<u>The Idaho Department of Transportation's</u>

FTA Public Transportation State Management Plan

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Idaho Department of Transportation
Public Transportation Office
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Introduction from ITD

Welcome to the Idaho Transportation Department's Public Transportation Office's (ITD-PT) State Management Plan. ITD-PT is committed to fostering a safe, mobility focused public transportation program throughout Idaho that promotes economic growth and opportunity. Public transportation is a critical component to meeting the transportation needs of Idaho's ever changing landscape and allows those who may not have other modes of transportation to access medical services, engage in social opportunities, or commute to work to do so in a way that is both efficient and convenient.

During late 2014, the full Idaho Transportation Department began an internal reorganization to streamline processes and provide for better consistency across all modes of transportation. During the reorganization, Public Transportation functions were reassigned to the Contracting Services Section in the Division of Engineering Services. This transition has allowed for ITD-PT to leverage best practices and opportunities through the new relationship with the Division of Highways. This new State Management Plan is intended to capture the changes that have occurred since this reorganization and guide our customers and stakeholders on the general premise of how the Public Transportation Office operates.

ITD-PT thanks you for your continued support of all modes of transportation and hopes that you find this State Management Plan helpful in learning more about what public transportation is in Idaho.

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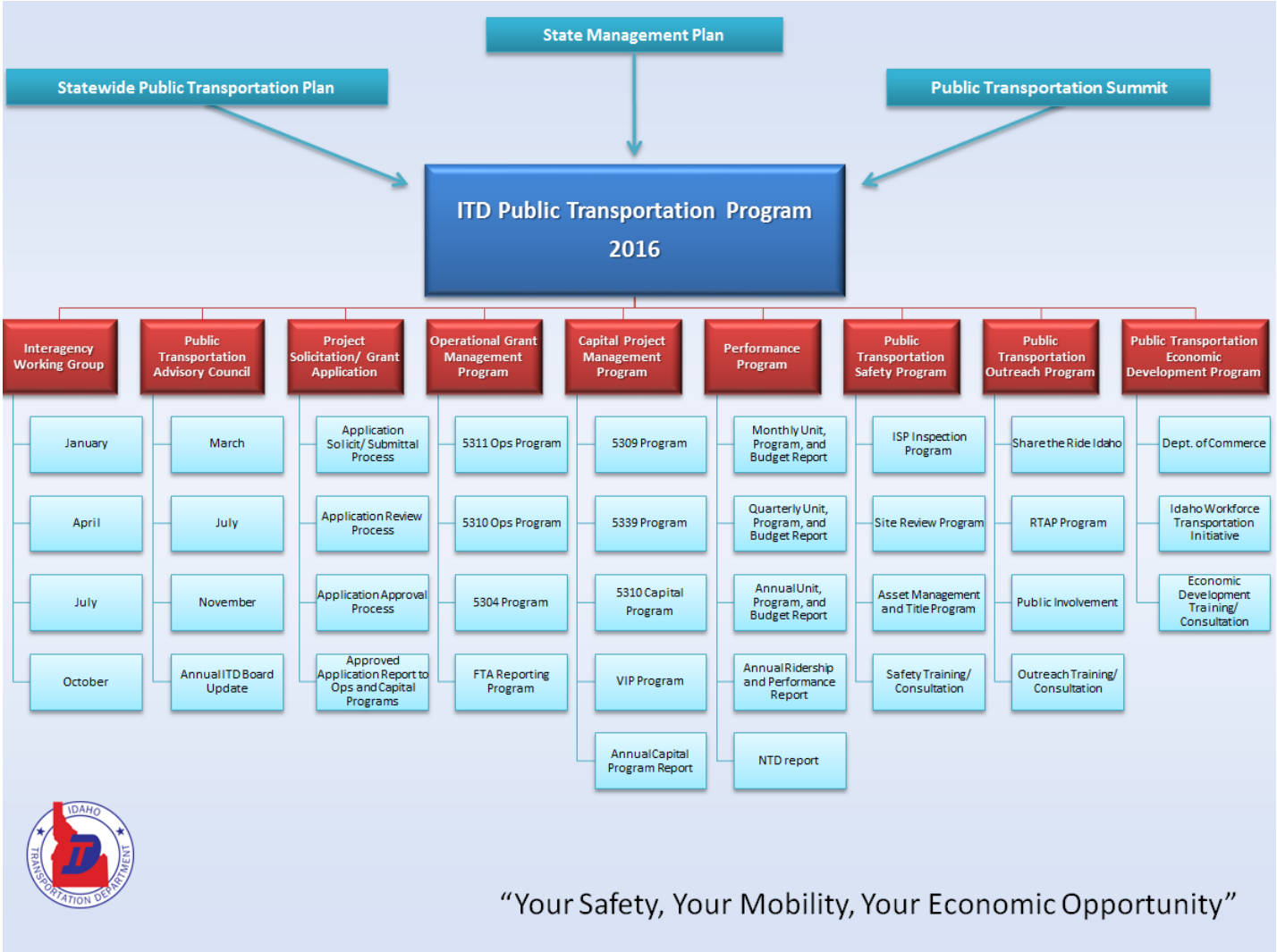
ITD Public Transportation Program



SECTION I: Planning

A. State Management Plan

The Federal Transit Administration (FTA) requires that each state produce a "State Management Plan" (SMP) describing how the State of Idaho, Department of Transportation, Public Transportation Office (ITD-PT) will administer and provide oversight on FTA program funds to ensure compliance with federal regulations and requirements.

FTA provides financial assistance to states through a number of programs to improve, maintain, and operate existing transit systems and develop new transit systems. The Governor of the State of Idaho has designated the Idaho Transportation Department as the agency of authority and responsibility for administering assistance received in Idaho through Idaho Code Chapter 5, Title 40, and Section 40-528. The Moving Ahead for Progress in the 21st Century Act (MAP-21) (Public Law 112-141), signed into law on July 6, 2012, with an effective date of October 1, 2012, authorizes funding for federal surface transportation programs for fiscal years (FY) 2013 and 2014 and the Fixing America's Surface Transportation (FAST) Act which authorizes federal funding from FY2016 (9/30/2015) through FY2020 (9/30/2020). New FAST Act cross-cutting requirements will also apply to all grant approved in FY 2016. Refer to section III.D. of 2/16/2016 Federal Register Notice, p. 7898

The following State Management Plan details specifically how ITD-PT has tailored these grant programs to meet the needs of Idaho's citizens.

B. Statewide Public Transportation Plan

The coordination of public transportation programs (hereafter referred to as the "*Statewide Public Transportation Plan*"), including social service transportation, is required by both federal requirements and state law. Federal Transit Administration (FTA) requires certification that projects selected for funding under specifically the 5310 program, are included in a locally developed, coordinated public transit-human service transportation plan and that the plan was developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, nonprofit transportation and human service providers, and other members of the public. Furthermore, Idaho Code 40-514 assigns that the Idaho Transportation Department in conjunction with other State agencies will develop a comprehensive plan for public transportation.

In order to fulfill these requirements ITD-PT has determined that a singular plan, incorporating locally developed sub-plans, into an overall statewide plan, provides the best consistency and coordination for Idaho's citizens. This plan provides for engagement and participation by all providers throughout the state, both private and public. This will be accomplished through targeted outreach and open house meetings. This statewide public transportation plan will be professionally developed and will use proven transportation planning techniques to reach out and coordinate amongst all parties. ITD-PT will begin the development of this plan during the second half of 2015 and will update the State Management Plan accordingly once the plan has been completed. The plan will then be updated once every 5 years and be referenced in the Department's Long Range Transportation Plan.

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C. Public Transportation Summit

During the Department's reorganization of Public Transportation, the determination was made that the Department needed to have a consistent and yearly platform to promote coordination with agencies and local stakeholders, along with the organizations to be mentioned further in this document. As such, a yearly Public Transportation Summit was determined to be the ideal forum for this yearly, structured coordination outreach.

The Department's first objective is to leverage and use preexisting conferences/summits held on a yearly basis versus hosting. As such, in 2016 the Department partnered with the Community Transportation Association of Idaho as a member of the Conference's planning committee and as a presenter on topics related to the public transportation programs administered by the Department. As such, the Department will continue to look to partner with organizations in future years as budget and scope of the conferences allows.

The summit's strategic agenda is designed to help facilitate and encourage thought-provoking topics that will maximize efficiency and offer unique insight into present and future challenges facing Public Transportation in Idaho.
Topics discussed at the conference may include:

- The Application Process
- The Reimbursement Process
- Procurement
- Safety
- Outreach
- Economic Opportunity
- Other identified training topics

ITD-PT also hosts various regional training on an as needed basis at the ITD District Offices.

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SECTION II: Application Program Management

Federal Transit Administration funds, which are allocated to Idaho, are crucial to the continued operation of public transportation services in the State. In order to ensure that the funds are fair and equitably distributed, a competitive application process has been developed to solicit projects and award funds. In accordance with federal regulations the state provides for the maximum feasible participation by private providers of public transportation to participate in any application. Below is a list of funds Idaho receives to assist with public transportation options in the State.

A. 49 USC § 5303, § 5304, Metropolitan and Statewide Planning Programs

PURPOSE: These programs provide funding and procedural requirements for multimodal transportation planning in metropolitan areas and States that are cooperative, continuous, and comprehensive, resulting in long-range plans and short-range programs of transportation investment priorities. The planning programs are jointly administered by FTA and FHWA, which also provides additional funding.

ELIGIBLE RECIPIENTS: States, with allocation of funding to Metropolitan Planning Organizations (MPO).

FUNDING DURATION: Year of apportionment plus 3

B. 49 USC § 5307 Large and Small Urban

PURPOSE: This program provides grants to Urbanized Areas (UZA) for public transportation capital, planning, job access and reverse commute projects, as well as operating expenses in certain circumstances. These funds constitute a core investment in the enhancement and revitalization of public transportation systems in the nation's urbanized areas, which depend on public transportation to improve mobility and reduce congestion.

ELIGIBLE RECIPIENTS: FTA apportions funds to designated recipients, which may suballocate funds to state and local governmental authorities, including public transportation providers. Large Urbanized Area has a population of at least 200,000 at the time of the last decennial census. Small Urbanized Areas, as used in the context of FTA formula grant programs, are UZAs with a population of at least 50,000 but less than 200,000.

ELIGIBLE ACTIVITIES:

- Capital projects.
- Planning.
- Job access and reverse commute projects that provide transportation to jobs and employment opportunities for welfare recipients and low-income workers.
- Operating costs in areas with fewer than 200,000 in population.
- Operating costs, up to certain limits, for grantees in areas with populations greater than 200,000, and which operate a maximum of 100 buses in fixed-route service during peak hours (rail fixed guideway excluded).

FUNDING DURATION: Year of apportionment plus 5 years

C. 49 USC § 5310 Rural and Small Urban Enhanced Mobility for Seniors and Individuals with Disabilities

PURPOSE: This program is intended to enhance mobility for seniors and persons with disabilities by providing funds for programs to serve the special needs of transit-dependent populations beyond traditional public transportation services and Americans with Disabilities Act (ADA) complementary paratransit services. Further program goals and objectives will be determined through the Statewide Public Transportation Plan. The Idaho Transportation Department's Public

Transportation Office uses 10% of Section 5310 as permitted by the Federal Transit Administration to fund the day-to-day operations of the office and provide technical assistance, planning, coordination, and targeted programs to encourage public transportation usage in Idaho.

ELIGIBLE RECIPIENTS:

- State (for all areas under 200,000 in population) and designated recipients (for areas > 200,000).
- State or local government authorities, private non-profit organizations, or operators of public transportation that receive a grant indirectly through a recipient.

ELIGIBLE SUBRECIPIENTS:

- Tribal governments
- A private non-profit organization
- Operators of public transportation
- A State or local government authority that:
    1. Is approved by the State to coordinate services for seniors and individuals with disabilities;

       or
    2. Small Urban 5310 agency certifies that there are no non-profit organizations readily available in the area to provide the service;

ELIGIBLE ACTIVITIES:
At least 55 percent of program funds must be spent on traditional Section 5310 projects—public transportation capital projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable.

Up to 45 percent may be used for public transportation projects that: exceed the minimum requirements of the ADA; public transportation projects that improve access to fixed-route service and decrease reliance by individuals with disabilities on complementary paratransit; or, alternatives to public transportation that assist seniors and individuals with disabilities with transportation.

ITD-PT in conjunction with the Metropolitan Planning Organizations (MPO's) will coordinate through the application/call for projects process to ensure that funded projects adhere to the 55/45 ratio. These projects will further be referenced from the locally coordinated plans as developed as part of the Statewide Public Transportation Plan (previously referenced).

FUNDING DURATION: Year of apportionment plus 2 years

D. 49 USC § 5311 Rural Area Formula Program

PURPOSE: This program provides capital, planning, and operating assistance to states to support public transportation in rural areas with populations less than 50,000 as defined by the most recent census, where many residents often rely on public transit to reach their destinations. ITD-PT does not place any additional restrictions on the service area that these funds may be used in. The ITD-PT uses 10% of 5311 Rural Area Formula as permitted by the Federal Transit Administration to fund the day-to-day operations of the office and provide technical assistance, planning, coordination, and targeted programs to encourage public transportation usage in Idaho.

PROGRAM GOALS: the goal of the Section 5310 5311 program is to improve mobility throughout rural Idaho by removing barriers to transportation services and expanding the transportation mobility options available. The Department tracks funds expended and trips provided to ensure the best use of limited resources in assisting with the transportation needs of those throughout rural Idaho. Project goals are developed in accordance with the applicant and local stakeholders identified in the application.

ELIGIBLE RECIPIENTS:

- States, Indian tribes
- State or local government authorities, nonprofit organizations, tribes, or operators of public transportation or intercity bus service that receive funds indirectly through a recipient.

ELIGIBLE SUBRECIPIENTS:

- State agencies
- Local governmental agencies and their authorities
- Indian Tribal governments
- Private non-profit organizations.
- Operators of public transportation services or intercity bus service providers that receive FTA grant funds directly through the state or a subrecipient.

ELIGIBLE ACTIVITIES:
Planning, capital, operating, and the acquisition of public transportation services. The initial recommendation made by ITD-PT for public comment, and PTAC review for those applications received through the Congressional Appropriation Application is prioritized with consideration given to operating of existing services, expansion of existing services, new services, and capital, while in the One-Time Application prioritized consideration is given only to capital, planning and marketing projects as these funds are considered unsustainable as they will not be available in future years.

E. 49 USC § 5310 & 5311 State Administration

FTA circular 9040.1 allows for the State to use up to, but no more than, 10 percent of the apportioned Section 5311 funding to administer the 5311 program related to planning and to improve technical assistance to subrecipients. No local share is required for state administration

ELIGIBLE ACTIVITIES:
Allowable administrative costs include salaries, overhead expenses, supplies, and office equipment used to administer the program. Allowable technical assistance costs may include program planning, program development, development of vehicle and equipment specifications, management development, coordination of public transportation programs (public and private for-profit and nonprofit), and such research as the state may deem appropriate to promote effective means of delivering public transportation service in rural areas.

FUNDING DURATION: Year of apportionment plus 2

F. 49 USC § 5311(B) Rural Transportation Assistance Program (RTAP)

Please see Public Transportation Outreach Program on Page 29

G. 49 USC § 5311(F) Intercity

PROGRAM SUMMARY: Intercity bus service is a regularly scheduled bus service for the general public which operates with limited stops over fixed routes connecting two or more urban areas not in close proximity, which has the capacity for transporting baggage carried by passengers, and which makes meaningful connections with scheduled intercity bus service to more distant points, if such service is available.

Section 5311(f) of title 49, United States Code, requires each state to spend 15 percent of its annual Section 5311 apportionment "to carry out a program to develop and support intercity bus transportation, "unless the governor

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certifies that "the intercity bus service needs of the state are being met adequately."The State will use a merit-based selection process to ensure that the applicant is qualified, will provide eligible service, can comply with federal and state requirements, and is the best, or only, provider available to offer service at a fair and reasonable cost.

PROGRAM OBJECTIVES:

- to support the connection between rural areas and the larger regional or national system of intercity bus service
- to support services to meet the intercity travel needs of residents in rural areas
- to support the infrastructure of the intercity bus network through planning and marketing assistance and capital investment in facilities

IN-KIND MATCH:
In the case of an intercity bus project that includes both feeder service and an unsubsidized segment of intercity bus service to which the feeder service connects, the local match "may be derived from the costs of a private operator for the unsubsidized segment of intercity bus service as an in-kind match for the operating costs of connecting rural intercity bus feeder service funded under 5311(f).

The unsubsidized private operator costs can be used as the local match only "if the private operator agrees in writing to the use of the costs of the private operator for the unsubsidized segment of intercity bus service as an in-kind match."

ELIGIBLE SUBRECIPIENTS:
An operator of intercity bus service that receives federal transit program grant funds through a state or Indian tribe that is a recipient.

ELIGIBLE SERVICE AND SERVICE AREAS:
Connection to the national network of intercity bus service is an important goal of Section 5311(f) and services funded must make meaningful connections wherever feasible. Intercity bus projects may include package express service, if it is incidental to passenger transportation. Commuter service is excluded because it is considered a local public transportation service, eligible for assistance under Section 5311 but not counting toward the required percentage for Section 5311(f).

ELIGIBLE ACTIVITIES:
Section 5311(f) specifies eligible intercity bus activities to include "planning and marketing for intercity bus transportation, capital grants for intercity bus shelters, joint-use stops and depots, operating grants through purchase-of-service agreements, user-side subsidies and demonstration projects, and coordination of rural connections between small public transportation operations and intercity bus carriers."

FEEDER SERVICE:
The "coordination of rural connections between small transit operations and intercity bus carriers" may include the provision of service that acts as a feeder to intercity bus service, and which makes meaningful connections with scheduled intercity bus service to more distant points. The feeder service is not required to have the same characteristics as the intercity service with which it connects.

H. 49 USC § 5339 Bus and Bus Facilities Program

PURPOSE: Provides funding to replace, rehabilitate, and purchase buses and related equipment, and to construct bus-related facilities.

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PROGRAM GOALS AND OBJECTIVES: The goal of the 5339 program is to support the continuation and expansion of existing 5311 service providers in Idaho by assisting in the financing of bus and bus-related capital projects.

ELIGIBLE RECIPIENTS:

- Designated recipients and states that operate or allocate funding to fixed-route bus operators.

ELIGIBLE SUBRECIPIENTS:

- Public agencies or private nonprofit organizations engaged in fixed route services, including those providing services open to a segment of the general public.

ELIGIBLE ACTIVITIES:
Capital projects to replace, rehabilitate and purchase buses, vans, and related equipment, and to construct bus-related facilities.

FUNDING DURATION: Year of apportionment plus 3

I. Vehicle Improvement Program (VIP) (Idaho State Funding):

PURPOSE: provides capital funding for demand response providers to replace, rehabilitate, and purchase buses to support the continuation and expansion of public transportation

ELIGIBLE RECIPIENTS:

- Idaho Department of Transportation

ELIGIBLE SUBRECIPIENTS:

- Private non-profit organizations
- State or local government authorities
- Operators of public transportation services including private operators
- Tribal governments

ELIGIBLE ACTIVITIES

- Capital projects to replace, rehabilitate, and purchase buses, vans, and related equipment for demand response services.

FUNDING DURATION: One Year (State Fiscal Year)

J. Match

Matching funds in the State of Idaho for 49 USC § 5310, 49 U.S.C. § 5311, 49 U.S.C. § 5339 funds are made up of local, State and/or unrestricted non-DOT Federal funds. Local (non-federal) share is defined as a combination of state and/or local (non-federal) funds.

Non-federal share must be provided by the subrecipients. All local share must be provided from sources other than Federal DOT funds. Some examples of sources of local match which may be used for any or the entire local share include: State or local appropriations; allowable other non-DOT Federal funds; dedicated tax revenues; private donations; revenue from human service contracts; and net income generated from advertising and concessions.

Non-cash share such as donations, volunteer services, or in-kind contributions are eligible to be counted toward the local match as long as the value of each is documented and verifiable, represents a cost which is necessary and

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reasonable and eligible under the program, which is included in the net project costs in the project budget, and meets other applicable requirements of 2 CFR 200.306.

Income from contracts to provide human service transportation may be used either to reduce the net project cost (treated as revenue) or to provide local match for the Program administration, operating, and preventative maintenance assistance. In either case, the cost of providing the contract service is included in the total project cost.

To be eligible for local match for FTA funds, the other Federal funds must be used for activities included in the total gross project costs of the FTA grant. Further these funds must be considered an allowable expense under 2 CFR 200 and FTA programmatic circulars and rules. Expenditure of other Federal funds for transportation outside of the scope of the project cannot be applied as a credit for local match in the FTA grant.

Advertising revenue, as noted above, may be used as local share according to FTA regulations. However, Circular 5010.1 states that it may not be used in the grant from which it was earned, but may be used in future grants.

Grant Code	Phase	Federal Contribution Percentage	Local Contribution Match Percentage
5310	Operating	50	50
	Purchase of Service	80	20
	Capital	80	20
5311	Project Admin	80	20
	Operating	57.5	42.5
	Preventative Maintenance	92.66	7.34
	Mobility Management	92.66	7.34
	Capital	92.66	7.34
5339	Capital	80	20

*It should be noted that these match rates may be subject to change based upon particular local situations relating to ADA and Clean Air Act Compliance. Please check with ITD-PT if you believe either of these situations may apply.

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K. Application Process

Designated State Agency

The Governor of each state or an official designee must designate a state agency with the requisite legal, financial, and staffing capabilities to receive and administer federal funds under the Section 5304, 5310 (rural and small urban),5311, 5339 (rural and small urban) program. Existing designations remain in effect until changed by official notice of re-designation to the FTA Regional Administrator.

ITD-PT is the state agency designated as the recipient for all Section 5304, 5310 (rural and small urban), 5311, 5339 (rural and small urban) funds within the state. ITD-PT applies for these funds on its own behalf or on behalf of subrecipients. The state agency may be the recipient on behalf of Indian tribes that are subrecipients, or a federally recognized tribe may elect to apply to FTA as a recipient of 5311 funds, after a state allocates the funds to that tribe.

As the designated state agency, ITD-PT ensures that coordination occurs at the project level by requiring applicants to demonstrate and document their outreach and coordination with local agencies in their application. ITD-PT also employs the Interagency Working Group (IWG) to encourage information sharing between state agencies and solicit comments on proposed projects.

Apportionments

Each year, ITD-PT receives an apportionment of federal funds to assist public transportation efforts throughout the state. Funds are apportioned based on land area, population factors, and need.

In order to select projects and distribute these funds fairly and equitably, ITD-PT issues a competitive application process.

Congressional Appropriation Funding vs. One-Time Funding

The Idaho Transportation Department provides two types funding opportunities; Congressional Appropriation funding and One-Time funding. Idaho's Congressional Apportionment Funding application occurs every two years, while the One-Time funds are issued on an ad-hoc basis for either unspent apportionment funds or discretionary grants that are issued by the Federal Transit Administration.

These applications and documents available at: http://itd.idaho.gov/public_transportation/application_program.html

ITD-PT Program Application Consideration Priorities

ITD-PT has developed a listing of Program Priorities to help guide the ITD-Public Transportation Office in making recommendations to the Public Transportation Advisory Council, the general public, and finally the Idaho Transportation Department Board. Staff uses the following priorities, as well as established performance metrics, identified technical issues and needs of each applicant either past or present, and the amount of funding available to make initial recommendations for project award and level of funding. If enough funding is not available, ITD-PT staff will use a scaled, percentage approach to funding based upon the listed priorities and available funding vs. requests. All recommendations made to FTA are at the discretion and subject to change by the Idaho Transportation Department Board.

ITD-PT funding recommendations made to the public and PTAC are determined using the following grant priorities for consideration:

FTA Section 5310

1. Existing 5310 Services (Operating, Administration, Preventative Maintenance) (While Purchase of Service is considered capital under the FTA program, ITD will consider it as eligible under this priority)

2. Expansion of 5310 Services (Operating, Administration, Preventative Maintenance) (While Purchase of Service is considered capital under the FTA program, ITD will consider it as eligible under this priority)
3. New 5310 Operator (Operating, Administration, Preventative Maintenance) (While Purchase of Service is considered capital under the FTA program, ITD will consider it as eligible under this priority)
4. Capital (Encouraged to Apply for VIP)

FTA Section 5311

1. Existing 5311 Services (Operating, Administration, Preventative Maintenance)
2. Expansion of 5311 Services (Operating, Administration, Preventative Maintenance)
3. New 5311 Service Operator (Operating, Administration, Preventative Maintenance)
4. Capital (Encouraged to Apply for 5339)

5339

1. Capital for Existing 5311 Operators
2. Capital for Expansion of Existing 5311 Operators
3. Capital for New 5311 Operators

VIP

1. Capital for Existing 5310 Operators
2. Capital for Expansion of Existing 5310 Operators
3. Capital for New 5310 Operators

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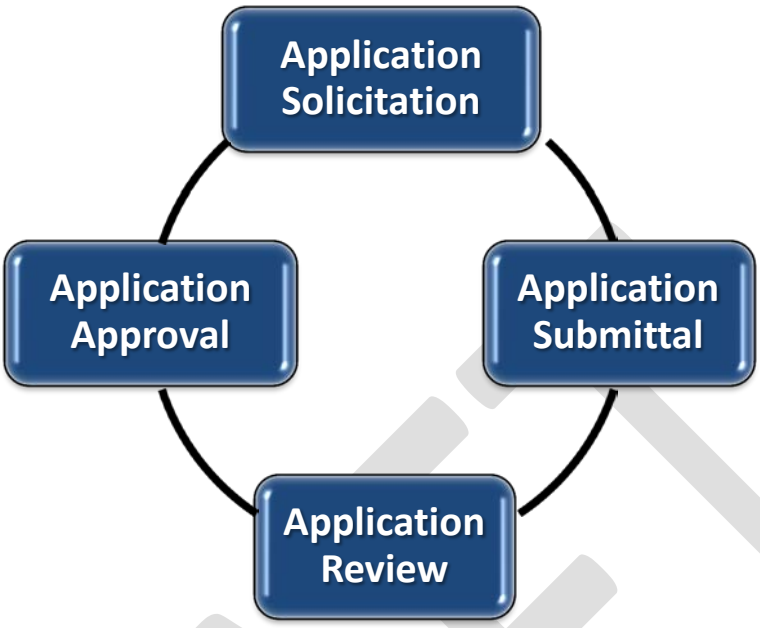
L. Schedule



<u>ITD-PT Office: Application Process:</u>

1. ITD releases a call for applications – open for 60 days

2. ITD works with applicants to ensure all information is submitted – 30 days

3. ITD-PT develops proposed list of recommended projects and funding levels

4. ITD-PT posts recommended projects and funding levels for public comment – 30 days

5. Public Transportation Advisory Council (PTAC) reviews recommendation and public comment and may concur or recommend changes to projects and/or funding levels

6. Idaho Transportation Board reviews ITD-PT recommendations, PTAC concurrence or recommended changes, and public comment; and makes final decision on project award and funding levels.

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M. Application Award

Upon ITD Board funding decisions, ITD-PT staff will notify all applicants of the funding distributions for each FTA grant. ITD-PT will submit the Program of Projects to FTA, execute the subrecipient funding agreement, and use FTA's web-based electronic award system to manage the grant.

FTA Annual Program of Projects (POP)

The Program of Projects (POP) is a list of projects to be funded in a grant application submitted to FTA by a state or designated recipient, indicating type of organization, a brief description of each project, total project costs, and federal share for each project. FTA requires the POP must provide for fair and equitable distribution of the apportionment in the state, including Indian reservations, as well as maximum feasible coordination with other public transportation services assisted by other federal sources. ITD will ensure that all projects follow FTA planning requirements consistent with 23 U.S.C and 49 U.S.C. The POP is developed after the ITD board approves the projects from the application cycle, and is submitted to FTA once the annual congressional appropriation is released.

Funding Agreement

Each awarded recipient is provided funds through a Funding Agreement with ITD-PT. The Agreement identifies general requirements, budget and scope of work, and standard terms and conditions. By signing the Agreement, the applicant is committing to a legal binding Agreement with ITD-PT.

Once the Agreement is signed and returned to ITD-PT, subrecipients can start billing for expenses outlined in their Agreement. The targeted timeframe for Agreements to be effective is from October 1- September 30th of each year, consistent with the Federal fiscal year. Costs submitted for reimbursement before the eligible date listed on the Agreements are ineligible, with the exception of pre-award authority which must be approved by ITD-PT prior. Pre-award authority is outlined in Federal Register Vol. 79, No. 46. Subrecipients are responsible for all expenses incurred prior to the eligible date established in the Agreement.

Statewide Transportation Improvement Plan

The Statewide Transportation Improvement Plan (STIP) is the state's four year capital improvement program that includes the Metropolitan Planning Organizations (MPOs) and rural transportation projects, and contains all phases of transportation projects to be built during the four-year period. The STIP is approved by the Federal Highway Administration and Federal Transit Administration. All FTA funded projects must be located in an approved STIP prior to executed funding agreements being issued by ITD-PT.

Transfer Funds

All funds may be transferred on a case by case basis at the request of the subrecipient and the approval of the ITD-PT Manager, and must be reflected in the STIP before it can be executed. Intent of funding, scope of work, and standing of the subrecipient will be taken into account in the determination of approval by the Department. ITD-PT will initiate the transfer of FTA funds by notifying FTA's regional administrator of the intent to transfer. ITD-PT will follow FTA guidelines on all requirements for transferring funds, which can be found in the program circulars.

Transportation Investment Plan

The Transportation Investment Plan (TIP) is a capital improvement program developed specifically by the MPO and cooperatively the Idaho Transportation Department. It includes a five year list of multi-modal transportation projects, such as highway, transit and bicycle, etc. to be developed within the metropolitan planning area. The projects are drawn from and are consistent with each MPO's long-range plan known as Metropolitan Transportation Plan (MTP). TIPs must be reflected in the STIP.

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SECTION IV: Operational/Capital Program Management

A. Compliance

Civil Rights

All agreements entered into by ITD-PT on behalf of FTA must meet State requirements, and require the contractor to certify that no person on the grounds of race, color, creed, national origin, sex, age or disability, sexual orientation, will be excluded from participating in, or be denied the benefits of, or be subject to discrimination under any project, program, or activity funded in whole or in part by FTA in accordance with Title VI and the Equal Employment Opportunity requirements. In addition, the State of Idaho and all transportation providers certify that a good faith effort is made to use Disadvantaged Business Enterprises (DBE) as required. The ITD Office of Civil Rights conducts trainings statewide on how to do business with the Department and particularly focuses on ways to assist applicants on an annual basis. ITD-PT applications also specifically ask for applicants to address what minority populations they serve and how they meet the needs of these populations.

Disadvantage Business Enterprise (DBE)

DBEs are for-profit small business concerns where socially and economically disadvantaged individuals own at least a 51% interest and also control management and daily business operations.

African Americans, Hispanics, Native Americans, Asian-Pacific and Subcontinent Asian Americans, and women are presumed to be socially and economically disadvantaged. Other individuals can also qualify as socially and economically disadvantaged on a case-by-case basis.

To participate in the DBE program, a small business owned and controlled by socially and economically disadvantaged individuals must receive DBE certification from the relevant state– generally through the state Uniform Certification Program (UCP).

To be regarded as economically disadvantaged, an individual must have a personal net worth that does not exceed $1.32 million. To be seen as a small business, a firm must meet SBA size criteria AND have average annual gross receipts not to exceed $22.41 million.

It is the policy of ITD-PT to implement the provisions of 49 CFR Part 26.

The Civil Rights Office has responsibility for drafting, maintaining and updating a certified Disadvantaged Business Enterprise Directory as well as a disadvantaged Minority Women's Business Enterprise Program. The Civil Rights Office also is responsible for receiving and tracking all external complaints and reporting them to the appropriate federal agency. Internal complaints are tracked by ITD Human Resources and the ITD Legal Office. Subrecipients are required to advise ITD of any complaints received.

All RFP's directly advertised by ITD-PT are posted on ITD's web site and notices are sent to appropriate DBE's in addition to the standard advertising format.

Equal Employment Opportunity

The Idaho Department of Transportation's Office of Civil Rights submits an Equal Employment Opportunity program on behalf of the Idaho Transportation Department to the Federal Transit Administration. For subrecipients meeting or exceeding FTA threshold (receipt of $1 million or more FTA funds in a year and 50 or more transit related employees), their programs are submitted to FTA.

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The Civil Rights Office is responsible for receiving and tracking all external complaints and reporting them to the appropriate federal agency. Internal complaints are tracked by ITD Human Resources and the ITD Legal Office. Subrecipients are required to advise ITD of any complaints received.

Section 504 and Americans with Disabilities Act (ADA) Reporting

Individual transportation providers are required to submit Section 504 and ADA certifications through the annual submission of Certifications and Assurances for FTA assistance. Certifications are submitted to ITD-PT who partners with ITD's Civil Rights office where staff reviews and works with the subrecipient on any questions, issues or concerns.

The State of Idaho's Human Rights Commission has regulations more stringent than the Federal 504 Requirements, stipulating that all vehicles purchased with either a State or Federal subsidy must be accessible by the State's senior and disabled population. As a result of these requirements, all vehicles purchased under any of the FTA Programs are made accessible either by installing a ramp or lift or use of vehicles designed to accommodate wheelchairs and mobility impaired riders without the use of a ramp or lift such as low-floor and/or kneeling bus. The only exception to this rule is vehicles such as minivans or station wagons when they constitute no more than 10% of the fleet and are used where there is no call for an accessible vehicle. The agency must provide an accessible vehicle whenever and wherever necessary in conjunction with their service plan.

Further compliance is monitored through the ITD-PT Site Review Program as well as through visits by the ITD Office of Civil Rights. At least once every two years, or annually depending on level of technical assistance needed, ITD-PT conducted in person site reviews as part of our compliance monitoring. As part of this tool Civil Rights programs and requirements are reviewed for accuracy and completeness and documented in the final report. Furthermore, ITD's Office of Civil Rights conducts further reviews and training with public transportation providers across the state in conjunction with overall Civil Rights management for the entire Department. Currently the Office of Civil Rights is reviewing all bus stops across the state for ADA accessibility.

Title VI

The Idaho Transportation Department (ITD) is committed to compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives, as outlined in FTA circular 4702.1B. In accordance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), the Age Discrimination Act of 1975 and Executive Orders 12898 (Environmental Justice) and 13166 (Limited English Proficiency), ITD does not and will not exclude from participation in or deny the benefits of its programs or activities; or subject anyone to discrimination based on race, color, national origin, sex, age, disability, limited English proficiency or economic status. In addition, ITD will not retaliate against any person who complains of discrimination or who participates in an investigation of discrimination.

Please direct questions or comments to the contacts below:
EEO/DBE Program Manager – (208) 334-8884
DBE Coordinator – (208) 334-8567
EEO Contract Compliance Officer – (208) 334-8152
Public Transportation Manager – (208) 334-8210

Limited English Proficiency

ITD-PT complies with U.S. DOT revised LEP guidance for its recipients (Federal Register vol. 70, no. 239, pp. 74087-74100, December 14, 2005). ITD-PT determines what steps are necessary to provide "meaningful access" on the basis of four factors:

- The number and proportion of LEP persons served or encountered in the eligible service population
- The frequency with which LEP individuals come into contact with the program, activity or service

- The nature and importance of the program, activity, or service provided by the program, and the resources available to the recipient and costs
- ITD-PT's LEP implementation plan addresses the identified needs of the population it serves.

ITD-PT's methods for ensuring meaningful access may include, but is not limited to:

- Translating vital written materials into the language of each frequently encountered LEP group
- Training bilingual staff to act as interpreters and translators
- Using telephonic and video conferencing interpretation devices
- Formalizing use of qualified community volunteers
- Using centralized interpreter and translator services
- Hiring staff interpreters
- Using symbolic signs (pictographs)
- Translating into languages other than English vital written materials, such as applications or instructions on how to participate in ITD-PT's program, signs in bus and train stations, notices of public hearings and other community outreach, and notices advising LEP persons of free language assistance

Drug and Alcohol and Drug-Free Workplace

Current Drug and Alcohol regulations require recipients to comply with the FTA Section 5331. ITD follows the Idaho Drug Free Workplace Act.

Each subrecipient and contractor submits their Drug and Alcohol Policies as part of the site visit. They are reviewed for adherence to the FTA Drug and Alcohol regulations.

In the interest of safety in transit operations, recipients of funding from the 5307 Urbanized Area Formula Program, 5309 Capital Investment Program, 5311 Rural Area Formula Program, and other programs as determined by the Secretary are required by 49 U.S.C. 5331 to establish Drug and Alcohol (D&A) Testing Programs. The purpose of the testing program is to help prevent accidents, fatalities, and injuries resulting from misuse of alcohol or the use of prohibited drugs by employees who perform safety-sensitive functions. Recipients must also certify annually that they are in compliance with DOT and FTA regulations concerning drug and alcohol testing (49 CFR parts 40 and 655 respectively).

The Drug and Alcohol Management Information System (MIS) form is made-up of four sections: employer information; covered employees (i.e., employees performing DOT regulated safety-sensitive duties) information; drug testing data; and alcohol testing data. The employer information needs only to be provided once per submission. However, you must submit a separate page of data for each employee category for which you report testing data. If you are preparing reports for more than one DOT agency then you must submit DOT agency-specific forms.

Lobbying and Code of Ethics

Applicants and recipients that use non-FTA funds for lobbying must submit a "Disclosure of Lobbying Activities" form (SF-LLL) to report these activities and to identify the name of the individuals performing lobbying services.

School Transportation Agreement

Title 49 U.S.C. 5323(f) prohibits the use of FTA funds for exclusive school bus transportation for school students and school personnel. The implementing regulation (49 CFR part 605) does permit regular service to be modified to accommodate school students along with the general public ("tripper service"). For the purpose of FTA's school bus regulation, Head Start is considered a social service, not a school program. Rules for the Head Start program limit the types of vehicles that may be used to transport children participating in a Head Start program.

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There are three statutory exemptions under which an FTA grantee may operate exclusive school bus service 49 U.S.C. 605.11:

- The grantee operates a school system in the area and operates a separate and exclusive school bus service for that system.
- Existing private school bus operators are unable to provide adequate, safe transportation.
- The grantee, a public entity, has operated the service prior to August 12, 1973, or has received a grant for facilities before November 26, 1974.

School Tripper Service

Grantees are permitted to provide school tripper service to accommodate the needs of school students and personnel. The school bus regulation defines school tripper service as regularly scheduled mass transportation service that is open to the public and is designed or modified to accommodate the needs of school students and personnel. It may involve the use of various fare collections or subsidy systems.

Buses used in tripper service must:

- Be open to the public.
- Not carry designations such as “school bus” or “school special.”

All routes traveled by tripper buses must be within the regular route service as indicated in the published route schedules. School tripper service should look like all other regular service.

Charter Service

“Charter Service” means, but does not include demand response service to individuals:

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

Services that do not meet the definition of charter service and, therefore, are not considered charter service by FTA are:

1. Service requested by a third party that is irregular or on a limited basis for an exclusive group of individuals and the grantee does not charge a premium fare for the service and there is no third party paying for the service in whole or in part
2. Shuttle service for a one-time event if the service is open to the public, the itinerary is determined by the grantee, the grantee charges its customary fixed route fare and there is no third party involvement.
3. When a university pays the grantee a fixed charge to allow all faculty, staff, and students to ride the transit system for free so long as the grantee provides the service on a regular basis along a fixed route and the service is open to the public.
4. When the grantee sees a need and wants to provide service for a limited duration at the customary fixed route fare.

ITD-PT requires any subrecipient wishing to provide charter service to comply with the procedures in the Final Rule on Charter Service. ITD-PT must be notified via email or postal service that a request for charter service exception is being submitted to FTA accompanied with all supporting documentation.

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Exemptions:

1. Transportation of employees, contractors, and government officials.
    - Grantees are allowed to transport their employees, other transit systems' employees, transit contractors, and official guests to or from transit facilities or projects within its geographic service area or proposed geographic service area for the purpose of conducting oversight functions such as inspection, evaluation, or review.
2. Private charter operators.
    - The prohibitions do not apply to private charter operators that receive, directly or indirectly, Federal financial assistance under the over-the road bus accessibility program or to non-FTA funded activities of private charter operators that receive, directly or indirectly, FTA financial assistance.
3. Emergency preparedness planning and operation.
    - Grantees are allowed to transport their employees, other transit system employees, transit management officials, transit contractors and bidders, government officials and their contractors, and official guests for emergency preparedness planning and operations.
4. Sections 5310, 5311, 5316, and 5317, 5339, recipients.
    - The charter prohibitions do not apply to grantees that use Federal financial assistance from FTA for specified program purposes, meaning, transportation that serves the needs of either human service agencies or targeted populations (elderly, individuals with disabilities) under Sections 5310, 5311, 5316, 5317 or 5339.
5. Emergency response.
    - Grantees are allowed to provide service for up to 45 days for actions directly responding to an emergency declared by the president, governor or mayor or in an emergency requiring immediate action prior to a formal declaration.
6. Recipients in rural areas.
    - Grantees in rural areas may transport employees, other transit systems' employees, transit management officials, and transit contractors and bidders to or from transit training outside its geographic service area.

Exceptions: ITD-PT does not allow charter exceptions as defined by FTA.

FTA recipients are prohibited from providing any charter service using FTA-funded equipment or facilities if there is at least one private charter operator willing and able to provide the service that the recipient desires to provide as long as no exception applies.

In 49 CFR, Subpart C - § 604.13-14, the Rule sets forth a public participation process for determining if there are any willing and able private charter operators using the new FTA Registration Website for advertising to the registered private providers. http://ftawebprod.fta.dot.gov/CharterRegistration

The process may be carried out by the State in state administered programs or may be delegated to subrecipients of FTA funds. As the state administering agency, ITD-PT has chosen to delegate the responsibility for the public notice to subrecipients. Providers must follow all rules under the new Charter regulations. Providers will notify ITD-PT when they have used the website to notify private charter providers.

Section 5310 and 5311, subgrantees who intend to provide charter service that is outside their program purposes must follow the guidelines outlined below. The FTA-published Charter Service Final Rule (49 CFR Part 604) was published January 14, 2008 and is effective April 30, 2008.

Certifications and Assurances

All subrecipients must comply with all Federal requirements through completion of all Certifications and Assurances. These Certifications and Assurances are required to be signed by an authorized public official, as part of the formal contract process. A list of the Certifications and Assurances can be found on the ITD-PT Website http://itd.idaho.gov/public_transportation/application_program.html.

ITD-PT, when submitting State grant applications to FTA, is also required to execute Certifications and Assurances both on behalf of the State and subrecipients.

FTA Procurement Requirements

ITD-PT passes through and will ensure that all procurement complies with State of Idaho Code (http://purchasing.idaho.gov/idaho code.html) and FTA standards found in Circular 4220 – Third Party Contracting Guidance.

ITD-PT complies with the following FTA procurement requirements:

- Comply with its own procurement regulations
- Conduct all procurements in a manner providing full and open competition
- Exclude the use of statutorily or administratively imposed in-state or local geographic preferences in the evaluation of bids or proposals except in those cases where applicable federal statutes expressly mandate or encourage geographic preference
- Use competitive proposal procedures based on the Brooks Act when contracting for architectural and engineering services, if the state has not adopted a statute governing the procurement of such services before August 10, 2005;
    - Award to only responsible contractors possessing the ability, willingness and integrity to perform successfully under the terms and conditions of the contract
- Ensure that every purchase order and contract executed using federal funds includes all clauses required by federal statutes and executive orders and their implementing regulations
- Do not enter into any contract for rolling stock with a period of performance for ordering exceeding five years, inclusive of options, without prior FTA approval
- Comply with Buy America requirements, including pre-award and post-delivery requirements
- Comply with debarment and suspension requirements
- Comply with lobbying requirements

ITD-PT will include FTA C 4220.1 requirements in its contracts with subrecipients including non-profit or for-profit entities.

Idaho Purchasing Threshold:

$1 - $3,000: Micropurchase

- Shall show that paid fair and reasonable amount for product. (ITD-PT suggests 3 Quotes which can be done via phone, e-mail, or internet).
- Micropurchases and construction contracts over $2,000 must include FTA Federal Contract Clauses, available on the ITD-PT Website. (http://itd.idaho.gov/public_transportation/application_program.html)

$3,001 - $99,999: Small Purchase

- Shall obtain a minimum of three quotes/bids. (ITD-PT suggests use of an RFQ)

$100,000 or more: Formal Solicitation

- Shall follow State of Idaho Rules: http://purchasing.idaho.gov/idaho code.html. (ITD-PT suggests an Invitation to Bid (ITB) for commodities or a Request for Proposal (RFP) for service oriented procurements).

FTA prohibits the inclusion of "geographic preferences" in its FTA funded procurements. ITD-PT recommends that subrecipient or contractor document all (Circular 4220.1 Appendix C – Third Party Contracting Checklists).

Lead Agency for Auditing Purposes

The lead agency (the Cognizant agency in federal regulations) is determined by the amount of Federal funds received by an agency.

Relevant information:

- The designated cognizant agency for audit shall be the Federal awarding agency that provides the predominant amount of direct funding to a recipient unless OMB makes a specific cognizant agency for audit assignment.

Excluded Party

In the event that ITD-PT becomes aware, after the award of a contract, that an excluded party is participating in a covered transaction, it will promptly notify FTA in writing of this information. ITD-PT may continue any covered transaction in existence at the time a party was debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded. ITD-PT is not required to continue the transaction and may consider termination. However, ITD-PT will not renew or extend the covered transaction (other than through a no-cost time extension) with the excluded party.

Environmental Regulations

ITD-PT will ensure all projects comply with the National Environmental Protection Act (NEPA) and will consult with FTA prior to project approval. Subrecipients must submit all required NEPA documentation prior to ITD-PT submitting the Program of Projects (POP).

Section 5333(b) Special Warranty

Section 5333(b) provisions protect the interest of employees of agencies receiving § 5311 funds. Each grantee is supplied with a copy of the U.S. Department of Labor's Rural Transportation Employee Protection Guidebook which explains the regulations and posting requirements of Section 5333(b) notices in employee gathering areas. ITD-PT staff verifies that the agency has met the posting requirements during site visits and other project monitoring opportunities.

B. Capital Purchases

Financial procedures for capital payments are that capital equipment is not handled on a reimbursement basis. ITD-PT uses the industry standard process of payment on delivery once the vehicles and/or equipment has satisfactorily passed ITD-PT's and the provider's inspection. Documents may be found at http://itd.idaho.gov/public_transportation/cap_grant_program.html and by clicking the Vehicle Reimbursement Packet.

ITD-PT uses a variety of mechanisms to monitor facility construction and rehabilitation projects. Monitoring mechanisms include one or more of the following:

- Contracting with a consultant to provide project management oversight;
- Reviewing the request for proposals and construction contracts;
- Reviewing plans and drawings;
- Conducting periodic site inspections;
- Requiring progress reports;
- Conducting regular project review meetings;
- Withholding payment of a portion of the grant until final inspection and acceptance of the facility by the state.

ITD-PT ensures that subrecipients use FTA-funded real property for eligible project purposes through annual certifications of use, site visit inspections, or deed restrictions.

Buy America

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This provision requires that federal tax dollars used to purchase steel, iron, and manufactured goods used in a transit project are produced domestically in the United States:

- All purchases of steel, iron, and manufactured products exceeding the $100,000 threshold
- Subcontractors, regardless of the size of the contract, if the prime contract is more than the $100,000 threshold
- Purchase made using an intergovernmental agreement and jointly purchased manufactured products
- Purchase of used items

For the coming Fiscal Years:

- FFY16 & FFY 17: more than 60% domestic content
- FFY18 & FFY19: more than 65% domestic content
- FFY20 & beyond: more than 70% domestic content

For purposes of qualifying for the General Public Interest Waiver for Small Purchases, the FAST Act defines Small Purchases as a purchase of $150,000 or less. For rolling stock purchases for which the average cost of the vehicle is more than $300,000, the FAST Act allows the cost of steel or iron produced in the U.S. and used in the rolling stock frames or car shells to be included in the domestic content calculation, regardless of whether the frame or char shell is produced in the U.S.

Five Year Contracts

ITD-PT and all subrecipients are required to only have contracts in place for a maximum of five years (including base and options to renew) before going back out for a competitive bid process.

Insurance

ITD-PT requires that subrecipients purchase insurance for equipment purchased with Sections 5310, 5311, 5316, 5317, 5309 and 5339 funds. ITD-PT requires that insurance be adequate to protect the federal and state interest in the vehicle until disposal. ITD-PT is the lien holder of the first position on the vehicle title and on the required full coverage insurance. A current copy of the insurance must be on file at ITD-PT at all times.

Vehicle titles

Titles are held by ITD-PT until useful life is met. Upon release, each subrecipient will receive a vehicle disposition packet, stating that upon sale of the asset, if the fair market value is less than $5,000 the proceeds may be used as the subrecipient sees fit. If the value is greater than $5,000 the proceeds must go back into public transportation and match the intent and description of the original funding source. If not possible a direct proportion of the federal interest must be returned to the Department. Furthermore if the vehicle's fair market value is greater than $5,000 and has not met its useful life, it must receive both FTA and ITD approval prior to disposition.

Lease restrictions

ITD-PT currently does not allow leases.

Construction Management/Property Management

ITD-PT requires all recipients to comply with the FTA regulations stated in FTA 5010.1D in regards to the standard assurances, historic preservation, all applicable environmental mitigation processes, NEPA, CE's, EA's, etc. and the project management plans.

In addition ITD-PT regulations regarding inventory and disposal are to be followed by all contractors and subrecipients. ITD has Standard Specifications for construction which incorporates the articles and items which are the standard Federal guidelines for construction. Davis Bacon is also adhered to. In response to FTA Circular 5010.1D, Page IV-31, m. Maintenance, ITD-PT requires that each facility with FTA investment have and follow a maintenance plan including maintenance of ADA accessibility features.

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ITD-PT follows all State of Idaho Property Management requirements as well as the FTA C 5010.1D guidelines on Management of Real Property, Equipment and Supplies. These include equipment inventory, ITD-PT maintains a list in Excel, acquisition costs under procurement and audit practices, excess property. For facilities purchased or built with FTA funds ITD-PT will do a site visit and inspection every two (2) years.

Equipment Inventories

ITD-PT uses inventories to track how many vehicles and other equipment that were purchased with FTA or state assistance. The ITD-PT requires that subrecipients provide an equipment inventory annually or as needed or requested which can then be used to reconcile the subrecipients' inventory to the state's inventory.

Pre-Award/Post-Award

ITD-PT is also responsible for ensuring compliance with Pre-Award, Post-Delivery Review and Buy America regulations, and performs factory inspections when vehicles are being manufactured. For funds to which the pre-award authority applies, the authority expires with the lapsing of the fiscal year funds.

Pre-award/post-delivery reviews will be conducted according to Federal and State regulations. Federal regulation, 49 CFR 663 (October 1, 1997) and 49 USC § 5323 require that prior to awarding the contract, ITD-PT must certify compliance with the described provisions of Buy America and the described provisions of the Bus Testing clearance (49 CFR 665). The manufacturer must submit documentation and certification both pre-award and post-delivery. This includes certifying by the Pre-Award Buy America Certification Form.

Section 5323, Buy America, requires that prior to purchase, the State must not only obtain the certification from the manufacturer attesting to the appropriate percentage of manufacture and final assembly being done in the United States but must take further steps to certify that this is accurate. This may include any additional information about the manufacturer or the product.

C. Billing and Reimbursements

Program funds will be distributed on a reimbursement basis and it is required that the transportation providers submit invoices with all required backup documentation to support the reimbursement to ITD-PT on a monthly basis. Subrecipients may request a waiver to bill quarterly or annually for construction projects.

ITD-PT adheres to the federal costs principles document when guiding subrecipients on eligible expenses for reimbursements. To be eligible for travel reimbursements, subrecipients must adhere to ITD-PT's travel regulations, available on the ITD website. The Please refer to the reimbursement checklist and invoice example on the ITD-PT website[1] for the step by step reimbursement process and subsequent documents.

Upon receiving a completed request for reimbursement, ITD-PT grants officer will process the subrecipient's invoice payment, drawing from the oldest available funds first.

ITD-PT Grant Officer's utilize FTA's current web-based Transportation Award Management System (TrAMS) system and Electronic Clearing House Operation (ECHO) system to process grant awards and drawdown requests for payment to grantees. TEAM reflects an updated POP, adjustment within budget categories, and reporting.

Lapsing Funds

Funds that a state deobligated from an approved program of projects during the period of availability remain available to the state to be obligated during the period that the funds were originally available to the state. Funds deobligated

[1] http://itd.idaho.gov/public_transportation/opr_grant_program.html

after the period of availability lapse to the state and return to FTA. FTA then reapportions these funds among all the states.

Closeout

Funding Agreement:
ITD-PT will issue a closeout letter after receiving final invoice, no later than 60 days after expiration of funding agreement. All records will be kept for the life of the grant and for three years beyond its closure, per the State's record retention program and FTA requirements, unless otherwise stated.

Project:
ITD-PT initiates project close-out of grants with FTA within 90 days after all work activities for the program of projects has been completed. This includes electronically submitting a final Federal Financial final Milestone Progress Report, final budget, and final program of projects.

Single Audit

In accordance with the Single Audit Act Amendments of 1996[2], subrecipients who have expended over $750,000 in federal financial assistance in a single year are required to have an A-133 single audit completed within nine (9) months after the end of their fiscal year. Subrecipients are required to submit those audits, along with any material findings and plans to correct those findings, to ITD-PT within 30 days after receiving the audit report, in accordance with terms, conditions, and timelines outlined in the Funding Agreement. Once resolved, ITD-PT will verify the SF-SAC form was submitted to the FTA regional office.

If the subrecipient expends less than the A-133 threshold annually, then a Single Audit is not required. However, if the subrecipient still decides to have an A-133 compliant audit conducted, the cost of the audit must be paid for with non-Federal sources.

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[2] https://www.whitehouse.gov/omb/circulars/a133_compliance_supplement_2011

SECTION V: Budget and Performance (Reporting)

A. National Transit Database Reporting

ITD-PT is required to report to the National Transit Database (NTD) as described in 49 U.S.C 5335(b). ITD-PT requires each subrecipient to submit reports quarterly including 5310, 5311 and 5339 subrecipients. Each October, ITD-PT enters all required data into NTD and verifies the information entered by the providers. ITD-PT uses this information to assist with performance management and target setting for programs and investments across the state.

A reporting template can be viewed on the ITD-PT website.
(http://itd.idaho.gov/public_transportation/bug_perf_program.html#)

Direct recipients of § 5307 funds submit NTD data independently to FTA.

B. Federal Financial Report (FFR)

ITD-PT will submit electronically an annual FFR for each active grant, for the period ending September 30. For the purpose of this report, funds are considered encumbered when agreements are signed with subrecipients as well as internal purchasing/contract agreements. ITD-PT will follow all FTA FFR requirements.

C. Milestone Progress Reports (MPR)

For activity line items (ALIs) for which milestones were required at the time of grant application (e.g., for vehicle procurements, construction projects, and program reserve), ITD will enter revised milestone dates as part of the annual report. If the estimated completion date for the grant has changed, the revised date should be entered, with an explanation as to why the date was changed.

D. Reporting of Vehicle Use

ITD-PT requires quarterly reports of vehicle use (miles, hours, and passenger trips, trip purpose) to ensure that vehicles are used in accordance with program requirements and are not underused. ITD will work with each subrecipient on required mileage as each circumstance could be different.

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SECTION VI: Public Transportation Safety Program

A. State Safety Oversight

A new requirement under MAP-21 has provided FTA with the authority to regulate safety for all modes of public transit. A National Safety Plan is currently under development, which establishes a Safety Management System (SMS) for FTA's safety regulatory framework and will include a definition of State of Good Repair (SGR) and safety performance criteria. The new law requires all recipients of FTA funding to develop transit agency safety plans within one year of the final rule. All transit agencies, regardless of mode, size, or operating characteristics are required to have a Transit Agency Safety Plan.

When developed, each Transit Agency Safety Plan will demonstrate compliance with the National Safety Plan and implementation of the SMS. At a minimum, the plan must include:

- Approval by the Board of Directors, or equivalent
- Methods for identifying/evaluating safety risk
- Strategies to minimize exposure to hazards
- Process/timeline for annual review and update
- Performance targets based on safety performance criteria
- Assignment of a safety officer
- Comprehensive operational staff training program

The Idaho Transportation Department Public Transportation Program (ITD-PT) is committed to providing safe public transportation options for all Idaho citizens. To further the safe operation of public transportation in Idaho, ITD-PT has created three innovative programs that facilitate this effort; the Idaho State Police Vehicle Inspection Program, the Subrecipient Site Review Program, and the Asset Management and Title Program. Each of these programs works directly with local transit agencies and companies to ensure safe public transportation operations.

ITD-PT continues to be proactive in ensuring that subrecipients comply with federal requirements.

B. Idaho State Police Inspection

ITD-PT has developed a partnership with the Idaho State Police (ISP), Commercial Vehicle Safety Division to conduct, at minimum, bi-annual vehicle inspections. ISP utilizes the Vehicle Inspection Sheet, which is available on the ITD-PT website. (http://itd.idaho.gov/public_transportation/safety_program.html)

At minimum, annually, ITD-PT runs a query based on the last date of inspection to identify vehicles needing inspections within the calendar year. Once the information is reviewed for accuracy, the list is then forwarded on to ISP. An "Upcoming Vehicle Inspection" notification is sent to each organization with a copy of each vehicle's inspection sheet. Progress of Vehicle Inspections is monitored on a monthly basis to ensure that inspections are being performed in a timely manner. Once inspections are complete ISP sends inspection reports and pictures to ITD-PT for each vehicle inspected. Attachments are copied and saved to their appropriate vehicle's file.

Note: All new vehicles are first inspected by ITD-PT.
In order for a subrecipient to remain in good standing with ITD-PT, all deficiencies found during a site visit or vehicle inspection are to be corrected within 14 days. Upon receipt of an ISP inspection that has findings, ITD-PT will notify the subrecipient of the deficiencies indicating that corrections need to be made within 14 days. Once notification has been received of corrective actions, ITD-PT will update the vehicle database

C. Site Reviews

Site visits are conducted on a staff assessment basis but no less frequent than once every two (2) years to review compliance with program requirements including vehicle, equipment and facility usage. Providers utilize a self-certification procedure in off-years. ITD-PT reconciles a physical inventory at the time of a site visit and may at other times to meet the two year FTA requirement for inventory management. Unannounced visits to sites or routes may occasionally take place to verify appropriate use of equipment. In addition, qualified contractors may be hired to conduct additional and in depth maintenance monitoring visits, inspections and physical inventory requirements. ITD-PT website includes a copy of the Compliance Review document that will be used during each subrecipient site visit. (http://itd.idaho.gov/public_transportation/safety_program.html)

D. Monitoring Compliance and Federal Maintenance Requirements

Each subrecipient must establish a maintenance program and submit it to ITD-PT during the application process. Subrecipients and contractors are required, at a minimum; to follow the manufacturer's suggested maintenance intervals and procedures. Maintenance can be reviewed at any time and is reviewed during site visits. Currently ITD-PT performs on-site inspections at transit facilities with both announced and unannounced reviews. This maintenance review program ensures that all Federal and State requirements are met and helps extend the life of the transit vehicles. Maintenance of ADA accessibility features is included.

The following terms are included in the Cost Sharing Agreement for Providers: "Provider shall maintain the vehicles at a high level of cleanliness, safety, and mechanical reliability. Provider hereby covenants and agrees that, at its sole cost and expense; it will repair and maintain the vehicles in accordance with the current specifications and requirements of the manufacturer. Vehicles will be subject to periodic inspection by ITD-PT and/or Idaho State Police as ITD-PT sees fit."

E. Vehicle Useful life

ITD-PT's useful life standards for vehicles reflect FTA's standards and are shown in the table below:

Category	Typical Characteristics				Minimum Life (Whichever comes first)	
	Length	Approx. GVW	Seats	Average Cost	Years	Miles
Heavy-Duty Large Bus	35 to 48 ft and 60 ft artic.	33,000 to 40,000	27 to 40	$325,000 to over $600,000	12	500,000
Heavy-Duty Small Bus	30 ft	26,000 to 33,000	26 to 35	$200,000 to $325,000	10	350,000
Medium-Duty and Purpose-Built Bus	30 ft	16,000 to 26,000	22 to 30	$75,000 to $175,000	7	200,000
Light-Duty Mid-Sized Bus	20 to 30 ft	10,000 to 16,000	16 to 25	$50,000 to $65,000	5	150,000
Light-Duty Small Bus, Cutaways, and Modified Van	16 to 28 ft	6,000 to 14,000	8 to 22	$30,000 to $40,000	4	100,000

F. Vehicle/Real Asset Disposition

ITD-PT implements its own disposition procedures to ensure that vehicles are used until the end of their useful life. If a vehicle is no longer needed by a subrecipient it can be transferred to another subrecipient for public transportation purposes. In the event that a vehicle must be disposed of before the end of its useful life, ITD-PT will send a written request to FTA requesting disposal before the end of the vehicle's useful life, with an explanation of why the disposal is justified. ITD-PT will determine which option is best for the Department from the options listed in FTA C 51010.1D, and

inform both the subrecipient and FTA of the preferred method and the reasoning behind it. Titles are held by ITD-PT until useful life is met and the estimated value is less than $5,000, per FTA interests over $5,000. In the event of a systemic problem such as corrosion, ITD-PT can give permission to dispose of vehicles prior to the end of the useful live.

ITD-PT reserves the right to transfer asset(s) to include equipment and vehicles that are underused.

Voluntary Release of Ownership allows any subrecipient to release their asset back to ITD-PT if or when the asset is no longer needed for approved project purposes, has not met useful life, and has a value greater than $5,000. The process for a voluntary release of asset ownership by subrecipient is as follows:

- Subrecipient will complete a Bill of Sale with the following information.
    - Description of real asset being relinquished to ITD.
    - Seller's Name and Address:
    - Purchaser's Name: Idaho Transportation Department – Public Transportation
    - Address: 3311 W State Street
    - City: Boise
    - State: ID
    - Zip: 83703
    - Date sold: this would be the date the asset is relinquished to ITD
    - Selling Price: $0.00
    - Signature of Subrecipient's authorized representative
- Subrecipient submits original document to ITD-PT.
- ITD-PT scans a copy and files it in the grant file
- ITD-PT sends a copy of the signed Bill of Sale to the subrecipient

G. Accident Reporting

Subrecipients must report a vehicle incident, accident or casualty to ITD-PT within 48 hours of the occurrence. Vehicles that are damaged, but repairable, must be repaired to an equal or better condition, comparable to the condition prior to the incident.

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SECTION VII: Public Transportation Outreach Program

A. Public Comment Process

The entire Idaho Transportation Department is committed to coordinated public outreach. Through the recent reorganization, and the relocation of Public Transportation within the Division of Highways, ITD-PT utilizes the same communication tools and methods as outlined by our partners with Highways. This includes utilizing all methods of communication available to our Office of Communication, use of a Public Involvement Coordinator during STIP development, directed e-mailings to a specified list of interested public transportation stakeholders, local meetings conducted at District Offices, and other means as deemed relevant to the situation. This process is in compliance with Federal rules and regulations and is consistent with Department policy.

B. PT Website

http://itd.idaho.gov/public_transportation/default.html

C. RTAP

PROGRAM SUMMARY: To provide scholarships, trainings, and training materials to enhance and support the delivery of public transportation in Idaho.

PROGRAM GOALS AND OBJECTIVES: To provide relevant training opportunities relating to identified needs of each public transportation provider and/or stakeholder area to support the safe delivery, increase mobility, and economic development of Idaho through public transportation.

APPLICANT ELIGIBILITY:

- Public and non-profit organizations that provide transportation services in non-urbanized areas of Idaho are eligible to apply.
- Organizations that receive or are eligible to apply for FTA Section 5310, 5311 and 5339 funds during the current federal fiscal year.

PROGRAM ELIGIBILITY:

- Scholarships *up to $2,500* per person are available until the budgeted funds are exhausted. RTAP funds can be used for courses, workshops, seminars, materials, driver training(s) and conferences with subject matter applicable to rural and specialized transportation, and appropriate to the level of expertise of the person(s) attending.

Note: Scholarship funds may not be used for lobbying activity, and may not be passed through to for-profit organizations under contract to Section 5310, 5311 and 5339 recipients.

- Maximum of two (2) individuals per training, workshop or conferences
- Maximum of three (3) training, workshop, or conference scholarships per individual per year

All applications will be reviewed for organization eligibility and program applicability. All scholarship applications and payments are subject to final review by the RTAP Grants Officer and may be deemed ineligible during the application process. Applicants will be notified of the application status within two weeks of receipt of the application.

ALLOWABLE EXPENSES:

ITD-PT RTAP Scholarship will reimburse the applicant for the following:

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- Training, workshops, conference fees and/or materials
- Lodging
- Lowest cost of travel, whether airfare or mileage
- Meals only when not provided by training and when requested as part of scholarship
- Parking, Taxi and/or Shuttle fees

ITD-PT RTAP Scholarship will not reimburse the applicant for the following:

- Travel insurance
- Airline Baggage Fees
- Rental Car (ITD-PT encourages use of public transportation)

HOW TO APPLY:

For the most current application please visit - http://itd.idaho.gov/public_transportation/outreach_program.html

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SECTION VIII: Advisory and Working Groups

Engagement and coordination is key to the continued success of public transportation in Idaho. That is why, per Idaho Code 40-514, the Idaho Transportation Department's Public Transportation Program (ITD-PT) supports two stakeholder groups both focused on public transportation, the Interagency Working Group (IWG) and the Public Transportation Advisory Council (PTAC). The IWG is made up of representing government agencies that have a role in public transportation in Idaho. The PTAC has six members appointed by the Idaho Transportation Department Board and advises the Department on issues and policies regarding public transportation. Please see below to learn more about these groups.

To learn more about each group please visit: http://itd.idaho.gov/public_transportation/adv_working_grps.html

A. Interagency Working Group (IWG)

The Interagency Working Group (IWG) was created in Idaho Code 40-514 to "advise and assist the department in analyzing public transportation needs, identifying areas for coordination, and developing strategies for eliminating procedural and regulatory barriers to coordination at the state level". Today the Interagency Working Group tackles a number of important public transportation issues, including policies and statutes, data collection and review from each agency, and unique assignments as voted on by the Group to help reduce barriers and increase coordination.

B. Public Transportation Advisory Council (PTAC)

The Public Transportation Advisory Council (PTAC) was also created in Idaho Code 40-514 to "advise the Department on issues and policies regarding public transportation in Idaho. The council shall participate in planning activities, identify transportation needs, and promote coordinated transportation systems. Before setting programs and priorities, the council shall seek pertinent information, facts and data from local governments, agencies, and providers regarding rural public transportation issues." Today the PTAC advises and assists the Department and the Idaho Transportation Board in making funding recommendations to the Idaho Transportation Department Board.

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SECTION IX: Definitions

5 A's of FTA:

Authorization: Fixing America's Surface Transportation Act (FAST Act)

Appropriations: FFY Appropriation authorized to by the Appropriation Act.

Apportionments: FTA apportions funds to States by a statutory formula that is based on the most recent decennial Census data available, and the State's UZA population as compared to the UZA population of all States.

Allocation: Discretionary funds such as 5310/5311/5339 have an allocation for example: 5311 allows 10% State Admin, 2% for RTAP, 15% for Intercity and the remaining balance for Rural allocation.

Allotment – Distributed by Discretionary fund and then by District.

Applicant: Entity that is seeking, but has not yet been awarded, specific state and/or federal funds from ITD-PT

Capital Asset, Equipment or Facility: Facility or equipment with a useful life of at least one year.

Complimentary Paratransit: Comparable transportation service that must be provided for individuals who are unable to use fixed route systems

Coordinated Plan: Locally Developed, Coordinated Public Transit-Human Services Transportation Plan. A plan that identifies the transportation needs of individuals with disabilities, older adults, and people with low incomes; provides strategies for meeting those local needs; and prioritizes transportation services for funding and implementation.

Demand Response: Any non-fixed route system of transporting individuals that requires advanced scheduling by the customer, including services provided by public entities, nonprofits, and private providers. Typically, the vehicle may be dispatched to pick up several passengers at different pick-up points before taking them to their respective destinations and may even be interrupted en route to these destinations to pick up other passengers

Direct Recipient: For the purpose of this SMP ITD-PT is the Direct Recipient of funds directly from FTA

Discretionary Grant: FTA offering one time projects opportunities, (that must be considered "Shovel Ready")

Formula Program: Program wherein ITD-PT is the recipient of § 5304 Planning, 5310 Rural and Small Urban, 5311, 5339 Rural and Small Urban Formula Funds. Other formula funds include 5303 and 5307, of which ITD is not the direct recipient.

In-Kind: The value of non-cash contributions provided by: (1) the recipient, (2) other public agencies and institutions, and (3) private organizations and individuals. In-kind contributions may consist of charges for real property and equipment, directly benefiting and specifically identifiable to the grant program.
When authorized by Federal legislation, property purchased with Federal funds may be considered as grantee's in-kind contribution. Equipment can be donated, if FTA, ITD-PT and the subrecipient agree on its value - - then only when authorized by Federal legislation may property purchased with Federal funds be considered as the recipient's in-kind contributions. Also see **Non-Cash Match**.

Intercity Bus: FTA defines intercity bus service as regularly scheduled bus service for the general public which operates with limited stops over fixed routes connecting two or more urban areas not in close proximity, which has the capacity for transporting baggage carried by passengers, and which makes meaningful connections with scheduled intercity bus service to more distant points, if such service is available.

Job access and Reverse Commute (JARC): The formula JARC Program funds for FY 2012 and prior years under SAFETEA-LU have been apportioned. Unobligated carryover balances for the JARC program may be obligated through the period of availability, but must follow the SAFETEA-LU requirements. For example, section 5316 JARC projects must still be derived from a human service public transportation coordinated plan and must also be selected through an area-wide or statewide competitive selection process by the designated recipient.

Under MAP-21, activities that were funded under the section 5316 JARC program are eligible under sections 5307 Urbanized Area Formula Grants, and 5311 Formula Grants for Rural Areas.

Large Urbanized Area (UZA): An urbanized area (UZA) with population of at least 200,000 at the time of the last decennial census. Currently only City of Boise – Valley Regional Transit are the direct recipient.
Low-Income Individuals: The term is defined as, "an individual whose family income is at or below 150 percent of the poverty line, as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)), including any revision required by that section, for a family of the size involved." The formulas for funding apportionment in sections 5307 and 5311 now include consideration of the number of low-income individuals in a rural or urbanized area for part of the apportionment. However, this definition does not apply to the formula for public transportation on Indian reservations, which defines a low-income individual as an individual whose family income is at or below 100 percent of the poverty line.
Metropolitan Planning Organization: The policy board of an organization designated in cooperation with the state and public transportation operators to carry out the metropolitan planning process, including development of long-range transportation plans and transportation improvement programs for metropolitan planning areas of a state.

Idaho MPO's

Kootenai (KMPO) website: http://www.kmpo.net

Lewis-Clark Valley (LCVMPO) website: http://www.lewisclarkmpo.org

COMPASS website: http://www.compassidaho.org

Bannock (BTPO) website: http://www.bannockplanning.org

Bonneville (BMPO) website: http://www.idahofallsidaho.gov/city/city-departments/bmpo.html

Milestone Progress Report: Target of major tasks to be achieved by specific dates. The report should include information such as: data for each activity line item within the approved project unless FTA advises otherwise; a discussion of all budget or schedule changes; original, estimated and actual estimated completion date, if applicable; dates of expected or actual requests for bid, delivery, etc.; a narrative description of projects, status, specification preparation, bid solicitation, resolution of protests, and contract awards; analyze project cost variances; completion and acceptance of equipment or other work should be discussed, together with a breakout of the costs incurred and those costs required to complete the project; use quantitative measures, such as hours worked, sections completed or units delivered; reasons why any scheduled milestone or completion dates were not met, identifying problem areas and discussing how the problems will be solved; and discuss the expected impacts of delays and the steps planned to minimize these impacts

National Transit Database (NTD): The NTD is FTA's primary source for information and statistics collected from transit systems that receive FTA formula funding.

New Freedom (NF): The formula New Freedom Program funds for FY 2012 and prior years under SAFETEA-LU have been apportioned. Unobligated carryover balances for the New Freedom program funds may be obligated through the period of availability, but must follow the SAFETEA-LU rules and requirements. For example, section 5317 New Freedom projects must still be derived from a locally developed, coordinated public transit-human services transportation plan and must also be selected through an area-wide or statewide competitive selection process by the designated recipient. Under MAP-21, the types of activities that were funded under the section 5317 New Freedom program are now eligible under section 5310, Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities.

Non-profit Organization: A corporation, trust, association, cooperative, or other organization which:

(1) Is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest

(2) Is not organized primarily for profit

(3) Uses its net proceeds to maintain, improve, and/or expand its operations. For this purpose, the term "nonprofit organization" excludes colleges and universities; hospitals; State, local and Federally recognized Indian tribal governments; and those nonprofit organizations which are excluded from coverage of this Circular. Some non-profit organizations because of their size and nature of operations can be considered to be similar to commercial concerns for purpose of applicability of cost principles. Such non-profit organizations shall operate under Federal cost principles applicable to commercial concerns.

Non-Urbanized Area: an area encompassing a population of less than 50,000 people.

Operating Expenses: Operating expenses are those costs necessary to operate, maintain, and manage a public transportation system. Operating expenses usually include such costs as driver salaries, fuel, and items having a useful life of less than one year.

Preventative Maintenance: All maintenance costs related to vehicles and non-vehicles. Specifically, it is defined as all the activities, supplies, materials, labor, services, and associated costs required to preserve or extend the functionality and serviceability of the asset in a cost effective manner, up to and including the current state of the art for maintaining such an asset.

Private For Profit Operators and/or Vendors: A business or institution initiated or operated for purpose of making a profit. In order to do business with the State of Idaho you must be a registered vendor. To register visit the IPRO website and click IPRO Vendor Registration (http://purchasing.idaho.gov/ipro.html)

Program of Projects (POP): A program of projects (POP) is a list of projects proposed by a designated recipient in cooperation with a metropolitan planning organization to be funded from the urbanized area's Section 5307 apportionment. A POP is also required for Section 5310, 5311 and 5339 projects. The POP includes a brief description of the projects, including any sub-allocation among public transportation providers, total project costs, and federal share for each project.

Public Transportation: Congress amended the definition of "public transportation" to specify that public transportation is regular, continuing, shared-ride, surface transportation service that is "open to the general public or open to a segment of the general public defined by age, disability, or low income." Public transportation does not include Amtrak service, intercity bus service, charter bus service, school bus service, sightseeing service, courtesy shuttle service for patrons of one or more specific establishments; or intra-terminal or intra-facility shuttle services.

Reimbursement: Program funds will be distributed on a reimbursement basis and it is required that the transportation providers submit invoices with all required backup documentation to support the reimbursement to ITD-PT on a monthly basis. You may request a waiver to bill quarterly or annually for construction projects.

Rural Area: An area encompassing a population of less than 50,000 people that has not been designated in the most recent decennial census as an "urbanized area" by the secretary of the Department of Commerce.

Senior: An individual who is 65 years of age or older.

Site Visits: ITD-PT conducts a visit on the project(s) funded with FTA dollars. The purpose of a program/project review to discuss administrative or technical processes or issues.

Small Urbanized Areas: As used in the context of FTA formula grant programs small urbanized areas are UZAs with a population of at least 50,000 but less than 200,000.

Statewide Transportation Improvement Program (STIP): A statewide prioritized listing/program of federally funded transportation projects covering a period of four years that is consistent with the long-range statewide transportation plan, metropolitan transportation plans (MTPs), and transportation improvement program (TIP), and required for projects to be eligible for funding under title 23 of the U.S. Code and 49 U.S.C. Chapter 53.

Subcontractor or third party: Entity or organization that has entered into a subcontract with a contractor to provide goods or services in connection with a program or activity initiated by an applicant, recipient, or subrecipient. "Third Party Subcontractor" it is referring to a recipient's subcontractor, an entity that has entered into a legal subcontract with an applicant, recipient, or sub-recipient's contractor. *Required to follow Idaho Procurement rules.

Subrecipient: An entity that receives FTA funds via a pass-through agreement with a direct recipient or designated recipient, whereby the original recipient remains responsible for compliance with all terms, conditions, and requirements associated with the grant.

Transit: Referring to public transportation.

Transportation Improvement Program (TIP): A prioritized listing/program of transportation projects covering a period of four years that is developed and formally adopted by an MPO as part of the metropolitan transportation planning process, consistent with the MTP, and required for projects to be eligible for funding under title 23 of the U.S. Code and 49 U.S.C. Chapter 53.

Travel Cost: Expenses for transportation, lodging, subsistence, and related items incurred by the subrecipients employee(s) who are in travel status on official business of the organization.

Urbanized Area (UZA): An area encompassing a population of not less than 50,000 people that has been defined and designated in the most recent decennial census as an "urbanized area" by the secretary of the Department of Commerce.

Useful Life: The expected lifetime of project property, or the acceptable period of use in service. Note: Land does not depreciate and therefore does not have a useful life.

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