



FINAL PLAN
JANUARY 2022



STATE MANAGEMENT PLAN
RHODE ISLAND PUBLIC TRANSIT AUTHORITY



2022 State Management Plan

Rhode Island Public Transit Authority

Contents

PART I 3

- Introduction
- Roles, Responsibilities, and Coordination
- Subrecipients

PART II 5

- Section 5310 Program – Enhanced Mobility of Seniors and Individuals with Disabilities
- Section 5311 Program – Formula Grants For Rural Areas
- Section 5317 Program – New Freedom
- Section 5339 Program – Bus and Bus Facilities

PART III 13

- Program Management
- Program of Projects
- Transfer of Funds
- Federal Requirements (Civil Rights, Section 504 and ADA Reporting, Maintenance, Charter Rule, NTD Reporting, Other Provisions)
- Review, Approval, and Plan Maintenance
- References

PART I

Introduction

A quasi-public agency of the State of Rhode Island, Rhode Island Public Transit Authority (RIPTA) operates a variety of transportation services including fixed route bus service, ADA complementary paratransit service (Ride), and zone-based community transportation (Flex). The agency has a statewide coverage area, providing transit service in nearly all Rhode Island municipalities.

As the state-designated recipient of funding under the Federal Transit Administration's (FTA) Section 5310 (Enhanced Mobility of Seniors and individuals with Disabilities) and Section 5311 (Formula Grants for Rural Areas) programs, RIPTA is required to prepare a State Management Plan (SMP) describing its policies and procedures for administering these programs. RIPTA also manages FTA Section 5339 (Bus and Bus Facilities) funds, and is in the process of closing out a Section 5317 (New Freedom) program grant. This plan presents the state's policies and procedures for managing each of these four programs.

Roles, Responsibilities, and Coordination

Roles and Responsibilities

Rhode Island differs from many states in that it has a single statewide transit agency which directly receives and administers Sections 5310, 5311, 5317, and 5339 program funds. In administering these programs, RIPTA is responsible for:

- Planning for future transportation needs and fostering integration and coordination among diverse transportation providers. Rhode Island adopted its first Transit Master Plan in December 2020, which serves as the state's blueprint for future transit improvements including rural and other non-fixed route service.
- Developing a program of work consistent with the priorities identified through the planning processes for Rhode Island's Long Range Transportation Plan (LRTP), which incorporates the above-mentioned Transit Master Plan; State Transportation Improvement Program (STIP); and Public Transit-Human Services Transportation Coordinated Plan (Coordinated Plan).
- Submitting an annual Program of Projects (POP) and grant applications to FTA.
- Carrying out grant-funded projects and monitoring project activity.
- Filing a National Transit Database (NTD) report each year for RIPTA, and, as applicable, each subrecipient.
- Overseeing project audits and closeouts.

Coordination

In administering these programs, RIPTA coordinates closely with Rhode Island's Metropolitan Planning Organization, Department of Transportation, and local governments. Also, in accordance with FTA program circular 9070.1G, RIPTA updates the Coordinated Plan every five years, in partnership with older adults, individuals with disabilities, transportation and human service providers, partner agencies, and members of the general public. The current plan reflects an array of priorities as identified by participating stakeholders.

In addition, a variety of groups provide input and support for public transportation in Rhode Island, including:

State Agencies, Local Governments and Committees

- **RI State Planning Council (SPC):** RIPTA's Chief Executive Officer sits on this council, which is Rhode Island's Metropolitan Planning Organization for transportation planning purposes.
- **Transportation Advisory Committee (TAC):** This committee advises the State Planning Council on transportation planning issues and participates in development of the state's LRTP and STIP. A RIPTA staff representative serves on this committee.
- **RI Division of Planning:** In coordination with RIPTA and RIDOT staff, Division of Planning (MPO) staff lead the preparation of Rhode Island's LRTP and STIP documents. The latest version of the LRTP, of which the Transit Master Plan is an element, was adopted in December 2020. Currently, the STIP is a 10-year plan, updated annually. MPO, RIDOT, and RIPTA staff prepare draft reports and recommendations for public presentation at TAC and SPC meetings prior to final adoption of the plans. The STIP public process includes provision of a status report to the public on all federally funded transportation projects.
- **RIDOT Office of Transit:** Together with the MPO, RIDOT was a key partner with RIPTA in developing the Transit Master Plan. RIDOT performs capital planning and maintenance of MBTA commuter rail facilities within the state of Rhode Island.
- **Municipalities:** RIPTA coordinates with municipalities and other stakeholders on a regular basis to gather input on Transit Master Plan implementation and potential future service enhancements.

Advisory Groups

- **RI Human Services Transportation Coordinating Council:** Established in 2018, the Coordinating Council brings together representatives of agencies responsible for meeting the transportation needs of vulnerable populations including older adults, individuals with disabilities, and lower-income individuals. The statewide Council continues to hold public meetings every other month.
- **Accessible Transportation Advisory Committee (ATAC):** Comprised of individuals with disabilities and representatives of agencies that serve them, the ATAC advises RIPTA on transit and paratransit services, public information, and accessibility issues, and provides valuable input to the coordinated planning process.
- **RI Transit Riders:** This organization advocates for high-quality, affordable, and accessible public transportation, participating actively in planning and service review processes.
- **Grow Smart RI:** RIPTA works with this smart growth advocacy organization to gather input on potential service changes and investments. Grow Smart's network includes a wide range of agencies and groups committed to improving transit service in Rhode Island.
- **EcoPass and UPass partners:** RIPTA partners with employers and educational institutions to provide monthly passes to workers and students through its EcoPass and UPass programs. Input regarding RIPTA services is periodically solicited from these partner organizations.

Other Providers

- **Intercity bus service providers:** RIPTA coordinates on an ongoing basis with most of Rhode Island's private providers of public transportation, and periodically invites all intercity service providers to give input and feedback. In 2021, based on this periodic assessment, RIPTA certified that Rhode Island's intercity bus service needs were adequately met.
- **Neighboring transit agencies:** RIPTA provides limited service across state lines; in planning and monitoring this service RIPTA coordinates closely with neighboring transit agencies such as the

Subrecipients

RIPTA manages all subrecipients in accordance with the agency's Subrecipient Oversight Policy and Procedures. The policy is designed to ensure subrecipient compliance with all FTA requirements. In addition to confirming FTA compliance, RIPTA also verifies specifications unique to the project and program funding. Monitoring may include site visits, audits, regular update reports, budget reviews, progress meetings, and the like, as deemed necessary. Subrecipients shall perform pursuant to a Subrecipient Agreement with RIPTA to ensure understanding of both FTA and project-specific requirements.

RIPTA passes through FTA funds to a limited number of subrecipients. RIPTA's subrecipient selection and monitoring procedures include notification to eligible local entities of funding availability, solicitation for applications from potential subrecipients, determination of applicant and project eligibility, review and selection of projects for FTA approval, and certification that allocations of funds to subrecipients are made on a fair and equitable basis. Eligibility of subrecipients is FTA program specific. Therefore, reference is made to the Program Sections below for details on eligibility.

PART II

Section 5310 Program – Enhanced Mobility of Seniors and Individuals with Disabilities

Program Goals and Objectives

FTA's Section 5310 program aims to improve mobility for older adults and individuals with disabilities throughout the country by removing barriers to transportation services and expanding the mobility options available. Toward this goal, FTA provides financial assistance for transportation services planned, designed, and carried out to meet the special transportation needs of older adults and individuals with disabilities in all areas – large urbanized, small urbanized, and rural. The program requires coordination with other federally assisted programs and services in order to make the most efficient use of federal resources.

Every five years, RIPTA completes an update of Rhode Island's Public Transit-Human Services Transportation Coordinated Plan (Coordinated Plan). Through the participation of older adults, individuals with disabilities, and other consumers, along with private and public sector service providers, elected officials, and stakeholders, the plan has identified priorities, such as:

- Increasing funding for human services transportation
- Increasing rural service area coverage
- Ensuring affordability of human services transportation
- Improving information sharing and communications
- Capitalizing on technology opportunities
- Increasing span and frequency of urban service

- Reducing wait times through provision of on-demand or same-day service
- Increasing travel training for new transit customers
- Increasing customer service training for drivers

All projects funded through the Section 5310 program must be derived from this Coordinated Plan. Accordingly, RIPTA may determine that 5310 funds should be used not only for vehicle replacement but also for other projects outlined in the Coordinated Plan.¹

RIPTA is also in the process of closing out its Section 5317 New Freedom program and does not intend to utilize Section 5310 funds for projects that were formerly eligible for New Freedom funding. However, should RIPTA determine in the future to utilize Section 5310 funds for projects fitting within this category, the requested use would first need to be programmed into the STIP, and would then be detailed in the grant language provided to FTA at the time of application. No more than the allowable 45% of allocated funds would be requested.

Eligible Subrecipients

FTA guidance provides for a variety of eligible subrecipients, including private nonprofit organizations, state or local governmental authorities, and, for projects other than traditional Section 5310 projects, operators of public transportation, including private taxi operators offering shared-ride service to the general public.

Local Share and Local Funding Requirements

RIPTA, as the direct recipient of Rhode Island's Section 5310 funds, provides a 20% local match through its general operating funds. RIPTA may require subrecipients to provide or share in this local match requirement, consistent with the requirements of FTA program circular 9070.1G.

Project Selection Criteria and Method of Distributing Funds

As noted above, Rhode Island's priority for Section 5310 funding has been, since the 1980s, vehicle replacement for the Ride program. RIPTA procures and maintains Ride vehicles and operates Ride services, utilizing 100% of Section 5310 funds for the purchase of Ride program vehicles. Moving forward, should Section 5310 funds be invested in other projects consistent with the priorities identified in the Coordinated Plan, a selection process and criteria will be identified. Whether formula, discretionary, or performance-based, a rationale for the selection process shall be published, along with procedures for assuring equity of distribution of benefits among eligible groups within the state or urbanized areas, as required by Title VI of the Civil Rights Act.

State Administration, Planning, and Technical Assistance

FTA allows use of up to 10% of Section 5310 funds for expenses including, but not limited to, general administrative and overhead costs, staff salaries, office supplies, development of specifications for vehicles and equipment, technical assistance, and planning activities. These eligible program administrative costs may be used directly by the designated recipient or may be passed through by the designated recipient to subrecipients for administration, planning, or technical assistance purposes. The funds can be obligated before the completion of the coordinated planning process and project selection process in order to assist with either activity.

¹ Since 1986, Section 5310 funding in Rhode Island has been used solely to provide capital funding for human services transportation through RIPTA's Ride paratransit program. These funds cover a portion of the cost for the regular replacement of Ride program vehicles, and funds have typically been augmented by Section 5307 funds.

Consistent with Rhode Island’s prioritization of Section 5310 funding for Ride vehicle replacement, RIPTA has not yet exercised the option of using Section 5310 funds to cover administrative expenses. Moving forward, RIPTA may access Section 5310 administrative dollars for the purpose of implementing recommendations of the Coordinated Plan by detailing the specific use of such funds in the grant language provided to FTA at the time of application. Any requested use would first need to be programmed into the STIP. No more than the allowable 10% of allocated funds would be requested.

Private Sector Participation

Rhode Island’s transportation planning process includes a number of opportunities for private sector participation, including access to public meetings and hearings, representation on the SPC and TAC, and participation in annually updating the STIP. The RIPTA-led update of the Coordinated Plan also includes the active participation of private, non-profit, and public-sector providers and coordinators of human services transportation. Publicly noticed open meetings are held at various locations throughout the state, and planning information and draft plan materials are made available in multiple formats throughout the planning process. Comments received are considered and incorporated into both the planning process and final plan, as appropriate.

Public and private sector involvement has continued as grant funds are programmed into future Transportation Improvement Programs and human services transportation improvements are considered in conjunction with ongoing coordination efforts.

Program Measures

RIPTA collects both quantitative and qualitative data on Ride program performance, including the number of rides provided to various passenger groups, vehicle miles traveled, service hours, complaints and compliments, and on-time performance. Of particular relevance to the requirements of Circular 9070.1G, RIPTA tracks ridership (the actual or estimated number of rides, as measured by one-way trips, provided annually for individuals with disabilities and seniors on Section 5310-supported vehicles), providing reports to FTA in conjunction with its annual milestone progress reporting.

Should RIPTA begin utilizing Section 5310 funds for projects formerly qualifying under the New Freedom program (“Other Section 5310 Projects”), RIPTA will report on the ridership; physical infrastructure, vehicle, or technology improvements; and/or enhancements to geographic coverage, service quality, or span of service associated with these investments.

Section 5311 Program – Formula Grants for Rural Areas

Program Goals and Objectives

The purpose of FTA’s Section 5311 program is to support public transportation for people living in any area outside of an urbanized area (UZA) as designated by the Bureau of the Census. A UZA consists of a core area and the surrounding densely populated area with a total population of fifty thousand or more, with boundaries fixed by the Bureau of the Census. Since the goal of Section 5311 is to enhance the overall mobility of people living in rural areas, Section 5311 projects may include transportation to or from rural areas, including job access/reverse commute (JARC) service.

FTA’s Section 5311 program provides funding for rural area planning, public transportation capital projects, operating costs, JARC projects, and the acquisition of public transportation service. The

program supports both the maintenance of existing public transportation services and the expansion of those services through a variety of goals, including enhancing access in rural areas to health care, shopping, education, employment, public services, and recreation; encouraging and facilitating the most efficient use of all transportation funds used to provide passenger transportation in rural areas through the coordination of programs and services; and encouraging mobility management, employment-related transportation alternatives, joint development practices, and transit-oriented development.

In Rhode Island, three major factors have influenced Section 5311 investment to date:

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

Because of these limiting factors, Rhode Island has focused the use of its Section 5311 program funds on the transit service it operates in rural areas, including service that connects to urban areas and intercity bus access points. RIPTA considers Section 5311 to be a base source of ongoing funds to assist rural areas.

Moving forward, in addition to direct service operation, RIPTA may apply Section 5311 funds to any project that is consistent with the eligible uses detailed in FTA Circular 9040.1G, such as creating a community transportation program, operating vanpool services, purchasing buses, planning and developing mobility hubs in municipalities throughout the state, and operating seasonal and special event service.

Eligible Subrecipients

For Section 5311 projects, eligible subrecipients include local governmental authorities, nonprofit organizations, and operators of public transportation or intercity bus service. Eligible nonprofit organizations may also serve tribal transportation needs.

Eligible Services, Service Areas, and Assistance Categories

As noted above, FTA authorizes the use of Section 5311 funds for rural public transportation projects, JARC projects, and intercity bus transportation projects. Funds may be used for planning, operations, and capital expenses including vehicles, equipment, passenger facilities, and preventive maintenance; RTAP assistance such as training, technical assistance, research and related support; and any other use allowable under FTA Circular 9040.1G.

Local Share and Local Funding Requirements

RIPTA uses Section 5311 funds to operate rural transportation service in compliance with FTA program circular 9040.1G, which provides that the federal share for operating expenses may not exceed 50% of the net operating cost of a project. RIPTA provides a 50% local match for its Section 5311 funds through its general operating funds. Moving forward, potential subrecipients may be required to share in local match requirements. Any planning or capital expenses would be funded with Section 5311 funds at 80% of net project cost, with the remainder coming from local funds, consistent with program regulations.

As allowable under the Section 5311 program, no local share is required for the Rural Transit Assistance Program (RTAP). Therefore, Rhode Island’s RTAP projects are 100% federally funded.

Project Selection Criteria and Method of Distributing Funds

As noted above, RIPTA directly invests its Section 5311 funds in the provision of rural transportation and transportation connecting rural areas with urban areas and intercity bus access points. RTAP funds are used by RIPTA for training and technical assistance in support of its rural transportation program.

Should Section 5311 funds be subgranted, RIPTA shall publish guidelines for a competitive selection process together with selection criteria and procedures for assuring equity of distribution of benefits among eligible groups within the state, as required by Title VI of the Civil Rights Act. Pursuant to FTA Section 5311 program circular 9040.1G, the distribution of funds must treat applicants, including tribal governments and other entities serving Native American populations, in a fair and equitable manner, and must promote the maximum feasible coordination with other public transportation services assisted by other federal sources.

Intercity Bus Transportation

States are required to expend no less than 15% of their annual Section 5311 apportionments in support of intercity bus transportation, unless after consultation with affected intercity bus service providers it is determined that the intercity bus service needs of the state are met adequately.

RIPTA routinely conducts this consultation, and in 2021 found that Rhode Island is well served by three intercity bus carriers operating out of RIPTA hubs. In addition to these services, intercity bus service is available within 25 miles of Rhode Island in adjacent Connecticut and Massachusetts. This consultation process met the requirements of Section 5311 program circular 9040.1G and included the following activities:

- Identification of intercity bus carriers with scheduled service in Rhode Island.
- Outreach to the identified carriers by certified mail.
- Review of RIPTA and intercity bus routes to determine accessibility and level of service.
- Public notice in Providence Journal regarding availability of funds for intercity bus services.
- Advertisement of a meeting inviting intercity bus carriers to provide input.
- Ongoing cooperation and coordination with carriers at RIPTA hubs and in planning efforts.
- Opportunity for intercity carriers and other outside agencies to propose transit projects in conjunction with the STIP call for proposals.

In addition, RIPTA is working to reduce administrative barriers to offer service across state lines, allowing greater intercity connectivity; two RIPTA routes now provide service to key destinations in Massachusetts. RIPTA coordinates on an ongoing basis with the Greater Attleboro-Taunton Regional Transit Authority (GATRA) and the Southeastern Regional Transit Authority (SRTA) to link Providence to Fall River and other intercity hubs in Massachusetts. In 2019, RIPTA began serving Fall River with Route 24L, an express route with major stops in Newport, Fall River, and Providence, with Park-n-Ride stops in between.

RIPTA has certified that Rhode Island's intercity bus needs are presently adequately met. This decision will be revisited in the future as the intercity consultation process continues.

State Administration, Planning, and Technical Assistance

FTA allows use of up to 10% of Section 5311 funds for expenses including, but not limited to, general administrative and overhead costs, staff salaries, office supplies, development of specifications for vehicles and equipment, technical assistance, research, and planning activities. These eligible program administrative costs may be used directly by the designated recipient or may be passed through by the designated recipient to subrecipients for administration, planning, or technical assistance purposes.

Consistent with Rhode Island's prioritization of Section 5311 funding for the operation of rural transportation service, to date, RIPTA has not exercised the option of using Section 5311 funds to cover administrative expenses. Should RIPTA determine, at a future date, that it would be beneficial to access Section 5311 administrative dollars, specifics as to the use of such funds would be detailed in the grant language provided to FTA at the time of application. Any requested use would first need to be programmed into the STIP. No more than the allowable 10% of allocated funds would be requested.

State RTAP

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 non-urbanized areas. RIPTA utilizes RTAP funds to meet training and technical assistance needs associated with its rural transportation program. As with its overall Section 5311 funding allocation, RIPTA considers RTAP to be a base source of ongoing funds to support its rural transportation program and, therefore, does not distribute the funds through a competitive discretionary process.

Private Sector Participation

Rhode Island's transportation planning process includes a number of opportunities for private sector participation, including access to public meetings and hearings, representation on the SPC and TAC, participation in annually updating the STIP, and participation in developing the state's Coordinated Plan. RIPTA coordinates on an ongoing basis with intercity bus carriers, and in 2021 conducted a formal consultation process with intercity carriers serving the region.

Section 5317 Program – New Freedom

Program Goals and Objectives

The New Freedom formula grant program was established in 2005 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. In 2012, the federal "Moving Ahead for Progress in the 21st Century" (MAP-21) transportation authorization eliminated New Freedom as a formula grant program, and revised the Section 5310 program to allow use of up to 45% of Section 5310 funds for "Other Section 5310 Projects" – activities formerly eligible under the New Freedom program.

Eligible Subrecipients

The Rhode Island New Freedom grant program allocated funds through a competitive grant process. Eligible subrecipients were local government and private nonprofit organizations; private for-profit companies were allowed to participate through purchase of service agreements with an eligible subrecipient. New Freedom program funds were made available for capital and operating expenses supporting 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 determined project priorities with each funding cycle. Examples of eligible activities included feeder services, accessibility improvements to transit and intermodal stations, travel training, purchase of accessible vehicles to support new transportation options, ride sharing or vanpooling programs, supporting the administration and expenses related to 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.

Local Share and Local Funding Requirements

Local match requirements under Rhode Island's New Freedom program were 50% of operating costs, 10% of capital costs for ADA accessibility equipment, and 20% of other capital costs, including mobility management. Subrecipients would be responsible for providing match and demonstrating availability of financial resources to pay for expenses in advance of reimbursement from FTA.

Project Selection Criteria and Method of Distributing Funds

During the project solicitation phase of Rhode Island's New Freedom program, a competitive grant process was run on a two-year cycle. For each Notice of Funding Availability (NOFA), RIPTA worked with its advisory groups and state partners, including the MPO, to select project priorities for the grant round. These priorities were derived from the Coordinated Plan. Proposals were required to be consistent with the Plan and address the round's priorities. Proposals covering unserved areas or providing connection to more than one area of the State were prioritized over projects duplicating existing services or limited in scope. Due to funding limitations, successful continuation projects were prioritized over new unproven proposals. In the last solicitation round in 2012, projects including ADA accessibility improvements to RIDOT Park-n-Ride lots and purchase of accessible taxis were awarded.

Administration, Planning and Technical Assistance

RIPTA is in the process of spending down its last remaining New Freedom grant; these funds are allocated to the purchase of accessible taxi cabs in partnership with Rhode Island cab companies. None of these grant funds are being used for administration, planning, or technical assistance.

Private Sector Participation

The competitive grant process used to distribute New Freedom funds provided for the participation of private nonprofit organizations as eligible subrecipients and private for-profit companies as service providers by agreement with an eligible subrecipient. Private cab companies have been offered the opportunity to purchase ADA-accessible taxi cabs in partnership with RIPTA.

Program Measures

Throughout the life of the New Freedom program, RIPTA has required subrecipients to provide work plans with specific project activities, goals, objectives, and performance measures, and to submit quarterly progress reports including performance data.

Section 5339 Program – Bus and Bus Facilities

Program Goals and Objectives

FTA's Section 5339 Bus and Bus Facilities Program traces its roots to 1964, when it was part of a discretionary grant program established by the nation's first transit authorization. In 2012, MAP-21 established a new, formula-based Section 5339 Bus and Bus Facilities Formula Program, with funding allocated to states and territories and designated recipients in urbanized areas. Consistent with the program's federal purpose, Rhode Island utilizes Section 5339 funds to supplement Section 5307 Urban Area Formula Grant Program funds for the replacement, rehabilitation, and purchase of buses and related equipment, and to construct bus-related facilities.

Eligible Subrecipients

FTA guidance provides for a variety of eligible subrecipients, including public agencies or private nonprofit organizations engaged in public transportation, including those providing services open to a segment of the general public, as defined by age, disability, or low income. Because Rhode Island's established priority is to utilize Section 5339 funds as an extension of its core Section 5307 funding, RIPTA does not pass its Section 5339 funds through to subrecipients at this time.

Local Share and Local Funding Requirements

RIPTA, as the direct recipient of Rhode Island's Section 5339 funds, provides a 20% local match through its general operating funds. Should Section 5339 funds be used for any of the following exceptions, the local match will be adjusted accordingly: (1) 15% local match for acquisition of vehicles for purposes of complying with or maintaining compliance with the Americans with Disabilities Act, (2) 10% local match for acquiring vehicle-related equipment or facilities, including clean fuel or alternative fuel vehicle-related equipment or facilities, for purposes of complying or maintaining compliance with the Clean Air Act or Americans with Disabilities Act, or (3) 10% local match for selected projects related to enhancing integration of bicycle mobility and public transportation, such as providing bicycle parking facilities at public transportation facilities or installing equipment for transporting bicycles on public transportation vehicles.

Should it be determined, at a later date, to invite the participation of subrecipients, a policy regarding local match requirements would be developed consistent with the requirements of FTA bus and bus facilities program circular 5100.1. Subrecipients would be responsible for providing match and demonstrating availability of financial resources to pay for expenses in advance of reimbursement from FTA.

Project Selection Criteria and Method of Distributing Funds

As noted above, RIPTA invests Rhode Island's Section 5339 funds as an extension of its core Section 5307 funding, opting not to pass funds through to subrecipients but to directly invest in RIPTA-managed capital improvement projects. Should it be determined, at a future date, that Section 5339 funds should be invested in a different manner, RIPTA shall develop a selection process and establish criteria that will be consistent with FTA guidelines.

PART III

Program and Grant Management

Program Management

RIPTA is the direct grant recipient for FTA funds for public transportation assistance as provided under applicable federal statutes. To date, all Section 5310, 5311, and 5339 funds have been invested directly by RIPTA into the purchase of vehicles and associated equipment and facilities, the provision of rural transit service, and training and technical assistance projects eligible for funding under the RTAP program. RIPTA is directly responsible for the management of these programs, including procurement, financial management, property management, vehicle use, maintenance and disposition, accounting, project monitoring and reporting, response to FTA and state audits, and program closeout. RIPTA ensures that its Procurement, Planning, Budget, Finance, Grant Management, Training, Performance Measurement, Maintenance, and Transportation Operations staff are all appropriately qualified and trained to fulfill the responsibilities detailed in FTA Certifications and Assurances and the Section 5310, 5311, and 5339 program circulars.

At present, RIPTA does not retain any of the authorized percentages of apportioned Section 5310, 5311, or 5339 funds to administer these programs. Should it be decided in the future to access these administrative funds, RIPTA shall provide details regarding the intended use of funds in the grant language provided to FTA at the time of application. Pursuant to FTA Program Circulars 9040.1G, 9070.1G, and 5100.1, administrative funds may be used to support program management, oversight, and technical assistance. Any requested use would first need to be programmed into the STIP. There is no local match required for this category of assistance.

RIPTA is in the process of closing out its Section 5317 New Freedom program; all remaining funds have been allocated to the purchase of accessible taxi cabs in partnership with Rhode Island cab companies. RIPTA has not retained any of the federally authorized percentage for program administration.

Any Section 5310, 5311, 5317 or 5339 funds subgranted to eligible subrecipients shall be pursuant to a Subrecipient Agreement with RIPTA and in accordance with RIPTA's Subrecipient Oversight Policy and Procedures.

Annual Program of Projects Development and Approval Process

RIPTA has not conducted a project solicitation process for the investment of its Section 5310, 5311, or 5339 funds in recent years. The last competitive selection process for Section 5317 funds was completed in 2012. Rhode Island's Program of Projects (POP) is incorporated into the STIP, which is updated through a process managed by the state's Division of Planning with the substantial participation of RIPTA and RIDOT's Office of Transit, input from the TAC, and, ultimately, approval of SPC.

The programming of FTA funds into the POP occurs through an ongoing, multi-step process that includes periodic listening sessions with municipalities and stakeholder organizations, an internal capital development planning process, the Coordinated Plan development process, the intercity bus service consultation process, solicitation of input from the ATAC and RI Transit Riders, and the formal STIP development process. It also takes into account projects, needs, and trends referenced in the state's LRTP, which is updated periodically and most recently adopted in December 2020, with input from

elected officials, municipal staff, public and private agency representatives, transportation stakeholders, and the general public representing both urban and rural communities throughout Rhode Island. In keeping with FTA requirements, RIPTA provides public notice that it relies on the STIP development process for public involvement in the development of its POP.

Transfer of Funds

RIPTA does not currently transfer Section 5310, 5311, 5317, or 5339 program funds to other programs, nor does it transfer other program funds to these programs. Should RIPTA decide to transfer funds in the future, the agency would carry out these activities in accordance with the provisions of relevant program circulars.

Federal Requirements

Civil Rights

Pursuant to federal guidance and internal policy, RIPTA must comply and ensure compliance by all subrecipients and contractors 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.

Per RIPTA's Subrecipient Oversight Policy and Procedures, compliance is ensured and monitored at multiple project phases:

- Notice of Funding Availability – All solicitations clearly state federal compliance requirements.
- Application – Each applicant is required to make assurances of compliance with Title VI, EEO, DBE, and other federal regulations as part of its grant submission. Grant application guidelines list required assurances and grant applicants are made aware they will be required to sign an assurance of compliance with Civil Rights requirements at the time the written Subrecipient Agreement is executed.
- Grant Award Notice – Appropriate Civil Rights clauses are included in grantee agreements.
- Grant Monitoring – 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.

RIPTA maintains files of Civil Rights complaints and lawsuits documenting the date received, a summary of the action, and the status of the action. Project managers coordinate with RIPTA's Civil Rights Officer, Legal Counsel, and FTA to make sure all legal requirements have been met in resolving the issue.

ADA and Section 504 Reporting

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 (ADA), as amended
- Code of Federal Regulations Title 49 Parts 37 and 38

Pursuant to the ADA, it is RIPTA policy that all FTA-funded vehicles are ADA compliant and that all associated equipment is maintained and in working order. Any potential contracts would include accessibility-related requirements including:

- Program for providing complementary ADA service (for applicants proposing to provide primarily fixed route service).
- Compliance with requirements in the Code of Federal Regulations for Transportation Services for Individuals with Disabilities (49 CFR Part 37 Subpart F) relating to accessibility features, service animals, service to persons with respirators or portable oxygen, and stop announcements.
- Certification that 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.
- Provisions for reporting complaints alleging discrimination to the RIPTA Civil Rights Officer for investigation.
- Provisions authorizing RIPTA to review vehicle specifications and building plans to ensure ADA compliance.

RIPTA will review and document compliance through reviews, reports, spot testing, and site visits.

Maintenance

Federal regulations require that transit assets be maintained in a state of good repair. RIPTA's maintenance program dictates that vehicles, facilities, and equipment be maintained, at a minimum, in keeping with the manufacturer's suggested maintenance intervals and procedures, and that all federal and state requirements are met. Maintenance of ADA accessibility features is a key priority in this program.

Pursuant to RIPTA's subrecipient policy, this oversight would include both on-site maintenance inspections of applicable vehicles, facilities, or equipment, as well as inspection of the subgrantee's maintenance records.

Charter Rule

Federal law limits charter service provided by federally assisted public transportation operators. Recipients of FTA grants may not engage in charter service unless permitted by FTA charter service regulations. RIPTA periodically receives requests for charter service; these requests are reviewed by a designated senior staff member who determines whether the request would qualify as a legitimate exception to the FTA rule. A log of all approved requests is maintained on file. RIPTA's Subrecipient Oversight Policy and Procedures detail how any subrecipient would be held compliant with federal charter regulations, should it be determined that funds should be passed through to a subrecipient or subrecipients.

NTD Reporting

The National Transit Database (NTD) is FTA's primary national database for statistics on the transit industry. FTA requires grant recipients to annually submit data on capital investment, operations, and service provided to the NTD as a condition of award of funds. In compliance with this requirement, RIPTA annually reports total revenue, sources of revenue, total annual operating costs, total annual capital costs, fleet and facility size and type, revenue vehicle miles, and ridership. RIPTA's Subrecipient Oversight Policy and Procedures detail how any subrecipient would be held compliant with federal NTD

reporting regulations, should it be determined that funds should be passed through to a subrecipient or subrecipients.

Other Provisions

RIPTA annually affirms its compliance with all applicable provisions of federal law through the submittal of FTA Certifications and Assurances, including the relevant provisions of the National Environmental Policy Act (NEPA) and other federal environmental laws, the employee protection provisions of Section 5333(b) of the U.S. Code, Buy America provisions, pre-award and post-delivery reviews, restrictions on lobbying, prohibition of exclusive school transportation, and drug and alcohol testing.

RIPTA's Subrecipient Oversight Policy and Procedures detail how any subrecipient would be held compliant with the above provisions, should it be determined that funds should be passed through to a subrecipient or subrecipients.

Review, Approval, and Plan Maintenance

Stakeholder Review

On November 18, 2021 this plan was presented to the State of Rhode Island's Transportation Advisory Committee for review and input. It was disseminated to partner organizations and other interested parties, including potential subrecipients and service providers, and posted on RIPTA's website for public review and comment through January 7, 2022. No comments were received.

FTA Approval

Following the above-referenced outreach and public comment period, this plan was transmitted to the FTA Region 1 Office for approval.

Plan Maintenance

The final State Management Plan will be posted on the RIPTA website for public access on an ongoing basis. Any significant updates or changes to the plan will be presented for stakeholder review prior to approval and transmittal to FTA.

References

Section 5310 Program Circular (Enhanced Mobility of Seniors and Individuals with Disabilities) – [link](#)

Section 5311 Program Circular (Formula Grants for Rural Areas) – [link](#)

Section 5317 Program Circular (New Freedom) – [link](#)

Section 5339 Program Circular (Bus and Bus Facilities) – [link](#)

RI Public Transit-Human Services Transportation Coordinated Plan – [link](#)

Disadvantaged Business Enterprises (DBEs) for the State of Rhode Island – [link](#)

Code of Federal Regulations – [link](#)

Federal Transit Administration – [link](#)

Rhode Island Division of Planning (STIP and LRTP) – [link](#)

RIPTA – [link](#)