



**Washington State
Department of Transportation**

DRAFT 2020-2023 State Management Plan

for Federal Transit Administration
Public Transportation Programs

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Public Transportation Division

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Acronyms and abbreviations

ADA	Americans with Disabilities Act
CFR	Code of Federal Regulations
FTA	Federal Transit Administration
MPO	Metropolitan Planning Organization
RCW	Revised Code of Washington
RFP	Request for proposals
RTPO	Regional Transportation Planning Organization
USC	United States Code
WSDOT	Washington State Department of Transportation

Introduction

The Federal Transit Administration (FTA) provides financial assistance to states through a number of programs to develop new transit systems and improve, maintain, and operate existing systems.

FTA requires that states adopt policies and procedures for administering FTA Title 49 USC:

- [Section 5304](#) – Statewide Planning
- [Section 5310](#) – Enhanced Mobility of Seniors and Individuals with Disabilities
- [Section 5311](#) – Rural Areas
- [Section 5339](#) – Bus and Bus Facilities programs

States must also produce a plan describing the state’s policies and procedures for the state-managed portion of these programs. Washington’s State Management Plan for Federal Transit Administration Public Transportation Programs describes the state’s administrative policies and procedures for these FTA programs.

The [Consolidated Grant Guidebook](#) provides grantees with guidance on implementing federal policies.

Definitions

When used in this plan, the meaning of nonurbanized area, small urban area and urban area is:

- **Nonurbanized area** – Any area outside of an urbanized area. This term includes rural areas and urban areas under 50,000 in population not included in an urbanized area. This plan commonly uses the term rural to refer to all areas other than urbanized areas.
- **Small urban area** – An urbanized area with a population of at least 50,000 but less than 200,000.
- **Urban area** – An area with a population greater than 200,000.

For a list of rural, small urban or urban agencies, refer to the most recent edition of the WSDOT’s [Summary of Public Transportation](#).

For other definitions and acronyms used in this plan, see WSDOT’s Consolidated Grant Guidebook.

Legal authority

The Washington Governor designated the WSDOT as the authorized agency for administering federal assistance the Sections 5304, 5310, 5311 and 5339 programs.

FTA is responsible for national implementation of these grant programs and provides program guidance in circulars:

- [Circular 8100.1D](#) – Program Guidance for Metropolitan Planning and State Planning and Research Program Grants
- [Circular 9070.1G](#) – Enhanced Mobility of Seniors and Individuals with Disabilities Program Guidance and Application Instructions
- [Circular 9040.1G](#) – Formula Grants for Rural Areas: Program Guidance and Application Instructions
- [Circular 5100.1](#) – Bus and Bus Facilities Program: Guidance and Application Instructions

Circulars describe the intent of the grant programs and explain funding requirements. These requirements include program management and development the State Management Plan. This plan must comply with the circulars and with other state requirements that are not in conflict with the circulars.

Federal program goals

Section 5304

FTA defines the Section 5304 program goals in Circular 8100.1D:

Statewide Planning: These funds support the statewide planning efforts concerning the integration of multimodal solutions into the transportation system. This funding supports multimodal transportation planning in metropolitan areas and states that is cooperative, continuous and comprehensive.

Planning activities may also include long-range plans and short-range programs of transportation investment priorities may be a result of the planning efforts.

Section 5310

FTA defines the Section 5310 program goals in Circular 9070.1G:

To enhance mobility for seniors and persons with disabilities.

Toward this goal, FTA provides financial assistance for transportation services planned, designed, and carried out to meet the special transportation needs of elderly individuals and individuals with disabilities in all areas (i.e., urbanized, small urban, rural).

Under the [Moving Ahead for Progress in the 21st Century Act](#), the Section 5310 program also supports activities formerly covered by Section 5317, New Freedom.

The Section 5310 program requires coordination of federally assisted programs and services to make the most efficient use of federal resources.

Section 5311

FTA defines the Section 5311 program goals in Circular 9040.1F:

To support public transportation in rural areas with populations less than 50,000, where many residents often rely on public transit to reach their destinations.

Additionally, Title 49 USC [Section 5311\(f\)](#), Intercity Bus Program requires the state to spend not less than 15 percent of the annual Section 5311 program funding to develop and support intercity bus transportation, unless the Governor certifies to the U.S. Secretary of Transportation that the intercity bus service needs of the state are being met.

Section 5339

FTA defines the Section 5339 program goals in Circular 5100.1:

To provide funding to replace, rehabilitate, and purchase buses and related equipment, as well as construct bus-related facilities.

State policy goals

Washington Transportation Plan and RCW 47.04.280, Transportation System Policy Goals

WSDOT administers FTA public transportation programs within the guidelines of the most current [Washington Transportation Plan](#) and [RCW 47.04.280](#), Transportation System Policy Goals.

The transportation policy goals cited in both documents are:

- **Economic Vitality** – Promote and develop transportation systems that stimulate, support, and enhance the movement of people and goods to ensure a prosperous economy.
- **Preservation** – Maintain, preserve, and extend the life and utility of prior investments in transportation systems and services.
- **Safety** – Provide for and improve the safety and security of transportation customers and the transportation system.
- **Mobility** – Improve the predictable movement of goods and people throughout Washington State.
- **Environment** – Enhance Washington’s quality of life through transportation investments that promote energy conservation, enhance healthy communities, and protect the environment.
- **Stewardship** – Continuously improve the quality, effectiveness, and efficiency of the transportation system.

Results Washington

[Results Washington](#) is the governor's strategic framework to set the state's vision and mission, as well as the foundational expectation of all state agencies to achieve goals collaboratively.

Results Washington combines aspects of previous performance management systems with a significantly expanded lean initiative that involves all state agencies.

Results Washington's outcome measures are:

- **World-class education**
- **Prosperous economy**
- **Sustainable energy and a clean environment**
- **Healthy and safe communities**
- **Efficient, effective and accountable government**

Transportation is directly linked to Prosperous economy; sustainable energy and a clean environment; healthy and safe communities; and efficient, effective and accountable government.

WSDOT's Strategic Plan

[WSDOT's Strategic Plan](#) provides the vision, mission and values that guide the work of the agency.

The plan's goal areas are:

- **Inclusion** – Strengthen commitment to diversity and engagement in all of WSDOT's business processes, functions and services to ensure every voice is heard.
- **Practical Solutions** – Advance the integration of Practical Solutions into WSDOT's culture and practices to cost-effectively plan, design, build, operate and maintain the state's transportation system.
- **Workforce Development** – Be an employer of choice, creating a modern workforce while attracting and retaining quality workers to deliver our legislative, regulatory, and service requirements.

Roles and responsibilities

State administration

WSDOT's role in state administration of FTA's public transportation programs includes:

- Documenting Washington's procedures in the State Management Plan, providing opportunities for stakeholder input, and making the plan available to grantees, planning organizations, and general public after FTA approval for each updated version.
- Notifying potential participants about the grant programs and soliciting applications.
- Developing project selection criteria and competitive selection process.
- Arranging for the evaluation of potential projects for funding.
- Reviewing, prioritizing, and selecting projects for approval.
- Developing elements of the [State Transportation Improvement Program](#) for each FTA section.

- Developing and forwarding an annual program of projects and grant application to FTA.
- Certifying eligibility of applicants and project activities.
- Developing agreements with selected agencies.
- Monitoring local project activity and that transit providers participate in regional transportation improvement plan development.
- Ensuring grantee compliance with all federal requirements, including all certifications and assurances.
- Overseeing project audit and award closeout.
- Submitting reports as required by FTA, including [National Transit Database](#) reporting for Section 5311 grantees and any other specialty reporting for federal grantees.
- Distribute funds in a fair and equitable basis.
- Supporting and overseeing the [Coordinated Public Transit-Human Services Transportation Plans](#) in rural and urban areas in Washington, which are developed through a process including representatives from public transportation, private and nonprofit transportation, human services providers, the public including limited English proficiency, minority and low-income populations, and WSDOT.
- Certifying that all projects funded through Section 5310 are from a locally developed Coordinated Public Transit-Human Services Transportation Plan. As a matter of policy, Section 5311 and the state apportionment of 5339 projects are also required to be included in a Coordinated Public Transit-Human Services Transportation Plan.
- Sponsoring the grant competition and providing oversight and management of Section 5310 funding to non-transit organizations within the Puget Sound Regional Council area. WSDOT receives up to 10 percent of the awards to cover the costs of administering the grants
- Developing statewide vehicle and equipment contracts in cooperation with the Washington State Department of Enterprise Services Contracting and Purchasing Office.
- Overseeing the grantee procurement process to ensure compliance.
- Ensuring that grantees operate and maintain equipment purchased with grant funds consistently with project objectives.
- Approving Asset Management Plans for vehicles, equipment, and facilities.

Program-specific roles

Section 5311

- Developing and implementing a program of training and technical assistance under [Section 5311\(b\)\(3\)](#), the Rural Transit Assistance Program.
- Developing and implementing the Intercity Bus Program under Section 5311(f).
- Ensuring that grantees with projects funded through Section 5311 develop their projects in coordination with transportation projects assisted by other federal sources.

Sections 5310 and 5311

Planning for future transportation needs and ensuring coordination among transportation modes and providers.

Statewide advisement

As required by state law ([RCW 47.66.080](#)), WSDOT reviews the division's existing grant programs at least once per biennium. The purpose of this review is to determine the effectiveness of the programs and that the agency's methods for awarding funds result in a fair and equal distribution of the grants. The review also helps WSDOT staff revise their grant award and oversight process.

To carry out this review, WSDOT invites staff from organizations that represent public transportation interests to participate in the Grant Program Advisory Committee as members or subject matter experts to review application and evaluation criteria, learn information about the programs, and evaluate WSDOT's grant administration processes. These organizations include:

- Community Transportation Association of the Northwest
- State or regional representatives from Medicaid transportation programs
- For-profit public transportation providers
- Regional transportation planning organizations/metropolitan planning organizations (RTPO/MPO)
- Washington State Transit Association
- Tribal government representatives
- Community action councils
- WSDOT staff

Regulation

The Washington Utilities and Transportation Commission regulates private nonprofit organizations that transport seniors or people with disabilities in vehicles that hold seven occupants or more. These regulations include driver training, safety of operation (including vehicle inspection), and minimum insurance levels for liability.

Program of projects

WSDOT staff creates a program of projects when applying for new funds based on Sections 5304, 5310, 5311, and 5339 awards.

WSDOT reviews the program of projects periodically throughout the year to monitor spending and funding adjustments as necessary.

During the first month of each federal fiscal year, WSDOT submits an updated program of projects along with annual reporting required by FTA. If no updates are necessary, WSDOT will confirm that the program of projects is current.

Coordination

Coordinated Public Transit-Human Services Transportation Plans

WSDOT requires applicants for public transportation grants to participate in the Coordinated Public Transit-Human Services Transportation planning process with their local RTPO/MPO:

- **Benton-Franklin Council of Governments** – Benton and Franklin counties
- **Chelan-Douglas Transportation Council** – Chelan and Douglas counties
- **Island RTPO** – Island County
- **Northeast Washington RTPO** – Ferry, Pend Oreille, and Stevens counties
- **Okanogan Council of Governments** – Okanogan County
- **Palouse RTPO** – Asotin, Columbia, Garfield, and Whitman counties
- **Peninsula RTPO** – Clallam, Jefferson, Kitsap, and Mason counties
- **Puget Sound Regional Council** – King, Kitsap, Pierce, and Snohomish counties
- **Quad-County RTPO** – Lincoln, Adams, Grant, and Kittitas counties
- **Skagit Council of Governments** – Skagit County
- **Southwest Washington Regional Transportation Council** – Clark, Skamania, and Klickitat counties
- **Southwest Washington RTPO** – Cowlitz, Grays Harbor, Lewis, Pacific, and Wahkiakum counties
- **Spokane Regional Transportation Council** – Spokane County
- **Thurston Regional Planning Council** – Thurston County
- **Walla Walla Valley MPO and Sub-RTPO** – Walla Walla County
- **Whatcom Council of Governments** – Whatcom County
- **Yakima Valley Conference of Governments** – Yakima County

San Juan County produces a local Coordinated Public Transit- Human Services Transportation Plan but does not belong to a regional transportation planning organization or council.

The initial Coordinated Public Transit-Human Services Transportation planning process includes the following steps:

1. Project manager of the plan convenes stakeholders, including RTPOs/MPOs, public transportation providers, nonprofit human services agencies, health care providers, large employers, consumers, and limited English proficiency, minority, and low-income populations.
2. Stakeholders collect human service and demographic information and analyze public transportation, and potential riders in each region. Examples of information include:
 - **Common origins** – Locations of low-income populations, people with disabilities, and the elderly.
 - **Common destinations** – Entry-level employment opportunities, childcare facilities, schools, medical centers, shopping districts.
 - **Existing transportation services** – Fixed-route, intercity bus and rail, shuttle, demand response, paratransit, shared-ride taxi, regular taxi, vanpools, rideshare, and other commuter services.

3. Stakeholders identify various types of transportation challenges and gaps in existing transportation services.
4. Stakeholders compare origins and destinations of people with special needs using existing transportation services.
5. Stakeholders identify the unmet needs and duplication of efforts in study area. The definition of an unmet need is:
 - A project that does not exist where the project team has identified a need.
 - A service that the local transportation provider is removing, even though the service currently meets a need (e.g., evening or weekend service).
 - A project that a local transportation provider would be unable to fund without the public transportation grant program.
6. Stakeholders develop prioritized solutions to meet unmet needs, and unmet needs into project proposals.

Transportation solutions vary in each area depending on the resources available, size of the market for each alternative, and extent of existing services. Examples of options include increasing fixed-route service (e.g. extending hours or territory), vanpool services, dial-a-ride services, volunteer ride services, and bus passes.

Once the plan is complete, RTPOs/MPOs¹ rank projects by letter grades. The letter grade determines the number of additional points the project will receive:

- A – 50 points
- B – 25 points
- C – 12 points
- D – 0 points
- Not listed – Disqualified from consideration

Coordination at the state level

Coordination is the most important element to the success of federal funding programs in Washington. State law, WSDOT policy and the Washington Transportation plan require and implement coordination.

An element of state level coordination is the development and distribution of grant program information. WSDOT accomplishes this primarily through the statewide notice of the Public Transportation Grant Application, providing program information on the WSDOT Public Transportation Division website, and community engagement associated with program changes to the State Management Plan. The Public Transportation Grant Application contains the required information about the programs in Washington.

Another coordination element is the various agencies and organizations representatives on evaluation teams that assist WSDOT with project selection (see [Method of distributing funds and program development process](#) for a list of agencies that participate in this process). Representatives provide a broad and balanced perspective to the evaluation process.

¹ Alternatively, the county in the case of San Juan County, which produces a local Coordinated Public Transit- Human Services Transportation Plan but does not belong to a regional transportation planning organization or council.

When WSDOT makes program changes, the agency announces the availability of an updated draft State Management Plan and requests comments from the stakeholders and the community.

WSDOT considers comments for inclusion in the plan and makes the final plan available on the Public Transportation Division's website and upon request.

WSDOT also coordinates activities under Section 5311 with related activities under other federal departments and agencies.

Coordination at the project level

WSDOT expects all applicants to coordinate with other transportation providers in their service area. As part of their grant application, WSDOT asks applicants to identify the local Coordinated Public Transit-Human Services Transportation Plan that contains their project.

Additionally, WSDOT strongly encourages applicants to take part in coordinated transportation planning activities in their service area. State law also requires WSDOT to take local efforts to coordinate into consideration when awarding state funded grants.

Eligibility

Section 5304

Recipients

The State and Metropolitan Planning Organizations are eligible recipients of Section 5304 planning funds.

Activities

WSDOT uses Section 5304 funds to conduct statewide planning efforts that:

- Develop strategies for addressing multimodal connectivity.
- Develop strategies for special needs populations.
- Determine the state's interest in public transportation.
- Engage stakeholders to develop shared outcomes.
- Produce the [Washington State Public Transportation Plan](#).

Planning efforts include stakeholder participation from organizations representing:

- Local agencies
- State agencies
- Federal agencies
- Tribes
- Nonprofits
- Private transportation providers
- Advocacy groups
- Medicaid brokers

Section 5310

Recipients

The following entities are eligible to receive Section 5310 capital (including mobility management) and operating grant funds, as well as purchase of service agreements:

- Private nonprofit organizations.
- Governmental authorities or operators of public transportation that receive a grant indirectly (i.e., through WSDOT) and certify that no nonprofit organizations in the service area are readily available to provide the services.
- Governmental authorities approved by the state to coordinate services for elderly individuals and individuals with disabilities.
- Tribal governments.

WSDOT requires private nonprofit applicants to:

- Hold or obtain a certificate from the Washington Utilities and Transportation Commission that authorizes nonprofit agencies to provide transportation.
- Hold a 501(c)(3) certificate verifying nonprofit status.
- Register with the Washington State Secretary of State.

Activities

To receive Section 5310 funds, projects must be included in a locally developed, Coordinated Public Transit-Human Services Transportation Plan developed through a process that includes seniors and people with disabilities.

WSDOT must use at least 55 percent of program funds on capital projects that are public transportation 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.

Projects may contract for public transportation service as a capital expense.

WSDOT may use up to 45 percent of program funds for operating projects that are:

- Public transportation projects that exceed the requirements of the ADA.
- Public transportation projects that improve access to fixed-route service and decrease reliance by individuals with disabilities on complementary paratransit.
- Alternatives to public transportation that assist seniors and people with disabilities.

A public transportation service provider that receives assistance under this section may coordinate and assist in regularly providing meal delivery service for homebound individuals, if the delivery service does not conflict with providing public transportation service or reduce service to public transportation passengers.

Section 5311

Recipients

The following entities are eligible to receive Section 5311 capital and operating grant funds and (for the intercity bus program only) purchase of service agreements:

- State agencies
- Local governmental agencies and their divisions
- Tribal governments
- Private nonprofit organizations
- Transit agencies
- Private for-profit organizations

Activities

Section 5311 authorizes the following grants for recipients located in rural areas:

Planning, provided that a grant under this section for planning activities are in addition to funding awarded to a state under [Section 5305](#) for planning activities that are directed specifically at the needs of rural areas in the state.

- Public transportation capital projects.
- Operating costs of equipment and facilities for use in public transportation.
- Job access and reverse commute projects.
- Acquisition of public transportation services, including service agreements with private providers of public transportation services.

Small urban transit agencies may qualify for Section 5311 funding if the route is predominantly for connecting rural riders with the city. When WSDOT provides 5311 funds to an urban provider, WSDOT only funds the provider's rural routes that bring riders into urban areas and that the providers has designed for the benefit of the rural riders.

Surface Transportation Program transfers

On occasion, the Federal Highway Administration will give Surface Transportation Program funds to WSDOT that are in turn awarded to rural transit agencies for competitive projects. Upon request, WSDOT will assist the grantees with the management of those funds. In order for WSDOT to do so, the funds must be transferred from the Federal Highway Administration to the Section 5311 Program. Once the funds are transferred, the funds are managed in the same way as the 5311 Program.

Section 5339

Recipients

The following entities are eligible to receive Section 5339 capital funding for fixed-route bus service, including operators providing services open to a segment of the general public, as defined by age, disability, or low income:

- State agencies
- Local governmental agencies and their divisions
- Private nonprofit organizations
- Transit agencies
- Tribal governments

Note: FTA distributes Section 5339 small urban allotment similar to [Section 5307](#) methodology.

WSDOT distributes the state Section 5339 apportionment using a consolidated, competitive procedure. See [Method of distributing funds and program development process](#) for more information on this procedure.

Activities

FTA authorizes the following projects to replace, rehabilitate, and purchase buses and related equipment under Section 5339:

- Construction of bus-related facilities, such as bus maintenance and administrative facilities, transfer facilities, bus malls, transportation centers, intermodal terminals, park-and-ride stations.
- Acquisition of buses for fleet and service expansion.
- Acquisition of replacement vehicles.
- Bus rebuilds.
- Construction of passenger amenities such as passenger shelters and bus stop signs.
- Acquisition of accessory and miscellaneous equipment, such as mobile radio units, supervisory vehicles, fare boxes, and computers.
- Acquisition of shop and garage equipment.

Services and service areas

For the majority of programs, the services provided with capital or operating grants focus on rural areas of Washington. Services into Idaho, Oregon or British Columbia are eligible if the public served resides in Washington.

Projects may include public transportation into and out of urbanized areas. However, projects may not provide service exclusively within an urban area.

Note: Section 5311(f) describes network corridors. See Section 5311(f), Intercity Bus Program for more information.

Projects

Capital

Vehicles and equipment

All equipment purchased under these programs must be used to provide passenger transportation services.

Examples of eligible capital projects include:

- Passenger service vehicles
- Commuter vans
- Refurbishment of existing vehicles
- Vehicle retrofit for wheelchair lifts
- Replacement parts for passenger service vehicles
- Communications equipment
- Computer hardware, data systems, and dispatching software
- Other equipment (e.g., bicycle racks, fare boxes)
- Pre-owned or used wheelchair-accessible passenger service vehicles (only if clearly identified on the application)
- Bus shelters and accessible features for sidewalks and facilities
- Maintenance equipment (e.g., bus lifts)
- Security equipment
- Electric vehicle charging stations

Construction

Construction projects involve the building of transit-related facilities. WSDOT has not made recent construction awards due to the size of investment compared to the available funding, but construction is potentially an eligible project.

Examples of eligible construction projects include:

- Bus transfer stations
- Maintenance facilities
- Operations and administration facilities
- Park and ride lots
- Infrastructure for electric charging stations

Operating

Operating assistance usually consists of activities and services that the grantee directly provides or purchases.

Examples of eligible operating activities include:

- Operating assistance for rural public transportation services.
- Operating assistance for paratransit/special needs transportation services within or beyond ADA requirements.
- Rural feeder bus service for the intercity bus network.
- Operating assistance for transportation to and from jobs and employment support services.

Note: In response to the COVID-19 pandemic, WSDOT determined that public transportation providers that receive federal funds to support operations may provide the following services to homebound people:

- Meal, food bank, and grocery delivery.
- Prescription drop-off and pickup.

FTA allows expenses related to these activities as long as their provision does not decrease the amount of public transportation service providers are providing.

Eligible agencies include transit agencies and private nonprofit organizations that provide access and mobility to people with disabilities, seniors, people with low incomes, and others who have difficulty transporting themselves.

This flexibility will assist seniors and people with disabilities that depend on lifeline services. Because the COVID-19 pandemic forced many public transportation providers to reduce service, they may use these activities to continue serving their customers and provide work for their employees. WSDOT will monitor the success of these activities and determine whether to continue them once normal operations of public transportation providers resume.

Purchase of service

WSDOT utilizes purchase of service agreements when the agency is the grant recipient and directly contracts with transportation service providers to provide eligible public transportation services as determined by the federal funding source.

Examples of eligible purchase of service activities include:

- WSDOT conducts a request for proposal (RFP) process and awards contracts to provide intercity feeder service to support a statewide intercity transportation network under Section 5311(f).
- WSDOT may consider purchase of service agreements when sufficient Section 5310 funding is available, there is a recognized need, and/or WSDOT decides to fund specific demonstration projects for the elderly and/or persons with disabilities.

Mobility management

Mobility management projects fosters coordination among existing transportation providers and expands the availability of services.

Examples of eligible mobility management activities include:

- Promoting, enhancing, and facilitating access to transportation services.
- Supporting short-term management activities to plan and implement coordinated services.
- Supporting coordination policy bodies or councils.
- Operating transportation brokerages to coordinate providers, funding agencies, and customers.
- Providing coordinated services such as navigator systems, individualized travel training, and trip planning.
- Developing and operating one-stop transportation traveler call centers.
- Planning to acquire intelligent transportation technologies to coordinate systems such as vehicle scheduling, smart card systems, geographic information system mapping, global positioning systems, integrated information- telecommunications technology, and dispatching systems.

Planning

Examples of eligible planning activities include developing:

- Local or regional marketing plans for special needs or rural public transportation
- Local or regional coordination plans
- Agency financial and operating plans
- Comprehensive transportation plans
- Public transportation feasibility plans

Local and state share funding requirements

For all grant programs, WSDOT requires grantees to obligate at least 5 percent local match upon application for a new project, and at least 10 percent for a preexisting project. In some circumstances, WSDOT supplements projects with state Special Needs and Rural Mobility grant programs funds.

Below are the specific local and state share funding requirements for projects that receive funding through the federal programs administered by WSDOT.

Capital projects

The required local and/or state share for capital assistance is 20 percent of eligible expenses. Grantees may meet this requirement using a combination of local funds and eligible state funds. Additional local, state, and/or federal funds may supplement the project, depending on availability.

WSDOT permits a local share greater than 20 percent if the total eligible capital expenses exceed the amount budgeted.

Restrictions on the local share of the project costs include:

- Grantees cannot derive the local share from U.S. Department of Transportation federal funds.
- The funding source may not put use restrictions on the equipment.
- The funding source must not affect the legal ownership of the equipment.

Operating projects

The local and/or state share for operating assistance is 50 percent of the net eligible expenses (gross expenses less fares and/or donations). Grantees may meet this requirement by using a combination of local funds and eligible state funds. Based on availability, WSDOT may supplement the project with additional local, state, or federal funds if the total net eligible expenses exceed the budget.

The source of the local share for operating assistance must comply with the Federal Transit Act and amendments, which permits the use of federal funds received from a state social service agency such as Medicaid and Title IIIB. WSDOT allows in-kind match with preapproval.

Purchase of service, mobility management and planning projects

The required local and/or state share for purchase of service, mobility management and planning assistance is 20 percent of eligible expenses. If these efforts are funded as an operating project, they may require a 50 percent match. Grantees may meet this requirement by using a combination of local funds and eligible state funds. Based on availability, WSDOT may supplement the project with additional local, state, or federal funds if the total net eligible expenses exceed the budget. WSDOT allows in-kind match with preapproval.

Method of distributing funds and program development process

Application cycle

WSDOT distributes federal program funds through a consolidated application process.

The consolidated application process coincides with the state biennial cycle. WSDOT makes applications available in the late summer to early fall of even years. Grant contracts resulting from the application process cover 24-month and 48-month periods that begin in July of the following year.

The benefits of the consolidated application process include:

- Alignment of federal and state grant applications on the same cycle, maximizing the ability of state funds to match federal projects.
- Single, combined call for projects.
- Minimization of paperwork for applicants.
- Single application process for state and federal public transportation funding.
- Guarantee of two years of operating assistance to grantees and four years of operating assistance for grantees that demonstrate consistent need.
- Flexibility for the state to select the funding sources used for specific projects that meet the highest prioritized unmet needs.
- Produces a list of public transportation needs for the state Legislature during the budget cycle.

WSDOT developed the consolidated application process with representatives from:

- Washington State Transit Association
- Community Transportation Association of the Northwest
- State Senate and House Transportation Committee staff

Application method

Each biennium, WSDOT establishes evaluation teams that review applications and make recommendations to WSDOT regarding project priorities.

WSDOT works with the following agencies and organizations for potential representation on evaluation teams:

- Washington State Department of Commerce
- Washington State Association of Counties or Association of Washington Cities
- Community Transportation Association of the Northwest
- State or regional aging programs (e.g., area agency on aging, Aging and Disability Services Administration)
- State or regional representative from a Medicaid transportation program
- RTPOs/MPOs

- Washington State Transit Association
- Governor's Office of Indian Affairs or an individual representing tribal governments
- Community action councils
- Washington Utilities and Transportation Commission
- Rider advocates
- Contracted reviewers with transportation experience

Potential grantees use a single grant application form, regardless of the type of funding they intend to use for the project.

Application forms are available in electronic format on WSDOT's website. If organizations are unable to access the website, WSDOT will forward an electronic copy upon request.

WSDOT provides a written explanation of the application questions and a complete description of the evaluation process in the application itself. WSDOT's Public Transportation Division also offers technical assistance in grant writing. To avoid conflict of interest, WSDOT staff not involved with the evaluation of grant applications provide such technical assistance.

During the application period, WSDOT conducts training workshops and develops instructional videos to explain program requirements, the application process, and project selection to potential applicants. These workshops are beneficial in coordinating public transportation providers in the same geographical area.

Application evaluation criteria

WSDOT establishes the criteria used by evaluation team members. Team members receive the criteria and evaluation materials simultaneously.

WSDOT also distributes the criteria to all potential applicants.

Team members score all applications on the following components:

1. Project component

- Does the project establish, preserve, or improve public transportation services in a community?
- Does the project address a recognized need in the community?
- Does the applicant report the leveraging of funds from other sources to support the implementation of the project?
- Does the project reflect a community process of coordination and input?
- Does the project appear to be feasible as described?
- Does the project connect with other systems or modes?
- Does the project help the state maintain the number of vehicles that are within their minimum useful life?

2. Applicant component

- Does the applicant report sufficient experience in managing transportation projects to provide assurance of success?
- Does the applicant report sufficient experience in managing previous grant awards?
- Does the applicant report sufficient financial capability and resources to implement and successfully carry out the project?
- Does the applicant report a long-term commitment to the project to continue the effort beyond the availability of the requested grant resources?
- Does the applicant risk warrant award of federal or state funds?

3. Performance component

- Does the project describe community benefits resulting from the grant?
- Does the project define the performance measures to be used in determining the success of the project?
- Does the project describe an active effort aimed at improving efficiency and effectiveness?

Applicant outreach

To comply with Title VI requirements, WSDOT implements a four-step process for outreach to people with limited English proficiency, minority, and low-income populations.

1. **Planning** – WSDOT provides resources to the local planning organizations that are responsible for developing and updating their Coordinated Public Transit-Human Services Transportation Plans. In the scope of work for these planning contracts, WSDOT includes a requirement to conduct outreach to limited English proficiency, minority, and low-income populations.
2. **Project proposals** – During the call for projects, WSDOT's Public Transportation Division works with the agency's Office of Equal Opportunity to review incoming projects to ensure adequate consideration of limited English proficiency, minority, and low-income populations.
3. **Grant awards** – As mentioned previously, WSDOT's Office of Equal Opportunity is part of the application review team, providing input into the final ranking of projects. WSDOT compares the complete final project list to statewide demographics to ensure adequate consideration of project awards to provide services to limited English proficiency, minority, and low-income populations.
4. **Project implementation** – WSDOT instructs grantees to conduct outreach and report their outreach activities on a quarterly basis. WSDOT staff provide guidance to grantees through technical assistance, site visits at least once every biennium (actual frequency depends on risk assessment of the grantee), grant management training, and the Consolidated Grant Guidebook.

Application rating process

WSDOT provides the evaluation team members with copies of project applications, evaluation instructions, materials, and evaluation criteria. WSDOT establishes a date for the completion of the rating process.

WSDOT evaluators use a paired-comparison (also known as forced-pairs) method of evaluation.

WSDOT instructs evaluators to compare Project 1 to Project 2. The evaluator chooses the best proposal based on the evaluation criteria and circles the corresponding number on a grid. Evaluators then compare Project 1 to Project 3 and so on, repeating this step with each project until they have compared all assigned projects.

WSDOT creates a list of ranked projects based on the number of times evaluators select each project in paired-comparison. WSDOT then reassembles the evaluation teams to discuss the merits of each proposal and the evaluators' individual evaluations. The result of these discussions is consent on a prioritized list of projects for recommendation to WSDOT. Projects may receive a maximum 100 points from this portion of the process.

WSDOT then adds project points from the paired-comparison to the points projects receive through the regional scoring process described in [Coordinated Public Transit-Human Services Plans](#). WSDOT reviews, revises as necessary, and approves the final prioritized list established by this step.

After the preceding step, WSDOT reviews the successful projects in the final prioritized list to determine the most appropriate funding source for projects. WSDOT makes final awards after the governor signs the state transportation budget, and FTA notifies WSDOT of the allocation amount for the FTA programs.

WSDOT reserves the right to award FTA funds to priority projects outside the competitive process. WSDOT may also reduce funding for some projects based on evaluation team recommendations, their placement on the list of projects, and the available state and federal funds.

WSDOT develops a project budget based on the final prioritized list and notifies all applicants of the result of their application. WSDOT request successful applicants to submit the applicable certifications and assurances and to hold a public hearing, if required. After the successful applicants complete the required documentation, WSDOT submits the program of projects to FTA for funding.

WSDOT is planning to change its application rating process within the State Management Plan's horizon. If the agency makes such a change, it will update the State Management Plan and make the updated plan available for public review.

Equity of distribution

WSDOT announces the availability of the Public Transportation Grant Application on the agency's Public Transportation Division website. Additionally, WSDOT makes an extensive distribution to all applicants from the prior grant cycles, as well as other agencies, associations, tribes, and individuals listed on a mailing list of interested parties maintained by the agency.

The paired-comparison evaluation method also accomplishes fair and equal treatment of all applicants.

As previously mentioned, WSDOT's Office of Equal Opportunity is part of the application review team and provides input into the final ranking of projects. WSDOT compares the final project list to the statewide demographics to ensure adequate consideration of project awards that serve limited English proficiency, minority, and low-income areas. WSDOT documents and reviews disparities for consistency with federal and state rules and regulations.

WSDOT coordinates with MPOs for projects in designated transportation management areas of the state. For example, during the 2019-21 funding cycle WSDOT provided administration and oversight for 19 projects selected for funding by the Puget Sound Regional Council.

Adjustment of awards and subsequent call for projects

WSDOT may adjust grant awards based on grantee performance, needs, unforeseen external factors (e.g., partners withdrawing pledged match, partners no longer providing transportation service), and/or danger of lapsing program funds. In these adjustments, WSDOT will not increase any project's budget by more than 20 percent, and will ensure the project maintains statutory match levels.

If WSDOT does not award all available funds through the competitive process or if actual project expenses are below budget and creating a potential of unspent funds, WSDOT may conduct a call for smaller projects within the federal funding cycle. If this occurs, WSDOT will review and award funds based on appropriate criteria.

Public participation

Federal law requires that the public be involved in the transportation planning process. Private providers also must have an opportunity to be involved in the development of transportation plans and programs. WSDOT meets these requirements through involvement in the Grant Program Advisory Committee, grant evaluation teams, and participation in planning processes such as the Washington State Intercity Bus Plan and the regional Coordinated Public Transit-Human Services Transportation Plans.

Additionally, WSDOT requires potential capital grantees to hold a public hearing if their project will substantially affect a community or the public transportation services of a community. These grantees sign the public hearing certification prior to contract signature by WSDOT.

Distribution of funds during an emergency

In the event of a federal or state emergency declaration, WSDOT may forego a competitive application process for distribution of federal program funds.

In such an event, WSDOT may use a formula process for distribution of the funds and forgo local match requirements. Grantees must use the funds specifically for meeting public transportation needs during the emergency.

Section 5311(f) – Intercity Bus Program

Section 5311(f) Program goals include:

Implement meaningful scheduled transport connections between rural and urban areas with the national intercity transportation network.

- Support operating services to meet the intercity travel needs of residents in rural and small urban areas.
- Sustain the infrastructure of the state's intercity bus network through capital investments in facilities, vehicles, equipment, planning, and marketing.
- Plan the development and implement the enhancement and preservation of essential intercity bus services on deficient corridors.
- Support a network of intercity bus services and meaningful scheduled connections within a national system.
- Encourage the incorporation of new intercity services with inter-line ticketing capabilities.
- Identify a variety of funding strategies.

WSDOT sets aside 15 percent of its annual Section 5311 program funding for intercity bus purposes.

WSDOT's 2007 Washington State Intercity Bus Plan identifies a statewide intercity public transportation network of places connected by corridors and linked by intermodal facilities, referred to as network corridors. The plan defines standards for service and facilities on the network.

The plan recommends an alternative method to the current consolidated application process for selecting service providers. This method involves assessment, planning, and implementation.

WSDOT developed the plan with the cooperation of intercity carriers, human service providers, transit agencies, local governments, regional transportation planning organizations, the Washington State Utilities and Transportation Commission, FTA, and local citizens groups to address intercity bus needs. The intercity network plan:

- Reviewed the current and potential funding requirements.
- Looked at statewide intercity needs and deficiencies in service and facilities.
- Discussed various barriers and challenges to intercity transportation.
- Made recommendations on the program's purpose, goals, eligibility, and evaluation criteria.

WSDOT is currently in the process of updating the 2007 plan.

Assessment

FTA permits funding for planning under Section 5311(f) with up to 80 percent federal match. Planning may involve an annual consultation and network plan update, as well as a statewide intercity bus plan update.

To conduct the annual consultation process, WSDOT staff contact intercity providers and analyze their current service to determine if they are meeting intercity needs. WSDOT consults intercity providers regarding the long- and short-term needs of the intercity network and their assessment of meeting those needs.

To identify intercity bus needs statewide, WSDOT conducts outreach to various stakeholders through the Coordinated Public Transit-Human Services Transportation planning process and regional planning organization meetings. The planning phase includes a consultation process before WSDOT distributes funds.

Planning

In 2007, WSDOT conducted a study of rural intercity transportation needs in response to Greyhound's reduction of rural bus services to 22 rural communities. Based on the study's recommendations, WSDOT established [Travel Washington](#), the state's intercity bus program.

Travel Washington planned and implemented rural intercity bus routes in key corridors throughout the state. Travel Washington continues to assess the need in deficient corridors to enhance intercity bus service to rural communities in an effort to provide access and mobility to the national network.

As mentioned previously, WSDOT has implemented planning efforts to update the 2007 plan in collaboration with rural human service transportation providers, private intercity bus providers, local rural transit agencies, regional transit planning organizations, local transit planning organizations, and local governments. The planning effort includes the use of Geographic Information System data, Census data, and modelling using Transportation Research Board tools to geographically map populations, and identify and assess other underserved corridors in the state. The planning effort is also evaluating interstate connectivity to assess needs in corridors where travel patterns occur and service gaps may exist.

Implementation

WSDOT uses a RFP process for intercity bus program service, which is different from the consolidated application process.

WSDOT advertises for the needed intercity bus service and contracts with a third-party provider after an open bidding process. This process ensures that WSDOT supports the most needed services, while selecting the most qualified candidates to provide service on a particular route.

WSDOT ensures the fair selection of a service provider by screening RFP applications in a committee of qualified professionals including WSDOT regional staff, as well as private and nonprofit transportation representatives.

Contracts from the RFP process are typically for two years, with the option for an additional two years.

Eligible grantees

The following entities are eligible to participate in the intercity bus program RFP process:

- Private for-profit organizations
- Public transportation agencies
- Tribal governments
- Nonprofit organizations
- Local governmental agencies (i.e., cities, counties, special districts)

Eligible projects

Intercity bus program projects must serve people residing in rural and small urban communities.

WSDOT reimburses all organizations for eligible expenses during the project period. Eligible activities include:

- Planning
- Marketing
- Capital vehicle and equipment purchases
- Operating assistance for intercity and feeder services

See the following sections for eligible projects.

Capital

Capital assistance consists of up to 80 percent federal contribution toward eligible capital purchases. WSDOT requires a 20 percent local and/or state match for all projects.

Eligible projects include:

- Purchase of new ADA-accessible, lift-equipped buses
- Vehicle refurbishment
- Vehicle retrofit for wheelchair lifts
- Purchase of computer hardware and data systems
- Purchase of communication equipment
- Construction of passenger shelters
- Modifications to transit facilities

Operating

New and existing intercity bus services must be located on deficient corridors and connect rural communities to small urban or urban areas. WSDOT identifies corridors through the intercity bus program planning process. The corridors are eligible under the 5311(f) Program.

For matching purposes, Washington state's intercity bus program uses up to 50 percent of the capital costs of non-subsidized connecting intercity carriers. These services link rural communities and urban centers along corridors provided by fixed route intercity bus services. WSDOT may determine that minor route deviated service along the corridor may be eligible on a case-by-case basis. Feeder bus services that are fixed-route, route-deviated, and/or demand response must make meaningful scheduled connections to intercity providers on the state's intercity public transportation network.

Generally, intercity bus services must:

- Be fixed route and fixed schedule.
- Feature inter-line ticketing capabilities.
- Have the ability to carry luggage, bicycles and bus package express.
- Operate at least five days per week.
- Provide meaningful scheduled connections to the national intercity network.
- Be ADA-accessible.

Section 5311(b)(3) – Rural Transportation Assistance Program

WSDOT administers Section 5311(b)(3) program funding directly to assist in the design and implementation of training and technical assistance projects, as well as other support services tailored to meet the specific needs of transit operators in non-urbanized areas and providers of special needs transportation.

WSDOT Public Transportation Division staff administer the Rural Transportation Assistance Program and establish the biennial activities and priorities for each of the assistance categories through consultation with rural and specialized transportation providers. WSDOT staff perform consultation during the development and review of training programs, scholarship programs, and technical support. Providers receive representation at the National Rural Transportation Assistance Program through membership on the advisory board and through the state Rural Transportation Assistance Program manager at WSDOT.

Training

WSDOT uses a combination of contracted and in-house trainings, as well as virtual tools and peer sharing events, to ensure subrecipient compliance and development. Collaborators include:

- National Rural Transit Assistance Program
- Washington State Transit Insurance Pool
- Community Transportation Association of the Northwest
- Washington State Transit Association

WSDOT seeks input from various organizations to identify training needs for the current or next grant cycle. The Washington State Transit Association, Community Transit Association of the Northwest and Washington State Transit Insurance Pool survey their customers at least once per biennium to collect information, such as satisfaction with trainings provided, unmet training needs, preferred delivery methods, and industry information to be shared with peers.

WSDOT issues a call for proposals on a biennial basis in order to contract out trainings, tools, and additional events. A volunteer selection of rural transportation providers evaluates the proposals. Compliance, safety, and risk management deliverables are the highest priority within project scoring. If extra funding is available WSDOT may conduct additional solicitations throughout the biennium.

Scholarship program

WSDOT provides training scholarships to employees and agents of rural or special needs transportation organizations. The scholarships cover a portion of the registration and travel expenses associated with attending training classes, conferences, or workshops.

WSDOT reimburses participants at 100 percent of the first \$600 of eligible costs and 50 percent of the remaining costs (\$601-\$1,400). A scholarship for a single employee may not exceed \$1,000.

Prospective participants must apply in advance for the scholarship and submit a post-training evaluation and expense worksheet upon completion of the event. A limit to the number of scholarships per agency per year may apply in order to ensure funding for the entire biennium.

Technical assistance

Through site visits, surveys, and analysis of quarterly reporting, WSDOT assesses the technical assistance needs of staff at transportation agencies. WSDOT facilitates the sharing of best practices, policy templates, and other tools so agencies may learn from one another and receive the optimal technical assistance with limited financial and labor resources.

WSDOT may use Rural Transportation Assistance Program funds to provide ad hoc technical assistance to public transportation providers, associations, and organizations representing rural public and specialized transportation agencies. Examples of ad hoc technical assistance include development of website capabilities, assessment panels, peer reviews, and attendance at transportation-related committee meetings.

Peer review program

WSDOT may use Rural Transportation Assistance Program funds to reimburse the costs of training, travel, and per diem expenses of professional experts providing peer-to-peer technical assistance.

At the request of a public transportation provider, WSDOT assembles a technical assistance team made up of the provider's peers to review the provider. The need of the requesting organization determines the scope of review.

Washington State Public Transportation Conference

WSDOT uses Rural Transportation Assistance Program funds to help pay costs for the annual statewide Public Transportation Conference, including fees for conference speakers presenting on rural and specialized transportation issues, administrative costs related to hosting the conference, and scholarships for conference participants.

State administration and technical assistance

FTA Circular 9040.1F permits WSDOT to retain up to 10 percent of the state's fiscal year apportionment of Section 5311 program funding for state administration, planning, and technical assistance. Additionally, FTA Circular 9070.1G permits WSDOT to retain up to 10 percent of the state's fiscal year apportionment of Section 5310 program funding for state administration, planning, and technical assistance.

WSDOT uses these funds for staff, travel, and support costs associated with managing the federal grant programs and providing technical assistance. Examples of these activities include:

- Developing and distributing the Public Transportation Grant Application to prospective applicants.
- Developing and distributing the Consolidated Grant Guidebook.
- Administering the biennial Grants Policy Advisory Committee and consolidated application evaluation team.
- Conducting site visits and desk reviews.
- Meeting with provider staff and applicants to clarify requirements.
- Obtaining and updating the required assurances and documentation.
- Assisting RTPOs/MPOs with their Coordinated Public Transit-Human Services Transportation planning process.
- Developing grant applications to FTA.
- Developing and monitoring grant agreements with grantees.
- Developing statewide procurement contracts for vehicles and equipment to assist grantees in meeting their procurement needs.
- Coordinating and overseeing grantees' capital procurement processes.
- Overseeing grantees' accounting procedures and records, including the requirements in the Consolidated Grant Guidebook.
- Reviewing grantee's drug and alcohol policies.
- Preparing required reports to FTA.
- Implementing the state's Rural Transit Assistance Program.
- Providing technical assistance and tutorials.
- Updating the State Management Plan.
- Advertisement and room rental costs for applicant workshops.
- Conducting a RFP for the Intercity Bus Program.

Implementing federal policies

WSDOT's applicants and grantees understand that violation of an agreement may require corrective measures and penalties, including debarment from receiving further federal assistance for transportation purposes. WSDOT confirms grantee compliance during site visits and/or desk reviews.

The Consolidated Grant Guidebook provides grantees with guidance on implementing federal policies.

Civil rights

Grantees must submit all required certifications and assurances prior to contract signature and annually thereafter. These include:

- Certified Standard Assurances
- Non-Discrimination Assurance Certification
- Assurance of Nondiscrimination on the Basis of Disability
- Protections for Private Providers of Public Transportation

WSDOT includes the appropriate civil rights disclosure on the inside cover of the Public Transportation Grant Application and includes civil rights clauses in grantee agreements.

WSDOT provides ongoing oversight to grantees through site visits and/or desk reviews. The checklist WSDOT uses during grantee visits/reviews includes a section that verifies compliance with civil rights issues (i.e., non-discrimination, employment, complaints, proper notification, outreach, and accessibility of services).

WSDOT reaches potential grantees serving significant minority populations through the Coordinated Public Transit-Human Services Transportation Plan process and by broad distribution of grant funding announcements and application materials.

Disadvantaged Business Enterprises

Grantees must take reasonable steps to ensure that Disadvantaged Business Enterprises (DBE) have the opportunity to compete for and perform contracts. WSDOT staff coordinates with the Office of Equal Opportunity and provides technical assistance to help grantees meet the federal DBE requirements.

All FTA grantees who anticipate that they will award contracts totaling over \$250,000 during the federal fiscal year (October 1–September 30) must have a DBE program ([49 CFR 26](#)). Contracts to purchase transit vehicles do not count toward the \$250,000 total.

Grantees must report purchases made from DBE vendors to WSDOT quarterly and provide a description of their good faith efforts to locate and purchase from DBE vendors.

Title VI

WSDOT notifies each grant recipient that receives federal funds that they must comply with [Title VI of the 1964 Civil Rights Act](#). WSDOT's Public Transportation Division reviews grantee compliance with Title VI requirements during site visits and desk reviews to ensure that the grantee's policies and procedures meet nondiscrimination standards set forth in the federal regulations.

Grantees that receive federal funds must develop a Title VI policy that describes how they will ensure nondiscrimination to limited English proficiency, minority, and low-income populations in their services. At a minimum, a grantee's policy must contain the following elements:

- Title VI notification to beneficiaries.
- Language assistance plan.
- Complaint process and procedures.
- Process for the inclusion of limited English proficiency populations, minority, and low-income populations in outreach activities.

When applicable, a table depicting the racial breakdown of committee membership and a description of efforts made to encourage the participation of minorities on committees or councils.

Section 504 and the Americans with Disability Act

WSDOT notifies each grant recipient at the time of award that recipients must comply with all applicable federal and state laws regarding accessibility. WSDOT's Public Transportation Division conducts site visits and desk reviews that include an evaluation to ensure a system's policies and practices meet accessibility standards.

Each transportation system must have and follow a comprehensive ADA policy that includes, but is not limited to:

- Regular staff training on accessibility issues
- Service animal policy
- Proper use and maintenance of lifts and securement systems
- Personal care attendant policy
- Paratransit service policy (if applicable)
- Complaint processes and policies
- Other accessibility policies

Charter Bus Service Regulations

WSDOT includes guidance on FTA's Charter Bus Service Regulations ([49 CFR Part 604](#)) in its Consolidated Grant Guidebook. WSDOT distributes the manual to all grantees prior to contract signature. The manual instructs grantees that they must comply with this Charter Bus Service Regulations if they receive Section 5311 funding.

All grantees considering charter service must contact WSDOT prior to providing charter service. Grantees considering charter service must also comply with the public participation process described in the rule.

WSDOT reviews compliance with the charter rule during site visits and/or desk reviews. When WSDOT receives complaints alleging unfair competition in regards to charter service, the agency investigates the allegation. In this process, WSDOT contacts the grantee to verify if the grantee is providing charter service and that grantee is following the proper process in implementing the service.

Private sector participation

Federal law specifically requires that grantees provide private providers an opportunity to consult in the development of transportation plans and programs in urbanized and rural areas. This opportunity must be proactive and provide complete information, timely public notice, full access to key decisions, and opportunities for early and continuing involvement throughout the transportation planning and programming process.

As part of the Coordinated Public Transit-Human Services Transportation planning and application process, applicants must coordinate their services with private providers. Coordination with all transportation providers in the same geographic area, including private sector providers, significantly affects an applicant's success in the Coordinated Public Transit-Human Services Transportation selection process.

Other provisions

Section 5333(b) – Labor Standards

[Section 5333\(b\)](#) (also be referred to as Section 13(c) Special Warranty, Labor Protections) provisions protect the interest of employees of grantees receiving Section 5311 funds.

WSDOT provides each grantee with a copy of the Consolidated Grant Guidebook. The guidebook contains a link to a [U.S. Department of Labor webpage](#) that details Section 5333(b) regulations.

Section 5311 grantees submit a letter to WSDOT accepting the Section 5333(b) Special Warranty prior to their first reimbursement. WSDOT staff verifies that the grantee has met the posting requirements during site visits and other project monitoring opportunities.

School transportation agreement

Grantees may not engage in school bus operations using buses, facilities, or equipment purchased with federal funding in competition with private school bus operators, except as provided for in [49 CFR Part 605](#) – School Bus Operations. Transit may provide tripper service (i.e., when a transit adjusts frequency of service to correspond with the beginning and end of the school day) to the general public.

WSDOT provides each grantee with a copy of the Consolidated Grant Guidebook. The guidebook contains information about 49 CFR Part 605.

Drug and alcohol testing

Grantees receiving Section 5311 or Section 5339 funds must adhere to drug abuse and alcohol misuse testing requirements. Grantees that receive Section 5310 funding must comply with the Federal Motor Carrier Safety Administration rules for employees who hold commercial driver license.

WSDOT provides technical assistance to grantees in the form of training, networking, policy development, and distribution of FTA's [Implementation Guidelines for Drug and Alcohol Regulations in Mass Transit](#).

When WSDOT notifies a grantee of a Section 5311 or Section 5339 grant award, the agency requires that the grantee submit their policies and procedures for review and approval prior commencing service.

To monitor a grantee's compliance, WSDOT developed checklists that agency staff use during desk reviews and/or site visits. The drug and alcohol checklists include, but are not limited to:

- Policies
- Procedures for managing a program
- Employee training
- Method of selecting participants for random testing
- Procedures for conducting testing
- Records management and retention
- Service agency certification and oversight

WSDOT requires grantees to submit annual reports to FTA's online Drug and Alcohol Testing Management Information System.

Drug-Free Workplace

WSDOT certifies its compliance with the federal drug-free workplace requirements to FTA annually. Additionally, WSDOT includes references to the [Drug-Free Workplace Act](#) in grantee contracts and certifies grantee compliance with the requirements during site visits by reviewing agency policies for inclusion of a drug-free workplace statement.

Environmental regulations

Under Section 5310, Section 5311, and Section 5339, WSDOT anticipates funding only projects with Categorical Exclusion from both the National Environmental Protection Act and the State Environmental Protection Act. Therefore, no further documentation is necessary. However, with the potential of construction projects funded through transfers from the U.S. Department of Transportation Surface Transportation Program, WSDOT will ensure that the grantee meets all the environmental requirements and submits all necessary documentation.

Vehicle purchases

WSDOT oversees the grantee vehicle equipment purchase process. Grantees must, at a minimum:

- Conduct a procurement that is open and competitive.
- Conduct a procurement that does not give geographic preference.
- Conduct a procurement that does not result in a procurement contract exceeding five years.
- Award procurement contracts to only responsive and responsible bidders.
- Include all federal clauses and certifications with their bidding documents and procurement contracts.

Additional details on federal procurement requirements are available online in WSDOT's Consolidated Grant Guidebook and in FTA's [Best Practices Procurement Manual](#).

WSDOT developed pre-award and post-delivery checklist for grantees to use in complying with FTA's requirements. The pre-award checklist addresses requirements, including:

- [Buy America](#)
- [Federal Motor Vehicle Safety Standards](#)
- [Pre-Award Review Requirements](#)

The post-delivery checklist addresses requirements, including

- Buy America
- Federal Motor Vehicle Safety Standards
- [Post-Delivery Review Requirements](#)

Grantees should use the post-delivery checklist should before accepting the vehicle delivery. Depending on the complexity and size of the procurement, the grantee may visit the manufacturer's factory, as required by FTA.

WSDOT also developed a visual inspection form and road test form for grantees to use in the post-delivery inspection of vehicles.

WSDOT requires grantees to submit post-delivery certifications for Buy America, Federal Motor Vehicle Safety Standards, and Post-Delivery Review Requirements. Grantees must include a copy of the completed post-delivery checklists and certifications must with copies of all relevant vendor invoices, vehicle registration, insurance certificate, and acceptance letter to the vendor with their request for reimbursement.

Lobbying and code of ethics

WSDOT requires each grantee receiving more than \$100,000 to complete FTA's [Certification Regarding Lobbying](#) prior to contract signature. Grantees must also include this certification in all bid documents for equipment purchases they prepare.

WSDOT's contract with grantees requires adoption of a written code of ethics. All staff, officers, employees, board members, or agents of the grantee must comply with the code of ethics. WSDOT verifies compliance with this requirement during site visits and/or desk reviews.

Reporting

WSDOT requires all grantees to prepare a variety of reports on a quarterly or annual basis.

Quarterly reporting may include, but is not limited to, tracking of civil rights complaints, expenditures, and project progress.

Grantees must also submit updated asset inventories annually.

WSDOT compiles information from grantees and submits the following standard FTA reporting elements for all programs:

- Annual program of projects status reports
- Milestone activity reports
- Program measures
- DBE report
- Complaints
- Program income

Additionally, WSDOT collects and reports the following program specific information:

Section 5310

Traditional Section 5310 projects (i.e., 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):

- Gaps in service filled
- Ridership

Other Section 5310 projects:

- Service improvements
- Physical improvements
- Ridership

Section 5311

National Transit Database reporting of capital investment, operations, and service data.

State program management

Financial management and project monitoring

State administration – accounting and financial reporting

WSDOT maintains a management system of financial reporting, accounting records, internal controls, and budget controls subject to standards specified in state laws and enforced by the Washington State Auditor's Office and the Washington State Office of Financial Management. Additionally, WSDOT's systems and procedures for financial management comply with [49 CFR 18.20](#), Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

Procedures for documenting state administration expenditures for FTA-funded programs are subject to the requirements of WSDOT's [Purchasing Manual](#) (M 72-80), [Chart of Accounts](#) (M 13-02), and Transportation Reporting and Accounting Information System; and the Washington State Office of Financial Management's [State Administrative and Accounting Manual](#).

WSDOT submits reimbursement requests to FTA through the Transit Award Management System for project expenditures based on the information contained in the WSDOT's Transportation Reporting and Accounting Information System.

Grantee financial management

WSDOT develops and signs grant agreements with organizations the agency awards funding assistance after the agency secures FTA and state funds.

All grant agreements for capital projects detail the equipment approved for purchase and the equipment's intended use.

All grant agreements for operating projects outline the type of service, the intended beneficiary, and the service area.

All grant agreements for planning projects outline the project in the agreement's scope of work and exhibits.

Grantees incur all project-related expenses locally and report expense to WSDOT after both parties sign the agreement. WSDOT reimburses the grantee with state and/or federal funds based on the proportions identified in the grant agreement. The federal share of any project will not exceed 80 percent for capital projects and 50 percent for operating projects. WSDOT identifies grant expenses by federal grant number, grant program, and grant agreement number in the agency's Transportation Reporting and Accounting Information System.

Grantees retain the original receipts for all eligible project expenses. For capital projects, grantees must attach copies of vendor invoices to reimbursement requests. WSDOT does not require grantees to submit copies of vendor invoices for operating projects. However, grantees must retain original receipts, as well as any spreadsheets or logs developed to track costs, for verification during WSDOT site visits. For planning projects, grantees must submit completed plans to WSDOT as a product of the agreement.

WSDOT does not accept in-kind contributions toward the local share of capital project costs. However, WSDOT may approve in-kind contributions for operating projects.

Grantees that wish to use in-kind contributions for matching purposes must submit a request to WSDOT for pre-approval. This request must describe the type of service the grantee will receive and how the grantee determined the value of the donated service.

Vehicle licensing and insurance costs are not eligible for capital project reimbursements. However, sales and use taxes charged to the grantee for vehicles are eligible. This amount must exclude the local transit portion of the sales tax. Additionally, vehicles with a capacity of 15 passengers or less including the driver that grantees use for vanpooling or transporting persons with special transportation needs are not subject to sales tax ([RCW 82.08.0287](#)).

WSDOT maintains individual data for each grantee. This data tracks project expenses, amounts charged to each funding source awarded, local matching sources, and project budgets. WSDOT compiles additional information summarizing the total expenses for each federal grant and uses the information to reconcile the expenses shown in the agency's Transportation Reporting and Accounting Information System. WSDOT also uses this information to revise the program of projects and project budgets.

Site visits

WSDOT staff conduct on-site visits and desk reviews to provide technical assistance, monitor awarded projects, and review documents and practices verifying compliance with program requirements. During the site visits and reviews, WSDOT staff use checklists outlining administrative, financial, and asset management requirements based on the following:

- Office of Management and Budget [Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards](#) (Super Circular) for grantees receiving operating funding assistance.
- Administrative requirements found in Office of Management and Budget [49 CFR Part 18](#) and [Part 19](#).
- Regulatory requirements attached to the receipt of federal funds, including the FTA
- Master Agreement and Best Practices Procurement Manual.
- Vehicle inventory and maintenance records for grantees receiving capital funding assistance.
- Drug abuse and alcohol misuse testing regulations, when applicable.

The Consolidated Grant Guidebook provides grantees with guidance to meet these grant management requirements.

Audits

Grantees who spend less than \$750,000 in federal funds during the federal fiscal year (October 1 through September 30) are exempt from federal audit requirements. However, grantees must retain records and make them available for review or audit for up to six years beyond the term of the operating grant or the minimum useful life of the capital asset.

Grantees who spend in excess of \$750,000 threshold during the federal fiscal year must have either an annual single audit or program-specific audit conducted. Grantees must submit a copy of the audit report to WSDOT when it becomes available. WSDOT administration and public entities awarded project grants are subject to this process and compliance with the Office of Management and Budget Super Circular.

The Washington State Auditor's Office conducts state agency and local government audits. Private transportation providers, non-profits and tribal governments must have their audits performed by an independent certified public account.

The Washington State Auditor's Office issues reports when the office completes audits and notifies WSDOT when the audit reports are available. WSDOT has access to all audit reports and retrieves electronic copies as necessary. WSDOT follows up on questions regarding audit reports and results during site visits and desk reviews. WSDOT includes audit related questions are site visit checklists.

Closeout

WSDOT closes projects after reimbursing a grantee for the last of the organization's eligible expenses (also known as closeout). WSDOT begins closeout when one of the following occurs:

- The grantee verifies that the organization has incurred and been reimbursed for all project expenses by filling in the final request field on their reimbursement form, indicating that it is the organization's final reimbursement request.
- WSDOT has reimbursed all grant agreement funding available to the grantee.
- The grantees project has reached the end of its two- or four-year term (operating projects).

In the first example, WSDOT's Public Transportation Division notifies the agency's Accounting and Audit Offices of the closeout. In the second example above, WSDOT closes out the project when all available funds are spent.

Closeout of capital agreements is for fiscal purposes only. Capital assistance agreements have an agreement period equivalent to the minimum useful life of the equipment purchased. As such, the agreement period may be up to 12 years after the acceptance of the equipment. WSDOT may amend or terminate capital assistance agreements if grantees transfer project equipment between on another before the equipment has reached its minimum useful life.

Operating assistance agreements have an agreement period of 24 and 48 months and are not extended or closed prior to the end date of the agreement unless unforeseen circumstances make a change in term necessary.

Procurement

With WSDOT oversight, grantees may conduct vehicle and equipment purchases directly from an existing contract with another governmental agency, if eligible, or through participation in a statewide procurement process. WSDOT's role is to ensure grantees make purchases competitively and in compliance with federal procurement policies.

WSDOT supplies grantees with the Consolidated Grant Guidebook, which outlines the applicable federal procurement policies and procedures.

WSDOT requires pre-approval of all bid documents and specifications prepared by grantees to ensure compliance with federal standards. As such, as grantees proceed in their approval of equals process (a specific procurement process that allows vendors to suggest alternatives to the original specifications that may meet the fit and function of the performance specification) and contract execution, they must consult WSDOT to ensure compliance with the federal competitive procurement process.

WSDOT also requires pre-approval of any purchase from another agency procurement contract (also known as piggybacking). Many contracts are not eligible for participation and require specific language to be eligible (i.e., [Washington Governor's Executive Order 14-04](#)).

WSDOT coordinates with the Washington State Department of Enterprise Services, Contracts and Legal Services Division, to solicit a statewide, multi-vendor, multi-vehicle contract for transit vehicles and associated vehicle equipment. The contract contains all federal and state procurement rules and regulations. The Department of Enterprise Services makes these contracts available to all eligible grantees supported by federal capital grants. The Department of Enterprise Services provides grantees participating in this contract with complete procurement documentation to verify compliance with federal and state requirements.

Property management

WSDOT retains legal ownership (i.e., continuing control) of vehicles purchased by grantees with state or FTA program funding through the vehicle's minimum useful life. When titling a vehicle, WSDOT is listed as the legal owner and the grantee is listed as the registered owner responsible for licensing, collision insurance, and operation and maintenance of the vehicle.

WSDOT developed and maintains a database of vehicle and equipment inventory records. The databases reports distinguish between currently owned vehicles, and those that have served their minimum useful life and that WSDOT has released to the grantee.

Inventory reports

WSDOT requires capital assistance grantees to submit annual asset inventories, such as the physical equipment inventory, physical facility inventory, and physical rolling stock inventory and verification of continued use.

Information from these inventories becomes part of the WSDOT inventory record along with the title and certificate of collision insurance coverage.

Maintenance

As a condition of receiving state and federal funding, Washington state public transportation agencies and providers must submit an Asset Management Plan to WSDOT. The plan must include an inventory report of transportation system assets (e.g., vehicles, equipment, facilities) and provide a preservation plan based on lowest life-cycle cost. The lowest lifecycle cost method ensures that the agency maintains an asset in an acceptable condition, maximizing safety and useful life.

WSDOT adopted lowest lifecycle cost and the Asset Management Plan as a best practice for grantees. WSDOT also provides statewide training and technical assistance on how to develop an Asset Management Plan and the lifecycle cost calculation. WSDOT will incorporate any future MAP-21 provisions related to asset management and state of good repair into the agency's Asset Management Plan guidance.

WSDOT reviews asset maintenance records during desk reviews and/or site visits. WSDOT randomly selects equipment and/or vehicles for physical inspection during site visits, which the agency conducts at least once per biennium as long as WSDOT holds an interest in the equipment.

Vehicle use

Grantees may only use grant-funded vehicles for passenger transportation services as described in the grant agreement.

WSDOT expects grantees of capital funds for vehicles to provide a minimum of 100 passenger service miles per week per vehicle, or 100 one-way passenger trips per week per vehicle. WSDOT reviews grantee records annually, or as required by program regulations, to verify compliance with these minimum vehicle use requirements.

Grantees may not transfer the operational control of a vehicle purchased under a federal funding program without prior written approval from WSDOT.

Disposition

Prior to the end of a vehicle's useful life

Grantees may purchase the federal interest at any time before the end of the equipment's useful life. If this occurs, WSDOT requires that the grantee pay the federal share of the equipment's current fair market value to WSDOT. An independent appraisal determines the fair market value of the equipment.

When an accident occurs that prevents a vehicle from further operations, WSDOT receives the insurance proceeds. If the grantee purchases a replacement vehicle, WSDOT forwards the proceeds to them after the grantee receives, pays for, and vests legal ownership of the vehicle in WSDOT.

A replacement vehicle must be a similar type and of equal or greater value than the one damaged. If a grantee does not replace the damaged vehicle, WSDOT keeps the federal share of the insurance proceeds and forwards the local share to the grantee. WSDOT uses the federal share to provide capital and/or operating assistance to grantees for public transportation purposes.

At the end of a vehicle's minimum useful life

WSDOT releases interest in grant-funded vehicles at the end of their minimum useful life.

WSDOT may choose to release legal ownership prior to the end of the useful life if:

- WSDOT has documented that the vehicle is unreliable and that the anticipated lifecycle costs do not warrant continued operation of the vehicle.
- Based on reduced environmental impacts, WSDOT determines that retiring the vehicle is in the best interests of the public.
- WSDOT determines that early retirement allows for transit investment in new technologies expected to benefit the industry and the public.

The Consolidated Grant Guidebook contains a chart outlining minimum useful life of accepted vehicle categories that matches the guidelines [FTA Circular 9300.1B](#).