

Part III. Federal Section 5317 Program

NEW FREEDOM

PROGRAM GOALS & FUND AVAILABILITY

The goals of the Section 5317 New Freedom (“Section 5317”) Program are to reduce barriers to transportation services and expand the mobility options available to persons with disabilities beyond the requirements of the Americans with Disabilities Act of 1990 (ADA). The Section 5317 Program is administered by the Federal Transit Administration (FTA).

As the Designated Recipient and consistent with FTA guidelines, Metro allocates funds to eligible subrecipients through a competitive process for eligible ¹new services that exceed ADA requirements, improve access to fixed route, decrease reliance on complimentary ADA paratransit service, and/or provides public transportation alternatives including transportation to and from employment and employment support services. Up to \$665,306 Section 5317 Program funds apportioned and allocated to Los Angeles County for the Los Angeles-Long Beach-Anaheim Urbanized Area (UZA) are available. Funds awarded in this FY2017 solicitation for Proposals may be awarded only to projects that serve Los Angeles County.

ELIGIBLE APPLICANTS/SUBRECIPIENTS

Eligible applicants/subrecipients of Section 5317 Program funds are limited to:

1. Private nonprofit organization;
2. State or local governmental authorities; or
3. Operators of public transportation (including private taxi companies that provide shared-ride service to the general public on a regular basis, i.e., two or more passengers in the same vehicle who are otherwise not traveling together).

ELIGIBLE PROJECTS

Section 5317 program funds are available for **Other Capital and Operating** project expenses including: i) new public transportation projects that exceed the ADA requirements; ii) new transportation projects that improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA-complementary paratransit service; and/or iii) new transportation projects providing alternatives to public transportation that assist seniors and individuals with disabilities with transportation.

For purposes of the Section 5317 Program, “new” service is any new or continuing service or activity that was not operational on August 10, 2005, and did not have an

¹ “new” service is any service or activity that was not operational on August 10, 2005, and did not have an identified funding source as of August 10, 2005

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identified funding source as of August 10, 2005, as evidenced by inclusion in the Transportation Improvement Plan (TIP) or the Statewide Transportation Improvement Program (STIP).

In other words, if not for the Section 5317 Program, these projects would not have consideration for funding and proposed service enhancements would not be available for individuals with disabilities. Applications will not be considered for funding where ADA paratransit enhancements, or other services funded as of August 10, 2005, are terminated in an effort to reintroduce the services as “new”.

Other Capital and Operating Projects

Administrative expenses necessary to support project activities, such as staff salaries, office supplies, and development of specifications for vehicles and equipment, are eligible expenses up to a maximum five (5) percent of the total project cost. Operating assistance for ADA complementary paratransit service is not an eligible expense. Also, transit passes or vouchers for use on existing or new fixed route or ADA complementary paratransit service are not eligible.

Examples of Other Capital and Operating expenses as shown below under each of the three broad project categories is intended to be illustrative, not exhaustive - applicants are encouraged to develop innovative solutions to achieve program objectives.

1. Projects that Exceed ADA Requirements

- a. Expansion of paratransit service parameters beyond the three-fourths mile required by the ADA
- b. Expansion of current hours of operation for ADA paratransit services that are beyond those provided on the fixed-route services
- c. The incremental cost of providing same day service
- d. The incremental cost (if any) of making door-to-door service available to all eligible ADA paratransit riders
- e. Enhancement of the level of service by providing escorts or assisting riders through the door of their destination
- f. Acquisition of vehicles and equipment designed to accommodate mobility aids that exceed the dimensions and weight ratings established for wheelchairs under ADA regulations (i.e., larger than 30" x 48" and/or weighing more than 600 pounds), such as: the acquisition of lifts with a larger capacity; modifications to lifts with a 600-pound design load; and, the acquisition of heavier duty vehicles for demand-response and/or paratransit service in order to accommodate lifts with a heavier design load
- g. Installation of additional securement locations in public buses beyond what is required by the ADA
- h. Accessible “feeder service” providing access to commuter rail, commuter bus, intercity rail, and intercity bus stations for which complementary paratransit service is not required by the ADA

2. Projects that Improve Accessibility to the Fixed-Route System

- a. Improvements to transit and intermodal stations not designated as key stations. Limited to accessibility improvements at existing transportation facilities that are not designated as “key stations” under federal law and that are not required by federal law as part of an alteration or renovation to an existing station, so long as the project is clearly intended to remove barriers to individuals with disabilities that would otherwise have remained. These improvements may include:
 - i. Building an accessible path to a bus stop that is currently inaccessible, including curb cuts, sidewalks, accessible pedestrian signals, or other accessible features;
 - ii. Adding an elevator or ramps, detectable warnings, or other accessibility improvements to a non-key station that are not otherwise required by the ADA;
 - iii. Improving signage or way finding technology; and
 - iv. Implementation of other technology improvements that enhance accessibility for people with disabilities, including Intelligent Transportation Systems (ITS).
 - b. Training programs for individual users on awareness, knowledge, and skills of public and alternative transportation options available in their communities, including travel instruction and travel training services
3. Alternatives that Assist Seniors and Individuals with Disabilities with Transportation
- a. Purchase and operate accessible vehicles for use in taxi, ride-sharing, and/or vanpool programs provided that the vehicle, at a minimum: meets the federal requirements for lifts, ramps, and securement systems; and permits a passenger whose wheelchair can be accommodated, pursuant to federal law, to remain in his/her personal mobility device inside the vehicle.
 - b. Supporting the administration and expenses related to voucher programs for transportation services. Vouchers can be used as an administrative mechanism for payment of alternative transportation services offered by Human Service providers to supplement available public transportation. Vouchers can be used by seniors and individuals with disabilities to purchase rides, as well as for mileage reimbursement as part of a volunteer driver program, a taxi trip, or trips provided by a Human Service agency. Transit passes or vouchers for use on existing fixed-route or required ADA complementary paratransit service are not eligible. Vouchers are an operational expense which requires a minimum 50 percent local match. Vouchers are reimbursed by Metro based on predetermined rates or contractual arrangements.
 - c. Supporting volunteer driver and aide programs. Volunteer driver programs are eligible and include support for costs associated with the administration, management of driver recruitment, training, safety, background checks, scheduling, coordination with passengers, other related support functions, mileage reimbursement, and insurance associated with volunteer driver programs. The costs of enhancements to increase the capacity of volunteer driver programs are also eligible.

FEDERAL SHARE, TRANSPORTATION DEVELOPMENT CREDITS, & LOCAL MATCHING REQUIREMENTS

The federal share of eligible capital costs shall be in an amount equal up to 80 percent of the net cost of the activity. The federal share of the eligible operating costs may not exceed 50 percent of the net operating costs of the activity. The net cost of an activity (capital or operating) is the part of the project that cannot reasonably be financed from operating revenues (i.e., farebox recovery).

The federal share may exceed 80 percent for certain capital projects related to compliance with the ADA and the Clean Air Act (CAA), as follows:

1. Rolling Stock (vehicles): The federal share is 85 percent for the acquisition of vehicles for purposes of complying with or maintaining compliance with ADA or the CAA. A revenue vehicle that complies with federal requirements to accommodate mobility aids that exceed the dimensions and weight ratings established for wheelchairs under the ADA regulations (i.e., larger than 30" x 48" and/or weighing more than 600 pounds) may also be funded at 85 percent federal share.
2. Vehicle-Related Equipment and Facilities: The federal share is 90 percent for project costs 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 CAA or required by the ADA. FTA considers vehicle-related equipment to be equipment on and attached to the vehicle.

Transportation Development Credits (TDC) are not money, they are similar to waivers or permission slips that allow federal funds to be used at a higher reimbursement rate. Metro will request TDC valued at up to twenty-five (25) percent of eligible operating project costs on behalf of eligible applicants.

The local share of eligible Section 5317 capital costs shall not be less than 20 percent of the net cost of the activity (not including projects related to ADA and/or CAA compliance). The local share for eligible operating costs shall not be less than 50 percent of the net operating costs. The local share may be sourced from a variety of sources including:

- an undistributed cash surplus,
- a replacement or depreciation cash fund or reserve, and
- a service agreement with a State or local service agency or private social service organization, or new capital.

Some examples of these potential sources of local match include: State or local appropriations, dedicated tax revenues, private donations, revenue from service contracts, and net income generated from advertising and concessions.

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- Non-cash (e.g., donations, volunteered services, in-kind contributions, etc.) where the value of each is: documented and supported; represents a cost which would otherwise be eligible under the program; is included in the net project costs in the budget; and is approved by Metro and FTA.
- Income from contracted transportation services may be used either to reduce the net project cost (treated as revenue) or to provide local match for operating expenses. In either case, the cost of providing the contract service is included in the total project cost. No FTA program funds can be used as a source of local match for other FTA programs, even when used to contract for service. All sources and amounts of local match must be identified in the application.
- Federal programs that are eligible to be expended for transportation other than programs funded by the United States Department of Transportation (USDOT), or from USDOT's Federal Lands Highway Program.

Some examples of types of programs that are potential sources of local match include: employment, training, aging, medical, community services, and rehabilitation services. Specific program information for other types of federal funding is available at United We Ride <https://www.disability.gov/resource/united-we-ride/> and their partnering agency at the Coordinating Council on Access and Mobility <https://www.transit.dot.gov/ccam/about>

Summary: Section 5317 Federal Share w/TDC and Local Matching Requirements

Funding Amount	Funding Category	Federal Share Eligible (max)*	Local Match Share Required (min)
\$86,490	Capital	80%	20%
	Capital: ADA/CAA Rolling Stock	85%	15%
	Capital: ADA/CAA Equipment & Facilities	90%	10%
\$578,816	Operating	75%	25%

*includes TDC where eligible

PERFORMANCE MEASURES

FTA requires tracking and reporting of quantitative and qualitative information for Section 5317 funded projects. FTA has set minimum indicators for each eligible project category to capture relevant outputs, service levels and outcomes as described below.

1. Capital and Operating Projects

- a. Increases or enhancements related to geographic coverage, service quality, and/or service times that impact availability of transportation services for seniors and individuals with disabilities as a result of Other Capital and/or Operating Section 5317 project.
- b. Additions or changes to physical infrastructure (e.g., transportation facilities, sidewalks, etc.), technology, and vehicles that impact availability of transportation services for seniors and individuals with disabilities as a result of Other Capital and/or Operating Section 5317 project.
- c. Actual or estimated annual number of rides measured by one-way passenger trips provided for seniors and individuals with disabilities as a result of Other Capital and/or Operating Section 5317 project.