# TABLE OF CONTENTS

## INTRODUCTION

<table>
<thead>
<tr>
<th>Introduction</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction</td>
<td>1</td>
</tr>
</tbody>
</table>

## GENERAL PROGRAM INFORMATION

| State Program Goals                                                      | 3    |
| Local Role in Program Administration                                    | 5    |
| Planning Requirements                                                   | 6    |
| Local Role in Program Administration and Operations                     | 6    |
| Local Public Transportation System Goals                                | 7    |
| Types of Service                                                        | 7    |
| Serving the General Public                                              | 8    |
| Service Policy                                                           | 9    |
| Criteria for Project Approval                                           | 10   |
| Eligible Project Expenses                                               | 10   |
| Local Share and Local Funding Requirements                              | 13   |
| Project Duration                                                        | 14   |
| Reimbursement                                                           | 14   |
| Budget Revision/Amendment                                               | 15   |
| Procurement                                                              | 16   |
| Maintenance Requirements                                                | 19   |
| Private Sector Participation                                            | 20   |
| GDOT Charter Service Policy                                             | 22   |
| GDOT Meals-on-Wheels Service Policy                                     | 22   |
| Coordination                                                            | 23   |
| Americans with Disabilities Act                                         | 24   |
| Vehicle Inspection/Inventory                                            | 28   |
| Interstate Service Requirements                                         | 29   |
| Insurance Requirements for Interstate Operation                         | 30   |
| Additional Regulatory Requirements                                      | 31   |

## RURAL PUBLIC TRANSPORTATION APPLICATION

<table>
<thead>
<tr>
<th>Part I – Project Description</th>
<th>34</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive Summary</td>
<td>35</td>
</tr>
<tr>
<td>The Organization</td>
<td>37</td>
</tr>
<tr>
<td>The Market</td>
<td>38</td>
</tr>
<tr>
<td>The Operations</td>
<td>38</td>
</tr>
<tr>
<td>The Marketing Program</td>
<td>41</td>
</tr>
<tr>
<td>Financial Data</td>
<td>41</td>
</tr>
</tbody>
</table>
# TABLE OF CONTENTS (continued)

**Part II – Compliance Requirements**

- Annual Listing of FTA’s Certifications and Assurances .................................................. 45
- Intergovernmental Review Process .................................................................................. 46
- Authorizing Resolution ..................................................................................................... 46
- Private Enterprise Coordination ....................................................................................... 46
- Charter Service .................................................................................................................. 47
- Public Hearing Requirements .......................................................................................... 47
- Labor Protection ................................................................................................................ 48
- FTA Title VI Data Collection and Reporting ................................................................. 48
- Substance Abuse Certification .......................................................................................... 48
- Certification of Equal Access for Persons with Disabilities .......................................... 49
- Checklist ............................................................................................................................ 49
- Application Submission ...................................................................................................... 49

**EXHIBITS**

<table>
<thead>
<tr>
<th>Exhibit</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Section 5311 Grant Application Cover Sheet and Checklist</td>
<td>51</td>
</tr>
<tr>
<td>2</td>
<td>Sample Budget</td>
<td>52</td>
</tr>
<tr>
<td>3</td>
<td>Section 5311 Purchase of Service Computation Worksheet</td>
<td>53</td>
</tr>
<tr>
<td>4</td>
<td>Sample of Monthly Section 5311 Operating Assistance Reimbursement Form</td>
<td>56</td>
</tr>
<tr>
<td>5</td>
<td>Federal FY 2011 Certifications and Assurances for FTA Assistance</td>
<td>57</td>
</tr>
<tr>
<td>6</td>
<td>Intergovernmental Coordination Form</td>
<td>62</td>
</tr>
<tr>
<td>7</td>
<td>Authorizing Resolution</td>
<td>64</td>
</tr>
<tr>
<td>8A</td>
<td>Private Enterprise Coordination Certification</td>
<td>66</td>
</tr>
<tr>
<td>8B</td>
<td>Notice of Opportunity for Public Hearing</td>
<td>67</td>
</tr>
<tr>
<td>9</td>
<td>Certification of No Intent of Charter Service</td>
<td>68</td>
</tr>
<tr>
<td>10</td>
<td>Special Section 5333(b) Warranty for Application to the Small Urban and Rural Program</td>
<td>69</td>
</tr>
<tr>
<td>11</td>
<td>FTA Title VI Data Collection and Reporting</td>
<td>75</td>
</tr>
<tr>
<td>12</td>
<td>Substance Abuse Certification</td>
<td>78</td>
</tr>
<tr>
<td>13</td>
<td>Certification of Equal Access for Persons with Disabilities</td>
<td>79</td>
</tr>
</tbody>
</table>
## TABLE OF CONTENTS (continued)

### APPENDICES

<table>
<thead>
<tr>
<th>Appendix</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appendix A</td>
<td>Section 5311 Application Schedule for July 2011 through June 2012</td>
<td>86</td>
</tr>
<tr>
<td>Appendix B</td>
<td>Map of District Offices and Boundaries</td>
<td>88</td>
</tr>
<tr>
<td>Appendix C</td>
<td>Program Guidelines and Requirements for Rural Public Transportation Programs</td>
<td>90</td>
</tr>
<tr>
<td>Appendix D</td>
<td>Private Enterprise Coordination Requirements</td>
<td>93</td>
</tr>
<tr>
<td>Appendix E</td>
<td>Public Hearing Requirements</td>
<td>94</td>
</tr>
<tr>
<td>Appendix F</td>
<td>Charter Policy and Procedures</td>
<td>95</td>
</tr>
<tr>
<td>Appendix G</td>
<td>Regulatory Requirements of the Rural Public Transportation Program</td>
<td>96</td>
</tr>
<tr>
<td>Appendix H</td>
<td>FY 2011 &amp; 2012 Prices for Capital Equipment</td>
<td>109</td>
</tr>
<tr>
<td>Appendix I</td>
<td>Sample Final Reimbursement/Closeout Letter</td>
<td>110</td>
</tr>
<tr>
<td>Appendix J-1</td>
<td>Budget Revision</td>
<td>111</td>
</tr>
<tr>
<td>Appendix J-2</td>
<td>Budget Amendment</td>
<td>112</td>
</tr>
<tr>
<td>Appendix K</td>
<td>Grants and Cooperative Agreements; Fiscal Year 2011 Annual List of Certifications and Assurances; Notice</td>
<td>113</td>
</tr>
<tr>
<td>Appendix L</td>
<td>Federal Motor Carrier Safety Administration Forms</td>
<td>114</td>
</tr>
</tbody>
</table>
DISCLAIMER

The contents of this guide reflect the views of the persons preparing the document and those individuals are responsible for the facts and the accuracy of the data presented herein. It does not necessarily reflect the view or policies of the Georgia Department of Transportation or the Federal Transit Administration. This report does not constitute a standard, specification, or regulation.
INTRODUCTION

The Georgia Rural Public Transportation Program Administrative Guide for Local Transit Programs provides general information on the Georgia Rural Public Transportation Program as well as the application forms and requirements for applying for local project funds during the funding cycle beginning July 2011 and concluding June 2012. Appendix A presents the Section 5311 application schedule for grants covering this 12-month period.

The Administrative Guide includes two major sections: 1) The general program information and 2) The grant application instructions for the Section 5311 Program. This document outlines the necessary application procedures for local grant recipients under the Federal Transit Administration Section 5311 Program. See FTA Circular 9040.1F

The application consists of two major parts. Part I – The project Description includes a detailed summary of the existing or proposed local public transportation programs. Major emphasis is given to development of the Project Description, which reflects the Rural Public Transportation Program’s orientation to functioning as a government operated enterprise. Part II – The compliance Requirements consists of certifications, assurances, resolutions and other requirements that are standard to federally-sponsored projects. These must be signed and submitted with the Project Description in order for the application to be complete.

In addition to the Administrative Guide, the Georgia Department of Transportation (GDOT), Division of Intermodal Programs, publishes the Georgia State Management Plan for Rural Public Transportation, a document that presents the policies and procedures that have been established to show how the State manages and administers the FTA Section 5311 Program. The Georgia State Management Plan is targeted primarily at Federal and State program staff. It is available from GDOT Intermodal Programs Division upon request. In addition, the Intermodal Programs is developing a comprehensive local program procedures manual that will be distributed to local Section 5311 grantees upon completion. In the interim, the guidance in this application package should serve as the primary resource for local applicants and grantees. Additional information and guidance may be obtained by contacting the GDOT
District Public Transportation Coordinator (PTC) in your District or the Atlanta General Office. Appendix B of the Administrative Guide provides a District map and PTC contact information.

Mr. Erik Steavens, Director, Intermodal Programs (404) 347-0573

Mr. Harvey D. Keepler, Administrator – (404) 631-1242

Section 5311 Program Manager – Mr. Viktor Opara-Amaechi – (404) 631-1231

District 1 - Vacant - (770) 532-5507

District 2 – Ms. Cecilia Ashley- (478) 552- 4634

District 3 – Vacant - (706) 646- 6989

District 4 - Ms. Donna Stinson- (229) 386-3302

District 5 – Mr. Steve Tomlinson - (912) 284-2558

District 6 – Ms. Freida Black – (770) 387-5496
GENERAL PROGRAM INFORMATION

Introduction

The Section 5311 Program offers local area (non urbanized areas) the opportunity to provide transit services to its citizens thus enhancing the access of people in non urbanized areas to health care, shopping, business, education, employment, commercial and activity centers. The Section 5311 program intends to assist in the maintenance, development, improvement and use of public transportation systems in non urbanized areas, to encourage and facilitate the most efficient use of all transportation funds used to provide passenger transportation in non urbanized areas through the coordination of programs and services and assist in the development and support of intercity bus transportation. Section 5311 is the name of the Federal funding program administered by the FTA to provide assistance for rural, non urbanized areas, public transportation. Federal funds are allocated to the states on a formula basis, and can be used for capital projects, operating assistance, planning, and program administration. GDOT, Intermodal Program Division is responsible for administering the program. GDOT is the recipient of these funds, and it in turn provides Federal funding (and a limited amount of state capital funding) to local subrecipients in Georgia. This program has been in existence in Georgia since 1979, as the Section 18 program until 1990, when Section 18 became Section 5311 program. The Section 5311 Program has had a significant influence on mobility in rural communities. Ridership continues to increase while these programs provide necessary mobility to non-urban local areas. A successful Section 5311 Program requires a close partnership between the local and state interests. The success of this partnership will continue to influence mobility for rural residents.

State Program Goals

Georgia has established the following statewide goals for the Section 5311 program:

- **Goal: Basic Mobility to Serve All Georgians:**
  -- serving those persons with the most critical needs for access and mobility, especially those without alternatives
  -- providing service without any trip purpose restrictions or eligibility requirements—including medical, social services, personal shopping, business, and employment trips
— serving all areas with appropriate levels of service, subject to the required local or regional participation
— addressing economic development—through employment trips, services to support local employment sites, new ones, etc.

**Goal: Program Implementation:**
— partnering with the FTA in the administration of the Section 5311 program, meeting or exceeding all FTA program requirements
— managing a program of excellence that provides timely management, direction, guidance, and reimbursement to allow local entities to provide safe, dependable quality service
— partnering with local or regional entities to plan services to meet locally identified needs
— partnering with local or regional entities to operate the services
— providing technical assistance to help local providers improve effectiveness, efficiency, safety, and quality of service
— providing technical information, policy analyses, and program management data to support transit program development

**Goal: Efficiency and Effectiveness:**
— while maximizing ridership, recognizing that there are significant differences in population density, trip characteristics, and client needs (accessibility, assistance, etc.) which will affect usage
— subject to performance requirements appropriate to the area and type of service
— with the appropriate type of service—demand-responsive, subscription route or route-deviation.
— using the appropriate vehicle type—accessible if needed, sedan, van, small bus, large bus

**Goal: Safe, Secure Quality Service:**
— operating equipment that is safe and within its design life, inspected for safety and overall condition
— operated by staff meeting the highest qualifications—appropriate license (Commercial Drivers License (CDL) if required), safe driving and criminal records checked, drug and alcohol tested, etc.
— operated by a staff that is trained to proficiency in all necessary skills:
  ▪ Defensive Driving
  ▪ Passenger Assistance
  ▪ First Aid and CPR
— providing a safe and secure service to the riders

**Goal: Accessible Service—Usable by Persons with Disabilities:**
— providing service that is accessible (adequate number of accessible lift- or ramp-equipped vehicles).
— employing operators that are trained to proficiency in passenger assistance, lift use, restraints, mobility devices (folding, stowage, etc.)
— user information and outreach to ensure that persons needing the service are aware of it and can obtain information
Goal: Coordinated Provision of Transportation in Rural Areas:
-- co-ordinated policies at the state level through interagency coordination
-- coordinated at regional/local level—shared vehicles, shared ride, coordinated management—where it will result in more efficient, cost-effective, quality service that meets client and general public transit rider needs.

State Role in Program Administration

As the designated recipient of Section 5311 funding, GDOT functions as a conduit for funds and financial programming. The Intermodal Programs Division is responsible for performing the following functions in the management and oversight of the program:

- Development of grant application and program policy/guidance materials,
- Development of program information materials and dissemination to prospective applicants,
- Allocation of available funds in a fair and equitable manner,
- Development and application of evaluation criteria to select projects for funding,
- Preparation of the Rural Transportation Improvement Program (RTIP) as the rural component of the Statewide Transportation Improvement Program (STIP), and the Section 5311 Program of Projects (POP),
- Negotiation and execution of grant contracts between GDOT and local subrecipients,
- Processing reimbursement payment requests from subrecipients, and preparing requests for Federal reimbursement,
- Monitoring and evaluation of the local provision of transportation under the program, including data collection and compilation, reporting to FTA, and ensuring compliance with state and Federal regulations,
- Provision of technical assistance to subrecipients to assist them in grants management, compliance, and the provision of safe, effective, and efficient services.

Program administration by GDOT follows all FTA requirements for the program, including those contained in FTA Circular 9040.1F (grant management guidelines for the Other Than Urbanized Areas Program), FTA Circular 4220.1F (Third Party Contracting Requirements), 49 CFR Part 18, the Common Grant Rule “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments” and FTA Circular 9070.1F among other requirements. (See 49 CFR parts 18 & 19)
known as the “common grant rule.”) 49 CFR part 19 refers to non-profit organizations & institutions of higher education and 49 CFR 604 – as it refers to Charter Services.

**Planning Requirements**

Sub-recipients are required to have an annually updated RTIP. The RTIP is the programming document for projecting capital and operating expenditures for a four-year period and in turn serves as the basis for developing the Section 5311 application each year. Additionally, under 23 USC 135 and 49 USC 5304, all Federal funds programmed for transit projects must be included in a STIP. Section 5311 is included in this requirement. Metropolitan Planning Organizations (MPO’s) are responsible for transportation planning and programming in metropolitan areas. Where Section 5311 projects are being proposed within the MPO’s current planning/study area boundaries, or which may include areas expected to become urbanized within 20 years, they must be included in the MPO’s Transportation Improvement Program (TIP) and subsequently in the State-wide Transportation Improvement Plan, STIP.

**Local Role in Program Administration and Operations**

The GDOT shares a partnership role with local governments that are committed to operating rural public transportation programs. Local City and County governments are eligible recipients for the Section 5311 Program and the operations of public transportation services. The public agency may elect to operate the system by contract through a Third Party Operator (TPO). If the TPO is used, the public agency continues to have full contract responsibility and fiscal accountability. The public agency is accountable for all financial matters and for compliance with Federal and State program requirements as outlined in the following documents:

1. Georgia State Management Plan
2. Administrative Guide for Local Programs
3. FTA Circular 9040.1F
4. FTA Circular 4220.1F
5. FTA Circular 9070.1F
Program administration by an eligible public agency is required to comply with FTA Circular 9040.1F regulations calling for continuous administrative and management oversight of project operations. In part, this administrative and oversight responsibility and conducting an annual independent audit report which reflects the revenues and expenses incurred and supported to the project.

The public agency is responsible for the conduct and submission of an annual audit under the Single Audit Act of 1984, as amended, following the guidelines set forth in OMB Circular A-133. The audit should be performed by an independent certified public accountant and should include; (1) a report of Federal financial assistance, (2) the auditor’s report on the study and evaluation of internal control systems, (3) compliance with applicable laws and regulations and, (4) report of any findings or questioned costs. **The public agency is responsible for the submission of the audit report to the Intermodal Programs Division within 30 days of its completion and not later than nine months from the fiscal period covered by the audit.** The public agency has six months to file notice of corrective action(s) it has taken upon notification of any findings or questioned costs.

**Local Public Transportation System Goals**

The public transportation system goal is to develop and maintain a safe, effective, efficient and dependable network of transportation services available to the public. The system should be safe, clean, reliable and responsive to travel needs of all citizens. It should also be supportive of local economic activity by facilitating access to local markets, industries, commerce and activity centers.

Public transportation service operations have the characteristics of a business with operating costs, payrolls and revenues. As a publicly supported operating service, it has the added responsibility of public accountability. The aim of systems operations should be to serve the community. **Services should be funded to the maximum extent possible by the generation of revenues through the fare box.** GDOT goal is for subrecipients to recover at least 10% of its public transportation cost from fare collection.

**Types of Service**

The following types of services are appropriate for rural public transportation programs:

A. **Demand-response or route deviation service**

Demand-response is a type of service where individual passengers can request door-to-door or curb-to-curb transportation from a specific location to another specific location at a certain
time. Route deviation service operates along a public way on a fixed-route, but may deviate from the route occasionally in order to take a passenger to a destination or pick one up from an origin, after which it returns to the regular route.

B. **Contract and subscription service**

Subscription service is a type of demand response service in which routes and schedules are pre-arranged to meet the travel needs of riders who sign up for the service in advance. Often these riders are clients of human service agencies, who contract with the transportation operator to provide the service on behalf of the agency. This type of service may be provided by a Section 5311 program only to the extent that it does not violate FTA Charter Bus restrictions. No vehicle(s) should be used exclusively for this type of service(s).

C. **Fixed-route, fixed schedule service** may also be appropriate in areas of sufficient population density. Fixed-route services operate along a prescribed path on a fixed schedule, serving pre-established stops and sometimes flag stops. However, such service usually requires the provision of separate complementary paratransit service under the provisions of the Americans with Disabilities Act of 1990. (ADA) (Described later in this section). In most rural areas and small communities, route deviation service will be the appropriate and cost-effective way to implement scheduled services that comply with the ADA requirements. Implementation of fixed-route, fixed-schedule service with ADA complementary paratransit should only be considered after planning efforts have determined that the projected demand will support such service, and that ADA requirements can be met in a cost-effective manner.

**Serving the General Public**

The Section 5311 program provides assistance for the provision of public transportation services. As such, transportation services that use vehicles purchased using the Section 5311 funds or subsidized by Section 5311 operating funding must be open to the general public, and advertised as such.

Section 5311 funded services may be designed to maximize use by members of the general public who are transportation-dependent, including elderly persons and persons with disabilities. Coordinated human service transportation which primarily serves elderly persons and persons with disabilities, but not restricted from carrying other members of the public, is considered available to the general public if it is
marketed as public transit service. GDOT does not allow Sub grantees, to operate any vehicle for the exclusive use by any group other than for the general public.

While coordination with human service transportation is encouraged, and Purchase of Service contracts may comprise a significant portion of services operated with the Section 5311 vehicles, operators must ensure that the general public is able to use the service and make the general public aware that the service is available through marketing and community outreach. Further, the general public should not be denied service as a result of Purchase of Service contracts that consume all of the available capacity for the service during regular operating hours. Section 5311 recipients are subject to Federal charter restrictions, which may also apply to some Purchase of Service contracts. This is further described in the Compliance Requirements section of this Administrative Guide.

**Service Policy**

Transit programs are expected to meet the minimum criteria established in GDOT’s Rural Public Transportation Service Policy. The policy criterion establishes a guide for evaluation of the program operations and applications for funding. These include but not limited to:

A. Services should not be duplicative of or in competition to other transportation services within the program;

B. Vehicles should be utilized to reach a goal of 500 one-way passenger trips per (OWPT) vehicle per month or be operated 120 hours per month or 1,000 vehicle miles per month;

C. Vehicles should be available for public transportation service on a daily basis;

D. Vehicle trips for contract or subscription service should recover fully allocated costs;

E. The system should aim to recover a minimum of 20 percent of its public transportation costs as a goal from farebox revenues generated through regular public transportation operations, with a minimum of ten percent farebox recovery required. The total of all purchase of service agreements should recover the fully allocated operating costs.

A complete list of Georgia’s general operating guidelines for rural public transportation programs is presented in Appendix C.
Criteria for Project Approval

A project may be approved if the costs are reasonable, necessary and justified as detailed in the project description portion of the application. In addition, project approval is dependent on the following:

1. Compliance with Service Policy guidelines;
2. Completion of an application including the Project Description and Compliance Requirements;
3. Inclusion of capital and/or operating assistance requests in the RTIP.

Eligible Project Expenses

The GDOT Section 5311 program makes available two types of assistance to sub recipients; Capital and Operating assistance. Capital assistance provides funding for the purchase of equipment needed to provide public transportation and facilities, while Operating assistance provides funding towards the provision of services. Under the Georgia program, administrative costs are treated as part of the operating budget and funded at the same ratio as Federal to local funds.

Restrictions on Eligible Operating Expenses

Federal funding may be applied to system operational deficits subject to availability of funds. Federal participation is allowed up to 50 percent of the eligible net operating deficit/expenses. (Eligible gross operating expenses less operating revenues). These expenses must be reasonable, necessary and justified. Eligible operating expenses are those costs directly related to system operations and at a minimum include, driver, mechanic, and dispatcher salaries, licenses, vehicle insurance, drug/alcohol testing, uniforms, fringe benefit, maintenance and repairs (includes oil, tire and parts), and fuel. Monthly service fees for cell phones and/or two-way radio services are eligible operating expenses. Operating revenues include farebox and agency contract revenues. At the local sub recipient’s discretion, purchase of service, contract revenue may be treated as operating revenues or local match. Georgia policy requires a minimum of ten percent farebox recovery. GDOT may consider interest on short-term loans for operating assistance as an eligible administrative expense. However, such interest on short-term loans may only be considered as an eligible expense with the prior written approval from the Intermodal Programs Division.
Policy on Allocation of Costs between Operating and Administrative

Actual costs attributable to the administration of the project should be included as operating expenses, and as operating expenses they are reimbursed at the same ratio as all operating expenses (up to 50% of the net operating deficit, subject to available Federal funds). Administrative costs can include director, supervisor, bookkeeper, and secretary salaries, training/travel, marketing, telephone, office supplies, standard overhead, computer software, and rental/lease expenses (including spare vehicle lease expenses). Audit expenses are included as an eligible expense. GDOT’s goal is to limit administrative expenses to 20 percent of total operating expenses, and the 20 percent guidelines are used as evaluation criteria. If budgeted administrative costs exceed this level, GDOT requires additional justification supporting the request.

Policy on Eligibility of Capital Costs

Eligible capital expenses may include the following:

1. Vehicles,
2. Communication equipment,
3. Wheelchair lifts,
4. Equipment installation costs,
5. Computer equipment and purchase of software (Maintenance fees are considered eligible expenses).
6. Office equipment,
7. Smart Card Reader,
8. Fareboxes.

GDOT Intermodal office purchase vehicles to replace existing transit vehicles that have reached the end of their useful life based on GDOT’s Intermodal Office useful life standards, or may purchase vehicles for service expansion if so indicated based on unmet demand and high utilization of the existing fleet. Transit
providers are not allowed to make direct purchases of any transit vehicles. The Intermodal Programs Division currently assumes the responsibility of purchasing vehicles statewide. No vehicles should be purchased as spares, or as additions to a fleet that would displace other operating vehicles to the role of spares or for the exclusive use for purchase of services. In the event a vehicle is down due to major vehicle repairs, back-up vehicles are available for short-term lease at $.10 per mile. Lease vehicle expenses are treated as eligible operating expenses.

GDOT recognizes that the use of computers can assist public transportation operators by facilitating the effective use of operations and fiscal information to improve public services and in contrast to past practices, laptop computers are now considered eligible capital expense.

Regarding the purchase of lift-equipped vehicles, GDOT enforces the Federal equivalency requirement “that prior to purchasing or leasing of new vehicles for use in a system, the operator shall ensure that the vehicle is readily accessible to and usable by individuals with disabilities.” The exception to this is, “if the system, when viewed in its entirety, provides a level of service to individuals with disabilities, including individuals who use wheelchairs, equivalent to the level of service it provides to individuals without disabilities, it may purchase new vehicles that are not readily accessible to and usable by individuals with disabilities.” Equivalent service is evaluated with respect to the following service characteristics:

1. Response time,
2. Fares,
3. Geographic area of service,
4. Hours and days of service,
5. Restrictions on trip purpose,
6. Availability of information and reservations capability,
7. Capacity constraints.

Local applicants are required to demonstrate compliance with the above prior to receiving vehicles not equipped with ADA accessible equipment. A new Certification of Equal Access (Exhibit 13 of the Administrative Guide) is included as part of the Grant Application. All systems must have, at a minimum, one, ADA wheelchair equipped vehicle available for service. However, GDOT requires that each Section 5311 provider must meet the current demands of the disabled population, and if one lift-
equipped vehicle is not sufficient to meet that demand, then additional lift-equipped vehicles must be provided.

**Local Share and Local Funding Requirements**

**Capital**

Required local funding for capital acquisition will at a minimum be ten percent of the costs. Local participation could be greater depending upon availability of State and Federal funds.

**Operating**

Local funding for operations is required to cover the non-federal costs of the net deficit/expense. Under the GDOT Section 5311 program, 10 percent of the public transportation operating costs must be provided from fare income/revenue or other local dollars. The remaining 90 percent of the operating cost is considered the net operating deficit/expense. Federal funding/share shall not exceed 50 percent of the net operating deficit/expense; the remaining 50 percent (or more) must be provided from local funds.

Income from human service transportation provided under contract (Purchase of Service or POS funding) may only be used to reduce the net project cost (treated as revenue). Subgrantees or recipients CANNOT use Section 5310 or other FTA funds as match for Section 5311 program funds. The cost of providing the contracted service must be included in the total project cost. When POS (non-US DOT FUNDS) is used as local match, excess POS (POS greater than the amount designated as local share/match) MUST be subtracted from the federal share amount--per FTA requirement. When POS is used as revenue, any increase in POS will also increase the total revenue therefore reducing the net deficit--which will also reduce the 50% federal share. All POS agreements should meet/recover the fully allocated operating costs. **GDOT may at its discretion, investigate the source(s) of local match to ensure that US DOT funds are not used for or as local matches.**

While GDOT does not prohibit a subrecipient from using income from human service agency contracts as a source of revenue, the state may elect to regard the degree to which a subrecipient demonstrates local financial commitment to the project from other sources of local funds as a rating factor in its discretionary allocation decisions (as allowed under 49 U.S.C. & Section 5311(e) (2)). See FTA Circular 9070.1F for more information.
**Project Duration**

For this application package, all Section 5311 capital and operating project(s) should cover a 12-month funding period (July through June). The only exception will be to allow new programs scheduled to initiate service at mid-year. Projects will be funded on a yearly basis. See Appendix A for this year’s Section 5311 application schedule.

**Reimbursement**

Section 5311 program is a fully reimbursable program based on **ACTUAL COST** which uses “generally accepted accounting principles” and the Standard for Audits of Governmental Organizations, Programs, Activities and Functions, developed by the Comptroller General, dated February 27, 1981. While the Intermodal Programs Division encourages rural transportation providers to develop their budgets based on actual cost, it is also prudent that **ACTUAL REVENUE** received from contracted services (Purchase of Service) be reported as well. Since the Rural Public Transportation program is a partnership between the County/City or any other governmental entities and the Georgia Department of Transportation, the contract between the two parties is for a specific period of time, usually one year and does specify certain financial obligations between both parties. As a cost-sharing venture, Georgia Department of Transportation (on behalf of FTA) and the County/City or governmental entities share the cost of operations at 50/50 ratio. The Intermodal Programs Division requires MONTHLY submissions for reimbursement using the prescribed reimbursement form. All reimbursement requests must be accompanied by **source or supporting documentation**. Source documents may include payroll records, copies of payroll checks etc or maintenance and repairs invoices and work orders. The source documents for payroll must at a minimum, show unit pay per employee hour, hours worked per pay period etc and for maintenance and repairs, show what was repaired, unit and labor costs. The Intermodal Programs Division will not process any request for reimbursement that is not in accordance with the approved budget and or which lacks the required source or supporting documents. All requests for reimbursement must be submitted using the standardized reimbursement form. (Consult a PTC for copy).
**Budget Revision**

Budget revision is the process of moving or shifting funds from one line item of an approved budget to another line item within the same approved budget without change in the scope of the original budget. The Intermodal Programs allow rural public transportation providers the flexibility to move funds within its approved budget so as to align expenses to budget without increasing the budget. To effect a budget revision, the rural public transportation provider must submit the request in writing and obtain approval from their respective Rural Transportation Coordinator within the assigned district, using the standard budget revision form. See Appendix J-1. The Rural Public Transportation Coordinator can approve a budget revision request that does not exceed 5% change. All requests for budget revision must be justified and require source documentation. GDOT encourage all request for budget revision be submitted within the contractual period.

**Budget Amendment/Supplemental**

Budget amendment is a change to an existing budget. It involves a fundamental change in the scope of an existing budget so much so that a supplemental contract has to be executed. A budget amendment involves a change in the amount previously approved. It also alters the federal and Local amount. The Intermodal Programs division takes the request for budget amendment very seriously since it involves multiple processes. All requests for budget amendment must be submitted through the appropriate Rural Public Transportation Coordinator using the standardized format. Rural Public Transportation Coordinator CANNOT approve requests for budget amendment. The request can only be approved by the Atlanta Office. For a budget amendment or supplemental budget to be considered, the request must be within the contract period. The Intermodal Programs will not consider any change to an approved budget without its prior written approval nor will it consider for reimbursement any request which is not an expense under an approved budget without its prior written approval. See Appendix J-2.
**Budget/Contract Close-Out**

Since most budgets are based on a 12-month period, the Intermodal Programs division requires all Rural Public Transportation providers to submit a final reimbursement and have the contract ready for close-out within **90 days** of the contract/budget expiration. For a contract to be closed-out all necessary reimbursements must have been submitted and payments made against the contract. Request for contract/budget close-out must be made on County/City letter head, duly signed by authorizing personnel and submitted to the appropriate Rural Public Transportation Coordinator for processing. Once the contract/budget close-out letter is processed, no further claim or reimbursement can be made against the contract.

**Procurement**

Under Georgia’s Section 5311 State Management Plan, local Section 5311 recipients are not allowed to directly procure any vehicles for use in its transit program. GDOT procures vehicles funded under the Section 5311 program, while city and county government subrecipients may purchase other types of equipment (such as computers) through the state contracts, as appropriate and allowed by the State Purchasing Division, Department of Administration Services. All other purchases are the responsibility of the local grantees provided the purchases are made in compliance with FTA, Circular 4220.1F, GDOT and local purchasing guidelines. Typical local Section 5311 procurements include operations maintenance, computer hardware and software vendors, office, and communications equipment (mobile radios, copiers etc.).

All purchases and contracts made with Section 5311 funding must comply with FTA Circular 4220.1F, state and local procurement requirements, as appropriate to the size and type of the purchase. Purchase of unnecessary or duplicative items must be avoided. Grantees are required to analyze procurement and to investigate alternatives that will result in an economical approach (such as consolidating or breaking out purchases).
**GDOT Concurrence**

GDOT must concur with all local Section 5311 solicitation documents prior to the initiation of the procurement process for all items or services purchased with capital funds valued at $5,000 or more. This includes approval of bid specifications for equipment and requests for proposal for TPO or consultant services. See FTA Circular 4220.1F. GDOT must also concur in writing with the recommendation for award prior to the execution of a local contract or purchase order of $2,500 or more. The city or county requesting the purchase MUST submit their request to the District PTC for review and recommendation. If the District PTC concurs, they will submit the request to DIP (Intermodal Programs Division) for review and approval. No **prior written approval is required if the cumulative capital purchase price is less than $2,500**.

All requests for Third party or consulting services must be submitted in writing to the appropriate PTC. The request must show the need or reason(s) for the request, the justification and necessity for such services. Payment and contract duration must be specified in the letter. The PTC should forward such requests to the Intermodal Atlanta Office for review and approval. Upon approval, GDOT will be at the evaluating table when interviews are conducted and must convey approval in writing prior to any third party or consulting services been procured.

**Competitive Procurement**

Grantees must conduct procurement transactions in a manner that provides for full and open competition. Grantees are prohibited from restricting competition in federally-supported procurement transactions. In general, more expensive projects require a more formalized procurement process to ensure fair competition and the best value, while vendors for less expensive projects may be selected through a relatively informal basis.

The following table summarizes the procurement methods required by the FTA and GDOT based upon the size and type of procurement. As noted previously, this manual does not address bus purchases as they are not procured locally. FTA requirements are based on the financial value of the project:

| Under $2,500 | Procurement by Micro-Purchases: No competitive process is required if grantee determines that the price is fair and reasonable. Documentation should include the determination that the price is fair and reasonable, and how the determination was derived. |
---|---|

*Georgia Rural Public Transportation Program*  
*Administrative Guide for Local Programs*  
*July 2011 – June 2012 Funding Cycle*
Procurement by Small Purchase Procedures: Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies or other property. FTA requires price or rate quotations obtained from “an adequate” number of “qualified sources”.

Aside from these requirements, subrecipients must follow their own adopted local procurement policies. Often these are city or county procurement policies. Section 5311 subrecipients should obtain a copy of these procurement policies, and keep them updated and on file for reference in any procurement conducted with Section 5311 funding.

Alternative procurement methods recognized by FTA include:

- **Procurement by Sealed Bids/Invitation for Bid (IFB):** To be feasible, this method of procurement requires several conditions. It should be possible to develop a complete, adequate and realistic description or specification of the goods or services in question. There are two or more responsible bidders willing and able to compete effectively, and the procurement lends itself to a firm fixed price contract, and the selection can be made principally on price.

- **Procurement by Competitive Proposal/Request for Proposals (RFP):** Normally conducted with more than one likely proposer, this method is used when the goods or services being sought are difficult to fully specify or describe completely, when there are multiple evaluation factors, and when the award will be made to the firm whose proposal is most advantageous with price and other factors considered. Subrecipients using this method should have a means of conducting technical evaluations of the proposals.

- **Procurement by Noncompetitive Proposals (Sole Source):** In this case, a proposal is solicited from only one source, or if after solicitation from a number of sources, competition is found to be inadequate. This can be used only when the award of a contract is infeasible under other procurement strategies (IFB or RFP), and the item is available only from a single source, or the public requirement will not permit a delay from a competitive procurement process. A cost analysis verifying proposed cost data and evaluating specific elements of costs and profits is required.

These procurement methods could be used for purchases in the $2,500-$100,000 range (and above), depending on the goods or services being purchased. Subrecipients considering use of any of these methods should comply with all of the relevant sections of FTA Circular 4220.1F, and or contact GDOT staff for assistance in conducting an open, fair, and competitive procurement process.

Local grantees must maintain a contract administration system that ensures that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Local grantees must also maintain records detailing the history of its procurement.
All FTA-funded contracts (including Section 5311) must contain all required FTA clauses. These are provided in Appendix O and are available from the PTC’s, and they are also available online at <http://www.fta.dot.gov/6092_16165_ENG_HTML.htm>.

**Third-Party Contract Responsibilities: Compliance with Federal and State Requirements**

Most of the Federal and State requirements regarding the use of local Section 5311 grant funds that apply to the primary recipient of Section 5311 grants (counties, municipalities, and RCs) also apply to third-party contractors, subrecipients, and/or lessees. This includes such requirements as drug and alcohol testing for safety-sensitive positions, possession of a valid Commercial Driver’s License (CDL) by operators (and mechanics that test-drive vehicles calling for CDLs), and meeting all ADA service requirements. The subrecipient is responsible for monitoring third party operators for compliance with all of these Section 5311 program requirements.

**Grantee Self-Certification**

As part of the annual certifications and assurances submitted with the grant application, all Section 5311 grantees must "self-certify" that their procurement system meets FTA requirements and that the grantee has the technical capacity to comply with Federal procurement requirements. GDOT will monitor compliance with FTA, GDOT and local procurement requirements as part of local Section 5311 compliance reviews. If GDOT becomes aware of circumstances that might invalidate a grantee's self-certification, GDOT will investigate and take corrective actions as necessary.

**Maintenance Requirements**

Vehicles must be maintained in good working order. Subrecipients are required to follow the manufacturer’s recommended maintenance schedule for Section 5311-funded property—including vehicles, wheelchair lifts, and other accessibility equipment.

Each Section 5311 system should have a documented maintenance policy and plan, with goals and objectives, and should implement the planned program. The condition of vehicles, including accessibility equipment, will be monitored through GDOT vehicle inspections conducted by the District Public Transportation Coordinators each year. Guidance addressing the use, purchase, maintenance, insurance, and disposition of vehicles is provided in a separate memorandum available from GDOT. This separate
document also includes model forms for pre- and post-trip inspections, a recommended maintenance schedule, and a model of a maintenance policy.

Vehicle maintenance involves two major components: preventive maintenance (PM) and the repair function, both of which should be monitored and evaluated through a maintenance management information system (MIS), which could range from a reliable, complete, and centralized paper file on each vehicle to a computerized program utilizing specialized vehicle maintenance software. Preventive maintenance activities include daily pre-trip inspections by the vehicle operators, including daily cycling of wheelchair lifts and associated accessibility equipment.

Maintenance and repair services may be provided in-house or under contract to the Section 5311 program. If the system contracts for maintenance, it must monitor the contractor to ensure compliance with FTA/GDOT requirements. If the vehicles are operated by a TPO, the subrecipient must monitor their maintenance activities to ensure that the public investment in the vehicle fleet is protected.

This PM program should be described in a written maintenance policy that incorporates the GDOT recommended maintenance standards at a minimum. Subrecipients may wish to add additional services based on local experience or conditions (for example, more frequent air filter changes in a dusty environment, or checking mirror mounts at each service, etc.). Local procedures regarding maintenance records should also be included in the maintenance policy (who keeps the records, are they part of a computerized system, what is kept on file, etc.). A sample of written PM policy statement is provided in the separate guidance memorandum regarding vehicles, and an electronic version can be obtained from the District PTC to serve as basis for a local written maintenance policy.

**Private Sector Participation**

As part of the application approval process, each applicant must assure that all private for-profit providers have been notified of the proposed project and that they have had adequate opportunity to present their views and offer service proposals for consideration. GDOT requires local applicants to notify all private providers operating in the service area through a published notice or individual letters and to annually review existing services (Exhibit 8A of the Administrative Guide). Private sector coordination requirements are presented in Appendix D. Public hearing requirements can be found in Appendix E. Other requirements of the ongoing program are reviewed annually in the program compliance certification review described later in this document.
The application itself requires information on the following topics:

1. A description of current participation of private providers in Section 5311 supported services.
2. A description of all efforts to provide written notice to private providers of proposed services.
3. A description of all forums, meetings, hearings, or other opportunities for involving the private sector early in the project development process.

Applicants are required to address these first three requirements in the application process by completing and signing the Private Enterprise Coordination Certification. The remaining requirements 4 - 9 are to be addressed, as appropriate, maintained on file and kept current by the applicant. These include:

4. Methods for periodically reviewing services to determine whether they can be provided more efficiently.
5. Description of private sector proposals, if any, offered for consideration, and the rationale for inclusion and exclusion.
6. Any locally established criteria for making public/private service decisions.
7. The local methodology for making true cost comparison when there are two or more operators interested in providing service.
8. Any complaints from private operators and how these were resolved.
9. Description of the local mechanism for resolving conflicts or complaints involving private operators.

**GDOT Charter Service Policy**

Section 5311 subrecipients and their contractors are **prohibited** from using federally-funded equipment and facilities to provide charter service. GDOT does not allow its subrecipients to provide charter services. The only allowable exception would be in cases where a transit provider has to provide transit services to or transport governmental official(s), such as local government staff and elected officials. Such services or transportation **MUST** be reported to GDOT and also to FTA using the TEAM reporting module. The transit services/transportation provided to government or elected officials must not exceed **80 hours** in a given year. (For more information on charter service, please read 49 CFR 604.)

As a condition for continuous FTA funding, subrecipients are required to annually sign a certification of no intent to provide charter services with their applications.
This prohibition applies to bus and van services provided by direct recipients, subrecipients, or TPOs that provide bus or van services funded by FTA.

**What is Charter Service?**

Charter service refers to transportation provided by a recipient or subrecipient at the request of a third party for the **exclusive use** of a bus or van for a negotiated price. The following features may be characteristic of charter service but does not include demand response services to individuals:

1. A third party pays the transit provider a negotiated price for the group
2. Any fares charged to individual members of the group are collected by a third party
3. The service is not part of transit provider’s regularly scheduled service, or is offered for a limited period of time; or
4. A third party determines the origin and destination of the trip as well as the scheduling; or
5. Transportation provided by a recipient to the public for events or functions that occur on an irregular basis or for a limited duration and (i) A premium fare is charged that is greater than the usual or customary fare. (ii) The service is paid for in whole or in part by a third party.

**GDOT Meals-on-Wheels Service Policy**

The purpose of the Section 5311 program is to provide funding and assistance for public passenger transportation services. FTA does not explicitly prohibit meals-on-wheels programs under the Section 5311 program. However, incidental use of a Section 5311 vehicle for non-passenger transportation on an occasional or regular basis must not result in a reduction of service quality or availability of public transportation service.

Specific language on this topic can be found in FTA Circular 9040.1F, which provides guidance on the administration of the transit assistance program for nonurbanized areas under 49 U.S.C. § 5311. Transit service providers receiving assistance under Section 5311 may coordinate and assist in providing meal delivery service for homebound persons on a regular basis if the meal delivery service:

1. Does not conflict with the provision of transit services.
2. Does not result in a reduction of services to transit passengers.
3. Covers the fully-allocated cost of providing the service – it is expected that the operating costs attributable to meal delivery will be assumed by the nutrition program which provides the meals.

GDOT requires that operators providing meals-on-wheels service charge the fully-allocated cost of providing this service. A subrecipient can calculate their fully-allocated hourly operating cost using the fully-allocated cost form provided in Exhibit 3. This form must be included in the application package if
a subrecipient intends to provide meals-on-wheels services (which should be explicitly mentioned in the application description of services). A subrecipient must also keep a separate accounting of all the meals-on-wheels miles operated by each vehicle, which will be subtracted from the actual mileage on a vehicle when assessing useful life replacement purposes.

Finally, there are restrictions to Section 5311 capital assistance. Specifically, funds may not be used to:

1. Purchase special vehicles used solely for meal delivery
2. Purchase vehicles used solely for purchase of service contracts
3. Purchase specialized equipment – i.e. racks, heating units, or refrigeration units related to meal delivery.

Section 5311 operators providing service to the DHS Coordinated Transportation program should be aware that it does not fund or provide meals-on-wheels services. Any such service operated by Section 5311 operators must be under a separate contract with the Area Agency on Aging in that locality.

**Coordination**

The Georgia Section 5311 program and application reflect a perspective that many local projects will be coordinated with other programs Federal, State and local agencies as can be seen in the policies addressing POS revenue which can be used as local match or as revenue. Similarly, the GDOT monthly reporting forms collect data on utilization of Section 5311 vehicles by clients of particular agencies. Section 5311 funded vehicles, owned by counties and cities are operated by TPOs who also provide client transportation under other state programs. In 2002, approximately half of overall Section 5311 ridership consisted of clients of other agencies, and approximately two-thirds of Section 5311 providers served other client groups. About 10 percent carry non-emergency Medicaid trips for the Department of Community Health (DCH) under its brokerage program. GDOT provides guidance in this guide as well as in the application on how applicants can address POS contracts and the fully-allocated operating cost of providing the service. GDOT policy is that such services should cover their fully-allocated operating costs.
Americans with Disabilities Act

**ADA Requirements for Demand-Responsive Systems in Non-Urbanized Areas**

Under American Disabilities Act of 1990 (ADA) requirements, the service(s) provided to persons with disabilities, including persons who use wheelchairs must be equivalent to the level and quality of service(s) offered to persons without disabilities. All grant applications require local signatures on the FTA Standard Certifications and Assurances page, including Assurance Number 11, the Certification for Demand Responsive Service, which requires the subrecipient to assure that it meets the equivalency tests. If a subrecipient is applying for a non-accessible vehicle, they must also submit the *Certification of Equal Access for Persons with Disabilities*, and a duly completed GDOT *Equivalency Analysis for Demand-Responsive Public Transportation* (Exhibit 13) as part of the application. GDOT reviews these local certifications as part of the annual grant application process.

GDOT recognizes that there are ADA requirements that apply to subrecipients providing demand-responsive or route deviation services, which are eligible service types under the GDOT Section 5311 program. The GDOT Section 5311 program does not currently fund any fixed-route transit service as an eligible service, unless a local Transit Development Plan is completed that would show the feasibility of the service and how the ADA complementary paratransit requirements would be met. ADA requires every public transit operator providing fixed-route transit service to prepare a paratransit plan addressing the way in which that system will provide complementary paratransit service to eligible users. There are no such plans or services currently in effect. However, there are a number of ADA requirements that apply to the Section 5311 demand-responsive services. Specific guidance on several of these is provided below.

**Purchase of Non-Lift Equipped Vehicles**

GDOT requires that all Section 5311 systems must have, at a minimum, one wheelchair equipped vehicle available for service. GDOT further requires that each Section 5311 provider must meet the current demands of the disabled population, and if one lift-equipped vehicle is not sufficient to meet that demand, then additional lift-equipped vehicles are required.

In general, public transit systems must purchase only accessible vehicles meeting the standards set forth in 49 CFR Part 38. However, systems that offer only demand-responsive service may purchase non-
accessible vehicles … “if the system, when viewed in its entirety, provides a level of service to individuals with disabilities, including individuals who use wheelchairs, equivalent to the level of service it provides to individuals without disabilities, it may purchase new vehicles that are not readily accessible to and usable by individuals with disabilities.” Equivalent service is evaluated with respect to the following service characteristics:

<table>
<thead>
<tr>
<th>(1) Response time</th>
<th>(5) Restrictions on trip purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>(2) Fares</td>
<td>(6) Availability of information and reservations capability</td>
</tr>
<tr>
<td>(3) Geographic area of service</td>
<td>(7) Capacity constraints</td>
</tr>
<tr>
<td>(4) Hours and days of service</td>
<td></td>
</tr>
</tbody>
</table>

GDOT requires that subrecipients be able to provide equivalent service with their current level of fleet accessibility before allowing the subrecipient to order a non lift-equipped vehicle. If a local applicant is requesting capital funding for the purchase of a non-accessible vehicle they must demonstrate compliance with the above by signing the Certification of Equal Access for Persons with Disabilities (Exhibit 13), and attaching a completed GDOT Equivalency Analysis for Demand-Responsive Public Transportation (also part of Exhibit 13) as part of the application.

**Requirements Regarding Lift Maintenance and Maintaining Accessible Service**

GDOT maintenance requirements include a mandate that subrecipients promptly repair any accessibility defects noted during the required pre-trip inspection, and that pre-trip inspection forms and procedures require that a lift be cycled before leaving the storage yard. An operator with an inoperable lift must report it immediately. If during the daily inspection the lift is found to be inoperable, the vehicle is ordered out-of-service as soon as a lift-equipped replacement vehicle is available and it remains out-of-service until repairs are made and the vehicle is re-inspected. In these cases, the PTC works with the subrecipient to obtain a replacement accessible vehicle from the state’s lease fleet until the vehicle is repaired, inspected, and returned to service. The accessible replacement lease vehicle should be placed in service as soon as possible. In some cases it may take a day or two to obtain the spare vehicle, so these rural systems may use the vehicle with the inoperable lift until an accessible replacement vehicle is available, but no longer than five days, as allowed by FTA regulations (49 CFR 37.163 (e)). The same
situation applies if an accessible vehicle has a breakdown of some other type, or must be removed from service for maintenance - an accessible vehicle must be obtained from the state lease fleet as soon as possible, and the system’s own accessible vehicle repaired and returned to service. In no case should an accessible vehicle with a broken lift be in service for more than five days.

Once the agency’s own accessible vehicle is removed from service for repair, GDOT gives the subrecipient seven days to repair the lift. Then the agency must notify the PTC prior to returning it to service. The accessible replacement vehicle from the GDOT statewide spare lease fleet must remain in service until the agency’s own vehicle has been repaired, inspected and returned to service.

GDOT is providing subrecipients with a form to document the dates of every incident in which an accessible vehicle must be removed for service. This form is also included in Exhibit 13 “Accessible Vehicle Out-of-Service/Returned to Service Documentation Worksheet”.

Policy and Information Regarding Personal Care Attendants, Persons with Respirators (Oxygen Tanks), and Service Animals

GDOT requires that subrecipients under the Section 5311 program meet all ADA service provisions, including:

- Service to persons using respirators or portable oxygen,
- Permitting service animals to accompany individuals with disabilities in vehicles and facilities, and
- Permitting personal care attendants to accompany persons with disabilities in vehicles and facilities.

Subrecipients should have a written policy stating these policies on file, and include this information in their public information flyer and in any other public information such as a web-site. Marketing is an eligible expense under the Section 5311 program and GDOT encourage Subrecipient’s to avail itself of this funding opportunity to provide public information including printing fliers. A marketing model or template is available and can be obtained upon request from a PTC. This model or template can be modified locally to include the specific names, logos, hours of service, etc.
ADA Compliance Monitoring

GDOT will monitor subrecipient’s compliance with the ADA requirements during the compliance review conducted by its staff every three years, and or during site visits associated with the annual vehicle or inventory inspections. The purpose for the monitoring is to make sure that GDOT's subrecipients are in compliance and the following questions are satisfactorily answered on a continuing basis:

A. Is the vehicle ADA accessible?
B. Are the lifts being cycled before service is provided?
C. Have you denied service over the last six months? How much? Why?
D. Have you refused service animals?
E. How do you ensure that service animals are allowed?
F. How are you meeting ADA regulations?

Vehicle Inventory/Inspection

GDOT intermodal staff and the PTC’s will conduct vehicle inventory every two years using GDOT’s RMIS vehicle inventory data as a benchmark for reconciliation to actual vehicles on location. The inventory should include the following information:

(i) GDOT assigned four-digit vehicle number
(ii) Subrecipient’s name
(iii) Vehicle identification number (VIN)
(iv) Date of purchase/delivery
(v) Cost of vehicle
(vi) Vehicle type
(vii) Year of manufacture
(viii) Seating capacity
(ix) Vehicle Make
(x) Grant/contract number under which vehicle was purchased.
(xi) Date of inventory
(xii) Signature of person(s) performing inventory

A copy of the vehicle inventory report upon completion should be forwarded to the Vehicle Program Manager for reconciliation. Any discrepancy should immediately be investigated and reported accordingly.
GDOT’s staff or PTC’s will conduct vehicle inspections during the months of April and May of each year. The inspection will include the following categories:

(i) Parking Brakes
(ii) Windshield wipers/Fluid level
(iii) Horn
(iv) A/C system
(v) Heating
(vi) Interior Lights
(vii) Seats/Seatbelts
(viii) Mirrors
(ix) Jack/Tire tools
(x) Lift equipment
(xi) Mobile Radio
(xii) Cleanliness
(xiii) Safety equipment (first aid kit, spill kit, hazardous spill kit)
(xiv) Doors, Tires
(xv) Headlights/Tail lights, parking lights, flasher, turn signals (front & rear), backup lights/Brake lights
(xvi) Exhaust system, battery
(xvii) Oil change, date and mileage
(xviii) Body damage and cleanliness

See Appendix M & N for vehicle inventory and inspection forms

GDOT recommended pre-trip inspection forms require daily cycling of the ADA lift, and both the compliance review and site visits will include a review of these files for completed pre-trip inspections. Logs showing dates when accessible vehicles were put out-of-service due to failures and repairs (of any type) or maintenance should demonstrate that no accessible vehicle was operated for more than five days with an inoperative lift. The review will also include checking on public information to make sure that subrecipients notify the public of its policy allowing persons with respirators (portable oxygen tanks), personal care attendants, and service animals on board.
**Interstate Service Requirements**

In order to legally carry passengers across state lines, private (for-profit or non-profit) Section 5311 recipients or contract operators are required to register as a “for-hire” carrier with the Federal Motor Carrier Safety Administration (FMCSA) of the U.S. Department of Transportation (USDOT) and obtain a USDOT number.

*For Hire* – a “for hire” status results from public funding, indirect contract revenue, purchase-of-service agreements, and subsidies for individual trips. Operators transporting school children and/or teachers to and/from school; taxicab service with seating capacity less than seven passengers; and daily commuter service (a single, daily roundtrip) for fewer than 15 are exempt operations.

- **Crossing State Lines** – any small portion of a route that takes place in another state qualifies a service as interstate, even if pick-up and drop-off points are in Georgia.

There are two cases in which registration is not required. Public entities who:

1) provide service entirely within the boundary of a municipality, even if the municipal boundary crosses state lines, or

2) provide service entirely within the commercial zone of a municipality, even if the commercial zone boundary crosses state lines

However, a public entity that directly operates service that crosses state lines and does not meet either the requirements of 1) or 2) above, would need to register with the Federal Motor Carrier Safety Administration, FMCSA. For example, a service operated across state lines, outside the commercial zone of a municipality, would require registration. In addition, it would appear that if county contracts with a TPO to operate the vehicles and the TPO transport passengers across state lines, it (the TPO) would have to register and obtain a USDOT number.

**Insurance Requirements for Interstate Operation**

To register and obtain a USDOT number an operator must first meet minimum insurance requirements. These vary depending on whether or not the service is provided under an agreement that provides FTA funding. The FMCSA minimum insurance requirements for “…passenger carriers providing transportation within a transit service area under an agreement with a Federal, State, or local government funded, in whole or in part, with a grant under 49 U.S.C. 5311…” are liability insurance at least at the highest level required for any of the States in which the transit services will be provided.
Minimum liability insurance requirements in the states surrounding Georgia that regulate public motor carriers are listed in Table 1. These levels may need to be verified with the responsible state agencies in each state, which are also listed along with their phone numbers. At this time it appears that a Georgia Section 5311 subrecipient meeting the Georgia insurance requirements would need to purchase additional liability insurance to operate into NC or TN, but not AL, FL, or SC.
Table 1: SUMMARY OF LIABILITY INSURANCE REQUIREMENTS IN ADJACENT STATES

<table>
<thead>
<tr>
<th>State</th>
<th>Required Coverage: Bodily Injury One person/All persons/property liability.</th>
<th>Agency specifying limits:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Georgia</td>
<td>Vehicles 15 passengers or less: $100,000/$300,000/$50,000</td>
<td>GDOT Section 5311 Administrative Guide; Public Service Commission (404-656-4501) (eff. 7/1/05)</td>
</tr>
<tr>
<td></td>
<td>Vehicles over 15 passengers: $100,000/$500,000/$50,000</td>
<td></td>
</tr>
<tr>
<td>Alabama</td>
<td>1-5 passenger vehicles: $25,000/$50,000/$10,000</td>
<td>Alabama Public Service Commission (334-242-5200) Rule 4.3: General Liability Insurance</td>
</tr>
<tr>
<td></td>
<td>5-20 passenger vehicles: $50,000/$200,000/$30,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Vehicles seating more than 20 passengers: $100,000/$500,000/$50,000</td>
<td></td>
</tr>
<tr>
<td>Florida</td>
<td>Nonpublic sector buses: $100,000/$300,000/$50,000</td>
<td>Florida Department of Highway Safety and Motor Vehicles, Motor Carrier Services (850-488-6921)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Chapter 627, 627.7415</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Any vehicle with a seating capacity of 15 passengers or less: $1,500,000 (total)</td>
<td>North Carolina Utilities Commission (919-733-7328) Rules, Chapter 2 Rule R2-36 Security for the Protection of the Public</td>
</tr>
<tr>
<td></td>
<td>Vehicles with seating capacity of 16 passengers or more: $5,000,000 (total)</td>
<td></td>
</tr>
<tr>
<td>South Carolina</td>
<td>1-7 passenger vehicles: $25,000/$50,000/$10,000</td>
<td>South Carolina Public Service Commission (803-896-5100) Rule 103-172</td>
</tr>
<tr>
<td></td>
<td>8-15 passenger vehicles: $25,000/$100,000/$10,000</td>
<td></td>
</tr>
<tr>
<td></td>
<td>16 or more passengers: $25,000/$300,000/$10,000</td>
<td></td>
</tr>
<tr>
<td>Tennessee</td>
<td>Any vehicle with a seating capacity of 15 passengers or less: $1,500,000 (total)</td>
<td>Tennessee Department of Safety, Tennessee Highway Patrol Commercial Vehicle Enforcement Division (615-251-5175) Rule 1340-6-1-.19</td>
</tr>
<tr>
<td></td>
<td>Vehicles with seating capacity of 16 passengers or more: $5,000,000 (total)</td>
<td></td>
</tr>
</tbody>
</table>

Applications to FMCSA

In Appendix L there are three forms that a Section 5311 operator would need to submit to FMCSA. The first page is a copy of the form that needs to be submitted to the FMCSA to be eligible for this special financial responsibility provision that applies to Section 5311 operators. This form is not available on the FMCSA website, though the general application for a USDOT number is available online (www.fmcsa.gov). It is recommended that counties, cities, or TPO’s applying under this exemption print out or copy the applicable forms to request operating authority (OP-1(P) and a USDOT number (MCS-150)) (both also in Appendix L), and mail them in together with the request for special financial responsibility coverage form and a cover letter explaining the nature of the Section 5311 entity. If the city
or county contracts with a TPO for service operation, the letter should explain the contractual relationship
of the TPO with the Section 5311 recipient (a city or county). A copy of the contract might also be needed
to demonstrate the nature of the agreement. Forms certifying to the insurance levels must be sent by the
insurance carrier to FMCSA within 90 days of the operator’s application.

In addition, S. 5311 operators are supposed to be exempt from the FMCSA registration fee, but this needs to be requested in the letter.

The FMCSA office in Atlanta can be found at:

Federal Motor Vehicle Safety Administration  
Southern Service Center  
61 Forsyth Street, S.W., Suite 17T75  
Atlanta, GA 30303

Voice: (404) 562-3600  
Fax: (404) 562-3704

Section 5311 operators should be aware that many FMCSA staff have not dealt with FTA grant recipients (their focus is interstate trucking and intercity/charter bus), and they are likely to be unaware of these provisions and exemptions. There are examples elsewhere in the country of Section 5311 operators being cited by FMCSA inspectors for not having a USDOT number and the appropriate insurance levels. In some cases the Section 5311 operators have found it easier to simply obtain the higher insurance levels applicable to private for-profit operators than dispute the FMCSA. Private entities operating for hire service that crosses state lines and not operating under an agreement that involves the FTA funding programs (Section 5311) you are subject to additional, higher insurance requirements under the FMCSA. Private operators not funded by an FTA program who run vehicles with a seating capacity under nine passengers must carry at least the highest level of liability insurance coverage required by the states in which they operate. The regulation also requires non-FTA grantees operating vehicles with a seating capacity of 9-15 passengers to carry a minimum of $1.5 million coverage, and for vehicles with a seating capacity of 16 passengers or more a minimum level of $5 million.

Private operators must identify a retained legal entity or “process agent” in each state where operations are to be authorized (a location where legal papers can be served in the event that the transit agency faces legal action). The USDOT provides a list of some of the companies providing this service (www.fmcsa.dot.gov/factsfigs/licensing/Agents.htm).

Federal requirements exempt services operated by local governments and those operated under an agreement with Section 5311 funds from the higher insurance coverage required of private operators.
However, it is recommended that the provider carry documentation of exemption (either proof of local
government ownership and operation, or the exemption granted by FMCSA) on board all vehicles
engaged in interstate travel.

Medical Assistance transportation providers may also need special coverage for long-distance
trips. Check with your insurance carrier to determine your geographic coverage ranges.
RURAL PUBLIC TRANSPORTATION APPLICATION

The Rural Public Transportation Application is made up of two parts:

PART I - PROJECT DESCRIPTION
PART II - COMPLIANCE REQUIREMENTS

The Project Description outlines what the public transportation program will accomplish and how it will approach management of resources and operations. The Compliance Requirements are necessary to receive Federal funds. The following instructions should be followed carefully while developing the application:

PART I - PROJECT DESCRIPTION

The Project Description should outline the public transportation program operations and finances clearly and its relationship to Local and State public transportation system goals. The Project Description serves as the basis for the application as well as an annual operations program for the transit service. Exhibit 1 lists the necessary components for the Project Description portion (Part 1) of the grant application and should be used to insure that all required paperwork has been included.

For new applicants and renewals, all elements of Part I need to be included in the Application along with the Executive Summary.

The following sections should be included in the Project Description:
Executive Summary

The Executive Summary is a one page outline of the Project’s key elements (See page 36). Information about the following items should be included:

1. Who is the applicant?
2. Who is the contact person?
3. Address, phone number, and e-mail address of the contact person
4. If TPO, address, phone number, and e-mail address of the contact person
5. Specify the number of years that the rural transportation program has been operating
6. Summary of program objectives for the application period
7. Brief description of markets served
8. Brief description of benefits to the community (economic and non-economic)
9. Number of vehicles in total fleet
10. Number of lift-equipped vehicles in total fleet
11. Number of mobile radios or other communications equipment in total fleet
12. Description of capital items requested for application period*
13. Brief description of marketing methods proposed
14. Total Federal and local operating funds budgeted
15. Total Federal, State, and local capital funds budgeted
16. Grand total of Federal, State and local funds budgeted
17. Source(s) of local match (e.g., county or city governments or Purchase of Service Revenue)
18. Revenue target from purchase of service income
19. Farebox Revenue – 10 percent required.

*If vehicles are being requested for expansion purposes, show “Expansion” beside description. If vehicles are being requested for replacement purposes, show “Replacement” and the four digit GDOT number of the vehicle which will be replaced beside the vehicle description.

The dollar amounts listed in the Executive Summary should match those listed in the financial portion of the Project Description including the proposed budget.

The format for the Executive Summary is outlined below:
EXECUTIVE SUMMARY (Exhibit 1)

1. APPLICANT: ________________________________________________________________

2. CONTACT PERSON: _________________________________________________________

3. ADDRESS, PHONE, E-MAIL: ________________________________________________

4. IF TPO, NAME, CONTACT, ADDRESS, PHONE, E-MAIL________________________

5. NUMBER OF YEARS PROGRAM HAS BEEN OPERATING: _________________________

6. PROGRAM OBJECTIVES: ____________________________________________________

7. MARKETS SERVED (including Purchase of Service (POS)):________________________

8. COMMUNITY BENEFITS: _____________________________________________________

9. NUMBER OF VEHICLES IN PROGRAM: ______

10. NUMBER THAT ARE LIFT-EQUIPPED: ______

11. NUMBER OF MOBILE RADIOS OR OTHER COMMUNICATION EQUIPMENT: _______

12. DESCRIPTION OF CAPITAL ITEMS BEING REQUESTED (If Replacement Vehicle enter vehicle number and mileage as of June 30, current year), if expansion, enter “Expansion”:

13. DESCRIPTION OF PROPOSED MARKETING EFFORTS:__________________________

TOTAL BUDGET REQUESTED:

14. Operating: Total: ________ Federal $ ___________ Local $ _______

15. Capital: Total: _________ Federal $ ___________ State $ __________ Local $ _______

16. Grand Total: Federal $ ___________ State $ __________ Local $ __________

17. Source(s) of Local Match: _________________________________________________

18. REVENUE TARGET FROM POS: $ ___________

19. FAREBOX REVENUE: $ ___________
The Organization

This section (1-6) should describe in detail the management and objectives of the operation. It also should explain the organizational position of the transit system within the local government structure. The section should include the following:

1. Identify the Local Government - the names and positions should be outlined for those responsible for setting objectives for the rural public transportation system.

2. List the near-term (one-year) objectives of the local government.

3. Identify the Transit System Management Team - their names, positions (titles) and qualifications should be stated.

4. List the near-term (one-year) objectives of the management team. These may differ but not conflict with those of the local government. The local government may have adopted transit program objectives complementing other local development initiatives. The transit system management team’s objectives may be focused on transit operations improvements. The two should be complementary and represent the transit operation program objectives for the application year.

5. A description of the organizational position of the transit operations within the local government structure needs to be included. It would be appropriate to delineate how the other departments of the local government relate to the activities of the transit program. The description should also reference the flow of information to the Commission or Council.

6. If the local government has selected a TPO through the privatization process, this section should identify the responsibilities of the TPO and the local government. At a minimum, the following areas should be described in detail:
   A. Describe how the local government monitors the TPO contract.
   B. Describe the flow of data, especially financial data.
   C. Dollar amount the TPO is charging for the services.
   D. Basis for the charges (i.e. cost per passenger, miles, hour, etc.).

All contracts made with Section 5311 funding must comply with FTA and state procurement requirements, as appropriate to the size and type of the contract. The FTA requirements are detailed in FTA Circular C 4220.1F, “Third Party Contracting Requirements” (available online through www.fta.dot.gov) and the State of Georgia Procurement Manual issued by the Department of Administrative Services (DOAS) (available online through www.doas.state.ga.us).
Proposed TPO contract(s) must be submitted for GDOT review and approval with the Project Description. The selected third party operators and the selection process must be approved by PTC prior to awarding a third party contract. Upon execution, a copy of the signed TPO contract must be submitted to PTC. TPO selection needs to go through a competition selection process.

The Market (6-8)

This section focuses on the main purpose of the transit service being provided to the general public. Markets can be classified in a variety of ways. They can be demographic markets (e.g. seniors), agency client groups (e.g. Department of Human Services (DHS) program clients), geographic markets (e.g. north end of the County), trip purpose markets (e.g. works trips, medical trips) and location markets (e.g. trade school, industrial park, hospital). Services addressing these markets may be financed by different sources or programs, including POS Contracts and public transportation operating assistance (Section 5311).

In this section, there should be a description of the markets served by the transit operation including any proposed purchase of service. Services provided by purchase of service contracts should not interfere with the provision of regular public transportation services. Any proposed expansions into new markets by the system should be described. All service modifications that will be made to serve new markets or to better serve existing markets should also be included.

The Operations (9-19)

The Operations Section should provide insight into the functioning of the transit system. The following should be included in this section:

Capital Inventory

Describe the capital resources available for providing the service. This should include an inventory of vehicle(s) by four digit GDOT ID number, mileage as of June 30th of the current year, and other information as required by FTA (see the example on the next page).

If a new vehicle is requested in the application, justification must be included. Also, indicate whether the requested vehicle(s) is for expansion of the fleet or replacement of an existing vehicle that has
ADA accessible features. If it is to replace an existing vehicle, identify the vehicle to be replaced with an asterisk* beside the assigned DOT vehicle number in the above inventory and an “E” for expansion. (See example for vehicle number 1443 on next page). If mobile radio equipment is being requested, a copy of the current unexpired license and frequency must be attached to the application and identified as such. Vehicles that have been replaced should be turned in to the district office within thirty (30) working days after the delivery of a new (replacement) vehicle. An order will not be submitted for a replacement or expansion vehicle until: 1, all titles for previously delivered vehicles have been turned in; 2, existing fleet have been applied for; and 3, are on file at the Division of Intermodal Programs.

All capital equipment being requested should be included in the RTIP and the Metropolitan Planning Organization’s TIP if the project is within an MPO planning/study boundary (See Section on Planning Requirements.).

**Service Quality and Performance**

Quality control of operations is an important item. Describe the following:

1. How customer complaints are handled
2. How the budget is monitored
3. How the operating and financial data are captured
A description of operating performance for each vehicle should be included for:

1. The last calendar year
2. The projected current year
3. The projected application period. Note: Please use the following format.

1. Operating Performance for Last Calendar Year:

<table>
<thead>
<tr>
<th>Vehicle #</th>
<th>OWPT/Mo.*</th>
<th>HRS./Mo.</th>
<th>Miles/Mo.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*OWPT = One-Way Passenger Trip

2. Operating Performance Projected for Current Year:

<table>
<thead>
<tr>
<th>Vehicle #</th>
<th>OWPT/Mo.</th>
<th>HRS./Mo.</th>
<th>Miles/Mo.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. Operating Performance Projected for Application Period:

<table>
<thead>
<tr>
<th>Vehicle #</th>
<th>OWPT/Mo.</th>
<th>HRS./Mo.</th>
<th>Miles/Mo.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If service criteria was not met during the current year, steps should be outlined in this section that will be implemented during the remainder of the current year and, if necessary, during the application period to improve the operating performance.
General Operating Guidelines

In addition to the service criteria, rural public transportation programs are encouraged to meet the program guidelines and requirements (Appendix G).

The Marketing Program

Marketing plays an important function in the exposure of a system services, which serves to provide information to the general public, help develop community recognition of the public transportation services and stimulates new ridership. The following should be included:

1. Describe marketing methods planned for the application period.
2. What are the plans intended to accomplish?
3. Give an estimated cost breakdown for each of the planned marketing methods. (The total should agree with the marketing line item in the budget).
4. Describe the methods in place for evaluating the effectiveness of the marketing system and who is responsible for this evaluation.

Marketing funds may be used to offset the cost of printed materials, for example: schedules, flyers, posters, website, etc. With prior GDOT District approval, marketing funds may also be used to offset the cost of creating radio and/or television spots. It is expected that feature articles or public service announcements will be used to inform the general public of the services provided by the rural transit system.

Financial Data

Successful management of a system’s operation can be linked to budget administration. In this section, the financial portion of the transit system will be detailed to collect all the data needed to complete the project operating budget (Exhibit 2). The following should be included:

1. Begin this section with an explanation of the most recent year’s financial performance, including any balances left in the budget and/or expenses incurred but not reimbursed. (A
copy of December’s reimbursement request or the final reimbursement request for the most recent year must be attached).

2. An explanation of the program income, excluding capital, must be included for the last calendar year; the projected current year and the projected application period (See the following example).

**PROGRAM INCOME**

<table>
<thead>
<tr>
<th>Source</th>
<th>Last Calendar Year (actual)</th>
<th>Current budget Year</th>
<th>Projected Application Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>POS (Agency)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>POS (Agency)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Medicaid Transportation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fares</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Section 5311</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Local Share- P.O.S., County or City funds, etc. (specify)</td>
<td></td>
<td></td>
<td>*</td>
</tr>
<tr>
<td>Other (specify)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Should equal local total on Exhibit 2, Application Budget.

3. All active and proposed POS contracts must be attached along with the POS Computation Worksheet found in Exhibit 3.

4. Applicants should forward to GDOT copies of all Purchase of Service Contract(s) executed after the application is submitted. POS Contract(s) will then become a part of the Section 5311 contract documentation.

5. The POS Contract(s) should follow the example in Appendix C. At a minimum the contract must include the following:
   A. Date of contract execution
   B. Legal names of contracting parties
   C. Details of transportation services to be provided, for example:
      1. Number of hours per day
      2. Number of days per week
3. Number of vehicles to be used per day
4. Service destinations.

D. What will be the basis for payment to the provider? (Total payments should at a minimum cover fully allocated costs as outlined in the Exhibit 3 – POS Computation Worksheet)
E. Contract duration; start and end dates. If possible, the Purchase of Service contract should run on a State Fiscal Year cycle.

6. Services provided for the Department of Human Services (DHS) or the Department of Community Health (DCH) or other social service programs should be reimbursed in an amount sufficient to cover the fully allocated operating cost. A POS Computation Worksheet should be submitted to show that this is being done. (Two sample worksheets are included that demonstrate the system’s POS revenue both meeting and not meeting the average Fully Allocated Operating Cost).

7. An example of the revised Operating Assistance Reimbursement Form is presented in Exhibit 4. An electronic version of this form will be provided for use by subgrantees. In the electronic version the contract budget is entered at the beginning of the year. Each month the subgrantee enters their expenses, and the entries for the reimbursement form will be calculated and inserted electronically. The subgrantee can then transmit the electronic sheet to the PTC, but will also need to print out the reimbursement form, sign the hard copy, and submit it by mail. This new Reimbursement Form incorporates the current treatment of POS revenue as revenue or local match, based on the budget that is entered, and it will be consistent with the reimbursement elements of the RMIS on-line management information system.

8. All increases in budget line items from the current year’s budget must be explained and justified. Separate accounts for farebox, purchase of service revenues must be documented. Transferring funds from drug/alcohol testing and training line items will not be approved. This is to ensure that sufficient funds will be available for any required testing and to encourage systems to take advantage of training opportunities.

9. Systems should aim to recover 20 percent of public transportation costs from the farebox revenues generated through regular operations, with a minimum ten percent farebox recovery required for this funding period. All purchase of service agreements should recover the fully allocated costs. If no fare is charged, County/City is responsible to cover the ten percent farebox requirements. Fare is defined as cash given by passengers as payment for rides, excludes charter revenue.

10. Funds received by POS( non US DOT Funds) may be treated as local rather than Federal funds. Income from contracts to provide human service transportation may be used to reduce the net project cost as revenues such funds cannot be used 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.

In the application budget (Exhibits 2 and 4), POS may be treated either as a revenue or local match. If POS is treated as revenue, then the transit operator will subtract POS revenues from the Total Expenses along with farebox revenues to derive the Net Operating Deficit. If
POS is treated as local match (non US DOT Funds) then the transit operator will subtract only farebox revenue from total expenses to derive the Net Operating Deficit. Although POS appears in two places on the budget application form, it is only to be entered in one place depending on how it is treated, either as revenue or local match. It will never be both. If POS is used as local match, excess POS (greater than 50% of the net deficit) MUST be subtracted from the federal share amount—per FTA requirement. If POS is used as revenue, excess POS (greater than the amount shown in the budget) over the course of the year will increase the total revenue, reducing the net deficit—which will also reduce the 50% federal share. The new electronic Reimbursement Form will make the necessary calculations and provide information to assist in the management of the programs to anticipate the impact of POS amounts that are over or under the budgeted amounts.

11. The budget for the application period should be presented using the format shown in Exhibits 2 and 4 of this guide. (Projected expenses should balance with projected revenues for the application period). The budget has been revised to incorporate changes relating to purchase of service (see #10 above) as well as making it consistent with the budget format presented in the new RMIS on-line management information system.
PART II - COMPLIANCE REQUIREMENTS

All applicants must include the following certification and assurances in order to receive Federal funds for the purpose of providing rural public transportation. Also, additional regulatory requirements must be reported in order to participate in the program.

1. **Annual Listing of FTA’s Certifications and Assurances**

   The certifications and assurances required for this funding period grant application were published in the Federal Register /Vol. 75, No. 211/Tuesday, November 2, 2010/Notices. This is the most current FTA publication as at the time of print of this guide. (See Federal Register Appendix A).

   This register contains FTA’s comprehensive compilation of the Federal Fiscal Year 2011 Certifications and Assurances to be used in connection with all Federal assistance programs. The 24 categories of certifications and assurances are listed on the other side of the signature page document Exhibit 5.

   The certification consists of two pages that must be signed and included in the application (Exhibit 5). **Please be aware that this process only excludes you from submitting documents previously required with your application, NOT from collecting documents and having them on file.**

2. **Intergovernmental Review Process**

   The applicant should submit the results of an intergovernmental consultation review from the state, regional and metropolitan clearinghouses as applicable (Exhibit 6). The State Clearinghouse Office provides the application identifier designation number. The approval form (SC-4) needs to be returned to GDOT.

3. **Authorizing Resolution**

   The authorizing resolution is a resolution passed by the governing council or commission of the local area authorizing the filing of an application naming the person authorized to execute the contract and
sign assurances on behalf of the public body (Exhibit 7). If a commission is comprised of a sole commissioner, the resolution should reflect this in the title of the designated official. Note that the resolution must be witnessed, notarized and have a county seal. If the county does not have a county seal, it must indicate so.

4. Private Enterprise Coordination

A requirement of the Section 5311 Program is to insure, to the maximum extent feasible, that private for-profit transportation providers have been given a fair and timely opportunity to participate in the development of the local transportation plans and program, and have been afforded every feasible opportunity to provide the proposed transit service.

To insure that all private for-profit providers have been notified of the proposed project and that they have had adequate opportunity to present their views and to offer their own service proposals for consideration, the applicant should satisfy the following requirements:

A. List private providers operating in the service area

B. Notify private providers through one of the following methods:
   1. Public notice published in newspaper, or
   2. Letter sent to each private provider

C. Complete and sign the Private Enterprise Coordination Certification in Exhibit 8A.

If the applicant chooses to publish a public notice in the newspaper (B. 1. above), this notice can be combined with the Opportunity for Public Hearing Notice (See Exhibit 8B). If the Private Enterprise Notice is combined with the Opportunity for Public Hearing Notice, the Opportunity for Public Hearing Notice requirements must be met completely. A publisher’s affidavit is needed per combined notice. After the date of publication, a minimum of fifteen (15) days should be allowed for public comment.

To avoid a second notice of “No Response”, have the publisher print in the advertisement that if there is no response by the deadline date, GDOT will proceed with the project(s) as described (See Exhibit 8B). Also, submit correspondence to the Division of Intermodal Programs and maintain a file that there was no response for a public hearing.
Note - The Private Enterprise Notice does not substitute for the Charter Service Notice. These are two separate program requirements and should not be confused. Also, comments resulting from the Public Notice should be included in the application. Please indicate if no response was received.

Appendix F outlines other ongoing requirements for private enterprise coordination which is not a part of the application process but includes documentation that must be maintained on file.

If the County/City elects to operate the system through a third party operator, each of the criteria outlined in Appendix D must be followed.

5. **Charter Service**

Currently, GDOT does not allow its section 5311 subrecipients to perform charter services with FTA funded equipment. Subrecipients must sign the no intent to provide charter service certification. (see page 22 of this guide for more information)

6. **Public Hearing Requirements**

Any request for capital program assistance or other Federal assistance (except Urbanized Area Formula Program Assistance), that will substantially affect a community or its transit service, must provide the following certification. FTA may not award Federal assistance until the applicant provides this certification by selecting Category V on the Comprehensive Certification/Assurance document (Exhibit 5). Notices should be published in a newspaper of general circulation. The notice should allow interested persons to comment within 15 days following publication of the notice. A copy of the advertisement along with the publisher’s affidavit should be included in the grant application. Public hearing requirements are for grants requesting capital assistance. See Exhibit 8B for an example of a combined notice for Private Enterprise Coordination and the Rural Public Transportation Program. See Appendix G for public hearing requirements.

7. **Labor Protection**

Compliance with fair labor practices is required. All applicants must agree in writing to accept the standard terms and conditions of the special Section 5333(b) Labor Warranty for the Section 5311 programs, as outlined in Exhibit 10.
Though FTA has incorporated the Labor and Protection Certification/Assurances into their comprehensive certification and assurance checklist, the Department of Labor still requires that the labor protection documents be signed and be reported to their Department before a contract is executed. *Signed agreement (Exhibit 10) must be in the Division of Intermodal Programs by November 30, 2010 if application is not already submitted.*

8. **FTA Title VI Data Collection and Reporting**

All applicants for Nonurbanized Area Formula assistance must have completed civil rights program information as required in FTA Circular 9040.1F. Title VI updates must be submitted to the Georgia Department of Transportation annually. An updated submission of the Title VI Data Collection, reporting and monitoring activities, should be included in the grant application as Exhibit 11. (Due to time constraints, this information may be submitted anytime prior to issuance of the State contract.)

9. **Substance Abuse Certification**

All prospective applicants must certify that they have established and implemented an alcohol misuse prevention and anti-drug abuse program in accordance with the terms of 49 CFR, Parts 655 and 40 as amended (Exhibit 12) prior to any contractual agreement. GDOT will not honor any request or application without the establishment of anti-drug abuse and alcohol misuse programs.

10. **Certification of Equal Access for Persons with Disabilities**

All Applicants requesting vehicles without the access features required by 49 CFR Part 38, must certify that its fleet when viewed in its entirety provides disabled persons with access equal to that provided to any other persons 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 reservation capability, and
7. Constraints on capacity or service availability.

Applicants should complete the Certification of Equal Access for Persons with Disabilities found in Exhibit 13.

11. Checklist

Exhibit 1 lists the necessary components of the Compliance Requirements Section of a grant application and should be used to determine if all paperwork has been included. As a point of contact for GDOT staff, include the name and telephone number and e-mail address of the person responsible for compilation of the application.

12. Application Submission

All applications should be completed in the order shown in this manual. Completed applications should have original signatures. An original and one copy of the application should be submitted to the GDOT PTC in your District. Original copies should not be stapled, bound, or folded and should be prepared on standard 8 ½ by 11 paper size.
EXHIBIT 1
SECTION 5311 GRANT APPLICATION
COVER SHEET & CHECKLIST
(For the Application Period July X 20xx through June 20xx)

Application Preparer __________________________  Phone No. ___________

City/County _________________________________

PART I:

Executive Summary
The Organization
The Market
The Operations
The Marketing Program
Financial Data
Budget (Printed from RMIS)
Copy of December Reimbursement
Request or Final Request
Purchase of Service Agreement (If Applicable)
Fully Allocated Cost Computation(s) (If Applicable)
Third Party Operator Agreement (If Applicable)
Copy of Mobile Radio License (If Applicable)

PART II:

1. Annual Listing of Certification and Assurances
2. Clearinghouse Review Form (SC-4)
3. Authorizing Resolution
4. Private Enterprise Coordination
   a. Submit Exhibits 8A & 8B
5. Charter Service:
   Certification of No Intent
6. Section 5333(b) Labor Warranty
7. FTA Title VI Data Collection and Recording:
   Part I. General Reporting Requirements
   Part II. Grantees Monitoring Procedures
8. Substance Abuse Certification
9. Certification of Equal Access

Indicate by N/A any items that are not applicable.

Reviewed by:

Public Transportation Coordinator __________________________  Date

Program Manager’s Review __________________________  Date

Transit Vehicle Operations Review __________________________  Date
EXHIBIT 2 Sample Budget
### Formula for computing Fully Allocated Operation Cost per One-Way Passenger Trip (OWPT):

**Formula:**

Expense Total / Estimated System Total OWPTs for Application Period = Average Cost per OWPT

<table>
<thead>
<tr>
<th>Operating Expense Total (from Administrative &amp; Operating Budget of Exhibit 2):</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated System Total OWPTs for the Application Period:</td>
<td></td>
</tr>
<tr>
<td>Fully Allocated Operating Cost per OWPT:</td>
<td>#DIV/0!</td>
</tr>
</tbody>
</table>

### Fully Allocated Operating Cost (FAOC) Information

**Proposed POS Contracts for the Application Period:**

<table>
<thead>
<tr>
<th>Name of Agency</th>
<th>Estimated OWPT's</th>
<th>Projected Revenue</th>
<th>Average Cost Per Trip</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
<td>#DIV/0!</td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
<td>#DIV/0!</td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td>#DIV/0!</td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td>#DIV/0!</td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td>#DIV/0!</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>0</strong></td>
<td><strong>$0</strong></td>
<td><strong>#DIV/0!</strong></td>
</tr>
</tbody>
</table>

POS Revenue Should Meet the Average FAOC: #DIV/0!
**EXHIBIT 3 (continued)**

**EXAMPLE OF POS REVENUE THAT MEETS THE AVERAGE FAOC**

**Formula for computing Fully Allocated Operation Cost per One-Way Passenger Trip (OWPT):**

\[
\text{Expense Total} / \text{Estimated System Total OWPTs for Application Period} = \text{Average Cost per OWPT}
\]

**Operating Expense Total (from Administrative & Operating Budget of Exhibit 2):** $200,000

**Estimated System Total OWPTs for the Application Period:** 20,000

**Fully Allocated Operating Cost per OWPT:** $10

<table>
<thead>
<tr>
<th>Name of Agency</th>
<th>Estimated OWPT's</th>
<th>Projected Revenue</th>
<th>Average Cost Per Trip</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>3,000</td>
<td>$29,000</td>
<td>$10</td>
</tr>
<tr>
<td>2.</td>
<td>2,000</td>
<td>$21,000</td>
<td>$11</td>
</tr>
<tr>
<td>3.</td>
<td>4,000</td>
<td>$49,000</td>
<td>$12</td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>9,000</strong></td>
<td><strong>$99,000</strong></td>
<td><strong>$11</strong></td>
</tr>
</tbody>
</table>

POS Revenue Should Meet the Average FAOC: Meets
EXHIBIT 3 (continued)
EXAMPLE OF POS REVENUE THAT DOES NOT MEET THE AVERAGE FAOC

Formula for computing Fully Allocated Operation Cost per One-Way Passenger Trip (OWPT):

Formula:
Expense Total / Estimated System Total OWPTs for Application Period = Average Cost per OWPT

Operating Expense Total (from Administrative & Operating Budget of Exhibit 2):
$200,000

Estimated System Total OWPTs for the Application Period:
20,000

Fully Allocated Operating Cost per OWPT:
$10

Fully Allocated Operating Cost (FAOC) Information

Proposed POS Contracts for the Application Period:

<table>
<thead>
<tr>
<th>Name of Agency</th>
<th>Estimated OWPT's</th>
<th>Projected Revenue</th>
<th>Average Cost Per Trip</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>3,000</td>
<td>$15,000</td>
<td>$5</td>
</tr>
<tr>
<td>2.</td>
<td>7,000</td>
<td>$75,000</td>
<td>$11</td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>10,000</td>
<td>$90,000</td>
<td>$9</td>
</tr>
</tbody>
</table>

POS Revenue Should Meet the Average FAOC:  

Does Not Meet
### Exhibit 3 continued

**Formula for computing Fully Allocated Operation Cost per Service Hour:**

**Formula:**

Expense Total/Estimated System Total Service Hours for Application Period = Average Cost per Service Hour

Operating Expense Total (*from Administrative & Operating Budget of Exhibit 2*):  

Estimated System Total Service Hours for the Application Period:

- Number of Vehicles Providing Service
- Hours per Day Providing Service
- Numbers of Days Per Year Providing Service

Total Service Hours

Fully Allocated Operating Cost (FAOC) per Service Hour

FAOC per Service Hour Plus Capital Depreciation Cost*

---

**Proposed Meals on Wheels Service hourly rate must equal or exceed THIS NUMBER.**

This sheet must be attached to your charter certification and your grant application if you intend to provide either charter service and/or meals on wheels service.

* Hourly Capital Depreciation Cost was determined by depreciating the largest vehicle offered by GDOT ($47,000) over five years, divided by 250 service days, then divided by 10 hours per day.
EXHIBIT 4
SAMPLE OF MONTHLY SECTION 5311 OPERATING ASSISTANCE REIMBURSEMENT FORM
APPENDIX A

FEDERAL FISCAL YEAR 2011 CERTIFICATIONS AND ASSURANCES FOR FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS  
(Signature page alternative to providing Certifications and Assurances in TEAM-Web)

Name of Applicant: _____________________________________________________________________________

The Applicant agrees to comply with applicable provisions of Categories 01-24. __________________________

OR

The Applicant agrees to comply with applicable provisions of the Categories it has selected:

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>01.</td>
<td>Assurances Required For Each Applicant.</td>
</tr>
<tr>
<td>02.</td>
<td>Lobbying.</td>
</tr>
<tr>
<td>03.</td>
<td>Procurement Compliance.</td>
</tr>
<tr>
<td>04.</td>
<td>Protection for Private Providers of Public Transportation.</td>
</tr>
<tr>
<td>05.</td>
<td>Public Hearing.</td>
</tr>
<tr>
<td>06.</td>
<td>Acquisition of Rolling Stock for Use in Revenue Service</td>
</tr>
<tr>
<td>07.</td>
<td>Acquisition of Capital Assets by Lease.</td>
</tr>
<tr>
<td>08.</td>
<td>Bus Testing.</td>
</tr>
<tr>
<td>09.</td>
<td>Charter Service Agreement.</td>
</tr>
<tr>
<td>10.</td>
<td>School Transportation Agreement.</td>
</tr>
<tr>
<td>11.</td>
<td>Demand Responsive Service.</td>
</tr>
<tr>
<td>12.</td>
<td>Alcohol Misuse and Prohibited Drug Use.</td>
</tr>
<tr>
<td>13.</td>
<td>Interest and Other Financing Costs.</td>
</tr>
<tr>
<td>15.</td>
<td>Urban Area Formula Program for States.</td>
</tr>
<tr>
<td>16.</td>
<td>Clean Fuels Grant Program.</td>
</tr>
<tr>
<td>17.</td>
<td>Elderly individuals and Individuals with Disabilities Formula Program and Pilot Program.</td>
</tr>
<tr>
<td>18.</td>
<td>Nonurbanized Area Formula Program for States.</td>
</tr>
<tr>
<td>22.</td>
<td>Tribal Transit Program.</td>
</tr>
<tr>
<td>23.</td>
<td>TIFIA Projects</td>
</tr>
</tbody>
</table>
APPENDIX A

FEDERAL FISCAL YEAR 2011 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE
(Required of all Applicants for FTA assistance and all FTA Grantees with an active capital project)

AFFIRMATION OF APPLICANT

Name of Applicant: ____________________________________________________________

Name and Relationship of Authorized Representative: ________________________________

BY SIGNING BELOW, on behalf of the Applicant, I declare that the Applicant has duly authorized me to make these certifications and assurances and bind the Applicant’s compliance. Thus, the Applicant agrees to comply with all Federal statutes and regulations, and follow applicable Federal directives, and comply with the certifications and assurances as indicated on the foregoing page applicable to each application it makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2011.

FTA intends that the certifications and assurances the Applicant selects on the other side of this document, as representative of the certifications and assurances in this document, should apply, as provided, to each project for which the Applicant seeks now, or may later, seek FTA assistance during Federal Fiscal Year 2011.

The Applicant affirms the truthfulness and accuracy of the certifications and assurances it has made in the statements submitted herein with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C 3801 et seq., and implementing U.S. DOT regulations, “Program Fraud Civil Remedies,” 49 CFR part 31 apply to any certification, assurance or submission made to FTA. The Criminal provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with a Federal public transportation program authorized in 49 U.S.C chapter 53 or any other statute.

In signing this document, I declare under penalties of perjury that the foregoing certifications and assurances, and any other statements made by me on behalf of the Applicant are true and correct.

Signature __________________________________________ Date: _______________________

Name ________________________________________________

Authorized Representative of Applicant

AFFIRMATION OF APPLICANT’S ATTORNEY

For (Name of Applicant) : _______________________________________________________

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has authority under State, local, or tribal government law, as applicable, to make and comply with the certifications and assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the certifications and assurances have been legally made and constitute legal and bidding obligations on the Applicant.

I further affirm to the Applicant that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these certifications and assurances, or of the performance of the project.

Signature __________________________________________ Date: _______________________

Name ________________________________________________

Attorney for Applicant

Each Applicant for FTA financial assistance and each FTA Grantee with an active capital or formula project must provide an Affirmation of Applicant’s Attorney pertaining to the Applicant’s legal capacity. The Applicant may enter its signature in lieu of the Attorney’s signature, provided the Applicant has on file this Affirmation, signed by the Attorney and dated this Federal Fiscal Year.
I. Overview

FTA's current authorization, the Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU), expired September 30, 2009. Since that time, Congress has enacted short term extensions allowing FTA to continue its current programs. The Continuing Appropriations Resolution, 2010, as amended, (Pub. L. 111-68, Div. B), continues the authorization of the Federal transit programs of the U.S. Department of Transportation (DOT) through February 28, 2010. It extends contract authority for the Formula and Bus Grants programs at the same levels that were available under the Omnibus Appropriations, 2009 (Pub. L. 111-8, Div. I) until February 28, 2010, i.e., approximately \( \frac{5}{12} \)th of the contract authority available in fiscal year (FY) 2009. Additionally, Division A of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act 2010 (Pub. L. 111-68), which was signed into law by President Obama on December 16, 2009, appropriated funds for FTA general-funded programs for FY 2010. This notice provides information on funding amounts that are currently available for FTA assistance programs.

[[Page 7049]]

This document apportions or allocates available FY 2010 funds that were made available under Division A of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act 2010 hereinafter, (``Appropriations Act, 2010'') and the Continuing Appropriations Resolution, 2010, as amended, hereinafter, (``CR, 2010'') among potential program recipients according to statutory formulas in 49 U.S.C. Chapter 53 and existing Full Funding Grant Agreements. The notice includes FY 2010 formula and section 5309 bus category funds that are currently available, which is approximately \( \frac{5}{12} \) or 41% of the amounts that were available under the Omnibus Appropriations Act, 2009. The notice does not include any extension or reprogramming of any discretionary funds that lapsed to the designated project as of September 30, 2009. FTA will issue a supplemental notice at a later date for any additional increments of formula and discretionary funds that become available.

For each FTA program included in this notice, we have provided relevant information on the FY 2010 funding currently available, program requirements, period of availability, and other related program information and highlights, as appropriate. A separate section of the document provides information on program requirements and guidance that are applicable to all FTA programs.
II. FY 2010 Funding for FTA Programs

A. Funding Based on the Appropriations Act, 2010 (Pub. L.) and CR, 2010

The Appropriations Act, 2010 provide general funds and obligation authority trust funds from the Mass Transit Account (MTA) of the Highway trust fund that total $4.1 billion for FTA programs. The CR 2010 makes available \( \frac{5}{12} \)ths of the contract authority level provided in FY 2009 for the Formula and Section 5309 Bus programs. Table 1 of this document shows the funding that is currently available for the FTA programs. All Formula Programs and the Section 5309 Bus and Bus-Related Facilities Program are funded entirely from MTA of the Highway Trust Fund in FY 2010. The Section 5309 New Starts Program, the Research Program, Washington Metropolitan Transit Authority, Transit Investments for Greenhouse Gas and Energy Reduction (TIGGER) Program and FTA administrative expenses are funded by appropriations from the General Fund of the Treasury.

This Federal Register notice includes tables of apportionments and allocations for FTA formula programs based on the Appropriations Act, 2010 and the CR, 2010. Additionally, discretionary funding under the New Starts, Bus and Bus facilities, Alternative Analysis and the Washington Metropolitan Transit Authority Programs that were allocated in the Appropriations Act, 2010 are also included.

B. Program Funds Set-Aside for Project Management Oversight

As background, Section 5327 of title 49 U.S.C., authorizes the takedown of funds from FTA programs for project management oversight. Section 5327 provides oversight takedowns at the following levels: 0.5 percent of Planning funds, 0.75 percent of Urbanized Area Formula funds, 1 percent of Capital Investment funds, 0.5 percent of Special Needs of Elderly Individuals and Individuals with Disabilities formula funds, 0.5 percent of Non-urbanized Area Formula funds, and 0.5 percent of the Paul S. Sarbanes Transit in the Parks Program funds (formerly the Alternative Transportation in the Parks and Public Lands Program).

The funds are used to provide necessary oversight activities, including oversight of the construction of any major capital project under these statutory programs; to conduct State Safety Oversight, drug and alcohol, civil rights, procurement systems, management, planning certification and, financial reviews and audits, as well as evaluations and analyses of grantee specific problems and issues; and to provide technical assistance to correct deficiencies identified in compliance reviews and audits.

III. FY 2010 FTA Program Initiatives and Changes

A. Binding Guidance or Policy Documents

Before any requirements placing binding obligations on grantees are finalized, FTA will publish and make them available for public comment. We encourage grantees to regularly check the FTA Web site at http://www.fta.dot.gov and the U.S. Government docket management Web site at http://regulations.gov for new issuances and to comment to the docket established for each document on relevant issues.
B. Planning Emphasis Areas--Planning for Sustainable Communities

FTA and the Federal Highway Administration (FHWA) periodically identify Planning Emphasis Areas (PEAs) to promote priority themes for consideration, as appropriate, in metropolitan and statewide transportation planning processes. For FY 2010, 'planning for sustainable communities' has been identified as the emphasis area. To support effective practice and capacity-building on this topic, FTA and FHWA will prepare and distribute an inventory of current practice, guidance, and training and offer targeted technical assistance. Opportunities for peer exchange of ideas and experiences on innovative practice on the topic will be provided throughout the year.

For further information on this emphasis area, contact Jeff Price, FTA Office of Systems Planning, (202) 366-4280.

C. Livability

FTA fosters livable communities and sustainable development through its various transit programs and activities. Public transportation supports the development of communities, providing effective and reliable transportation alternatives that increase access to jobs, health and social services, entertainment, educational opportunities, and other activities of daily life, while also improving mobility within and among these communities. Through various initiatives and legislative changes over the last fifteen years, FTA has allowed and encouraged projects that help integrate transit into a community through neighborhood improvements and enhancements to transit facilities or services, or make improvements to areas adjacent to public transit facilities that may facilitate mobility demands of transit users or support other infrastructure investments that enhance the use of transit for the community.

On June 16, 2009, U.S. Department of Transportation (DOT) Secretary Ray LaHood, U.S. Department of Housing and Urban Development (HUD) Secretary Shaun Donovan, and U.S. Environmental Protection Agency (EPA) Administrator Lisa Jackson announced a new interagency partnership to help improve access to affordable housing, more transportation options, and lower transportation costs, while protecting the environment. The three agencies are coordinating Federal transportation, environmental protection, and housing investments at their respective agencies to support sustainable communities for American families in rural, suburban and urban areas.

During FY 2010, FTA will implement the Livability Bus and Urban Circulator Programs, which will result in a minimum of $280 million in funding for projects that demonstrate livability principles by providing more transportation choices; enhancing economic competitiveness; enhancing existing communities; coordinating policies and leveraging investments; and valuing communities and neighborhoods.
D. Flexible Funding Procedures

Flexible funding was one of the hallmarks of the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) that was continued to the present day. Flexible funding provisions enable State and local governments, transit operators, and metropolitan planning organizations to more effectively meet their unique needs, and facilitate a multimodal approach to meeting transportation needs at both the statewide and metropolitan levels. The statutory flexibility provisions include:

1. Broad highway/transit spending eligibility within selected categories of major highway and transit programs;
2. Allowance of the transfer of funds within the Federal-aid highway program to other programs with broader highway/transit eligibility; and
3. Allowance of the transfer of funds from FHWA to FTA, and vice versa.

Obligation authority for flexible funds, high priority projects and other transit projects in Title 23 U.S.C., is transferred to FTA when States and local agencies determine that FTA will administer the public transportation project. The liquidating cash, however, is transferred between Federal accounts only as needed to ensure that adequate funds are available for disbursement on a timely basis. In order to track the cash flow more closely, FTA no longer combines funds transferred from FHWA into a single grant with FTA funds in the program to which they are transferred. FTA has established codes and procedures for grants involving funds transferred from FHWA. Grantees can contact the appropriate regional office for funding assistance.

E. Changes in Match for Biodiesel Vehicles and Hybrid Retrofits

Section 164 of the Appropriations Act 2010, provides that any grant for a project that involves the acquisition or rehabilitation of a bus to be used in public transportation shall be funded at 90 percent Federal share for the net capital costs of a biodiesel bus or a factory-installed or retrofitted hybrid electric propulsion system and any equipment related to such a system. This increased Federal share is a cross-cutting provision and is applicable across FTA programs for any grants awarded during FY 2010 regardless of what fiscal year funding is used. Grantees may apply for a 90 percent Federal share for the entire cost of a biodiesel bus, but only for the cost of the propulsion system and related equipment in the case of the hybrid electric systems, not for 90 percent of the cost of the entire vehicle. In lieu of calculating the costs of the hybrid electric propulsion system separately, grantees may apply for 83 percent of the cost of the vehicle.
IV. FTA Programs

This section of the notice provides the available FY 2010 funding to date and/or other important program-related information for 19 separate FTA programs that are contained in this notice. Funding for eleven programs is apportioned by statutory or administrative formula. Funding for the other eight programs will be allocated on a discretionary or competitive basis.

Funding and/or other important information for each of the 19 programs is presented immediately below. This includes program apportionments or allocations, certain program requirements, length of time FY 2010 funding is available for obligation and other significant program information pertaining to FY 2010.

I. Nonurbanized Area Formula Program (49 U.S.C. 5311)

This program provides formula funding to States and Indian Tribes for the purpose of supporting public transportation in areas with a population of less than 50,000. Funding may be used for capital, operating, State administration, and project administration expenses. Eligible subrecipients include State and local governmental authority, Indian Tribes, private non-profit organizations, and private operators of public transportation services, including intercity bus companies. Indian Tribes are also eligible direct recipients under Section 5311, both for funds apportioned to the States and for projects selected to be funded with funds set aside for a separate Tribal Transit Program.

For more information about the Nonurbanized Area Formula Program contact Lorna Wilson, Office of Transit Programs, at (202) 366-2053.

1. FY 2010 Funding Availability

CR 2010 provides $192,371,000 to the Nonurbanized Area Formula Program (49 U.S.C. 5311). The total amount apportioned for the Nonurbanized Area Formula Program is $211,640,513 after take-downs of two percent for the Rural Transportation Assistance Program (RTAP), 0.5 percent for oversight, and $6,206,000 for the Tribal Transit Program.

Basis for Apportionments

FTA apportions the funds after take-down for oversight, the Tribal Transit Program, and RTAP according to a statutory formula. FTA apportions the first twenty percent to the States based on land area in nonurbanized areas with no state receiving more than 5 percent of the amount apportioned. FTA apportions the remaining eighty percent based on nonurbanized population of each State relative to the national nonurbanized population. FTA does not apportion Section 5311 funds to the Virgin Islands, which by a statutory exception are treated as an urbanized area for purposes of the Section 5307 formula program.

FTA is allocating $191,409,145 to the States and territories for nonurbanized areas from the Growing States portion of Section 5340. FTA apportions Growing States funds by a formula based on State population forecasts for 15 years beyond the most recent census. FTA distributes the amounts apportioned for each State between UZAs and nonurbanized areas based on the ratio of urbanized/nonurbanized population within each State in the 2000 census.

3. Program Requirements

The Nonurbanized Area Formula Program provides capital, operating and administrative assistance for public transit service in nonurbanized areas under 50,000 in population.
The Federal share for capital assistance is 80 percent and for operating assistance is 50 percent, except that States eligible for the sliding scale match under FHWA programs may use that match ratio for Section 5311 capital projects and 62.5 percent of the sliding scale capital match ratio for operating projects.

Each State must spend no less than 15 percent of its FY 2010 Nonurbanized Area Formula apportionment for the development and support of intercity bus transportation, unless the State certifies, after consultation with affected intercity bus service providers, that the intercity bus service needs of the State are being adequately met. FTA also encourages consultation with other stakeholders, such as communities affected by loss of intercity service.

Each State prepares an annual program of projects, which must provide for fair and equitable distribution of funds within the States, including Indian reservations, and must provide for maximum feasible coordination with transportation services assisted by other Federal sources.

To retain eligibility for funding, recipients of Section 5311 funding must report data annually to the NTD. Additional information on NTD reporting is contained in paragraph 5 of this section, below.


4. Period of Availability

It was administratively determined that funds apportioned to nonurbanized areas under the Nonurbanized Area Formula Program during FY 2010 will remain available for obligation for two additional fiscal years after the year of apportionment. Any funds that remain unobligated at the close of business on September 30, 2012, will revert to FTA for reapportionment among the States under the Nonurbanized Area Formula Program.

5. Other Program or Apportionment Related Information and Highlights

a. NTD Reporting. By law, FTA requires that each recipient under the Section 5311 program submit an annual report to the NTD containing information on capital investments, operations, and service provided with funds received under the Section 5311 program. Section 5311(b)(4), as amended by SAFETEA-LU, specifies that the report shall include information on total annual revenue, sources of revenue, total annual operating costs, total annual capital costs, fleet size and type, and related facilities, revenue vehicle miles, and ridership. State or Territorial DOT 5311 grant recipients must complete a one-page form of basic data for each 5311 subrecipient, unless the subrecipient is already providing a full report to the NTD as a Tribal Transit direct recipient or as an urbanized area reporter (without receiving a Nine or Fewer Vehicles Waiver). For the 2009 Report Year State or Territorial DOTs must report on behalf of any subrecipient receiving Section 5311 grants in 2009, or that continued to benefit in 2009 from capital assets purchased using Section 5311 grants. Tribal Transit direct recipients must report if they received an obligation or an outlay for a Section 5311 grant in 2009, or if they continued to benefit in 2009 from capital assets using Section 5311 Grants, unless the Tribe is already filing a full NTD Report as an urbanized area reporter or unless the Tribe only received $50,000 or less in planning grants. The NTD Rural Reporting Manual contains detailed reporting instructions and is posted on the NTD Web site, http://www.ntdprogram.gov.

b. Extension of Intercity Bus Pilot of In-Kind Match. Beginning in FY 2007, FTA implemented a two year pilot program of in-kind match for intercity bus service. The initial program was set to expire after FY
2008; however, FTA decided to extend the program through FY 2009. Through this notice FTA extends the In-Kind Match program through FY 2010. FTA published guidance on the in-kind match pilot in the Federal Register on February 28, 2007, as Appendix 1 of the Notice announcing the final revised circular 9040.1F, which is available at http://www.fta.dot.gov.
EXHIBIT 6*  
(Page 1 of 2)  

Georgia Intergovernmental Consultation Process  
Intergovernmental Coordination Form  

| Applicant: | __________________________________________________ |
| Project Name: | __________________________________________________ |
| Applicant’s Address: | __________________________________________________ |
| Name and Title of Contact Person: | __________________________________________________ |
| Phone: | __________________________________________________ |
| Impacted City/Cities: | __________________________________________________ |
| Impacted County/Counties: | __________________________________________________ |

Project Description (Nature, Purpose, Location):  
The Section 5311 Program funds will be used to provide Rural Public Transit statewide. This application will provide funding for capital and/or operating expenses. It will, as well provide funding for the Intercity Bus Program, RTAP and State Administration of the Section 5311 program.

| FUNDING | Federal Catalog Number: 20.509 |
| Source | $Amount | Federal Program Name: Section 5311 |
| Basic Federal Grant | $_________ | Federal Agency Name: Federal Transit Administration |
| State Matching Grant | $_________ | Federal Agency’s Address: 230 Peachtree Street, NW Suite 800, Atlanta, GA 30303-1512 |
| Local Matching Grant | $_________ | Name and Title of Contact Person: David Schilling, Community Planner |
| Other Matching Grant | $_________ | Telephone: (404) 865-5645 |
| Total Cost | $_________ | |

Impacted Regional and Metropolitan Clearinghouse: ____________________________

<table>
<thead>
<tr>
<th>Signature of Authorizing Official</th>
<th>Title</th>
<th>Date</th>
</tr>
</thead>
</table>

* Please send completed form to: State Clearinghouse c/o Barbara Jackson, Office of Planning and Budget, Suite 8069, 270 Washington Street, S.W., Atlanta, Georgia 30334. (404) 656-3855, Fax#: (404) 656-7916.
* Send copy to the affected MPO (except Atlanta) if appropriate. Do Not Send to the Regional Development Center (RDC)
EXHIBIT 6
(Page 2 of 2)

The original form should be sent to the State Clearinghouse, c/o Barbara Jackson, Office of Planning and Budget, Suite 8069, 270 Washington Street, S.W., Atlanta, Georgia 30334. Fax# (404) 656-7916. If the project is to be located in a locale served by a Metropolitan Clearinghouse, a legible copy must be sent to the appropriate MPO for review and approval (except in Atlanta).

When completing the Intergovernmental Consultation Form, the applicant must be sure to include the following information:

1. Identification of the applicant.

2. Federal program title, number and agency under which assistance is sought as listed in the latest Catalog of Federal Domestic Assistance.

3. Geographic location of the proposed project by type accompanied by a map (physical development only).

4. Brief description of the proposed project by type, purpose, general size, or scale, estimated cost, beneficiaries or other characteristic details.

*Note: The State Clearinghouse will coordinate area wide clearinghouse responses with the respective Regional Development Centers including ARC. DO NOT SEND TO RDC.
EXHIBIT 7
(Page 1 of 2)

AUTHORIZING RESOLUTION

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION AND THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR A GRANT FOR PUBLIC TRANSPORTATION ASSISTANCE UNDER SECTION 5311 OF THE FEDERAL TRANSIT LAWS UNDER CHAPTER 53 OF TITLE 49 OF THE UNITED STATES CODE.

WHEREAS, the Federal Transit Administration and the Georgia Department of Transportation are authorized to make grant to non-urbanized areas for mass transportation projects; and

WHEREAS, the contract for financial assistance will impose certain obligations upon applicant, including the provision by it of the local share of project costs; and

WHEREAS, it is required by the United States Department of Transportation and the Georgia Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Federal Transit Act, the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and under the United States Department of Transportation requirements thereunder; and

NOW THEREFORE, BE IT RESOLVED BY ______________________, hereinafter referred to as the “APPLICANT”, (Applicant’s legal Name)

1. That the (_____________________) herein after referred to as the “Official is authorized to execute and file an application on the behalf of the Applicant, a City/County government, with the Georgia Department of Transportation to aid in the financing of public transportation assistance pursuant to Section 5311 of the Federal Transit Act.”

2. That the Official is authorized to execute and file such application and assurances or any other document required by the U.S. Department of Transportation and the Georgia Department of Transportation effectuating the purpose of Title VI of the Civil Rights Act of 1964.

3. That the Official is authorized to execute and file all other standard assurances or any other document required by the Georgia Department of Transportation or the U.S. Department of Transportation in connection with the application for public transportation assistance.

4. That the Official is authorized to furnish such additional information as the U.S. Department of Transportation or the Georgia Department of Transportation may require in connection with the application of the project.

5. That the Official is authorized to execute grant contract agreements on behalf of the Applicant with the Georgia Department of Transportation in connection with the application for public transportation assistance.

6. That the applicant while making application to or receiving grants from the Federal Transit Administration will comply with FTA Circular 9040.1F, FTA Certifications and Assurances for Federal Assistance in FY 2007 as listed in Appendix M, and General Operating Guidelines as illustrated in Appendix D of the Georgia State Management Plan and Administrative Guide for Rural Public Transportation Programs.

7. That the Applicant has or will have available in the General Fund the required non-federal funds to meet local share requirements.
EXHIBIT 7
(Page 2 of 2)

APPROVED AND ADOPTED this _____ day of __________, 20____.

_______________________________________
Chairman of Commission or Sole Commissioner

_______________________________________
Type Name and Title

Signed, sealed and delivered this _____ day of ____________, 20___ in the presence of

_______________________________________
Witness

_______________________________________
Notary Public/Notary Seal
CERTIFICATE

The undersigned duly qualified and acting __________________________ of __________________________ certifies that

[Title of Certifying/ Attesting Official] [Applicant’s Legal Name]

the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting held on

____________________________, 20__________.

Name of Certifying/Attesting Officer

County Seal

Title of Certifying/Attesting Officer
EXHIBIT 8A
PRIVATE ENTERPRISE COORDINATION CERTIFICATION

List of private providers operating in the service area:
_________________________________________________
_________________________________________________
_________________________________________________

Date Notified: ______________________________________

Attach Notice and Affidavit from newspaper and copies of letters sent to private providers.

Last Day to Respond: _________________________________

_________________________________________ will annually review existing service and any proposed service changes to determine
(Legal Name of City/County) the feasibility of private providers providing the public service. An annual review will be scheduled and a review format will be developed to carry out this task. Private providers will be notified and their interest in the service provision will be assessed. Private providers will be invited to attend and be a part of the annual review process. Additional Private Enterprise requirements are outlined in Appendix F.

Date: ___________________________________________

_________________________________________________
Signature of Authorized Officer

_________________________________________________
Name and Title of Authorized Officer
EXHIBIT 8B

NOTICE OF OPPORTUNITY FOR A PUBLIC HEARING
PRIVATE ENTERPRISE COORDINATION
RURAL PUBLIC TRANSPORTATION PROGRAM

_________________________ is applying for funding assistance under Title 49 U.S.C. Section 5311 of the Federal Transit Act pertaining to rural and small urban areas.

The ______________________ will offer general public transportation to all citizens of ______________________ for any worthwhile purpose, including but not limited to shopping, medical treatment, social services and other purposes.

The ______________________ solicits private sector input and participation to assure that private for-profit transportation operators have a fair and timely opportunity to participate in the development of this program.

The ______________________ also solicits comments and concerns from the disabled population and their representatives to assure that issues relating to the disabled are addressed in the service design proposed during the planning process.

Interested persons are invited to request that a public hearing be held to discuss the services being offered or development of the application.

Written comments, requests for a public hearing and/or written notice of intent by private for-profit transportation operators to provide or participate in the above services should be submitted no later than fifteen (15) days from the date of this publication to:

COMMISSION CHAIRMAN
ADDRESS
PHONE NUMBER

If no response is received within the fifteen (15) days, the Department of Transportation will proceed with the application.
EXHIBIT 9

CERTIFICATION OF NO INTENT TO CHARTER SERVICE

____________________________ certifies that it does not intend to and will not provide charter service with FTA funded equipment and facilities or provide any exclusive service during the operating period of this application. Should the Applicant decide to provide charter service under the only exception allowed by Georgia Department of Transportation (conveyance of government officials), the Applicant MUST notify Georgia Department of Transportation and Federal Transit Administration in writing of such services.

The applicant also certifies that conveyance of government officials shall not exceed 80 hours in a given year and such services must also be reported using Federal Transit Administration’s TEAM module.

DATE: _____________________

__________________________
Signature of Authorized Officer

__________________________
Name and Title of Authorized Officer
EXHIBIT 10
(Page 1 of 6)

SPECIAL SECTION 5333(b) WARRANTY FOR
APPLICATION TO THE SMALL URBAN AND RURAL PROGRAM

The following language shall be made part of the contract of assistance with the State or other public body charged with allocation and administration of funds provided under Title 49 U.S.C. Section 5311:

A. General application

The Public Body Georgia DOT agrees that, in the absence of waiver by the Department of Labor, the terms and conditions of this warranty, as set forth below, shall apply for the protection of the transportation related employees of any employer providing transportation services assisted by the Project ____________________ (Name of Applicant) and the transportation related employees of any other surface public transportation providers in the transportation service area of the Project.

The Public Body shall provide to the Department of Labor and maintain at all times during the Project an accurate, up-to-date listing of all existing transportation providers which are eligible Recipients of transportation assistance funded by the Project, in the transportation service area of the Project, and any labor organizations representing the employees of such providers.

Certification by the Public Body to the Department of Labor that the designated Recipients have indicated in writing acceptance of the terms and conditions of the warranty arrangement will be sufficient to permit the flow of Section 5311 funding in the absence of a finding of non-compliance by the Department of Labor.

B. Standard Terms and Conditions

(1) The Project shall be carried out in such a manner and upon such terms and conditions as will not adversely affect employees of the Recipient and of any other surface public transportation provider in the transportation service area of the Project. It shall be an obligation of the recipient and any other legally responsible party designated by the Public body to assure that any and all transportation services assisted by the Project are contracted for and operated in such a manner that they do not impair the rights and interests of affected employees. The term “Project,” as used herein, shall not be limited to the particular facility, service or operation assisted by Federal funds, but shall include any changes, whether organizational, or otherwise, which are a result of the assistance provided. The phrase “as a result of the Project,” shall when used in this arrangement, include events related to the Project occurring in anticipation of, during, and subsequent to the Project and any program of efficiencies or economies related thereto; provided, however, that volume rises and falls of business, or changes in volume and character of employment brought about by causes other than the Project (including any economies or efficiencies unrelated to the Project) are not within the purview of this arrangement.

An employee covered by this arrangement, who is not dismissed, displaced or otherwise worsened in his position with regard to his employment as a result of the Project, but who is dismissed, displaced or otherwise worsened solely because of the total or partial termination of the Project, discontinuance of Project services, or exhaustion of Project funding shall not be deemed eligible for a dismissal or displacement allowance within the meaning of paragraphs (6) and (9) of the Model agreement or applicable provisions of substitute comparable arrangements.
EXHIBIT 10
(Page 2 of 6)

(2)(a) Where employees of a Recipient are represented for collective bargaining purposes, all Project services provided by that Recipient shall be provided under and in accordance with any collective bargaining agreement applicable to such employees which is then in effect.

(2)(b) The Recipient or legally responsible party shall provide to all affected employees sixty (60) days’ notice of intended actions which may result in displacements or dismissals or rearrangements of the working forces. In the case of employees represented by a union, such notice shall be provided by certified mail through their representatives. The notice shall contain a full and adequate statement of the proposed changes, and an estimate of the number of employees affected by the intended changes, and the number and classifications of any jobs in the Recipient’s employment available to be filled by such affected employees.

(2)(c) The procedures of this subparagraph shall apply to cases where notices involve employees represented by a union for collective bargaining purposes. At the request of either the Recipient or the representatives of such employees negotiations for the purposes of reaching agreement with respect to the applications of the terms and conditions of this arrangement shall commence immediately. If no agreement is reached within twenty (20) days from the commencement of negotiations, any party to the dispute may submit the matter to dispute settlement procedures in accordance with paragraph (4) of this warranty. The foregoing procedures shall be complied with and carried out prior to the institution of the intended action.

(3) For the purpose of providing the statutory required protections including those specifically mandated by 49 U.S.C. Section 5333(b)\(^1\), the public body will assure as a condition of the release of funds that the Recipient agrees to be bound by the terms and conditions of the National (Model) Section 5333(b) Agreement executed July 23, 1975, identified below\(^2\), provided that other comparable arrangements may be substituted therefore, if approved by the Secretary of Labor and certified for inclusion in these conditions.

---

\(^1\)Such protective arrangements shall include, without being limited to, such provisions as may be necessary for (1) the preservation of rights, privileges, and benefits (including continuation of pension rights and benefits) under existing collective bargaining agreements or otherwise; (2) the continuation of collective bargaining rights; (3) the protection of individual employees against a worsening of their positions with respect to their employment; (4) assurances of employment to employees of acquired mass transportation systems and priority of reemployment of employees terminated or laid off; and (5) paid training and retraining programs. Such arrangements shall include provisions protecting individual employees against a worsening of their positions with respect to their employment which shall in no event provide benefits less than those established pursuant to 49 U.S.C. Section 11347 [the codified citation of Section 5(2)(f) of the Act of February 4, 1987 (24 Stat. 379), as amended].

\(^2\)For purposes of this warranty agreement, paragraphs (1);(2);(5);(15);(22);(23);(24);(26)(27);(28); and (29) of the Model Section 5333(b) Agreement, executed July 23, 1975 are to be omitted.
(4) Any dispute or controversy arising regarding the application, interpretation, or enforcement of any of the provisions of this arrangement which cannot be settled by and between the parties at interest within thirty (30) days after the dispute or controversy first arises, may be referred by any such party to any final and binding disputes settlement procedure acceptable to the parties, or in the event they cannot agree upon such procedure, to the Department of Labor or an impartial third party designated by the Department of Labor for final and binding determination. The compensation and expenses of the impartial third party, and any other jointly incurred expenses, shall be borne equally by the parties to the proceeding and all other expenses shall be paid by the party incurring them.

In the event of any dispute as to whether or not a particular employee was affected by the Project, it shall be his obligation to identify the Project and specify the pertinent facts of the Project relied upon. It shall then be the burden of either the Recipient or other party legally responsible for the application of these conditions to prove that factors other than the Project affected the employees. The claiming employee shall prevail if it is established that the Project had an effect upon the employee even if other factors may also have affected the employee.

(5) The Recipient or other legally responsible party designated by the Public Body will be financially responsible for the application of these conditions and will make the necessary arrangements so that any employee covered by these arrangements, or the union representative of such employee, may file claim of violation of these arrangements with the Recipient within sixty (60) days of the date he is terminated or laid off as a result of the Project, or within eighteen (18) months of the date his position with respect to his employment is otherwise worsened as a result of the Project. In the latter case, if the events giving rise to the claim have occurred over an extended period, the 18-month limitation shall be measured from the last such event. No benefits shall be payable for any period prior to six (6) months from the date of the filing of any claim.

(6) Nothing in this arrangement shall be construed as depriving any employee of any rights or benefits which such employee may have under existing employment or collective bargaining agreements, nor shall this arrangement be deemed a waiver of any rights or any union or of any represented employee derived from any other agreement or provision of federal, state or local law.

(7) In the event any employee covered by these arrangements is terminated or laid off as a result of the Project, he shall be granted priority of employment or reemployment to fill any vacant position within the control of the Recipient for which he is, or by training or retraining within a reasonable period can become qualified. In the event training or retraining is required by such employment or reemployment, the Recipient or other legally responsible party designated by the Public Body shall provide or provide for such training or retraining at no cost to the employee.
EXHIBIT 10
(Page 4 of 6)

(8) The Recipient will post, in a prominent and accessible place, a notice stating that the Recipient has received federal assistance under 49 U.S.C. Chapter 53 and has agreed to comply with the provisions of 49 U.S.C. Section 5333(b). This notice shall also specify the terms and conditions set forth herein for the protection of employees. The Recipient shall maintain and keep on file all relevant books and records in sufficient detail as to provide the basic information necessary to the proper application, administration, and enforcement of these arrangements and to the proper determination of any claims arising thereunder.

(9) Any labor organization which is the collective bargaining representative of employees covered by these arrangements may become a party to these arrangements by serving written notice of its desire to do so upon the recipient and the Department of Labor. In the event of any disagreement that such labor organization represents covered employees, or is otherwise eligible to become a party to these arrangements, as applied to the Project, the dispute as to whether such organization shall participate shall be determined by the Secretary of Labor.

(10) In the event the Project is approved for assistance under 49 U.S.C. Chapter 53, the foregoing terms and conditions shall be made part of the contract of assistance between the federal government and the Public Body or Recipient of federal funds, provided, however, that this arrangement shall not merge into the contract of assistance, but shall be independently binding and enforceable by and upon the parties thereto, and by any covered employee or his representative, in accordance with its terms, nor shall any other employee protective agreement merge into this arrangement, but each shall be independently binding and enforceable by and upon the parties thereto, in accordance with its terms.

C. **Waiver**

As part of the grant approval process, either the Recipient or other legally responsible party designated by the Public Body may in writing seek from the Secretary of Labor a waiver of the statutory required protections. The Secretary will waive these protections in cases, where at the time of the requested waiver, the Secretary determines that there are no employees of the Recipient or of any other surface public transportation providers in the transportation service area who could be potentially affected by the Project. A 30-day notice of proposed waiver will be given by the Department of Labor and in the absence of timely objection; the waiver will become final at the end of the 30-day notice period. In the event of timely objection, the Department of Labor will review the matter and determine whether a waiver shall be granted. In the absence of waiver, these protections shall apply to the Project.
EXHIBIT 10
(Page 5 of 6)

D. Acceptance

The __________________ does hereby adopt and accept all terms and conditions of this Special Section 5333(b) Warranty.

Name of Applicant

Furthermore, the __________________ assures that this agreement will be in force during the contractual period with the Georgia Department of Transportation for assistance under Section 5311 of the Federal Transit Act.

(Name of Applicant)

Executed this ______________ day of __________, 20____.

___________________________________________________
Signature of Authorized Officer

___________________________________________________
Title of Authorized Officer
<table>
<thead>
<tr>
<th>Project Description (listing of capital equipment, type of service provided)*</th>
<th>Recipients</th>
<th>Other Surface Public Transportation Providers (include taxis)</th>
<th>Union Representation of Employees, If Any</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
EXHIBIT 11
(Page 1 of 3)

FTA TITLE VI DATA COLLECTION AND REPORTING

All applicants for FTA funding are required to maintain and provide GDOT and FTA with certain Title VI information. The required information is outlined in Part I - General Reporting Requirements. Updated information should be provided to the Department as conditions warrant, but at a minimum, Part I should be submitted annually.

Part II - Grantees Monitoring Procedures - For the purpose of this section, FTA is requiring that all grants that provide public transit service develop and implement procedures to monitor their level and quality of transit service to determine compliance with Title VI. These comparisons of the level and quality of transit service provided to the minority community, against overall system averages, will measure the actual realization of established service policies and standards. FTA requests that the following methodologies be incorporated in the grantee’s monitoring procedures for reviewing levels and quality of service (this is to be done annually). The information should be relevant to the organizational entity actually submitting the application, not necessarily the larger agency or department of which the entity is a part.

Part I - General Reporting Requirements:

1. A list of any active lawsuits or complaints naming the applicant which allege discrimination on the basis of race, color, or national origin with respect to service or other transit benefits. The list should include:
   (a) The date the lawsuit or complaint was filed;
   (b) A summary of the allegation; and
   (c) The status of the lawsuit or complaint.

2. A description of all pending applications for financial assistance, and financial assistance currently provided by other federal agencies.

3. A summary of all civil rights compliance review activities conducted in the last three years. The summary should include:
   (a) The proposed reason for the review;
   (b) The name of the agency or the organization that performed the review;
   (c) A summary of the findings and recommendations of the review; and
   (d) A report on the status and/or disposition of such findings and recommendations.
EXHIBIT 11
(Page 2 of 3)

STANDARDIZED MONITORING PROCEDURES

Part II - Grantees Monitoring Procedures

I. Level of Service Methodology - This section will examine the recipients, minority community, service policy and standards. Census breakdowns must be obtained from the latest U.S. Census report, which is available at any RDC, MPO, or County Commissioner’s Office.

A. Select Cities/Counties that have a minority population which can be monitored and analyzed when collecting data (service should be monitored at a minimum of one month).

1. Select City/County where Section 5311 transportation is provided.
2. Look at each City/County area where service is provided and determine the percentage of minority population to total population.

B. Using the criteria listed below; provide an overview of the transit service:

1. Type of service
2. Days and hours of operation
3. Number of vehicles
4. Number of wheelchair equipped vehicles
5. Total seating capacity
6. Service area

C. Conduct a survey using the criteria listed below to determine the performance of rural transit in the area:

1. Total number of trips
2. Total number of trips provided to minorities
3. Percentage total (minority trips / total number of trips)

D. Review the transit service provided and the provider’s standards and policies. Make sure all State, Federal, Civil Rights and Title VI mandates and requirements are met. Also, in cases where there are findings, give recommendations.

E. Compare the average performance for each City/County transit system to the grantee’s service policies and standards. If there are findings, give recommendations.
II. **Quality of Service Methodology** - This section will determine whether the quality of service is consistent among different user groups and the degree to which transit service is responsive to minority needs (service should be monitored at a minimum of one month).

A. Select Cities/Counties where rural transit service is provided.

B. Conduct a survey and identify the users travel pattern (shopping trips, work trips, medical trips, etc.).

C. Conduct a survey and identify the travel pattern for minorities and non-minorities (shopping trips, work trips, medical trips, etc.).

D. Give a transit cost analysis using the survey results which identify the minority and non-minority travel pattern. Select the top three most traveled destinations and respond to the questions listed below:

1. Cost per hour for transit service
2. Total cost of trip destination
3. Cost per mile of trip to destination

E. In using this methodology, the grantee must compare the overall quality of service of minorities with non-minorities and take action on the disparities
EXHIBIT 12

Substance Abuse Certification

I, ___________________________________,_______________________________,
(Type or Print Name of Official) (Type or Print Title of Official)

Certify that ________________________________________ and its contractors, as required,
(Type or Print County or City)

for the Section 5311 Rural Public Transportation Program, has established and implemented an alcohol
misuse prevention program and anti-drug abuse program in accordance with the terms of 49 CFR, Part 655.

I further certify that the employee training conducted under this part meets the requirements of 49 CFR, Part 40.

__________________________________________________________
(Signature of Official)

(Date) ________________

This certification must be written on Agency letter head.
EXHIBIT 13

CERTIFICATION OF EQUAL ACCESS FOR PERSONS WITH DISABILITIES

(Required only for purchase of vehicle without access features required in 49 CFR part 38)

I hereby certify that when viewed in its entirety, the demand-responsive transportation program of __________________________ provides disabled persons with access equal to that afforded to any other persons 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 ________, 20__.

___________________________________________________________________________________________
(Signature)

___________________________________________________________________________________________
(Typed/Printed Name)

___________________________________________________________________________________________
(Title)

Please complete the attached ADA Equivalency Analysis for Demand-Responsive Public Transportation form and submit it with the application.
Exhibit 13 (continued)

ADA Equivalency Analysis for Demand-Responsive Public Transportation

Completion of this form is only required before purchase of a vehicle that is not equipped with the access features required in 49 CFR Part 38, along with completion of the Certification of Equal Access for Persons with Disabilities.

Under GDOT policy, all grantees must have at least one lift-equipped vehicle (a vehicle that has all the required access features), and must have a sufficient number to offer equivalent service to persons with disabilities, when the program is viewed in its entirety, based on the criteria shown below. No non-accessible vehicles can be ordered unless the system is providing equivalent service for each of the criteria.

Vehicle Accessibility Status:

1) Total Current Section 5311 Demand-Responsive Fleet: ____________ vehicles
2) Total Current Section 5311 Demand-Responsive accessible (lift-equipped): ____________ vehicles
3) Total Section 5311 vehicles requested in this grant application:
   (a) ____________ Accessible Vehicles
   (b) ____________ Non-Accessible Vehicles
4) Total Projected Fleet at end of this Application Period:
   (a) ____________ Accessible Vehicles
   (b) ____________ Non-Accessible Vehicles

If the answer to question 3(b) is greater than zero, the applicant must complete all cells in this matrix:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>For Persons Without Disabilities</th>
<th>For Persons with Disabilities Requiring an Accessible Vehicle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Response Time (days or hours in advance that a trip must be scheduled):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fares: General Public fares</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Geographic area of service availability:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hours and days of service availability:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Criteria</td>
<td>For Persons Without Disabilities</td>
<td>For Persons with Disabilities Requiring an Accessible Vehicle</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>----------------------------------</td>
<td>---------------------------------------------------------------</td>
</tr>
<tr>
<td>Trip or usage restrictions based on trip purpose:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Availability of information and reservations capabilities:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any constraints on capacity or service availability:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If there are any differences in the answers between the two answer columns, please explain:
_______________________________________________________________________________
_______________________________________________________________________________
_______________________________________________________________________________
_______________________________________________________________________________
_______________________________________________________________________________

Are there any requests for service that would require a wheelchair lift that you are presently unable to meet? If yes, please describe in terms of number, frequency, characteristics (trip purpose, location, etc.)
_______________________________________________________________________________
_______________________________________________________________________________
_______________________________________________________________________________
_______________________________________________________________________________
_______________________________________________________________________________

Do these unmet trip requests differ in type or kind from unmet trip requests by persons who do not need an accessible vehicle?
_______________________________________________________________________________
_______________________________________________________________________________

If there are any differences in the service characteristics for persons with and without disabilities, or if there are unmet requests for accessible demand-responsive service, the system should request lift-equipped, fully accessible vehicles until fully equivalent service can be provided.
APPENDIX A
SECTION 5311 APPLICATION SCHEDULE FOR

**JUL**
- Vehicle Insurance Updates
- Park N Ride lots Inspections/ Reports
- Subrecipient to submit the Rural Transportation Monthly Reporting form for previous month to GDOT to update tracking in AMIS
- Subrecipient to submit final monthly reimbursement form for previous month.
- GDOT to issue payment

**AUG**
- Letters to non-participating counties informing them of the availability of funds for the next FY
- Subrecipient to submit the Rural Transportation Monthly Reporting form for previous month to GDOT to update tracking in AMIS
- Subrecipient to submit monthly reimbursement form for previous month and GDOT to issue payment
- Subrecipient to submit a closeout request to GDOT after final reimbursement has been received
- GDOT to close out the FTA grant

**SEPT**
- Quarterly Districts Conference Call/Meeting
- Evaluate prices for Capital Equipment for current fiscal year ("FY") and next 3 FY
- Subrecipient to submit the Rural Transportation Monthly Reporting form for previous month to GDOT to update tracking in AMIS
- Subrecipient to submit monthly reimbursement form for previous month and GDOT to issue payment

**OCT**
- Subrecipients to approve Budgets and PTCs to create Rural Transportation Improvement Program (RTIP)
- Conduct Substance Abuse Awareness Training
- Submit DOL letters
- Subrecipient to submit the Rural Transportation Monthly Reporting form for previous month to GDOT to update tracking in AMIS
- Subrecipient to submit monthly reimbursement form for previous month and GDOT to issue payment

**NOV**
- Subrecipient to complete Section 5311 Applications and submit to GDOT
- DBE reports submitted by subrecipients and reviewed
- Quarterly Districts Conference Call/Meeting
- Subrecipient to submit the Rural Transportation Monthly Reporting form for previous month to GDOT to update tracking in AMIS
- Subrecipient to submit monthly reimbursement form for previous month and GDOT to issue payment

**DEC**
- Subrecipient to complete Section 5311 Applications and submit to GDOT
- DBE reports submitted by subrecipients and reviewed
- Quarterly Districts Conference Call/Meeting
- Subrecipient to submit the Rural Transportation Monthly Reporting form for previous month to GDOT to update tracking in AMIS
- Subrecipient to submit monthly reimbursement form for previous month and GDOT to issue payment
Appendix A contd. 1

**JAN**
- GDOT to finalize all Section 5311 budget
- Perform Park N Ride Lots Inspections and Reports
- Vehicle Insurance Updates
- Subrecipient to submit the Rural Transportation Monthly Reporting form for previous month to GDOT to update tracking in AMIS
- Subrecipient to submit final monthly reimbursement form for previous month and GDOT to issue payment

**FEB**
- D&A File updates mailed out
- Subrecipient to submit the Rural Transportation Monthly Reporting form for previous month to GDOT to update tracking in AMIS
- Subrecipient to submit monthly reimbursement form for previous month and GDOT to issue payment
- Drug and Alcohol reports due to PTC/GDOT

**MAR**
- Application for 5311 funds filing in TEAM
- Quarterly Districts Conference Call/Meeting
- Send out close out letters for contracts expiring in December
- Conduct Annual Vehicle Inspections and Reports
- Subrecipient to submit the Rural Transportation Monthly Reporting form for previous month to GDOT to update tracking in AMIS
- Subrecipient to submit monthly reimbursement form for previous month and GDOT to issue payment
- Substance Abuse Awareness Training
- Perform Park N Ride Lots Inspections and Reports
- Subrecipient to submit the Rural Transportation Monthly Reporting form for previous month to GDOT to update tracking in AMIS
- Subrecipient to submit monthly reimbursement form for previous month and GDOT to issue payment
- Complete Risk Questionnaires for subrecipients (PTC)

**APR**
- Anticipated FTA approval of funds for next FY (GDOT has 90 days to execute the contract with subrecipient)
- Substance Abuse Awareness Training
- Perform Park N Ride Lots Inspections and Reports
- Subrecipient to submit the Rural Transportation Monthly Reporting form for previous month to GDOT to update tracking in AMIS
- Subrecipient to submit monthly reimbursement form for previous month and GDOT to issue payment
- Complete Risk Questionnaires for subrecipients (PTC)

**MAY**
- GDOT to provide subrecipients with contracts for next FY
- Drugs & Alcohol Monitoring Interviews and File Updates
- Develop new Section 5311 Calendar
- Subrecipient to submit the Rural Transportation Monthly Reporting form for previous month to GDOT to update tracking in AMIS
- Subrecipient to submit monthly reimbursement form for previous month and GDOT to issue payment
- Conduct full scale Compliance Reviews (PTC)

**JUN**
- GDOT to fully execute a contract with subrecipient no later than 90 days after FTA approval
- DBE reports submitted by subrecipients and reviewed
- Quarterly District Coordinators Conference Call/Meeting
- Subrecipient to submit the Rural Transportation Monthly Reporting form for previous month to GDOT to update tracking in AMIS
- Subrecipient to submit monthly reimbursement form for previous month and GDOT to issue payment
- Conduct full scale compliance reviews (PTC)
APPENDIX B

Georgia Department of Transportation

District Offices & Boundaries
APPENDIX C
PROGRAM GUIDELINES AND REQUIREMENTS
FOR
RURAL PUBLIC TRANSPORTATION PROGRAMS

Definitions:

Guideline: Suggested procedure or performance level to be addressed by operator; serves as a benchmark for GDOT review of applications, reports, invoices etc. Budget amounts or performance results that do not meet the guidelines need to be explained or justified.

Requirement: Mandatory action or performance—must be completely addressed for operator to be in compliance.

OPERATIONS:

Guidelines:

• Vehicles should be utilized to produce 500 one-way passenger trips (OWPT) per vehicle month or be operated a minimum of 120 hours per month or 1,000 vehicle miles per vehicle per month, on average.

Requirement:

• The State will conduct annual vehicle inspections. These inspections may be conducted by GDOT or the Department of Human Resources.

BUDGET:

Guidelines:

• Program goal is that the Administrative Cost to Total Operating Cost ratio not exceed 20%, based on actual costs to the local transit program. If the grant budget shows a ratio higher than this, the application should include an explanation and justification, relating the proposed costs to previous year expenditures and/or predicted changes.
• The target cost of vehicle insurance is $2,500 per vehicle per year. If the grant budget shows a cost higher than this, the application should include an explanation and justification, relating the proposed costs to previous year expenditures and/or predicted changes (e.g. insurance bills).
• Line item cost increases included in the grant application budget that exceed 5% over the previous year should be accompanied by an explanation/justification relating the proposed costs to previous year expenditures and/or predicted changes. Increases greater than this may be subject to further review by GDOT.
Requirements:
• Fares must equal a minimum of 10% of the total budget minus the fully allocated operating cost of Purchase of Service (POS). This is achieved by subtracting the 10% from the total operating budget.
• Copies of proposed POS agreements must be provided to GDOT, with completed cost allocation table attached, if applicable.
• Copy of Proposed Third Party Operator Agreement must be attached, if applicable.
• Drug and alcohol testing costs should not exceed $1,250.00 per program (without an explanation or justification).

RTIP:

Guideline:
• RTIP operating budgets should be based on actual operating expenses from the previous operating year (included with the final invoice), adjusted to reflect predicted changes (more operating funds for an expansion vehicle, predicted fuel cost increases, etc.)

Requirements:
• RTIP budgets must be updated annually.
• Application budgets cannot exceed RTIP or STIP figures (Administrative / Operating and Capital).
• Equipment budgets cannot exceed RTIP or STIP amounts.
• Vehicles to be replaced must be identified by the four digit DOT number in the RTIP and the Project Description in the grant application.

CAPITAL:

Requirements:
• Capital Equipment, if requested, must be in the RTIP.
• Copy of unexpired Mobile Radio license attached, if applicable.
• Capital items must reflect the prices in Appendix I of this application package.
• At least one vehicle per fleet must be equipped with a lift (However, it is the responsibility of each Section 5311 provider to meet the current demands of the disabled population, and if one lift-equipped vehicle is not sufficient to meet that demand, then additional vehicles will be required).
• Vehicles to be replaced must be up to five years (delivery date to application) or have over 100,000 miles by June 30.
• Expansion Vehicles must be adequately justified and included in the Comments section of the Section 5311 Application Submission Sheet.
APPENDIX D
PRIVATE ENTERPRISE COORDINATION REQUIREMENTS

Requirements 1-3 are addressed in the application process (Exhibit 8A).

1. The current participation of private providers in Section 5311 supported services.

2. All efforts to provide written notice to private providers of proposed services.

3. All forums, meetings, hearings, or other opportunities for involving the private sector early in the project development process.

The remaining requirements 4-9 are to be addressed as appropriate, maintained on file, and kept current by the applicant.

4. Methods for periodically reviewing services to determine whether they can be provided more efficiently by the private sector.

5. Description of private sector proposals, if any, offered for consideration, and the rationale for inclusion and exclusion.

6. Any locally established criteria for making public/private service decisions.

7. The local methodology for making true cost comparison when there are two or more operators interested in providing service.

8. Any complaints from private operators and how these were resolved.

9. The local mechanism for resolving conflicts or complaints involving private operators.
APPENDIX E

PUBLIC HEARING REQUIREMENTS
(For capital assistance projects that require a public hearing)

The application should include the results of a public hearing. The procedures relating to the public hearing format are outlined below:

1. Notice of Public Hearing

   A) When a public hearing is to be held, a notice of public hearing shall be published at least twice in a newspaper having general circulation in the vicinity of the proposed undertaking. The notice should also be published in any newspaper having a substantial circulation in the area concerned; such as foreign language newspapers and local community newspapers. The first of the required publications shall be from 30-40 days before the date of the hearing, and the second shall be from 5 to 12 days before the date of the hearing. The timing of additional publications is optional.

   B) Each notice of public hearing shall specify the date, time, and place of the hearing and shall contain a description of the proposal. To promote public understanding, the inclusion of a map or other drawing as part of the notice is encouraged.

2. Conduct of Public Hearing

   A) Public hearings are to be held at a place and time generally convenient for persons affected by the proposed undertaking.

   B) If a hearing is scheduled, it must be conducted even if no one from the public sector is in attendance. The hearing should be opened and the contents of the application presented. After the presentation, the opportunity for oral comment should be given prior to closing the hearing. The transcript of the hearing should reflect that the contents of the application were presented and the opportunity for public comment given.

   C) Provisions shall be made for submission of written statements and other exhibits in place of, or in addition to, oral statements at a public hearing. The procedure for the submissions shall be described in the notice of public hearing. The final date for receipt of such statements or exhibits shall be at least ten days after the public hearing.

3. Transcript

   A) The APPLICANT shall provide for the transcript of the oral proceedings at each public hearing. A copy of the transcript, advertisements and publisher affidavit is to be incorporated into the grant application.
APPENDIX F

CHARTER POLICY AND PROCEDURES

GDOT/FTA CHARTER SERVICE POLICY

Section 5311 subrecipients, and their contractors, are prohibited from using federally-funded equipment and facilities to provide charter service. This prohibition applies to bus or van services provided by subrecipients or third party contractors that provide bus or van services financed or funded in part or wholly with Section 5311 funds.

GDOT will allow the transportation of local elected officials and government personnel on FTA funded vehicles. The conveyance of government officials must not exceed 80 hours within any given year. The provider must notify GDOT in writing whenever this occurs and providers must also report the hours and associated activities in FTA TEAM. For more information on this activity and reporting, please call your local PTC.

Details on these requirements can be found in 49 CFR Part 604 as amended.
APPENDIX G
(Page 1 of 8)

REGULATORY REQUIREMENTS OF
THE RURAL PUBLIC TRANSPORTATION PROGRAM

FTA Title VI Data Collection and Reporting

Grantees Monitoring Procedures - For the purpose of this section, FTA is requiring that all grantees providing public transportation services develop and implement procedures to monitor their level and quality of transit service provided to the minority community, against overall system averages, measure the actual realization of established service policies and standards. FTA requests that the methodologies be incorporated into the grantee’s monitoring procedures for reviewing levels and quality of service (shown in Exhibit 11). Part I and II must be done annually.

Department of Labor Special Section 5333(b) Warranty
FTA requires all grantees to indicate in writing that it accepts the terms and conditions of the “Special Section 5333(b) Warranty for Application to the Small Urban and Rural Program.” This is shown in Exhibit 10. The Special Warranty has been certified by the Secretary of Labor as providing protections satisfying the requirements of Section 5333(b). Exhibit 10 consists of six pages. Please complete and send in by November 5, 2007. Provide information requested on pages 1, 5, and 6. Please pay special attention to page 6 of 6 and provide all the information requested, such as the project description, other surface public transportation providers (including taxis), and union representation.

Distribution of Funds

The distribution of funds for the Section 5311 Program, the non-urbanized population of each County is taken into account in the allocation of funds. The Section 5311 formula for allocation proportions project funds based on non-urbanized population and land area relative to the total for the state. Only 70% of the project monies are apportioned; 30% is set aside for discretionary programs and to supplement County and Congressional District allocations for eligible projects.

Annual Program of Projects

The Program of Projects is developed annually as part of the Department’s submission to the Federal Transit Administration. The Program of Projects reflects the results of statewide planning and of application submitted by the Counties for Section 5311 Programs. The Program of Projects reflects the Department’s estimated program of Section 5311 activities for the following year. Before a project can be included in Category A of the Program of Projects, it must meet all the criteria set forth for fundable projects. Category B projects may be included if it is the County’s intention to complete the eligibility requirements within the period of the grant. Category C projects are not identified; this represents a temporary category for unexpected requirements of projects listed in Categories A and B or any new projects which might be identified after the application cycle has been completed.
State Administration and Technical Assistance Program

The GDOT through its District Offices, workshops and seminars provides technical assistance in the preparation of grant applications as well as program development, administration and operation. The Department utilizes 15 percent of apportioned funds for administration, planning and technical assistance in support of these programmed activities. Funding for additional technical assistance and training is provided through the Rural Transportation Assistance Program (RTAP).

Coordination

The Department coordinates with other State agencies to encourage coordination at the local level. Through the state’s Intergovernmental Consultation Process, projects are coordinated with all relevant state agencies and local agencies. This assures that the scope and all interested individuals know nature of the proposed project and they can comment on how the project complements other activities.

The Department also encourages coordination with other projects and transportation consumers. The Department has a Service Policy which sets out major criteria for project operations. The Service Criteria requires that the system should recover, at a minimum, 10% of its public transportation cost from farebox revenue generated through regular operations, with a goal of 20%. Cooperative agreements with other transportation consumers may be obtained through purchase of service agreements at the fully allocated cost.

Incidental Use

During periods when a vehicle is not needed for specific grant related purposes, it may be used for other services only if such use is incidental to the primary purpose of the vehicle and does not interfere with the use of the vehicle for its grant intended purposes. All drivers for this use are required to be Section 5311 program drivers and activity should meet the Fully Allocated Cost (FAC).

Private Enterprise Coordination

As part of the application approval process each applicant must assure that all private for-profit providers have been notified of the proposed project and that they have had adequate opportunity to present their views and offer service proposals for consideration. Other requirements of the ongoing program are reviewed annually in the program compliance certification review described later in this document.

Complaints should be resolved at the local level. Accordingly, a discrete local mechanism, preferably independent, should be established for resolving disputes in a manner which assure fairness to all parties. Complaints which cannot be resolved at the local level will be resolved at the State level according to the Rules and Regulations of Georgia Chapter 672-05 “Contested Cases under the Administrative Procedure Act”.
Computer Equipment and Software

The use of computers can assist public transportation operators by facilitating the effective use of operations and fiscal information to improve public services. Laptop computers are also eligible capital expense.

Intercity Bus Transportation

The Georgia Intercity Bus Program provides public transportation to points throughout the state, both rural and urban. The Program consists of three elements: Vehicle Purchase, Signage, Facilities and Marketing program. GDOT purchased intercity bus coaches which are been leased to Greyhound and Southeastern Stages through the FTA Section 5311(F) Intercity Bus Program. Of the total project cost 80 percent is federal while the remaining 20 percent is the local match from the private carriers. Future project includes hiring a consultant to complete a new study.

Buy America Public Interest Waiver

On Wednesday, March 15, 1995, FTA issued a public interest waiver under 49 U.S.C. and 49 C.F.R. 661.7(b) to exempt from its Buy America requirements, all purchases made with FTA financial assistance, including capital, planning and operating where the cost is $2,500.00 or less. This exemption covers many small purchases including office and janitorial supplies, furnishings, maintenance supplies, equipment and other small purchases. The goal of this public interest waiver is to eliminate or reduce the administrative burdens associated with FTA requirements. On July 24, 1995, FTA raised the threshold for a small purchase to $100,000.

Vehicle Insurance and Driver Requirements

The Georgia codes and federal regulations require the following:

1. **Vehicles with maximum capacity of 15 passengers or less** - Liability coverage in an amount of $100,000 for death or injury of one (1) person, $300,000 in the event of injury or death of two (2) or more persons in a single accident including liability to and employees engaged in operation of the vehicles, and $50,000 for property damage.

2. **Vehicles with capacity over 15 passengers** - Liability coverage in an amount of $100,000 for the death or injury of one (1) person, $500,000 in the event of injury or death of two (2) or more persons in a single accident including liability to any employees engaged in operation of the vehicles, and $50,000 for property damage.

3. Collision, fire, theft and comprehensive coverage in an amount required to pay for any damages to the project vehicles and equipment.

4. All drivers of project equipment must possess a valid license. Georgia law requires a Commercial Driver’s License (CDL) to operate a vehicle designed to transport more than 15 passengers (including driver). The CDL also requires a physical examination every two years. Contact the Department of Motor Vehicles for details regarding licensing requirements. These requirements apply to drivers involved with charter service as well.
State Program Management

1. Use - Equipment shall be used for the purposes detailed in the grant application to the State. The conditions of the State application and capital contract apply for as long as the equipment is needed or for the useful life of the equipment. When vehicles are no longer needed for the purposes outlined in the application, or after useful life is completed, equipment may be used in other activities as approved by the State. At no time may equipment be used for exclusive transportation or to compete unfairly with private companies.

2. Management of Equipment - Property records must be maintained to include the following:

   * description of the property
   * Serial number or other identification number
   * the source of property
   * identification of title holder
   * acquisition date
   * original cost of property
   * date of disposal
   * sale price of property

The State will also maintain vehicle records; local areas are required to report any change in vehicle status immediately. Local subrecipients must maintain records with the above information for computers, office equipment, furniture, or any other property paid for with Federal funds.

Local area operators are required to follow manufacturer’s recommended maintenance schedule for vehicles and equipment.

3. Capital Disposition - The District Public Transportation Coordinator, using any or all of the evaluation criteria listed below as a general guidance, will make an evaluation of a vehicle’s condition and useful life. In the event the District Public Transportation Coordinator concludes that the vehicle should be surplused, then a recommendation will be made to the Division of Intermodal Programs. Counties may purchase vehicles back by following DOAS disposition procedures.

   **Criteria for Replacement of Vehicles:**

   A. 100,000 miles or five years by June 30, of year of application or by December 31 of application year.
   B. The vehicle is unserviceable and rehabilitation is not cost effective
   C. Vehicle utilization and productivity generally meets current GDOT operating criteria (Appendix D – operations)
APPENDIX G
(page 5 of 8)

4. **Procurement** - Procurement must conform to the Official Code of Georgia Annotated Title 50, Chapter 5, Article 3, and State Purchasing. The *Georgia Procurement Manual* issued by the Department of Administrative Services details requirements. Procurement must be approved prior to purchase. Purchase of unnecessary or duplicative items must be avoided. Grantees are required to analyze procurement and to investigate alternatives that will result in an economical approach. Records at a minimum must include the following:

* method of procurement
* selection of contract type
* selection of contractor
* basis for procurement

The Agency Purchasing Manual can be found at the following website address:

Purchases should be made through DOAS unless otherwise approved.

5. **Vehicle Monitoring Program** - All public transportation vehicles and equipment will be inspected annually in March-April by GDOT or Department of Human Services personnel using a common form. It is not intended that the vehicle inspection should substitute for or satisfy in any way State or Federal requirements for vehicular or passenger safety. However, should the vehicle condition result in reasonable doubt relative to the contractual requirement that the vehicle be maintained in good operating condition, the inspector may request the vehicle be withdrawn from service pending evaluation and correction of the deficiency. The District Representative may require non-critical deficiencies be corrected within 15 days of the inspection without the withdrawal of the vehicle from service.

**Vehicle Maintenance Requirements**

Subrecipients must have the technical and managerial capability to maintain FTA-funded equipment and facilities. Project equipment and facilities must be maintained at a high level of cleanliness, safety, and mechanical soundness. All accessibility features and equipment must be kept in operating condition. Subrecipients must have procedures to track when preventive maintenance inspections are due and to schedule preventive maintenance inspections in a timely manner.
APPENDIX G
(page 6 of 8)

Subrecipients must have a pre-trip inspection program that addresses vehicle condition, appearance, cleanliness, and safety. Deficiencies noted in a pre-trip inspection must be repaired in a timely manner and properly reviewed by management. Include some detail of your pre-trip inspection or checklist. GDOT may provide separate guidance on vehicle maintenance, including recommended pre-trip inspection forms.

Subrecipients must repair accessibility features promptly and take reasonable steps to continue service to persons with disabilities while repairs are made. Subrecipients must maintain a file on each FTA funded vehicle that contains daily logs, pre-trip inspection checklists, and repair records.

6. Program Monitoring - Monitoring of service is an established part of the program. The various monitoring activities assure compliance with the contract agreement, service goals, objectives, types of service provided and service criteria. Examples of monitoring techniques include site inspections, riding vehicles and interviews with system directors, transportation coordinators, dispatchers and drivers.

The monthly vehicle utilization report is required to be updated on the vehicle module of RMIS monthly.

Grantees must retain and provide access to program records and other records that are maintained as part of the program regulations or the grant agreement, or otherwise pertinent to the program. Records must be retained for three years after the disposition of the equipment.

7. Drug and Alcohol Testing Monitoring – The Department will monitor drug and alcohol testing programs. The new requirements published by FTA are outlined below.

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. In February 1994, Federal Transit Administration “FTA” adopted drug and alcohol testing rules, which were promulgated at 49 CFR part 655 as amended. The Act of 1991 required FTA to issue regulations requiring recipients of funds under 49 United States Code 5307, 5309, and 5311 to test safety-sensitive employees for the use of alcohol or drugs in violation of the law or federal regulation.

As a condition of FTA funding, the Act requires recipients to ESTABLISH alcohol and drug testing programs (POLICY). The Drug/Alcohol Testing Policy must be approved by GDOT prior to execution of new contract. The Act mandates four types of testing:

(1) Pre-Employment (2) Random (3) Reasonable Suspicion (4) Post Accident.

In addition, the Act permits return- to- duty and follow-up testing under specific circumstances. The Act requires that recipients follow the testing procedures set out by the Department of Health and Human Services (DHHS). The Act does not require recipients to follow a particular course of action when they learn a safety-sensitive employee has violated a law or Federal regulation concerning alcohol or drug use. Rather, the Act directs FTA to issue regulations establishing consequences for the use or abuse of alcohol or drugs in violation of FTA regulations. Possible consequences include Education, Counseling, Rehabilitation programs and Suspension or Termination from employment.
8. **Financial Management** - The GDOT’s Fiscal Accounting and Control System (FAS) facilitates preparation of federally mandated program reports. The FAS tracks expenditures to assure conformance with these requirements.

9. **Reimbursement Guidelines** - The Section 5311 program is an ACTUAL COST reimbursement program which uses "generally accepted accounting principles" and the *Standard for Audits of Governmental Organizations, Programs, Activities, and Functions*, developed by the Comptroller General, dated February 27, 1981. Rural Public Transportation Programs are a partnership between the County/City and the Georgia Department of Transportation. The contract between the two parties is for a specific period of time, usually one year, and specifies a financial relationship between the parties. The financial relationship, which involves cost sharing throughout the contract performance period, must be consistent throughout the Section 5311 program. It is expected that each line item within the budget will be reimbursed through the life of the contract. If there are six months remaining on a twelve month contract, it is expected that approximately half of each line item would still be available for reimbursement.

10. **Audit and Contract Close-out Procedures**—The subrecipient is responsible for the conduct and submission of an annual audit under the Single Audit Act of 1984, as amended, following the guidelines set forth in OMB Circular A-133. The audit must be performed by an independent certified public accountant and should include: 1) a report of federal financial assistance, 2) the auditor’s report on the study and evaluation of internal control systems, 3) compliance with applicable laws and regulations and, 4) a report of any findings or questioned costs. The subrecipient public agency is responsible for the submission of the audit report to GDOT within 30 days of its completion and not later than nine months from the fiscal period covered by the audit. The public agency has six months to file notice of corrective action it has taken upon notification of any findings or questioned costs.

    Contract close-out procedures can be initiated in one of several ways. One way is initiated by the subrecipient. Upon completion of reimbursement for all capital items intended for purchase, the subrecipient must submit a final close-out letter (Appendix J) to the District PTC for their review/recommendation. The District PTC will then forward this to the Division of Intermodal Programs (OIP) for approval. In closing out operating contracts, the subrecipient must submit the final reimbursement (also in Appendix J) along with the close-out letter to the District PTC for their review/recommendation. The District PTC will then forward this to the OIP for approval. Per the contract, the county/city has up to 90 days after the contract expiration date to submit the final reimbursement request. If this is not done within the 90 day period, the OIP may at its discretion use the last invoice submitted by the county/city as the final invoice for closing out the contract.

    Alternatively, GDOT will evaluate all grants for close-out potential within three years of activation, or if 95 percent of the funds have been disbursed. Based on this analysis, or upon receipt of final close-out letters and final reimbursement requests, GDOT may initiate closing contracts that have been completed.

    Grantees must retain and provide access to program records and other records that are maintained as part of the program regulations or the grant agreement, or otherwise pertinent to the program. Records must be retained for three years after the disposition of the equipment (for capital projects) and for three years after closeout of an operating grant.

11. **Budget Revisions**—the procedure for submitting budget revisions involves a request for revision from the subrecipient to the District PTC, who will review the request and recommend to the OIP for final review. In order to ensure consistency, a standard budget revision form has been developed and made available for use by the subrecipient (Appendix J-1).
12. **Budget Amendment** - This is a procedure for requesting supplemental funds to cover unanticipated expenses related to a contract, usually for operating assistance. The procedure for submitting budget amendments involves a request for amendment from the subrecipient to the District PTC, who will review the request and transmit it to the OIP for final review. In order to ensure consistency, a standard budget amendment form has been developed and made available for use by the subrecipient (Appendix J-2).

13. **Capital Purchase Request Procedures.** County submits request to district public transportation coordinator who will review for concurrence. If they concur, they will submit request to OIP who will review for concurrence. OIP responds by notifying the district public transportation coordinator whether the county was approved or not. The county gets the results from the district public transportation coordinator. No written request for approval is required if the amount of capital item to be purchased is less than $2,500.00.

**Rural Transit Assistance Program (RTAP)**

The Rural Transit Assistance Program is intended to be a broad and flexible program of training, technical assistance, research, and other support services for non-urbanized transit.

In keeping with the RTAP program objectives, the Department will place particular emphasis on fostering the development of State and local capacity for addressing the training and technical assistance needs to the rural/small urban transportation community. Additionally, the State Program will strive to improve the quality of information and technical assistance available through the development of training and technical assistance resource materials.

**PASS TRAINING**

All drivers of Section 5311 vehicles must be trained and certified under the Passenger Service and Safety Training (PASS) training program. For more information, contact your District PTC.

**NTD REPORTING**

FTA is requiring 5311 recipients to submit a NTD report as a condition for receiving grants. Section 5311(b)(4) specifies that each Section 5311 recipient shall submit an annual report containing information on capital investment, operations, and service provided under Section 5311. Items to be reported include: total annual revenue; sources of revenue; total annual operating costs; total annual capital costs; fleet size and type, and related facilities; revenue vehicle miles; and ridership. The State agency administering FTA’s Formula Program for Non-Urbanized Areas (section 5311) is responsible for ensuring that data is collected and compiled for the data collection and compilation from each Section 5311 subrecipient and transportation provider in the State that benefits from the grant. Specific reporting requirements are included in the NTD reporting instructions manual issued each year. Visit the NTD website at [www.ntdprogram.gov](http://www.ntdprogram.gov) for the most recent rural reporting manual.
## APPENDIX H
### FY 2009 PRICES FOR CAPITAL EQUIPMENT

<table>
<thead>
<tr>
<th>Capital Equipment</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADA Mini Van</td>
<td>$36,200</td>
<td>$37,000</td>
<td>$37,800</td>
<td>$38,600</td>
</tr>
<tr>
<td>Standard Van</td>
<td>$26,000</td>
<td>$26,500</td>
<td>$27,000</td>
<td>$27,000</td>
</tr>
<tr>
<td>Conversion Van</td>
<td>$40,300</td>
<td>$41,000</td>
<td>$41,800</td>
<td>$42,515</td>
</tr>
<tr>
<td>Conversion Van with Lift</td>
<td>$42,100</td>
<td>$42,800</td>
<td>$44,000</td>
<td>$44,000</td>
</tr>
<tr>
<td>Shuttle Van</td>
<td>$42,000</td>
<td>$42,800</td>
<td>$43,000</td>
<td>$43,300</td>
</tr>
<tr>
<td>Shuttle Van with Lift*</td>
<td>$45,200</td>
<td>$46,000</td>
<td>$46,700</td>
<td>$46,700</td>
</tr>
<tr>
<td>Shuttle Bus*</td>
<td>$45,800</td>
<td>$46,500</td>
<td>$47,300</td>
<td>$47,300</td>
</tr>
<tr>
<td>Shuttle Bus with Lift*</td>
<td>$51,600</td>
<td>$52,500</td>
<td>$53,200</td>
<td>$53,200</td>
</tr>
<tr>
<td>Mobile Radio</td>
<td>$1,800</td>
<td>$ 1,900</td>
<td>$ 2,000</td>
<td>$ 2,000</td>
</tr>
<tr>
<td>Base Station</td>
<td>$6,600</td>
<td>$ 6,800</td>
<td>$ 7,000</td>
<td>$ 7,000</td>
</tr>
<tr>
<td>Computer, Printer &amp; Software</td>
<td>$3,300</td>
<td>$ 3,800</td>
<td>$ 4,000</td>
<td>$ 4,000</td>
</tr>
<tr>
<td>Computer &amp; Dispatching Software</td>
<td>$20,800</td>
<td>$21,200</td>
<td>$21,500</td>
<td>$21,500</td>
</tr>
</tbody>
</table>

*For Diesel Engine – Add $27,000
Contract pending*
APPENDIX I
SAMPLE FINAL REIMBURSEMENT/CLOSEOUT LETTER

Public Transportation Coordinator
District Office address

RE: Project No. (ENTER PROJECT NUMBER)
    Capital Improvement/Operating Assistance
    (Specify capital or operating)
    Final Reimbursement Request/Contract Closeout

Dear PTC (Name of PTC),

________________________ requests that project ENTER PROJECT NUMBER be processed for (Subrecipient’s name) closeout. Please find the attached final zero ($0.00) request for reimbursement for this contract. All payments have been received from this contract and we are ready to proceed with closeout of the contract.

If you have any questions on these matters, please contact (ENTER PRINCIPAL CONTACT) at (ENTER PHONE NUMBER).

Sincerely,

Signature of Designated Official
APPENDIX J - 1

EXAMPLE OF BUDGET REVISION
MTG00-0000-00000 - XXX County (Example)
For the Period July 1, 20xx through June 30, 20xx

<table>
<thead>
<tr>
<th>ADMINISTRATIVE BUDGET</th>
<th>ORIGINAL BUDGET</th>
<th>CHANGE</th>
<th>REVISED BUDGET</th>
</tr>
</thead>
<tbody>
<tr>
<td>Director Salary</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Supervisor Salary</td>
<td>5292 (+)528</td>
<td>5820</td>
<td></td>
</tr>
<tr>
<td>Bookkeeper Salary</td>
<td>600</td>
<td>600</td>
<td></td>
</tr>
<tr>
<td>Secretary Salary</td>
<td>500</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Training/Travel</td>
<td>500</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Marketing</td>
<td>500</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Telephone</td>
<td>400 (+)36</td>
<td>436</td>
<td></td>
</tr>
<tr>
<td>Office Supplies</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Rental Expenses</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Standard Overhead</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Computer Software Maintenance</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>500</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>OPERATING BUDGET</th>
<th>XXXXXXXXX</th>
<th>XXXXXXX</th>
<th>XXXXXXXX</th>
</tr>
</thead>
<tbody>
<tr>
<td>Driver Salary</td>
<td>78,000 (+)1863</td>
<td>79,863</td>
<td></td>
</tr>
<tr>
<td>Dispatcher Salary</td>
<td>3000</td>
<td>3000</td>
<td></td>
</tr>
<tr>
<td>Mechanic Salary</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Fuel</td>
<td>7500</td>
<td>7500</td>
<td></td>
</tr>
<tr>
<td>Maintenance and Repair</td>
<td>5000 (-)2,427</td>
<td>2573</td>
<td></td>
</tr>
<tr>
<td>Vehicle Insurance</td>
<td>5292</td>
<td>5292</td>
<td></td>
</tr>
<tr>
<td>Drug/Alcohol Testing</td>
<td>400</td>
<td>400</td>
<td></td>
</tr>
<tr>
<td>License</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Uniforms</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>1200</td>
<td>1200</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>111,834</td>
<td>111,834</td>
<td></td>
</tr>
</tbody>
</table>

Less Revenue 22,367 22,367
Operating Deficit 89,467 89,467
Federal Share (50%) 44,734 44,734
Local Share (50%) 44,734 44,734
### Example of Budget Amendment

**MTG00-0XXXXXXXX (COUNTY)**

For the period January 1, 20xx through December 31, 20xx

<table>
<thead>
<tr>
<th>Administrative Budget</th>
<th>Original Budget</th>
<th>Change</th>
<th>Revised Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Director Salary</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Supervisor Salary</td>
<td>7,409</td>
<td>+22,543</td>
<td>29,952</td>
</tr>
<tr>
<td>Bookkeeper Salary</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Secretary Salary</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Training/Travel</td>
<td>1,000</td>
<td>-1,000</td>
<td>0</td>
</tr>
<tr>
<td>Marketing</td>
<td>210</td>
<td>-210</td>
<td>0</td>
</tr>
<tr>
<td>Telephone</td>
<td>1,389</td>
<td>+1,011</td>
<td>2,400</td>
</tr>
<tr>
<td>Office Supplies</td>
<td>331</td>
<td>-153</td>
<td>178</td>
</tr>
<tr>
<td>Facilities/Equipment Rental</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Standard Overhead</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Computer Software Maintenance</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Audit</td>
<td>525</td>
<td>-525</td>
<td>0</td>
</tr>
<tr>
<td>Other</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Operating Budget</td>
<td>XXXXXXXXXX</td>
<td>XXXXXXX</td>
<td>XXXXXXXX</td>
</tr>
<tr>
<td>Director Salary</td>
<td>81,612</td>
<td>+58,598</td>
<td>140,210</td>
</tr>
<tr>
<td>Dispatcher Salary</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Mechanic Salary</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Fuel</td>
<td>10,972</td>
<td>+2,467</td>
<td>13,439</td>
</tr>
<tr>
<td>Maintenance and Repairs</td>
<td>8,000</td>
<td>-4,208</td>
<td>3,792</td>
</tr>
<tr>
<td>Vehicle Insurance</td>
<td>2,756</td>
<td>+2,718</td>
<td>5,474</td>
</tr>
<tr>
<td>Drug and Alcohol Testing</td>
<td>406</td>
<td>+11</td>
<td>417</td>
</tr>
<tr>
<td>License</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Uniforms</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Communications (Radios)</td>
<td>1,200</td>
<td>0</td>
<td>1,200</td>
</tr>
<tr>
<td>Fringe Benefits</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Supplement Requested</td>
<td>81,252</td>
<td>(81,252)</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>115,810</td>
<td>197,062</td>
<td></td>
</tr>
<tr>
<td>Less Revenue</td>
<td>23,162</td>
<td>39,412</td>
<td></td>
</tr>
<tr>
<td>Operating Deficit</td>
<td>92,648</td>
<td>157,650</td>
<td></td>
</tr>
<tr>
<td>Federal Share (50%)</td>
<td>46,324</td>
<td>78,825</td>
<td></td>
</tr>
<tr>
<td>Local Share (50%)</td>
<td>46,324</td>
<td>78,825</td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX L

FEDERAL MOTOR CARRIER SAFETY
ADMINISTRATION FORMS
(FOR SERVICES CROSSING STATE LINES)
Instructions for Completing Form OP-1
Application for Motor Property Carrier and Broker Authority

I. Overview of Operating Authority

Depending upon the type of business operation (Motor Carrier, Broker, Freight Forwarder, Shipper, Vehicle Registrant, and/or Cargo Tank Facility) and what will be transported (property, hazardous materials, and/or passengers), companies may be required to register for both Interstate Operating Authority (Form OP-1 series or Form OP-2) and USDOT Number (Form MCS-150 series). The Federal Motor Carrier Safety Administration (FMCSA) enforces compliance with the Federal Motor Carrier Safety Regulations (FMCSRs) and the Hazardous Materials Regulations (HMRs), which govern safety and financial responsibility. FMCSA’s registration requirements reflect the focus on both of these concerns.

FMCSA encourages all applicants with Internet access to use the online registration assistant at [http://www.fmcsa.dot.gov/online-registration](http://www.fmcsa.dot.gov/online-registration) in order to determine FMCSA’s registration requirements. Applicants without Internet access can call FMCSA at 1-800-832-5660 for assistance.

Who Needs Operating Authority?

Before beginning interstate operations in the United States (U.S.), all authorized for-hire Motor Carriers of non-exempt property and passengers, Brokers, and Freight Forwarders based in the U.S. or Canada must obtain Operating Authority by submitting the appropriate form(s) in the OP-1 series. For a description of the different types of OP-1 forms and the various FMCSA requirements for obtaining Operating Authority, please see "What Are the Steps in Getting Operating Authority?" (Topic IV) in this packet.

**NOTE:**
- Hawaii-based Motor Carriers that transport household goods, property or passengers within a terminal area (see 49 U.S.C. § 13504) must obtain Operating Authority. Carriers that operate solely within the State of Hawaii and do not transport household goods are not required to obtain Operating Authority.

In addition to Operating Authority, some Motor Carriers of property or passengers must obtain a USDOT Number before beginning interstate operations. Please consult "What Forms Do I Need to Complete?" at [http://www.fmcsa.dot.gov/rep-forms](http://www.fmcsa.dot.gov/rep-forms) which specifies the required forms for both Operating Authority and USDOT Number.

II. How to Apply

Applications may be submitted online or mailed to FMCSA. Compared to mailing, the online method reduces processing time by as much as 2-3 weeks, thus enabling companies to begin their operations sooner. Remember, operations cannot begin until the certificate, permit, or license for Operating Authority has been received. For more information, see "What Are the Steps in Getting Operating Authority?" (Topic IV) in this packet.
Apply Online

Applying online requires the use of a valid credit card (American Express, Discover, MasterCard, or Visa). Those who do not wish to submit their credit card information online must complete the application and payment by mail (see “Apply by Mail” below).

The following tips are encouraged:

- Go to http://www.fmcsa.dot.gov/online-registration and complete the “Step-by-Step Registration Guide” prior to starting the application. The registration guide will lead users through a series of questions. Based upon the answers to the questions, the guide will identify required registration forms and link users directly to the online application form.
- Utilize the form instructions during the completion of the online form. This will help to ensure that the application is completed accurately.

NOTE:

- The applicant’s legal name (or the authorized representative’s name) must match the name and billing address of the credit card.
- Record the MC or FF Number that is provided after approval of the application. This number will be needed on the insurance and process agent forms that are required to complete the application process for obtaining Operating Authority (for more details, see “What Are the Steps in Getting Operating Authority?” Topic IV in this packet). This number may also be needed for any correspondence with the FMCSA.

Apply by Mail

Follow the steps below:

1) Applicants with Internet access are encouraged to go to http://www.fmcsa.dot.gov/online-registration and complete the “Step-by-Step Registration Guide” in order to identify required registration forms.
2) Go to http://www.fmcsa.dot.gov/print-form to download and print the appropriate form(s) and instructions. Applicants may also call FMCSA at 1-800-832-5560 to request an application packet by mail.
3) Follow the instructions to complete the application form(s).
4) Save a copy of the application and all supporting documents for the company’s business records.
5) Mail the completed application form(s), any supporting documents, and payment to one of the following addresses depending upon the type of payment (and method of mail delivery):
   - Check or Money Order (Make payable to the FMCSA in U.S. dollars)
     First-Class Mail
     Federal Motor Carrier Safety Administration
     P.O. Box 70935
     Charlotte, NC 28272-0935
     Express Mail
     QLP Wholesale Lockbox – NC0810
     Lockbox #70935
     1525 West WT Harris Blvd.
     Charlotte, NC 28262
   - Credit Card (MasterCard or Visa only)
     Federal Motor Carrier Safety Administration
     1200 New Jersey Avenue SE, MC-RIO
     Washington, DC 20590

NOTE: Sending payment to the wrong address will delay application processing by 2-3 weeks.
III. What Is the Cost?

Operating Authority ................................................................. $300.00 each

- Form OP-1
  - Motor Common Carrier of Property (except Household Goods)
  - Motor Contract Carrier of Property (except Household Goods)
  - Motor Common Carrier of Household Goods
  - Motor Contract Carrier of Household Goods
  - Broker of Property (except Household Goods)
  - Broker of Household Goods
  - United States-based Enterprise Carrier of International Cargo (except Household Goods)
  - United States-based Enterprise Carrier of International Household Goods

- Form OP-1(P)
  - Motor Common Carrier of Passengers
  - Motor Contract Carrier of Passengers

- Form OP-1(FF)
  - Freight Forwarder of Property (except Household Goods)
  - Freight Forwarder of Household Goods

For descriptions of the different types of Operating Authority, see "SECTION II – Type of Authority" under "How to Complete the OP-1 Application for Motor Property Carrier and Broker Authority" (Topic V) in this packet.

NOTE:

- REFUNDS ARE NOT PERMITTED.

- Each type of Operating Authority requires an additional $300 fee. For example, an application for both Motor Common Carrier of Property and Motor Common Carrier of Household Goods will require two $300 fees for a total of $600. Multiple fees can be combined into a single payment.

- The FMCSA reserves the right to discontinue processing any application for which insufficient payment is received.

IV. What Are the Steps in Getting Operating Authority?

For Motor Carriers, Brokers, and Freight Forwarders based in the U.S. or Canada, the Operating Authority application process includes the six steps shown below. Motor Carriers based in Hawaii or Mexico should see the NOTE in "Overview of Operating Authority" (Topic I) in this packet.

Step 1: Applicant submits OP-1 and/or OP-1(P) and/or OP-1(FF)

Step 2: Applicant receives MC or FF Number

Step 3: 10-day protest period

Step 4: Insurance Company files form(s) with FMCSA

Step 5: Applicant or Process Agent files Form BOC-3 with FMCSA

Step 6: Applicant begins operation AFTER receiving certificate, permit, or license for Operating Authority from FMCSA

Instructions for Form OP-1 (Revised 8/13/2007)
Step 1 – Application for Operating Authority

Motor Carriers, Brokers, and Freight Forwarders begin the Operating Authority application process by submitting one (or more) of the following forms with the appropriate application processing fee:

- **OP-1** - Operating Authority for:
  - **Motor Carrier** (common property, contract property, common household goods, or contract household goods)
  - **Broker** (property or household goods)
  - **United States-based Enterprise Carrier** (international cargo or international household goods)
- **OP-1(P)** - Operating Authority for **Motor Passenger Carrier** (common or contract)
- **OP-1(FF)** - Operating Authority for **Freight Forwarder** (property or household goods)

**NOTE:**
- For descriptions of the different types of Operating Authority, see “SECTION II – Type of Authority” under “How to Complete the OP-1 Application for Motor Property Carrier and Broker Authority” (Topic V) in this packet.
- To identify the required form(s) for Operating Authority as well as USDOT Number, see “What Forms Do I Need to Complete?” at [http://www.fmcsa.dot.gov/req-forms](http://www.fmcsa.dot.gov/req-forms).

Step 2 – Grant Letter and MC/FF Number

Applicants will receive a grant letter after FMCSA processes and accepts the Operating Authority application as follows:

- If applying online, a Motor Carrier (MC) or Freight Forwarder (FF) Number will be provided immediately and the confirmation grant letter will arrive via mail.
- If applying by mail, the grant letter should arrive via mail in approximately 4 weeks. This letter will include the MC or FF Number. Applicants have the option of checking the status of their application online. See “Information Sources” (Topic VI) in this packet for instructions.

Insurance Companies and Process Agents will use the MC or FF Number to make the appropriate filings on behalf of applicants to complete the application process for obtaining Operating Authority.

**NOTE:** Although an MC or FF Number has been assigned by FMCSA, this does not represent Operating Authority. The applicant may not begin to operate until it has received the corresponding certificate, permit, or license for Operating Authority described in Step 6.

Step 3 – 10-day Protest Period

At the same time the grant letter is mailed, each company’s application for Operating Authority will be published in the FMCSA Register. This publication initiates the 10-calendar-day protest period, during which any individual can file a protest with FMCSA stating why a company should not be issued Operating Authority. FMCSA will accept protests sent by mail as long as they are postmarked by the last day of the protest period. FMCSA will provide the applicant with information on the adjudication process if any protests are filed. During this protest period, Insurance Companies and Process Agents can file the necessary documents detailed in Step 4 and Step 5 below.

To view the FMCSA Register, go to [http://ill-public.fmcsa.dot.gov](http://ill-public.fmcsa.dot.gov) and then follow the steps below:

1. Read the introductory page and then click the “Continue” link
2. Select the “FMCSA Register” option in the dropdown menu and click “Go”
**Step 4 – Insurance**

This step can begin any time after an applicant receives its MC or FF Number as described in Step 2 above and is not dependent on Step 3 being completed. An insurance Company must file the appropriate insurance form(s) on behalf of the applicant within 90 days of the date the application for Operating Authority was published in the *FMCSA Register*. Otherwise, the application for Operating Authority will be dismissed and the application fee will not be refunded. The applicant will receive a warning letter about the 90-day deadline if FMCSA has not received the required documentation within 20 days.

**NOTE:**
- Applicants may not file insurance forms on their own behalf. Therefore, FMCSA does not provide insurance forms to applicants.
- An authorized representative from the home or branch office of an Insurance Company must file the required insurance form(s) on the applicant’s behalf.
- To minimize processing delays, FMCSA recommends filing forms electronically.
- It is the applicant’s responsibility to follow up with the Insurance Company to verify that FMCSA has received and approved the required insurance form(s).
- Failure to promptly submit required forms and documentation will delay application processing and can result in dismissal of the application and loss of the application fee.
- Check the status of insurance filings by either accessing the FMCSA Web site (see “Information Sources” (Topic VI) in this packet for instructions) or calling FMCSA toll-free at 1-866-837-0535 or 202-385-2423 (Monday through Friday, 8 a.m. to 4:30 p.m. c.s.t.).

Depending upon the type(s) of Operating Authority requested, one or more of the following forms must be filed with FMCSA by an insurance Company or financial institution:
- **Form BMC-01 or BMC-01X** for proof of bodily injury and property damage (BI & PD) insurance
- **Form BMC-34** for proof of cargo liability insurance
- **Form BMC-84** for broker surety bond
- **Form BMC-85** for broker trust fund agreement

For specific guidance about which form(s) FMCSA requires, see “Section III: Insurance Information” under “How to Complete the OP-1 Application for Motor Property Carrier and Broker Authority” (Topic VI) in this packet. Also, see 49 CFR Part 387 for more details. To view this information, go to the FMCSA Web site at [http://www.fmcsa.dot.gov](http://www.fmcsa.dot.gov) and search for “387” in the Rules & Regulations search box.

**Self insurance**

Motor Carriers, U.S.-based Enterprise Carriers, and Freight Forwarders may qualify as a self-insurer against bodily injury, property damage, and cargo liability claims, by submitting Form BMC-40 (Application for Authority to Self-Insure) and evidence to the FMCSA to demonstrate the existence of the following:
- Adequate tangible net worth that will cover any liability claims in the event of a loss
- Sound self-insurance program
- Adequate safety program

FMCSA will approve an application to self-insure subject to appropriate and reasonable conditions. For more details about self insurance, see 49 CFR § 387.309 and § 387.411.
Insurance Exemptions

Motor Common Carriers and U.S.-based Enterprise Carriers that transport low-value goods, as specified in 49 CFR § 387.301(b), may request exemption from cargo insurance requirements by submitting the cargo exemption form. Freight Forwarders that will not operate commercial motor vehicles (CMVs) may seek a waiver of liability (BI & PD) insurance requirements. Direct all requests for insurance exemptions and waivers to the FMCSA Insurance Team, Commercial Enforcement Compliance Division, at 1-866-637-0635 or 202-385-2423.

Step 5 – Process Agent

This step can begin any time after an applicant receives its MC or FF number as described in Step 2 above. FMCSA requires each applicant for Operating Authority to designate a Process Agent in every State in which it conducts business or maintains an office. A Process Agent is a representative upon whom court papers may be served in any legal proceeding brought against a Motor Carrier, Broker, or Freight Forwarder.

Motor Carriers of Property and/or Passengers, and CMV-operating Freight Forwarders:

- must designate a Process Agent in each State that they operate in or through.
- can act as their own Process Agent in the State in which they maintain a physical office (P.O. Box address is not considered a physical office).

Brokers and Freight Forwarders that will not operate CMVs:

- must designate a Process Agent in each State in which they maintain an office or establish contracts.
- can act as their own Process Agent in the State in which they maintain a physical office (P.O. Box address is not considered a physical office).

Either the applicant or Process Agent, on behalf of the applicant, can file Form BOC-3 (Designation of Process Agents) with the FMCSA. This form must be filed within 90 days of the date the application for Operating Authority was published in the FMCSA Register. Failure to meet this deadline will result in dismissal of the Operating Authority application and loss of the application fee. The applicant will receive a warning letter about the 90-day deadline if FMCSA has not received the required documentation within 20 days. To minimize processing delays, FMCSA recommends electronically filing Form BOC-3 at http://di-public.fmcsa.dot.gov.

For a fee, many commercial companies will arrange a Process Agent in any State. Some companies offer “blanket coverage,” which designates a Process Agent in every U.S. State. For a list of Process Agent companies, visit the FMCSA Web site at http://www.fmcsa.dot.gov/process-agent. For more details about Process Agent designation, see 49 CFR Part 366.

Step 6 – Certificate, Permit, or License of Operating Authority

After FMCSA has approved the application, insurance, and process agent filings, and the protest period has ended without any protests, applicants are issued Operating Authority in the form of a certificate (Motor Carrier), permit (Freight Forwarder), or license (Broker). Applicants may not begin operations until this official record of Operating Authority is received by mail.

State Regulations and Requirements

In addition to Federal requirements, all applicants must comply with registration, fuel tax, and other State regulations and procedures. Before beginning new or expanded interstate operations, applicants must familiarize themselves with the various State rules applicable to interstate companies in each State in which they plan to operate. Begin this process by contacting the transportation regulatory agency for the State in which the applicant is located.
V. How to Complete the OP-1 Application for Motor Property Carrier and Broker Authority

These instructions will assist companies in accurately completing the application. Incomplete or incorrect applications will be delayed or suspended until the applicant has been contacted and the problems have been resolved. If an application is rejected, the application fee will not be refunded.

NOTE FOR APPLICATIONS THAT WILL BE MAILED:

- Please print clearly in ink or type all information.
- If more space is needed to complete any section on the application form, please attach a separate sheet of paper and label each page with the applicant's legal business name, section number on the form, and item description.
- Retain a copy of the completed application form and any supporting attachments for the company's business records.
- For additional mailing instructions, please see "Apply by Mail" under "How to Apply" (Topic II) in this packet.

SECTION I – Applicant Information

All applicants must complete this section.

FMCSA Authority

Select the "YES" response if either of the following conditions are true:

- Operating Authority was previously issued by the Interstate Commerce Commission (ICC), Federal Highway Administration (FHWA), Office of Motor Carrier Safety (OMCS), or Federal Motor Carrier Safety Administration (FMCSA)
- An application for Operating Authority is currently being processed by FMCSA

If neither of the conditions above apply, then select the "NO" response.

If the "YES" response is selected, indicate the MC/FF Number (for example: MC-999999), which is also called the lead docket number. To search for the MC/FF Number, follow the instructions provided under "MC/FF Number" in "Information Sources" (Topic VI) in this packet.

Legal Business Name

Enter the full legal name of the business entity (i.e., corporation, sole proprietorship/individual, or partnership) that owns/controls the Motor Carrier or Broker operation. This should be the same name that appears on the incorporation certificate, partnership agreement, tax records, etc. Examples are as follows:

- Corporation — Enter the full legal name on the incorporation certificate. This name must include the type of corporation, such as: John Doe Inc. or John Doe LLC
- Sole Proprietorship/Individual — Enter the full legal name, such as: John A. Doe
- Partnership — Enter the full legal names of all partners, such as: John A. Doe and Jane B. Smith

NOTE: To avoid delays in obtaining Operating Authority, the Legal Business Name on the OP-1 application must match the name submitted on insurance documents, Form BOC-3 (Designation of Process Agents), and Form MCS-150 (Application for USDOT Number, which is required for Motor Carriers only).

Doing Business As Name

Leave this item blank unless the Doing Business As (DBA) Name or Trade Name is different from the Legal Business Name entered above. For example: enter "John's Trucking Company" here if the business operates under this name, but John A. Doe is the Legal Business Name.
NOTE: It is important to spell, space, and punctuate the business name the same exact way each time it appears on an application; any difference will be considered a different company. For example: John Jones Trucking Co. Inc.; J. Jones Trucking Co., Inc.; and John Jones Trucking are considered three separate companies.

Business Address
Enter the physical street address of the company's principal place of business. If there is more than one business location, provide the address where most of the company's safety records are maintained. For example: 756 Bounty Street or 15433 State Highway 23.

NOTE: A P.O. Box may not be entered as the Business Address on the OP-1 form. Also, if applying for a USDOT Number, this Business Address must match the Principal Address on the MCS-150 application.

Mailing Address
Enter the mailing address where all correspondence from FMCSA should be sent. Leave this item blank if the Mailing Address is the same as the Business Address.

NOTE: In order to receive pertinent FMCSA notices and verification that insurance documents have been filed on the applicant's behalf, please notify FMCSA of Business or Mailing Address changes by one of the following methods:
- Fax information to 202-366-3477
- Mail information in writing to 1200 New Jersey Avenue SE, MC-RIO, Washington, DC 20590, Attention: Address Change
Please include Legal Business Name and MC Number (also called lead docket number).

Representative
If someone other than the applicant is preparing the application, provide the representative's name, title/position or relationship to the applicant, business address, and business telephone and fax numbers. This representative will be contacted if questions concerning this application arise.

USDOT Number
Enter the USDOT Number if one has been assigned. If not, please consult "What Forms Do I Need to Complete?" at [http://www.fmcsa.dot.gov/treg-forms](http://www.fmcsa.dot.gov/treg-forms) to determine whether a USDOT Number must be obtained.

To find a company's USDOT Number, use either method below:
- Go to [http://safer.fsmsa.dot.gov](http://safer.fsmsa.dot.gov)
  1) Then click "Licensing & Insurance" under "FMCSA Searches"
  2) Enter a Legal Name or DBA Name AND the State in which the company headquarters are located
  3) Click "Search"
- Call FMCSA at 1-800-832-5660

NOTE: All applicants subject to the Federal Motor Carrier Safety Regulations are required to register with the Federal Motor Carrier Safety Administration of the U.S. Department of Transportation before beginning business operations. For more information, please visit FMCSA's Web site at [http://www.fmcsa.dot.gov/online-registration](http://www.fmcsa.dot.gov/online-registration) or call 1-800-832-5660.
Form of Business
Select only one category and provide the requested information:

- Corporation — Provide the name of the State where the corporation is incorporated.
- Sole Proprietorship/Individual — Provide the full legal name of the individual who is the business owner. This name should match the name entered under Legal Business Name.
- Partnership — Provide the full legal name of each partner. These names should match the names entered under Legal Business Name.

SECTION II – Type of Operating Authority

All applicants must complete this section. Check all boxes that apply. A separate $300 fee is required for each type of Operating Authority requested.

NOTE: The type(s) of Operating Authority requested will impact the type and level of insurance that is required by FMCSA. Therefore, carefully select only the type(s) of Operating Authority relevant to the business. FMCSA does not refund application fees.

Descriptions of the different types of interstate Operating Authority are as follows:

- Motor Common Carrier of Property (except Household Goods) — An authorized for-hire Motor Carrier that transports regulated commodities (except household goods) for the general public in exchange for payment that is based on published tariff rates. Motor Common Carriers of Property (except household goods) must file proof of both public liability (bodily injury and property damage – BI & PD) and cargo insurance with FMCSA in order to obtain interstate Operating Authority.

- Motor Contract Carrier of Property (except Household Goods) — An authorized for-hire Motor Carrier that transports regulated commodities (except household goods) for specific customers in exchange for payment that is based on negotiated contracts. Motor Contract Carriers of Property (except household goods) must file proof of public liability (BI & PD) insurance with FMCSA in order to obtain interstate Operating Authority. Cargo insurance is not required. A Motor Contract Carrier of Property (except household goods) cannot be a Motor Common Carrier of Property (except household goods) without applying for additional Motor Common Carrier Operating Authority and filing proof of cargo insurance with FMCSA.

- Motor Common Carrier of Household Goods — An authorized for-hire Motor Carrier that transports only household goods for the general public in exchange for payment that is based on published tariff rates. Household goods are personal items that will be used in a home. They include items shipped from a factory or store, if purchased with the intent to use in a home, and transported at the request of the household who pays for the transportation charges. Motor Common Carriers of Household Goods must file proof of both public liability (BI & PD) and cargo insurance with FMCSA in order to obtain interstate Operating Authority.

- Motor Contract Carrier of Household Goods — An authorized for-hire Motor Carrier that transports only household goods for specific customers in exchange for payment that is based on negotiated contracts. Household goods are personal items that will be used in a home. They include items shipped from a factory or store, if purchased with the intent to use in a home, and transported at the request of the household who pays for the transportation charges. Contract Carriers of Household Goods must file proof of public liability (BI & PD) insurance with FMCSA in order to obtain interstate Operating Authority. Cargo insurance is not required. A Motor Contract Carrier of Household Goods cannot be a Motor Common Carrier of Household Goods without applying for additional Motor Common Carrier Operating Authority and filing proof of cargo insurance with FMCSA.

- Broker of Property (except Household Goods) — An individual, partnership, or corporation that receives payment for arranging the transportation of property (excluding household goods) belonging to others by using an authorized Motor Carrier. A Broker does not assume responsibility for the property and never takes possession of it.
• *Broker of Household Goods* — An individual, partnership, or corporation that receives payment for arranging the transportation of household goods belonging to others by using an authorized Motor Carrier. A Broker does not assume responsibility for the household goods and never takes possession of the goods. Household goods are personal items that will be used in a home. They include items shipped from a factory or store, if purchased with the intent to use in a home, and transported at the request of the household who pays for the transportation charges.

• *United States-based Enterprise Carrier of International Cargo (except Household Goods)* — A company that transports international cargo (excluding household goods) and is headquartered in the United States, but is owned or controlled (greater than 55%) by a Mexican citizen or resident alien. International cargo must originate in or be destined for a foreign country. Enterprise Carriers are not classified as either common or contract Motor Carriers.

• *United States-based Enterprise Carrier of International Household Goods* — A company that transports international household goods and is headquartered in the United States, but is owned or controlled (greater than 55%) by a Mexican citizen or resident alien. Household goods are personal items that will be used in a home. They include items shipped from a factory or store, if purchased with the intent to use in a home, and transported at the request of the household who pays for the transportation charges. International household goods must originate in or be destined for a home in a foreign country. Enterprise Carriers are not classified as either common or contract Motor Carriers.

SECTION III – Insurance Information

Only applicants that will operate commercial motor vehicles must complete this section. The bodily injury and property damage (BI & PD liability) insurance coverage requirements are based upon the gross vehicle weight rating (GVWR) of vehicles and the classification of property (including hazardous materials) that will be transported. Check all boxes that apply.

To determine the required minimum amount of BI & PD liability insurance coverage, identify the highest dollar amount in parentheses among the insurance categories that are selected. For example, if the boxes for both non-hazardous commodities ($750,000) and hazardous materials ($5,000,000) are checked, the required minimum insurance coverage is $5,000,000—not $5,750,000.

NOTE:

• Motor Common Carriers of Household Goods (HHG), Motor Contract Carriers of HHG, and U.S.-based Enterprise Carriers of International HHG must maintain a minimum of $750,000 of BI & PD liability insurance coverage regardless of the GVWR of the vehicles they operate.

• In addition to BI & PD liability insurance coverage, Motor Common Carriers of Property, Motor Common Carriers of HHG, U.S.-based Enterprise Carriers of International Cargo, and U.S.-based Enterprise Carriers of International HHG must maintain minimum levels of cargo insurance (Form BMC-34 for cargo liability) in the amount of:
  o $5,000 for loss of or damage to property carried on any one motor vehicle
  o $10,000 for loss of or damage to property occurring at any one time and place

• Motor Common Carriers and U.S.-based Enterprise Carriers that transport low-value goods, as specified in 49 CFR 387.301(b), may request an exemption from cargo insurance requirements by calling the FMCSA Insurance Team, Commercial Enforcement Compliance Division, at 1-866-637-0635 (toll-free) or 202-385-2423 and requesting a cargo exemption form.

• Motor Contract Carriers of Property and Motor Contract Carriers of HHG only require proof of BI & PD liability insurance with FMCSA. Cargo insurance is not required by Motor Contract Carriers.
NOTE (continued):

- Brokers of Property and Brokers of Household Goods require one of the following in the amount of $10,000:
  - Broker Surety Bond (Form BMC-84) must be filed by an insurance company.
  - Broker Trust Fund Agreement (Form BMC-85) must be filed by a financial institution. This form is available at http://www.fmcsa.dot.gov/print-form or by request from the FMCSA Insurance Team, Commercial Enforcement Compliance Division, at 1-866-637-0635 (toll-free) or 202-385-2423.
- An insurance company must file the appropriate insurance form(s) on behalf of the applicant within 90 days of the date the application for Operating Authority was published in the FMCSA Register. Call FMCSA toll-free at 1-866-637-0635 to request information about insurance providers.
- For more information about FMCSA's insurance regulations, see "Step 4 - Insurance" under "What Are the Steps in Getting Operating Authority?" (Topic IV) in this packet.

SECTION IV – Safety Certification

Only applicants that will operate commercial motor vehicles must complete this section. Select only one response.

Applicants that will only operate vehicles with a GVWR under 10,000 pounds and will not transport hazardous materials, are exempt from the Federal Motor Carrier Safety Regulations. Skip to the paragraph "EXEMPT APPLICANTS," read the corresponding statement, and select the "YES" response in this part only if the applicant attests that the entire statement is true.

All other applicants that will operate vehicles with a GVWR of more than 10,000 pounds must read the statements under "APPLICANTS SUBJECT TO FEDERAL MOTOR CARRIER SAFETY REGULATIONS." These statements describe the activities that Motor Carriers and U.S.-based Enterprise Carriers must follow in order to comply with the FMCSR. Select the "YES" response in this part only if the applicant attests that all statements are true.

SECTION V – Affiliations

Only applicants with any relationship within the past 3 years to any business entity regulated/licensed by the FMCSA, ICC, FHWA, or OMC must complete this section.

Examples of an affiliation or relationship include, but are not limited to, owning another company (even a percentage of stock), providing a loan to another company, managing another company, or having a family relationship with an owner or manager of another company.

Disclose any past or current relationship within the last 3 years by providing the following:

- Description of affiliation or relationship
- Name of the company
- MC/FF Number
- USDOT Number
- Latest DOT safety rating (for more information, see “Information Sources” (Topic VI) in this packet)
SECTION VI – Household Goods Certifications


Select the applicable paragraph(s) depending upon the type(s) of Operating Authority requested in “SECTION II – Type of Authority” of the application form. Read the corresponding statement(s) and select the corresponding “YES” response(s) if the entire statement is true.

SECTION VII – Scope of Operating Authority

Only companies applying for Operating Authority as a Motor Contract Carrier of Household Goods must complete this section.

SECTION VIII – Applicant’s Oath

All applicants must complete this section. False certifications are subject to the penalties described in the oath.

Type or print the name and title of an individual authorized to sign documents on behalf of the company that is applying for Operating Authority. The authorized signee is one of the following:

- In the case of a sole proprietorship, the owner
- In the case of a partnership, an official partner
- In the case of a corporation, an authorized employee in the ownership structure
- An individual with power of attorney to act on behalf of the applicant (proof of the power of attorney must be submitted with the application)

NOTE: If this application is not signed and dated by an authorized individual, the application will be REJECTED and interstate Operating Authority will NOT be issued.

VI. Information Sources

For general information and guidance regarding applications, please visit the FMCSA Web site at http://www.fmcsa.dot.gov or call FMCSA at 1-800-832-5660.

Status of Application, Insurance, and Process Agent Filings

To check the status, use either of the following methods after FMCSA has processed your application:

- Go to the FMCSA Web site at http://i-public.fmcsa.dot.gov and do the following:
  1) Read the introductory page and click “Continue”
  2) Select “Carrier Search” in the dropdown menu and click “Go”
  3) Follow the search instructions (for state, enter the location of the company headquarters)

- Call FMCSA’s automated telephone system toll-free at 1-888-637-0635. Please have your MC/FF Number (also called docket number) ready if it has already been assigned (for more information, see Step 2 in “What Are the Steps in Getting Operating Authority?” (Topic IV) in this packet).
MC/FF Number

To find a company's MC/FF Number, go to http://ff-public.fmcsa.dot.gov and conduct a search as follows:

1) Read the introductory page and click "Continue"
2) Select "Carrier Search" in the dropdown menu and click "Go"
3) Follow the search instructions (for State, enter the location of the company headquarters)

Those without Internet access can call 1-800-832-5660 or 202-385-2423 for assistance.

USDOT Number Registration

To obtain a USDOT Number, either apply online or by mail as follows:

- Apply online at http://www.fmcsa.dot.gov/online-registration, which provides a USDOT Number immediately after successful completion of the online form.
- Go to http://www.fmcsa.dot.gov/crnt-form, print the appropriate MCS-150 form(s), and mail the completed form(s) to FMCSA. Those without Internet access should call 1-800-632-5060 to request forms by mail.

Hazardous Materials Regulations

To determine whether any of the commodities you intend to transport are considered to be hazardous materials, refer to the Federal Hazardous Materials Regulations in Parts 100 through 165 of Title 49 of the Code of Federal Regulations (CFR), particularly the Hazardous Materials Table at 49 CFR Part 172. These regulations are available online at http://hazmat.dot.gov/regsrules.htm. Contact the FMCSA at 202-366-6121 if assistance is needed.

To obtain information about DOT hazardous material transportation registration requirements, call 202-366-4109.

Safety Rating

If a safety rating has already been assigned, view your status online at http://www.fmcsa.dot.gov (click "Company Safety Snapshot") or call 1-800-832-5660.

To request a safety fitness review, please contact your local FMCSA field office. To find contact information for your local field office, either:

- Visit the FMCSA Web site at http://www.fmcsa.dot.gov/field-office
- Call 1-800-832-5660
This application is for businesses requesting operating authority as a motor carrier, broker, and/or U.S.-based enterprise carrier of property or household goods.

### SECTION I Applicant Information

- **Do you now have operating authority from or an application being processed by the FMCSA, FHWA, OMC, or ICC?**
  - [ ] YES
  - [ ] NO

- If YES, identify the MC/FF Number (or lead docket number): ________________________________

**LEGAL BUSINESS NAME**

**DOING BUSINESS AS NAME** (If different from Legal Business Name) ________________________________

**BUSINESS ADDRESS**

Physical Street Name and Number (No P.O. Box) ________________________________

- City ________________________________
- State ________________________________
- Zip Code ________________________________

**MAILING ADDRESS** (If different from Business Address above)

Street Name and Number ________________________________

- City ________________________________
- State ________________________________
- Zip Code ________________________________

**REPRESENTATIVE** (Person who can respond to inquiries)

Name ________________________________

- Title, Position, or Relationship to Applicant ________________________________

Street Name and Number ________________________________

- City ________________________________
- State ________________________________
- Zip Code ________________________________

Telephone Number ________________________________

Fax Number ________________________________

**USDOT NUMBER** (If available; if not, see instructions) ________________________________

**FORM OF BUSINESS** (Select only one)

- [ ] Corporation State of Incorporation ________________________________
- [ ] Sole Proprietorship Legal Name of Owner ________________________________
- [ ] Partnership Legal Name of Each Partner ________________________________
  
  (separate names with a comma)

### SECTION II Type of Operating Authority

Check box(es) for each type of operating authority requested. You must submit a filing fee of $300.00 for each box checked.

- [ ] Motor Common Carrier of Property (except Household Goods)
- [ ] Broker of Property (except Household Goods)
- [ ] Motor Contract Carrier of Property (except Household Goods)
- [ ] Broker of Household Goods
- [ ] Motor Common Carrier of Household Goods
- [ ] United States-based Enterprise Carrier of International Commerce (except Household Goods)
- [ ] Motor Contract Carrier of Household Goods
- [ ] United States-based Enterprise Carrier of International Household Goods
Applicant will operate any vehicle having a gross vehicle weight rating (GVWR) of 10,000 pounds or more to transport:

☐ Non-hazardous commodities ($756,000)
☐ Hazardous materials referenced in the FMCSA’s insurance regulations at 49 CFR 397.9 ($1,000,000)
☐ Hazardous materials referenced in the FMCSA’s insurance regulations at 49 CFR 397.9 ($5,000,000)

Applicant will operate only vehicles having gross vehicle weight ratings (GVWR) under 10,000 pounds to transport:

☐ Any quantity of Division 1.1, 1.2, or 1.3 material; any quantity of Division 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8 (excluding c), or 2.9 materials; or
☐ Hazardous materials referenced in the FMCSA’s insurance regulations at 49 CFR 397.9 ($5,000,000)
☐ Commodities other than those listed above ($300,000)

SECTION IV  Safety Certification (for vehicle-operating applicants only)

APPLICANTS SUBJECT TO FEDERAL MOTOR CARRIER SAFETY REGULATIONS

If you will operate vehicles of more than 10,000 pounds GVWR and are, thus, subject to pertinent portions of the U.S. DOT’s Federal Motor Carrier Safety Regulations (FMCSRs) at 49 CFR, Chapter 3, Subchapter B (Parts 350-399), you must certify as follows:

Applicant has access to and is familiar with all applicable U.S. DOT regulations relating to the safe operation of commercial vehicles and the safe transportation of hazardous materials and it will comply with these regulations. In so certifying, applicant is verifying that, at a minimum, it:

1. Has in place a system and an individual responsible for ensuring overall compliance with FMCSR;
2. Can produce a copy of the FMCSR and the Hazardous Materials Transportation Regulations;
3. Has in place a driver safety training/ orientation program;
4. Has prepared and maintains an accident register (49 CFR Part 390.15);
5. Is familiar with DOT regulations governing driver qualifications and has in place a system for overseeing driver qualification requirements (49 CFR Part 391);
6. Has in place policies and procedures consistent with DOT regulations governing driving and operational safety of motor vehicles, including drivers’ hours of service and vehicle inspection, repair, and maintenance (49 CFR Parts 392, 395, and 396);
7. Is familiar with and will have in place on the appropriate effective date, a system for complying with U.S. DOT regulations governing alcohol and controlled substances testing requirements (49 CFR Part 382 and 49 CFR Part 40).

☐ YES  ☐ NO

EXEMPT APPLICANTS

If you operate only small vehicles (GVWR under 10,000 pounds) and will not transport hazardous materials, you are exempt from Federal Motor Carrier Safety Regulations, and must certify as follows:

Applicant is familiar with and will observe general operational safety guidelines, as well as any applicable state and local laws and requirements relating to the safe operation of commercial motor vehicles and the safe transportation of hazardous materials.

☐ YES  ☐ NO

SECTION V  Affiliations

Disclose any relationship you have or have had with any other FMCSA-regulated entity (including entities licensed by the FHWA, FHWA, or ICC) within the past 3 years. Examples include, but are not limited to, a percentage of stock ownership, a loan, or a management position. If this requirement applies to you, please provide the name of the company, MC/FF Number, USDOT Number, and that company’s latest DOT safety rating. If you require more space, attach the information to this application form.
must certify as follows:

Applicant is fit, willing, and able to provide the specialized services necessary to transport household goods. This assessment of fitness includes applicant’s general familiarity with former ICC, FHWA, or CMCS, now FMCSA regulations for household goods movements and also requires an assurance that applicant has or is willing to acquire the protective equipment and trained operators necessary to perform household goods movements and that applicant will offer arbitration as a means of settling loss and damage disputes on collect-on-delivery shipments. The proposed operations will serve a useful public purpose responsive to a public demand or need.

☐ YES  ☐ NO

HOUSEHOLD GOODS MOTOR CONTRACT CARRIER APPLICANTS including United States-based Enterprise Carriers of International Household Goods must certify as follows:

Applicant is fit, willing, and able to provide the specialized services necessary to transport household goods. This assessment of fitness includes applicant’s general familiarity with former ICC, FHWA, or CMCS, now FMCSA regulations for household goods movements and also requires an assurance that applicant has or is willing to acquire the protective equipment and trained operators necessary to perform household goods movements and that applicant will offer arbitration as a means of settling loss and damage disputes on collect-on-delivery shipments. The proposed service will be consistent with the public interest and the transportation policy of 49 U.S.C. 10101.

☐ YES  ☐ NO

HOUSEHOLD GOODS BROKER APPLICANTS must certify as follows:

Applicant is fit, willing, and able to provide household goods brokerage operations and to comply with all pertinent statutory and regulatory requirements. The involved services will be consistent with the public interest and the transportation policy of 49 U.S.C. 10101.

☐ YES  ☐ NO

NOTE: Applicant may attach a supporting statement to this application to provide additional information about any of the above certifications. This evidence is optional.

SECTION VII Scope of Operating Authority

Applicants requesting operating authority as a Motor Contract Carrier of Household Goods must complete this section. Check all boxes that apply.

☐ Contracting shippers have one or more of the distinct needs delineated in Interstate Van Lines, Inc., Extension—Household Goods, 5 I.C.C.2d 168 (1982). Describe briefly the distinct need(s):

☐ Contracts provide for assignment of one or more vehicles for the exclusive use of each shipper in the manner specified in Interstate Van Lines, Inc., Extension—Household Goods, 5 I.C.C.2d 168 (1982).

SECTION VIII Applicant’s Oath

This oath applies to all supplemental filings to this application. The signature must be that of the applicant, not the legal representative.

I, ________________________________, verify under penalty of perjury, under the laws of the United States of America, that all information supplied on this form or relating to this application is true and correct. Further, I certify that I am qualified and authorized to file this application. I know that willful misstatements or omissions of material facts constitute Federal criminal violations punishable under 18 U.S.C. 1001 by imprisonment up to 5 years and fines up to $10,000 for each offense. Additionally, these misstatements are punishable as perjury under 18 U.S.C. 1621, which provides for fines up to $2,000 or imprisonment up to 5 years for each offense.

I further certify under penalty of perjury, under the laws of the United States, that I have not been convicted, after September 1, 1989, of any Federal or State offense involving the distribution or possession of a controlled substance, or that if I have been so convicted, I am not ineligible to receive Federal benefits, either by court order or operation of law, pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988 (21 U.S.C. 862).

Finally, I certify that the applicant is not domiciled in Mexico, or owned or controlled by persons of that country. (NOTE: The preceding sentence does not pertain to applicants that are United States-based Enterprise Carriers of International Cargo and/or Household Goods.)

Signature ________________________________ Title ________________________________ Date __________

Form OP-1 (Revised 6/14/2007) 3/4 Edition Date 6/18/2010

124
Form OP-1

Payment Instructions

1) Each type of operating authority requested in Section II of the application form requires a $300 processing fee. Calculate the total amount due as follows:

\[
(\text{Enter total number of boxes checked in Section II}) \times \$300 = \$ \text{ (Enter total payment amount)}
\]

2) Select payment method:

- Check or Money Order – Make payable to FMCSA in United States (U.S.) dollars. Payment must be drawn upon funds deposited in a bank located in the U.S.
- Credit Card – Complete the Credit Card Payment Authorization below.

<table>
<thead>
<tr>
<th>Credit Card Payment Authorization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Select Credit Card</td>
</tr>
<tr>
<td>Visa</td>
</tr>
<tr>
<td>MasterCard</td>
</tr>
<tr>
<td>Total Payment Amount</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Credit Card Number</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Expiration Date</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Name (exactly as it appears on credit card)</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Credit Card Billing Address</td>
</tr>
<tr>
<td>Street Name and Number</td>
</tr>
<tr>
<td>City</td>
</tr>
<tr>
<td>State</td>
</tr>
<tr>
<td>Zip Code</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Signature</td>
</tr>
<tr>
<td>Date</td>
</tr>
</tbody>
</table>

Mailing Instructions (To apply online, please see “How to Apply” (Topic II) in this packet:)

1) Save a copy of the completed application form(s), all supporting documents (if any), and payment details for the company’s business records.

2) Depending upon the type of payment (and method of mail delivery), send the completed application form(s), any supporting documents, and payment to one of the following addresses (NOTE: Sending payment to the wrong address will delay application processing by 2-3 weeks):

- Check or Money Order
  - First-Class Mail
    Federal Motor Carrier Safety Administration
    P.O. Box 70935
    Charlotte, NC 28272-0935

- Express Mail
  QLF Wholesale Lockbox – NC3810
  Lockbox #70935
  1525 West W.T. Harris Blvd.
  Charlotte, NC 28262

- Credit Card
  Federal Motor Carrier Safety Administration
  1200 New Jersey Avenue SE, MC-RIO
  Washington, DC 20590