

Summary of Section 5310 & 5311 Application Processes for Texas, Michigan, & New York for National RTAP Peer Call on February 8, 2018

TEXAS

Information on current and previous calls for all programs is available here:

<http://www.txdot.gov/inside-txdot/division/public-transportation/local-assistance.html>

Section 5310:

State administered for rural and small urban areas (37 transit districts total).

Just switched to a two year cycle. Applications are opened in December/January and close in mid-March. Separate budgets are submitted for each year. Amounts for second year of funds will be given as amendments pending a performance review of the first year's activity and available funds. Budgets are for 12 months, but the grant period is for 16 months, overlapping from September 1-December 31. This gives agencies more time to complete procurements and submit final billings. We found this nearly eliminated the need for extensions.

Applications and all grants management are handled via Intelligrants (eGrants).

Funds are allocated over the 25 districts (split small urban and rural) using the same formula:

- 25% of the total is divided equally.
- The remaining 75% is allocated based on the calculation of the number of seniors and individuals with disabilities in the small urban/rural area divided by the total of the state's small urban/rural population of seniors and individuals with disabilities.

Awards to subrecipients by district are on a project merit basis. Funding not used in a district may be shifted to other districts depending on project merit. Residual funds from previous years are considered for any district, based on merit. Approximately 1/3 of small urban funds are transferred to rural each year.

Based on the Regional Public Transit Human Services plan and the result of regional public involvement meetings, field staff scores the applications. Field staff do not score applications of the districts that they represent (or have represented). Scores are based on a 100 point scale. There is no arbitrary cut off for point value to qualify for funding. Funding priority is given to existing service.

Local match is available in the form of Transportation Development Credits for up to 20% for capital projects. Most subrecipients take advantage of this. Local match is required for operating expenses.

Section 5311:

A coordinated call for 5311, 5339, and 5304 funds occurs every two years, alternating with 5310. Applications open in December/January and are due in mid-February.

Applications and all grants management are handled via Intelligrants (eGrants).

Transportation Development Credits are available for local 20% match, when match is required.

Allocation occurs as follows:

Intercity Bus: not less than 15% of federal 5311 allocation

In the administrative code it states that not more than \$20,104,352 will go to transit districts.

65% is need based, weighing population as 75% and land area as 25%

35% is performance based (in good standing, no deficiencies or compliance issues) based on local funds for operating expenses, ridership per VRM, and VRM related to operating expense.

No award to a transit district will be less than 90% of the previous award (pending fund availability). Special consideration is given to changes in service area, natural disaster, etc.

Amount in excess of the statutory \$20,104,352 (minus intercity bus amount): Not more than 10% goes to rural discretionary funds for one time award, pro rata, or merit based. Can also be used to address changes in transit district boundaries.

Amount remaining after the previous allocations goes to Total Vehicle Mile allocation (changed this year from Vehicle Revenue Miles). Based on proportion of total vehicle miles to the total vehicle miles for all areas.

Changes to an area based on Census data may receive funding adjustment.

Scoring is done by field staff, with the staff who represent districts abstaining from scoring those applications.

MICHIGAN

The most recent annual application instructions are available at:

http://www.michigan.gov/documents/mdot/ApplicationInstructions_PublicTransit_337307_7.pdf

Section 5310:

The State administers Section 5310 funds for rural and small urban agencies. Agencies that provide service in rural and small urban areas or the Grand Rapids urbanized area need to apply for 5310 funds through Michigan DOT (MDOT) using our internal Public Transportation Management System (PTMS).

Funds are allocated throughout the state (split small urban and rural). 55% of Section 5310 funds are used for traditional 5310 projects. After the 55% of funds have been used for traditional 5310 projects, MDOT will fund continuation of New Freedom (NF) activities. If funds are remaining, MDOT will fund additional 5310 projects, such as replacement of vehicles purchased with local funds, expansion vehicles, and other capital and expansion NF activities.

The current 5310 program solicits for applications annually. By law, application instructions are made available by December 1. Applications are due to MDOT on February 15. MDOT has 45-days to respond to applications once submitted.

Currently Michigan does not have state match for capital, however, operating is locally matched (Federal 50% and Local 50%). Capital contracts are for a 3-year period, while operating, mobility management, and marketing contracts are for a 1-year period.

Applications are reviewed and evaluated utilizing predetermined criteria as shown in the annual application instructions. Once projects are determined to be eligible under eligibility criteria, projects are prioritized using a specific priority listing, also found in the instructions.

New Freedom (NF) Activities: Projects applied for through rural and small urban NF will be selected through a statewide competitive review process. If there are insufficient funds for all eligible projects, contracts will be awarded based on the review and ranking by the Office of Passenger Transportation staff using predetermined criteria. Projects will be funded starting with the highest-ranking project based on the priority rank listing.

Section 5311:

Operating

An annual budget must be submitted by each eligible agency with their annual application in MDOT's Public Transportation Management System (PTMS). Each eligible agency will receive 18.5% of their eligible operating cost. The state provides the majority of the match through our local bus operating program, which is a line item in our annual state legislative approved budget. Currently it provides just under 40% of the eligible operating expenses for the rural agencies. The rest of the match is through a local millage, local general funds, or other types of local funds.

Capital

Michigan does not using Section 5311 for capital unless it is a Job Access and Reverse Commute (JARC) activity. We flex Federal Highway Administration Surface Transportation Program funds to the Section 5311 and Section 5310 programs. These funds are allocated to rural transit agencies by their rural task force.

Intercity – 5311(f)

15% of the apportioned Section 5311 funds are used for intercity bus, both operating and capital.

Office of Passenger Transportation (OPT) Administration

A very small portion of the Section 5311 funds are used for staff administration. Staff are required to track activities for two weeks every quarter to ensure activities are Section 5311 eligible.

Operating and Capital for JARC Activities

Continuation of JARC activities, including operating and mobility management, are eligible under Section 5311. Applicants are required to submit an annual application through PTMS. Only projects that are a continuation are considered for funding.

NEW YORK STATE

Section 5310:

The current 5310 program solicits for applications every two years. Applications are electronic using a PDF-fillable form and allow for supporting attachments. New York State (NYS) DOT administers the funds on behalf of the State's 15 Metropolitan Planning Organizations (MPOs) and the rural areas. Each urbanized area application is evaluated by a review committee from each MPO area comprised of state and local agencies. Rural applications are reviewed by a statewide committee.

Applications receive a total project score of up to 100 points, with final evaluation scores ranked from the highest scoring application down to the lowest in each MPO area and the rural areas of the State. A combination of A) available federal funding in each area, B) number of submitted projects

and amount of each application request, C) the overall quality of the applications, and D) priority from each Locally Developed Public Transit Human Services Coordinated plan, determines whether applicants become part of: 1) the FTA Program of Projects (on a funded list), 2) a stand-by/wait list of projects, or 3) a list of non-funded projects.

A funded cut-off score is typically achieved using the available federal FY funding amount from the State's most recent apportionments. As there is currently no state match contribution for this program in NYS, it is either an 80% federally funded and 20% local match grant program, or a 50% federally funded and 50% local match for operating assistance applications.

The most recent 5310 application materials are at: <https://www.dot.ny.gov/divisions/policy-and-strategy/public-transportation/specialized-transportation/5310/section%205310-application-material>

Section 5311:

The current 5311 program solicits applications every two years for operating assistance and capital projects. Applications are electronic using an Excel budget spreadsheet, a PDF-fillable form, and allow for supporting attachments. Applications are reviewed and evaluated by State and local staff.

New York's 5311 apportionments are split at approximately 45% for capital and 55% for operating of available funds. Eligible applicants include any local city, county, transit authority, intercity bus company or Indian tribe serving a rural area and eligible to participate in the Statewide Mass Transportation Operating Assistance (STOA) program.

Operating assistance 5311 apportionments are made for participating eligible systems by use of a formula:

- 25% of the funds distributed by rural population served
- 25% by passengers per mile
- 25% by the number of system buses
- 25% is distributed in proportion to the amount of local government revenues for each system.

The criteria used reflect funding per capita equity statewide (population), service effectiveness (passengers per mile), equity based on costs to provide services (number of buses), and promoting local commitment and oversight (local government resources).

New applicants would be provided an apportionment based upon the above formula. The formula apportionments are updated biennially to reflect any changes in services, buses, population, and local participation. New York announces the annual operating apportionments for two years to all eligible sub-recipients with the application announcement.

For 5311 capital projects, including vehicles, other equipment, and facilities, the requests are evaluated based upon replacement needs, demonstrated expansion needs, service efficiencies/innovations/improvements, community need and support, budget, and prior project delivery.

The most recent 5311 application materials are available at: <https://www.dot.ny.gov/divisions/policy-and-strategy/public-transportation/rural-programs/5311/application-material>