North Central Texas Council of Governments

JOB ACCESS/REVERSE COMMUTE

AND

NEW FREEDOM PROGRAMS

QUESTIONS
AND ANSWERS

May 20, 2009

www.nctcog.org/jarc

On April 24, 2009, the North Central Texas Council of Governments (NCTCOG) issued a Call for Projects to award Federal Transit Administration Job Access/Reverse Commute and New Freedom Programs funds to eligible entities and projects within the Dallas-Fort Worth-Arlington and Denton-Lewisville urbanized areas. NCTCOG held two (2) pre-proposal workshops on Wednesday, May 6 and Thursday, May 7, 2009, for prospective project sponsors to learn more about the Call for Projects and to ask questions about the programs or prospective projects. Questions were taken at the workshops, as well as via phone, e-mail and fax, through 5:00 p.m. on Friday, May 15, 2009. Responses to questions received are provided below based on the following categories:

1. Definitions
2. General
3. Project Submittals and Evaluation
4. Project and Grant Requirements
5. Funding/Matching Requirements
6. Job Access/Reverse Commute Program
7. New Freedom Program

DEFINITIONS

Capital Expense: Capital funding is available at an 80/20 federal/local share, and includes purchases such as: vehicles, service and support equipment, preventative maintenance, mobile radio units, and capital support equipment (e.g., computer hardware, software, and other equipment that enhances operating efficiency). For more information, please refer to Chapter III, Section 4 of FTA Circular 9030.1C for more information.

Eligible Entities: Entities eligible to apply for and receive Job Access/Reverse Commute and New Freedom funds include:
   1.) Private non-profit organizations;
   2.) State or local governmental authorities; and
   3.) Operators of public transportation services, including private operators of public transportation services.

Individual with a Disability: An individual who, because of illness, injury, age, congenital malfunction, or other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semi-ambulatory capability), cannot use effectively, without special facilities, planning, or design, public transportation service or a public transportation facility. [FTA Circular 9045.1, Page I-3]

Low-Income: Refers to an individual whose family income is at or below 150 percent of the poverty line (as published annually by the U.S. Department of Health and Human Services) for a family of the size involved.

Non-Profit Organization: A corporation or association determined by the Secretary of the Treasury to be an organization described by 26 U.S.C. 501(c) which is exempt from taxation or one which has been determined under State law to be non-profit and for which the designated State agency has received documentation certifying the status of the non-profit organization. Documentation certifying the status of the non-profit organization must be submitted as part of the project submittal. [FTA Circular 9045.1, Page I-3 and FTA Circular 9050.1, Page I-3]

Operating Expense: Operating costs are considered those expenses necessary to operate, maintain, and manage a transit system. Operating expenses usually include such costs as driver salaries, fuel, and items having a useful life of less than one (1) year. The term "operating expenses" is defined in the Glossary of Transit Terms for the National Transit Database as "all expenses associated with the operation of an individual mode by an operator. Operating expenses do not include reconciling items such as interest expenses and depreciation." Generally, a grantee may call any eligible cost that is not a capital or planning cost an operating cost. For additional information, please refer to Appendix D of FTA Circular 9030.1C.

Paratransit: Comparable transportation service required by the American with Disabilities Act of 1990 (ADA) for individuals with disabilities who are unable to use fixed route transportation systems.

Planning Expense: Activities relating to the planning and evaluation of transit projects. Eligible activities include, but are not limited to, studies relating to management, operations, capital requirements and economic feasibility, plans and specifications; evaluation of previously funded projects; and other similar or related activities prior to and in preparation for the acquisition or improved operation of transit systems, facilities, and equipment. Planning assistance is available at the 80/20 federal/local share ratio. For more information, please refer to Chapter III, Section 3(A) of FTA Circular 9030.1C.

GENERAL

1. *Will there be additional opportunities to ask questions?*
    The purpose of this document is to respond to initial questions, as well as common questions, received through the pre-proposal workshops. NCTCOG staff continues to be available to respond to questions or comments related to the Job Access/Reverse Commute Program, New Freedom Program, as well as specifics related to the Call for Projects. For your information, staff contact information is provided at the end of this document.

2. *In the application, the submitter is asked to identify the need for the project. Who identifies this need?*
    Projects are expected to respond to a particular transportation related need in the community. Through the Project Narrative section of the Project Submittal Form, each submitting entity is required to describe the unmet transportation need and how the proposed project will address this need.

3. *Where can I obtain data on the number of welfare recipients, low-income persons, or persons with disabilities in a given area?*
    The most common source of this data is the U.S. Census Bureau. A wealth of information can be found on their website at http://factfinder.census.gov. In addition, you can find information on NCTCOG's website at www.nctcog.org/ris/census/index.asp.

4. *Where can I obtain a list of transportation service providers currently operating in the region?*
    Staff is available to assist you in identifying transportation providers in your area. In addition, a list of public transportation providers in the region is available on the NCTCOG website from the Transportation Provider Inventory.

5. *What is the timeline for successful proposals to receive funding?*
Please refer to the schedule on Page 9 of the Application Instructions.

6. *What is the schedule for updating the coordinated plan? How can we be apprised of and/or participate in that process?*
The North Central Texas Regional Public Transportation Coordination Plan states on Page 33 that "plan amendments or revisions may be processed annually as needed to meet regional needs, with updates undertaken every two (2) years". The plan, as adopted, satisfies the most current regulations set forth by the Federal Transit Administration. If you wish to participate in the next update process, please submit your contact information, with "RPTC Interested Party" in the subject line, to jpowell@nctcog.org.

7. *What is mobility management?*
Mobility management is an eligible capital expense under both the Job Access/Reverse Commute and New Freedom Programs. Mobility management is defined as activities intended to build coordination among existing public transportation providers and other transportation service providers with the result of expanding the availability of service in the community. Mobility management does not include operating costs of a service. Examples of mobility management activities are provided in FTA Circular 9050.1, Page III-11.

8. *Is a private, for-profit taxi provider considered a private operator of public transportation services?*
The Federal Transit Administration considers private, for-profit taxi companies that provide shared-ride service to the public or to special categories of users (such as older adults or persons with disabilities) on a regular basis to be operators of public transportation, and therefore eligible. "Shared-ride" is defined as two or more passengers in the same vehicle who are otherwise not traveling together. Service which can be reserved for the exclusive use of individuals or private groups, either by the operator or by the first passenger's refusal to permit additional passengers, is not shared-ride service and therefore not eligible. NCTCOG may request supporting documentation.

9. *Is a city that doesn't currently have public transportation eligible to submit and receive JA/RC or New Freedom funds?*
Yes. State or local governmental authorities are eligible subrecipients. There is no requirement that existing public transportation services be provided. See "eligible entities" definition on Page 2 for more information.

10. *If a project fits under JA/RC and New Freedom, how does NCTCOG decide from which area to fund the project?*
NCTCOG will accept projects that fit under more than one program area. Projects will initially be screened under the requirements of each program to ensure they are derived from the regional coordination plan and meet basic program requirements. If the project is selected for funding, NCTCOG will fund the project under the program that most closely matches the needs and goals of the project, and maximizes the implementation of the region's coordination goals, policies, and strategies.

11. *Must an Intent to Submit postcard be completed and returned in order for NCTCOG to accept and review a project submittal?*
No. The Intent to Submit postcard is intended as a benefit to agencies and provides for a reminder to be sent approximately two weeks prior to the submittal deadline. However, whether or not an agency completes and returns the postcard has no impact on the acceptance or evaluation of a project submittal.

PROJECT SUBMITTAL AND EVALUATION

1. *Can the authorized representative, agency contact, and project manager be the same person?*
Possibly. The answer depends upon your agency's organizational structure. The authorized representative is the individual at your organization with the legal authority to enter into contracts, typically an executive director or president. The agency contact is the person available to answer questions and provide additional information as requested regarding the Project Submittal Form. The project manager is the individual that will actually be implementing the project and will serve as liaison to the NCTCOG project manager.

2. *How many projects may one entity submit?*
There is no limit on the number of projects an entity may submit. However, each project must be address on its own Project Submittal Form. As this is a competitive process, please give appropriate time and detail to all projects submitted.

3. *The Project Submittal Form, page 7, requires a detailed fleet list and fleet plan, and states that neither counts towards the "3 page minimum" of the Project Narrative. I thought it was a three (3) page maximum? Which is correct?*
Three (3) page **maximum** is correct. The "3 page minimum" is a typographical error and should be ignored.

4. *Does the detailed budget count towards the Project Narrative three (3) page limit?*
No. Only responses to the six (6) broad categories identified are limited by the three (3) page limit. Any supplemental documents, including the detailed budget, should be included as appendices and thus will not affect the page limit.

5. *If requesting vehicles, does the required fleet plan count towards the Project Narrative three (3) page limit?*
No. A fleet plan, required of any entity requesting the purchase of vehicles, does not count towards the 3 page maximum. See response above.

6. *What if my agency doesn't have a fleet plan? Is there a template?*
There is no template for the fleet plan. If you currently have a fleet plan, that will be sufficient. Entities requesting funding for vehicle(s) that do not have a fleet plan in place should document the number and types of vehicles they currently operate, as well as where, when, and how the vehicle(s) being requested will be fueled, serviced, maintained, repaired, cleaned, etc.

7. *May all electronic files be submitted in PDF format rather than Microsoft Office?*
    Project proposals must consist of one original hard copy and one copy in electronic format. The requirement for an electronic copy may be satisfied by providing the project proposal in a single PDF document/file. As a reminder, no submittals will be accepted via e-mail.

8. *If a project is a collaboration of several community partners, will it receive a higher score?*
    NCTCOG encourages projects that are collaborations among multiple community partners. The extent of collaboration and coordination among partners is a consideration in the project selection process. Please reference "Coordination and Program Outreach" on Page 7 of the Project Submittal Form.

9. *Can project selection criteria be provided?*
    NCTCOG uses a qualitative and quantitative approach in the selection of projects. Please refer to page 4 of the Application Instructions for specific emphasis areas.

PROJECT AND GRANT REQUIREMENTS

1. *What information will need to be provided in the monthly/quarterly status reports?*
    Successful applicants will be required to submit Monthly Status Reports, Milestone Status Reports (MSR), Financial Status Reports (FSR), and other reports as required by NCTCOG. The Monthly Status Report is intended to be a brief update (i.e., 1-2 paragraphs or bullets) that summarizes the progress made during the previous month, and serves to keep NCTCOG aware of the schedule and related progress of each project. Quarterly status reports, including the Milestone Status Report and Financial Status Report, are required by the Federal Transit Administration. Standardized forms will be provided as part of the contract. [Application Instructions, Page 7]

2. *Do projects have to operate wholly within the urbanized area?*
    No, projects do not have to be wholly in the given urbanized area. However, the project should focus on and directly benefit the urbanized area. A map of the Dallas-Fort Worth-Arlington and Denton-Lewisville urbanized areas was provided in Appendix A of the Application Instructions.

3. *If a project encompasses both the Dallas-Fort Worth-Arlington and Denton-Lewisville urbanized areas, how should this be reflected in the Project Submittal Form?*
    The determining factor is which urbanized area is benefited greatest. In a scenario where 80% of a project takes place in Denton-Lewisville and 20% in Dallas-Fort Worth-Arlington, the project would be evaluated as a Denton-Lewisville project.

4. *Is a thorough study of needs in a particular area to develop project ideas eligible as a planning or other expense?*
    Planning is only an eligible expense under the Job Access/Reverse Commute Program, and cannot be funded under the New Freedom Program. It is important to note that a specific link between the planning activities identified and the JA/RC Program objectives must exist. While planning is an eligible expense under the JA/RC Program, the main goal/purpose is to fund the provision of service.

5. *Is bus rehabilitation/rebuild an eligible expense? Will it be considered for funding?*
   The Federal Transit Administration identifies bus rehabilitation/rebuild as an eligible capital expense. However, the vehicle(s) requested for rehabilitation/rebuild must be directly involved in providing the submitted project. Furthermore, a cost/benefit analysis between purchasing/leasing a new vehicle and the rehabilitation/rebuild of an existing vehicle must be undertaken. NCTCOG will consider requests for rehabilitation/rebuild of existing vehicles purchased with FTA funds on a case-by-case basis.

6. *Are there any emissions requirements for the vehicles purchased?*
   Vehicles purchased must comply with the Clean Fleet Vehicle policy adopted by the Regional Transportation Council (RTC). Information on the Clean Fleet Vehicle policy is available on the NCTCOG website at http://www.nctcog.org/trans/air/vehicles/fleet/policy/.

7. *Is it correct that "subrecipients that receive only JA/RC, New Freedom or Section 5310 assistance are not subject to FTA's Drug and Alcohol testing rules, but must comply with the Federal Motor Carrier Safety Administration rule for employees who hold commercial drivers licenses"?*
   Yes. The Federal Transit Administration requirements related to Drug and Alcohol Testing under the Job Access/Reverse Commute and New Freedom Program are found in Chapter VIII(12) and Chapter VIII(11) in their respective guidance documents. Please note that if your agency is receiving other Federal Transit Administration program funds, the Drug and Alcohol Testing requirements remain in effect.

8. *Do operational expenses include allocation of shared costs such as driver pay, dispatch salaries, administrative salaries, maintenance department salaries, rent, utilities, taxes, insurance, professional fees, bank charges, telephone expense, equipment maintenance , depreciation, interest, office supplies, drug test, toll fees, (radio tower lease for driver communication), security, etc.? Are there any allocation rules or procedures?*
   Under federally funded grant programs, recipients may incur costs of both a direct and indirect nature. A cost allocation plan is required if a grantee desires to charge indirect program-related costs to an FTA grant. For more information, please see Chapter 3.3 of FTA Circular 5010.1C - Grant Management Guidelines.

9. *What will be the contracting instrument for successful projects? May we review a copy at this time?*
   Entities selected to receive grant funding will be required to enter into a contract with the North Central Texas Council of Governments. A copy is not available at this time.

10. *What happens to vehicles purchased with JA/RC or New Freedom funds when the project is over?*
    The Federal Transit Administration encourages maximum use of vehicles funded under the Job Access/Reverse Commute and New Freedom Programs. Vehicles are to be used first for program related needs for which the grant is made and then to meet other transportation needs of other federal programs or project needs, providing that they do not interfere with the project activities originally funded. If the equipment is no longer needed for the original program or project, the equipment may be used in other activities currently or previously supported by a federal agency.

FUNDING/MATCHING REQUIREMENTS

1. *What is a reimbursement grant program?*
    Both the Job Access/Reverse Commute and New Freedom Programs are reimbursement grants. A reimbursement grant program requires that the entity implementing the project incur the costs first. The entity then submits an invoice for payment and eligible expenditures will be reimbursed at the appropriate rate.

2. *How long does it take to get reimbursed by NCTCOG?*
    NCTCOG makes every effort to process requests for reimbursement within 30 days of receipt of required documentation.

3. *The grant will be a reimbursement contract. As such, can the subcontractor or provider of transportation use a unit rate; i.e., cost per trip or cost per mile? Can the match likewise be based on the same unit rate?*
    If documentation of the unit rate methodology is provided and approved by NCTCOG, the grantee may use a unit rate (i.e., cost per trip or cost per mile). However, the grantee must request reimbursement on a line item basis using the appropriate match ratio for the net operating expenses.

4. *What does in-kind mean?*
    Non-cash local match such as donations, volunteer services, or in-kind contributions are federally eligible to be counted toward the local match requirement. However, the use of such non-cash local match will result in increased reporting, documentation, administration, and oversight.

5. *Can in-kind donations (i.e., vehicles) be counted towards the local match portion of the cost of the project?*
    NCTCOG will consider requests for the use of non-cash local match on a case-by-case basis.

6. *Can money from other federal or state funding sources be used as local matching funds?*
    Yes. However, the local share must be provided from sources other than Federal Department of Transportation Funds. Some examples of sources of local match which may be used for any or all of the local share include (but are not limited to): State or local appropriations; other non-DOT federal funds; dedicated tax revenues; private donations; revenue from service contracts; and toll revenue credits. Please see the Job Access/Reverse Commute [FTA Circular 9050.1, Chapter III-12] and New Freedom [FTA Circular 9045.1, Chapter III-12] program guidance for more information on potential sources of local match.

7. *What documentation will be needed to prove that there are local matching funds available?*
    No formal documentation is required as part of the project submittal. However, NCTCOG expects that local matching funds will be secured prior to execution of the contract for project implementation.

8. *If we have a potential source of matching funds and something happens with that source after the application is submitted, will we have an opportunity to submit a replacement? What if a grant has already been approved? What happens if we cannot find substitute, both before and after grant is approved?*
    NCTCOG encourages project sponsors to identify and secure local match prior to submittal and execution of a contract with NCTCOG. However, NCTCOG understands the nature and difficulty in securing local match and will work with project sponsors related to local match issues. If after substantial time and/or effort, a project has no source or potential source of local match, the federal funds will be de-obligated and reprogrammed in subsequent calls.

9. *If a project is selected for funding, is there a specific amount of time that the money must be spent?*
    Project expenditures should occur within a reasonable timeframe of what is provided in the project budget.

10. *How many years can projects get funded through this Call for Projects?*
    Projects can be submitted for one, two, or three years of funding under this Call for Projects. As mentioned in the [Application Instructions,](#) funding under these two programs is limited, and as such is intended to be used to pilot new and innovative solutions to address the unmet transportation needs of people with disabilities and individuals with limited incomes. NCTCOG envisions funding under these two programs to serve as "seed money" and encourages projects that have the potential to become self-sustaining.

11. *Can projects submitted in this Call for Projects get more funding in the next Job Access/Reverse Commute & New Freedom Call for Projects?*
    Eligible projects funded with Job Access/Reverse Commute or New Freedom funds may continue to be eligible for funding as long as the project(s) continue to be part of the coordinated plan. However, as mentioned above, NCTCOG is looking for projects that have the potential to become self-sustaining. In addition, there is no guarantee that a given project will be funded through subsequent competitive calls for projects.

12. *PROJECT BUDGET SHEET – is this one year or the entire project or some other period of time? What are the to and from dates for the period?*
    The project budget sheet should reflect all years of requested funding, from one up to the maximum of three. The to and from dates will reflect the date the project begins, and will vary from submittal to submittal.

13. *Can funds be moved around in a budget? For example, in a multi-year project, can the subrecipient ask for year two funds during the first year of the project?*
    Requests to advance funding will be considered on a case-by-case basis.

JOB ACCESS/REVERSE COMMUTE PROGRAM

1. *What is the definition of "low-income" for purposes of the Job Access/Reverse Commute Program?*
    Please reference the "low-income" definition provided on Page 2 of this document.

2. *Does a project have to be new (or expanded) to receive funding under the Job Access/Reverse Commute Program?*
No. However, NCTCOG places an emphasis on projects intended to fill gaps or provide service where service is limited or none is currently available.

3. *Can I use JA/RC funds to provide transportation service to and from my business/facility for my clients only?*
Yes. However, please keep in mind that the employees must qualify as low-income or the business/facility must be in a suburban locale to be eligible for funding. NCTCOG encourages projects selected for funding be open to all individuals interested in utilizing the service.

4. *Are after school agencies/programs eligible to receive JA/RC funding?*
Based upon Federal Transit Administration guidance updated April 24, 2008, "projects that transport children of low-income parents to and from school or after school locations do not constitute transportation to employment support services under the JA/RC Program and would not be eligible for JA/RC funds."

5. *Is it necessary to verify individuals' income information to operate a Job Access project?*
Yes. However, the determination that an individual is "low-income" may be derived from indirect sources, which could include: a high-percentage of welfare recipients residing in the zip code served by the project, enrollment of an individual or group of individuals in a federal support program based on income, or origin and destination of the trips (e.g., workforce centers, sheltered workshops, subsidized housing, outreach agencies, etc.).

NEW FREEDOM PROGRAM

1. *What is "new" service under New Freedom?*
For the purposes of the New Freedom Program, "new" service is any service or activity that was not operational on August 10, 2005, and did not have an identified funding source as of August 10, 2005, as evidenced by inclusion in the Transportation Improvement Program (TIP) or Statewide Transportation Improvement Program (STIP). In other words, if not for the New Freedom Program, the project would not be operational. Subrecipients may not terminate ADA paratransit enhancements or other services funded before August 10, 2005, in an effort to reintroduce the services as "new". [FTA Circular 9045.1, Chapter III-11]

2. *Do volunteer drivers need ADA accessible vehicles?*
If using personal vehicles, volunteer drivers would not be required to provide ADA accessible vehicles. However, FTA does note that any volunteer program supported by New Freedom funds must meet the requirements of both "new" and "beyond the ADA."

3. *Can New Freedom funds be used to pay for trips currently being provided?*
No. New Freedom funds must be used for new public transportation services or new public transportation alternatives that go beyond the requirements of the ADA. The only exception to this rule is in the case of eligible projects previously funded with New Freedom funds. These projects may continue to be eligible for funding as long as the projects continue to be consistent with the coordinated plan.

4. *Is bringing a vehicle up to ADA requirements an eligible expense?*
    No. Vehicle enhancements must go beyond the requirements of the Americans with Disabilities Act to be eligible for funding under the New Freedom Program.

5. *How is an individual qualified as "disabled"? Who makes the determination?*
    The determining factor is whether or not the individual has a medical condition, either temporary or permanent, that prevents him or her from driving safely. This determination is made by the agency submitting the project, but agencies typically rely on a note or standardized form signed by a licensed medical professional. Examples are available upon request.

ADDITIONAL RESOURCES

New Freedom Guidance
http://www.fta.dot.gov/laws/circulars/leg_reg_6624.html

Job Access/Reverse Commute Guidance
http://www.fta.dot.gov/laws/circulars/leg_reg_6623.html

FTA Circular 5010.1C – Grant Management Guidelines
http://www.fta.dot.gov/laws/circulars/leg_reg_4114.html

FTA Circular 9030.1 - Urbanized Area Formula Program
http://www.fta.dot.gov/laws/circulars/leg_reg_4125.html

NCTCOG STAFF CONTACTS

James Powell
Transportation Planner
(817) 695-9283
jpowell@nctcog.org