

Fiscal Years 2023 - 2025

**MALHEUR COUNTY 5310 GRANT
PROCUREMENT/APPLICATION**

49 U.S.C. Section 5310

Enhanced Mobility of Seniors and Individuals with Disabilities

Lead Agency:	Malheur County, Oregon
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Introduction

This manual pertains to applications for Federal Transit Administration (FTA) funding assistance under 49 U.S.C. Section 5310, Enhanced Mobility of Seniors and Individuals with Disabilities Formula Program, as administered by Malheur County.

The announcement for this funding, as well as this manual, is available on the Malheur County website at: www.malheurco.org. The announcement was also advertised in the Argus Observer newspaper on December 2, 2022.

Comments or questions related to the 5310 program or the application process may be sent to: kross@malheurco.org with the message heading “5310 Comments/Questions”.

APPLICATION TIME FRAME:

Application Deadline	RECEIVED BY Friday, December 19, 2022 at 5:00 pm (MST). Late or incomplete applications will not be accepted.
Solicitation Protest, if any	December 5, 2022
Application Evaluation	December 20, 2022 – January 3, 2023
Decision by County Court to Award	January 4, 2023
Award Protest, if any	January 11, 2023

Summary of 5310 Grant Program

The 5310 grant program makes funding available to transit agencies/subrecipients for capital assets, mobility management, contracted or purchased services, and preventive maintenance projects serving seniors and individuals with disabilities. Projects eligible for funding must be derived from the Malheur County Coordinated Public Transit-Human Services Transportation Plan dated October 19, 2022 (Coordinated Plan), which is a plan intended to improve transportation services for persons with disabilities, seniors and people with low incomes.

This application is open to fund projects for two fiscal years - July 1, 2023 through June 30, 2025.

Eligibility

A. Subrecipients:

Eligible subrecipients include private nonprofit organizations, State or local governmental authorities, special districts and Indian Tribal governments. Private for-profit companies are not eligible for this program and may only participate as vendors with service contracts or agreements with eligible transit agencies/subrecipients.

B. Projects:

The list of eligible activities below is intended to be illustrative, not exhaustive. Subrecipients are encouraged to develop innovative solutions to meet the needs of seniors and individuals with disabilities in our community. Projects must be derived from the Coordinated Plan.

- Capital asset purchases such as vehicles, passenger shelters, and other equipment that supports transportation to meet the special needs of seniors and persons with disabilities.
- Mobility management, which includes developing and operating systems for improving coordinated access to transportation (e.g., travel training, marketing programs, or development of centralized call centers).
- Contracted or purchased services – operations, expenses and administration.
- Vehicle and facility preventive maintenance.

C. Special Project Eligibility requirements:

1. *Client-only services.* Transportation services limited to client-only, and not open to the general public, may be eligible if the client-only provider allows federally-funded vehicles to be used by other public transportation providers when the vehicles are not scheduled for client services, or the client-only provider provides rides to non-clients in a coordinated system when vehicles are not scheduled for client services.

2. *Capital Assets.*

a. *Vehicles.* All vehicle requests must meet the requirements of the ADA. Subrecipients wishing to purchase non-accessible vehicles must sign a Certification of Equivalency assuring Malheur County they have the ability to meet ADA requirements.

b. Environmental Compliance. Projects must comply with all applicable local, state and federal environmental rules and regulations, coordinating with relevant agencies, and managing any environmental review procedures required to fulfill the project scope of work and deliverables. Funding projects must comply with the National Environmental Policy Act (NEPA) and the regulations adopted by FTA to comply with NEPA. It is the subrecipient's responsibility to determine and complete the correct level of environmental review. Payment for projects activities which involve ground disturbance may be contingent on completing the required environmental procedures.

c. Other Capital Asset Requirements. A subrecipient who acquires a capital asset(s) commits to continually use the asset for the approved purpose for the useful life of the assets(s) in which, capital asset inventory reporting is required for as long as the capital asset is in use for public transportation. To be eligible to receive funds for a real property capital asset (e.g. transit facility, bus barn, maintenance facility, land or administration building), the subrecipient must demonstrate in the application one or more of the following activities, depending on the asset type:

- subrecipient ownership of the property upon which the capital asset will be located;
- possession of an executed lease agreement for the property location where the capital asset will be located for the duration of the useful life of the capital asset;
- in the case of a project that will utilize property owned by a city, county or local government; an executed intergovernmental agreement with the property owner guaranteeing ongoing use for the duration of the useful life of the capital asset; or
- in the case of a project to purchase land, an option to purchase the land identified in the project.

3. Mobility Management Projects.

Mobility management activities eligible for funding include:

- operating transportation brokerages to coordinate service providers, funding resources, and customer needs;
- coordinating transportation services for seniors, individuals with disabilities, and individuals with low income;
- supporting local partnerships that coordinate transportation services;
- staffing for the development and implementation of coordination plans;
- providing travel training and trip plan activities for customers;
- developing and operating traveler call centers to coordinate travel information, manage eligibility requirements, and arrange customer travel;
- planning and implementing the acquisition and purchase of intelligent transportation technologies (under \$5,000) to operate a coordinated system. Equipment over \$5,000, in total, is considered a capital asset, so any equipment purchase over that amount should be entered as a capital purchase project.

Threshold Criteria

Threshold criteria are the minimum legal eligibility requirements:

1. Applications must be for eligible services derived from the Coordinated Plan.
2. Applications must be from eligible subrecipients.
3. Applicants must provide evidence of local matching funds (10.27%).
4. Applicants must ensure compliance with a number of other conditions placed on subrecipients of 5310 funds including, but not limited to: reporting (fiscal, performance, vehicle procurement and capital asset management), coordination of transit services, civil rights preservation, vehicle maintenance requirements, compliance with safety and drug free work place regulations, competitive procurement of goods and services bought with grant funds, and Americans with Disabilities Act.
5. Non-profit agencies must be registered with the Oregon Secretary of State Corporation Division.

Funding and Matching Requirements

The 5310 awards require a local match from subrecipients. Awards will be funded based on 89.73% of 5310 funds and 10.27% local match. State STF or Statewide Transportation Improvement Fund (STIF) formula funds are considered local funds and may be used as match. Other local funds and program income, except fare box revenues, may be used as match. However, if the original source of the funds used to pay the contract is from a USDOT source, then the contract revenue may not be used as a match. Non-cash in-kind contributions, such as volunteer labor, may be used for local match. In-kind contributions may be used for local match for capital projects that are not purchases on a case-by-case basis. Pre-approval is required.

The maximum amount of funds to be allocated is \$213,073, with a local match from the transit agency/subrecipient of \$21,883. Funds will be disbursed upon submittal of satisfactory progress reports and expenditure documentation.

Solicitation and Selection

Malheur County is responsible for conducting an area-wide competitive solicitation and selection process for 5310 funds. Applications will be evaluated by the Statewide Transportation Improvement Fund (STIF) Advisory Committee established for Malheur County, who will make a recommendation to the Malheur County Court. The Malheur County Court will make the final decision on an award of funds and projects.

Solicitation Protest

All protests concerning solicitation specifications, criteria and/or procedures shall be submitted in writing (defined as being sent or received via letter, email or facsimile on official firm/agency letterhead) to the Malheur County Judge Dan. P. Joyce, 251 B. Street West #5, Vale, Oregon 97918, kross@malheurco.org no later than December 6, 2022. Solicitation protests will be considered and processed consistent with Malheur County FTA Procurement Policy dated December 2019.

Application and Scoring

Application and Application Deadline

Applications are due and must be received by Friday, **December 19, 2022 at 5:00 p.m.** Late applications will not be accepted. Faxed, mailed, emailed directly to County or hand delivered applications will not be accepted, unless arrangements are made in advance no later than December 14, 2022 by contacting kross@malheurco.org or 541 473 5124.

Applications are located on the [ODOT Public Transportation Division Funding Opportunities webpage](https://www.oregon.gov/odot/RPTD/Pages/Funding-Opportunities.aspx):

<https://www.oregon.gov/odot/RPTD/Pages/Funding-Opportunities.aspx>

https://www.cognitoforms.com/ODOT2/_202325section5310subrecipientapplication

This is a fillable, web-based document. If there are technical problems using the form, please call Brian Roth at 503-986-3394. If there are questions regarding programmatic or process-specific questions contact kross@malheurco.org or 541-473-5124. Applications can be saved as works in progress and can be completed over multiple sittings. Drop down menus are used. Some questions require a “yes” or “no” response. Some fields require additional information. Additional supporting documents can be uploaded to the application. When the application is complete select “Submit Application”. A message will be received acknowledging receipt of application. A link to the PDF version of the application will appear that can be opened and saved.

Instructions to Complete Application

Be sure to answer each question. Some fields are auto-calculate based on what is entered in previous field; and some fields present additional text boxes based on your response. Fields are self-explanatory. For clarity, please note, the following fields:

Lead Agency:

Lead Agency: Malheur County

Lead Agency Contact Title: County Judge

Lead Agency Contact Email Address: kross@malheurco.org

Lead Agency Contact Telephone No. 541-473-5124

Accounting:

“Manual” is an accounting system that is updated and maintained by hand, without using a computer system or any automatic system.

“Automated” is a system using a computer which automatically maintains records without the need for any human input.

“Combined” uses both manual and automated systems.

Project Name: Enter a name that is easy to understand and identifies it specifically. For example, “Bus washing equipment for Center Street location”; not “equipment”.

Supporting documents. Non-profits that are new or have NOT applied for recent transportation grants, please upload the following documents: articles of incorporation, adopted bylaws, 501(c) 3 approval letter from IRS, registry number with Oregon Secretary of State and a description of transportation services and other grants received by your agency.

You may also upload any files associated with your project. This may include GIS files, maps, Coordinated Plan documents, compliance documents, agreements etc.

Each application has room for 200 MB of uploaded documents. For larger files consider placing the file on a website or accessible drive such as Dropbox or Google Drive, and linking to the file, rather than uploading it.

Scoring

The STIF Advisory Committee will read the applications and score them. Each application/subrecipient can receive a total of 100 base points. Four (4) areas will be scored:

1. Risk Assessment Information – identify areas that are risks/ need improvement (10 maximum points).
2. Budget and local match (25 maximum points).
3. Proposed Project Description: project type and justification, coordination efforts, public involvement, environmental justice, assurance that project is derived from Coordinated Plan, and efficiency and effectiveness of project (55 maximum points).
4. Overall completeness, detail and thoroughness of application, understanding of 5310 program and subrecipient organization information (10 maximum points).

The evaluation criteria above are based on the submission of clear, complete, and correct applications. The omission of any required elements will result in the application being disqualified.

Interviews/oral project presentations may be conducted at the discretion of the STIF Advisory Committee. If conducted, they will be scored.

Final Selection

The Malheur County Court will make a final selection of awards and projects. Any projects/agencies that are denied can appeal/protest the award

Award Protest/ Appeal Process

Applicants will be given the opportunity to appeal or protest the final funding recommendations and must use the following process to be recognized as a valid appeal. The letter of appeal must clearly identify the applicant, contact person, address, phone number, email address and detailed grounds for appeal/protest. Protests shall be limited to those protests alleging a violation of Federal or State law, a challenge to the evaluation and award process, Malheur County's failure to have or follow its protests procedures or its failure to review a complaint or protest. Such protests shall be submitted in writing (defined as being sent or received via email, letter or facsimile on official firm/agency's letterhead). The request for appeal must be submitted and received no later than January 11, 2023 to: Malheur County Judge Dan P. Joyce, 251 B. Street West #5, Vale, Oregon 97918 kross@malheurco.org. Award protests will be considered and processed consistent with Malheur County FTA Procurement Policy dated December 2019.

Project Management and Expending Funds Under Contract with Malheur County

The subrecipient agreement with Malheur County will include, but not be limited to, the following provisions or obligations:

Obligation of Grant Funds and Reimbursement of Project Costs

Funds are available to cover costs incurred for eligible project purposes only. Because 5310 funds are provided on a reimbursement basis, subrecipients must ensure they have adequate cash flow to cover planned project expenditures.

Fiscal & Managerial Capacity

Section 5310 subrecipients must have and maintain fiscal/managerial capabilities. They are required to have sufficient local funds for match requirements and for maintenance and operation of vehicles/equipment. Failure to properly manage, maintain, and operate vehicles/equipment and projects could jeopardize existing and future grants.

Reporting Requirements

A number of reports are required, which include fiscal, performance, vehicle procurement, capital asset management, inventory data and general periodic reporting. Performance reports document the number of rides, hours, miles, senior rides and disabled passenger rides. Fiscal reports document revenues, expenditures, local contributions, source of contribution and other data as required by the specific funding source. Capital reimbursements are made based on receipts or maintenance descriptions which are used to verify eligible expenses.

Compliance with all laws

Subrecipients must be prepared to meet all applicable Federal, State, and local laws and requirements in the areas including, but not limited to: Civil Rights, Limited English Proficiency, Americans with Disabilities Act, Equal Employment and Opportunity.

Reviews and Oversight

Record Keeping and Audits

Records must be maintained in an auditable manner during the period of contractual obligation to Malheur County and the FTA for six years after the date of completion of the project and/or release of the lien or disposition date of the vehicle. The subrecipient should maintain records regarding vehicle trip logs as well as information on driver safety records and incidents, vehicle insurance, regular and major maintenance and repair, and operating budget(s). The subrecipient should also keep up-to-date records on such aspects as ADA and other Civil Rights program requirements.

On Site Reviews

On Site Reviews will be conducted annually and will include an assessment of all applicable federal, state, and Malheur County requirements. A subrecipient may be reviewed by Malheur County, applicable federal agencies, or their designees without notice at any time during this period.

Malheur County Contacts

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Don Hodge, Malheur County Commissioner
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