State Management Plan
Federal Transit Administration Formula Programs

August 21, 2012
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DEFINITIONS

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

**Mobility Management**  Short-range planning and management activities and projects for improving coordination among public transportation and other transportation-service providers carried out by a recipient or subrecipient through an agreement entered into with a person, including a government entity, under 49 U.S.C. Chapter 53 (other than Section 5309). Mobility management does not include operating public transportation services.

**Non-Urbanized Area**  The term “non-urbanized area” includes rural areas and urban areas under 50,000 in population not included in an urbanized area. See Rural Area.

**Pre-Award Authority**  Authority given under specific and limited circumstances to incur costs for eligible projects before a grant is made without prejudice to possible federal participation in the cost of the project(s). Applicants must comply with all federal requirements. Failure to do so will render a project or costs ineligible for FTA financial assistance.

**Program Of Projects**  A list of projects to be funded in a grant application submitted to FTA by a state. The POP lists the subrecipients and indicates whether they are private non-profit agencies, public bodies, or private providers of transportation service, designates the areas served (including Congressional Districts), and identifies any tribal entities. The POP also identifies intercity bus and RTAP projects. In addition, the POP includes a brief description of the projects, total project cost and federal share for each project, and the amount of funds used for program administration from the 15 percent allowed.

**Public Transportation**  Surface transportation by a conveyance that provides regular and continuing general or special transportation to the public, but does not include school bus, charter, or intercity bus transportation or intercity passenger rail transportation provided by AMTRAK.

**Recipient**  A state or Indian tribe that receives a federal transit program grant directly from the Federal Government.

**Rural Area**  An area with low population and density outside the boundaries of an urban area. In this plan, the term rural is commonly used interchangeably with the term non-urbanized area.

**Subrecipient**  A state or local governmental authority, a non-profit organization, or operator of public transportation or intercity bus service that receives Federal transit program grant funds indirectly through a recipient.

**Urbanized Area**  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 Commerce. Small urbanized areas as used in the context of FTA formula grant programs are urbanized areas with a population of at least 50,000 but less than 200,000. Rhode Island has one large urbanized area.
INTRODUCTION

Purpose of This Document

The United States Department of Transportation, Federal Transit Administration (FTA) requires that each state adopt policies and procedures to be used in administering the FTA Sections 5310, 5311, 5316, and 5317 grant programs. The Rhode Island Public Transit Authority (RIPTA) is the designated State recipient of these federal funds. This document will provide an overview of the FTA’s requirements and RIPTA’s policies and procedures for the management of these four programs.

This State Management Plan (SMP) provides essential information for the understanding and implementation of four Federal Transit Administration (FTA) transit grant programs managed and administered by RIPTA. This document is organized into the following key sections:

- **Introduction** – RIPTA’s Mission and SMP Requirements
- **Coordination and Planning** – statewide and coordinated planning and public outreach
- **Overview of Funding Programs** – provides a description of each FTA program and RIPTA’s program objectives
- **Program and Grant Management** – program organization, staffing, administration, selection and eligibility, and other related issues for the management of the FTA programs, monitoring and reporting project progress, grant expenditures, and project completion and close out, and financial management and oversight
- **Federal Requirements** – provides an overview of the federal policies that must be addressed in program and grant administration

State Management Plan Requirements

The SMP describes RIPTA’s policies and procedures for administering the four FTA programs. RIPTA is required to have an approved SMP on file with the FTA Region I Office in Boston and to update it regularly to incorporate any significant changes in program management or the addition of substantially new requirements. Whenever significant changes occur in program requirements or management, RIPTA will gather input from stakeholders and the public, and submit a revised SMP to FTA for approval. RIPTA also makes the SMP readily available to the public by posting it to the RIPTA website.

Programs and Authority

The Governor of the State of Rhode Island has designated RIPTA as the recipient for the four FTA programs covered in this plan. These programs are (FTA Circular reference provided):

- Program §5310–Elderly & Disabled Specialized Transit (C 9070.1F, FTA Section 5310)
- Program §5311–Other Than Urbanized Area (C 9040.1F, FTA Section 5311)
- Program §5316–Job Access and Reverse Commute (C 9050.1, FTA Section 5316)
- Program §5317–New Freedom (C 9045.1, FTA Section 5317)

RIPTA is responsible for administering these funds in accordance with State and federal laws, statutes, and regulations. Through working relationships with FTA, RI Statewide Planning (the State’s Metropolitan Planning Organization), and local government, RIPTA develops and maintains an effective and efficient network of transportation services available to the public. This SMP outlines RIPTA’s
objectives, policies, procedures, and administrative requirements, in a form accessible to existing and potential subrecipients, State staff, the FTA, local agencies, and the public.

This SMP’s primary purpose is to serve as the basis for State level management of the FTA programs and to provide public information on the administration of these programs. RIPTA also uses this SMP internally as a Program Guide and Handbook for the implementation of the FTA programs.

Roles and Responsibilities

RIPTA was created by state law “to own and operate a mass motor bus passenger system”. As of October 1, 2001, the Rhode Island Public Transit Authority (RIPTA) became the designated recipient of four Federal Transit Administration (FTA) programs: the Section 5307 urban area formula grant, the Section 5309 bus discretionary grant, the Section 5311 nonurban area formula grant, and the Section 5310 capital assistance program for elderly and disabled persons. In August 2007, Rhode Island Governor Donald Carcieri also named RIPTA to be the designated recipient for two other FTA programs: Section 5316 Job Access and Reverse Commute and Section 5317 New Freedom Program.

RIPTA is a quasi-public agency of the state of Rhode Island, governed by an eight-member board. RIPTA operates a variety of transportation services, including fixed route bus services, zoned-based community transportation, and brokered demand response paratransit service for multiple state human service transportation programs as well as RIPTA’s ADA complementary paratransit service. RIPTA’s service area covers the entire state of Rhode Island. Some level of service is provided in 38 of Rhode Island’s 39 cities and towns. The exception is New Shoreham, on Block Island, located 12 miles from the coast and reachable only by air or ferry. Some towns only have paratransit service.

By state law, RIPTA participates in an annual agreement with the Rhode Island Departments of Administration and Transportation, which establishes the conditions for administration and oversight of state funds allocated to RIPTA. Rhode Island’s transportation planning process, which is overseen by the State Planning Council (SPC), produces a single statewide long range transportation plan and short range transportation improvement program. The SPC is made up of representatives of state agencies, cities and towns, housing and environmental advocates, and the public. The SPC has staff support from the Statewide Planning Program, which is a part of the Rhode Island Department of Administration. The process of transportation planning includes long range planning, which sets goals, objectives, policies, and strategies for the transportation system over a 20 year timeframe, and short range planning, which identifies projects and initiatives for a five year period.

RIPTA is a member of the state’s Transportation Advisory Committee (TAC), a subcommittee of the State Planning Council. RIPTA contributes the public transit perspective to the preparation of the long-range ground transportation plan, Transportation 2025, and short-range State Transportation Improvement Program. The State Transportation Improvement Program (STIP) is a five-year projection of transportation funding priorities; the process for adopting the STIP includes solicitation for project proposals, public hearings, and review and approval by the TAC and SPC.

In addition to supporting the work of statewide planning programs, RIPTA staff is responsible for planning transit services for fixed route, demand response, neighborhood circulator services, paratransit, and special transit services. This planning program starts with data collection, including fixed route (ridership by route, bus stop, day of week, and fare category), and paratransit trips (origin, destination, ridership, funding agency, on-time performance, and vehicle load). RIPTA also tracks
demographic and land use information to predict changes in demand for transit services; traffic and roadway changes, changes in employment or education locations, and new housing and commercial construction are reviewed for potential impacts on demand for transit services. Based on information collected, transit policies and services are designed to address current conditions. This planning work is also considered in the development of the state transportation plan.

The Rlde Program is Rhode Island’s brokerage for coordinated transportation for seniors and persons with disabilities. Multiple agencies participate in the Rlde Program, including RIPTA, the state Executive Office of Health and Human Services, which includes the Departments of Human Services, Elderly Affairs, Behavioral Healthcare, Developmental Disabilities, and Hospitals, and Health, as well as Medicaid services, and a number of private agencies. Each of these agencies certifies the eligibility of the passengers that it enrolls in the Rlde Program. RIPTA operates the brokerage for these coordinated paratransit services. Since 1994, the Rlde Program has been the operator of all vehicles funded with FTA Section 5310 grants. Rlde is responsible for receiving requests for service, scheduling trips, billing the agencies that pay for service, as well as contracting with carriers to provide the service.

Within the Rlde Program, RIPTA acts as both a purchaser of service, paying for ADA passenger trips, and as one of the carriers, operating vehicles to provide trips requested by any of Rlde’s participating funding agencies. RIPTA also administers the capital purchases for Rlde, and retains ownership of all vehicles purchased with federal funding; this includes responsibility for maintaining the vehicles. Other carriers are provided the vehicles to use as part of the carrier service contract.

RIPTA is the only public transit service operator in nonurbanized areas of the state of Rhode Island. This service includes operations funded by Section 5311. RIPTA has also been the recipient and operator of transit services funded by Section 5316 grants. The services have included creation of Flex zones, adding new fixed route trips, and extension of fixed route service to areas with low income populations and to worksites with entry level employment opportunities.

COORDINATION AND PLANNING

Coordination is a critical element in State Program Administration in Rhode Island. The goal of coordination is addressed in state statutes, plans, and RIPTA Board Policy, and is a major component of planning and the grant application and approval processes. RIPTA involves advisory groups that coordinate and collaborate to analyze and determine public transportation needs, resources, gaps in service, and possible strategies to address priority needs.

The public involvement program is intended to ensure an open and participatory process for the public, affected agencies, and others, in order to meet the following goals:

- Gain meaningful input on the effectiveness of existing services and unmet customer needs;
- Educate interested stakeholders on the relevant programs;
- Provide an interactive and collaborative public process; and
- Ensure transparent decision-making.

The participatory process heightens the potential for successful implementation of relevant projects. It facilitates identification of community issues so that those issues may be adequately addressed.
RIPTA is an integrated transit agency, providing urban and rural transit services and managing paratransit services throughout Rhode Island. Daily involvement in the planning and operations of these different types of service gives RIPTA the ability to coordinate and shape a unified transit system.

**Coordination with State Agencies**

RIPTA has developed working relationships with many State agencies, including the Departments of Administration, Transportation, Environmental Management, Human Services, Elderly Affairs, Labor and Training, Corrections, and Behavioral Healthcare, Developmental Disabilities, and Hospitals, as well as the Governor’s Commission on Disabilities, the State Rehabilitation Council, the Statewide Independent Living Council, and other state commissions and councils. These partnerships are reflected in long-range planning efforts, including the Coordinated Plan for Public Transit-Human Services Transportation in Rhode Island, and contribute to setting priorities for funding for the formula programs.

In addition, staff provide regular training for employees of human services agencies. This training is designed to explain how the transit system works and how to help new riders get where they are going, including employment sites, schools, medical providers, and other destinations. These meetings also provide the state agency staff with another opportunity to provide feedback on needed services, gaps, and priorities to RIPTA.

**Metropolitan Planning Organization**

The Rhode Island Statewide Planning Program is the staff for the State Planning Council, which is the Metropolitan Planning Organization (MPO) with a service area covering the entire state of Rhode Island. As a member of the MPO’s Transportation Advisory Committee (TAC), RIPTA participates with other interested agencies in the development of the statewide transportation plan, including setting transportation goals, objectives, and policies, and in the development of the Transportation Improvement Program, which establishes funding priorities.

The Statewide Planning Program maintains a socioeconomic database and prepares a State Guide Plan, covering 30 functional areas, including transportation, land use, and economic development. RIPTA works closely with the Statewide Planning Program and keeps informed of the state’s need for transportation projects.

RIPTA works with the MPO to make sure awarded projects are included in the Transportation Improvement Program (TIP). RIPTA consults with the MPO as part of the planning and selection process. Projects receiving grant funds are found in the State Transportation Improvement Program (STIP), which can be found at the Statewide Planning website (http://www.planning.ri.gov/).

**Section 5307 Services**

RIPTA is the only Section 5307 provider in Rhode Island, and encourages coordination with public transit among subrecipients whenever possible. Subrecipients are encouraged to utilize common facilities whenever possible to expand the reach of public transportation services. RIPTA requires Sections 5310, 5311, 5316, and 5317 applicants to work with public transit as well as the appropriate aging and adult services or other human service agency in their local area to coordinate services as part of the application process. This assists with coordination of services in the State and allows more efficient use of federal funds.
Private Sector Participation

In accordance with FTA Circulars, applicants seeking capital funding assistance must provide reasonable public and direct notice to other transportation providers including private, for-profit, nonprofit, and public agencies regarding the proposed services and opportunities for private transportation providers to participate in such services. RIPTA encourages applicants to consider subcontracting with private for-profit and nonprofit transportation providers, when and where appropriate, to provide services.

Public Outreach

RIPTA conducted public outreach activities which provided several opportunities for stakeholder review and input prior to finalizing this SMP. RIPTA’s public outreach approach consists of posting the draft SMP on the RIPTA website (www.ripta.com) and by providing notice of the SMP to interested stakeholders.

Advisory Groups

A variety of groups provide input and support for public transportation in Rhode Island. The following describes the basic roles and functions of some of the major groups.

- **Transportation Advisory Committee (TAC):** advises the State Planning Council on transportation planning issues; provides input into the state’s Long Range Transportation Plan and the Transportation Improvement Program (TIP).

- **Accessible Transportation Advisory Committee (ATAC):** comprised of individuals with disabilities and representatives of agencies serving people with disabilities, the ATAC advises RIPTA on transit and paratransit services, public information, and accessibility issues as well as other concerns from the Disability Community.

- **Coalition for Transportation Choices:** this advocacy group represents a coalition of more than 60 agencies and groups committed to improving transit service in RI, and includes representatives from AARP, the State Rehabilitation Council, Goodwill Industries, Amalgamated Transit Union, Working RI, and others with a focus on how transportation affects seniors, people with disabilities, employers, and employees throughout the State.

- **Transit 2020 Coalition:** promotes the development of a robust transit system for the Greater Providence Metropolitan Area and the State of Rhode Island through advocacy and public education for policy that supports transit.

- **Aquidneck Island Planning Commission and Washington County Regional Planning Council:** these planning bodies include a focus on how transportation affects growth, including employment, and all residents of their areas, including rural areas.

- **Employer Roundtable:** private employers that participate in RIPTA’s Eco-Pass and employee transit subsidy programs.
OVERVIEW OF FUNDING PROGRAMS

RIPTA manages several sources of federal and state financial assistance. Complete descriptions for each of the fund sources and the discretionary grant programs are described below. RIPTA assures that no person, on the grounds of race, color, national origin or disability is denied the benefits of, or subjected to discrimination under any of the federally funded programs it manages.

Other Than Urbanized Areas Formula Programs (§5311)

Program Goals
The Nonurbanized Area Formula Program (§5311) is a rural program that provides funding to states for the purpose of supporting public transportation in rural areas, with population of less than 50,000. The goal of the program is to provide the following services:

- Enhance the access of people in nonurbanized areas to health care, shopping, education, employment, public services, and recreation.
- Assist in the maintenance, development, improvement, and use of public transportation systems in nonurbanized areas.
- Encourage and facilitate the most efficient use of all transportation funds used to provide passenger transportation in nonurbanized areas through the coordination of programs and services.
- Assist in the development and support of intercity bus transportation.

The Nonurbanized Area Formula Program (§5311) provides funds for capital, operating, planning, training and technical assistance, and state administration. There are three standing programs funded by §5311:

1. A financial assistance program for community-based transit services in rural areas,
2. A rural intercity bus program, and
3. A technical assistance program called the Rural Transit Assistance Program (RTAP).

Financial Assistance for Rural Areas Program
There are three major factors influencing how the funding is used for other than urbanized service:

1. Rhode Island has limited areas designated “other than urbanized” by US Census data.
2. As the State’s only public transit provider, RIPTA is responsible for providing transit service throughout the State, including in rural areas.
3. All §5311-funded services must be open to the general public.

Because of these limiting factors, Rhode Island allocates the available §5311 program funds to the transit service it operates in rural areas, including service that connects to urban areas and intercity bus carriers. RIPTA considers §5311 to be a base source of ongoing funds to assist rural areas and, therefore, does not distribute the funds through a competitive discretionary process.

Intercity Bus Program
States must use 15% of their annual apportionment to support intercity bus service, unless the Governor certifies that the State has adequately met its intercity bus needs.
States are required to have a consultation process that includes the affected carriers when making decisions on certifications. The consultation process identifies bus carriers and their activities in the state. RIPTA has a consultation procedure for working with intercity bus operators to address the needs of rural residents to make connections to the intercity bus system. Intercity bus operators are identified in the State’s Long Range Transportation Plan as well as other local carriers operating in Rhode Island. As part of the consultation, every two years RIPTA invites intercity bus carriers to discuss the range of needs for rural transit services, including connections to the intercity bus system, and ways to address these needs and to set priorities for service. Minutes of these meetings will be available for review.

A review of posted schedules by intercity bus transportation providers indicates that intercity bus transportation has limited to no service in the rural areas of the State. RIPTA provides feeder service from rural areas to urban locations where intercity bus carriers pick up passengers. RIPTA’s intermodal stations in Kennedy Plaza in Providence and the Gateway Center in Newport provide ticketing and passenger boarding space for intercity bus carriers.

Because of this relationship, the small amount of the State considered rural, and the level of intercity bus service provided in these rural areas, Rhode Island has, for almost a decade, certified that the State has adequately met its intercity bus needs through the existing feeder service and intercity bus network. The 15% of the funding set aside for intercity bus services has therefore been used in other areas of the §5311 program. The intercity services will continue to be evaluated on a periodic basis, with input from the intercity carriers. If new needs or opportunities are identified, the 15% of the annual §5311 funding will be reallocated to intercity bus services.

**Rural Transit Assistance Program**

The Rural Transit Assistance Program (RTAP) provides a source of funding to assist in the design and implementation of training and technical assistance projects and other support services tailored to meet the needs of transit operators in nonurbanized areas. RIPTA’s Technical Assistance Program is designed to assist all transit operators, including those in urbanized areas. RTAP funds are used to support training for transit personnel in rural and special needs programs; urban programs are supported by state-source funds.

**Eligibility**

The service area for the §5311 program is the rural area of the state, as defined by the Federal Transit Administration and the Bureau of the Census. A map of this area is attached.

**Program Measurements and Reporting Requirements**

**National Transit Database Reporting**

The National Transit Database (NTD) is FTA’s primary national database for statistics on the transit industry. Recipients of 5311 funds are required to submit data to the NTD as a condition of the award. Specific reporting requirements are included in the NTD reporting instructions manual issued each year.

Section 5311(b)(4) specifies that each Section 5311 recipient shall submit an annual report containing information on capital investment, operations, and service provided under Section 5311. Items to be reported include total annual revenue; sources of revenue; total annual operating costs; total annual capital costs; fleet size and type; and related facilities; revenue vehicle miles; and ridership. RIPTA is responsible for ensuring that data is collected and submitted each year.
Older Adults and Persons with Disabilities Program (§5310)

Program Goals

FTA defines the goals of the §5310 program, in Circular 9070.1E “to improve mobility for elderly individuals and individuals 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 — urbanized, small urban, and rural. The program requires coordination of federally assisted programs and services in order to make the most efficient use of Federal resources.”

All projects funded under §5310 must be derived from a locally developed Coordinated Public Transit-Human Service Transportation Plan. Funding under the §5310 program is available only for capital expenses to support the provision of transportation services to meet the special needs of elderly persons and persons with disabilities.

Eligibility

Title 49 U.S.C. 5310(a)(2) provides that a State may allocate the funds apportioned to it to a governmental authority that is approved by the State to coordinate services for elderly individuals and individuals with disabilities. Since 1994, RIPTA has been designated by the State to coordinate human service transportation, including services for seniors and people with disabilities, through The RIDE Program. The RIDE Program was established in 1986 as a pilot program under the RI Department of Transportation with the goal of coordinating transportation funding and services for seniors and people with disabilities. At that time, the Governor decided that the §5310 funding would be used solely to provide the capital funding for the coordinated system.

After the implementation of the Americans with Disabilities Act (ADA), complementary paratransit service was integrated into the coordinated system, and the overall administration of RIDE was moved to RIPTA. Private carriers have been able to compete to provide the RIDE Program service, with vehicles provided through the capital program. RIPTA retains ownership of these vehicles and provides the maintenance for them. The Federal share of eligible capital purchases is 80% of the cost. The remaining 20% is provided by the various funding agencies through an additional charge for each trip, so that agencies provide matching funds proportional to their usage of the system.

The sole priority for §5310 funding continues to be capital purchases for The RIDE Program, and, therefore, the funds are not distributed through a competitive discretionary process. Service providers continue to be competitively selected, with vehicles purchased with §5310 funding assigned to the providers based on demand in the service area awarded.

Program Measurements and Reporting Requirements

Both qualitative and quantitative data are collected on The RIDE Program’s performance, including the number of rides provided to various passenger groups, vehicle miles traveled, service hours, complaints and compliments, and on-time performance.
Job Access and Reverse Commute Program (§5316)

**Program Goals**

The Job Access and Reverse Commute Program (JARC, or §5316) supports projects benefiting individuals with low income to improve access to work and work-related activities. The program was established to address the unique transportation challenges faced by welfare recipients and low-income persons seeking to obtain and maintain employment. Many new entry-level jobs are located in suburban areas, and low-income individuals have difficulty accessing these jobs from their inner city, urban, or rural neighborhoods. Many entry level-jobs require working late at night or on weekends when conventional transit services are either reduced or non-existent. Finally, many employment related-trips are complex and involve multiple destinations including reaching childcare facilities or other services.

All projects funded with §5316 funds must be derived from a locally developed coordinated public transit-human service transportation plan.

**Eligibility**

Funds are allocated through a Competitive Grant Process. Eligible subrecipients are local government and private nonprofit organizations. Private for-profit companies may participate through purchase of service agreements with an eligible subrecipient.

Eligible activities include capital, planning, and operating expenses for projects that transport low-income individuals to and from jobs and activities related to employment, and for reverse commute projects. Activities can include, but are not limited to, expanding fixed route transit services, providing guaranteed ride home and ride sharing, demand response van services, transit-related aspects of bicycling, and supporting new mobility management services. Rhode Island places much greater priority on projects that operate service than on capital purchases or planning activities.

The service area for §5316 is the State of Rhode Island. Proposals may provide connections to out-of-state employers, but the main beneficiaries of any proposal must be Rhode Islanders.

**Project Priorities and Application Process**

The competitive grant process is run on a two-year cycle. For each Notice of Funding Availability (NOFA), RIPTA works with its advisory groups and state partners, including the MPO, to select project priorities for the grant round. These priorities will be derived from the Coordinated Public Transit-Human Service Transportation Plan. Other proposals consistent with the Plan may be submitted, but those not addressing the round’s priorities will have points deducted in the scoring process, and will have to provide additional information on the need for the project to justify a potential award.

Proposals that serve unserved areas or that provide connection to more than one area of the State will be scored higher than those that overlap existing services or are more limited in scope. Because funding for ongoing transportation services is limited, successful continuation projects will generally be looked upon more favorably than new, unproven services. At times, continuation awards may be made from the next round of funding, and the NOFA will be put out for the remaining, unallocated funding. The award process will be run by RIPTA and/or the MPO, unless RIPTA has submitted a proposal, in which case it will recuse itself.
JARC funds may be used to finance capital, planning, and operating expenses. The Federal share of eligible capital and planning costs may not exceed 80% of the net cost of the activity. The Federal share of the eligible operating costs may not exceed 50% of the net operating costs of the activity. “Net cost” is determined after any fares or fees charged for the service are deducted from the total cost. The local match requirement of eligible capital and planning costs is no less than 20% of the net cost of the activity, and the local match requirement for eligible operating costs is no less than 50% of the net operating costs. Subrecipients are responsible for providing the match and must demonstrate the availability of the financial resources to match the federal funds and to pay for expenses in advance of reimbursement from FTA.

Recipients may use up to 10% of their apportionment to support program administrative costs including administration, planning, and technical assistance, which may be funded at 100% Federal share with no local match requirement. RIPTA does not generally retain this 10% for administrative costs, but reserves the right to in the future if it is determined to be needed.

**Program Measurements and Reporting Requirements**

FTA has established the goal of improving “access to transportation services to employment and employment related activities for welfare recipients and eligible low-income individuals and to transport residents of urbanized areas and nonurbanized areas to suburban employment opportunities”. The program measures for this goal are:

1. The actual or estimated number of jobs that can be accessed as a result of geographic or temporal coverage of JARC project.
2. The actual or estimated number of one-way rides provided.

Subrecipients will be required to provide a work plan with specific activities, goals, and objectives for the project, and that ties these activities to the required performance measures. Subrecipients will be required to submit quarterly reports that describe their progress implementing the workplan, including data addressing the performance measures.

**New Freedom Program (§5317)**

**Program Goals**

The New Freedom formula grant program seeks to reduce barriers to transportation services and expand the transportation mobility options available to people with disabilities beyond the requirements of the Americans with Disabilities Act (ADA) of 1990.

**Eligibility**

Funds are allocated through a Competitive Grant Process. Eligible subrecipients are local government and private nonprofit organizations. Private for-profit companies may participate through purchase of service agreements with an eligible subrecipient.

New Freedom Program funds are available for capital and operating expenses that support new public transportation services beyond those required by the Americans with Disabilities Act of 1990 (ADA) to assist individuals with disabilities with accessing transportation services, including transportation to and
from jobs and employment support services. Rhode Island determines project priorities with each funding cycle.

Examples of eligible activities include feeder services, accessibility improvements to transit and intermodal stations, travel training, purchasing accessible vehicles to support new transportation options, ride sharing or vanpooling programs, supporting the administration and expenses related to new voucher programs, supporting new volunteer driver programs, and supporting new mobility management and coordination programs among public transportation providers and other human service agencies providing public transportation.

**PROJECT PRIORITIES AND APPLICATION PROCESS**

The competitive grant process is run on a two-year cycle. For each Notice of Funding Availability (NOFA), RIPTA will work with its advisory groups and state partners, including the MPO, to select project priorities for the grant round. These priorities will be derived from the Coordinated Public Transit-Human Service Transportation Plan. Other proposals consistent with the Plan may be submitted, but those not addressing the round’s priorities will have points deducted in the scoring process, and will have to provide additional information on the need for the project to justify a potential award.

Proposals that serve unserved areas or that provide connection to more than one area of the State will be scored higher than those that overlap existing services or are more limited in scope. Because funding for ongoing projects is limited, successful continuation projects will generally be looked upon more favorably than new, unproven proposals. At times, continuation awards may be made from the next round of funding, and the NOFA will be put out for the remaining, unallocated funding.

The award process will be run by RIPTA and the MPO, unless RIPTA has submitted a proposal. In the past, RIPTA has submitted proposals and served as the primary on the proposal because the interested local organizations lacked the capacity to deal with the requirements of administering a federal grant. In these cases, RIPTA staff determined that the local organizations had the capacity to implement the project, and needed assistance only with grant administration. RIPTA, therefore, guided the projects, met regularly with the agency staff, and required monthly reporting on the project status. In the last round, both the purchase of accessible taxis for the state and a travel training program were proposed by RIPTA with community partners. Agencies interested in conducting a New Freedom project, but concerned about the federal requirements can contact RIPTA to discuss a partnership project.

The local match for §5317 projects is 50% of operating costs, 10% of capital costs of ADA accessibility equipment, and 20% of other capital costs, which include mobility management. Subrecipients are responsible for providing the match and must demonstrate the availability of the financial resources to match the federal funds and to pay for expenses in advance of reimbursement from FTA.

**PROGRAM MEASUREMENTS AND REPORTING REQUIREMENTS**

FTA has set a goal for the New Freedom Program of reducing barriers to transportation services and expanding mobility options available to people with disabilities beyond the requirements of the ADA of 1990. The program measures for this goal are based on the results of the implemented projects and include:

1. Increases or enhancements that impact availability of transportation services
2. Additions or changes to environmental infrastructure, technology, and vehicles that impact availability of transportation services
3. Actual or estimated number of one way rides provided.

Subrecipients will be required to provide a work plan with specific activities, goals, and objectives for the project, and that ties these activities to the required performance measures. Subrecipients will be required to submit quarterly reports that describe their progress implementing the workplan, including data addressing the performance measures.

**PROGRAM AND GRANT MANAGEMENT**

**State Administration and Technical Assistance**

The Governor of the State of Rhode Island has designated RIPTA to be the direct grant recipient for Federal Transit Administration funds for public transportation assistance as provided under applicable federal statutes. RIPTA does not currently retain any of the authorized 15% of the apportioned Section 5311 funds nor any of the authorized 10% of the apportioned Section 5310 to administer these programs. If these programs change and subrecipients are selected through the competitive selection process, RIPTA will retain the authorized amounts of grant program funds to support the provision of program oversight and technical assistance. Allowable administrative costs include salaries, overhead expenses, supplies, office equipment, and other direct costs to administer the programs. There is no local match required for this category of assistance.

**Roles And Responsibilities Of The State**

RIPTA conducts the following activities, and may use State Administration funds for these activities:

- Developing and maintaining a current State Management Plan
- Developing the relevant elements of the State Transportation Improvement Program
- Necessary staff time, their travel, and other directly related costs
- Contracting for Professional Services
- Determining coordination requirements associated with metropolitan planning organizations and private sector participation
- The development of statewide transportation coordination plans
- Development of Notices for Funding Availability and Grant Applications
- Notifying prospective participants about the program
- Certifying eligibility of applicants
- Developing program criteria and project eligibility
- Development and updating of manuals designed to provide technical assistance to subrecipients
- Meeting with staff of providers or applicants to clarify requirements
- Developing stated terms and monitoring grant agreements with subrecipients
- Maintaining records and documentation to verify compliance with federal requirements
- Developing the program of projects, budget, and milestones for submittal to FTA
- Preparing other required reports to FTA
- Obtaining and updating the requisite assurances for FTA
- Reviewing grantees’ bookkeeping procedures and records for operating assistance
- Reviewing subrecipients drug and alcohol programs
• Providing technical assistance
• Reviewing and interpreting new federal compliance requirements
• Modifying the SMP and state processes and procedures to meet new requirements
• Legal advertisements and room rentals for public meetings and workshops
• Expenses associated with the public comment and grant approval process

Eligible Assistance Categories

**Capital Expenses**

The following capital assistance project expenses are eligible under the Section 5310, 5311, 5316 and 5317 programs and include the acquisition, construction, and improvement of public facilities and equipment to be used for the direct provision of transportation services while meeting the program objectives and goals. RIPTA does not restrict the source of the local funding share, provided such funding does not restrict the use of the equipment or stipulate legal ownership of the equipment by anyone other than the recipient. RIPTA will allow a subrecipient to list a local government entity as the registered owner as long as a contract is developed and approved by RIPTA. Contracts will require the vehicle to be used to provide passenger transportation and meet all FTA requirements including the proceeds from the sale of the vehicle being retained for public transportation. RIPTA follows the FTA guidelines on allowing certain costs to be capitalized and does not further restrict the use of FTA funds.

**Capital projects may include:**

• The purchase of new or used buses and vans
• Vehicle rehabilitation or overhaul
• Initial component installation costs
• Vehicle procurement, testing, inspection, and acceptance costs
• Passenger shelters, bus stop signs, and similar passenger amenities
• Wheelchair lifts and securement systems
• Radios and communication equipment
• Computer hardware and software
• Preventive maintenance defined as all maintenance costs
• Extended warranties which do not exceed the industry standard
• Associated capital maintenance performed in-house or the capital portion of costs for service maintenance provided under contracts, otherwise known as “capital costs of contracting”
• The introduction of new technology, through innovative and improved products
• Transit-related intelligent transportation systems
• Facilities to provide access for bicycles to transit facilities or equipment for transporting bicycles on transit vehicles
• Activities directly supporting Mobility Management projects
• Security equipment
• Construction or rehabilitation of transit facilities including design and engineering

Vehicles purchased under all programs must meet The Americans with Disabilities Act (ADA) standards. New vehicles will not be approved without being wheelchair accessible unless the applicant can certify that the applicant owns and operates other appropriately equipped vehicles to provide equivalent service.
Ineligible expenses include the following:

- The lease of equipment or facilities
- Vehicle shelters or garages
- Provision of ADA paratransit service
- Purchase of service or voucher agreements are considered an operating expense and are not eligible capital costs

**Mobility Management**

Mobility Management is considered an eligible capital cost for all programs. Mobility management techniques may enhance transportation access for populations beyond those served by one agency or organization within a community. It may consist of short-range planning and management activities and projects for improving coordination among public transportation and other transportation-service providers carried out by a recipient or subrecipient through an agreement entered into with a person, including a government entity, under 49 U.S.C. Chapter 53 (other than Section 5309). Mobility management is intended to build coordination among existing public transportation providers and other transportation service providers with the result of expanding the availability of service. Mobility management does not include operating public transportation services. Examples of eligible mobility management activities include:

- Promoting, enhancing, and facilitating access to transportation services including the integration and coordination of services for individuals with disabilities, older adults, and low-income individuals
- Supporting short-term management activities to plan and implement coordinated services
- Supporting coordination policy bodies or councils
- Operation of transportation brokerages to coordinate providers, funding agencies, and customers
- Providing coordinated services such as individualized travel training or trip planning
- Operational planning for acquiring intelligent transportation system (ITS) technologies to help plan and operate coordinated systems, such as vehicle scheduling, smart card systems, Geographic Information System (GIS) mapping, Global Positioning Systems, and dispatching systems

**Preventive Maintenance**

Preventive maintenance is defined as all transit maintenance. A grantee may request preventive maintenance funds for any maintenance activity that extends the useful life of the FTA-funded vehicle.

**Operating Expenses**

Operating assistance consists of activities and services that are directly provided or purchased by the grantee related to system operations. RIPTA follows the FTA guidelines for operating expenses and does not further restrict the use of FTA funds. At a minimum, the following items must be considered operating expenses: fuel, oil, replacement tires, and parts which do not meet the criteria for capital items, extended warranties, and salaries and fringe benefits for drivers, mechanics, and dispatchers. Examples of eligible operating activities include:

- Operating assistance for rural public transportation services
- Operating assistance for paratransit transportation services beyond ADA requirements
- Feeder bus service for the intercity network
• Operating assistance for transportation to and from jobs and employment support services
• Activities not eligible as part of a Mobility Management project
• Purchase of service or voucher agreements

Project Administration Expenses
Administrative expenses eligible under the Section 5316 or 5317 are limited to the eligible activities specified in the FTA Circular. RIPTA follows the FTA guidelines for project administration expenses and does not further restrict the use of the funds.

Eligible costs may include, but are not limited to, general administrative expenses such as salaries of the project director, secretary, and bookkeeper, marketing expenses, insurance premiums or payments to a self-insurance reserve, office supplies, facilities, equipment rental, standard overhead rates, and the costs of administering drug and alcohol testing. Administrative costs for promoting and coordinating ridesharing, and vanpooling are eligible.

Requirements for Local Matching Funds

Source of Matching Funds
Subrecipients are required to provide local matching funds to support their projects. RIPTA follows the federal rules for eligible assistance categories and setting local match requirements and does not impose any further restrictions on the use of funds. RIPTA does not restrict the source of the local funding share, provided such funding does not restrict the use of the equipment or stipulate legal ownership of the equipment by anyone other than the recipient. US Department of Transportation (USDOT) funding cannot be used as match for these programs. Other federal funding may be used as match only if authorized by that federal funding program.

Up to 50% of the matching funds may be made up of non-USDOT federal support. 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. In either case, the cost of providing a contract service is included in the total project cost.

Local funds may come from state or local appropriations, dedicated tax revenues, private donations, and net income generated from advertising and concessions. Non-cash match including donations, volunteered services, or in-kind contributions are eligible to be counted as local match only if the value of each is formally documented and supported and represent a reasonable cost which would otherwise be eligible under the project. Non-cash match is not allowed for capital purchases.

Funds received by subrecipients for purchase of service agreements or other agreements with state or local human service agencies or private human service organizations or subcontracting brokerage may be treated as local funds even when the original source of the funds was a federal program.

Local Match Percentage Requirements
Capital Costs
The local share for the purchase of capital equipment is 20% of the purchase price, excluding any sales tax. FTA funds cannot be used to pay sales tax. Any sales tax must be paid solely by the subrecipient, in addition to the 20% local share. Non-cash match is not allowed for capital purchases.
**Preventive Maintenance**
Preventive maintenance costs are considered capital under FTA guidelines when specifically accounted for as such in subrecipient records. The costs of preventive maintenance are considered an eligible capital cost with a local match rate limited to 20 percent and a federal share of 80 percent.

<table>
<thead>
<tr>
<th>Expense</th>
<th>Federal</th>
<th>Local Match</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital</td>
<td>80%</td>
<td>20% plus taxes</td>
<td>FTA funds cannot be used to pay taxes</td>
</tr>
<tr>
<td>Mobility Management*</td>
<td>80%</td>
<td>20%</td>
<td></td>
</tr>
<tr>
<td>Preventive Maintenance*</td>
<td>80%</td>
<td>20%</td>
<td></td>
</tr>
<tr>
<td>Operating</td>
<td>50%</td>
<td>50%</td>
<td>Net cost after fares or program fees</td>
</tr>
<tr>
<td>Program Administration</td>
<td>50%</td>
<td>50%</td>
<td>Costs must be documented</td>
</tr>
<tr>
<td>ADA</td>
<td>90%</td>
<td>10%</td>
<td>Incremental costs only</td>
</tr>
<tr>
<td>Bicycle Access</td>
<td>90%</td>
<td>10%</td>
<td>Incremental costs only</td>
</tr>
</tbody>
</table>

*considered capital under FTA guidelines when specifically accounted for as such in subrecipient records

**Operations**
Subrecipients are allowed to use funds from other federal programs to provide of the local match. The non-USDOT source of the local match for operating assistance must comply with the Federal Transit Act and amendments, which permits the use of federal funds received from a state human service agency such as Medicaid and Title IIIB. Section 5316 and Section 5317 funds may be used to finance operating expenses. The local share of eligible operating costs shall be no less than 50 percent of the net operating costs (gross expense less fares).

**Other Projects**
The local share for capital projects to provide transit facilities for bicycles or for the incremental costs of vehicle related equipment to comply with the Americans with Disabilities Act may be funded with a 90 percent federal and 10 percent local match. Only the incremental costs of the project are eligible at this match rate. Eligible projects include, but are not limited to, bicycle racks, equipment to transport bicycles, retrofit of vehicles, and renovation of facilities to meet ADA standards.

**Project Awards and Grant Applications**

**Notice of Funding Availability (NOFA)**
RIPTA will issue a notice of funding availability every two years for the 5316 and 5317 funding. Priorities for funding will be taken from the findings of the Coordinated Plan for Public Transit-Human Services Transportation in Rhode Island. The Accessible Transportation Advisory Committee and other groups will assist with setting priorities for 5317 funding. State agencies and public advisory groups will provide input into the priorities for 5316 funding. Projects may be submitted that do not meet one of these priorities, but they must be consistent with the Coordinated Plan and must explain why the applicant believes the project should be considered over the identified funding priorities.

RIPTA publishes the Coordinated Plan, application, and grant application guidelines which gives instructions for completing the applications and the deadline for grant applications to be submitted on the [www.ripta.com](http://www.ripta.com) website. RIPTA will mail a hard copy to anyone who requests one. The Narragansett Indian Tribe will directly receive notice of funding availability.
**Applications**

Applicants will propose a project that will meet the goals of the funding priority. Applicants must describe the services to be provided and the populations to be served in their grant applications.

All grant applicants are required to have contacted, coordinated, and attempted to work with all transportation providers in their service area. They must describe the extent to which they coordinate transportation services with other transportation providers to reduce or eliminate duplication of services and to maximize the use of available resources. Duplicative services are not likely to be funded. Gaps and remedies should be clearly described and supporting data should be provided, not just anecdotal support.

RIPTA will provide technical support for applicants by holding a grant workshop where applicants can ask questions and get support with filling out their applications. RIPTA will post questions and answers on the website based on the questions asked during the workshop. For applicants that do not have the technical capacity to administer an FTA grant, RIPTA is willing to discuss the possibility of partnering on an application so that RIPTA may administer the grant and the applicant conducts the work.

**Project Selection Criteria**

RIPTA will chair the scoring committee, unless it is submitting a project proposal on its own or on behalf of another agency, in which case it will recuse itself. In this case, the scoring committee will be chaired by a member of the MPO. In both cases, state agency staff and state council or committee members will be invited to participate.

The scoring committee will receive all properly submitted applications, an overview of the federal programs, the funding priorities, scoring guidelines, and a status report of all open projects. Because successful continuation projects are usually favored over new, unproven proposals, the current project list is meant to provide the scoring committee with a sense of how the projects are being conducted, as well as an overview of what has already been funded so they can determine whether a proposal is duplicative, presents a coordination opportunity, or fills a gap.

**Approval Process**

Grant applications must be received by the closing date and time published in the Notice of Funding Availability. The application will not be considered for funding if it is received after the closing time or the applicant proposes a project that is not identified in the Coordinated Plan. Applications that do not address the selected funding priorities, but do address the Coordinated Plan strategies, may be scored, but may have points deducted.

Applications are reviewed for completeness and to determine if applicants have met all criteria for eligibility. Applications which do not complete the mandatory information or meet the eligibility criteria are rejected and not considered for funding. RIPTA distributes applications to the scoring committee to be evaluated. All scoring committee members must sign a “Confidentiality and Conflict of Interest Statement” in order to ensure a fair and equitable evaluation process. Applications are evaluated based on the responses in the project proposal and the evaluation criteria published with the NOFA.
**Awards**

The scoring committee provides the scores for the applications for the Section 5316 and 5317 projects. Scores fall into the categories of “Recommended” and “Not Recommended”. If there is not enough funding to fully fund all projects, RIPTA can either provide some funding to all projects that scored in the recommended range, or begin fully funding projects from the highest scoring and continue until all funds are allocated, or a combination of full and partial awards depending on the scalability of the project, the scoring committee’s comments, and its own discretion.

RIPTA staff will notify applicants of the awards and review the federal requirements with them. See the section on Federal Requirements for details. Awards are tentative until all certifications and assurances for the federal requirements are provided. If a potential grantee cannot meet these requirements, the award will be withdrawn and the funds re-allocated to another project. If there are no other projects that meet the scoring criteria to be recommended, the funds may remain unallocated until the next funding cycle, or another round of proposals may be requested.

Once all requirements are met, RIPTA will prepare a recommended Program of Projects for approval by the RIPTA Board at the next Board meeting, and to be included in the public comment draft STIP available on the Statewide Planning website.

**Post-Award Federal Grant Authorization Process**

Grant funds are not immediately available to subrecipients once the State selection and award process is complete. The award is not final until the request for federal funds is approved by FTA. There are several steps to this process.

RIPTA coordinates with the MPO to ensure the project is amended into the Transportation Improvement Program (TIP), if it isn’t already included. Depending on the TIP cycle and meeting schedule, this can take nearly four months to complete. Following federal approval of the TIP, staff will enter the projects into the FTA TEAM grant management system. FTA staff review the projects for compliance with federal grant regulations and refer them to the Department of Labor for approval of the labor requirements. Funds are typically available within two months of submission to FTA.

<table>
<thead>
<tr>
<th>Steps in the Federal Approval Process</th>
<th>Timeline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development of Program of Projects/TIP amendment</td>
<td>up to 4 months</td>
</tr>
<tr>
<td>FTA Grant Approval / Notice of Award</td>
<td>60 days</td>
</tr>
<tr>
<td>Signed Contract between RIPTA and Subrecipient</td>
<td>concurrent</td>
</tr>
</tbody>
</table>

**Revisions to the Program of Projects**

RIPTA will allow a subrecipient to revise its budget within the original scope of work and will develop a budget modification to the grant agreement to reflect these changes. As applicable and required, these changes are included as part of the annual report process to FTA.

Should a subrecipient request a budget modification or change to the scope of work that materially affects the awarded grant, RIPTA would be required to request approval from the TAC and notify FTA prior to approving such a change. Such approvals can take several weeks or longer to complete. FTA
must be consulted if the requested change is over $250,000 or 10 percent of the total program of projects. A subrecipient cannot move forward with changes to the budget or scope without written approval. Work completed without approval may not be reimbursed, and may be cause for termination of the project.

If there are serious questions of the subrecipient’s ability to carry out the proposed and awarded project, or with compliance with FTA rules, a project may be suspended for investigation or negotiation, and the project may be terminated. A subrecipient that has a project terminated due to non-compliance or inability to carry out the project may be required to return any FTA funds that were previously reimbursed on the project.

Procedures for Monitoring Compliance by Subrecipients

RIPTA uses a process including audits and site visits to monitor subrecipient compliance with program requirements.

RIPTA conducts on-site reviews with subrecipients that include aspects of Project Monitoring and Management and Financial Review. During the initial site overview, staff primarily focus on the grant agreement and related requirements. All items within the grant agreement are discussed to ensure subrecipients understand the requirements of the grant.

For purchase of equipment awards, staff normally schedule post-delivery inspections and may review financial claims at that time. Staff also conducts vehicle inspections as long as RIPTA is lien holder of first position on the vehicle.

RIPTA certifies to the Department of Labor that each subrecipient in the program of projects has agreed to the special warranty of employee protective arrangements.

Program Reporting

Subrecipient Reports

Subrecipients will be required to provide regular reports on their activities and budget. These reports may be monthly or quarterly, depending on the project. Specific reporting requirements will be detailed in the project award. Reimbursements will only be processed if all required reporting is up to date.

Annual Reports to FTA

As part of the grant application process, RIPTA submits a program of projects including budgets and an implementation schedule with significant milestones and completion dates for each grant. Documentation is maintained in each grant file on how the subrecipient is progressing toward the goals and annual reports are electronically submitted FTA via the TEAM website. RIPTA submits a Financial Status Report annually for each active grant. The State also annually submits a Program of Projects Status Report. If any schedule, project description, or budget has changed, this information will be provided as part of the annual report. RIPTA reports all unliquidated obligations to the FTA Regional Office. Any significant civil rights compliance issues are included. Notable accomplishments are included as part of the report.

Close Out
RIPTA closes out grants within ninety days when the subrecipient has received the last of its eligible expenditures. If extra funds remain in the grant, RIPTA will contact the grantee to ascertain if there will be more claims submitted. If the subrecipient has submitted all claims, the remaining funds can be transferred to other open grants in that grant year to expend the monies and the original grant will be closed.

RIPTA has a goal of having no more than three years of open grants. RIPTA will actively work with subrecipients to utilize the funds in a timely fashion so grants can be closed within the three-year period. Records are retained after the grant has been closed in compliance with FTA requirements. RIPTA notifies subrecipients when grants are closed and informs them of the requirement for records retention.

RIPTA uses internal grant management status sheets, and other associated reports to monitor grant balances.

**Financial Management and Oversight**

**Financial and Grant Management**

RIPTA is a direct recipient of FTA funds, and maintains financial management systems for the expenditure and accounting of grants in accordance with state and federal laws. The agency performs all grant management activities, including accounting, reporting, grant revisions, and compliance. Rhode Island state law mandates that RIPTA conduct an annual financial audit in accordance with OMB Circular A-133. The audit is forwarded to the FTA Regional office.

RIPTA requests reimbursement from FTA utilizing the Electronic Clearing House Operation (ECHO) for reimbursement of claims.

As the designated recipient of FTA funds, RIPTA maintains financial records and supporting documentation. Records are retained for three years after the completion of the grant work program. Records will also be retained until any litigation, claim, or audit begun during or before the three-year period has been resolved.

Subrecipients are subject to these same standards. In order to receive reimbursement of project expenses, subrecipients of FTA funding must provide appropriate documentation of project activity and revenues and expenditures on a quarterly basis. RIPTA reviews these quarterly reports, verifies funds used for match, and makes payments to subrecipients on a reimbursement basis. Funds are distributed to subrecipients within three days of receipt from FTA, as required.

Subrecipients must submit a copy of any annual audit regarding funds expended under current subrecipient agreements. These audits must include a copy of the management letter and any other reports that accompany the annual audit. They must maintain grant records for three years after a project is completed.

**Audits**

Subrecipients receiving more than $500,000 from all federal sources are required to have audits conducted in accordance with OMB Circular A-133. Subrecipients are instructed to have the auditor
conduct a review of compliance with FTA regulations as part of the annual audit for the period during which FTA funds are expended.

Subrecipients are instructed to have their audit firm send a copy of the audit directly to RIPTA. Subrecipients must have their Board approve the audit at the next Board meeting and must send a copy of the minutes to RIPTA. If the audit identifies any findings the subrecipient must submit a corrective action plan to RIPTA with a timeline to correct the findings.

A copy of the most recent audit must be maintained with the grant application and agreement. In addition, RIPTA staff includes appropriate financial on-site reviews of all subrecipients.

**FEDERAL REQUIREMENTS**

All subrecipients are required to meet the following federal provisions. Awards of funding for project proposals are tentative until all certifications and assurances for the requirements outlined below are provided. If a potential grantee cannot meet these requirements, the award will be rescinded and the funds re-allocated to another project. If there are no other projects that meet the scoring criteria to be recommended, the funds may remain unallocated until the next funding cycle, or another round of proposals may be requested.

**Certifications and Assurances**

Prior to the award of any grant, the State must provide to FTA all Certifications and Assurances required by Federal laws and regulations for the applicant or project. RIPTA electronically submits, through TEAM Web, the FTA Assistance Programs Certifications and Assurances within 90 days of the time they are published in the Federal Register. RIPTA receives and maintains certifications and documentation sufficient to support the assurances to FTA. RIPTA lists the Certifications and Assurances in the grant notices and requires applicants to sign acknowledging the requirements and that FTA may make changes. All necessary Certifications and Assurances are included in each grant agreement that the subrecipient is required to sign. Staff reviews each section of the grant and discusses the requirements. Subrecipients also sign acknowledging that they understand these requirements.

**Labor Protection**

RIPTA certifies that it will comply with federal requirements of Section 5333(b), formerly known as 13(c), annually for FTA assisted operating projects. When subrecipients or contractors are selected to operate transit service, the operating agreements will require adherence to applicable 13(c) labor protections.

**Civil Rights**

RIPTA must comply and ensure compliance by all subrecipients with standard federal civil rights requirements including:

- Title VI of the Civil Rights Act of 1964, as amended,
- The Equal Employment Opportunity (EEO) requirements of Executive Order 11375, and
- FTA’s Disadvantaged Business Enterprise (DBE) program requirements.
RIPTA monitors its Title VI, EEO, and DBE programs, and oversees compliance by subrecipients. Reports are prepared and submitted to the Federal Transit Administration.

All subrecipients are required to make assurances of compliance with Title VI, EEO, and DBE regulations to FTA as part of its grant submissions. The appropriate civil rights clauses are included in grantee agreements. The checklist used during grantee reviews includes a section that verifies compliance with Civil Rights issues such as discrimination, employment, complaints, and accessibility of services.

Grant application guidelines list Assurances and requires the applicant to sign a statement acknowledging that the Assurances may be modified and that the applicant complies and reasonable expects to comply with any modifications. Grant applicants are made aware they will be required to sign an Assurance of Compliance with Civil Rights Requirements at the time the written agreement to receive funds is executed.

Should RIPTA receive a Civil Rights lawsuit or complaint it will maintain a file documenting the date received, a summary of the action, and the status of the action. Staff will work with the RIPTA Civil Rights Officer, Legal Counsel, and FTA to make sure all legal requirements have been met in resolving the issue.

Section 504 and ADA

It is RIPTA policy that all FTA-funded vehicles be equipped with wheelchair lifts or ramps and that these vehicles are maintained to ensure that lifts/ramps are in working order. The contracts for providers of RiDe service include the requirement that wheelchair lifts be checked daily. Drivers for the 5311 service are trained in operation of the lifts. The RiDe brokerage administrative staff performs daily review of manifests for compliance with ADA service requirements and reports to RIPTA on compliance levels. RIPTA also monitors the compliance through its program of vehicle maintenance. The authority’s overall maintenance program is operated to provide absolute priority attention to greater service reliability, including wheelchair lifts.

RIPTA must comply and ensure compliance by all subrecipients with federal civil rights requirements including the federal protections for persons with disabilities:

- Section 504 of the Rehabilitation Act of 1973 as amended,
- The Americans with Disabilities Act of 1990, as amended, and
- Code of Federal Regulations Title 49 Parts 37 and 38.

RIPTA submits an Assurance of Nondiscrimination each year to FTA as part of the annual Certifications and Assurances.

Each applicant must include as part of the grant application a description of the services offered. RIPTA requires any provider operating a fixed route system to provide complementary paratransit or other special service that is comparable to the level of service provided to individuals without disabilities using the fixed route system. If the applicant is proposing primarily a fixed route service, the application must explain how the complementary ADA service will be provided and demonstrate the ability to fund the ADA service.
Providers must make provisions for maintaining accessibility features, service animals, service to persons with respirators or portable oxygen, announcements of stops on fixed route service, and any other requirements in 49 CFR Part 37, Subpart G. The plan for the complementary service is reviewed by RIPTA and information will be included in the Annual Program of Projects submitted to FTA.

Each grant agreement contains a section requiring the subrecipient to certify that its demand responsive service offered to individuals who use wheelchairs is, at a minimum, equivalent to the level and quality of service offered to individuals without disabilities. Staff reviews and documents the requirement as part of the site-visit.

RIPTA notifies each grant recipient that RIPTA may be contacted by anyone alleging discrimination in service or employment, including Section 504 and ADA. Any written complaints alleging discrimination will be referred to the RIPTA Civil Rights Officer for investigation.

RIPTA reviews all specifications associated with vehicle purchases to ensure ADA compliance. RIPTA requires all vehicles purchased with FTA funding to be accessible and comply with ADA requirements. Exceptions will be made only when the applicant owns and operates other ADA accessible vehicles with which to provide equivalent services, and can demonstrate that the number of accessible vehicles is sufficient. All facilities should be accessible and any construction or remodeling should meet these standards.

**Debarment and Suspension**

RIPTA complies with the federal requirements for disclosure for Debarment and Suspension. Each subrecipient is required to certify in the grant agreement that the organization and its principals meet the standards for debarment, suspension, ineligibility, and voluntary exclusions. RIPTA also requires subrecipients to include language in any bids requiring any bidder to disclose whether they have been Debarred or Suspended from doing business with the federal government.

RIPTA will not enter into any third-party contracts or grant agreements with any party included in the US General Services Administration’s list of parties excluded from federal procurement or non-procurement programs. Subrecipients that receive more than $25,000 from RIPTA must certify that they are not debarred or suspended from any Federal Agency.

**Restrictions on Lobbying**

Recipients of federal grants and contracts exceeding $100,000 must certify compliance with the restriction on lobbying before they can receive funds. Subrecipients are required to submit the appropriate federal forms acknowledging the activity. Subrecipients are required to certify that no federal funds have been or will be paid to any person influencing or attempting to influence any member of Congress, congressional staff or officers, federal agency officers or employees pertaining to federal assistance agreements. All bids for equipment prepared by these subrecipients are required to contain this certification as well.

Subrecipients are responsible for:

1. Signing a certification of compliance pertaining to lobbying activities.
2. Where third party contractors are involved, subrecipients must obtain a certification of compliance from the contractor.
3. If the subrecipient receives more than $100,000 in federal grants, the subrecipient must complete and submit a Form LLL to RIPTA.

4. If the subrecipient contracts with an outside agency and that contractor received more than $100,000 in federal funds and used non-federal funds to support lobbying, the subrecipient must obtain a completed Form-LLL from the contractor and submit it to RIPTA.

**Charter Rule**

RIPTA does not provide charter service. RIPTA includes information about the restrictions on charters in all grant agreements. RIPTA requires all subrecipients to abide by the conditions prohibiting the use of FTA-funded equipment or facilities to provide charter services except under special limited exemptions as outlined in 49 CFR Part 604, available from the electronic Code of Federal Regulations at ecr.gpoaccess.gov. RIPTA reviews subrecipient records to verify no noncompliant charter activity has occurred and submits the charter bus agreement and assurance on behalf of subrecipients as part of the annual FTA Certifications and Assurances.

**School Transportation Prohibition**

Section 5323(f) of the Federal Transit Act places limits on school bus services that may be provided by federally funded transportation operators. Subrecipients are restricted from using FTA funds or equipment to provide exclusive school busing operations. Subrecipients agree to abide by the conditions prohibiting use of FTA funded buses, facilities, or equipment to engage in school bus operations for the exclusive transportation of school students, personnel, and equipment. The only exception to this general prohibition is if the service being provided is considered to be tripper service, which is defined as regularly scheduled mass transportation service which is open to the public and which is designed or modified to accommodate the needs of school students and personnel, using various fare collection or subsidy systems. For service to qualify as tripper service:

- Buses must be clearly marked as open to the public;
- Buses may stop only at regularly scheduled stops; and
- Trips must be listed as part of regular route service as indicated in published route schedules.

**Drug And Alcohol Program/Drug Free Workplace**

RIPTA has adopted a Drug-Free Work Place Policy and training program. Subrecipients and subcontractors are also required to comply with federal drug and alcohol requirements. RIPTA annually certifies compliance with the Federal Drug-Free Work Place Requirements to FTA. Notices have been published and posted notifying employees of the requirements of the Drug-Free Workplace Act. All subrecipients are required to adopt and enforce a board-approved Drug Free Work Place Policy. RIPTA’s Drug and Alcohol Coordinator, in the Employee Relations Department, monitors compliance of its subrecipients per the FTA Drug and Alcohol Testing regulations in 49 CFR Parts 40 and 655.

**Drug and Alcohol Misuse Testing**

All FTA funding subrecipients are required to adopt compliant drug and alcohol testing program policies and process that are approved by its board. RIPTA will maintain current copies of each subrecipient’s board approved Drug and Alcohol Policies and Procedures and will review each provider annually to monitor for changes to policies or practices. Testing is required in the following situations:
In addition, transit systems may perform blind sample testing for their drug-testing program as a quality assurance measure for the testing laboratory being used. Employees affected by these regulations are those who perform "safety sensitive" functions within the transit agency including operators of revenue vehicles, CDL holders operating non-revenue vehicles, and mechanics maintaining revenue vehicles or equipment used in revenue service. RIPTA will monitor drug and alcohol testing programs to verify all safety sensitive personnel are involved in the program and that contractors meet FTA requirements.

**Procurement**

RIPTA will ensure that all procurement complies with FTA standards in FTA Circular 4220.1F. RIPTA reviews all bid documents and specifications for compliance. Subrecipients must acknowledge FTA regulations and procedures when they sign the grant agreement. Subrecipients under FTA programs procure equipment and services with RIPTA oversight and according to state procurement standards. RIPTA’s Purchasing Department also reviews the consultation agreements to ensure overall state and U.S. DOT requirements are met. RIPTA will assist and review all bid documents, providing technical assistance and oversight at each step to ensure purchases are made competitively, that the required language is included in the bid documents, and the bid process is in compliance with federal procurement policies. If a subrecipient is not equipped to handle a compliant procurement, RIPTA may elect to run the procurement itself on behalf of the subrecipient.

Subrecipients that are public entities will follow the requirements called the Common Rule (CFR Part 18), plus will comply with the following requirements:

- Provide for full and open competition
- Exclude the use of in-state or local geographic preference
- Do not enter into any contract for rolling stock with a period of performance exceeding five years, exclusive of options, without FTA approval
- Ensure that purchase orders and contracts executed using federal funds include all required clauses
- Use competitive procurement procedures when contracting for architectural and engineering services.

Circular 4220.1F applies to all subrecipients that are nonprofit agencies and that contract with outside sources under FTA assistance programs. Additional requirements for the state and all subrecipients include:

- Maintain a written code of conduct governing the employees who engage in the award and administration of contracts
- Have written selection procedures
- Use the appropriate method of procurement
- Ensure the most economic and efficient purchase
• Develop an independent cost estimate
• Make awards only to responsible contractors who will perform the project under the defined terms and conditions
• Use competitive selection processes
• Conduct and document a price analysis for each procurement
• Have written protest procedures
• Maintain contract administration
• Maintain a complete record of procurement history

Subrecipients may elect to purchase vehicles independently while staying in compliance with RIPTA oversight of the grantee capital purchase process. Subrecipients are required to include a “Buy America” provision and certification with their bidding documents for vehicles. Additional details of federal procurement requirements are in FTA’s Best Practices Procurement Manual.

RIPTA has prepared a checklist to assure compliance with FTA’s pre-award audit requirements. The checklist addresses “Buy America”, Federal Motor Vehicle Safety Standards, Bus Testing, and the grantees own specifications. Subrecipients are required to verify certified information on the checklist during the visit at the manufacturer’s factory. RIPTA has a checklist for the grantee’s use in the post-delivery inspection of all vehicles. A copy of the completed checklists must be included with the request for reimbursement.

Subrecipients can find the most current list of Disadvantaged Business Enterprises (DBEs) on the State of Rhode Island website at www.mbe.ri.gov. All procurements must be conducted to provide full and open competition to any firm choosing to register with the state.

RIPTA has an ongoing process to assure quality control. Some of the steps in the process are:
1. Specifications developed or reviewed by RIPTA’s Maintenance Department
2. Evaluation of bids by Maintenance, Operations, and Procurement sections of RIPTA
3. A pre-bid conference
4. Award of the contract to the lowest responsive bidder
5. A pre-production meeting at the assembly plant
6. On-line inspections at the assembly plant
7. Vehicle road tests at the factory
8. Inspection of the vehicles using a checklist before final acceptance, and
9. Placement of vehicles into service only after final acceptance.

**Disadvantaged Business Enterprise (DBE)**

RIPTA submits goals for utilization of DBEs on a triennial basis. RIPTA monitors the use of DBE firms and submits semiannual reports to FTA. RIPTA encourages the use of DBE firms whenever possible within the restrictions of existing purchasing requirements and purchasing contracts. RIPTA encourages subrecipients to use DBE firms whenever possible. The State maintains a list of firms recognized as DBE firms, which is available to the public on the State of Rhode Island website at www.mbe.ri.gov. Subrecipients are required to semi-annually report purchases made from DBE vendors or provide a report of their Good Faith efforts to locate and purchase from DBE vendors.
**Buy America**

RIPTA requires subrecipients to comply with Buy America requirements when the purchase price of vehicles exceeds $100,000. Specific language is contained in the grant agreement and in the certifications and assurances acknowledged by the subrecipient.

A checklist is provided for the applicant to follow which includes information to be included in the Request for Bids and in the Contract. RIPTA reviews each step of the procurement process and all associated documents to ensure the subrecipient complies with the Buy America provisions when required. Should the purchase of a vehicle fall below the small purchase threshold, the subrecipient is required to complete a certification stating the procurement is exempt from the requirement.

**Satisfactory Continuing Control**

Capital management is an important aspect of public transit since it affects the safety, marketability, and financial integrity of the transit system. When capital equipment or facilities are acquired, built, or improved, provisions will be made to assure satisfactory continuing control of the capital equipment and facilities. Subrecipients of federal dollars administered by RIPTA are required to certify that any property purchased with those funds is used for public transportation services as described in the grant application for the useful life of the equipment or facility.

All property acquired using federal funds shall be utilized and disposed of in accordance with the applicable FTA program circular, FTA Circular 5010.1D, Grants Management (as amended), and 49 CFR 18 Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

**Management and Disposition of Capital Property & Equipment**

RIPTA retains title to all real property and capital equipment, including vehicles, purchased with federal assistance. RIPTA ensures that all facilities and equipment are used in transit service and in accordance with state laws and procedures.

RIPTA has procedures for disposing of federally funded capital property and equipment. When a federally funded property can no longer be used for transit operations, RIPTA’s Maintenance Department requests a disposal form from Procurement; Procurement then checks with the Finance Department to see if the equipment has met its useful life. Procurement advertises for bids and sells to the highest bidder, usually for scrap value. The Procurement and Planning Departments coordinate to notify FTA about proposed vehicle dispositions.

**Vehicle Use**

Vehicles must be used primarily to provide transportation to targeted population set forth in FTA Circulars. Targeted populations are the general public under Section 5311 programs, primarily to provide transportation primarily to the elderly or persons with disabilities under the Section 5310 program, low-income individuals accessing job related serve or providing a reverse commute service under Section 5316, and people with disabilities under Section 5317. Subrecipients may also use the vehicles to perform other eligible activities while serving to the general public or client populations or persons with disabilities in the community. RIPTA encourages subrecipients to coordinate with others in the area to receive the most efficient use of the vehicle within the federal rules.
RIPTA does not currently have minimum use requirements for vehicles. RIPTA does monitor the monthly use of the vehicles and discusses the use of the vehicle during the vehicle inspection. RIPTA will contact the subrecipient if the vehicle is not being used, or has been used improperly.

In order to comply with Rhode Island State Law, RIPTA requires subrecipients to furnish public liability and property damage insurance and to keep such insurance in force at all times. Such public liability insurance will provide for a minimum limit of not less than $500,000 for damages from bodily injury or death and will name RIPTA as an additional named insured.

RIPTA requires that all drivers at a minimum meet appropriate licensure requirements, have an appropriate Driver’s License or Commercial Driver’s License (CDL), and successfully completed courses for defensive driving, passenger assistance, and sensitivity training (PASS). Subrecipients must maintain a driver’s file and make records available to RIPTA and FTA upon request. Mechanics driving vehicles designed to carry more than 15 persons are also required to have a CDL, and subject to Drug and Alcohol testing requirements.

**Maintenance**
RIPTA requires all subrecipients to have written maintenance plans for all vehicles purchased that meet or exceed the manufacturer’s recommended maintenance schedule. Subrecipients must certify that the equipment or vehicles are maintained in accordance with detailed maintenance and inspection schedules as provided by the manufacturer. RIPTA Staff reviews vehicle maintenance records, and reserves the right to take possession of any vehicles for which RIPTA still holds title that is not maintained according to these standards.

**Disposition**
Before the end of the useful life, should a vehicle be damaged to the extent it can no longer be used, RIPTA will receive the insurance proceeds. If the subrecipient purchases a replacement vehicle, the proceeds will be forwarded to them upon receipt of evidence the replacement has been received, paid for, and legal ownership is vested in RIPTA. If the damaged vehicle is not replaced, RIPTA would retain the federal share of the equipment based on the value of the vehicle before the accident and remit the local share to the Subrecipient. Any federal share retained by RIPTA would be returned to FTA if required or used to provide transportation for FTA programs.

**Construction or Renovation of Facilities**
Subrecipients undertaking construction or renovation of facilities using FTA program funding are required to meet all applicable Americans with Disabilities Act and environmental requirements. Only §5317 New Freedom Program funds may be used for facilities.

RIPTA requests copies of the plans and will review them with Staff, State representatives, and impacted Local Officials to ensure compliance. The responsibility for the design of the project rests with the subrecipient and RIPTA may approve the project as long as local agreements and respective federal requirements are met. Title to the property is vested in the subrecipient. RIPTA will monitor the use of the facility to ensure it is used for the purpose originally intended and authorized. RIPTA may choose to consult the relevant RI State Departments (Transportation, Environmental Management, ADA) to review or prepare independent appraisals and associated activities.

Most projects and activities do not normally involve significant environmental impacts. Planning activities, technical studies, preliminary design work, program administration, operating assistance, and
transit vehicle purchases have been determined to have minimal or no environmental impacts and require no environmental documentation.

Other Policies

When using Federal Transit Administration funding, all subrecipients must comply with FTA’s operational procedures that are used for performance of its grants. The areas of coverage include, but are not limited to, Title VI, environmental review, procurement, public notification, and services for persons with disabilities. RIPTA will notify subrecipients of these requirements on a project by project basis.
Attachments

**Attachment 1:** Map of the Rhode Island Urbanized Areas from the 2010 Census

**Attachment 2:** List of Resources and Where to Find Them
Attachment 2: List of Resources and Where to Find Them

**Documents referenced in this State Management Plan**

- Coordinated Plan for Public Transit – Human Services Transportation [www.ripta.com](http://www.ripta.com) or [www.planning.ri.gov](http://www.planning.ri.gov)
- Disadvantaged Business Enterprises (DBEs) for the State of Rhode Island [www.mbe.ri.gov](http://www.mbe.ri.gov)
- State Transportation Improvement Program (STIP) [www.planning.ri.gov](http://www.planning.ri.gov)
- Rhode Island Long Range Transportation Plan [www.planning.ri.gov](http://www.planning.ri.gov)

**Other Resources**

- Understanding FTA and its Programs (video) [www.youtube.com](http://www.youtube.com)