterly Performance Measurement & Monitoring (QPM) Reporting, Safe Operation and Fleet Preventative Maintenance are essential to program success and participation. Provide the name(s), phone number(s), and email address(s) for those people responsible for submitting QPM reports and maintaining the vehicle fleet:

Name	Phone Number	Email	Role (QPM, Veh. Maint., or Both)

List the year your organization began operating passenger transportation services? _____

When selecting drivers, does your organization (*check all that apply*):

- ☐ Check driving records
- ☐ Require a physical exam
- ☐ Require a commercial driver's license
- ☐ Require a minimum age _____ and maximum age _____
- ☐ Conduct pre-employment drug testing
- ☐ Operate a drug and alcohol testing program

Does your organization require any of the following training courses (*check all that apply*)

- ☐ First aid
- ☐ CPR
- ☐ Defensive Driving
- ☐ Wheelchair Lift
- ☐ Operation
- ☐ Drug and alcohol abuse awareness
- ☐ Child Passenger Safety
- ☐ Driver sensitivity training
- ☐ Passenger assistance training
- ☐ Vehicle emergency evacuation

Vehicles designed to transport 15 or more passengers (not including the driver) require a commercial driver license (CDL). How many vehicles in your fleet require a CDL Driver? _____

Are your drivers with a CDL currently enrolled in a Drug & Alcohol (D&A) Testing Program? ☐ Yes ☐ No ☐ Not Applicable

If yes, D&A Program Name: _____ Location: _____ Phone Number: _____

What best describes your Fleet Preventative Maintenance Program?

- ☐ Scheduled and documented maintenance program is being utilized by a professional source.
- ☐ An employee is assigned responsibility for ensuring each vehicle is properly maintained.
- ☐ Drivers have primary responsibility for overseeing the maintenance of their vehicle.
- ☐ Other-Describe: _____
- ☐ List procedures used to ensure vehicle maintenance: _____

5. Application Certification: Title VI Compliance

Title VI of the 1964 Civil Rights Act, Section 601, states:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

Has your agency submitted an approved Title VI Plan to ARDOT? ☐ Yes ☐ No

In the past year, has this agency or any agency related to this application been the respondent in any lawsuit or complaint alleging discrimination in service delivery or other transit benefit? ☐ Yes ☐ No

If yes, attach a concise description of the lawsuit(s) or complaint(s) alleging discrimination filed against your agency, together with a statement of the status or outcome of each such complaint or lawsuit.

In the past three years, has this agency or any agency related to this application been the subject of a civil rights compliance review(s)? ☐ Yes ☐ No

If yes, provide a summary of all compliance review activities conducted in the last three years. The summary should include the purpose or reason for the review, the name of the agency or organization that performed the review, a summary of the findings and recommendations of the review, and a report on the status and/or disposition of such findings and recommendations.

In the past year, has this agency translated any documents into another language? ☐ Yes ☐ No
If so, which language? _____

I hereby certify on this _____ day of _____, 2026 that the statements and other information contained in this application, including all attachments, are true and correct.

Executive Director or CEO: _____

(Signature Required)

ARKANSAS DEPARTMENT OF TRANSPORTATION Notice of Nondiscrimination

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Free language assistance may be available upon request.

This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape, and in Braille.

6. Application Certification: Certification as a True and Complete Record

Two signatures are required for this application to be considered for award:

- One must be by an Officer of the Applicant Agency’s Governing Entity who has been authorized by that entity to make this application and to obligate the agency under the terms and conditions of a funding award,
- The second signature is by the Chief Executive Officer/Executive Director of the applicant agency who witnesses the signature of the Officer of the Governing Entity.

Certification of Application as a True and Complete Record of Information Known to Applicant Agency

I have been authorized by the governing entity to execute this certification and obligate the agency under the terms and conditions of a funding award, should one be offered.

I hereby certify on this _____ day of _____, 2026 that the statements and other information contained in this application, including all attachments, Title VI Compliance Statement, Nondiscrimination under Federal Grants and Programs Statement, are true and correct.

I further certify that the agency has sufficient financial resources to assure cash payment of the required local match from non-federal sources within ten (10) calendar days of notice to possess a vehicle.

And, I understand that if this grant application is approved, the purchase of the vehicle will be by the Arkansas Department of Transportation, and that Program funds are not available directly to the agency for any reason.

Authorized Officer of the Governing Entity: _____
(Signature)

(Print Name)

(Agency Position/Title)

Witness Executive Director or CEO: _____
(Signature)

(Print Name)

(Agency Position/Title)

7. Applicant's Transportation Service Operates in the Following Urbanized Areas

Check Appropriate Bracket

☐ Conway ☐ Fort Smith ☐ Hot Springs ☐ Jonesboro
☐ Fayetteville/Springdale ☐ Little Rock/North Little Rock ☐ Pine Bluff
☐ Texarkana ☐ West Memphis ☐ Not In These Urbanized Areas

Transportation Service Details

Describe the proposed service population's dependency on applicant's transportation services:

☐ Entirely dependent on agency, there are no other means of transportation currently available.
☐ Partially dependent, other means of transportation are available.

Number of paid drivers: _____ Number of volunteer drivers: _____

Type of Transportation Service: ☐ Demand Response ☐ Fixed Route ☐ Both

Number of days operated in a year: _____ Do you have a fare policy? ☐ Yes ☐ No

Do you provide service to non-agency clients? Yes ☐ No ☐

8. Statewide Transit Coordination Plan

To encourage the most efficient use of Federal resources, the Department ensures that this Program provides for the most feasible coordination of transportation services with other Federal/State assisted programs and services. That coordination is facilitated, in part, through development and implementation of a Statewide Transit Coordination Plan (TCP).

All Section 5310 projects must be derived from the Statewide Transit Coordination Plan. The TCP (attachment 7) was updated in 2018. Applicant must address one of these Prioritized Strategies. The Strategy Number will be required for each vehicle under Transportation Services Detail.

Download the entire TCP document:

http://www.ardot.gov/public_transportation/ARDOT%20Transit%20Coordination%20Plan%202018.pdf

What specific transportation coordination activities has your agency pursued this past year?

Will the vehicle(s) be leased to another agency or otherwise coordinated between agencies? ☐ Yes ☐ No

If Yes, please attach a copy of the proposed lease/coordination agreement to this application, including all details regarding the parties, terms, responsibilities for compliance, etc.

Does your agency contract for any transportation service? ☐ Yes ☐ No

If yes, attach any transportation contracts to this application.

Are there other agencies providing transportation services under the Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Program in your transportation service area? [] Yes [] No

If yes, list other Section 5310 Seniors and Individuals with Disabilities agencies providing transportation in this service area (city/county where the new vehicle will operate).

9. Vehicle Request and Justification

A Non-ADA compliant vehicle (without lift/ramp) request will only be authorized if you:

Meet Equivalency of Service Requirements and include the following language in the **Public Notice which is required to be posted prior to submission of this application**:

(Your Agency's Name) is requesting a vehicle that is not compliant with the Americans with Disabilities Act. However, (Your Agency's Name) does meet the "equivalency of service" requirements to the disabled community. Complete and attach Letter addressing questions found on Attachment 6, in Application Attachments Section.

Explain how you propose to equitably serve individuals with disabilities in your transportation service area. Attach any interagency agreements/policies to meet the "equivalency of service" requirement:

Does your agency serve minorities or low-income individuals?

Describe your agency's efforts to actively identify and satisfy the transportation needs of racial and ethnic minority populations in your service area. Note: Nondiscrimination based on race, age, sex, etc. is not an active effort to identify or meet the needs of a population.

10. Vehicle Request – List in order of preference

List Vehicle Preference Order Selection (from list included)	Site Address Location	County
Primary Vehicle Selection		
Secondary Vehicle Selection		

Primary Vehicle - If Applicable, Complete Secondary Vehicle Information

Client Group(s): ☐ Seniors ☐ Individuals with Disabilities ☐ Other: _____

Number of hours the new vehicle will be utilized daily: _____ Total miles driven per day: _____

TCP (Transit Coordination Plan) Strategy No. _____ (Attachment 7)

What trip purposes will the new vehicle be used for? (check all that apply)

☐ Education ☐ Nutrition*(Congregate Meals) ☐ Residence ☐ Employment ☐ Personal/Shopping

☐ Medical ☐ Recreation/Social **Meal delivery is not an approved primary use*

Number of Seniors or Individuals with Disabilities eligible for services at this location?

Seniors: _____ Individuals with Disabilities: _____

Number of Seniors or Individuals with Disabilities eligible for services at **all agency and partner agency locations** in Arkansas?

Seniors: Individuals with Disabilities:

Number of clients to be transported daily at this location:

Will service with the requested vehicle be available to non-agency clients? ☐ Yes ☐ No

Check the days of the week that the new vehicle will operate:

☐ Sunday ☐ Monday ☐ Tuesday ☐ Wednesday ☐ Thursday ☐ Friday ☐ Saturday

List Cities and Counties the proposed vehicle will serve:

Choose one of three options:

A. New Service Start: ☐ 1st time with 5310 Program

B. Service or Fleet Expansion: ☐ establish new service area ☐

extend hours of service

☐ reduce response time ☐ add ADA (lift/ramp) accessibility

vehicle to fleet

C. Equipment Replacement: [] replace van* [] replace bus*

*Replacement Vehicles: A vehicle is replaced only **ONCE**. Identify which vehicle on your Vehicle Inventory Form (Attachment 1 from Application Attachments Section) will be replaced?
Replacement vehicles will be given priority

Type: _____

Year Make Model VIN Number

Vehicle cannot have been listed as a replacement in a prior application! FTA # _____

Is this vehicle still in operation? ☐ Yes ☐ No Current mileage of vehicle: _____ Mileage at Release: _____

Date of Release: _____ Condition of Vehicle: Poor ☐ Fair ☐ Good ☐ ALI Code: _____

Title holder: _____ Date of disposal: _____ Sale Price of Disposal: _____

Secondary Vehicle – If Applicable

Client Group(s): ☐ Seniors ☐ Individuals with Disabilities ☐ Other: _____

Number of hours the new vehicle will be utilized daily: _____ Total miles driven per day: _____

TCP (Transit Coordination Plan) Strategy No. _____ (Attachment 7)

What trip purposes will the new vehicle be used for? (check all that apply)

☐ Education ☐ Nutrition*(Congregate Meals) ☐ Residence

☐ Employment ☐ Personal/Shopping **Meal delivery is not an approved primary use*

☐ Medical ☐ Recreation/Social

Number of Seniors or Individuals with Disabilities eligible for services **at this location?**

Seniors: _____ Individuals with Disabilities: _____

Number of Seniors or Individuals with Disabilities eligible for services at **all agency and partner agency locations in Arkansas?** Seniors: _____ Individuals with Disabilities: _____

Number of clients to be transported daily at this location: _____

Will service with the requested vehicle be available to non-agency clients? ☐ Yes ☐ No

Check the days of the week that the new vehicle will operate:

☐ Sunday ☐ Monday ☐ Tuesday ☐ Wednesday ☐ Thursday ☐ Friday ☐ Saturday

List Cities and Counties the proposed vehicle will serve:

Choose One of Three Options:

- A. New Service Start: ☐ 1st time with 5310 Program
- B. Service or Fleet Expansion: ☐ establish new service area ☐ extend hours of service
☐ reduce response time ☐ add ADA (lift/ramp) accessibility
vehicle to fleet
- C. Equipment Replacement: ☐ replace van* ☐ replace bus*

*Replacement Vehicles: A vehicle is replaced only **ONCE**. Identify which vehicle on your Vehicle Inventory Form (Attachment 1 from Application Attachments Section) will be replaced?

Replacement vehicles will be given priority

Type: _____

Year	Make	Model	VIN Number
------	------	-------	------------

Vehicle cannot have been listed as a replacement in a prior application! FTA # _____

Is this vehicle still in operation? ☐ Yes ☐ No Current mileage of vehicle: _____ Mileage at Release: _____

Date of Release: _____ Condition of Vehicle: Poor ☐ Fair ☐ Good ☐ ALI Code: _____

Title holder: _____ Date of disposal: _____ Sale Price of Disposal: _____

11. 2027 CERTIFICATION OF VEHICLE OPERATION

This form certifies that your organization is utilizing each vehicle purchased with Federal Transit Administration (FTA) and/or Department funds in accordance with Federal and State Program guidelines, the goals and objectives, and maintenance regulations of the Arkansas transit coordination plan. (See updated Instruction Manual for FTA Vehicles for Program Guidelines.)

CERTIFICATION OF VEHICLE OPERATION

In Compliance with FTA/Department Guidelines
and the Arkansas Transit Coordination Plan

I, _____ hereby certify that each vehicle purchased
(Executive Director (Print Name))
with Federal Transit Administration or State Transit Trust funds is being used in accordance with Federal and State Program guidelines.

I further certify that each vehicle so purchased is being utilized (in terms of ridership, utilization, preventive maintenance, etc.) as proposed in the Application for Capital Assistance submitted by this Agency and approved by the Department, or as amended with approval of the Department, and in accordance with the goals and objectives of the transit coordination plan.

Certified this day of _____, 2026

(Executive Director Signature)

12. Nondiscrimination Under Federal Grants and Programs

No otherwise qualified individual with a disability, shall, solely by reason of her or his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

All 5310 Program funds shall be expended in compliance with the standards of Section 504 of the Rehabilitation Act of 1973, as amended, (Section 504) and the Americans with Disabilities Act, as amended, (ADA).

Identify materials, policies, and procedures at your agency to ensure Section 504 and ADA compliant transportation service provision/accommodation consistent with 29 USC § 794:

	Yes		No
Ensure lift availability			
Ensure lift and securement use			
Identify vehicle/system as being accessible to disabled Individuals			
Use of service animals on vehicle			
Service to individuals using respirators or portable oxygen			
Informs client about services and accessibility features your agency provides			
Ensure adequate time for lift deployment at designated stops			
Ensure adequate time for vehicle boarding/disembarkment			
Provides training for personnel on accessibility features			
Other policy/procedure not listed:			
U.S. DOT Drug and Alcohol Policy – (buses designed for 15 or more passengers, not including the driver) require a CDL license. In addition, a Drug and Alcohol Policy is mandatory.			

If you have not done so in the past, or if materials, policies, or procedures at your agency have changed since your last application, please attach a copy of your written Section 504 and ADA policies and procedures.

In the last year, has the applicant or this applicant received a complaint or been notified of any deficiency in compliance with ADA or Section 504 requirements? ☐ Yes ☐ No *(Marking Yes is not an automatic denial. An investigated complaint determined to be unfounded can be beneficial and educational for all parties)*

***If yes, please provide a description of the deficiency noted and your agency's response/corrective action.**

13. Certification of Equal Access for Individuals with Disabilities

Certification of Equal Access for Individuals with Disabilities Under the Section 5310 Program

Title 49 C.F.R. Part 38.23 Mobility aid accessibility. (a) *General.* All vehicles covered by this subpart shall provide a level-change mechanism or boarding device (e.g., lift or ramp) complying with paragraph (b) or (c) of this section and sufficient clearances to permit a wheelchair or other mobility aid user to reach a securement location. At least two securement locations and devices, complying with paragraph (d) of this section, shall be provided on vehicles in excess of 22 feet in length; at least one securement location and device, complying with paragraph (d) of this section, shall be provided on vehicles 22 feet in length or less.

If your agency is applying for a vehicle that is not ADA accessible (without lift/ramp), this application will not be approved unless the proposed lack of ADA accessibility:

- Is stated in the required Public Notice (See Attachment 2),
- You complete a Self-Assessment that supports, with the addition of the non-accessible vehicle to your fleet, a finding of Equivalency of Service to Individuals with Disabilities,
- You include a letter supporting your finding equivalency for each Application requesting a non-ADA vehicle (See Attachment 6 for notes and questions to be addressed in assessment process), and
- You complete the following certification:

I hereby certify, that when viewed in its entirety, the demand-responsive and/or fixed route passenger transportation

program of _____ serving the location
(Applicant Agency's Name)

identified in this, with the addition of the requested vehicle(s), provide seniors and individuals with disabilities access equal to that afforded to any other person in terms of the following criteria.

- 1) Response time;
- 2) Fares;
- 3) Geographic area of service;
- 4) Hours and days of service;
- 5) Restrictions based on trip purpose;
- 6) Availability of information and reservations capabilities; and
- 7) Constraints on capacity or service availability.

Certified this _____ day of _____, 2026.

(Executive Director's Signature)

(Typed/Printed Name)

2027 Vehicle Inventory Form

5310 Attachment 1

List all agency vehicles providing passenger carrier service (regardless of funding source), starting with those serving this site. Note: include the FTA vehicle number of all ARDOT funded vehicles operated by the applicant. * Include all sites, subsidiaries, controlled entities, etc.: (submit additional sheets as necessary.)

[illegible]

* ARDOT Funded Vehicle(s) – All vehicles Secured from the Department (Section 5310, Section 5316 JARC, Section 5317 New Freedom, TransLease). If a vehicle has been released, note that in the Current Condition Column.

Note optional language indicated below: If your agency is requesting an ADA vehicle (with lift/ramp), omit the indented statement. If your agency is requesting a Non-ADA vehicle (without lift/ramp), include the indented statement in your Public Notice. The Public Notice is to be published in a newspaper of general circulation or available on your website in EACH transportation service area for which you are requesting a vehicle. **An actual copy of your listing must be included in your application.**

Public Notice

Public notice is hereby given this _____ day of _____, 2026 that
 the _____
(Applicant's Agency's Name)
 of _____ has made application for funds
(Applicant's mailing address, city, state, zip)
 through Section 49 U.S.C. Section 5310 for the purchase of the following type of passenger transportation
 vehicle: _____
 This vehicle will be used primarily for the following purposes: _____

Purchase of the above vehicle is considered essential to the efficient operation of this organization in provision of public transportation services to seniors and individuals with disabilities. There is no intent to infringe upon, or compete with, existing public or private transit operators, including Section 5307, urban public transit operators and Section 5311, rural public transit operators.
 (Applicant's Agency's Name) is requesting a vehicle that is not compliant with the Americans with Disabilities Act. However, (Applicant's Agency's Name) does meet the "equivalency of service" requirements to individuals with disabilities in the community.

Any objection should be submitted in writing only to people listed below. All comments will become a part of this organization's application and will be a matter of public record. All written comments must be submitted within 30 days of the date of this notice. Any person wishing to request a public hearing on the proposed project must submit a request in writing within 10 days of the date of this notice to the people listed below:

Chief Administrative Official's Name *(your info goes here)*
 Job Title
 Applicant Agency's Name
 Mailing Address
 City, State, Zip Code
 and to:
 Latina Sisco, Section Head
 Public Transportation Programs Office
 Arkansas Department of Transportation
 P.O. Box 2261
 Little Rock, AR 72203-2261

**Public or Private Operator's Statement
Regarding Operation of One or More Vehicles
By a Private or Public Organization as a Part of the
FTA Section 5310 Program**

The Federal Transit Administration (hereinafter called FTA) has established a capital assistance program to help private not-for-profit and public organizations provide for the enhanced mobility of seniors and individuals with disabilities.

Notice is hereby given that

(Applicant Agency Name)

is applying to the FTA through the Arkansas Department of Transportation for aid in purchasing the following capital equipment:

(See vehicle types in Attachment 8)

Purchase of the above equipment is considered essential in meeting the enhanced mobility needs of seniors and individuals with disabilities in this service area.

The _____ of

(Responding Transit Operation)

understands that the vehicle(s)

(City, State and Zip code)

being requested by the applicant will be used for the special purpose of transporting the seniors and individuals with disabilities as a supplement to the regularly scheduled transportation services provided by this company.

I, _____ on behalf of

(Responding Authorized Official)

do hereby state that

(Responding Transit Operation)

this agency has no objections to the operation of the equipment requested by this applicant. Below is the requested information provided by my transit agency.

Responding Transit Operation's Service Area	Number of Vehicles	Service (Demand/Response or Fixed Route)	ADA Accessible? (Yes or No)

APPLICATION FOR FEDERAL ASSISTANCE		2. DATE SUBMITTED		Applicant Identifier	
1. TYPE OF SUBMISSION Application ☐ ☒ Pre-application ☐ ☐ Construction ☐ Non-Construction ☐		3. DATE RECEIVED BY STATE		State Application Identifier	
		4. DATE RECEIVED BY FEDERAL AGENCY		Federal Identifier	
5. APPLICANT INFORMATION					
Legal Name:			Organizational Unit:		
Address (give city, county, state, & zip code)			Name and telephone number of the person to be contacted on matters involving this application (give area code):		
6. EMPLOYER IDENTIFICATION NUMBER (EIN) 			7. TYPE OF APPLICANT: (enter appropriate letter in box) A. State H. Independent School District B. County I. State Controlled Institution of Higher Learning C. Municipal J. Private University D. Township K. Indian Tribe E. Interstate L. Individual F. Intermunicipal M. Profit Organization G. Special District N. Other (Specify) _____		
8. TYPE OF APPLICATION ☒ New ☐ Continuation ☐ Revision If Revision, enter appropriate letter(s) in boxes(s) A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration E. Other (Specify) _____			9. NAME OF FEDERAL AGENCY: U.S. Department of Transportation Federal Transit Administration		
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 2 0 ---- 5 1 3 Title: Section 5310 – Enhanced Mobility of Seniors and Individuals with Disabilities			11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:		
12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.):					
13. PROPOSED PROJECT Start Date		Ending Date	14. CONGRESSIONAL DISTRICTS OF:		b. Project
			a. Applicant		
15. ESTIMATED FUNDING			16. IS APPLICANT SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?		
a. Federal	\$	-	a. Yes ☒ This preapplication was made available to the State Executive Order 12372 Process for Review on: Date _____ b. No _____ Program is not covered by E.O. 12372, OR _____ Program has not been selected by State for Review		
b. Applicant	\$	-			
c. State	\$	-			
d. Local	\$	-			
e. Other	\$	-			
f. Program Income	\$	-	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?		
g. Total	\$	-	☐ Yes If "yes", attach explanation ☐ No		
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.					
a. Typed Name of Authorized Representative			b. Title		c. Telephone Number
d. Signature of Authorized Representative					e. Date Signed

This two-page form is completed by city or county units of government to certify their eligibility for funding under the 5310 Program.

Prior to starting or expanding a 5310 funded transportation service, units of government (city or county) must contact area non-profit agencies to solicit the transportation service that would be provided through their proposed new or expanded program.

Only after documenting that no non-profit organization in the area is ready, willing, and available to provide the transportation service the unit of government is proposing within their jurisdiction, can a unit of government certify their eligibility for funding.

Efforts on the part of the unit of government to solicit service from not-for-profit organizations must be documented and that documentation must be included with the completed certification form.

Documentation shall include one (1) example of the unit of government's letter providing notice, together with a list of all existing transportation providers to whom letters were mailed and a copy of any response received from those agencies.

Local Public Entity Eligibility Certification

I, _____, the duly elected executive official
(Elected Official's Signature)

of the _____ hereby certify that there are no private
(Local Public Entity: City of, County of)

non-profit organizations in the proposed service area that are ready, willing, and available to provide transportation services to seniors and individuals with disabilities as outlined in this application.

Certified this _____ day of _____, 2026.

To Verify Eligibility: Complete/Attach Availability of Private Non-Profit Response Form-Next Pg.

This form (or similar) is used to document all non-profit organizations notified, providing the name and address of the organizations contacted and any response received. Attach copies of correspondence behind this form (one example of the notification letter and any correspondence received in response).

Availability of Private Non-Profit Response Form

Letters were sent on _____ (date) to the following private non-profit organizations in _____ (city/county).

Indicate responses received and attach copies of responses / correspondence.

Name	Address	Received	
		Yes	No
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐
		☐	☐

COMPLETION AND SUBMISSION TO THE DEPARTMENT OF A RESPONSE LETTER (SIGNED BY THE EXECUTIVE DIRECTOR) IS ONLY REQUIRED WHERE AN APPLICANT IS REQUESTING A NON-ADA VEHICLE (NO LIFT OR RAMP, ETC.).

The applicant provides a separate assessment for each vehicle application submitted where accessibility features are not requested. The assessment process described in this attachment considers an Organization's success in enhancing the transportation options of Seniors and Individuals with Disabilities.

Access to public transit vehicles by individuals with disabilities is a central feature of the transportation title of the ADA. Compliance with access requirements is critical to 5310 Program success.

Fixed-route transit system operators exclusively purchase vehicles accessible to individuals with a wide array of disabilities.

The 5310 Program is, likewise, limited to purchase of accessible vehicles, unless the applicant can show that:

- The Organization currently provides accessible service to any disabled individual they serve on any part of their system just as quickly as a non-disabled individual; and
- The purchase of a vehicle without accessibility features would not degrade the Organization's existing service capacity.

If you are requesting a non-ADA vehicle use the process described below to assess your capacity to accommodate individuals with disabilities at each service location served by an:

1. First, evaluate your existing fleet to determine whether vehicles requested in this grant application must be accessible.

- How many existing vehicles meet accessibility standards?
- Are other vehicles that, with only minor changes, can be made accessible?
- Are cooperative agreements in place with other agencies to provide accessible vehicles on a demand/response basis?

2. Next, examine the mix of services provided by the Applicant Agency at each proposed location ():

- Is the service currently provided with an accessible vehicle?
- If it is not, are other accessible vehicle(s) available on a timely basis to provide the service if an individual with disabilities who requires mobility support requests transportation?

3. To compare the response time for ride requests from individuals requiring mobility assistance to those who do not require such assistance, you should document the way by which the Applicant Agency is able to respond to a request for accessible transportation in each of its service offerings.

4. You may recognize the need to retrofit existing vehicles to meet the accessibility standard, negotiate cooperative agreement(s) with other service providers, or add accessibility features to this application to ensure timely response for riders requiring accommodation. Any programmatic adjustments must be completed, prior to a request to purchase a non-accessible vehicle.

5. Beyond vehicles, what arrangements have been made to accommodate individuals with hearing impairments or other disabilities that impact on the demand/response process?

6. A simple letter addressing these issues, is signed by the Executive Director of the Applicant and attached to each for a vehicle where a lift or ramp is not included.

Nondiscrimination On the Basis Of Disability In Programs Or Activities Receiving Federal Financial Assistance: Title 49 CFR, Part 27 § 27.7 Discrimination prohibited. (a) General. No qualified handicapped person shall, solely by reason of his disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives Federal financial assistance administered by the Department of Transportation.

(b) Discriminatory actions prohibited. (1) A recipient, in providing any aid, benefit, or service, may not, directly or through contractual, licensing, or other arrangements, on the basis of disability:

- (i) Deny a qualified handicapped person the opportunity to participate in or benefit from the aid, benefit, or service;
- (ii) Afford a qualified handicapped person an opportunity to participate in or benefit from the aid, benefit, or service that is not substantially equal to that afforded people who are not handicapped;
- (iii) Provide a qualified handicapped person with an aid, benefit, or service that is not as effective in affording equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as people who are not handicapped;
- (iv) Provide different or separate aid, benefits, or services to handicapped people or to any class of handicapped people unless such action is necessary to provide qualified handicapped people with aid, benefits or services that are as effective as those provided to people who are not handicapped;
- (v) Aid or perpetuate discrimination against a qualified handicapped person by providing financial or other assistance to an agency, organization, or person that discriminates on the basis of disability in providing any aid, benefit, or service to beneficiaries of the recipient's program or activity;
- (vi) Deny a qualified handicapped person the opportunity to participate in conferences, in planning or advising recipients, applicants or would-be applicants, or
- (vii) Otherwise limit a qualified handicapped person in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving an aid, benefit, or service.

(2) For purposes of this part, aids, benefits, and services, to be equally effective, are not required to produce the identical result or level of achievement for handicapped and nonhandicapped people, but must afford handicapped people equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement, in the most integrated setting that is reasonably achievable.

(3) Even if separate or different aid, benefits, or services are available to handicapped people, a recipient may not deny a qualified handicapped person the opportunity to participate in the programs or activities that are not separate or different.

(4) A recipient may not, directly or through contractual or other arrangements, utilize criteria or methods of administration:

- (i) That have the effect of subjecting qualified handicapped people to discrimination on the basis of disability,
- (ii) That have the purpose or effect of defeating or substantially reducing the likelihood that handicapped people can benefit by the objectives of the recipient's program or activity...

2018 Arkansas Statewide Transit Coordination Plan

2018 Arkansas Statewide Transit Coordination Plan (TCP), Section VI: Improved Service Strategies, (Pg30) The TCP was updated in 2018. It was designed to achieve the mission of providing public transportation service in Arkansas. Prioritized Strategies from the updated plan are copied below. Applications for 5310 Program participation must address one of these Prioritized Strategies.

Download the entire TCP document on the Public Transit Webpage:

https://ardot.gov/wp-content/uploads/12_22_2022_ARDOT-TCP-Draft.pdf

The strategies are designed to achieve the mission of providing public transportation service in Arkansas. Please choose from the following:

1. Preserve and maintain existing vehicles and equipment.
2. Maximize the use of existing fleets operating within the same city or county, especially for the agencies who are providing services to the same types of clientele.
3. Continue to support vehicle and operating needs of transportation providers presently receiving assistance under FTA programs.
4. Coordinate the development of model contracts or agreements for sharing vehicles, personnel, joint supply purchasing, group maintenance and insurance, etc.
5. Support the development of mobility managers, other coordination programs or one-call centers at the regional level. This includes developing marketing tools which identifies regional providers and web-site development.
6. Encourage regional services to employment, shopping, medical and social centers through several communities
7. Expand service through existing transit providers. This means expanding current routes, extending hours of service or increasing demand response times.
8. Invest in new transit service where none presently exists.
9. Bring new funding partners such as the Arkansas Department of Workforce and Area Agencies on Aging to public transit and human service transportation.

2027 Vehicle Order Type Listings

5310 Attachment 8

Note: For the National Transit Database (NTD) Annual Report, as of 2018 the Driver is **NOT** included in the Vehicle Description below. **CDL not required unless stated. *PRICES SUBJECT TO CHANGE DEPENDING ON CONTRACT**

<u>ARDOT Number</u>	<u>Length / Vehicle Description (Driver Not Counted)</u>	<u>State Bid No.</u>	<u>Estimated Base Cost</u>
01	17' Standard Minivan (6-Pass.) <i>Not available on this year's DF&A State Contract</i>	SP 19-0002 #33	\$-----
02	20' Standard Van (11-Pass.) <i>Not available on this year's DF&A State Contract</i>	SP 19-0002 #34	\$-----
03	17' Lowered-Floor Minivan w/Ramp, w/Double Flip Seat (5-Pass.) <i>Limited number of chassis available</i>	PT 19-01, w/Double Flip Seat	\$75,987
04	17' Lowered-Floor Minivan w/Ramp, w/o Double Flip Seat (3-Pass.) <i>Not available on this year's DF&A State Contract</i>	PT 19-01, w/o Double Flip Seat	\$-----
05	20' Transit Conversion Mid-Roof Long Van w/o Rear Lift (12-Pass.)	PT 19-02, Item 1	\$78,224
06	20' Transit Conversion Mid-Roof Long Van w/Rear Lift (7-Pass, 3/2 WC)	PT 19-02, Item 2	\$84,580
07	22' Transit Conversion High Roof Extended Van w/o Rear Lift (12-Pass.)	PT 19-03, Item 1	\$82,799
08	22' Transit Conversion High Roof Extended Van w/Rear Lift (7/0, 3/2 WC)	PT 19-03, Item 2	\$106,647
09	22' Small Cutaway Bus w/o Lift (13-Pass.)	PT 20-05, w/o Lift	\$112,978
10	22' Small Cutaway Bus w/Lift (10/0 or 8/1 WC)	PT 20-05, w/Lift	\$123,468
11	22' Small Cutaway Bus w/Lift (8/0 or 8/2 WC)	PT 20-05, 2 WC	\$122,133
12	22' Medium Cutaway Bus w/o Lift (16 Pass.) (CDL Required)	PT 20-06, Item 1	\$110,745
13	22' Medium Cutaway Bus w/Lift (8/2 WC) Vehicle Listing	PT 20-06, Item 2	\$126,848
14	23' Medium Cutaway Bus, w/o Lift (20 Pass.) (CDL Required)	PT 20-06, Item 1	\$117,098
15	23' Medium Cutaway Bus, w/Lift (12/2 WC) (CDL only Required if Ordered with Flip Seat)	PT 20-06, Item 2	\$121,025
16	25' Medium Cutaway Bus, w/o Lift (24 Pass.) (CDL Required)	PT 20-06, Item 1	\$126,838
17	25' Medium Cutaway Bus w/Lift (16/2 WC) (CDL Required)	PT 20-06, Item 2	\$141,398

ADA accessible vehicles can seat additional individuals when wheelchair clients are not being transported if your vehicle has or can be ordered with two passenger flip seats.

Agencies are responsible for 20 (local match) of the total estimated cost. Estimated base cost does not include cost of selected vehicle options (child safety alert system, seatbelt extensions, interior and suspension upgrades, safety bumpers, etc.) Actual vehicle costs will be known only after the State vehicle specification and bid process is complete.

ADA Accessible **Medium Cutaway Buses must include 2 WC positions** due to Federal requirements.

Note: Large Cutaway Buses and Diesel Engines are not available under this Program.

Application Certification

This certification must be filled out and signed by the CEO or Executive Director of the agency requesting funds to be considered for funding.

For each attachment/table, check one box indicating that the information is completed and/or attached or the information is not provided/not applicable to this application.

Completed and/or Attached Yes or No	Attachment/Section Name
Section 1: Agency Information	
	Type of application
	Agency History of funding
Section 2: Applicant Organization Information	
	CEO or Executive Director and Grant Writer Information
	Agency and Site addresses
	UEI number and Expiration
Section 3: Financial Information	
	Verification of Financial Stability
	Organization Type, Gross Receipts, Tax Year
	Support and Financial Data
	Revenue from/allotted for Transportation Services
	Certification of Local Match
Section 4: Transportation Management and Experience	
	Staff responsible for Performance and Maintenance
	Agency Transportation Staff requirements
	Preventative Maintenance Program
Section 5: Public Demographics/Civil Rights	
	Title VI Data Collection Form/Certification
	Title VI Plan

Section 6: Certifications	
	Financial Certification
Section 7: Transportation Service Operation	
	Transportation Service Area
	Transportation Service Details
Section 8: Coordination Efforts	
	Coordination Activities
	List of Coordinating Agencies
	Public or Private Operator's Statement from Coordinating Agencies
Section 9: Non-ADA Vehicle Justification	
	Vehicle Request Justification
	Agency's Inclusivity Efforts
Vehicle Request	
	Vehicle Request Form(s)
	Certification of Vehicle Operation
Section 10: Nondiscrimination	
	Current Policies and procedures
	504 and ADA Materials, etc
Section 11: Certification of Equal Access	
	ADA Accessibility
Vehicle Request	
	Vehicle Request Form(s)
Attachments Required	
	Organizational Chart/Board of Directors
	Current Vehicle Inventory
	Preventive Maintenance Reports

Attachments Required continued	
	Certificate of Insurance (with all agency vehicles listed)
	Federal Assistance Form 424
	Full Entity Audit for Public Entities or 990 for Non-Profit Agencies
	Certification of Eligibility for Public Entities
	Copy of Public Notice Published

* Signing below indicates that the applicant has reviewed the Program Management Plan (see below) and is certifying that their agency understands and will agree to all of the terms required of a “subrecipient” agency to meet Federal law.

[ARDOT 5310 Program Management Plan](#)

Authorizing Signature: _____

Printed Name: _____

Title: _____

Organization: _____

Date: _____

**ATTACHMENT THREE:
5311 APPLICATION
DESK AUDIT**

2027 Section 5311 Application Desk Audit

Applicant Organization: _____ Location: _____

Date of Desk Audit _____ Fiscal Year: _____ Program Manager: _____

<u>Yes</u>	<u>No</u>	<u>Audit Items</u>	<u>Notes</u>
		Submittal Deadline – 60 days prior to application. Exceptions may be granted if justified to the Program Manager.	
		Submitted with a transmittal letter signed by the appropriate organizational official.	
		Section A – Overview of Applicant Organization:	
		➤ Legal name, physical address, mailing address, Federal ID#, UEI#	
		➤ Organization's executive Management & Admin. personnel, titles, and areas of responsibilities.	
		➤ Description of organization and purpose for existence.	
		➤ Description of all federal & state funded programs.	
		Section B – Financial Capacity	
		➤ Primary Contact Individual for the financial system.	
		➤ Type of accounting procedures/system used.	
		Section C – System Planning and Coordination	
		➤ Describe internal agency planning process	
		➤ Provide your planning goals for the project & the objective you hope to accomplish.	
		➤ Describe coordination with any local/regional organizations.	
		➤ Describe your efforts to coordinate your services & funding.	
		➤ Describe the benefits gained or expected as a result of these efforts; and what coordination effort your organization will be pursuing in the future.	
		Section D – System Operational Profile	
		➤ Describe the type of transportation service you provide.	
		➤ Describe why the service is needed and the benefits to the community.	
		➤ Provide statistical data which represent a profile of services, ridership, etc. to support your application.	
		➤ Describe efforts to identify and meet the needs of persons with disabilities and ethnic minority people in the service area.	
		➤ Describe effort to market your transportation services.	
		Section E – System Annual Capital Budget	
		➤ Itemized budget sheet and estimated cost for each item.	
		➤ List time frame for procurement item and target service date.	
		➤ Include narrative to justify request for each item.	
		Section F – System Annual Preventive Maintenance Budget	
		➤ Itemized budget sheet and estimated cost for each item, show actual cost incurred during the last application period and justify new items or significant increases in proposed budget.	
		Section G – System Annual Administrative Budget	
		➤ Itemized budget sheet and estimated cost for each item, show actual cost incurred during the last application period and justify new items or significant increases in proposed budget.	
		➤ Provide the name, title, annual salary, job responsibilities and percent of time for all employment positions, which will be charged to this budget.	
		➤ IDC worksheet if using de minimis (provided by ARDOT)	

<u>Yes</u>	<u>No</u>	<u>Audit Items</u>	<u>Notes</u>
		Section H – System Annual Operating Budget	
		➤ Itemized budget sheet and estimated cost for each item, show actual cost incurred during the last application period and justify new items or significant increases in proposed budget.	
		➤ Provide the name, title, annual salary, job responsibilities and percent of time for all employment positions, which will be charged to this budget.	
		➤ Submitted DBE Goal Amount	
		➤ IDC worksheet if using de minimis (provided by ARDOT)	
		Section I – System Annual Revenues	
		➤ List all fare box type revenues that the organization anticipates being received for providing passenger transportation services in the service area.	
		➤ List all other sources of income (non fare box) and the amount anticipated for the application period.	
		Section J – Public Involvement Process	
		➤ Conduct a public hearing in the service area of each project. Describe the scope of the project and accept any comments.	
		➤ Hearing accomplished prior to submitting an application?	
		➤ The public hearing must take two forms: 1) agenda item by board of director's business meeting or 2) a special hearing by board of director's or governing board or staff?	
		➤ Notify public of time, place, etc. in local paper– 2 weeks in advance	
		➤ Mailing list of other transportation operators providing service within the proposed service area.	
		Section K – Civil Rights	
		➤ Submit any lawsuits or complaints received or acted on, or compliance reviews conducted. These and other relevant civil rights activities must be included in this section, or a statement that no such actions have occurred.	
		➤ Submit documentation or effort made to identify minority or women-owned businesses.	
		Section L - Labor	
		➤ Submit a statement that the applicant accepts all terms and conditions of the special labor warranty of employee protective arrangements for the Section 5311 program, or the applicant has made alternative arrangements agreed to by the Department of Labor, and that the existing agreement is still valid and labor conditions have not changed.	
		Section M – Drug & Alcohol	
		➤ Submit a statement that the applicant has conducted a Drug & Alcohol review by ARDOT/ATA or another vendor.	
		➤ If D&A was conducted by another vendor, describe the review process.	
		ATTACHMENTS	
		1. Current Articles of Incorporations and Bylaws.	
		2. Current Single Audit and IRS Form 990.	
		➤ Audit Findings: Yes <u> </u> No <u> </u>	
		3. Summarization of comments made at Hearing, a list of attendees and the Minutes.	
		➤ Legal Public Notice Requirement	
		4. Submit items used to market your transportation. List all route or service area map, schedules, fare information and marketing materials.	
		5. Current Insurance (Acord) Proof of Insurance.	
		6. Agency Self Evaluation and Risk Assessment	

Yes	No	Audit Items	Notes
		7. Indirect Cost Rate – statement if using de minimis or provide letter from a Cognizant Agency	
		8. Flood Insurance, provide: a. Screen shot of facility location from FEMA website b. Screen shot(s) of location where vehicles are stored from FEMA website c. Copy of flood insurance, if applicable	
		9. Written Maintenance Plan, included within plan: a. Written warranty policy b. Preventive Maintenance schedule for facilities and vehicles	
		10. Federal Audit Clearinghouse (FAC), provide: a. Screenshot of Single Independent Audit submission from FAC website	
		11. List of ALL vehicles noting active or inactive	
		Title VI Compliance	
		➤ Program Policy on File: Yes ___ No ___	
		➤ Notice of Nondiscrimination displayed in buildings and vehicles	
		ADA Compliance - General	
		➤ Complaint Process and Form on Agency web site: Yes ___ No ___	
		➤ ADA facility policy: how are they maintained?	
		➤ Riders Guide (service animals, stop announcements, information upon request is in accessible formats, reasonable modification, etc.)	
		➤ No show, late cancellation policy, if any	
		ADA Compliance – Complementary Paratransit	
		➤ ADA Paratransit (fixed routes - EST): Yes ___ No ___ (fixed routes - PBT): Yes ___ No ___	
		EEO Compliance	
		➤ EEO on File: Yes ___ No ___ (SEAT and SCAT)	
		REVIEW PROCESS	
		Preventive Maintenance Records	
		Monthly Activity Reports and Inspectors Records	
		Maintenance Plan: warranty policy	
		Flood insurance, if applicable	
		ADA facility/vehicle policy (service animals definition, lift guidelines)	
		Application Accepted	
		Send Application to local MPO (If Applicable)	
		Send applicant an Annual Application Agreement of Financial Assistance/Award Letter:	
		FTA Certifications and Assurances received from Applicant.	

Additional Comments: _____

Committee Comments: _____

**ATTACHMENT FOUR:
PROPERTY INVENTORY
CONTROL FORM**



SECTION 5311 VEHICLE INVENTORY CONTROL FORM

AGENCY NAME: _____

VEHICLE DESCRIPTION: _____

VIN NUMBER: _____ FTA NUMBER: _____ LOCAL ID: _____

TOTAL COST: _____ FEDERAL (80%) MATCH: _____ LOCAL (20%) MATCH: _____

PURCHASE/PICKUP DATE: _____ IN-SERVICE DATE: _____

FTA PURCHASE ORDER NO: _____ ARDOT JOB NO: _____

FTA ACTIVITY CODE: _____ FAIN NO: _____

CONDITION AT TIME OF PURCHASE: EXCELLENT (X) FAIR () POOR ()

ENDING MILEAGE AT TIME OF RELEASE: _____

ARDOT retains vehicle title until both the required disposal documentation and this completed form are submitted.

-----* ATTACH your Public

Notice (photocopy is acceptable) that was used of at least five (5) days prior to sale as required in either a newspaper of general circulation in the area where the vehicle is located, as a post on your website, or on your social media account(s) (screenshot is acceptable.)

* DISPOSAL DATE: _____

* SOLD TO: _____

* SALE PRICE: _____

Note: If sale proceeds exceed \$10,000 per vehicle, the Federal share (80%) of the proceeds must be returned to ARDOT according to FTA guidelines (unless prior approval to use proceeds to offset the cost of a like-kind vehicle is agreed upon with ARDOT).

* ENDING MILEAGE AT TIME OF DISPOSAL: _____

* CONDITION AT TIME OF DISPOSAL: EXCELLENT () FAIR () POOR () TOTAL LOSS ()

* FAIR MARKET VALUE (IF TOTAL LOSS / ACCIDENT): _____

REMARKS: _____

*SIGNATURE: _____ *DATE: _____

REVISED 04/07/2026:LP:PTP:dlc

UPON VEHICLE DISPOSAL (SOLD, AUCTIONED, ETC.), AGENCY IS REQUIRED TO COMPLETE FIELDS MARKED WITH AN ASTERISK (*) AND RETURN THIS FORM TO: **ARDOT – PUBLIC TRANSPORTATION PROGRAMS SECTION, P.O. BOX 2261, LITTLE ROCK, AR 72203-2261**

**ATTACHMENT FIVE:
5311 CAPITAL ASSISTANCE
APPLICATION**

Arkansas Department of Transportation
Local Programs Division
Public Transportation Programs Section



Applicant's Guide to Requesting Capital Assistance
Authorized By
49 USC 5311 - Rural Area Formula Grant Program
49 USC Section 5339 - Bus and Bus Facilities Program
For
Rural Public Transportation Projects

Due Date: April 15, 2026

Contact Persons

Amber Flack, Program Manager, 501.569.2203
amber.flack@ardot.gov

Danny Heidelberg, Program Manager, 501.569.4930
daniel.heidelberg@ardot.gov

Brook Norris, Program Manager, 501.569.2927
brook.norris@ardot.gov

Johnna Thomas, Program Management Officer, 501.569.2478
johnna.thomas@ardot.gov

April Washington, Program Manager, 501.569.2952
courtney.washington@ardot.gov

CAPITAL ASSISTANCE INSTRUCTIONS

The Federal Transit Administration's (FTA) Section 5311 and 5339 Award Programs provides funding assistance for transportation providers serving the general public in rural areas of Arkansas. An application must be submitted annually by an organization desiring capital, including preventive maintenance, funds that can be used as the basis for programming.

Your application must be submitted with a transmittal letter signed by the appropriate organizational official. This annual application must be received no later than April 15, 2025.

The following will outline the section into which the application must be formed and the content required to be included in each section.

Enter the following information:

- Applicant's legal name,
- Doing Business As (DBA)
- Contact person and telephone number
- Mailing address
- Email address
- City, State, Zip
- Type of clients served.

Notify the Metropolitan Planning Organization (MPO) in your service area(s) to include this in the local Transportation Improvement Plan (TIP), if applicable. Agencies within MPO service areas: Northeast Arkansas Transit, South Central Arkansas Transit, and Southeast Arkansas Transit.

- South Central Arkansas Transit (SCAT)
[Metroplan](#)
- Western Transportation System (WTS)
[Frontier MPO](#)
- Northeast Arkansas Transit (NEAT)
[Northeast Arkansas Regional Transportation Planning Commission \(JATS\)](#)
- Southeast Arkansas Transportation (SEAT) & Pine Bluff Transit
[Southeast Arkansas Regional Planning Commission \(PBATS\)](#)

Describe and justify your service

Authorized signatures required.

CAPITAL ASSISTANCE INSTRUCTIONS (Cont.)

Enter the requested capital preventive maintenance budget **(REQUIRED)**

Enter the capital items requested and budget:

- List items by priority
 - Quantity and Description
 - Total cost
 - Milestone (Anticipated purchase date)
- List required replacement rolling stock information
 - FTA Number
 - Year
 - Make and Model
 - VIN Number
 - Final Mileage at time of release
 - Useful Life of Rolling Stock
 - Age
 - Owner of Title
 - Use/Condition of Property
 - Disposition of Data - Disposal Date and Sales Price
- List required replacement non-rolling stock information
 - Job Number non-rolling stock was purchased
 - Year
 - Description
 - Serial Number
 - Useful Life of Non-Rolling Stock
 - Age
 - Use/Condition of Property
 - Disposition of Data - Disposal Date and Sales Price

Certification of Equal Access for Persons with Disabilities form is required when ordering non-ADA vehicles.

APPLICATION FOR CAPITAL ASSISTANCE
DEADLINE APRIL 15, 2026
(Preventive Maintenance, Rolling Stock & Non-Rolling Stock)

ARKANSAS DEPARTMENT OF TRANSPORTATION

Applicant's Legal Name _____
Contact Person _____ Telephone Number _____
Mailing Address _____ Email _____
City _____ State _____ ZIP _____
Type Clients Served _____

Transportation Improvement Plan (TIP)

For those applicants providing service in an urbanized area(s) of 50,000 plus population the Metropolitan Planning

Organization in your area must be notified.

Is the item(s) listed in the TIP? _____ Yes _____ No _____ N/A
If no, has an amendment been started? _____ Yes _____ No _____ N/A

Description and Justification

Please state hours and days of proposed service. Estimate number of individuals to be served.

Signatures

I, _____, hereby attest that I have the legal authority to execute this request on
behalf of _____. Further, the required non-federal share
is authorized for the total project costs.

Date _____

(Authorized Officer)

Date _____

(Witness)

Capital Preventive Maintenance Budget (REQUIRED)

Capital Items Requested and Budget

Note: Review description below and list the total number of the same type of vehicles on one line. Please complete the Milestone column.

Non-rolling stock should be ordered and billed within six months of notification from your Program Manager by email or Award Letter.

	QUANTITY AND DESCRIPTION	MAKE AND MODEL	TOTAL COST	SOURCE OF FUNDING (20%)		LOCATION OF ROLLING/ NON-ROLLING STOCK (site address)	<i>Milestone</i> (Anticipated purchase date)
				LOCAL (\$)	STATE (\$)		
<i>Item 1</i>							
Item 2							
Item 3							
Item 4							
Item 5							
Item 6							
Item 7							
Item 8							
Item 9							
Item 10							
Item 11							
Item 12							
Item 13							
Item 14							
Item 15							
<u>Item 16</u>							
<u>Item 17</u>							
<u>Item 18</u>							
<u>Item 19</u>							
<u>Item 20</u>							
GRAND TOTAL							
Federal Share (80%)							-----
Local Share (20%)							-----

Transit vehicle description and pricing on next page.

Transit Vehicle Description, Seating Configurations (Not including Driver) and Pricing:

17' Lowered Floor Ramp Minivan – (5 Pass. or 2 WC)	\$74,779.00
20' Medium Roof Conversion Van w/o WC Lift – (12 Pass.)	\$76,012.00
20' Medium Roof Conversion Van with WC Lift – (7 Pass. or 1/2 WC)	\$82,368.00
22' High Roof Conversion Van w/o WC Lift – (12 Pass.)	\$82,799.00
22' High Roof Conversion Van with WC Lift – (7 Pass. or 1/2 WC)	\$106,647.00
20' Small E-350 Cutaway Bus w/o WC Lift – (13 Pass.)	\$109,978.00
20' Small E-350 Cutaway Bus with WC Lift – (10 Pass. or 10/1 WC)	\$118,098.00
20' Small E-350 Cutaway Bus with WC Lift – (8 Pass. or 8/2 WC)	\$119,133.00
22' Medium E-450 Cutaway Bus w/o WC Lift – (16 Pass.)	\$109,258.00
22' Medium E-450 Cutaway Bus with WC Lift – (8 Pass. or 8/2 WC)	\$109,258.00
22' Medium E-450 Cutaway Bus w/o WC Lift – (20 Pass.)	\$110,148.00
22' Medium E-450 Cutaway Bus with WC Lift – (12 Pass. or 12/2 WC)	\$117,525.00
25' Medium E-450 Cutaway Bus w/o WC Lift – (24 Pass.)	\$123,838.00
25' Medium E-450 Cutaway Bus with WC Lift – (16 Pass. or 16/2 WC)	\$131,398.00

*Available transit vehicles and pricing may change after State bid awards.

ROLLING STOCK (VEHICLES)

Capital Replacement

Please fill in the information below to the best of your knowledge.

[illegible]

NON-ROLLING STOCK
(LAPTOPS, DESKTOPS, PRINTERS, SOFTWARE, PARKING LOTS, ETC.)

Capital Replacement

Please fill out the information below to the best of your knowledge.

JOB NO.	YEAR	DESCRIPTION	SERIAL NUMBER	USEFUL LIFE	AGE	USE/CONDITION OF PROPERTY	DISPOSITION DATA	
							DISPOSAL DATE	SALES PRICE

Notice of Nondiscrimination

The Arkansas Department of Transportation (ARDOT) complies with all civil rights provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance. Therefore, ARDOT does not discriminate on the basis of race, sex, color, age, national origin, religion (not applicable as a protected group under the FMCSA Title VI Program), or disability in the admission, access to and treatment in ARDOT's programs and activities, as well as ARDOT's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding ARDOT's nondiscrimination policies may be directed to the Civil Rights Division (P. O. Box 2261, Little Rock, AR 72203, (501) 569-2298, (Voice/TTY 711), or the following email address: Civil.Rights@ardot.gov

Free language assistance may be available upon request. This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape, and in Braille.

Certification of Equal Access For Persons with Disabilities

(Required before purchase of vehicle without ADA access features required in 49 CFR Subpart 38,
<https://www.ecfr.gov/current/title-49/subtitle-A/part-38>)

I hereby certify, that when viewed in its entirety, the demand-responsive passenger transportation program of _____ provides disabled persons with ADA access equal to that afforded to any other persons in terms of the following criteria.

- 8) Response time;
- 9) Fares;
- 10) Geographic area of service;
- 11) Hours and days of service;
- 12) Restrictions based on trip purpose;
- 13) Availability of information and reservations capabilities; and
- 14) Constraints on capacity or service availability.

Certified this _____ day of _____, _____.

(Signature)

(Typed/Printed Name)

(Title)

The following pages provide a means for evaluating equal access.

Please submit the above signed certification with your capital assistance application.

ADA Needs Analysis for Demand Responsive Public Transit

The ADA requires demand-responsive public transit systems to provide program accessibility for persons with disabilities. Such features and services of your transit system must be provided in the most integrated manner possible. Unlike fixed-route systems, a demand-responsive system is not required to buy only accessible vehicles, but may purchase non-accessible transit vehicles once it has reached the point where it can assure that an individual with a disability calling in for service on any part of the system can be transported via an accessible vehicle as quickly as a non-disabled person requesting service in the same area. Trip purpose restrictions, advance reservations requirements, etc. are allowable so long as they do not impact disabled persons any differently than they do others.

Although the vehicle accessibility standards are probably the most noticeable of the ADA access requirements, for the demand-responsive system access to the ride-request/dispatch function is every bit as critical and must be considered a priority in programming. An analysis should be completed documenting how ride requests/reservations are handled for all parts of the public transit system. In each case, access to phone-in facilities must be provided for hearing impaired persons and access to face-to-face reservations facilities must be provided for persons with mobility impairments, whether these requirements are currently met and, if not, how they will be met in the future – including a listing of any capital improvements needed to accomplish that. (It may not always be necessary for the transit system to own its own telephone equipment for hearing impaired persons, but arrangements must be made which do not involve considerably more effort.)

Access to system information is also a critical need under ADA. Any alternate phone number(s) for hearing disabled persons must be prominently featured in system literature. All literature must also be available in Braille or taped cassette formats for visually impaired persons. (Remember that all system services must be described in system literature and that such literature must include the information that **these services are open to the public, including persons with disabilities, without discrimination.**)

Outlets for ticket/pass sales or locations for obtaining eligibility identification cards must be accessible to all persons with disabilities. The analysis should identify any such outlets/locations for the system. For each, an assessment should be made of whether it is currently accessible or, if not, what will need to be done to provide access. (Remember that sometimes it is more sensible to change the location than to do any kind of major retrofitting of a facility.)

Access to public transit vehicles by disabled persons is the heart of the ADA's transportation title. As mentioned earlier, fixed-route transit systems must buy only vehicles that are accessible to persons with a wide array of disabilities that would prevent their usage of today's (or yesterday's) "standard buses." Demand-responsive transit systems must also buy only accessible vehicles, unless they can already provide accessible service to any disabled person requesting to ride on any part of the system just as quickly as a non-disabled person.

At first reading this would appear to have little impact on demand-responsive public transit systems since most have had significant numbers of “lift-equipped” vehicles in their fleets to carry persons in wheelchairs. The ADA rules, however, set a higher standard of accessibility which most existing vehicles do not meet. Under ADA, to be considered accessible vehicles must have longer platforms on their lifts so that they can carry the popular three-wheel scooter mobility devices as well as traditional wheelchairs. They must have a double handrail on the lifts to carry persons unable to comfortably climb stairs, but not yet using a wheelchair. They must transport the mobility devices in a forward or rearward facing orientation, instead of the more dangerous but cheaper side-facing positions, and the securement systems used must provide better protection than most of those currently in use. They must also allow either 56 or 68 inches of headroom from the lift to the securement location. There are also other minor new requirements.

The first step in analyzing whether vehicles to be purchased by a demand-responsive transit provider must be accessible is to evaluate the existing fleet. How may existing vehicles meet the accessibility standards? Are there any others, which can with only minor changes be brought into compliance?

Next the various services provided under the auspices of the system should be examined. In each case an assessment should be made whether the service is currently provided with an accessible vehicle and if it is not, whether there is some other accessible vehicle available to provide the service if someone in a scooter, for instance, might request a ride. The assessment may involve programming a retrofit of existing vehicles to meet the accessibility standard, but prior to the system programming purchase of any non-accessible vehicles. The assessment should document the way by which the system is able to respond to a request for accessible transportation on any of its services in a way that matches the response time for non-disabled ride requests.

Other facets of the transit program are also affected by ADA. All transit board meetings, advisory meetings, planning meetings, etc. are required to be open to the public. The meeting locations must be fully accessible to persons with disabilities. Such access must include access to water fountains, rest rooms, vending machines or other amenities available to others involved in the meeting. As with other functions such as ticket sales, etc., the remedy need not involve changes to the current site, but could instead merely involve scheduling the meetings at a different location where accessibility features are available. Thought should also be given to scheduling meetings when accessible transit service is available or providing special service for persons wishing to attend the meetings.

Even once all transit functions, which involve interfacing with the public, are made accessible to persons with disabilities there may still remain workplace accessibility concerns under ADA. This might be especially true if some of the public functions have been made accessible by relocating them to a different site. Workplace accessibility for both office and garage facilities becomes a factor in any new construction, additions or modifications are anticipated. The new areas must be designed for full accessibility and with additions or modifications, to the extent that cost is not disproportionate to the overall project total. It is required that restrooms, drinking fountains, etc. serving the new or remodeled areas must also be made accessible. Even in the absence of any planned additions or remodeling, the employment provisions of ADA require that reasonable accommodations be made in existing work sites to allow a qualified employment candidate with disability to access the workplace and perform their job duties.