

# Capital District Transportation Committee

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## **COORDINATED PUBLIC TRANSIT- HUMAN SERVICES TRANSPORTATION PLAN FOR THE CAPITAL DISTRICT**

**June 2007**

## EXECUTIVE SUMMARY

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) legislation was passed in August 2005. SAFETEA-LU requires that projects selected for funding under the Section 5310 Elderly Individuals with Disabilities Program, the Job Access and Reverse Commute (JARC) Program, and the New Freedom Program be “derived from a locally developed, coordinated public transit-human services transportation plan”, and that the plan be “developed through a process that includes representatives of public, private and nonprofit transportation and human services providers and participation by the public.”

The Capital District Transportation Committee (CDTC) has a long history of coordination efforts, dating back to the 1970’s. Looking back through CDTC’s archived files, much progress has been made over the years to coordinate programs, while coordination on a regional level has always eluded the region. The requirements set forth in the SAFETEA-LU legislation have required CDTC to take a step back and review previous efforts and identify current coordination opportunities.

The Capital District Transportation Committee (CDTC) convened a committee of stakeholders, called the Regional Transportation Coordination Committee or RTCC, to help develop a coordinated plan, identify areas of need and ensure that JARC, New Freedom and Section 5310 funds are spent appropriately.

Toward that end, the Capital District Transportation Committee, the Metropolitan Planning Organization (MPO) for the Capital District, convened a committee of stakeholders, called the Regional Transportation Coordination Committee or RTCC, to help develop the coordinated plan, identify areas of need and ensure that JARC, New Freedom and Section 5310 funds are spent appropriately. The RTCC membership consists of the regional steering committee that was formed by the Capital District Transportation Authority (CDTA) to guide the Job Access and Reverse Commute efforts and others that were added to ensure that representation fulfils the guidelines set forth in the SAFETEA-LU legislation.

In 2006, the RTCC, in cooperation with the Albany County United We Ride Effort, conducted a survey of human service agencies that either provide, contract or have clients in need of specialized transportation. Over 500 survey questionnaires were mailed to human service agencies located in the four counties. Ninety-three providers and eighty non-providers completed the survey. The survey data were used to aid in the identification of unmet need and to help craft a list of recommendations for future focus.

Fifty percent of the responding providers own or lease vehicles. Forty percent contract for service and nearly 40 percent provide CDTA *Swiper* passes or tokens. According to the 2006 survey, 49 reporting agencies owned and leased a total of 481 vehicles and slightly over 28 percent are wheelchair accessible. The existing vehicle fleet is fairly new, with about 61 percent of the 481 vehicles being model year 2002 or newer. The 2006 survey asked respondents to indicate the number of vehicles that would need to be replaced over the next five years. These 49 agencies responded that they will likely replace 226 vehicles, and that they will need 81 additional vehicles to keep up with the growing demand for service. The data collected strongly support a need for additional wheelchair accessible vehicles. Clearly the population is aging--fourteen percent of today’s population is aged 65+ and that percentage will increase to

Forty-nine agencies responded that they will likely replace 226 vehicles during the next five years, and that they will need 81 additional vehicles to keep up with the growing demand for service.

17% by 2020. Almost 3% of today's population has a physical disability. Survey respondents indicated that of their clients having a transportation limitation (transportation limitation was defined as any physical, developmental, mental, economic or other condition that limits a person's ability or causes difficulty in getting to places ), 18 percent need assistance in getting in the vehicle, 15 percent need a personal attendant and 12 percent use wheelchairs.

Predominant mobility needs identified by survey respondents included assistance in getting in and out of the vehicle, personal escorts and wheelchairs. These data reinforce the notion that door to door service is desirable and that there is a need for additional mobility training.

Shared maintenance, driver training, mechanic training, group purchasing and pooled resources were all identified as needs.

Needs relevant to the human service agency community were identified from conversations with representatives from human service agencies participating in the RTCC, the 2006 survey data and from the history section of this report. Shared

maintenance, driver training, mechanic training, group purchasing and pooled resources were all identified as needs from this community. Much of the 2006 survey data reinforce these findings. For example, 73% of agencies that own or lease vehicles reported that maintenance is performed by an outside vendor. Group purchasing or pooled resources could help this situation immensely. With group purchasing, the cost of oil changes, brakes, tire replacements and other routine maintenance services could be reduced significantly. Coordination/contracting with other human service agencies that provide maintenance in-house could also achieve monetary and service quality improvements.

The 2006 survey of human service agencies found that of the 55 agencies that both provide transportation with agency owned and leased vehicles and reported information about drivers and driver training, only 31 percent require driver CDL licensing. Obviously, for safety reasons, more CDL licensing would be desirable. These same survey respondents reported that they hire 400 drivers to provide transportation services to their clients, which is an average of 7 drivers per agency. Other training, such as defensive driving, wheelchair securement, is provided by almost 70 percent. This inconsistency in training standards presents several options to improve efficiency by coordinating training and/or pooling training resources.

Human Service Agencies have repeatedly cited that funding source issues prevent coordination/co-mingling of clients. Many programs are funded with very specific funding sources, or funding "silos" that make it difficult if not impossible to serve other clients. The 2006 survey tried to get at this issue by asking the question, "Do you restrict the use of your transportation assistance only to consumers of your own organization's programs and services? And, if yes, is this an agency or funding source restriction?" Of the seventy-one agencies responding "yes" to this question, 38 or 54% indicated that their restriction was due to an agency policy, 24 or 34% a funding source restriction and 9 or 12% reported that it was both an agency and funding source restriction. Only 20 percent of the agencies reported that they do not restrict their transportation assistance. This issue needs to be looked at in depth, to determine how agency policies can be changed to allow coordination of service. The funding source restriction aspect of this barrier needs to be addressed by state and federal authorities.

Funding "silos" were identified as barriers that cannot be addressed at the local level.

### ***Recommendations Included in the “Coordinated Plan***

JARC and New Freedom require the recipient of funds in urbanized areas with a population over 200,000 to conduct, in cooperation with the appropriate metropolitan planning organization, an area wide solicitation for applications for grants. It is required that grants under these two programs be awarded on a competitive basis. All projects selected for JARC, New Freedom and Section 5310 must be consistent with the coordinated plan.

In March 2002, CDTA received the American Public Transportation Association (APTA) Welfare-to-Work Award for its Welfare-to-Work program. This award acknowledged CDTA for its innovative and creative efforts in providing access to job opportunities. **CDTA was one of only 10 transportation agencies nationwide to be honored.** CDTA was nominated for the award by the New York State Department of Transportation and the New York State Department of Labor.

The region’s successful use of JARC, Temporary Assistance for Needy Families (TANF) and Community Solutions for Transportation (CST) funds for jobs access activities clearly supports continuation of these activities. Consequently, the coordinated plan calls for a solicitation for JARC projects that specifically continue those JARC activities that are eligible for JARC funding-- trip planners and a full-time coordinator and the Safety Net Brokerage. CDTC will develop the solicitation with the aid of the RTCC. Extra weight will be given in the evaluation of JARC proposals to those agencies that have been successful with these kinds of programs in the past. Local knowledge will also be given extra consideration. Multi-year programs and projects will be allowed and considered desirable to support program continuity.

The New York State Department of Transportation (NYSDOT), through its Transit Bureau, administers the Section 5310 program in New York State. NYS has a well-established process, which includes an inter-agency review committee, for selecting fund grantees on a discretionary basis. CDTC is one member of the review committee that annually reviews grant applications for this area. With regard to the Section 5310 program, the RTCC recommends that a NYSDOT employee that works with the Section 5310 program continue to be a member of the Regional Transportation Coordination Committee. According to SAFETEA-LU guidelines, Section 5310 funding awards must be consistent with the criteria and recommendations set forth in the coordinated plan. CDTC’s review of the section 5310 applications will ensure that the Section 5310 funding awards are compatible with the coordinated plan. The coordinated plan criteria, as they relate to the section 5310 program are:

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| Those agencies submitting Section 5310 applications that <u>document</u> bona fide coordination activities will receive funding over those that do not pursue and/or document these activities. |
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- Section 5310 funding will be awarded first to those agencies that pursue and document bona fide coordination activities, such as shared maintenance agreements, agreements to provide transportation to clients of other agencies on a *regular basis*, etc. In addition, these agencies should receive funding for their entire application request if that level of funding is available. Form letters to other local Human Service Agencies will not be accepted as documentation of coordination activity.
- Section 5310 funding will be awarded to those agencies that do not submit appropriate coordination activity documentation only if the needs of those agencies that do coordinate are met first.

- It will be mandatory for those agencies that are funded without documentation of coordination activity to submit documentation of coordination efforts at the time of their next application for funding. If coordination activities are not pursued by these organizations by the time of their second Section 5310 application, these agencies will not be funded, even if there are Section 5310 monies available.
- It will be mandatory for a representative from those agencies that are funded without documentation of coordination activity to attend quarterly or bi-annual coordination forum meetings that will be arranged by CDTC staff. Failure to attend at least half of these forums will make these agencies ineligible for section 5310 funding for up to two years.

The New Freedom Program is a new formula grant program for public or alternative transportation services and facility improvements to address the needs of persons with disabilities that go beyond those required by the Americans with Disabilities Act (ADA). New Freedom Funds can be used to cover capital and operating costs to provide new service. The

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| <p>The solicitation for the New Freedom Program will “bundle” two-three years of funds to allow multi-year project proposals and to provide an opportunity for applicants to have an adequate time period to determine project success.</p> |
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RTCC recommends that the solicitation for this program “bundle” two-three years of funds to allow multi-year project proposals and to provide an opportunity for applicants to have an adequate time

period to determine project success. The solicitation will encourage projects that request funds for operating assistance over capital projects to stretch the funding (operating expenses require a 50/50 match, whereas capital projects require an 80/20 match) and to promote fuller utilization of the existing Human Service Agency vehicle inventory, which the survey showed to collectively be a large fleet in good condition. Given the needs assessment documented in the coordinated plan, travel training, mobility management and driver training will be given higher consideration in the evaluation process over projects that do not specifically address the needs that have been documented in the coordinated plan.

***Future Actions and Activities***

The RTCC will continue to meet quarterly for the next year to oversee the project solicitation and evaluation for JARC and New Freedom projects. Frequency of second and third year meetings will be determined by the committee. The RTCC will review CDTC’s evaluation of Section 5310 applications to ensure consistency with the Coordinated Plan. The RTCC will serve in an advisory role to facilitate implementation of the Coordinated Plan. Additional needs and gaps in transportation services (not identified in the Coordinated Plan) will be identified as new information becomes available and the plan will be amended with these updates on an annual basis. New opportunities for coordination will also be identified and added to the Action Plan as appropriate.

## **INTRODUCTION**

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) legislation was passed in August 2005. SAFETEA-LU requires that projects selected for funding under the Section 5310 Elderly Individuals with Disabilities Program, the Job Access and Reverse Commute (JARC) Program (Section 5316), and the New Freedom Program (Section 5317) be “derived from a locally developed, coordinated public transit-human services transportation plan”, and that the plan be “developed through a process that includes representatives of public, private and nonprofit transportation and human services providers and participation by the public.” The FTA suggested that the coordinated plan include three key elements: (1) an assessment of available services; (2) an assessment of needs; and (3) strategies to address gaps for target populations. In addition, JARC and New Freedom require the recipient of funds in urbanized areas with a population over 200,000 to conduct, in cooperation with the appropriate metropolitan planning organization, an area wide solicitation for applications for grants. It is required that the JARC and New Freedom grants be awarded on a competitive basis, and that the projects selected are consistent with the coordinated plan.

## **BACKGROUND**

The Elderly Individuals and Individuals with Disabilities Program (Section 5310) provides grant funding, usually for capital projects, for private nonprofit groups to meet the transportation needs of elderly and disabled persons when other transportation services (public and private) are unavailable, insufficient, or inappropriate to meeting those needs. In New York State, only vehicles are funded through the 5310 program. Vehicles funded include 12, 20, 24, and 40 passenger buses with wheelchair lifts (seating listed is capacity prior to the addition of the lift and tie-downs). Vehicles are provided for a wide range of services: including but not limited to medical, employment, recreation, and shopping. Services and service areas are identified in each grant application. Only services that actually transport elderly individuals and individuals with disabilities are considered in the evaluation of applications.

Funds are distributed to each State based on its share of elderly and disabled population; States apply for grant funds on behalf of local private not-for-profit agencies and certain eligible public bodies. Grants are distributed on an annual basis, with an 80% federal and 20% local match. The New York State Department of Transportation (NYSDOT), through its Transit Bureau, administers the program in New York State. NYS has a well-established process, which includes an inter-agency review committee, for selecting fund grantees on a discretionary basis. CDTC is one member of the review committee that annually reviews grant applications for this area.

The JARC program is a grant program for local government agencies and non-profit agencies. The purpose of the program is to develop transportation services to transport welfare recipients and low-income persons to and from jobs (Job Access); and to transport residents of urban centers, rural and suburban areas to suburban employment opportunities (Reverse Commute). Job Access grants can be used for capital and operating costs of equipment, facilities, and capital maintenance related to providing access to jobs. Costs to promote transit for workers with nontraditional work schedules, the use of transit vouchers, and the use of employer-provided transportation are also covered. Reverse Commute grants can be used for operating, capital and other costs associated with providing reverse commute service by bus, train, carpool, vans or

other transportation services. Eligible activities for JARC funding include late-night and weekend service, guaranteed ride home service, shuttle service; expanded fixed-route public transit routes; demand-responsive service; ridesharing and carpooling activities; transit related aspects of bicycling; local car loan programs that assist individuals in purchasing and maintaining vehicles for shared rides; marketing promotions for JARC activities; supporting the administration and expenses related to voucher programs; using Geographic Information System (GIS) tools and/or implementing Intelligent Transportation Systems (ITS); integrating automated regional public transit and human service transportation information, scheduling and dispatch functions; deploying vehicle position-monitoring systems; and establishing regional mobility managers or transportation brokerage activities. Federal funds for the program are allocated on a formula basis. The federal/local share cost sharing formula is 50/50 if used for operating expenses and 80/20 if used for capital expenses. The Governor of New York has designated the Capital District Transportation Authority (CDTA) as the designated recipient for the JARC and New Freedom funds, as they are the only existing designated recipient for other FTA-administered funds in the Capital District. If selected projects will be implemented by others, CDTA, as the designated recipient, will have the role as either executing contracts with project sponsors or by becoming the “pass-through” agent for any organizations that become official "sub-recipients. All implementing agencies will be required to make FTA-required Certifications and Assurances to be eligible for funding (see Appendix A). Approximately \$1.01M (federal only) is available in the Albany-Schenectady-Troy urbanized area in JARC funding over the life of SAFETEA-LU. If used for capital projects, the required local match would be \$258,000. If used on operating expenses, the local funding requirement would be \$1.01M. Although the Saratoga Urbanized Area, as a small urban area, has a separate allocation through NYSDOT for about \$120,000 of JARC funding, their allocation will be rolled into the allocation for the Capital District since the Saratoga Springs urban area is part of CDTC’s planning area. CDTA is the designated recipient for Saratoga Springs funds as well. The 2007-2012 TIP listing for the JARC program is shown below:

| TIP # | PIN | Project  | Fund Source             | Committed 2003-05 | 2005-06 | 2006-07 | 2007-08 | 2008-2009 | 2009-2010 | Post '10 |
|-------|-----|--|-------------------------|-------------------|---------|---------|---------|-----------|-----------|----------|
| T66   | **  | Welfare to Work -- This federal grant is for projects selected from a Coordinated Plan for the Capital Region. The match is 80/20. | Section 5316-- AST      |                   | .288 P  | .304 P  | .329 P  | .347 P    |           |          |
|       |     |  | Section 5316 - Saratoga |                   | 0.035 P | 0.036 P | 0.039 P | 0.041 P   |           |          |
|       |     | 7-YEAR TOTAL (if all capital projects)   |                         | 1.419 P           |         |         |         |           |           |          |

The New Freedom Program is a new formula grant program for public or alternative transportation services and facility improvements to address the needs of persons with disabilities *that go beyond those required by the Americans with Disabilities Act (ADA)*. New Freedom Funds can be used to cover capital and operating costs to provide new service. Examples of eligible activities for New Freedom funding include: enhancing public transportation beyond the minimum requirements of the ADA; providing “feeder” services; making accessibility improvements to transit and intermodal stations; providing travel training; purchasing vehicles to support new accessible taxi, ridesharing, and/or vanpooling programs;

covering the administration and expenses of new voucher programs for transportation services offered by human service agencies; supporting new volunteer driver and aide programs; and supporting new mobility management and coordination programs among public and/or human service transportation providers. Federal funds are allocated on a formula basis, with 60 percent to areas with population over 200,000. Approximately \$336,800 in New Freedom funds will be available to the Albany-Schenectady-Troy urbanized area through the life of SAFETEA-LU. As with JARC, the local funding match varies with project type, where capital projects require a 20% match, and operations 50%. The Saratoga urbanized area allocation as a “small urban area” is about \$90,400 and will be programmed through CDTC with CDTA as the designated recipient. The 2007-2012 Transportation Improvement Program listing for the New Freedom Program is shown below:

| TIP # | PIN | Project   | Fund Source             | Committed 2003-05 | 2005-06 | 2006-07 | 2007-08 | 2008-2009 | 2009-2010 | Post '10 |
|-------|-----|---|-------------------------|-------------------|---------|---------|---------|-----------|-----------|----------|
| NEW   | **  | New Freedom – Transit service that exceeds the requirements of the Americans with Disabilities Act. The match is 80/20 if used for capital, 50/50 if used of operating subsidy. | Section 5317--AST       |                   | .096 P  | .101 P  | .109 P  | .115 P    |           |          |
|       |     |   | Section 5317 - Saratoga |                   | .026 P  | .027 P  | .029 P  | .031 P    |           |          |
|       |     | 7-YEAR TOTAL (if all capital projects)  |                         | 0.534 P           |         |         |         |           |           |          |

As mentioned, SAFETEA-LU requires that projects selected for funding under all three of the programs described above be “derived from a locally developed, coordinated public transit-human services transportation plan”, and that the plan be “developed through a process that includes representatives of public, private and nonprofit transportation and human services providers and participation by the public.” Toward that end, the Capital District Transportation Committee (CDTC), the Metropolitan Planning Organization (MPO) for the Capital District, has convened a committee of stakeholders to help develop a coordinated plan, identify areas of need and ensure that JARC, New Freedom and Section 5310 funds are spent appropriately. The new committee, called the Regional Transportation Coordination Committee (RTCC) was formed in the summer of 2006. The RTCC membership consists of the regional steering committee that was formed by CDTA to guide the JARC and CST efforts and others that were added to ensure that representation fulfils the guidelines set forth in the SAFETEA-LU legislation. A list of agencies that are represented by the RTCC is shown in Table 1.

## APPROACH

The coordinated plan focuses on three programs (JARC, New Freedom and 5310) laying out strategies for meeting the needs of the populations these programs serve, but also documents previous CDTC coordination efforts, the history behind creating Access Transit, United We Ride efforts, and information regarding STAR usage and history. In addition, the RTCC, in cooperation with the Albany County United We Ride Effort, conducted a survey of human service agencies that either provide, contract or have clients in need of specialized transportation. The survey was conducted in the fall of 2006. Over 500 survey questionnaires were mailed to human service agencies located in the four counties. The full questionnaire is included in Appendix B of this report. About 200 were completed and returned. Results are documented



later in this report. The survey data and the information gathered by CDTC in previous coordination efforts were used to aid in the identification of unmet need and to help craft a list of recommendations for future focus. Under the SAFETEA-LU rules, JARC projects must be selected competitively from a pool of projects derived from the coordinated plan. Using the plan, the RTCC will develop a solicitation for projects for JARC activities in the spring/summer of 2007. It is anticipated that CDTA will submit an application for funding to continue the successful JARC activities that they have been progressing since 1998. JARC funds are now distributed on a formula basis, with the result that the region will receive fewer JARC funds than in the previous competitive program. This will have implications on the type and number of projects that can be continued.

With regard to the Section 5310 program, the RTCC looks at the new rules as an opportunity to establish goals and standards for coordination of human service agency transportation (that is provided using section 5310 vehicles). The Regional Transportation Coordination Committee identified coordination criteria for the Section 5310 program. These criteria will be discussed with NYSDOT for potential integration into the final evaluation process. This strengthened role for CDTC will ensure that the 5310 process is consistent with the coordinated plan.

**TABLE 1  
AGENCIES REPRESENTED ON THE  
REGIONAL TRANSPORTATION COORDINATION COMMITTEE**

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| Access Transit<br>Albany County Department for the Aging<br>Albany County Department of Social Services<br>Capital District Regional Planning Commission<br>Capital District Transportation Authority<br>Career Central<br>Catholic Charities of Schenectady<br>Clearview Center (Mental Health)<br>Independent Living Center of the Hudson Valley<br>Individual from the Mobility Disabled Community<br>NYS Department of Education (Vocational and Education Services for Individuals with Disabilities)<br>NYS Department of Health (Medicaid division)<br>NYS Department of Labor<br>NYS Department of Transportation<br>NYS Office for the Aging<br>Rensselaer County Department of Social Services<br>Saratoga ARC<br>Saratoga County Department of Social Services<br>Saratoga County Economic Opportunity Council<br>Schenectady County Department of Social Services<br>Senior Services of Albany |
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The Capital District's apportionment of New Freedom Program (NFP) funds is about \$98,000 in federal funds per year, with match varying by project type. States and designated recipients must solicit grant applications and select grants competitively. Given the relatively small (\$98,000/year) allocation to the Capital District, CDTC anticipates that the most effective mechanism for programming these funds be a process tailored after CDTC's Spot Improvement Program<sup>1</sup>:

- ◆ A solicitation will be developed that identifies the type of eligible projects, maximum award amounts and criteria that will be used for project selection.
- ◆ All of these items would be developed through the Regional Transportation Coordination Committee. A selection committee, comprised of representatives of the Regional Transportation Coordination Committee will review and evaluate proposals for the NFP funds. CDTC's Planning Committee will review the evaluation committee's recommendations and either concur with funding recommendations or make changes to the recommendations. This step will ensure compatibility with the locally developed "coordinated transportation plan".
- ◆ Recipients of NFP funds will be made aware that these fund sources come with "strings", including what is likely to be extensive reporting requirements and signing the FTA-required Certification and Assurances forms.

This solicitation will be developed sometime in 2007/08.

## **PREVIOUS COORDINATION ACTIVITIES**

CDTC has a long history of coordination efforts, dating back to the 1970's. Looking back through CDTC's archived files, much progress has been made over the years to coordinate programs, while coordination on a regional level has always eluded the region. The following briefly describes these efforts, identifies barriers that were encountered, and solutions, if any, that were implemented.

### ***1976 Survey of Human Service Agencies:***

In 1976, CDTC initiated a study of the transportation needs of the region's elderly and handicapped population, which at that time was estimated to be about 93,000.

As part of the study effort, the transportation services that were available to the elderly and handicapped were analyzed and evaluated. The objective was to identify barriers that were preventing or limiting access by the transportation disadvantaged. The second objective of the study was to produce a directory that identified area agencies, programs and transportation options. The directory entitled, *Human service Agencies Providing Transportation in the Capital District*, was produced in February of 1977. Two questionnaires were developed for the study effort. Questionnaire #1 was designed to collect information from those agencies that provided transportation using their own fleet, a leased fleet or volunteer vehicles. Questionnaire #2 collected information from agencies that depend on others for transportation service or are unable to help their clients secure transportation.

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<sup>1</sup>CDTC's Spot Improvement Program programs three years of funds in one solicitation. The Spot Improvement program is a mechanism used for funding small-scale projects designed to improve the region's bicycle and pedestrian environments. Taking a page from the Spot Improvement Program, CDTC envisions the New Freedom monies to be used for projects to make "spot improvements" in the transportation system providing service to the elderly and persons with disabilities.

Eighty-six agencies responded to Questionnaire # 1 and 95 to Questionnaire #2. The survey data revealed that, in general, the majority of the transportation provided by human service agencies was restricted to agency clientele for purposes of attending agency programs, and when possible, to other needed and desired locations. A number of agencies noted that it was continually becoming more difficult to serve all the trip requests that were received. Although at least \$1.9 million was spent annually by special service providers to deliver transportation, it was noted that many service inefficiencies and duplication of effort was preventing a totally effective service system.

Besides the directory, several reports were produced from this effort. One report dealt exclusively with analysis and evaluation of coordination and consolidation of specialized transportation services. The report concluded that *“Many benefits in the quality and quantity of service can be obtained through developing a consolidated approach to providing the service. Centralized activities, such as purchase of vehicles, maintenance of vehicles, dispatch of vehicles and centralized operation of vehicles, as well as centralized insurance, billing and trip scheduling activities are conducive to establishing a comprehensive system for specialized transportation”*.

#### ***CDTA’s STAR Service:***

CDTA's STAR (Special Transit Service Available by Request) service began operation in the summer of 1982. The service was designed for use by any Capital District resident unable to utilize CDTA's fixed route bus service because of a disability. STAR service was modified in January 1993 to comply with the guidelines set forth in the ADA. The changes affected eligibility, service area and fares. Additional changes to STAR service were instituted in January 1994 to comply with ADA milestones. "Next day" service became available in 1994; CDTA began to process requests for paratransit service up to 14 days in advance of the trip in 1994 as well. During 1995, CDTA installed a state of the art computer system to better manage the STAR service requests and routing. During 1998, CDTA refined the eligibility requirements for STAR access in an attempt to curb clientele growth and to encourage use of the accessible fixed route system. In Spring 1999, CDTA installed the Windows-based version of the STAR scheduling software which allows for faster turnaround times, automated cancellation and verification of trips and is a faster system overall.

STAR ridership comprises approximately 1.0 percent of CDTA’s fixed route ridership. STAR ridership has increased annually since its inception. Approximately, 156,000 elderly and/or handicapped people were provided specialized trips during the 2006 calendar year. Table 2 shows ridership figures since 2000.

#### ***Accessible Fixed Route Buses:***

During 1987, CDTA adopted the policy that all future purchases of fixed route, mainline buses would be handicapped accessible. In concert with this policy, CDTA replaced its entire fixed route fleet between 1998 and 2003 with low floor buses, making the fleet 100% accessible. In 2006, about 2000 people per month took advantage of CDTA’s lift accessible buses.

Federal regulations mandate that transit fares for elderly and disabled riders during off-peak hours be no more than one-half the base peak-hour fare. In April 2006, CDTA implemented a

**TABLE 2  
HISTORY OF STAR RIDERSHIP**

| <b>Fiscal Year</b> | <b>Total Ridership</b> | <b>Fixed Route</b> | <b>STAR</b> | <b>STAR as a Percent of Fixed Route</b> |
|--------------------|------------------------|--------------------|-------------|---|
| 2000               | 11,469,966             | 11,374,194         | 95,772      | 0.84%                                   |
| 2001               | 11,715,460             | 11,621,406         | 94,054      | 0.81%                                   |
| 2002               | 12,098,285             | 12,000,083         | 98,202      | 0.82%                                   |
| 2003               | 11,784,764             | 11,678,615         | 106,149     | 0.91%                                   |
| 2004               | 11,746,831             | 11,621,667         | 125,164     | 1.08%                                   |
| 2005               | 11,693,743             | 11,551,110         | 142,633     | 1.23%                                   |
| 2006               | 12,883,502             | 12,727,218         | 156,284     | 1.23%                                   |

*Source: CDTA*

“Simple Fare” program, which streamlined CDTA’s fare structure. With the Simple Fare plan the half fare policy was changed so that half-fare on fixed route services applies all the time, not just off-peak. Use of the fixed route buses by this population is increasing as a result. About 356,000 half fare rides were taken on CDTA’s fixed route system in FFY 2006. Sales of half fare Swiper Cards increased from 7900 to 9025 during this transition.

***1988 Survey of Human Service Agencies:***

The Capital District Transportation Committee conducted a re-survey of human service agencies in 1988. The purpose of conducting the survey was two-fold—to obtain an inventory of human service agencies that provide transportation in the Capital District for the purpose of updating the 1977 directory entitled, *Human Service Agencies Providing Transportation in the Capital District* and to compare 1988 service conditions with 1976 conditions to determine changes in service levels, costs, funding and other factors for the purpose of determining the potential for service expansion and coordination. Two survey questionnaires were designed to meet the objectives of the study. Questionnaire #1 was designed to collect information from those agencies that provide transportation to clients using their own fleet or volunteers. The second survey was designed to collect data from those agencies that depend on other agencies for transportation service.

A total of 284 survey packets were mailed to human service agencies located in the Capital District. Eighty-three agencies responded to the two questionnaires, 33 to Questionnaire # 1 and 50 to Questionnaire #2, nearly a 30 percent response rate. It was concluded that agency

transportation grew over the 12 year period, as did the budget for transportation, the number of paid drivers, the fleet capacity, and the number of clients. It was also acknowledged that during this time frame, STAR service was initiated and provided trips for mobility impaired individuals. As for non-transportation providers, a similar trend in the growth for need was identified. The number of clients served rose dramatically between 1976 and 1988; needs for transportation to health facilities and places of employment topped the list for transportation requests.

An important excerpt from the concluding remarks is pasted below:

*Although this report describes increased efficiency in the provision of service, growth in transportation needs of the elderly and disabled community has outweighed the growth in available service or has taxed the efficiency of the available service. This is evidenced by the fact that human service agencies that provide transportation and CDTA's STAR dispatchers must deny transportation service on a regular basis. In addition, human service agencies not providing transportation service often cannot lead their clients to a reliable source of transportation. While it is recognized that respondents to the 1988 survey are not the entire population of service and non-service providers, it can be seen that some changes in the way even this sub-population provides service can help decrease the number of service refusals. For example, despite a noticeable increase in service provided since 1976, vehicle utilization of the human service agencies that provide transportation during critical time periods has decreased. Ostensibly these unused vehicles could provide a portion of the trips that are currently being denied by other agencies because of lack of resources/capacity.*

*Clearly, as the data contained in this report suggest, coordination among all three groups—CDTA, human service agencies providing transportation and human service agencies not providing transportation, would reduce (or eliminate) the number of service refusals that are occurring today.*

### ***1990 Coordination Efforts:***

Based on recommendations outlined in the draft report that summarized the data collected from the 1988 survey effort, CDTA convened a meeting of area human service agencies (HSA's) to discuss opportunities for mutual cooperation. Representatives from HSA's located in Albany, Rensselaer, Saratoga and Schenectady Counties attended this first meeting in June 1990. The group at this first meeting determined that it was advantageous to continue to meet to discuss cooperation and coordination opportunities. Members of this group are identified in Table 3. This group met six times between June 1990 and June 1991. Their work culminated in drafting a list of barriers to coordination with attendant recommended solutions. This list was forwarded to NYSDOT in June 1991 and is shown in Table 4. NYSDOT reacted only to the item regarding the section 16(b)(2) program (which is now called section 5310). As a result of this correspondence, NYSDOT created a form that was inserted in the section 16(b)(2) application package.

This certification form stated:

*This is to certify that this organization is not restricted in the coordination of transportation services as required by Part I D. E. or F. of this application because of any internal policies or regulations. Further it is understood that other organizations requiring transportation services will be provided transportation service whenever possible when space is available. In addition,*

*if opportunities to coordinate service through a coordinated system are made known to us by other organizations or by NYSDOT, we will address those needs to the best of our ability on a space available basis. Finally, every effort has been made during preparation of this application to coordinate all of our transportation services with other organizations in our service area.*

***American with Disabilities Act of 1990:***

The New York State legislature established CDTA's Committee for Accessible Transportation to meet the rules of the Americans with Disabilities Act (ADA) of 1990. The committee was comprised of three mobility disabled representatives, a representative of CDTA, a designee of the State Advocate for the Disabled, a designee of the Commissioner of NYSDOT and representatives from Blue Cross. A staff member from CDTC also attended the meetings (as a non-voting member). CDTA worked with this committee to develop a plan for implementation of the ADA requirements. The plan was submitted to the FTA and NYSDOT in January 1992. As required by the ADA final rule, CDTC certified that it had reviewed the plan and that the plan was in conformance with the Regional Transportation Plan. As a result of the ADA, CDTA reduced the STAR fare (to twice the fixed route fare), increased eligibility, adjusted the service territory to mirror that of the fixed route system (within  $\frac{3}{4}$  mile) and adjusted the STAR schedule to operate during the same hours as the fixed route system.

The Committee for Accessible Transportation met regularly to monitor the implementation of the 1992 ADA Compliance Plan for CDTA. In January 1994, the ADA Annual Update to the Compliance Plan for CDTA was submitted to the FTA and NYSDOT for approval. This update instituted "next day" service and the 14 day advance reservation policy. The Committee for Accessible Transportation voted itself out of formal existence in February 1996 when CDTA became fully compliant with the requirements of the ADA. CDTA and some members of the Committee for Accessible Transportation, however, voted to maintain a voluntary committee that would meet quarterly to discuss ADA compliance issues. This group continued to meet through 2004.

In 2007, CDTA initiated the creation of a Disability Services Advisory Committee that reports directly to the CDTA Board, which will review and provide recommendations on matters affecting services for people with disabilities. This includes paratransit services and certification, fixed route accessibility, and broader policies affecting people with disabilities.

The committee will consist of nine to eleven members (with one being a current CDTA Board member). The committee will be independent of CDTA, its Board, staff and employees. The committee will report directly to the CDTA Board on a quarterly basis, or more often if required. CDTA will provide administrative support and staff resources, including meeting space for the committee. CDTA will also provide a limited budget for administrative support activities.

The CDTA staff will provide the committee with data, information and reports about issues regarding service for people with disabilities. These will include, but not be limited to:

- System productivity and efficiency reports (ridership, service hours, trip productivity)
- Surveys of CDTA and STAR customers
- Summaries of customer complaints about STAR services and fixed routes services (ramps, stop announcements and other accessibility issues)

**TABLE 3**  
**1990 COORDINATION COMMITTEE**  
**PARTICIPATING AGENCIES**

|   |  |
|---|--|
| <b>Albany County:</b>   | <b>Rensselaer County:</b>                      |
| American Red Cross<br>Albany                                      | Rensselaer County ARC<br>Troy                  |
| Catholic Charities Developmental Disability<br>Services<br>Albany | Unity House<br>Troy                            |
| Colonie Senior Citizens<br>Latham                                 | <b>Saratoga County</b>                         |
| CP Center for the Disabled<br>Albany                              | Saratoga ARC<br>Ballston Spa                   |
| Senior Service Centers of Albany<br>Albany                        | Shenendehowa Senior Citizens<br>Clifton Park   |
| <b>Schenectady County</b>   | <b>Regional:</b>                               |
| Schenectady County Office for the Aging<br>Schenectady            | Capital District Transportation Authority      |
| American Red Cross-The Bus<br>Schenectady                         | Capital District Transportation Committee      |
| Schenectady ARC<br>Schenectady                                    | New York State Department of<br>Transportation |
| Schenectady Catholic Family<br>Schenectady                        |  |

**TABLE 4**  
**BARRIER LIST DRAFTED BY HSA COORDINATION**  
**COMMITTEE AND SENT TO NYSDOT IN JUNE 1991**

| <b>Coordination Barriers</b>  | <b>Recommendations</b>   |
|---|--|
| <p><b>1. Barriers to Client Integration</b></p> <p>a. Some clients (particularly elderly - non-handicapped) will resist using a vehicle that is clearly marked for some other purpose (e.g. arc vehicles)</p> <p>b. Some clients may not wish to be seated next to a mental y or developmentally handicapped person.</p>  | <p>The group has suggested that the State provide money to develop educational materials (e.g. video, posters, pamphlets, etc.) or that a State agency develop an educational program that describes the purpose of transportation coordination, the needs of the various groups to be served etc. to the client groups that object to client integration.</p> |
| <p><b>2. Medicaid Reimbursement Barriers</b></p> <p>a. Individual providers of specialized transportation service submit documentation regarding their transportation costs to county department's of social services; based on this information, the county sets a Medicaid reimbursement rate for each individual provider that is Medicaid eligible and located in that county. Consequently, prevailing rates can differ significantly by provider and/or county. Coordinated service becomes impaired when different providers provide similar trips at different reimbursement levels. For example, if provider B provides a trip for provider A and provider A's prevailing rate is less than provider B's, it is possible that provider A would have to pay provider B the difference in the prevailing rates, in order for provider B to provide the trip.</p> <p>b. The Capital District area's public transportation provider currently charges \$2.25 to provide a specialized transportation trip which means that the Medicaid reimbursement rate would be set at the prevailing rate of \$2.25 and not at the actual cost (Le. \$15.00). Area not for profit providers receive significantly higher fares under their Medicaid prevailing rates. It is not cost effective or the public provider to take on additional trips under this situation, but often not for profit providers cannot provide these trips due to capacity constraints, insurance issues and other barriers.</p> | <p>The group recommends that the State work with the counties and the public transportation provider to establish regional reimbursement rates for similar trips.</p> <p>Under the proposed regional reimbursement rates, this inequity issue would become non-existent.</p>   |



**TABLE 4 (continued)**

| Coordination Barriers   | Recommendations   |
|---|---|
| <p><b>3. Barriers Regarding Usage of Section 16(b)(2) Funded Vehicles</b></p> <p><b>a.</b> The state currently requires 16(b)(2) applicants to <i>attest</i> that they coordinate service, but does not <i>mandate</i> coordination. For example, an agency approved for 16(b)(2) funding may be restricted with regard to coordination because of internal policies (e.g. insurance barriers, geographic barriers, etc.)</p> <p><b>b.</b> New York State policy must be clarified with respect to coordination of 16(b)(2) vehicles with organizations that serve non-elderly/non-handicapped (e.g.. Big Brothers/Big Sisters). Right now the state prohibits the sharing of 16(b)(2) acquired vehicles with these type organizations.</p> | <p>The group recommends that the state <i>require</i> that agencies receiving 16(b)(2) funds <u>certify</u> that no such internal policy barriers exist. Also, the MPO's evaluation of 16(b)(2) applications should be based on documentation of coordination and documentation that there are no internal barriers to coordination.</p> <p>The group has suggested that rules governing use of 16(b)(2) vehicles be relaxed so that these vehicles can be shared with agencies that service financially or emotionally handicapped individuals. However, provision of these type trips should not be the major component of coordination, but rather incidental in nature.</p> |
| <p><b>4. Common Carrier Status Requirements</b></p> <p><b>a.</b> Agencies need to apply for common carrier status if they start to transport clients other than their own for a fee. Common carrier status does not necessarily allow the agency to transport across county lines. Also, common carrier status can restrict the agency to certain vehicle sizes.</p>  | <p>The group recommends that where regional coordination of transportation exists between not-for-profit agencies, the state should waive common carrier status requirement' to the coordinating participants. This would facilitate transportation across county lines if reimbursement barriers are also eliminated.</p>  |
| <p><b>5. Accounting Barriers</b></p> <p><b>a.</b> A billing mechanism must be put in place to facilitate coordination of service. agencies need to be assured that they can be reimbursed for service (in a consistent, timely fashion) before they will coordinate transportation service.</p>   | <p>The group suggests that the State, as part of its coordination investigation/ policy development, recommend a reimbursement/ billing process that will facilitate the coordination of specialized transportation service.</p>  |

- Updates on major initiatives like the STAR Action Plan, the Transit Development Plan, new policies or customer services
- Reports and reviews of the CDTA budget and budgetary process and the CDTA Capital Plan
- Proposed changes in operating, certification or design processes relative to STAR or accessible fixed route operations

The committee will meet quarterly to discuss issues affecting service for people with disabilities.

As of the printing of this report, representatives from the following agencies have been invited to become members of this committee:

Independent Living Center of the Hudson Valley  
 Center for the Disabled  
 Capital District Center for Independence (CDCI)  
 Capital District Coalition for Accessible Transportation (CDCAT)  
 Capital District Transportation Committee  
 Clearview Center  
 Colonie Senior Service Centers, Inc.  
 Northeastern Association of the Blind (NABA)  
 STAR Customer Representative (2)

***Statewide Coordinated Transportation Study (SCOTS):***

CDTA was the recipient of one of the two SCOTS grants that were awarded by the NYSDOT. The purpose of SCOTS was to encourage the coordination of transportation provided by human service agencies. In this regard, CDTA and CDTC worked with human service agencies located in Albany, Rensselaer, Saratoga and Schenectady counties to initiate discussions about coordination and consolidation strategies. CDTA hired a consultant from the Community Association of America (CTAA) to aid in this task. The Community Association of America and CDTA hosted a regional coordination workshop in 1996. As part of the SCOTS program, CDTA established a grant program (\$4,000 maximum) for the purpose of aiding area human service agencies in their first efforts of coordination. CDTA received seven proposals. Requests for funds fell under several categories--driver training, vehicle repairs (to meet NYSDOT inspection standards), and scheduling/dispatch consolidation (between two agencies). One request from each county was eventually funded with the SCOTS monies.

***Access Transit:***

The SCOTS program opened up the dialogue between CDTA and the county social service departments and relied on the expertise of CTAA to identify programs that could benefit from a centralized broker. CDTA, CTAA and CDTC staff conducted a number of meetings with representatives from the county departments of social services and the New York State Department of Health (NYSDOH) to determine the requirements and constraints of delivering transportation for Medicaid recipients. County representatives became interested in the brokerage concept primarily because it could save the counties money and relieve their burden of finding reliable transportation for their clients. These discussions resulted in the creation of ACCESS Transit in late 1997. ACCESS Transit began brokering medical trips for Rensselaer,

Schenectady and Albany counties in the fall of 1998. ACCESS instituted a system where people requiring non-emergency transportation for medical trips (under Medicaid) call one central phone number to arrange trips. Prior to the creation of ACCESS Transit, employees of the individual county departments of social services arranged for medical trips for their clients. As the broker, ACCESS Transit arranges transportation for the client, bundles trips for maximum efficiency, finds the lowest cost, most appropriate means of transportation for each trip (i.e. fixed route bus vs. taxi vs. ambulette) and processes the forms necessary for transportation providers to be reimbursed.

In 2002, ACCESS Transit brokered approximately 509,000 trips (58% for Albany County, 19% for Rensselaer County and 23% for Schenectady County) and processed almost 6000 calls per month. In 2003, the Albany County Department of Social Services (DSS) ended its contract with ACCESS Transit after a competitive RFP process and contracted with another brokerage, Medical Transportation Management (MTM), to arrange for Medicaid transportation for clients of their county's Medicaid system. The Albany County RFP process considered costs and other factors in the proposal evaluation. Currently, ACCESS transit arranges approximately 250,000 non-emergency medical trips for Rensselaer and Schenectady counties. Albany County, with the aid of MTM, arranges for nearly 250,000 non-emergency medical trips for their clients as well.

It should be noted that \$750,000 was programmed in the 1997-02 Transportation Improvement program (TIP) to provide seed money for the creation of ACCESS Transit. A portion of these monies was used to acquire office space, office furnishings, office equipment, a state of the art computer system and phone system. CDTC supported ACCESS Transit with federal funds because with a brokerage, duplication of service is avoided, unproductive trips and some deadheading can be eliminated, the efficiency of trips is improved, appropriate modes are used, and maintenance and driver training practices are standardized. The intent was for ACCESS to begin by brokering medical trips before expanding to other potential markets. The expansion to other markets has not yet occurred, but is more likely to occur now that the SAFETEA-LU legislation has called for a coordinated plan. Although the Albany County DSS did not renew their contract with ACCESS in 2003, they did choose to continue to broker trips with an outside vendor rather than bring that operation back in-house. Obviously, the brokerage concept is one that has merit. From an efficiency standpoint, it does not make sense to have two firms brokering medical trips in the same region. Ultimately, there should only be one broker in the region if coordination is to be totally successful in the Capital District.

### ***1993 New Visions:***

In 1993, CDTC undertook a major effort to draft a comprehensive "New Visions" Regional Transportation Plan. The 1993 New Visions effort was built around a substantial public participation process. Initially, two public scoping meetings were held to solicit input regarding the structure of New Visions and the topics identified for further exploration. This effort created nine task forces to delve into a variety of transportation issues. One task force, "Special Transportation Needs" was created to identify the current and potential future needs of the elderly and mobility disabled populations. Table 5 below identifies the membership of this task force. In December 1993, the Special Transportation Needs "white paper" was published. This paper identified current demographic and transportation conditions and attendant 2015 conditions. The report theorized that in 2015, 73 percent of the 60+ population will be licensed to drive, and that 23 percent of all licensed drivers will be age 60 and above. Further, it was

estimated that the number of mobility disabled adults would increase by 5600 over 1990 levels by 2015 (or by 25 percent), and that 80 percent of that increase would be in the 65+ age cohort. These trends all have an impact on the transportation expectations and realities of these two population groups. The white paper identified seven issues requiring further study and six candidate actions to address the seven issues. One issue--barriers to coordination was identified as requiring further study. The white paper summed that “*significant barriers to coordination of special transportation service exist. Coordination offers the best alternative to improve the amount of service provided, the geographic areas served and to reduce costs.*”

The white paper also identified several candidate actions that should be explored. One action would mandate that all section 16 (currently section 5310) procured vehicles be part of a coordinated system. A second candidate action would encourage human service agencies to place agency procured vehicles in a coordinated system. A third action would eliminate barriers to using school buses for non-school related transportation.

**TABLE 5**  
**SPECIAL TRANSPORTATION NEEDS TASK FORCE**  
**PARTICIPATING AGENCIES**

|   |
|---|
| Capital District Transportation Authority   |
| Capital District Transportation Committee   |
| Cerebral Palsy Center for the Disabled  |
| New York State Department of Transportation-Region 1 Planning                     |
| New York State Department of Transportation-Transit Program and Evaluation Bureau |
| Rensselaer County Office for the Aging  |
| Saratoga County Association for Retarded Citizens                                 |
| Schenectady County Office for the Aging   |
| Upstate Transit   |

CDTC hosted a conference about the future of transportation in the region in December 1993. The Special Transportation Needs “white paper” was presented at this conference, along with the white papers that were developed by the remaining eight task forces. The nine task forces used the results of this conference to guide Phase 2 of the New Visions work—technical analysis of the issues and policy choices presented in the white papers. The Phase 2 Summary Report was completed in November 1995. The Phase 2 efforts of the Special Transportation Needs Task Force identified Planning and Investment Principles and an Action Plan. Although the report is over 10 years old, the principles, recommendations and action plan were carried forth in the New Visions 2025 Plan.

The first Planning and Investment Principle identified in the Special Transportation Needs Summary Report states that “*better utilization of existing vehicles and programs is preferable to*

*capital expansion*". It was recommended that a "*plan to integrate the services offered by human service agencies and CDTA should be developed and followed*".

Six actions were identified from the Phase 2 effort:

1. Expand geographic coverage of the existing paratransit system so that heavily populated suburban areas (such as Clifton Park) are served.
2. Strongly encourage coordination of all agency operated vehicles in order to increase service availability throughout the region.
3. Increase investment in mobility training for mobility impaired individuals.
4. Integrate land use and transportation policy through better site design practices.
5. Adopt a region-wide program to replace street and highway signs with signs that have enhanced reflectivity and increased letter heights to accommodate the visual needs of the older driver.
6. Establish a community based transportation system in suburban areas of the Capital District.

### ***Saratoga County Transportation Collaboration Committee:***

In June 1995, the Ballston Spa Central School District convened a group of Saratoga County agencies (Table 6) for the purpose of discussing the potential of coordination of transportation in Saratoga County. This group met several times and conducted a small scale survey of the human service agencies located in Saratoga County in an attempt to identify areas where coordination could begin to happen. Thirty-one agencies responded to the survey. One idea emerged—the creation of a substitute driver pool that all agencies could draw from. This group did not get much further than formulating the idea on paper. However, this committee had success in that local agencies began dialogue and informal emergency basis transportation sharing began amongst some agencies.

### ***Welfare to Work:***

During 1998, CDTA submitted two grant applications requesting monies to provide transportation and other services to people transitioning from welfare to work. These were submitted on behalf of a regional committee that was formed to grapple with these issues. The committee consisted of members from the Department of Social Services representatives, Job Training Partnership Agency / Employment & Training Agency personnel, Albany Co. Dept. of Economic Development, Private Industry Council representatives, and staff from: CDTA, Access Transit, the Capital District Transportation Committee (MPO), and Albany Career Central). CDTA was notified in the spring of 1999 that they were approved for monies from both the New York State Temporary Assistance to Needy Families (TANF) Grant (\$900,000 over 19 months) and the Federal Transit Administration's Access to Jobs (JARC) Grant (\$497,000 over one year). CDTA continued to receive monies under these program titles through 2006. In September 2000, CDTA submitted a grant application to the New York State Department of Labor for welfare to work monies under the Community Solutions for Transportation (CST) program (which replaced the TANF grant program). Under this program, CDTA submitted an application on behalf of the four counties (Albany, Rensselaer, Saratoga and Schenectady) for \$1,989,000. CDTA was awarded the grant.

These monies were used to extend existing CDTA routes, add and extend suburban shuttle

services, provide service in Saratoga County and continue a transit pass program. This grant was further supplemented by \$1.4M in July 2002 in recognition of the region's successful program. CDTA also applied for a second year JARC grant for \$497,000 under the JARC 2000 program. CDTA was not awarded monies under this program, but was provided an earmark of \$250,000 under the JARC 2001 program. Given this reduced amount, CDTA refined its Welfare to Work program, focusing on individual trip planners, brokerage services and community and employer outreach. CDTA received an additional \$497,000 award under the JARC 2003. This grant keeps the program of the Brokerage Safety Net program, the trip planners, and support for Transit-to-Jobs going until the end of calendar year 2006.

The Job Access and Reverse Commute program of projects was developed by the Capital District Transportation Authority in conjunction with the Capital Region Access to Jobs Transportation Committee and with the business community, the Chamber of Commerce and local community-based groups. The program is a comprehensive, coordinated approach towards increasing access to jobs for the Region's TANF and low-income population.

CST funding was cut from the NYS budget in 2006 and a small portion was reinstated at the eleventh hour in September 2006 (see Table 7). A level funding level is proposed in the Governor's 2007/08 budget, subject to legislative approval, but there is no state multi-year commitment to the program. JARC funding, through the passage of SAFETEA-LU is now a formula-based allocation. These funds are not sufficient to continue the Welfare-to-Work program at the level of intensity that it once knew. Transit passes are distributed to fewer households, with each County setting the eligibility parameters. Most Counties chose to favor TANF recipients over those who qualify for TANF (within 200% of federal poverty level) as a way to stretch the available resources. New transit expansions are no longer being funded by this fund source, but rather are considered subject to performance evaluation similar to all transit service. The funding stream between the combination of JARC and CST will allow for the continuation of trip planners, the Brokerage Safety Net program and a limited pass program. CDTA has worked with the counties to provide a "super discounted" pass to fill the gap that was created with the reduced CST funding, and Albany and Rensselaer Counties have contributed part of their block grant funding to insure the basic need is met.

Starting 2007, CDTA will be required to apply for JARC funds through a solicitation that will be drafted by the RTCC. Consequently CDTA's use of JARC in future years will be dependent on the strength of their application and its consistency with the "Coordinated Plan" that is now a requirement of the SAFETEA-LU legislation. Also, CDTA's past use of CST funds to provide matching funds for JARC on a programmatic basis is no longer allowed under the federal regulations, which means that a different source of match will need to be identified.

### ***United We Ride:***

During 2004, the US Department of Transportation, with its partners at the US Departments of Health and Human Services, Labor and Education, launched *United We Ride*--a five-part initiative--to break down the barriers between programs and set the stage for local partnerships that generate common sense solutions and deliver A-plus performance for everyone who needs

**TABLE 6**  
**SARATOGA COUNTY TRANSPORTATION COLLABORATION**  
**COMMITTEE PARTICIPATING AGENCIES**

|   |  |
|---|--|
| Alternatives in Mankind<br>Saratoga Springs                           | Saratoga County Department of Mental Health<br>Saratoga Springs                        |
| American Cancer Society<br>Schenectady                                | Saratoga County Department of Social Services<br>Ballston Spa                          |
| Ballston Spa Central School Transportation Department<br>Ballston Spa | Saratoga County Economic Opportunity Council<br>Saratoga Springs                       |
| CAPTAIN<br>Clifton Park   | Saratoga County Office for the Aging<br>Ballston Spa                                   |
| City of Saratoga Springs Planning Dep't<br>Saratoga Springs           | Saratoga County Options for Independent Living<br>Saratoga Springs                     |
| Doubleday Woods<br>Ballston Spa                                       | Saratoga County Veterans Agency<br>Saratoga Springs                                    |
| Even Start<br>Ballston Spa  | Shenendehowa Central School District Transportation Department<br>Clifton Park         |
| Evergreen Adult Day Care<br>Ballston Spa                              | Shenendehowa Senior Citizens<br>Clifton Park   |
| Family Matters of EOC<br>Saratoga Springs                             | Town of Clifton Park Senior Van<br>Clifton Park  |
| Glens Falls Association for the Blind<br>Glens Falls                  | Transit Connection<br>Glens Falls  |
| JPTA Horizon Project at Empire State College<br>Saratoga Springs      | WSWHE BOCES<br>Saratoga Springs  |
| Northeast Career Planning<br>Saratoga Springs                         | Capital District Transportation Authority<br>Capital District Transportation Committee |
| Project Head Start<br>Ballston Spa                                    | New York State Department of Labor   |
| Saratoga ARC<br>Ballston Spa  | New York State Department of Transportation  |
| Saratoga County Department of Employment and Training<br>Ballston Spa |  |

**TABLE 7**  
**COMMUNITY SOLUTIONS FOR TRANSPORTATION VII ALLOCATIONS**

|  | <b>Albany</b>    | <b>Schenectady</b> | <b>Rensselaer</b> | <b>Total</b>     |
|--|------------------|--------------------|-------------------|------------------|
| CST VII Allocation   | \$54,852         | \$43,174           | \$18,402          | \$116,428        |
| FFFS Additional Contribution                                     | \$62,148         | \$0                | \$6,598           | \$68,746         |
| <b>Total</b>   | <b>\$117,000</b> | <b>\$43,174</b>    | <b>\$25,000</b>   | <b>\$185,174</b> |
| Unit Cost per Pass<br>(\$36/pass plus \$3.60 (10%)<br>admin fee) | \$39.60          | \$39.60            | \$39.60           |                  |
| Number of Passes this<br>will buy (total, rounded)               | 2955             | 1090               | 631               | 4676             |
| Number of Passes per<br>Month (12 month program)                 | 246              | 91                 | 53                | 390              |

*Source: CDTA*

transportation. During 2004, NYSDOT developed a partnership with Albany County in the United We Ride effort. The Albany County Department of Social Services is administering the effort. A Human Services Transportation Steering Committee was established to guide and inform program activities, particularly related to coordination of human service transportation. County departments, CDTC, CDTA, the Council of Community Services and MTM are members of the steering committee. Albany County submitted an application for an additional \$25,000 in funding to initiate a formal “Mobility Management Program”. The county has been notified that their application was approved, but the county has not yet received the grant. In the interim, the county worked with the regional committee that was formed to satisfy the coordination requirements of SAFETEA-LU, on a survey of human service agencies that both provide, contract or have clients in need of specialized transportation. The survey was conducted in the fall of 2006. Over 500 survey questionnaires were mailed to human service agencies located in the four counties. About 200 were completed and returned. Albany County is working on summarizing the results from Albany county respondents, and CDTC staff is summarizing the results from the remaining three counties. The two data bases will be merged and one report will be drafted that documents the survey results. The survey information will provided the information needed to proceed with the “coordinated plan” that is now required under the SAFETEA-LU legislation.

A maintenance sub-group was created because of dialogue that began from the United We Ride effort. The Maintenance Subgroup is looking into developing a joint purchasing initiative among non profit agencies for vehicle maintenance services and parts, as well as insurance. The goal of such an initiative is to help control or reduce the costs to agencies of operating their human service transportation programs.

***2005 Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users:***

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), was signed into law by the president on August 5, 2005 and requires that projects selected for funding under the Elderly Individuals and Individuals with Disabilities



(Section 5310), JARC, and New Freedom programs be “derived from a locally developed, coordinated public transit-human services transportation plan” and that the plan be “developed through a process that includes representatives of public, private, and nonprofit transportation and human services providers and participation by the public.”

Drawing on feedback from stakeholder meetings as well as FTA experience through the United We Ride initiative and the JARC program, FTA proposes that the key elements of a coordinated plan include the following:

- ◆ An assessment of transportation needs for individuals with disabilities, older adults, and persons with limited incomes;
- ◆ An inventory of available services that identifies areas of redundant service and gaps in service;
- ◆ Strategies to address the identified gaps in service;
- ◆ Identification of coordination actions to eliminate or reduce duplication in services and strategies for more efficient utilization of resources; and,
- ◆ Prioritization of implementation strategies

As evidenced above, CDTC, CDTA and others have recognized the merits of coordination, but have often been encumbered due to real and perceived barriers, including regulatory issues. The coordination requirements under the SAFETEA-LU legislation are a good first step toward addressing these issues.

## **REGIONAL PROFILE**

In order to create a coordinated plan for the Capital Region, not only has the RTCC conducted a survey of human service agencies, but the CDTC staff has put together a regional profile to help fill in the data gaps that are needed to create a “picture” of the region.

The 2000 Decennial Census collected information from each person residing in the United States regarding age, income, place of residence, disability and other similar characteristics. The 2000 Census long form requested information from approximately 1 out of 6 households on employment location, employment type, means of transportation to work, housing characteristics, and disability. Most of the data shown below are summarized from the 2000 Census effort.

**Population**--In 2000, the population for the region was about 794,000, over one-third of the regions population resides in Albany County. However, population growth has been quite stagnant in the region, with the only significant growth occurring in Saratoga County. The United States Census Bureau estimates that the 2005 population in the Capital District was 816,602. Table 8 shows population growth in the region. As shown in Table 8, it is expected that the population in the region will increase by 6.8 percent (53,814 persons) between 2000 and 2030, with the majority (32,998 persons) of that increase locating in Saratoga County. While some of that growth is expected to occur in the city of Saratoga Springs, about 80 percent will occur in the surrounding suburbs and rural areas. Suburbs and rural areas are traditionally difficult to serve with transit and other services. Thus there will be an increased reliance on coordination if people of the Capital Region are to be served.

**TABLE 8  
HISTORIC and PROJECTED POPULATION GROWTH**

|                               | 1980<br>Population | 1990<br>Population | Growth<br>1980-<br>1990 | 2000<br>Population | Growth<br>1990-<br>2000 | 2010<br>Population | Projected<br>Growth<br>2000-<br>2010 | 2020<br>Population | Projected<br>Growth<br>2010-<br>2020 |
|-------------------------------|--------------------|--------------------|-------------------------|--------------------|-------------------------|--------------------|--------------------------------------|--------------------|--------------------------------------|
| <b>Albany<br/>County</b>      | 285,909            | 292,793            | 2.4%                    | 294,565            | 0.6%                    | 302,162            | 2.6%                                 | 307,201            | 1.7%                                 |
| <b>Rensselaer<br/>County</b>  | 151,966            | 154,429            | 1.6%                    | 152,538            | -1.2%                   | 156,602            | 2.7%                                 | 158,579            | 1.3%                                 |
| <b>Saratoga<br/>County</b>    | 153,759            | 181,276            | 17.9%                   | 200,635            | 10.7%                   | 219,391            | 9.3%                                 | 233,633            | 6.5%                                 |
| <b>Schenectady<br/>County</b> | 149,946            | 149,285            | -0.4%                   | 146,555            | -1.8%                   | 147,939            | 0.9%                                 | 148,694            | 0.5%                                 |
| <b>Capital<br/>District</b>   | <b>741,580</b>     | <b>777,783</b>     | <b>4.9%</b>             | <b>794,293</b>     | <b>2.1%</b>             | <b>826,094</b>     | <b>4.0%</b>                          | <b>848,107</b>     | <b>2.7%</b>                          |

*Source: CDRPC*

Table 9 displays the population by age group. Table 9 shows that nearly 14 percent of the population is age 65+, a full 10.5% is age 70 + and 4% is over 80 years of age. With the first of the baby boomer generation entering their 60's, the percent of elderly persons residing in the Capital District is expected to increase. Table 10 shows the expected increase in population by age. The elderly of today are more active than their counterparts of 20 years ago, and many are staying in their homes in the suburbs. This will put pressure on the types of services that will be required in the future.

**Households**--In 2000, there were 318,240 households. Of these, 11 percent were zero vehicle households, 36 percent were one vehicle households, 39 percent owned two vehicles, 10 percent owned 3 vehicles and 3 percent owned four or more vehicles. With regard to poverty, a full 9.3 percent of households in 2000 had incomes below the 1999 poverty threshold, and another 7.3 percent had incomes between 100 and 150 percent of the poverty threshold. Table 11 details household data by vehicle availability and poverty.

**Employment**--In 2000, approximately 616,000 people in the Capital District are aged 16+. Of these, about 390,000, or 63 percent were employed. Almost 40 percent of the area's employed residents were in management, professional, and related occupations. Another 40 percent were employed in sales and office (28%) and service (14%) industries. Construction, production, transportation and maintenance occupations make of the bulk of the remainder. Table 12 identifies the occupations of Capital District residents.

The Capital District Regional Planning Commission (CDRPC) has been working on employment and population forecasts for the Capital District. CDRPC assembled 2000 and 2005 employment data to use as a basis for their growth projections. The source of the CDRPC data is from the NYS Labor Department. These data differ slightly from the Census data because of definitional inconsistencies. The Department of Labor data show that the 1990 employment was almost 429,000 and that this figure rose to 437,000 in 2005.

**TABLE 9  
CAPITAL DISTRICT  
POPULATION BY AGE GROUP**

| <b>Age Category</b>   | <b>Population</b> | <b>Percent of Total</b> |
|-----------------------|-------------------|-------------------------|
| 1-15                  | 167,800           | 21.1%                   |
| 16-20                 | 56,841            | 7.2%                    |
| 21-39                 | 210,283           | 26.5%                   |
| 40-59                 | 218,292           | 27.5%                   |
| 60-61                 | 12,973            | 1.6%                    |
| 62-64                 | 17,250            | 2.2%                    |
| 65-66                 | 10,700            | 1.3%                    |
| 67-69                 | 16,948            | 2.1%                    |
| 70-74                 | 27,792            | 3.5%                    |
| 75-79                 | 23,706            | 3.0%                    |
| 80-84                 | 17,155            | 2.2%                    |
| 85+                   | 14,553            | 1.8%                    |
| <b>Total All Ages</b> | <b>794,293</b>    | <b>100.0%</b>           |

*Source: 2000 Census*

**TABLE 10  
POPULATION PROJECTIONS BY AGE**

| <b>Capital District</b> | <b>Age Cohort Projections</b> |             |             |             |             |             |             | <b>Age Cohort Projection Distributions</b> |             |             |             |             |             |             |
|-------------------------|-------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|--|-------------|-------------|-------------|-------------|-------------|-------------|
|                         | <b>1980</b>                   | <b>1990</b> | <b>2000</b> | <b>2010</b> | <b>2020</b> | <b>2030</b> | <b>2040</b> | <b>1980</b>                                | <b>1990</b> | <b>2000</b> | <b>2010</b> | <b>2020</b> | <b>2030</b> | <b>2040</b> |
| <b>Under 5</b>          | 46,447                        | 53,254      | 47,919      | 48,456      | 47,530      | 51,093      | 51,973      | 6.3%                                       | 6.8%        | 6.0%        | 5.9%        | 5.6%        | 5.9%        | 5.9%        |
| <b>5 to 9</b>           | 50,305                        | 50,848      | 54,002      | 50,377      | 49,202      | 53,169      | 54,282      | 6.8%                                       | 6.5%        | 6.8%        | 6.1%        | 5.8%        | 6.1%        | 6.1%        |
| <b>10 to 14</b>         | 59,810                        | 47,433      | 55,490      | 53,715      | 53,906      | 53,177      | 57,674      | 8.1%                                       | 6.1%        | 7.0%        | 6.5%        | 6.4%        | 6.1%        | 6.5%        |
| <b>15 to 19</b>         | 71,530                        | 55,674      | 56,540      | 62,589      | 58,642      | 57,847      | 62,079      | 9.6%                                       | 7.2%        | 7.1%        | 7.6%        | 6.9%        | 6.7%        | 7.0%        |
| <b>20 to 24</b>         | 69,190                        | 66,576      | 51,402      | 60,877      | 59,337      | 59,447      | 59,241      | 9.3%                                       | 8.6%        | 6.5%        | 7.4%        | 7.0%        | 6.9%        | 6.7%        |
| <b>25 to 34</b>         | 118,917                       | 132,140     | 104,589     | 98,697      | 115,039     | 109,725     | 109,914     | 16.0%                                      | 17.0%       | 13.2%       | 11.9%       | 13.6%       | 12.7%       | 12.4%       |
| <b>35 to 44</b>         | 79,917                        | 119,857     | 129,167     | 109,919     | 104,438     | 122,567     | 118,404     | 10.8%                                      | 15.4%       | 16.3%       | 13.3%       | 12.3%       | 14.1%       | 13.4%       |
| <b>45 to 54</b>         | 75,727                        | 77,589      | 114,635     | 124,138     | 105,827     | 100,973     | 118,569     | 10.2%                                      | 10.0%       | 14.4%       | 15.0%       | 12.5%       | 11.6%       | 13.4%       |
| <b>55 to 64</b>         | 76,504                        | 67,743      | 69,872      | 103,268     | 111,869     | 95,107      | 90,854      | 10.3%                                      | 8.7%        | 8.8%        | 12.5%       | 13.2%       | 11.0%       | 10.3%       |
| <b>65 to 74</b>         | 55,278                        | 60,103      | 55,038      | 56,391      | 82,883      | 89,438      | 76,125      | 7.5%                                       | 7.7%        | 6.9%        | 6.8%        | 9.8%        | 10.3%       | 8.6%        |
| <b>75 and Over</b>      | 37,955                        | 46,566      | 55,639      | 57,667      | 59,434      | 74,457      | 85,716      | 5.1%                                       | 6.0%        | 7.0%        | 7.0%        | 7.0%        | 8.6%        | 9.7%        |
| <b>Total</b>            | 741,580                       | 777,783     | 794,293     | 826,094     | 848,107     | 867,000     | 884,831     | 100.0%                                     | 100.0%      | 100.0%      | 100.0%      | 100.0%      | 100.0%      | 100.0%      |

*Source: CDRPC*

**TABLE 11**  
**HOUSEHOLD VEHICLE AVAILBILTY BY POVERTY STATUS**

| <b>VEHICLE AVAILABILITY</b> | <b>Type of Household</b>                                      | <b>Albany County</b> | <b>Rensselaer County</b> | <b>Saratoga County</b> | <b>Schenectady County</b> | <b>Capital District</b> |
|-----------------------------|---|----------------------|--------------------------|------------------------|---------------------------|-------------------------|
| <b>All HHs</b>              | All Incomes   | 120645               | 59830                    | 78225                  | 59730                     | 318430                  |
|                             | Below poverty   | 12935                | 5935                     | 4685                   | 6190                      | 29745                   |
|                             | With incomes between 100 and less than 150 percent of poverty | 9095                 | 4620                     | 4880                   | 4635                      | 23230                   |
|                             | With incomes equal to or greater than 150 percent of poverty  | 98615                | 49275                    | 68660                  | 48910                     | 265460                  |
| <b>0-vehicles</b>           | All Incomes   | 17140                | 6905                     | 4370                   | 7360                      | 35775                   |
|                             | Below poverty   | 5470                 | 2280                     | 1035                   | 2490                      | 11275                   |
|                             | With incomes between 100 and less than 150 percent of poverty | 3125                 | 1270                     | 905                    | 1485                      | 6785                    |
|                             | With incomes equal to or greater than 150 percent of poverty  | 8545                 | 3350                     | 2435                   | 3385                      | 17715                   |
| <b>1-vehicle</b>            | All Incomes   | 46815                | 21485                    | 25225                  | 22630                     | 116155                  |
|                             | Below poverty   | 5050                 | 2405                     | 2230                   | 2680                      | 12365                   |
|                             | With incomes between 100 and less than 150 percent of poverty | 4250                 | 2255                     | 2320                   | 2220                      | 11045                   |
|                             | With incomes equal to or greater than 150 percent of poverty  | 37515                | 16825                    | 20675                  | 17730                     | 92745                   |
| <b>2-vehicles</b>           | All Incomes   | 43165                | 22665                    | 36130                  | 22250                     | 124210                  |
|                             | Below poverty   | 1790                 | 985                      | 1185                   | 805                       | 4765                    |
|                             | With incomes between 100 and less than 150 percent of poverty | 1355                 | 895                      | 1370                   | 755                       | 4375                    |
|                             | With incomes equal to or greater than 150 percent of poverty  | 40020                | 20785                    | 33575                  | 20690                     | 115070                  |
| <b>3-vehicles</b>           | All Incomes   | 10505                | 6625                     | 9575                   | 5875                      | 32580                   |
|                             | Below poverty   | 485                  | 175                      | 165                    | 140                       | 965                     |
|                             | With incomes between 100 and less than 150 percent of poverty | 310                  | 140                      | 205                    | 130                       | 785                     |
|                             | With incomes equal to or greater than 150 percent of poverty  | 9710                 | 6310                     | 9205                   | 5605                      | 30830                   |
| <b>4-or-more-vehicles</b>   | All Incomes   | 3015                 | 2155                     | 2920                   | 1615                      | 9705                    |
|                             | Below poverty   | 135                  | 90                       | 75                     | 70                        | 370                     |
|                             | With incomes between 100 and less than 150 percent of poverty | 55                   | 60                       | 80                     | 45                        | 240                     |
|                             | With incomes equal to or greater than 150 percent of poverty  | 2825                 | 2005                     | 2770                   | 1495                      | 9095                    |

Source: 2000 Census

**TABLE 12**  
**2000 EMPLOYMENT BY OCCUPATION**

|  | Albany<br>County | Rensselaer<br>County | Saratoga<br>County | Schenectady<br>County | Capital<br>District |
|--|------------------|----------------------|--------------------|-----------------------|---------------------|
| <b>Total Employment</b>  | <b>144,480</b>   | <b>75,214</b>        | <b>102,898</b>     | <b>67,713</b>         | <b>390,305</b>      |
| <b>Management, professional, and related occupations:</b>          | <b>61,112</b>    | <b>26,992</b>        | <b>41,042</b>      | <b>24,747</b>         | <b>153,893</b>      |
| Management, business, and financial operations occupations         | 22,055           | 9,776                | 15,531             | 8,402                 | 55,764              |
| Professional and related occupations                               | 39,057           | 17,216               | 25,511             | 16,345                | 98,129              |
| Computer and mathematical occupations                              | 4,424            | 2,342                | 2,962              | 1,859                 | 11,587              |
| Architecture and engineering occupations:                          | 2,985            | 1,559                | 3,326              | 2,190                 | 10,060              |
| Life, physical, and social science occupations                     | 2,239            | 899                  | 1,187              | 894                   | 5,219               |
| Community and social services occupations                          | 3,774            | 1,405                | 1,565              | 1,522                 | 8,266               |
| Legal occupations  | 3,628            | 846                  | 1,225              | 802                   | 6,501               |
| Education, training, and library occupations                       | 10,124           | 5,088                | 7,503              | 4,453                 | 27,168              |
| Arts, design, entertainment, sports, and media occupations         | 2,809            | 1,148                | 2,036              | 900                   | 6,893               |
| Healthcare practitioners and technical occupations:                | 9,074            | 3,929                | 5,707              | 3,725                 | 22,435              |
| <b>Service occupations:</b>  | <b>20,106</b>    | <b>10,557</b>        | <b>13,835</b>      | <b>10,621</b>         | <b>55,119</b>       |
| Healthcare support occupations                                     | 3,044            | 1,695                | 2,084              | 1,891                 | 8,714               |
| Protective service occupations:                                    | 3,141            | 1,536                | 1,858              | 1,342                 | 7,877               |
| Fire fighting, prevention, and law enforcement workers             | 2,099            | 926                  | 1,162              | 869                   | 5,056               |
| Other protective service workers, including supervisors            | 1,042            | 610                  | 696                | 473                   | 2,821               |
| Food preparation and serving related occupations                   | 7,012            | 3,450                | 4,614              | 3,453                 | 18,529              |
| Building and grounds cleaning and maintenance occupations          | 3,516            | 2,313                | 2,546              | 1,978                 | 10,353              |
| Personal care and service occupations                              | 3,393            | 1,563                | 2,733              | 1,957                 | 9,646               |
| <b>Sales and office occupations:</b>                               | <b>41,701</b>    | <b>21,127</b>        | <b>27,709</b>      | <b>19,595</b>         | <b>110,132</b>      |
| Sales and related occupations                                      | 14,179           | 6,553                | 11,526             | 7,009                 | 39,267              |
| Office and administrative support occupations                      | 27,522           | 14,574               | 16,183             | 12,586                | 70,865              |
| <b>Farming, fishing, and forestry occupations</b>                  | <b>168</b>       | <b>179</b>           | <b>379</b>         | <b>62</b>             | <b>788</b>          |
| <b>Construction, extraction, and maintenance occupations</b>       | <b>8,945</b>     | <b>6,804</b>         | <b>8,228</b>       | <b>5,104</b>          | <b>29,081</b>       |
| <b>Production, transportation, and material moving occupations</b> | <b>12,448</b>    | <b>9,555</b>         | <b>11,705</b>      | <b>7,584</b>          | <b>41,292</b>       |

*Source: 2000 Census*

With regard to potential growth, CDRPC developed several growth scenarios in an attempt to bracket the regions growth potential. Under the “status quo” growth scenario, the CDRPC figures show that employment in the region will rise to 436,000 in 2030, an 11.3% increase over 2005 levels. Table 13 shows the CDRPC/NYS Labor Department employment data by employment sector. It is expected that there will be a 9% increase in population and 15 percent increase in households by 2030.

**Poverty**--In 2000, about 70,500 or 9.2 percent of the region’s population was considered to have incomes below the 1999 poverty level. The percent below poverty in Albany and Schenectady counties is slightly higher than the region’s average, and it is much lower in Saratoga County and is about the region’s average in Rensselaer County. Poverty in Saratoga County consisted of

only 5.7 percent of the population. Of those living with incomes below the 1999 poverty threshold in Albany County, almost 10 percent were persons 65 years. Table 14 summarizes the poverty statistics by county and age.

**TABLE 13**  
**CDRPC/NYS Labor Department Employment Data by Employment Sector**

|                  | Employment Type | Employment     |                |                | Growth     |
|------------------|-----------------|----------------|----------------|----------------|------------|
|                  |                 | 2000           | 2005           | 2030           | 2000-30    |
| Albany           | Retail          | 38,603         | 38,297         | 43,117         | 12%        |
|                  | Services        | 74,751         | 78,554         | 87,685         | 17%        |
|                  | FIRE            | 24,276         | 23,323         | 25,661         | 6%         |
|                  | Other           | 105,266        | 99,519         | 105,610        | 0%         |
|                  | <b>Total</b>    | <b>242,896</b> | <b>239,693</b> | <b>262,073</b> | <b>8%</b>  |
| Rensselaer       | Retail          | 9,734          | 9,702          | 10,639         | 9%         |
|                  | Services        | 17,783         | 18,635         | 21,522         | 21%        |
|                  | FIRE            | 4,189          | 3,952          | 4,448          | 6%         |
|                  | Other           | 21,117         | 20,002         | 20,719         | -2%        |
|                  | <b>Total</b>    | <b>52,823</b>  | <b>52,291</b>  | <b>57,328</b>  | <b>9%</b>  |
| Saratoga         | Retail          | 17,348         | 20,409         | 25,045         | 44%        |
|                  | Services        | 19,753         | 22,223         | 28,724         | 45%        |
|                  | FIRE            | 4,481          | 5,618          | 7,114          | 59%        |
|                  | Other           | 26,858         | 28,947         | 36,066         | 34%        |
|                  | <b>Total</b>    | <b>68,440</b>  | <b>77,197</b>  | <b>96,949</b>  | <b>42%</b> |
| Schenectady      | Retail          | 11,558         | 12,076         | 12,564         | 9%         |
|                  | Services        | 25,375         | 27,301         | 27,890         | 10%        |
|                  | FIRE            | 3,530          | 3,845          | 4,053          | 15%        |
|                  | Other           | 24,177         | 24,694         | 25,444         | 5%         |
|                  | <b>Total</b>    | <b>64,640</b>  | <b>67,916</b>  | <b>69,951</b>  | <b>8%</b>  |
| Capital District | Retail          | 77,243         | 80,484         | 91,365         | 18%        |
|                  | Services        | 137,662        | 146,713        | 165,821        | 20%        |
|                  | FIRE            | 36,476         | 36,738         | 41,276         | 13%        |
|                  | Other           | 177,418        | 173,162        | 187,839        | 6%         |
|                  | <b>Total</b>    | <b>428,799</b> | <b>437,097</b> | <b>486,301</b> | <b>13%</b> |

*Source: CDRPC*

**TABLE 14  
POVERTY DISTRIBUTION BY AGE**

|   | Albany County |  | Rensselaer County |  | Saratoga County |  | Schenectady County |  | Capital District |   |
|---|---------------|--|-------------------|--|-----------------|--|--------------------|--|------------------|---|
| <b>Total Population:</b>                            | 280,096       | % of Total County Population                           | 147,472           | % of Total County Population                           | 196,387         | % of Total County Population                           | 142,308            | % of Total County Population                           | 766,263          | % of Total Population                                 |
| Population with Income in 1999 below poverty level: | 29,745        | 10.60%   | 14,011            | 9.50%  | 11,238          | 5.70%  | 15,560             | 10.90%   | 70,554           | 9.20%   |
| 0 to 17 years                                       | 8,521         | 3.04%  | 1,341             | 0.91%  | 1,329           | 0.68%  | 2,013              | 1.41%  | 7,707            | 1.01%   |
| 18 to 64 years                                      | 18,340        | 6.55%  | 853               | 0.58%  | 962             | 0.49%  | 907                | 0.64%  | 4,191            | 0.55%   |
| 65 years and over                                   | 2,884         | 1.03%  | 698               | 0.47%  | 704             | 0.36%  | 838                | 0.59%  | 3,845            | 0.50%   |
| Population with Income in 1999 below poverty level: | 29,745        | % of County Population with Below Poverty Level Income | 14,011            | % of County Population with Below Poverty Level Income | 11,238          | % of County Population with Below Poverty Level Income | 15,560             | % of County Population with Below Poverty Level Income | 70,554           | % of Total Population with Below Poverty Level Income |
| 0 to 17 years                                       | 8,521         | 28.65%   | 1,341             | 9.57%  | 1,329           | 11.83%   | 2,013              | 12.94%   | 7,707            | 10.92%  |
| 18 to 64 years                                      | 18,340        | 61.66%   | 853               | 6.09%  | 962             | 8.56%  | 907                | 5.83%  | 4,191            | 5.94%   |
| 65 years and over                                   | 2,884         | 9.70%  | 698               | 4.98%  | 704             | 6.26%  | 838                | 5.39%  | 3,845            | 5.45%   |

Source: 2000 Census

**Persons with Disabilities**--Approximately 734,140 persons in the Capital District are aged 5+. The disability status of these persons was estimated from the 2000 census. Approximately 71,000 people have one type of disability, such as a sensory disability, physical disability, mental disability, self-care disability, go outside the home disability, or employment disability. An additional 56,000 people aged 5+ have two or more types of disabilities. Table 15 identifies the disability types of the 17.4 percent of Capital District residents aged 5+ that indicated that they had a disability. Table 16 shows that a disproportionate number of disabled people fall in the age category of 65+. Over one-third of this segment of the population reported a disability. In addition, Table 16 shows the 2000 poverty status by disability. About 15.4 percent of those considered disabled have incomes below the 1999 poverty income threshold.

**Language Barriers**--Of the 746,000 people in the Capital District over the age of 5, a very limited number have a language barrier that prevents them from understanding and/or speaking English. According to the 2000 Census figures, about 7000 residents above the age of 5 that speak English as a second language, speak English "not well" or speak English "not at all". This is less than one percent of the age 5+ population. Table 17 provides more detail on language barriers. It does not appear that language barriers are a significant issue for clients who might benefit from JARC, New freedom or Section 5310 funding.

**TABLE 15**  
**PERSONS WITH DISABILITIES BY DISABILITY TYPE**

|   | Albany<br>County | Percent<br>of Total | Renssela<br>er<br>County | Percent<br>of Total | Saratoga<br>County | Percent<br>of Total | Schenec-<br>tady<br>County | Percent<br>of Total | Capital<br>District | Percent<br>of Total |
|---|------------------|---------------------|--------------------------|---------------------|--------------------|---------------------|----------------------------|---------------------|---------------------|---------------------|
| <b>Total Population Age 5+</b>                      | <b>273,158</b>   |                     | <b>141,263</b>           |                     | <b>184,408</b>     |                     | <b>135,311</b>             |                     | <b>734,140</b>      |                     |
| <b><i>With one type of disability:</i></b>          | <b>27,278</b>    | <b>10.0%</b>        | <b>14,496</b>            | <b>10.3%</b>        | <b>15,035</b>      | <b>8.2%</b>         | <b>14,467</b>              | <b>10.7%</b>        | <b>71,276</b>       | <b>9.7%</b>         |
| Sensory disability                                  | 3,419            | 1.3%                | 1,961                    | 1.4%                | 2,461              | 1.3%                | 2,020                      | 1.5%                | 9,861               | 1.3%                |
| Physical disability                                 | 7,128            | 2.6%                | 3,743                    | 2.6%                | 4,398              | 2.4%                | 3,956                      | 2.9%                | 19,225              | 2.6%                |
| Mental disability                                   | 4,062            | 1.5%                | 2,180                    | 1.5%                | 2,775              | 1.5%                | 2,204                      | 1.6%                | 11,221              | 1.5%                |
| Self-care disability                                | 162              | 0.1%                | 93                       | 0.1%                | 29                 | 0.0%                | 65                         | 0.0%                | 349                 | 0.0%                |
| Go-outside-home disability                          | 3,176            | 1.2%                | 1,379                    | 1.0%                | 1,074              | 0.6%                | 1,675                      | 1.2%                | 7,304               | 1.0%                |
| Employment disability                               | 9,331            | 3.4%                | 5,140                    | 3.6%                | 4,298              | 2.3%                | 4,547                      | 3.4%                | 23,316              | 3.2%                |
| <b><i>With two or more types of disability:</i></b> | <b>21,585</b>    | <b>7.9%</b>         | <b>11,129</b>            | <b>7.9%</b>         | <b>12,147</b>      | <b>6.6%</b>         | <b>11,346</b>              | <b>8.4%</b>         | <b>56,207</b>       | <b>7.7%</b>         |
| Includes self-care disability                       | 6,589            | 2.4%                | 3,248                    | 2.3%                | 3,533              | 1.9%                | 3,663                      | 2.7%                | 17,033              | 2.3%                |
| Does not include self-care disability               | 14,996           | 5.5%                | 7,881                    | 5.6%                | 8,614              | 4.7%                | 7,683                      | 5.7%                | 39,174              | 5.3%                |
| <b>No disability</b>                                | <b>224,295</b>   | <b>82.1%</b>        | <b>115,638</b>           | <b>81.9%</b>        | <b>157,226</b>     | <b>85.3%</b>        | <b>109,498</b>             | <b>80.9%</b>        | <b>606,657</b>      | <b>82.6%</b>        |

*Source: 2000 Census*



**TANF Population**--There were nearly 12,000 Capital District area recipients of Temporary Assistance in January 2006. This figure was down slightly from the January 2005 and January 2004 figures. Although the case load is relatively small compared to the rest of the state (the Capital District comprises 2.1% of the state's caseload), expenditures have been increasing

**TABLE 16  
POVERTY STATUS BY AGE AND DISABILITY**

|  | Albany<br>County | Rensselaer<br>County | Saratoga<br>County | Schenectady<br>County | Capital<br>District |
|--|------------------|----------------------|--------------------|-----------------------|---------------------|
| <b>All Ages 5+</b>                       | <b>263,397</b>   | <b>138,180</b>       | <b>182,270</b>     | <b>133,347</b>        | <b>717,194</b>      |
| <b><i>With a disability:</i></b>         | <b>48,183</b>    | <b>25,471</b>        | <b>26,986</b>      | <b>25,580</b>         | <b>126,220</b>      |
| Income in 1999 below poverty level       | 8,156            | 3,485                | 3,263              | 4,567                 | 19,471              |
| Income in 1999 at or above poverty level | 40,027           | 21,986               | 23,723             | 21,013                | 106,749             |
| <b><i>No disability:</i></b>             | <b>215,214</b>   | <b>112,709</b>       | <b>155,284</b>     | <b>107,767</b>        | <b>590,974</b>      |
| Income in 1999 below poverty level       | 18,800           | 9,042                | 7,129              | 9,263                 | 44,234              |
| Income in 1999 at or above poverty level | 196,414          | 103,667              | 148,155            | 98,504                | 546,740             |
| <b>5 to 15 years:</b>                    | <b>40,989</b>    | <b>23,061</b>        | <b>30,979</b>      | <b>22,408</b>         | <b>117,437</b>      |
| <b><i>With a disability:</i></b>         | <b>2,896</b>     | <b>1,580</b>         | <b>1,936</b>       | <b>1,539</b>          | <b>7,951</b>        |
| Income in 1999 below poverty level       | 732              | 372                  | 305                | 398                   | 1,807               |
| Income in 1999 at or above poverty level | 2,164            | 1,208                | 1,631              | 1,141                 | 6,144               |
| <b><i>No disability:</i></b>             | <b>38,093</b>    | <b>21,481</b>        | <b>29,043</b>      | <b>20,869</b>         | <b>109,486</b>      |
| Income in 1999 below poverty level       | 4,260            | 2,185                | 1,990              | 3,093                 | 11,528              |
| Income in 1999 at or above poverty level | 33,833           | 19,296               | 27,053             | 17,776                | 97,958              |
| <b>16 to 20 years:</b>                   | <b>16,275</b>    | <b>9,291</b>         | <b>11,123</b>      | <b>7,733</b>          | <b>44,422</b>       |
| <b><i>With a disability:</i></b>         | <b>2,200</b>     | <b>1,382</b>         | <b>1,293</b>       | <b>1,018</b>          | <b>5,893</b>        |
| Income in 1999 below poverty level       | 552              | 279                  | 164                | 154                   | 1,149               |
| Income in 1999 at or above poverty level | 1,648            | 1,103                | 1,129              | 864                   | 4,744               |
| <b><i>No disability:</i></b>             | <b>14,075</b>    | <b>7,909</b>         | <b>9,830</b>       | <b>6,715</b>          | <b>38,529</b>       |
| Income in 1999 below poverty level       | 2,465            | 1,456                | 703                | 1,042                 | 5,666               |
| Income in 1999 at or above poverty level | 11,610           | 6,453                | 9,127              | 5,673                 | 32,863              |
| <b>21 to 64 years:</b>                   | <b>166,378</b>   | <b>86,563</b>        | <b>118,016</b>     | <b>80,414</b>         | <b>451,371</b>      |
| <b><i>With a disability:</i></b>         | <b>28,726</b>    | <b>15,317</b>        | <b>15,832</b>      | <b>14,877</b>         | <b>74,752</b>       |
| Income in 1999 below poverty level       | 5,273            | 2,226                | 2,107              | 3,244                 | 12,850              |
| Income in 1999 at or above poverty level | 23,453           | 13,091               | 13,725             | 11,633                | 61,902              |
| <b><i>No disability:</i></b>             | <b>137,652</b>   | <b>71,246</b>        | <b>102,184</b>     | <b>65,537</b>         | <b>376,619</b>      |
| Income in 1999 below poverty level       | 10,790           | 4,732                | 3,840              | 4,414                 | 23,776              |
| Income in 1999 at or above poverty level | 126,862          | 66,514               | 98,344             | 61,123                | 352,843             |
| <b>65 years and over:</b>                | <b>39,755</b>    | <b>19,265</b>        | <b>22,152</b>      | <b>22,792</b>         | <b>103,964</b>      |
| <b><i>With a disability:</i></b>         | <b>14,361</b>    | <b>7,192</b>         | <b>7,925</b>       | <b>8,146</b>          | <b>37,624</b>       |
| Income in 1999 below poverty level       | 1,599            | 608                  | 687                | 771                   | 3,665               |
| Income in 1999 at or above poverty level | 12,762           | 6,584                | 7,238              | 7,375                 | 33,959              |
| <b><i>No disability:</i></b>             | <b>25,394</b>    | <b>12,073</b>        | <b>14,227</b>      | <b>14,646</b>         | <b>66,340</b>       |
| Income in 1999 below poverty level       | 1,285            | 669                  | 596                | 714                   | 3,264               |
| Income in 1999 at or above poverty level | 24,109           | 11,404               | 13,631             | 13,932                | 63,076              |

Source: 2000 Census

annually. In 2006, temporary assistance expenditures were \$3,691,555. In 2005, expenditures were \$3,314,930. The local (county) Social Service districts administer the Temporary Assistance program for their residents. As with the poverty data, Saratoga County has the least number of TANF cases compared to the other three counties. The number of recipients in Albany County is about twice the number of recipients in Rensselaer and Schenectady counties. Table 18 shows the data by county.

**TABLE 17**  
**AGE BY LANGUAGE SPOKEN AT HOME**  
**BY ABILITY TO SPEAK ENGLISH**  
**FOR THE POPULATION 5 YEARS AND OVER**

|                                       | <b>Albany<br/>County</b> | <b>Rensselaer<br/>County</b> | <b>Saratoga<br/>County</b> | <b>Schenectady<br/>County</b> | <b>Capital<br/>District</b> |
|---------------------------------------|--------------------------|------------------------------|----------------------------|-------------------------------|-----------------------------|
| <b>Total Population</b>               | <b>278,018</b>           | <b>143,234</b>               | <b>187,572</b>             | <b>137,584</b>                | <b>746,408</b>              |
| Speak Only English                    | 250,439                  | 133,070                      | 177,563                    | 123,984                       | 685,056                     |
| Speak Other Languages                 | 27,579                   | 10,164                       | 10,009                     | 13,600                        | 61,352                      |
| Speak English "very well"             | 18,403                   | 6,781                        | 7,527                      | 9,342                         | 42,053                      |
| Speak English "well"                  | 6,036                    | 2,148                        | 1,477                      | 2,704                         | 12,365                      |
| Speak English "not well"              | 2,857                    | 1,152                        | 906                        | 1,331                         | 6,246                       |
| Speak English "not at all"            | 283                      | 83                           | 99                         | 223                           | 688                         |
| <b>Persons Aged 5 to 17 years</b>     | <b>49,531</b>            | <b>27,654</b>                | <b>37,121</b>              | <b>26,601</b>                 | <b>140,907</b>              |
| Speak Only English                    | 45,111                   | 25,856                       | 35,493                     | 24,336                        | 130,796                     |
| Speak Other Languages                 | 4,420                    | 1,798                        | 1,628                      | 2,265                         | 10,111                      |
| Speak English "very well"             | 2,996                    | 1,217                        | 1,103                      | 1,643                         | 6,959                       |
| Speak English "well"                  | 864                      | 351                          | 263                        | 402                           | 1,880                       |
| Speak English "not well"              | 539                      | 230                          | 231                        | 198                           | 1,198                       |
| Speak English "not at all"            | 21                       | 0                            | 31                         | 22                            | 74                          |
| <b>Persons Aged 18 to 64 years</b>    | <b>185,587</b>           | <b>94,888</b>                | <b>127,536</b>             | <b>86,636</b>                 | <b>494,647</b>              |
| Speak only English                    | 166,335                  | 87,980                       | 120,582                    | 77,986                        | 452,883                     |
| Speak Other Languages                 | 19,252                   | 6,908                        | 6,954                      | 8,650                         | 41,764                      |
| Speak English "very well"             | 13,011                   | 4,483                        | 5,396                      | 5,975                         | 28,865                      |
| Speak English "well"                  | 4,308                    | 1,580                        | 971                        | 1,782                         | 8,641                       |
| Speak English "not well"              | 1,768                    | 787                          | 551                        | 767                           | 3,873                       |
| Speak English "not at all"            | 165                      | 58                           | 36                         | 126                           | 385                         |
| <b>Persons Aged 65 years and over</b> | <b>42,900</b>            | <b>20,692</b>                | <b>22,915</b>              | <b>24,347</b>                 | <b>110,854</b>              |
| Speak only English                    | 38,993                   | 19,234                       | 21,488                     | 21,662                        | 101,377                     |
| Speak Other Languages                 | 3,907                    | 1,458                        | 1,427                      | 2,685                         | 9,477                       |
| Speak English "very well"             | 2,396                    | 1,081                        | 1,028                      | 1,724                         | 6,229                       |
| Speak English "well"                  | 864                      | 217                          | 243                        | 520                           | 1,844                       |
| Speak English "not well"              | 550                      | 135                          | 124                        | 366                           | 1,175                       |
| Speak English "not at all"            | 97                       | 25                           | 32                         | 75                            | 229                         |

Source: 2000 Census

**TABLE 18**  
**TEMPORARY ASSISTANCE CASES IN THE CAPITAL DISTRICT**

|                                      | January 2004 |               |                    | January 2005 |               |                    | January 2006 |               |                    |
|--------------------------------------|--------------|---------------|--------------------|--------------|---------------|--------------------|--------------|---------------|--------------------|
|                                      | Cases        | Recipients    | Expenditures       | Cases        | Recipients    | Expenditures       | Cases        | Recipients    | Expenditures       |
| Albany                               | 3,377        | 7,647         | \$1,982,145        | 3,273        | 7,290         | \$1,911,551        | 2,897        | 6,139         | \$1,714,181        |
| Rensselaer                           | 1,269        | 2,712         | \$621,640          | 1,283        | ,2961         | \$634,115          | 1,446        | 3,284         | \$808,206          |
| Saratoga                             | 291          | 422           | \$139,975          | 317          | 476           | \$172,256          | 308          | 449           | \$180,851          |
| Schenectady                          | 1,210        | 2,534         | \$653,724          | 1,188        | 2,502         | \$597,008          | 1,337        | 2,752         | \$988,317          |
| <b>Capital District</b>              | <b>6,147</b> | <b>13,315</b> | <b>\$3,397,484</b> | <b>6,061</b> | <b>13,229</b> | <b>\$3,314,930</b> | <b>5,988</b> | <b>12,624</b> | <b>\$3,691,555</b> |
| <b>NYS</b>                           | 306,300      | 622,363       | \$152,060,319      | 305,229      | 615,252       | \$150,725,212      | 298,814      | 595,187       | \$160,385,928      |
| Capital District as a Percent of NYS | 2.01%        | 2.14%         | 2.23%              | 1.99%        | 2.15%         | 2.20%              | 2.00%        | 2.12%         | 2.30%              |

*Source: NYS Office of Temporary and Disability Assistance*

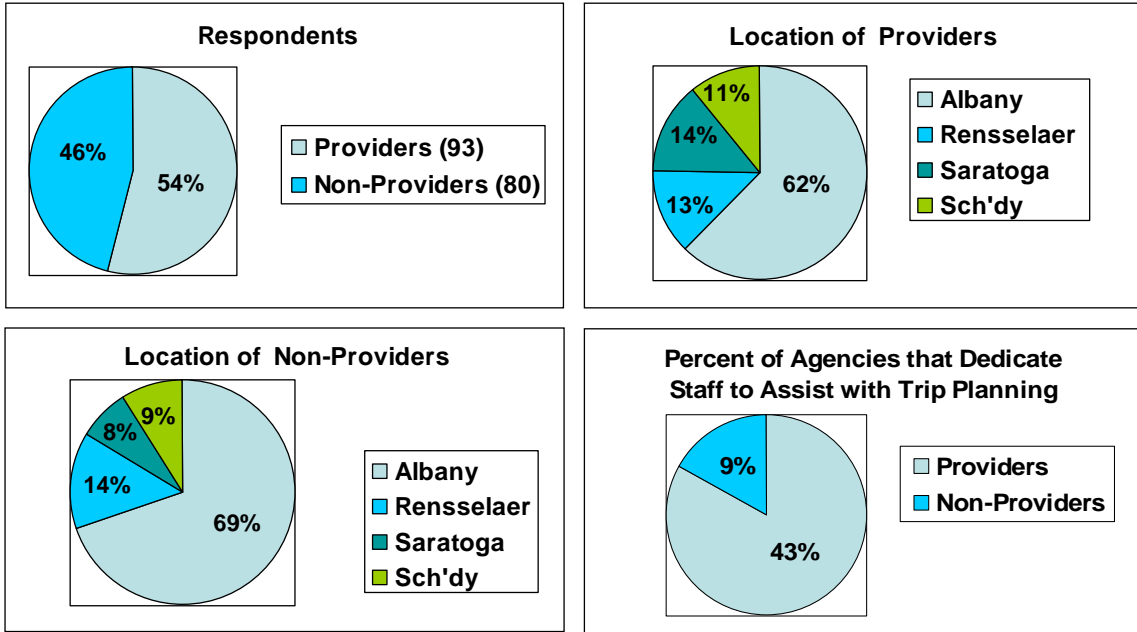
### 2006 HUMAN SERVICE AGENCY SURVEY DATA

As discussed previously, a survey of human service agencies was conducted in the Fall of 2006. The response rate from Albany county agencies was very impressive—about 57 percent responded. The response rate from the remaining three counties—Rensselaer, Saratoga and Schenectady was not as stellar, but a twenty percent response rate was achieved. In total, 173 responses were analyzed. Statistics from the analysis of the 174 responses follows.

Chart 1 depicts the profile of respondents. 93 providers and 80 non-providers completed the survey. 58 of the providers responding are located in Albany County, 12 are located in Rensselaer County, 13 are located in Saratoga County and 10 in Schenectady County. Of the non providers, 55 are located in Albany County, 11 are located in Rensselaer County, 7 are located in Saratoga County and 7 in Schenectady County.

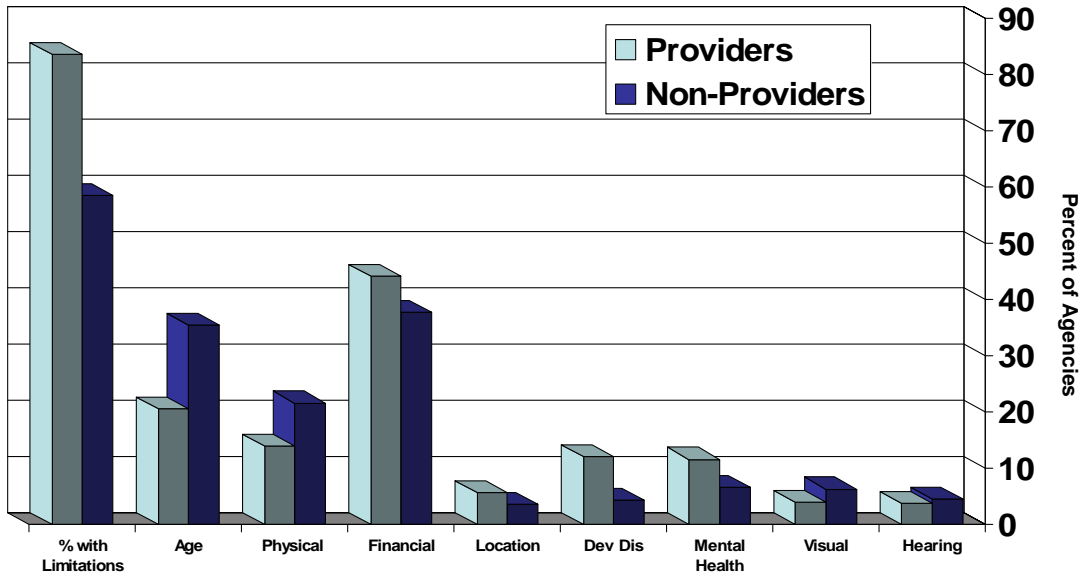
The survey data were also divided into two groups—the first group is from those agencies that directly provide or purchase transportation for their clients. The second group of respondents is those agencies that serve client populations, but do not directly provide, purchase or reimburse their clients for their transportation needs. Many of these agencies, however, expressed concern regarding the unmet transportation needs of their clients. Chart 2 portrays the transportation limitations of the clients served by each type of agency. From Chart 2 it can be concluded that both providers and non-providers serve clients with transportation limitations. In fact, the percentage of clients in each transportation limitation category is nearly the same for most categories. However, it also appears that the majority of those with mental disabilities and developmental disabilities are affiliated with human service agencies that provide transportation.

**Chart 1**  
**Profile of Respondents**



Source: 2006 Survey of Human Service Agencies

**Chart 2**  
**Transportation Limitations of Clients**



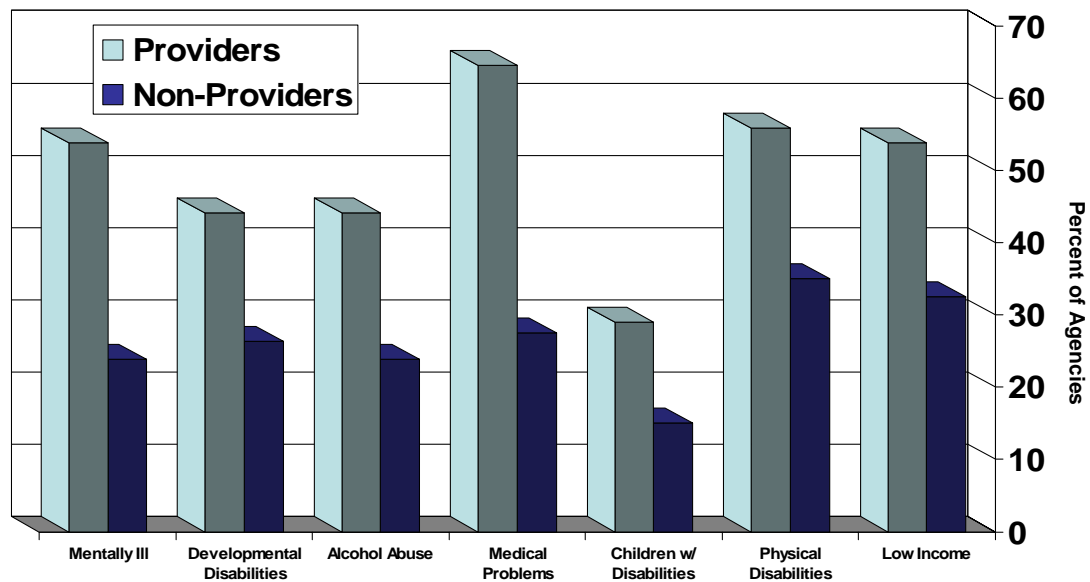
Source: 2006 Survey of Human Service Agencies

Chart 3 depicts the types of special needs groups that are served by human service agencies that provide transportation and those that do not provide transportation. From Chart 3 it can be

concluded that both provides and non-providers serve the same types of population groups. Providers seem to accommodate multiple special needs groups to a higher degree than non-providers.

For example, over 60 percent of the providers indicated that they serve clients with medical problems while only 28 percent of the non-providers serve this group. Fifty-five percent and 35 percent of the providers and non-providers, respectively, reported that they serve clients with physical disabilities.

**Chart 3**  
**Special Needs Groups Served**



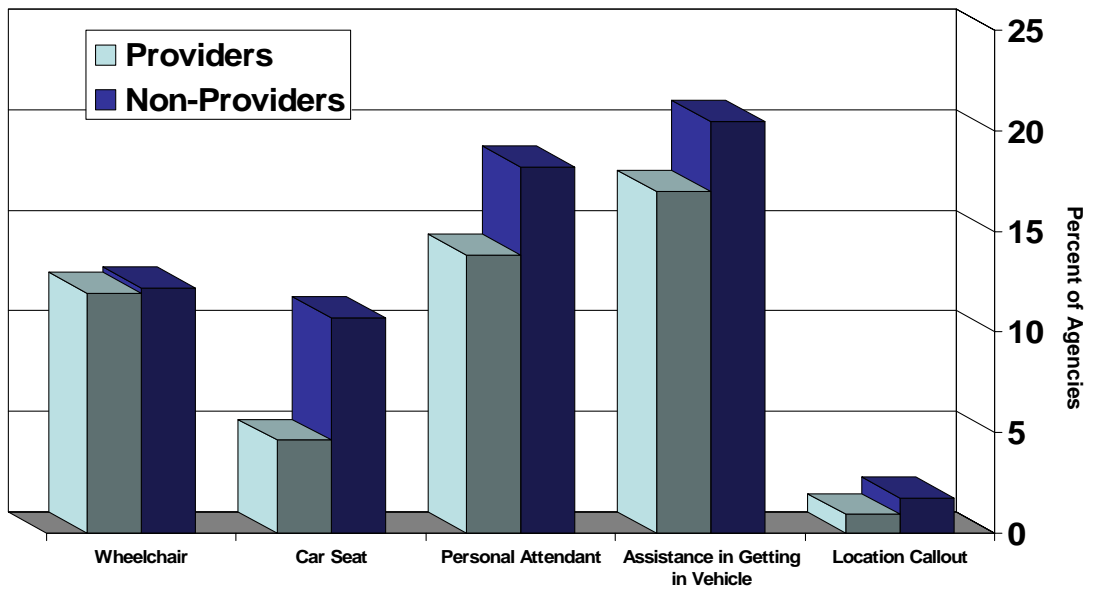
Source: 2006 Survey of Human Service Agencies

Chart 4 portrays mobility needs of those that have mobility disabilities. Predominant needs are assistance in getting in and out of the vehicle, personal escorts and wheelchairs. These data reinforce the notion that door to door service is desirable and that there is a need for additional mobility and travel training. Education is also needed to help those individuals with mobility needs to determine the feasibility of using fixed route buses for some of their trips.

By far, trips for medical purposes are in the highest demand. Chart 5 shows that almost 70 percent of the human service agencies providing transportation provide transportation for medical purposes. Surprisingly, about 45 percent of providers offer trips for social/recreational purposes, while only one-third of the providers serve trips for shopping (including groceries) purposes. However, the social/recreational category might have been misinterpreted. Discussions with some respondents indicated that they checked this purpose for trips that were part of their structured services.

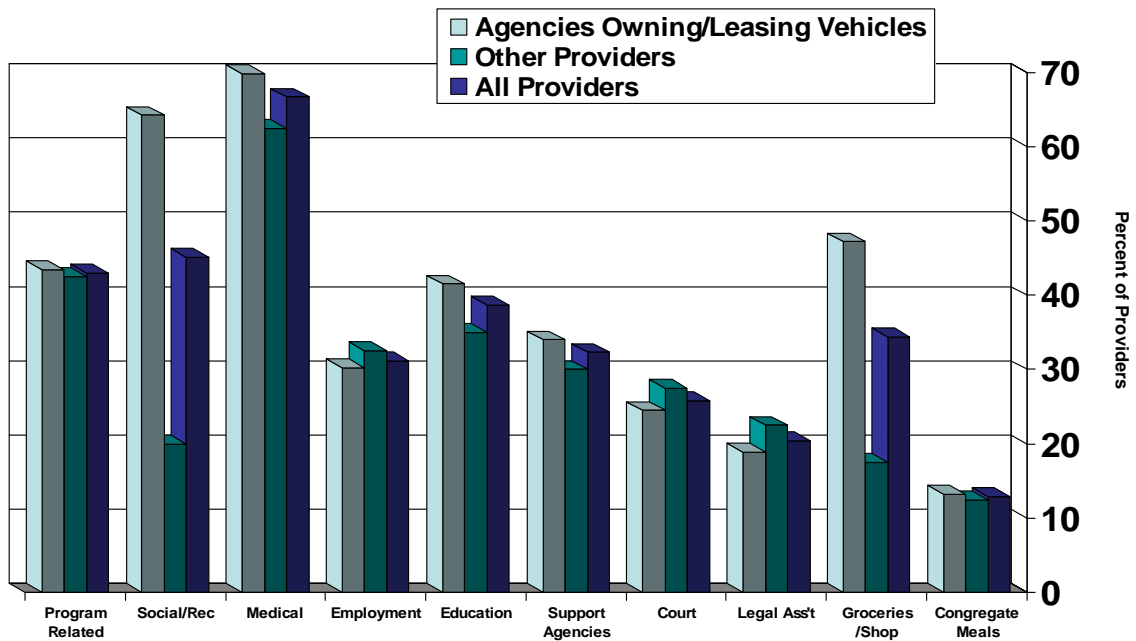
Chart 6 identifies the means that are used to provide transportation. Fifty percent of the providers own or lease vehicles. Forty percent contract for service and nearly 40 percent provide CDTA *Swiper* passes or tokens.

**Chart 4**  
**Needs of Clients with Transportation Limitations**



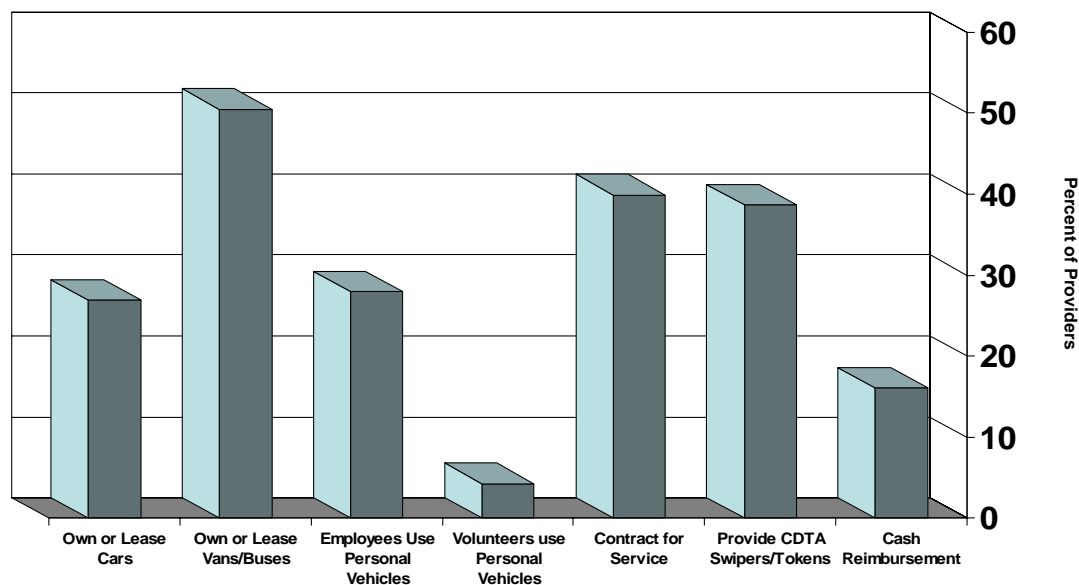
Source: 2006 Survey of Human Service Agencies

**Chart 5**  
**Purposes of Transportation Assistance**



Source: 2006 Survey of Human Service Agencies

**Chart 6**  
**How Transportation is Provided by Providers of Transportation**



Source: 2006 Survey of Human Service Agencies

## NEEDS, GAPS AND BARRIERS

SAFETEA-LU requires that the “coordinated plan” for JARC, New Freedom and Section 5310 programs identify needs, gaps and barriers in transportation. The legislation also suggests that the coordinated plan include strategies, or an Action Plan, to address gaps for target populations. The Action Plan developed by the RTCC focuses on the three funding programs – JARC/New Freedom/5310, but acknowledges that these are insufficient to address all of the needs/gaps/barriers. In fact, insufficient funding was identified as a gap and barrier and additional funding was identified as a need.

Based on data presented in the previous chapters, and on conversations with representatives from the elderly and handicapped community, the needs, gaps and barriers identified include:

Needs, Gaps and Barriers were grouped according to the following categories. Each will be discussed in-turn.

- **Needs**
  - Organizational – Human Service Agencies
    - Shared Maintenance
    - Other Pooled Resources (e.g. drivers, insurance)
    - Group Purchasing (fuel, insurance, maintenance, replacement parts)
    - Driver/Mechanic Training
    - Additional Funds

- Client Services
  - Travel/Mobility Training
  - Information Sharing/Education
  - Funding
- Equipment
  - Additional Human Service Agency Vehicles
  - Wheelchair Lifts, Accessibility Devices (e.g. stepstools)
  - Accessible Taxi Cabs
  - Additional Funds
- CDTA's STAR Service
  - Need to Manage Demand on STAR
  - Additional Funds
- **Gaps**
  - Some Trip Purposes are Not Being Well Served
  - Geographic Coverage
  - Weekend Coverage
  - Travel/Mobility Training
- **Barriers**
  - Perceived and Real Limitations on Coordinated Service Provision
    - Funding Silos
    - Insurance
    - Accounting Barriers
  - Client Resistance to Sharing/Using Fixed Route Transit
    - Unfamiliarity with/Uncomfortable with Using Fixed Route
    - Fear of Developmentally Disabled/Mentally ill
  - Common Carrier Status

**Needs:**

*Organizational-Human Service Agencies*

Needs relevant to the human service agency community were identified from conversations with representatives from human service agencies participating in the RTCC, the 2006 survey data and from the history section of this report. Shared maintenance, driver training, mechanic training, group purchasing and pooled resources were all identified as needs from this community. Much of the 2006 survey data reinforce these findings. For example, 73% of agencies that own or lease vehicles reported that maintenance is performed by an outside vendor. Group purchasing or pooled resources could help this situation immensely. With group purchasing, the cost of oil changes, brakes, tire replacements and other routine maintenance services could be reduced significantly. Coordination/contracting with other human service agencies that do provide maintenance in-house could also achieve monetary and service quality improvements.

The 2006 survey of human service agencies found that of the 55 agencies that provide transportation with agency owned and leased vehicles and reported information about drivers and driver training, only 31 percent require driver CDL licensing. Obviously, for safety reasons, more CDL licensing would be desirable. These same survey respondents reported that they hire



400 drivers to provide transportation services to their clients, which is an average of 7 drivers per agency. Other training, such as defensive driving, wheelchair securement, is provided by almost 70 percent. This inconsistency in training standards presents several options to improve efficiency by coordinating training and/or pooling training resources.

Although specific questions regarding mechanic training were not included in the survey, it makes sense that human service agencies that perform in-house maintenance could benefit from centralized, inexpensive training for their mechanics. Again, pooling resources, coordinating training with those HSA's that employ seasoned mechanics could result in improved maintenance practices and potential cost savings.

### *Client Services*

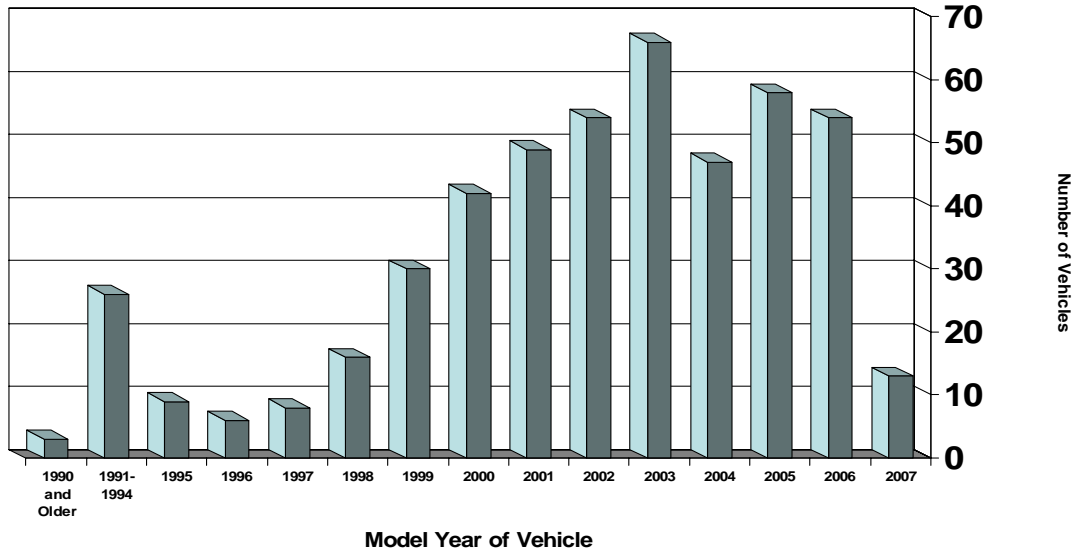
As for client services, more travel training and additional information and education about programs and eligibility were identified as key needs. The 2006 survey data indicated that only 27 percent of all the responding agencies dedicate staff time to assist clients with transportation needs. Many of the clients of area human service agencies are not aware of transportation alternatives or of other programs that they are eligible for. Clients often have income restrictions which make it difficult to access public transportation or private transportation like taxicabs. Elderly persons aged 65+ and many mobility impaired individuals are eligible for CDTA's half-fare program. Education programs to inform these populations about the half fare program and about how to access CDTA's fixed route system could improve their mobility greatly.

### *Equipment*

According to the 2006 survey, 49 reporting agencies owned and leased a total of 481 vehicles and slightly over 28 percent are wheelchair accessible. Chart 7 shows that the existing vehicle fleet is fairly new, with about 61 percent of the 481 vehicles being model year 2002 or newer. The 2006 survey asked respondents to indicate the number of vehicles that would need to be replaced over the next five years. These 49 agencies responded that they will likely replace 226 vehicles, and that they will need 81 additional vehicles to keep up with the growing demand for service. Chart 8 identifies future needs by vehicle type. If Section 5310 funds are used to purchase the vehicles, those purchased will necessarily be wheelchair accessible. If the agency uses other fund sources for these purchases, there is no rule that requires wheelchair accessibility. However, the data included in Tables 2, 10 and 15 and Charts 3 and 4 strongly support a need for additional wheelchair accessible vehicles. These tables and charts suggest that the population is aging--fourteen percent of today's population is aged 65+ and that percentage will increase to 17% by 2020. Almost 3% of today's population has a physical disability. Survey respondents indicated that of their clients having a transportation limitation (transportation limitation was defined as any physical, developmental, mental, economic or other condition that limits a person's ability or causes difficulty in getting to places ), 18 percent need assistance in getting in the vehicle, 15 percent need a personal attendant and 12 percent use wheelchairs.

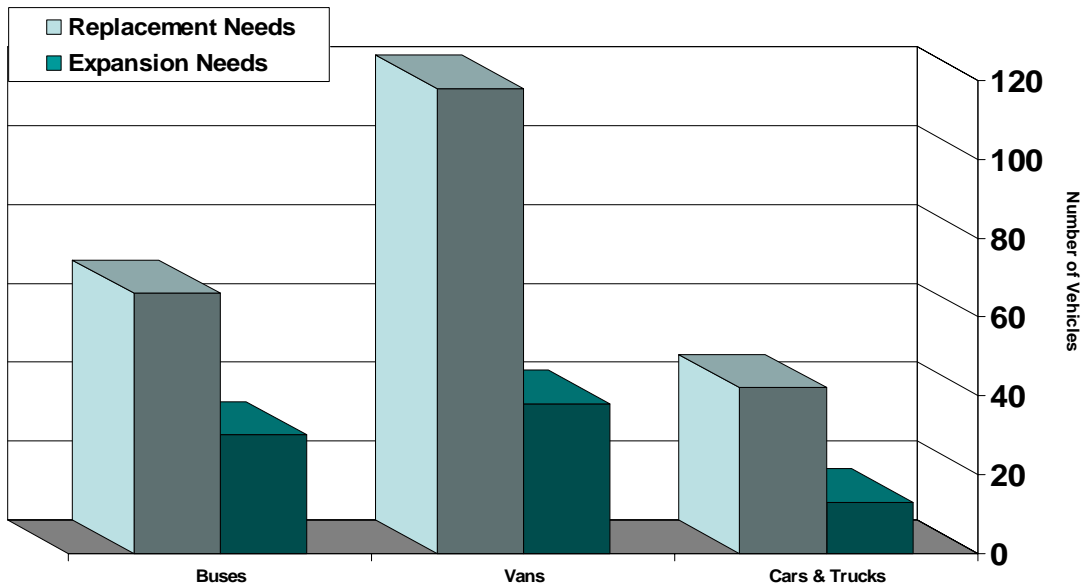
Mobility challenged residents have repeatedly lamented that most taxis in the Capital District are not wheelchair accessible. The few taxis that are "wheelchair accessible" require customers to get out of their wheelchair and sit in the taxi, so the wheelchair can be folded and stored in the trunk. This is not an option for many wheelchair customers, particularly those that use motorized wheelchairs.

**Chart 7**  
**Age of Existing Vehicle Fleet Owned/Leased by**  
**Human Service Agencies Providing Transportation**



Source: 2006 Survey of Human Service Agencies

**Chart 8**  
**5 Year Projection of Vehicle Needs of Transportation Providers**



Source: 2006 Survey of Human Service Agencies

## CDTA's STAR Service

Demand for CDTA's STAR service has increased annually since its inception. As shown below, annual increases in ridership are significant. Ridership increased by over 60,000 or 66 percent over the past five years. CDTA is currently purchasing 300 taxi rides per day to keep up with demand while additional vehicles are on order. CDTA has a need for travel trainers to help transition existing and potential STAR riders to the fixed route system. Increased comfort and familiarity with the fixed route could allow for "mixed" trips, where instead of providing origin-to-destination service, STAR would connect to the fixed route, providing access that would not otherwise be available.

**TABLE 19**  
**ANNUAL INCREASES IN STAR RIDERSHIP**

| <b>Fiscal Year</b> | <b>STAR Ridership</b> | <b>Annual Increase in Ridership</b> |
|--------------------|-----------------------|-------------------------------------|
| 2001               | 94,054                |                                     |
| 2002               | 98,202                | 4.4%                                |
| 2003               | 106,149               | 8.1%                                |
| 2004               | 125,164               | 17.9%                               |
| 2005               | 142,633               | 14.0%                               |
| 2006               | 156,284               | 9.8%                                |

*Source: CDTA*

### **Gaps:**

#### *Some Trip Purposes are Not Being Served Well*

The 2006 survey data demonstrate that medical related trips are clearly the highest priority trip among service providers. Over half of the human service agencies providing transportation provide trips to clients for medical appointments. About one-third of the human service agencies providing transportation provide trips to and from treatment programs, educational and social/recreational facilities. Chart 5 above identifies the purposes of transportation assistance. It appears that shopping trips, particularly grocery shopping is low on the priority list (only 34 percent of the agencies surveyed provided transportation for this purpose), but grocery shopping is an activity that all people, whether aged, mobility disabled or ambulatory, need to do on a regular basis if they are living independently. Some agencies, however, assist with grocery shopping by purchasing groceries for clients.

From Chart 5 It is evident that many trips are for life supporting purposes—medical, agency programs, groceries. Education programs and travel trainers could help clients access CDTA's fixed route system for some of the other, non-life supporting, but important trips. For example, if a senior housing facility provides van service for purposes or limited schedules, there would be an opportunity to coordinate the van service to the nearby fixed route service, enabling seniors

greater travel options. An education program, both at the senior housing administrative level, and for the senior residents would likely be required to make these connections work.

### *Geographic Coverage*

Many rural areas and suburban communities are not well served by either fixed route transit or by Human Service Agency (HSA) transportation. Traditional fixed route transit service is designed to serve cities and densely populated areas. Consequently, mobility challenged and low-income people living in rural areas and some of the outlying suburban communities find it difficult to access transportation services. These trips are costly to human service agencies so they are often denied. Long distance trips pose similar concerns. Coordination of agency vehicles and/or dedication of a few vehicles for these trips, with co-mingling of clients and coordination of demand could address some of these issues.

Another issue that has been identified in the past relates to location decisions that are made by administrators of nursing homes, senior housing and some human service agencies. Land is more affordable in the outlying areas of the region; however, these areas are not readily serviceable by traditional transit. Most often, the decision to locate in these areas does not account for transit service or other transportation issues for residents; CDTA is often asked, after the site decision is irreversible, to modify their route structure to serve these establishments. Discussions with CDTA should take place during the project location phase.

### *Weekday vs Weekend Coverage*

The RTCC members and other advocates for the mobility challenged population have mentioned that transportation service options on weekends for the mobility challenged is a need that has not been addressed. According to the 2006 survey, about 72 percent of all trips are provided Monday through Friday, which means that few trips are provided on weekends. On average, the data show that nearly 460 trips are provided per week, per provider. If these numbers are accurate, an average of 128 trips is provided by providers on weekends. Local experience shows that a large percentage of the weekend trips are offered by human service agencies on Saturdays, with few offered on Sundays. In addition, Saturday bus service on CDTA's fixed route system is 28 percent less than weekdays, and Sunday service is 62 percent less than Saturday service. STAR operates during the same days and hours that the fixed route system operates. Consequently, STAR availability is significantly reduced on Saturdays and Sundays as compared to weekday availability. With regard to purposes of weekend trips, transportation to church services has been identified as a need that is barely being met. It has been recommended that a first attempt at coordination investigate the feasibility coordinating service to church, with one or two human service agencies coordinating demand for each county.

### *Travel/Mobility Training*

Travel and Mobility Training was identified as a need, and as such, is a gap as well. Chart 4 implies that about 20 percent of both providers and non-providers have clients that need assistance in getting in and out of a vehicle. About 15 percent of both providers and non-providers have clients that need a personal escort, and about 12 percent of both providers and non-providers have clients that use wheelchairs. Travel training and mobility training programs could reduce the demand for escorts and individual assistance and could help wheelchair users

and others with mobility issues more easily access CDTA's fixed route and STAR service.

## **Barriers:**

### *Perceived and Real Limitations on Coordinated Service Provision:*

Funding Silos: Human Service Agencies have repeatedly cited that funding source issues prevent coordination/co-mingling of clients. Many programs are funded with very specific funding sources, or funding "silos" that make it difficult if not impossible to serve other clients. The 2006 survey tried to get at this issue by asking the question, "Do you restrict the use of your transportation assistance only to consumers of your own organization's programs and services? And, if yes, is this an agency or funding source restriction?" Of the seventy-one agencies responding "yes" to this question, 38 or 54% indicated that their restriction was due to an agency policy, 24 or 34% a funding source restriction and 9 or 12% reported that it was both an agency and funding source restriction. Only 20 percent of the agencies reported that they do not restrict their transportation assistance. This issue needs to be looked at in depth, to determine how agency policies can be changed to allow coordination of service. The funding source restriction aspect of this barrier needs to be addressed by state and federal authorities.

Insurance: Insurance costs have been climbing continuously, making it difficult for agencies to provide transportation service. Many cite that the increase in insurance to cover clients of other agencies would be prohibitively expensive. The United We Ride effort is attempting to get a handle on this barrier, and is investigating group purchasing as an option.

Accounting: Accounting practices among human service agencies varies widely. Consequently, the calculation of the cost of a "trip" might vary by organization, which could hamper trip sharing. Human service agencies intent on sharing trips or providing trips to clients of other agencies would have to standardize their accounting procedures.

### *Client Resistance to Using Fixed Route Transit/Sharing with Other Clients*

Many clients of human service agencies do not have familiarity with CDTA's fixed route service and as a consequence have a fear of the "unknown". Travel training, discussed in the needs discussion and in the gaps discussion, would address this issue. A related issue involves client integration. There is reluctance among some human service agencies to intermingle clients with varying degrees of disabilities. For example, some agencies that serve seniors are concerned about putting seniors on vehicles that are also carrying severely disabled individuals.

### *Common Carrier Status*

A Common Carrier certificate is issued to carriers that serve the general public and charge individual fares. Generally, the Transportation Law requires a carrier to obtain "Operating Authority" from the New York State Department of Transportation (NYSDOT) when passengers are carried for compensation within New York State. Before operating authority can be granted, NYSDOT must make specific findings that the applicant carrier is fit, willing and able to provide the service. These findings are based on the evidence submitted by an applicant and include such factors as the applicant's general background, background and experience in passenger transportation and sufficient financial resources to provide a responsive and quality service to the public. Vehicles operated under common carrier status must undergo annual rigorous NYSDOT

inspections and drivers must be 19A certified. While the New York State Transportation Law makes it the responsibility of the NYSDOT to regulate “for-hire” transportation of passengers within New York State, there are exceptions which allow for-hire passenger operations without NYSDOT authority. Human service agencies carrying their “own” clients are not subject to common carrier rules. Likewise, human service agencies using cars, station wagons and mini-vans are exempt. Any vehicle on a “truck chassis” that is used to transport clients from other agencies “for hire” falls under the common carrier status and would require operating authority in NYS. Many area human service agencies cannot afford to adhere by the strict rules of the common carrier status, and thus cannot coordinate their transportation service with other agencies. Occasional transport of each others clients on a causal basis, where each agency in turn returns the favor to the coordinating agency, however, is allowed.

### **ACTION PLAN (Strategies)**

The Action Plan is categorized according to the three funding categories that are part of the “coordinated plan”. Each will be discussed in-turn.

#### ***JARC:***

In 1998, CDTA invited local Departments of Social Services, community based organizations, employment and training agencies, employers, Chambers of Commerce, the Metropolitan Planning Organization (MPO), and State Agency partners to participate on the Capital Region Access to Jobs Advisory Committee. The purpose of the Committee was to provide on-going guidance to the CDTA on service alternatives that would best meet the changing mobility needs of welfare recipients and low income persons in the counties of Albany, Rensselaer, Saratoga, and Schenectady. Under the capable leadership of the CDTA, the Committee completed an analysis of the work travel needs of welfare recipients and low income persons, identified gaps in the existing transportation network and developed a comprehensive program of welfare transportation projects for consideration by the CDTA Board of Directors.

Several “New Start” transportation services were implemented as a result of these efforts: These projects reflect the success of the comprehensive, coordinated approach that CDTA initiated for the purpose of increasing access to jobs for the Region’s TANF and low-income population:

- Night Owl service on multiple routes and expanded hours of operation;
- Connecting service to Industrial Parks and the Albany International Airport;
- Transit Pass Program which provides around-the- clock access to CDTA services;
- Guaranteed Ride Service and Safety Net Brokerage; and
- Shuttle Runs and Reverse Commute Transit Service.

In addition, CDTA established a “Transportation to Jobs” marketing program that reaches out to public assistance and the lower income population. A full-time coordinator with a thorough knowledge of the welfare and transit systems and extensive backgrounds in human services and job training systems was hired to oversee the program. The coordinator also administers the CDTA Corporate Swiper Pass Program, which allows employers to issue special CDTA Swiper cards to their employees as an affordable transportation option.

The coordinator hired three Trip Planners to promote the new services through direct community outreach. The Trip Planners are all former public assistance recipients who understand what their customers need. They work with area social services departments and job training centers to help prepare travel itineraries, conduct one-on-one travel training and work with individuals to help them learn the benefits of mass transit. These successful initiatives were paid for using JARC and New York State's Community Solutions for transportation grant monies.

Since CDTA began this program, ridership among this targeted population has steadily increased. CDTA distributes over 700 *Swiper* passes to the four county DSS offices each month. Proof that the program is working is evident in their recent survey, which found that almost 80% of customers say they use the suburban shuttles, which are supported by program funds, to help them to get and to keep their jobs."

It should be noted that in March 2002, CDTA received the American Public Transportation Association (APTA) Welfare-to-Work Award for its Welfare-to-Work program. This award acknowledged CDTA for its innovative and creative efforts in providing access to job opportunities. **CDTA was one of only 10 transportation agencies nationwide to be honored.** CDTA was nominated for the award by the New York State Department of Transportation and the New York State Department of Labor.

The region's successful use of JARC, Temporary Assistance for Needy Families (TANF) and Community Solutions for Transportation (CST) funds for jobs access activities clearly supports continuation of these activities. Consequently, the coordinated plan calls for a solicitation for JARC projects that specifically continue those JARC activities that are eligible for JARC funding-- trip planners and a full-time coordinator and the Safety Net Brokerage (the Safety Net Brokerage provides a return taxi trip home to those workers that can get to work by the fixed route bus system but can't return home because of bus schedule incompatibility). CDTC will develop the solicitation with the aid of the RTCC. Extra weight will be given in the evaluation of JARC proposals to those agencies that have been successful with these kinds of programs in the past. Local knowledge will also be given extra consideration. Pre-qualification criteria will likely be developed as well, to ensure that applicants have the appropriate resources to provide the requested services. Multi-year programs and projects will be allowed and considered desirable to support program continuity.

In the case of the Saratoga allocation of JARC funds, the RTCC recommends that additional planning and coalition building specific to Saratoga County in the spirit of the federal "United We Ride" initiative be identified as a priority use of the initial JARC allocations for that county.

### ***Section 5310:***

In NYS, the NYS Department of Transportation administers the Section 5310 program. As described earlier, the CDTC has historically been involved in the evaluation of section 5310 evaluations, but the MPO's evaluation often did not carry much weight in the final selection of projects. Going forward, CDTC's review of the Section 5310 applications will ensure that the Section 5310 funding awards are consistent with the criteria and recommendations set forth in the coordinated plan. The coordinated plan criteria, as they relate to the Section 5310 program are:

- Section 5310 funding will be awarded first to those agencies that pursue and document bona fide coordination activities, such as shared maintenance agreements, agreements to provide transportation to clients of other agencies on a *regular basis*. In addition, these agencies should receive funding for their entire application request if that level of funding is available. Form letters to other local Human Service Agencies will not be accepted as documentation of coordination activity.
- Section 5310 funding will be awarded to those agencies that do not submit appropriate coordination activity documentation only if the needs of those agencies that do coordinate are met first.
- It will be mandatory for those agencies that are funded without documentation of coordination activity to submit documentation of coordination efforts at the time of their next application for funding. If coordination activities are not pursued by these organizations by the time of their second Section 5310 application, these agencies will not be funded, even if there are section 5310 monies available.
- It will be mandatory for a representative from those agencies that are funded without documentation of coordination activity to attend quarterly or bi-annual coordination forum meetings that will be arranged by CDTC staff. Failure to attend at least half of these forums will make these agencies ineligible for section 5310 funding for up to two years.

***New Freedom:***

By law, the New Freedom program is designed to provide service above and beyond the ADA. The additional usage of existing HSA vehicles in coordinated service to an expanded client base would stretch the funding the furthest, but be the hardest to sustain long term. The needs assessment has identified that the biggest capital need is accessible taxis, but the Federal Certifications and Assurances would make this difficult. In addition, liability issues are a concern of the designated recipient, which in the Capital District, will likely be CDTA.

The RTCC recommends that the solicitation for this program “bundle” two-three years of funds to allow multi-year project proposals and to provide an opportunity for applicants to have an adequate time period to determine project success. The solicitation will encourage projects that are for operating assistance over capital projects to stretch the funding (operating expenses require a 50/50 match, whereas capital projects require an 80/20 match) and to promote fuller utilization of the existing HSA vehicle inventory, which the survey showed to collectively be a large fleet in good condition. Given the needs assessment discussion above, travel training, mobility management and driver training will be given higher consideration in the evaluation process over projects that do not specifically address the needs that have been identified and documented in this coordinated plan.

**FUTURE ACTIONS AND ACTIVITIES**

- The RTCC will continue to meet quarterly for the next year to oversee the project solicitation and evaluation for JARC and New Freedom projects. Frequency of second and third year meetings will be determined by the committee.
- The RTCC will review CDTC’s evaluation of section 5310 applications to ensure consistency with the Coordinated Plan.



- The RTCC will serve in an advisory role to facilitate implementation of the Coordinated Plan
- The RTCC will identify additional needs and gaps in transportation services (not identified in the Coordinated Plan) and amend the plan with these updates on an annual basis. New opportunities for coordination will also be identified and added to the Action Plan as appropriate.

# **APPENDICES**

## APPENDIX A

### FEDERAL FISCAL YEAR 2007 CERTIFICATIONS AND ASSURANCES FOR FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS

*In accordance with 49 U.S.C. 5323(n), the following certifications and assurances have been compiled for Federal Transit Administration (FTA) assistance programs. FTA requests each Applicant to provide as many certifications and assurances as needed for all programs for which the Applicant intends to seek FTA assistance during Federal Fiscal Year 2007. FTA strongly encourages each Applicant to submit its certifications and assurances through TEAM-Web, FTA's electronic award and management system, at <http://ftateamweb.fta.dot.gov>.*

*Twenty-three (23) Categories of certifications and assurances are listed by numbers 01 through 23 in the TEAM-Web "Recipients" option at the "Cert's & Assurances" tab of "View/Modify Recipients," and on the opposite side of the Signature Page(s) at the end of this document. Category 01 applies to all Applicants. Category 02 applies to all applications exceeding \$100,000. Categories 03 through 23 will apply to and be required for some, but not all, Applicants and projects.*

*FTA and the Applicant understand and agree that not every provision of these certifications and assurances will apply to every Applicant or every project for which FTA provides Federal financial assistance through a Grant Agreement or Cooperative Agreement. The type of project and the section of the statute authorizing Federal financial assistance for the project will determine which provisions apply. The terms of these certifications and assurances reflect applicable requirements of FTA's enabling legislation currently in effect.*

*The Applicant also understands and agrees that these certifications and assurances are special pre-award requirements specifically prescribed by Federal law or regulation and do not encompass all Federal laws, regulations, and directives that may apply to the Applicant or its project. A comprehensive list of those Federal laws, regulations, and directives is contained in the current FTA Master Agreement MA(13) for Federal Fiscal Year 2007 at the FTA website <http://www.fta.dot.gov/documents/13-Master.doc>. The certifications and assurances in this document have been streamlined to remove most provisions not covered by statutory or regulatory certification or assurance requirements.*

*Because many requirements of these certifications and assurances will require the compliance of the subrecipient of an Applicant, we strongly recommend that each Applicant, including a State, that will be implementing projects through one or more subrecipients, secure sufficient documentation from each subrecipient to assure compliance, not only with these certifications and assurances, but also with the terms of the Grant Agreement or Cooperative Agreement for the project, and the Master Agreement incorporated therein by reference. Each Applicant is ultimately responsible for compliance with the provisions of these certifications and assurances irrespective of participation in the project by any subrecipient.*

#### 01. FOR EACH APPLICANT

*Each Applicant for FTA assistance must provide all assurances in this Category "01." Unless*

*FTA expressly determines otherwise in writing, FTA may not award any Federal assistance until the Applicant provides the following assurances by selecting Category "01."*

A. Assurance of Authority of the Applicant and Its Representative

The authorized representative of the Applicant and the attorney who sign these certifications, assurances, and agreements affirm that both the Applicant and its authorized representative have adequate authority under applicable State and local law and the Applicant's by-laws or internal rules to:

- (1) Execute and file the application for Federal assistance on behalf of the Applicant;
- (2) Execute and file the required certifications, assurances, and agreements on behalf of the Applicant binding the Applicant; and
- (3) Execute grant agreements and cooperative agreements with FTA on behalf of the Applicant.

B. Standard Assurances

The Applicant assures that it will comply with all applicable Federal statutes and regulations in carrying out any project supported by an FTA grant or cooperative agreement. The Applicant agrees that it is under a continuing obligation to comply with the terms and conditions of the grant agreement or cooperative agreement issued for its project with FTA. The Applicant recognizes that Federal laws and regulations may be modified from time to time and those modifications may affect project implementation. The Applicant understands that Presidential executive orders and Federal directives, including Federal policies and program guidance may be issued concerning matters affecting the Applicant or its project. The Applicant agrees that the most recent Federal laws, regulations, and directives will apply to the project, unless FTA issues a written determination otherwise.

C. Intergovernmental Review Assurance

The Applicant assures that each application for Federal assistance it submits to FTA has been or will be submitted for intergovernmental review to the appropriate State and local agencies as determined by the State. Specifically, the Applicant assures that it has fulfilled or will fulfill the obligations imposed on FTA by U.S. Department of Transportation (U.S. DOT) regulations, "Intergovernmental Review of Department of Transportation Programs and Activities," 49 CFR part 17.

D. Nondiscrimination Assurance

As required by 49 U.S.C. 5332 (which prohibits discrimination on the basis of race, color, creed, national origin, sex, or age, and prohibits discrimination in employment or business opportunity), by Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d, and by U.S. DOT regulations, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation--Effectuation of Title VI of the Civil Rights Act," 49 CFR part 21 at 21.7, the Applicant assures that it will comply with all requirements imposed by or issued pursuant to 49 U.S.C. 5332, 42 U.S.C. 2000d, and 49 CFR part 21, so that no person in the United States, on the basis of race, color, national origin, creed, sex, or age will be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination in any program or activity (particularly in the level and quality of transportation services and transportation-related

benefits) for which the Applicant receives Federal assistance awarded by the U.S. DOT or FTA.

Specifically, during the period in which Federal assistance is extended to the project, or project property is used for a purpose for which the Federal assistance is extended or for another purpose involving the provision of similar services or benefits, or as long as the Applicant retains ownership or possession of the project property, whichever is longer, the Applicant assures that:

- (1) Each project will be conducted, property acquisitions will be undertaken, and project facilities will be operated in accordance with all applicable requirements imposed by or issued pursuant to 49 U.S.C. 5332, 42 U.S.C. 2000d, and 49 CFR part 21, and understands that this assurance extends to its entire facility and to facilities operated in connection with the project.
- (2) It will promptly take the necessary actions to effectuate this assurance, including notifying the public that complaints of discrimination in the provision of transportation-related services or benefits may be filed with U.S. DOT or FTA. Upon request by U.S. DOT or FTA, the Applicant assures that it will submit the required information pertaining to its compliance with these provisions.
- (3) It will include in each subagreement, property transfer agreement, third party contract, third party subcontract, or participation agreement adequate provisions to extend the requirements imposed by or issued pursuant to 49 U.S.C. 5332, 42 U.S.C. 2000d and 49 CFR part 21 to other parties involved therein including any subrecipient, transferee, third party contractor, third party subcontractor at any level, successor in interest, or any other participant in the project.
- (4) Should it transfer real property, structures, or improvements financed with Federal assistance provided by FTA to another party, any deeds and instruments recording the transfer of that property shall contain a covenant running with the land assuring nondiscrimination for the period during which the property is used for a purpose for which the Federal assistance is extended or for another purpose involving the provision of similar services or benefits.
- (5) The United States has a right to seek judicial enforcement with regard to any matter arising under the Act, regulations, and this assurance.
- (6) It will make any changes in its Title VI implementing procedures as U.S. DOT or FTA may request to achieve compliance with the requirements imposed by or issued pursuant to 49 U.S.C. 5332, 42 U.S.C. 2000d, and 49 CFR part 21.

#### E. Assurance of Nondiscrimination on the Basis of Disability

As required by U.S. DOT regulations, "Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance," at 49 CFR 27.9, the Applicant assures that, as a condition to the approval or extension of any Federal assistance awarded by FTA to construct any facility, obtain any rolling stock or other equipment, undertake studies, conduct research, or to participate in or obtain any benefit from any program administered by FTA, no otherwise qualified person with a disability shall be, solely by reason of that disability, excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any program or activity receiving or benefiting from Federal assistance administered by the FTA or any entity within U.S. DOT. The Applicant assures that project implementation and operations so assisted will comply with all applicable requirements of U.S. DOT regulations implementing the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, *et seq.*, and the Americans with Disabilities Act of 1990, as amended, 42 U.S.C. 12101 *et seq.*,

and implementing U.S. DOT regulations at 49 CFR parts 27, 37, and 38, and any other applicable Federal laws that may be enacted or Federal regulations that may be promulgated.

F. U.S. Office of Management and Budget (OMB) Assurances

Consistent with OMB assurances set forth in SF-424B and SF-424D, the Applicant assures that, with respect to itself or its project, the Applicant:

- (1) Has the legal authority to apply for Federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in its application;
- (2) Will give FTA, the Comptroller General of the United States, and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives;
- (3) Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain;
- (4) Will initiate and complete the work within the applicable project time periods following receipt of FTA approval;
- (5) Will comply with all applicable Federal statutes relating to nondiscrimination including, but not limited to:
  - (a) Title VI of the Civil Rights Act, 42 U.S.C. 2000d, which prohibits discrimination on the basis of race, color, or national origin;
  - (b) Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 through 1683, and 1685 through 1687, and U.S. DOT regulations, "Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance," 49 CFR part 25, which prohibit discrimination on the basis of sex;
  - (c) Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, which prohibits discrimination on the basis of disability;
  - (d) The Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101 through 6107, which prohibits discrimination on the basis of age;
  - (e) The Drug Abuse Office and Treatment Act of 1972, as amended, 21 U.S.C. 1101 *et seq.*, relating to nondiscrimination on the basis of drug abuse;
  - (f) The Comprehensive Alcohol Abuse and Alcoholism Prevention Act of 1970, as amended, 42 U.S.C. 4541 *et seq.* relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
  - (g) The Public Health Service Act of 1912, as amended, 42 U.S.C. 201 *et seq.*, relating to confidentiality of alcohol and drug abuse patient records;
  - (h) Title VIII of the Civil Rights Act, 42 U.S.C. 3601 *et seq.*, relating to nondiscrimination in the sale, rental, or financing of housing; and
  - (i) Any other nondiscrimination statute(s) that may apply to the project;
- (6) To the extent applicable, will comply with, or has complied with, the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (Uniform Relocation Act) 42 U.S.C. 4601 *et seq.*, which, among other things, provide for fair and equitable treatment of persons displaced or persons whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes and

displacement caused by the project regardless of Federal participation in any purchase. As required by sections 210 and 305 of the Uniform Relocation Act, 42 U.S.C. 4630 and 4655, and by U.S. DOT regulations, "Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs," 49 CFR 24.4, the Applicant assures that it has the requisite authority under applicable state and local law to comply with the requirements of the Uniform Relocation Act, 42 U.S.C. 4601 *et seq.*, and U.S. DOT regulations, "Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs," 49 CFR part 24, and will comply with that Act or has complied with that Act and those implementing regulations, including but not limited to the following:

- (a) The Applicant will adequately inform each affected person of the benefits, policies, and procedures provided for in 49 CFR part 24;
  - (b) The Applicant will provide fair and reasonable relocation payments and assistance as required by 42 U.S.C. 4622, 4623, and 4624; 49 CFR part 24; and any applicable FTA procedures, to or for families, individuals, partnerships, corporations, or associations displaced as a result of any project financed with FTA assistance;
  - (c) The Applicant will provide relocation assistance programs offering the services described in 42 U.S.C. 4625 to such displaced families, individuals, partnerships, corporations, or associations in the manner provided in 49 CFR part 24;
  - (d) Within a reasonable time before displacement, the Applicant will make available comparable replacement dwellings to displaced families and individuals as required by 42 U.S.C. 4625(c)(3);
  - (e) The Applicant will carry out the relocation process in such manner as to provide displaced persons with uniform and consistent services, and will make available replacement housing in the same range of choices with respect to such housing to all displaced persons regardless of race, color, religion, or national origin;
  - (f) In acquiring real property, the Applicant will be guided to the greatest extent practicable under state law, by the real property acquisition policies of 42 U.S.C. 4651 and 4652;
  - (g) The Applicant will pay or reimburse property owners for necessary expenses as specified in 42 U.S.C. 4653 and 4654, with the understanding that FTA will provide Federal financial assistance for the Applicant's eligible costs of providing payments for those expenses, as required by 42 U.S.C. 4631;
  - (h) The Applicant will execute such amendments to third party contracts and subagreements financed with FTA assistance and execute, furnish, and be bound by such additional documents as FTA may determine necessary to effectuate or implement the assurances provided herein; and
  - (i) The Applicant agrees to make these assurances part of or incorporate them by reference into any third party contract or subagreement, or any amendments thereto, relating to any project financed by FTA involving relocation or land acquisition and provide in any affected document that these relocation and land acquisition provisions shall supersede any conflicting provisions;
- (7) To the extent applicable, will comply with the Davis-Bacon Act, as amended, 40 U.S.C. 3141 *et seq.*, the Copeland "Anti-Kickback" Act, as amended, 18 U.S.C. 874, and the Contract Work Hours and Safety Standards Act, as amended, 40 U.S.C. 3701 *et seq.*, regarding labor standards for federally assisted projects;
  - (8) To the extent applicable, will comply with the flood insurance purchase requirements of section 102(a) of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4012a(a), requiring the Applicant and its subrecipients in a special flood hazard area to

- participate in the program and purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more;
- (9) To the extent applicable, will comply with the Lead-Based Paint Poisoning Prevention Act, 42 U.S.C. 4831(b), which prohibits the use of lead-based paint in the construction or rehabilitation of residence structures;
  - (10) To the extent applicable, will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities on which a construction project supported with FTA assistance takes place without permission and instructions from FTA;
  - (11) To the extent required by FTA, will record the Federal interest in the title of real property, and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project;
  - (12) To the extent applicable, will comply with FTA provisions concerning the drafting, review, and approval of construction plans and specifications of any construction project supported with FTA assistance. As required by U.S. DOT regulations, "Seismic Safety," 49 CFR 41.117(d), before accepting delivery of any building financed with FTA assistance, it will obtain a certificate of compliance with the seismic design and construction requirements of 49 CFR part 41;
  - (13) To the extent applicable, will provide and maintain competent and adequate engineering supervision at the construction site of any project supported with FTA assistance to ensure that the complete work conforms with the approved plans and specifications, and will furnish progress reports and such other information as may be required by FTA or the state;
  - (14) To the extent applicable, will comply with any applicable environmental standards that may be prescribed to implement the following Federal laws and executive orders:
    - (a) Institution of environmental quality control measures under the National Environmental Policy Act of 1969, as amended, 42 U.S.C. 4321 through 4335 and Executive Order No. 11514, as amended, 42 U.S.C. 4321 note;
    - (b) Notification of violating facilities pursuant to Executive Order No. 11738, 42 U.S.C. 7606 note;
    - (c) Protection of wetlands pursuant to Executive Order No. 11990, 42 U.S.C. 4321 note;
    - (d) Evaluation of flood hazards in floodplains in accordance with Executive Order No. 11988, 42 U.S.C. 4321 note;
    - (e) Assurance of project consistency with the approved state management program developed pursuant to the requirements of the Coastal Zone Management Act of 1972, as amended, 16 U.S.C. 1451 through 1465;
    - (f) Conformity of Federal actions to State (Clean Air) Implementation Plans under section 176(c) of the Clean Air Act of 1955, as amended, 42 U.S.C. 7401 through 7671q;
    - (g) Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, 42 U.S.C. 300f through 300j-6;
    - (h) Protection of endangered species under the Endangered Species Act of 1973, as amended, 16 U.S.C. 1531 through 1544; and
    - (i) Environmental protections for Federal transportation programs, including, but not limited to, protections for parks, recreation areas, or wildlife or waterfowl refuges of national, state, or local significance or any land from a historic site of national, State, or local significance to be used in a transportation project as required by 49 U.S.C. 303(b) and 303(c);
    - (j) Protection of the components of the national wild and scenic rivers systems, as required under the Wild and Scenic Rivers Act of 1968, as amended, 16 U.S.C. 1271 through



- 1287; and
- (k) Provision of assistance to FTA in complying with section 106 of the National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470f; with the Archaeological and Historic Preservation Act of 1974, as amended, 16 U.S.C. 469 through 469c ; and with Executive Order No. 11593 (identification and protection of historic properties), 16 U.S.C. 470 note;
  - (15) To the extent applicable, will comply with the requirements of the Hatch Act, 5 U.S.C. 1501 through 1508 and 7324 through 7326, which limit the political activities of State and local agencies and their officers and employees whose primary employment activities are financed in whole or part with Federal funds including a Federal loan, grant agreement, or cooperative agreement except, in accordance with 49 U.S.C. 5307(k)(2) and 23 U.S.C. 142(g), the Hatch Act does not apply to a nonsupervisory employee of a public transportation system (or of any other agency or entity performing related functions) receiving FTA assistance to whom that Act does not otherwise apply;
  - (16) To the extent applicable, will comply with the National Research Act, Pub. L. 93-348, July 12, 1974, as amended, 42 U.S.C. 289 *et seq.*, and U.S. DOT regulations, "Protection of Human Subjects," 49 CFR part 11, regarding the protection of human subjects involved in research, development, and related activities supported by Federal assistance;
  - (17) To the extent applicable, will comply with the Laboratory Animal Welfare Act of 1966, as amended, 7 U.S.C. 2131 *et seq.*, and U.S. Department of Agriculture regulations, "Animal Welfare," 9 CFR subchapter A, parts 1, 2, 3, and 4, regarding the care, handling, and treatment of warm blooded animals held or used for research, teaching, or other activities supported by Federal assistance;
  - (18) Will have performed the financial and compliance audits as required by the Single Audit Act Amendments of 1996, 31 U.S.C. 7501 *et seq.*, OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations," Revised, and the most recent applicable OMB A-133 Compliance Supplement provisions for the U.S. DOT; and
  - (19) To the extent applicable, will comply with all applicable provisions of all other Federal laws, regulations, and directives governing the project, except to the extent that FTA has expressly approved otherwise in writing.

## **02. LOBBYING CERTIFICATION**

*An Applicant that submits or intends to submit an application to FTA for Federal assistance exceeding \$100,000 is required to provide the following certification. FTA may not award Federal assistance exceeding \$100,000 until the Applicant provides this certification by selecting Category "02."*

- A. As required by 31 U.S.C. 1352 and U.S. DOT regulations, "New Restrictions on Lobbying," at 49 CFR 20.110, the Applicant's authorized representative certifies to the best of his or her knowledge and belief that for each application to FTA for Federal assistance exceeding \$100,000:
  - (1) No Federal appropriated funds have been or will be paid by or on behalf of the Applicant to any person to influence or attempt to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress regarding the award of Federal assistance, or the extension, continuation, renewal, amendment, or modification of any Federal assistance agreement; and

- (2) If any funds other than Federal appropriated funds have been or will be paid to any person to influence or attempt to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any application for Federal assistance, the Applicant assures that it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," including information required by the instructions accompanying the form, which form may be amended to omit such information as authorized by 31 U.S.C. 1352.
  - (3) The language of this certification shall be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, subagreements, contracts under grants, loans, and cooperative agreements).
- B. The Applicant understands that this certification is a material representation of fact upon which reliance is placed by the Federal Government and that submission of this certification is a prerequisite for providing Federal assistance for a transaction covered by 31 U.S.C. 1352. The Applicant also understands that any person who fails to file a required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

### **03. PROCUREMENT COMPLIANCE**

*In accordance with 49 CFR 18.36(g)(3)(ii), each Applicant that is a State, local, or Indian tribal government that is seeking Federal assistance to acquire property or services in support of its project is requested to provide the following certification by selecting Category "03." FTA also requests other Applicants to provide the following certification. An Applicant for FTA assistance to acquire property or services in support of its project that fails to provide this certification may be determined ineligible for award of Federal assistance for the project, if FTA determines that its procurement practices and procurement system are incapable of compliance with Federal laws, regulations and directives governing procurements financed with FTA assistance.*

The Applicant certifies that its procurements and procurement system will comply with all applicable third party procurement provisions of Federal laws, regulations, and directives, except to the extent FTA has expressly approved otherwise in writing.

### **04. PRIVATE PROVIDERS OF PUBLIC TRANSPORTATION**

*Each Applicant that is a State, local, or Indian tribal government that is seeking Federal assistance authorized under 49 U.S.C. chapter 53 to acquire any property or an interest in the property of a private provider of public transportation or to operate public transportation equipment or facilities in competition with, or in addition to, transportation service provided by an existing private provider of public transportation is required to provide the following certification. FTA may not award Federal assistance for such a project until the Applicant provides this certification by selecting Category "04."*

As required by 49 U.S.C. 5323(a)(1), the Applicant certifies that before it acquires the property or an interest in the property of a private provider of public transportation or operates public transportation equipment or facilities in competition with, or in addition to, transportation service provided by an existing public transportation company, it has or will have:

- A. Determined that the assistance is essential to carrying out a program of projects as required

- by 49 U.S.C. 5303, 5304, and 5306;
- B. Provided for the participation of private companies engaged in public transportation to the maximum extent feasible; and
  - C. Paid just compensation under state or local law to the company for any franchise or property acquired.

## **05. PUBLIC HEARING**

*An Applicant seeking Federal assistance authorized under 49 U.S.C. chapter 53 for a capital project that will substantially affect a community or a community's public transportation service is required to provide the following certification. FTA may not award Federal assistance for that type of project until the Applicant provides this certification by selecting Category "05."*

As required by 49 U.S.C. 5323(b), the Applicant certifies that it has, or before submitting its application, it will have:

- A. Provided an adequate opportunity for public review and comment on the project preceded by adequate prior public notice of the proposed project, including a concise description of the proposed project, published in a newspaper of general circulation in the geographic area to be served;
- B. Held a public hearing on the project if the project affects significant economic, social, or environmental interests after providing adequate notice as described above;
- C. Considered the economic, social, and environmental effects of the proposed project; and
- D. Determined that the proposed project is consistent with official plans for developing the urban area.

## **06. ACQUISITION OF ROLLING STOCK**

*An Applicant seeking Federal assistance authorized under 49 U.S.C. chapter 53 to acquire any rolling stock is required to provide the following certification. FTA may not award any Federal assistance to acquire such rolling stock until the Applicant provides this certification by selecting Category "06."*

As required by 49 U.S.C. 5323(m) and implementing FTA regulations at 49 CFR 663.7, the Applicant certifies that it will comply with the requirements of 49 CFR part 663 as modified by amendments authorized by section 3023(k) of SAFETEA-LU when procuring revenue service rolling stock. Among other things, the Applicant agrees to conduct or cause to be conducted the requisite pre-award and post-delivery reviews, and maintain on file the certifications required by 49 CFR part 663, subparts B, C, and D.

## **07. ACQUISITION OF CAPITAL ASSETS BY LEASE**

*An Applicant that intends to request the use of Federal assistance to acquire capital assets by lease is required to provide the following certifications. FTA may not provide assistance to support those costs until the Applicant provides this certification by selecting Category "07."*

As required by FTA regulations, "Capital Leases," at 49 CFR 639.15(b)(1) and 639.21, if the Applicant acquires any capital asset by lease financed with Federal assistance authorized for 49 U.S.C. chapter 53, the Applicant certifies as follows:

- (1) It will not use Federal assistance authorized to finance the cost of leasing any capital asset until it performs calculations demonstrating that leasing the capital asset would be more cost-effective than purchasing or constructing a similar asset; and It will complete these calculations before entering into the lease or before receiving a capital grant for the asset, whichever is later; and
- (2) It will not enter into a capital lease for which FTA can provide only incremental Federal assistance unless it has adequate financial resources to meet its future obligations under the lease if Federal assistance is not available for capital projects in the subsequent years.

## **08. BUS TESTING**

*An Applicant for Federal assistance appropriated or made available for 49 U.S.C. chapter 53 to acquire any new bus model or any bus model with a new major change in configuration or components is required to provide the following certification. FTA may not provide assistance for the acquisition of any new bus model or bus model with a major change until the Applicant provides this certification by selecting Category "08."*

As required by 49 U.S.C. 5318 and FTA regulations, "Bus Testing," at 49 CFR 665.7, the Applicant certifies that, before expending any Federal assistance to acquire the first bus of any new bus model or any bus model with a new major change in configuration or components, or before authorizing final acceptance of that bus (as described in 49 CFR part 665), the bus model:

- A. Will have been tested at FTA's bus testing facility; and
- B. Will have received a copy of the test report prepared on the bus model.

## **09. CHARTER SERVICE AGREEMENT**

*An Applicant seeking Federal assistance authorized under 49 U.S.C. chapter 53 (except 49 U.S.C. 5310 or 5317), or under 23 U.S.C. 133 or 142 to acquire or operate any public transportation equipment or facilities is required to enter into the following Charter Service Agreement. FTA may not provide assistance authorized under 49 U.S.C. chapter 53 (except 49 U.S.C. 5310 or 5317), or under 23 U.S.C. 133 or 142 for such projects until the Applicant enters into this Charter Service Agreement by selecting Category "09."*

- A. As required by 49 U.S.C. 5323(d) and (g) and FTA regulations at 49 CFR 604.7, the Applicant agrees that it and each subrecipient, lessee, and third party contractor at any tier may provide charter service for transportation projects that uses equipment or facilities acquired with Federal assistance authorized under the Federal transit laws (except 49 U.S.C. 5310 or 5317), or under 23 U.S.C. 133 or 142 only in compliance with those laws and FTA regulations, "Charter Service," 49 CFR part 604, the terms and conditions of which are incorporated herein by reference.
- B. The Applicant understands that:
  - (1) The requirements of 49 CFR part 604 will apply to any charter service it or its subrecipients or third party contractors provide,
  - (2) The definitions of 49 CFR part 604 will apply to this Charter Service Agreement, and
  - (3) A violation of this Charter Service Agreement may require corrective measures and imposition of penalties, including debarment from the receipt of further Federal assistance for transportation.

## **10. SCHOOL TRANSPORTATION AGREEMENT**

*An Applicant that is seeking Federal assistance authorized under 49 U.S.C. chapter 53 or under 23 U.S.C.133 or 142 to acquire or operate public transportation facilities and equipment is required to enter into the following School Transportation Agreement. FTA may not provide assistance for such projects until the Applicant enters into this agreement by selecting Category "10."*

- A. As required by 49 U.S.C. 5323(f) and (g) and FTA regulations at 49 CFR 605.14, the Applicant agrees that it and each subrecipient, lessee, or third party contractor at any tier may engage in school transportation operations in competition with private school transportation operators that uses equipment or facilities acquired with Federal assistance authorized under the Federal transit laws or under 23 U.S.C. 133 or 142, only in compliance with those laws and FTA regulations, "School Bus Operations," 49 CFR part 605, the terms and conditions of which are incorporated herein by reference.
- B. The Applicant understands that:
  - (1) The requirements of 49 CFR part 605 will apply to any school transportation service it or its subrecipients or third party contractors provide,
  - (2) The definitions of 49 CFR part 605 will apply to this School Transportation Agreement, and
  - (3) A violation of this School Transportation Agreement may require corrective measures and imposition of penalties, including debarment from the receipt of further Federal assistance for transportation.

## **11. DEMAND RESPONSIVE SERVICE**

*An Applicant that operates demand responsive service and applies for direct Federal assistance authorized for 49 U.S.C. chapter 53 to acquire non-rail public transportation vehicles is required to provide the following certification. FTA may not award direct Federal assistance authorized for 49 U.S.C. chapter 53 to an Applicant that operates demand responsive service to acquire non-rail public transportation vehicles until the Applicant provides this certification by selecting Category "11"*

As required by U.S. DOT regulations, "Transportation Services for Individuals with Disabilities (ADA)," at 49 CFR 37.77(d), the Applicant certifies that its demand responsive service offered to individuals with disabilities, including individuals who use wheelchairs, is equivalent to the level and quality of service offered to individuals without disabilities. When the Applicant's service is viewed in its entirety, the Applicant's service for individuals with disabilities is provided in the most integrated setting feasible and is equivalent with respect to: (1) response time, (2) fares, (3) geographic service area, (4) hours and days of service, (5) restrictions on trip purpose, (6) availability of information and reservation capability, and (7) constraints on capacity or service availability.

## **12. ALCOHOL MISUSE AND PROHIBITED DRUG USE**

*If the Applicant is required to provide the following certification concerning its activities to prevent alcohol misuse and prohibited drug use in its public transportation operations, FTA may not provide Federal assistance to that Applicant until it provides this certification by selecting*

## *Category "12"*

As required by FTA regulations, "Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations," at 49 CFR part 655, subpart I, the Applicant certifies that it has established and implemented an alcohol misuse and anti-drug program, and has complied with or will comply with all applicable requirements of FTA regulations, "Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations," 49 CFR part 655.

### **13. INTEREST AND OTHER FINANCING COSTS**

*An Applicant that intends to request the use of Federal assistance for reimbursement of interest or other financing costs incurred for its capital projects financed with Federal assistance under the Urbanized Area Formula Program, the Capital Investment Program, or the Alternative Transportation in Parks and Public Lands Program is required to provide the following certification. FTA may not provide assistance to support those costs until the Applicant provides this certification by selecting Category "13."*

As required by 49 U.S.C. 5307(g)(3), 5309(g)(2)(B)(iii), 5309(g)(3)(B)(iii), 5309(i)(2)(C), and 5320(h)(2)(C), the Applicant certifies that it will not seek reimbursement for interest and other financing costs unless it is eligible to receive Federal assistance for those expenses and its records demonstrate that it has used reasonable diligence in seeking the most favorable financing terms underlying those costs, to the extent FTA may require.

### **14. INTELLIGENT TRANSPORTATION SYSTEMS**

*An Applicant for FTA assistance for an Intelligent Transportation Systems (ITS) project, defined as any project that in whole or in part finances the acquisition of technologies or systems of technologies that provide or significantly contribute to the provision of one or more ITS user services as defined in the "National ITS Architecture" is requested to provide the following assurance. FTA strongly encourages any Applicant for FTA financial assistance to support an ITS project to provides this assurance by selecting Category "14." An Applicant for FTA assistance for an ITS project that fails to provide this assurance, without providing other documentation assuring the Applicant's commitment to comply with applicable ITS standards and protocols, may be determined ineligible for award of Federal assistance for the ITS project.*

As used in this assurance, the term Intelligent Transportation Systems (ITS) project is defined to include any project that in whole or in part finances the acquisition of technologies or systems of technologies that provide or significantly contribute to the provision of one or more ITS user services as defined in the "National ITS Architecture."

- A. As provided in SAFETEA-LU section 5307(c), 23 U.S.C. 512 note, "the Secretary shall ensure that intelligent transportation system projects carried out using funds made available from the Highway Trust Fund, including funds made available under this subtitle to deploy intelligent transportation system technologies, conform to the national architecture, applicable standards or provisional standards, and protocols developed under subsection (a)." To facilitate compliance with SAFETEA-LU section 5307(c), 23 U.S.C. 512 note, the Applicant assures it will comply with all applicable provisions of Section V (Regional ITS Architecture) and Section VI (Project Implementation) of FTA Notice, "FTA National ITS Architecture Policy on Transit Projects," at 66 FR 1455 *et seq.*,

January 8, 2001, and other FTA policies that may be issued in connection with any ITS project it undertakes financed with funds authorized under Title 49 or Title 23, United States Code, except to the extent that FTA expressly determines otherwise in writing.

- B. With respect to any ITS project financed with Federal assistance derived from a source other than Title 49 or Title 23, United States Code, the Applicant assures that it will use its best efforts to ensure that any ITS project it undertakes will not preclude interface with other intelligent transportation systems in the Region.

## **15. URBANIZED AREA FORMULA PROGRAM**

*Each Applicant for Urbanized Area Formula Program assistance authorized under 49 U.S.C. 5307 is required to provide the following certifications on behalf of itself and any subrecipients participating in its projects. Unless FTA determines otherwise in writing, the Applicant is ultimately responsible for compliance with its certifications and assurances even though a subrecipient may participate in that project. Consequently, in providing certifications and assurances that involve the compliance of its prospective subrecipients, the Applicant is strongly encouraged to take the appropriate measures, including but not limited to obtaining sufficient documentation from each subrecipient, to assure the validity of all certifications and assurances the Applicant has made to FTA. If, however a "Designated Recipient" as defined at 49 U.S.C. 5307(a)(2)(A) enters into a Supplemental Agreement with FTA and a Prospective Grantee, that Grantee is recognized as the Applicant for Urbanized Area Formula Program assistance and must provide the following certifications.*

*Each Applicant is required by 49 U.S.C. 5307(d)(1)(J) to expend at least one (1) percent of its Urbanized Area Formula Program assistance for public transportation security projects, unless the Applicant has certified to FTA that such expenditures are not necessary. Information about the Applicant's intentions will be recorded in the "Security" tab page of the TEAM-Web "Project Information" window when the Applicant enters its Urbanized Area Formula Program application in TEAM-Web.*

*FTA may not award Urbanized Area Formula assistance to any Applicant that has received Transit Enhancement funds authorized by former 49 U.S.C. 5307(k)(1), unless a quarterly report for the fourth quarter of the preceding Federal fiscal year has been submitted to FTA and includes the requisite list for the urbanized area. Beginning this Federal fiscal year 2007, FTA may not award Urbanized Area Formula Program assistance to any Applicant that is required by 49 U.S.C. 5307(d)(1)(K) to expend one (1) percent of its Urbanized Area Formula Program assistance for eligible transit enhancements unless that Applicant's quarterly report for the fourth quarter of the preceding Federal fiscal year has been submitted to FTA and includes the requisite list or the Applicant attaches in TEAM or includes in its quarterly report information sufficient to demonstrate that the Designated Recipients in its area together have expended one (1) percent of the amount of Urbanized Area Program assistance made available to them for transit enhancement projects.*

*FTA may not award assistance for the Urbanized Area Formula Program to the Applicant until the Applicant provides these certifications and assurances by selecting Category "15."*

As required by 49 U.S.C. 5307(d)(1), the Applicant certifies as follows:

- A. In compliance with 49 U.S.C. 5307(d)(1)(A), the Applicant has or will have the legal,

- financial, and technical capacity to carry out its proposed program of projects, including safety and security aspects of that program;
- B. In compliance with 49 U.S.C. 5307(d)(1)(B), the Applicant has or will have satisfactory continuing control over the use of Project equipment and facilities;
  - C. In compliance with 49 U.S.C. 5307(d)(1)(C), the Applicant will adequately maintain the Project equipment and facilities;
  - D. In compliance with 49 U.S.C. 5307(d)(1)(D), the Applicant will ensure that elderly individuals, individuals with disabilities, or any person presenting a Medicare card issued to himself or herself pursuant to title II or title XVIII of the Social Security Act (42 U.S.C. 401 *et seq.* or 42 U.S.C. 1395 *et seq.*), will be charged for transportation during non-peak hours using or involving a facility or equipment of a project financed with Federal assistance authorized for 49 U.S.C. 5307, not more than fifty (50) percent of the peak hour fare;
  - E. In compliance with 49 U.S.C. 5307(d)(1)(E), the Applicant, in carrying out a procurement financed with Federal assistance authorized under 49 U.S.C. 5307: (1) will use competitive procurement (as defined or approved by the Secretary), (2) will not use exclusionary or discriminatory specifications in its procurements, (3) will comply with applicable Buy America laws, and (4) will comply with the general provisions for FTA assistance of 49 U.S.C. 5323 and the third party procurement requirements of 49 U.S.C. 5325;
  - F. In compliance with 49 U.S.C. 5307(d)(1)(F), the Applicant has complied with or will comply with the requirements of 49 U.S.C. 5307(c). Specifically, the Applicant: (1) has made available, or will make available, to the public information on the amounts available for the Urbanized Area Formula Program, 49 U.S.C. 5307, and the program of projects it proposes to undertake; (2) has developed or will develop, in consultation with interested parties including private transportation providers, a proposed program of projects for activities to be financed; (3) has published or will publish a proposed program of projects in a way that affected citizens, private transportation providers, and local elected officials have the opportunity to examine the proposed program and submit comments on the proposed program and the performance of the Applicant; (4) has provided or will provide an opportunity for a public hearing to obtain the views of citizens on the proposed program of projects; (5) has ensured or will ensure that the proposed program of projects provides for the coordination of transportation services assisted under 49 U.S.C. 5336 with transportation services assisted by another Federal Government source; (6) has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final program of projects; and (7) has made or will make the final program of projects available to the public;
  - G. In compliance with 49 U.S.C. 5307(d)(1)(G), the Applicant has or will have available and will provide the amount of funds required by 49 U.S.C. 5307(e) for the local share, and that those funds will be provided from approved non-Federal sources except as permitted by Federal law;
  - H. In compliance with 49 U.S.C. 5307(d)(1)(H), the Applicant will comply with: 49 U.S.C. 5301(a) (requirements for public transportation systems that maximize the safe, secure, and efficient mobility of individuals, minimize environmental impacts, and minimize transportation-related fuel consumption and reliance on foreign oil); 49 U.S.C. 5301(d) (special efforts to design and provide public transportation for elderly individuals and individuals with disabilities); and 49 U.S.C. 5303 through 5306 (planning and private enterprise requirements);
  - I. In compliance with 49 U.S.C. 5307(d)(1)(I), the Applicant has a locally developed process to solicit and consider public comment before raising a fare or implementing a major



- reduction of public transportation;
- J. In compliance with 49 U.S.C. 5307(d)(1)(J), each fiscal year, the Applicant will spend at least one (1) percent of its funds authorized by 49 U.S.C. 5307 for public transportation security projects, unless the Applicant has certified to FTA that such expenditures are not necessary. Public transportation security projects include increased lighting in or adjacent to a public transportation system (including bus stops, subway stations, parking lots, and garages), increased camera surveillance of an area in or adjacent to that system, emergency telephone line or lines to contact law enforcement or security personnel in an area in or adjacent to that system, and any other project intended to increase the security and safety of an existing or planned public transportation; and
- K. In compliance with 49 U.S.C. 5307(d)(1)(K), if the Applicant is a Designated Recipient serving an urbanized area with a population of at least 200,000, (1) the Applicant certifies either that it has expended or will expend for transit enhancements as defined at 49 U.S.C. 5302(a)(15) not less than one (1) percent of the amount of the Urbanized Area Formula Assistance it receives this fiscal year, or that at least one Designated Recipient in its urbanized area has certified or will certify that the Designated Recipients within that urbanized area together have expended or will expend for transit enhancements as defined at 49 U.S.C. 5302(a)(15) not less than one (1) percent of the amount of the total amounts the Designated Recipients receive each fiscal year under 49 U.S.C. 5307, and (2) either the Applicant has listed or will list the transit enhancement projects it has carried out with those funds, or at least one Designated Recipient in the Applicant's urbanized area has listed or will list the transit enhancement projects carried out with funds authorized under 49 U.S.C. 5307. If the Designated Recipient's quarterly report for the fourth quarter of the preceding Federal fiscal year includes a list of transit enhancement projects the Designated Recipients in its urbanized area have implemented during that preceding fiscal year using those funds, the information in that quarterly report will fulfill the requirements of 49 U.S.C. 5307(d)(1)(K)(ii), and thus that quarterly report will be incorporated by reference and made part of the Designated Recipient's and Applicant's certifications and assurances.

## **16. CLEAN FUELS GRANT PROGRAM**

*Each Applicant for Clean Fuels Grant Program assistance authorized under 49 U.S.C. 5308 is required to provide the following certifications on behalf of itself and its subrecipients. Unless FTA determines otherwise in writing, the Applicant is ultimately responsible for compliance with its certifications and assurances even though a subrecipient may participate in that project. Consequently, in providing certifications and assurances that involve the compliance of its prospective subrecipients, the Applicant is strongly encouraged to take the appropriate measures, including but not limited to obtaining sufficient documentation from each subrecipient, to assure the validity of all certifications and assurances the Applicant has made to FTA. FTA may not award Federal assistance for the Clean Fuels Grant Program until the Applicant provides these certifications by selecting Category "16."*

As required by 49 U.S.C. 5308(d)(1), which makes the requirements of 49 U.S.C. 5307 applicable to Clean Fuels Grant Program assistance, and 49 U.S.C. 5307(d)(1), the designated recipient or the recipient serving as the Applicant on behalf of the designated recipient, or the state or state organization serving as the Applicant on behalf of the state, certifies as follows:

- A. In compliance with 49 U.S.C. 5307(d)(1)(A), the Applicant has or will have the legal, financial, and technical capacity to carry out its proposed program of projects, including

- safety and security aspects of that program;
- B. In compliance with 49 U.S.C. 5307(d)(1)(B), the Applicant has or will have satisfactory continuing control over the use of project equipment and facilities;
  - C. In compliance with 49 U.S.C. 5307(d)(1)(C), the Applicant will adequately maintain the project equipment and facilities;
  - D. In compliance with 49 U.S.C. 5307(d)(1)(D), the Applicant will ensure that elderly individuals, individuals with disabilities, or any person presenting a Medicare card issued to himself or herself pursuant to title II or title XVIII of the Social Security Act (42 U.S.C. 401 *et seq.* or 42 U.S.C. 1395 *et seq.*), will be charged for transportation during non-peak hours using or involving a facility or equipment of a project financed with Federal assistance authorized under 49 U.S.C. 5308, not more than fifty (50) percent of the peak hour fare;
  - E. In compliance with 49 U.S.C. 5307(d)(1)(E), the Applicant, in carrying out a procurement financed with Federal assistance authorized under 49 U.S.C. 5308: (1) will use competitive procurement (as defined or approved by the Secretary), (2) will not use exclusionary or discriminatory specifications in its procurements, (3) will comply with applicable Buy America laws, and (4) will comply with the general provisions for FTA assistance of 49 U.S.C. 5323 and the third party procurement requirements of 49 U.S.C. 5325;
  - F. In compliance with 49 U.S.C. 5307(d)(1)(F), the Applicant has complied with or will comply with the requirements of 49 U.S.C. 5307(c). Specifically, the Applicant: (1) has made available, or will make available, to the public information on the amounts available for the Clean Fuels Grant Program, 49 U.S.C. 5308, and the projects it proposes to undertake; (2) has developed or will develop, in consultation with interested parties including private transportation providers, the proposed projects to be financed; (3) has published or will publish a list of the proposed projects in a way that affected citizens, private transportation providers, and local elected officials have the opportunity to examine the proposed projects and submit comments on the proposed projects and the performance of the Applicant; (4) has provided or will provide an opportunity for a public hearing to obtain the views of citizens on the proposed projects; (5) has ensured or will ensure that the proposed projects provide for the coordination of transportation services assisted under 49 U.S.C. 5336 with transportation services assisted by another Federal Government source; (6) has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final list of projects; and (7) has made or will make the final list of projects available to the public;
  - G. In compliance with 49 U.S.C. 5307(d)(1)(G), the Applicant has or will have available and will provide the amount of funds required by 49 U.S.C. 5308(d)(2) for the local share, and that those funds will be provided from approved non-Federal sources except as permitted by Federal law;
  - H. In compliance with 49 U.S.C. 5307(d)(1)(H), the Applicant will comply with: 49 U.S.C. 5301(a) (requirements for public transportation systems that maximize the safe, secure, and efficient mobility of individuals, minimize environmental impacts, and minimize transportation-related fuel consumption and reliance on foreign oil); 49 U.S.C. 5301(d) (special efforts to design and provide public transportation for elderly individuals and individuals with disabilities); and 49 U.S.C. 5303 through 5306 (planning and private enterprise requirements);
  - I. In compliance with 49 U.S.C. 5307(d)(1)(I), the Applicant has a locally developed process to solicit and consider public comment before raising a fare or implementing a major reduction of public transportation; and
  - J. The Applicant certifies that it will use only clean fuels to operate any vehicles financed with

Federal assistance provided for the Clean Fuels Grant Program, 49 U.S.C. 5308, and in particular that it will use only ultra-low sulfur diesel fuel to operate “clean diesel” buses financed with Federal assistance provided for the Clean Fuels Grant Program, 49 U.S.C. 5308.

## **17. ELDERLY INDIVIDUALS AND INDIVIDUALS WITH DISABILITIES FORMULA PROGRAM AND PILOT PROGRAM**

*The State or State organization (State) that administers the Elderly Individuals and Individuals with Disabilities Formula Program and, if applicable, the Elderly Individuals and Individuals with Disabilities Pilot Program on behalf of itself and its subrecipients is required to provide the following certifications on behalf of itself and each subrecipient. Unless FTA determines otherwise in writing, the State itself is ultimately responsible for compliance with its certifications and assurances even though a subrecipient may participate in that project. Consequently, in providing certifications and assurances that involve the compliance of its prospective subrecipients, the State is strongly encouraged to take the appropriate measures, including but not limited to obtaining sufficient documentation from each subrecipient, to assure the validity of all certifications and assurances the State has made to FTA. FTA may not award assistance for the Elderly Individuals and Individuals with Disabilities Formula Program or the Elderly Individuals and Individuals with Disabilities Pilot Program until the State provides these certifications by selecting Category "17."*

- A. As required by 49 U.S.C. 5310(d), which makes the requirements of 49 U.S.C. 5307 applicable to the Elderly Individuals and Individuals with Disabilities Formula Program to the extent that the Federal Transit Administrator or his or her designee determines appropriate, and 49 U.S.C. 5307(d)(1), the State or State organization serving as the Applicant (State) and that administers, on behalf of the State, the Elderly Individuals and Individuals with Disabilities Program authorized by 49 U.S.C. 5310, and, if applicable, the Elderly Individuals and Individuals with Disabilities Pilot Program authorized by subsection 3012(b) of SAFETEA-LU, 49 U.S.C. 5310 note, certifies and assures on behalf of itself and its subrecipients as follows:
- (1) In compliance with 49 U.S.C. 5307(d)(1)(A), the Applicant has or will have the legal, financial, and technical capacity to carry out its proposed program of projects, including safety and security aspects of that program;
  - (2) In compliance with 49 U.S.C. 5307(d)(1)(B), the Applicant has or will have satisfactory continuing control over the use of project equipment and facilities;
  - (3) In compliance with 49 U.S.C. 5307(d)(1)(C), the Applicant will adequately maintain the project equipment and facilities;
  - (4) In compliance with 49 U.S.C. 5307(d)(1)(E), the Applicant, in carrying out a procurement financed with Federal assistance authorized under 49 U.S.C. 5310 or subsection 3012(b) of SAFETEA-LU: (1) will use competitive procurement (as defined or approved by the Secretary), (2) will not use exclusionary or discriminatory specifications in its procurements, (3) will comply with applicable Buy America laws, and (4) will comply with the general provisions for FTA assistance of 49 U.S.C. 5323 and the third party procurement requirements of 49 U.S.C. 5325;
  - (5) In compliance with 49 U.S.C. 5307(d)(1)(G), the Applicant has or will have available and will provide the amount of funds required by 49 U.S.C. 5310(c), and if applicable by section 3012b(3) and (4), for the local share, and that those funds will be provided

- from approved non-Federal sources except as permitted by Federal law; and
- (6) In compliance with 49 U.S.C. 5307(d)(1)(H), the Applicant will comply with: 49 U.S.C. 5301(a) (requirements for public transportation systems that maximize the safe, secure, and efficient mobility of individuals, minimize environmental impacts, and minimize transportation-related fuel consumption and reliance on foreign oil); 49 U.S.C. 5301(d) (special efforts to design and provide public transportation for elderly individuals and individuals with disabilities); and 49 U.S.C. 5303 through 5306 (planning and private enterprise requirements);
- B. The State assures that each subrecipient either is recognized under State law as a private nonprofit organization with the legal capability to contract with the State to carry out the proposed project, or is a public body that has met the statutory requirements to receive Federal assistance authorized for 49 U.S.C. 5310.
- C. The private nonprofit subrecipient's application for 49 U.S.C. 5310 assistance contains information from which the State concludes that the transit service provided or offered to be provided by existing public or private transit operators is unavailable, insufficient, or inappropriate to meet the special needs of the elderly and persons with disabilities.
- D. In compliance with 49 U.S.C. 5310(d)(2)(A) and section 3012(b)(2), the State certifies that, before it transfers funds to a project funded under 49 U.S.C. 5336, that project will have been or will have been coordinated with private nonprofit providers of services under 49 U.S.C. 5310;
- E. In compliance with 49 U.S.C. 5310(d)(2)(C), the State certifies that allocations to subrecipients of financial assistance authorized under 49 U.S.C. 5310 or subsection 3012(b) of SAFETEA-LU will be distributed on a fair and equitable basis; and
- F. In compliance with 49 U.S.C. 5310(d)(2)(B) and Subsection 3012(b)(2) of SAFETEA-LU, the State certifies that: (1) projects it has selected or will select for assistance under that program were derived from a locally developed, coordinated public transit-human services transportation plan; and (2) the plan was developed through a process that included representatives of public, private, and nonprofit transportation and human services providers and participation by the public.

## **18. NONURBANIZED AREA FORMULA PROGRAM**

*The provisions of 49 U.S.C. 5311 establishing the Nonurbanized Area Formula Program do not impose, as a pre-condition of award, any explicit certification or assurance requirements established specifically for that program. Only a State or a State organization acting as the Recipient on behalf of a State (State) may be a direct recipient of Nonurbanized Area Formula Program assistance. Separate certifications and assurances have been established for an Indian tribe that is an Applicant for Tribal Transit Program assistance authorized by 49 U.S.C. 5311(c)(1).*

*Before FTA may award Nonurbanized Area Formula Program assistance to a State, the U.S. Secretary of Transportation or his or her designee is required to make the pre-award determinations required by 49 U.S.C. 5311. Because certain information is needed before the Secretary or his or her designee can make those determinations, each State is requested to provide the following assurances on behalf of itself and its subrecipients. Unless FTA determines otherwise in writing, the State itself is ultimately responsible for compliance with its certifications and assurances even though a subrecipient may participate in that project. Consequently, in providing certifications and assurances that involve the compliance of its*

*prospective subrecipients, the State is strongly encouraged to take the appropriate measures, including but not limited to obtaining sufficient documentation from each subrecipient, to assure the validity of all certifications and assurances the State has made to FTA. A State that fails to provide these assurances on behalf of itself and its subrecipients may be determined ineligible for a grant of Federal assistance under 49 U.S.C. 5311 if FTA lacks sufficient information from which to make those determinations required by Federal laws and regulations governing the Nonurbanized Area Formula Program authorized by 49 U.S.C. 5311. The State is thus requested to select Category “(18).”*

The State or State organization serving as the Applicant and that administers, on behalf of the State (State) the Nonurbanized Area Formula Program authorized by 49 U.S.C. 5311, assures on behalf of itself and its subrecipients as follows:

- A. The State has or will have the necessary legal, financial, and managerial capability to apply for, receive, and disburse Federal assistance authorized for 49 U.S.C. 5311; and to carry out each project, including the safety and security aspects of that project;
- B. The State has or will have satisfactory continuing control over the use of project equipment and facilities;
- C. The State assures that the project equipment and facilities will be adequately maintained;
- D. In compliance with 49 U.S.C. 5311(b)(2)(C)(i), the State’s program has provided for a fair distribution of Federal assistance authorized for 49 U.S.C. 5311 within the State, including Indian reservations within the State;
- E. In compliance with 49 U.S.C. 5311(b)(2)(C)(ii), the State’s program provides or will provide the maximum feasible coordination of public transportation service to receive assistance under 49 U.S.C. 5311 with transportation service assisted by other Federal sources;
- F. The projects in the State’s Nonurbanized Area Formula Program are included in the Statewide Transportation Improvement Program and, to the extent applicable, the projects are included in a metropolitan Transportation Improvement Program;
- G. The State has or will have available and will provide the amount of funds required by 49 U.S.C. 5311(g) for the local share, and that those funds will be provided from approved non-Federal sources except as permitted by Federal law; and
- H. In compliance with 49 U.S.C. 5311(f), the State will expend not less than fifteen (15) percent of the amounts of Federal assistance authorized under 49 U.S.C. 5311 that have been provided to the State to develop and support intercity bus transportation within the State, unless the chief executive officer of the State, or his or her designee, after consultation with affected intercity bus service providers, certifies to the Federal Transit Administrator, apart from these certifications and assurances herein, that the intercity bus service needs of the State are being adequately met.

## **19. JOB ACCESS AND REVERSE COMMUTE FORMULA GRANT PROGRAM**

*Each Applicant for Job Access and Reverse Commute (JARC) Formula Grant Program assistance authorized under 49 U.S.C. 5316 is required to provide the following certifications on behalf of itself and any subrecipient that may be implementing its project. Unless FTA determines otherwise in writing, the Applicant itself is ultimately responsible for compliance with its certifications and assurances even though a subrecipient may participate in that project. Consequently, in providing certifications and assurances that involve the compliance of its prospective subrecipients, the Applicant is strongly encouraged to take the appropriate*

*measures, including but not limited to obtaining sufficient documentation from each subrecipient, to assure the validity of all certifications and assurances the Applicant has made to FTA. FTA may not award Federal assistance for the JARC Formula Grant Program until the Applicant provides these certifications by selecting Category "19."*

- A. As required by 49 U.S.C. 5316(f)(1), which makes the requirements of 49 U.S.C. 5307 applicable to Job Access and Reverse Commute (JARC) formula grants, and 49 U.S.C. 5307(d)(1), the Applicant for JARC Formula Program assistance authorized under 49 U.S.C. 5316, certifies on behalf of itself and its subrecipients, if any, as follows:
- (1) In compliance with 49 U.S.C. 5307(d)(1)(A), the Applicant has or will have the legal, financial, and technical capacity to carry out its proposed program of projects, including safety and security aspects of that program;
  - (2) In compliance with 49 U.S.C. 5307(d)(1)(B), the Applicant has or will have satisfactory continuing control over the use of project equipment and facilities;
  - (3) In compliance with 49 U.S.C. 5307(d)(1)(C), the Applicant will adequately maintain the project equipment and facilities;
  - (4) In compliance with 49 U.S.C. 5307(d)(1)(D), the Applicant will ensure that elderly individuals and individuals with disabilities, or any person presenting a Medicare card issued to himself or herself pursuant to title II or title XVIII of the Social Security Act (42 U.S.C. 401 *et seq.* or 42 U.S.C. 1395 *et seq.*), will be charged for transportation during non-peak hours using or involving a facility or equipment of a project financed with Federal assistance authorized under 49 U.S.C. 5316 not more than fifty (50) percent of the peak hour fare;
  - (5) In compliance with 49 U.S.C. 5307(d)(1)(E), the Applicant, in carrying out a procurement financed with Federal assistance authorized under 49 U.S.C. 5316: (1) will use competitive procurement (as defined or approved by the Secretary), (2) will not use exclusionary or discriminatory specifications in its procurements, (3) will comply with applicable Buy America laws, and (4) will comply with the general provisions for FTA assistance of 49 U.S.C. 5323 and the third party procurement requirements of 49 U.S.C. 5325;
  - (6) In compliance with 49 U.S.C. 5307(d)(1)(F), the Applicant has complied with or will comply with the requirements of 49 U.S.C. 5307(c). Specifically, it: (1) has made available, or will make available, to the public information on the amounts available for the JARC Formula Grant Program, 49 U.S.C. 5316, and the projects it proposes to undertake; (2) has developed or will develop, in consultation with interested parties including private transportation providers, the proposed projects to be financed; (3) has published or will publish a list of projects in a way that affected citizens, private transportation providers, and local elected officials have the opportunity to examine the proposed projects and submit comments on the proposed projects and the performance of the Applicant; (4) has provided or will provide an opportunity for a public hearing to obtain the views of citizens on the proposed projects; (5) has ensured or will ensure that the proposed projects provide for the coordination of transportation services assisted under 49 U.S.C. 5336 with transportation services assisted by another Federal Government source; (6) has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final list of projects; and (7) has made or will make the final list of projects available to the public;
  - (7) In compliance with 49 U.S.C. 5307(d)(1)(G), the Applicant has or will have available and will provide the amount of funds required by 49 U.S.C. 5316(g) for the local share,

- and that those funds will be provided from approved non-Federal sources except as permitted by Federal law;
- (8) In compliance with 49 U.S.C. 5307(d)(1)(H), the Applicant will comply with: 49 U.S.C. 5301(a) (requirements for public transportation systems that maximize the safe, secure, and efficient mobility of individuals, minimize environmental impacts, and minimize transportation-related fuel consumption and reliance on foreign oil); 49 U.S.C. 5301(d) (special efforts to design and provide public transportation for elderly individuals and individuals with disabilities); and 49 U.S.C. 5303 through 5306 (planning and private enterprise requirements); and
  - (9) In compliance with 49 U.S.C. 5307(d)(1)(I), the Applicant has a locally developed process to solicit and consider public comment before raising a fare or implementing a major reduction of public transportation;
- B. In compliance with 49 U.S.C. 5316(d), the Applicant certifies that (1) with respect to financial assistance authorized under 49 U.S.C. 5316(c)(1)(A), it will conduct in cooperation with the appropriate MPO an areawide solicitation for applications, and make awards on a competitive basis and (2) with respect to financial assistance authorized under 49 U.S.C. 5316(c)(1)(B) or 49 U.S.C. 5316(c)(1)(C), it will conduct a statewide solicitation for applications, and make awards on a competitive basis;
  - C. In compliance with 49 U.S.C. 5316(f)(2), the Applicant certifies that any allocations to subrecipients of financial assistance authorized under 49 U.S.C. 5316 will be distributed on a fair and equitable basis;
  - D. In compliance with 49 U.S.C. 5316(g)(2), the Applicant certifies that, before it transfers funds to a project funded under 49 U.S.C. 5336, that project will have been or will have been coordinated with private nonprofit providers of services;
  - E. In compliance with 49 U.S.C. 5316(g)(3), the Applicant certifies that: (1) the projects it has selected or will select for assistance under that program were derived from a locally developed, coordinated public transit-human services transportation plan; and (2) the plan was developed through a process that included representatives of public, private, and nonprofit transportation and human services providers and participation by the public; and
  - F. In compliance with 49 U.S.C. 5316(c)(3), before the Applicant uses funding apportioned under 49 U.S.C. 5316(c)(1)(B) or (C) for projects serving an area other than that specified in 49 U.S.C. 5316(2)(B) or (C), the Applicant certifies that the chief executive officer of the State, or his or her designee will have certified to the Federal Transit Administrator, apart from these certifications herein, that all of the objectives of 49 U.S.C. 5316 are being met in the area from which such funding would be derived.

## **20. NEW FREEDOM PROGRAM**

*Each Applicant for New Freedom Program assistance authorized under 49 U.S.C. 5317 must provide the following certifications on behalf of itself and any subrecipient that may be implementing its project. Unless FTA determines otherwise in writing, the Applicant itself is ultimately responsible for compliance with its certifications and assurances even though a subrecipient may participate in that project. Consequently, in providing certifications and assurances that involve the compliance of its prospective subrecipients, the Applicant is strongly encouraged to take the appropriate measures, including but not limited to obtaining sufficient documentation from each subrecipient, to assure the validity of all certifications and assurances the Applicant has made to FTA.. FTA may not award Federal assistance for the New Freedom Program until the Applicant provides these certifications by selecting Category "20."*

- A. As required by 49 U.S.C. 5317(e)(1), which makes the requirements of 49 U.S.C. 5310 applicable to New Freedom grants to the extent the Federal Transit Administrator or his or her designee determines appropriate, by 49 U.S.C. 5310(d)(1), which makes the requirements of 49 U.S.C. 5307 applicable to Elderly Individuals and Individuals with Disabilities Formula grants to the extent the Federal Transit Administrator or his or her designee determines appropriate, and by 49 U.S.C. 5307(d)(1), the Applicant for New Freedom Program assistance authorized under 49 U.S.C. 5317 certifies and assures on behalf of itself and its subrecipients, if any, as follows:
- (1) In compliance with 49 U.S.C. 5307(d)(1)(A), the Applicant has or will have the legal, financial, and technical capacity to carry out its proposed program of projects, including safety and security aspects of that program;
  - (2) In compliance with 49 U.S.C. 5307(d)(1)(B), the Applicant has or will have satisfactory continuing control over the use of project equipment and facilities;
  - (3) In compliance with 49 U.S.C. 5307(d)(1)(C), the Applicant will adequately maintain the project equipment and facilities;
  - (4) In compliance with 49 U.S.C. 5307(d)(1)(E), the Applicant, in carrying out a procurement financed with Federal assistance authorized under 49 U.S.C. 5317: (1) will use competitive procurement (as defined or approved by the Secretary), (2) will not use exclusionary or discriminatory specifications in its procurements, (3) will comply with applicable Buy America laws, and (4) will comply with the general provisions for FTA assistance of 49 U.S.C. 5323 and the third party procurement requirements of 49 U.S.C. 5325;
  - (5) In compliance with 49 U.S.C. 5307(d)(1)(G), the Applicant has or will have available and will provide the amount of funds required by 49 U.S.C. 5317(g), and if applicable by section 3012b(3) and (4), for the local share, and that those funds will be provided from approved non-Federal sources except as permitted by Federal law; and
  - (6) In compliance with 49 U.S.C. 5307(d)(1)(H), the Applicant will comply with: 49 U.S.C. 5301(a) (requirements for public transportation systems that maximize the safe, secure, and efficient mobility of individuals, minimize environmental impacts, and minimize transportation-related fuel consumption and reliance on foreign oil); 49 U.S.C. 5301(d) (special efforts to design and provide public transportation for elderly individuals and individuals with disabilities); and 49 U.S.C. 5303 through 5306 (planning and private enterprise requirements);
- B. In compliance with 49 U.S.C. 5317(d), the Applicant certifies that (1) with respect to financial assistance authorized under 49 U.S.C. 5317(c)(1)(A), it will conduct in cooperation with the appropriate MPO an areawide solicitation for applications, and make awards on a competitive basis and (2) with respect to financial assistance authorized under 49 U.S.C. 5317(c)(1)(B) or 49 U.S.C. 5317(c)(1)(C), it will conduct a statewide solicitation for applications, and make awards on a competitive basis;
- C. In compliance with 49 U.S.C. 5317(f)(2), the Applicant certifies that, before it transfers funds to a project funded under 49 U.S.C. 5336, that project will have been or will have been coordinated with private nonprofit providers of services;
- D. In compliance with 49 U.S.C. 5317(e)(2), the Applicant certifies that any allocations to subrecipients of financial assistance authorized under 49 U.S.C. 5317 will be distributed on a fair and equitable basis; and
- E. In compliance with 49 U.S.C. 5317(f)(3), the Applicant certifies that: (1) projects it has selected or will select for assistance under that program were derived from a locally



developed, coordinated public transit-human services transportation plan; and (2) the plan was developed through a process that included representatives of public, private, and nonprofit transportation and human services providers and participation by the public

## **21. ALTERNATIVE TRANSPORTATION IN PARKS AND PUBLIC LANDS PROGRAM**

*Each State, tribal area, or local government authority that is an Applicant for Alternative Transportation in Parks and Public Lands Program assistance (Applicant) authorized by 49 U.S.C. 5320, is required to provide the following certifications. FTA may not award assistance for the Alternative Transportation in Parks and Public Lands Program assistance to the Applicant until the Applicant provides these certifications by selecting Category "21."*

- A. As required by 49 U.S.C. 5320(i), which makes the requirements of 49 U.S.C. 5307 applicable to the Alternative Transportation in Parks and Public Lands Program assistance to the extent the Federal Transit Administrator or his or her designee determines appropriate, and 49 U.S.C. 5307(d)(1), the Applicant certifies as follows:
- (1) In compliance with 49 U.S.C. 5307(d)(1)(A), the Applicant has or will have the legal, financial, and technical capacity to carry out its proposed project, including safety and security aspects of that project;
  - (2) In compliance with 49 U.S.C. 5307(d)(1)(B), the Applicant has or will have satisfactory continuing control over the use of project equipment and facilities;
  - (3) In compliance with 49 U.S.C. 5307(d)(1)(C), the Applicant will adequately maintain the project equipment and facilities;
  - (4) In compliance with 49 U.S.C. 5307(d)(1)(E) in carrying out a procurement financed with Federal assistance authorized under 49 U.S.C. 5320, the Applicant: (1) will use competitive procurement (as defined or approved by the Secretary), (2) will not use exclusionary or discriminatory specifications in its procurements, (3) will comply with applicable Buy America laws, and (4) will comply with the general provisions for FTA assistance of 49 U.S.C. 5323 and the third party procurement requirements of 49 U.S.C. 5325;
  - (5) In compliance with 49 U.S.C. 5307(d)(1)(F) and with 49 U.S.C. 5320(e)(2)(C), the Applicant has complied with or will comply with the requirements of 49 U.S.C. 5307(c). Specifically, it: (1) has made available, or will make available, to the public information on the amounts available for the Alternative Transportation in Parks and Public Lands Program, 49 U.S.C. 5320, and the projects it proposes to undertake; (2) has developed or will develop, in consultation with interested parties including private transportation providers, projects to be financed; (3) has published or will publish a list of projects in a way that affected citizens, private transportation providers, and local elected officials have the opportunity to examine the proposed projects and submit comments on the proposed projects and the performance of the Applicant; (4) has provided or will provide an opportunity for a public hearing to obtain the views of citizens on the proposed projects; (5) has ensured or will ensure that the proposed projects provide for the coordination of transportation services assisted under 49 U.S.C. 5336 with transportation services assisted by another Federal Government source; (6) has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final list of projects; and (7) has made or will make the final list of projects available to the public;

- (6) In compliance with 49 U.S.C. 5307(d)(1)(H), the Applicant will comply with: 49 U.S.C. 5301(a) (requirements for public transportation systems that maximize the safe, secure, and efficient mobility of individuals, minimize environmental impacts, and minimize transportation-related fuel consumption and reliance on foreign oil); 49 U.S.C. 5301(d) (special efforts to design and provide public transportation for elderly individuals and individuals with disabilities); and 49 U.S.C. 5303 through 5306 (planning and private enterprise requirements).
  - (7) In compliance with 49 U.S.C. 5307(d)(1)(I), the Applicant has a locally developed process to solicit and consider public comment before raising a fare or implementing a major reduction of public transportation.
- B. In compliance with 49 U.S.C. 5320(e)(2)(A), (B), and (D), the Applicant assures that it will:
- (1) Comply with the metropolitan planning provisions of 49 U.S.C. 5303;
  - (2) Comply with the statewide planning provisions of 49 U.S.C. 5304; and
  - (3) Consult with the appropriate Federal land management agency during the planning process.

## **22. INFRASTRUCTURE FINANCE PROJECTS**

*Each Applicant for Infrastructure Finance assistance authorized under 23 U.S.C. chapter 6, is required to provide the following certifications. FTA may not award Infrastructure Finance assistance to the Applicant until the Applicant provides these certifications by selecting Category "22."*

- A. As required by 49 U.S.C. 5323(o), which makes the requirements of 49 U.S.C. 5307 applicable to Applicants seeking Infrastructure Finance assistance authorized under 23 U.S.C. chapter 6, and by 49 U.S.C. 5307(d)(1), the Applicant certifies as follows:
- (1) In compliance with 49 U.S.C. 5307(d)(1)(A), the Applicant has or will have the legal, financial, and technical capacity to carry out its proposed program of projects, including safety and security aspects of that program;
  - (2) In compliance with 49 U.S.C. 5307(d)(1)(B), the Applicant has or will have satisfactory continuing control over the use of project equipment and facilities;
  - (3) In compliance with 49 U.S.C. 5307(d)(1)(C), the Applicant will adequately maintain the project equipment and facilities;
  - (4) In compliance with 49 U.S.C. 5307(d)(1)(D), the Applicant will ensure that elderly individuals and individuals with disabilities, or any person presenting a Medicare card issued to himself or herself pursuant to title II or title XVIII of the Social Security Act (42 U.S.C. 401 *et seq.* or 42 U.S.C. 1395 *et seq.*), will be charged for transportation during non-peak hours using or involving a facility or equipment of a project financed with Federal assistance authorized under 23 U.S.C. chapter 6 not more than fifty (50) percent of the peak hour fare;
  - (5) In compliance with 49 U.S.C. 5307(d)(1)(E), the Applicant, in carrying out a procurement financed with Federal assistance authorized under 23 U.S.C. chapter 6:
    - (1) will use competitive procurement (as defined or approved by the Secretary), (2) will not use exclusionary or discriminatory specifications in its procurements, (3) will comply with applicable Buy America laws, and (4) will comply with the general provisions for FTA assistance of 49 U.S.C. 5323 and the third party procurement requirements of 49 U.S.C. 5325;

- (6) In compliance with 49 U.S.C. 5307(d)(1)(F), the Applicant has complied with or will comply with the requirements of 49 U.S.C. 5307(c). Specifically, it: (1) has made available, or will make available, to the public information on the amounts available for Infrastructure Finance assistance, 23 U.S.C. chapter 6, and the projects it proposes to undertake; (2) has developed or will develop, in consultation with interested parties including private transportation providers, the proposed projects to be financed; (3) has published or will publish a list of projects in a way that affected citizens, private transportation providers, and local elected officials have the opportunity to examine the proposed projects and submit comments on the proposed projects and the performance of the Applicant; (4) has provided or will provide an opportunity for a public hearing to obtain the views of citizens on the proposed projects; (5) has ensured or will ensure that the proposed projects provide for the coordination of transportation services assisted under 49 U.S.C. 5336 with transportation services assisted by another Federal Government source; (6) has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final list of projects; and (7) has made or will make the final list of projects available to the public;
- (7) In compliance with 49 U.S.C. 5307(d)(1)(G), the Applicant has or will have available and will provide the amount of funds required for the local share, and that those funds will be provided from approved non-Federal sources except as permitted by Federal law;
- (8) In compliance with 49 U.S.C. 5307(d)(1)(H), the Applicant will comply with: 49 U.S.C. 5301(a) (requirements for public transportation systems that maximize the safe, secure, and efficient mobility of individuals, minimize environmental impacts, and minimize transportation-related fuel consumption and reliance on foreign oil); 49 U.S.C. 5301(d) (special efforts to design and provide public transportation for elderly individuals and individuals with disabilities); and 49 U.S.C. 5303 through 5306 (planning and private enterprise requirements);
- (9) In compliance with 49 U.S.C. 5307(d)(1)(I), the Applicant has a locally developed process to solicit and consider public comment before raising a fare or implementing a major reduction of public transportation;
- (10) To the extent that the Applicant will be using funds authorized under 49 U.S.C. 5307 for the project, in compliance with 49 U.S.C. 5307(d)(1)(J), each fiscal year, the Applicant will spend at least one (1) percent of those funds authorized under 49 U.S.C. 5307 for public transportation security projects (this includes only capital projects in the case of a Applicant serving an urbanized area with a population of 200,000 or more), unless the Applicant has certified to FTA that such expenditures are not necessary. Public transportation security projects include increased lighting in or adjacent to a public transportation system (including bus stops, subway stations, parking lots, and garages), increased camera surveillance of an area in or adjacent to that system, emergency telephone line or lines to contact law enforcement or security personnel in an area in or adjacent to that system, and any other project intended to increase the security and safety of an existing or planned public transportation; and
- (11) To the extent that the Applicant will be using funds authorized under 49 U.S.C. 5307 for the project, in compliance with 49 U.S.C. 5309(d)(1)(K): (1) an Applicant that serves an urbanized area with a population of at least 200,000 will expend not less than one (1) percent of the amount it receives each fiscal year under 49 U.S.C. 5307 for transit enhancements, as defined at 49 U.S.C. 5302(a), and (2) if it has received transit enhancement funds authorized by 49 U.S.C. 5307(k)(1), its quarterly report for the fourth quarter of the preceding Federal fiscal year includes a list of the projects it has

implemented during that fiscal year using those funds, and that report is incorporated by reference and made part of its certifications and assurances.

- B. As required by 49 U.S.C. 5323(o), which makes the requirements of 49 U.S.C. 5309 applicable to Applicants seeking Infrastructure Finance assistance authorized under 23 U.S.C. chapter 6, and by 49 U.S.C. 5309(g)(2)(B)(iii), 5309(g)(3)(B)(iii), and 5309(i)(2)(C), the Applicant certifies that it will not seek reimbursement for interest and other financing costs incurred in connection with the Project unless it is eligible to receive Federal assistance for those expenses and its records demonstrate that it has used reasonable diligence in seeking the most favorable financing terms underlying those costs, to the extent FTA may require.

### **23. DEPOSITS OF FEDERAL FINANCIAL ASSISTANCE TO STATE INFRASTRUCTURE BANKS**

*The State organization that administers the State Infrastructure Bank (SIB) Program on behalf of a State (State) and that is also an Applicant for Federal assistance authorized under 49 U.S.C. chapter 53 that it intends to deposit in its SIB is requested to provide the following assurances on behalf of itself, its SIB, and each subrecipient. Unless FTA determines otherwise in writing, the State itself is ultimately responsible for compliance with its certifications and assurances even though the SIB and a subrecipient may participate in that project. Consequently, in providing certifications and assurances that involve the compliance of its SIB and prospective subrecipients, the State is strongly encouraged to take the appropriate measures, including but not limited to obtaining sufficient documentation from the SIB and each subrecipient, to assure the validity of all certifications and assurances the State has made to FTA.. FTA may not award assistance for the SIB Program to the State until the State provides these assurances by selecting Category "23."*

The State organization, serving as the Applicant (State) for Federal assistance for its State Infrastructure Bank (SIB) Program authorized by section 1602 of SAFETEA-LU, now codified at 23 U.S.C. 610, or by section 1511 of TEA-21, 23 U.S.C. 181 note, or by section 350 of the National Highway System Designation Act of 1995, as amended, 23 U.S.C. 181 note, agrees and assures the agreement of its SIB and the agreement of each recipient of Federal assistance derived from the SIB within the State (subrecipient) that each public transportation project financed with Federal assistance derived from SIB will be administered in accordance with:

- A. Applicable provisions of section 1602 of SAFETEA-LU, now codified at 23 U.S.C. 610, or by section 1511 of TEA-21, 23 U.S.C. 181 note, or by section 350 of the National Highway System Designation Act of 1995, as amended, 23 U.S.C. 181;
- B. The provisions of the FHWA, FRA, and FTA or the FHWA and FTA cooperative agreement with the State to establish the State's SIB Program; and
- C. The provisions of the FTA grant agreement with the State that provides Federal assistance for the SIB, except that any provision of the Federal Transit Administration Master Agreement incorporated by reference into that grant agreement will not apply if it conflicts with any provision of section 1602 of SAFETEA-LU, now codified at 23 U.S.C. 610, or section 1511 of TEA-21, 23 U.S.C. 181 note, or section 350 of the National Highway System Designation Act of 1995, as amended, 23 U.S.C. 181 note, or Federal guidance pertaining to the SIB Program, the provisions of the cooperative agreement establishing the SIB Program within the State, or the provisions of the FTA grant agreement.
- D. The requirements applicable to projects of 49 U.S.C. 5307 and 5309, as required by

- 49 U.S.C. 5323(o); and
- E. The provisions of any applicable Federal guidance that may be issued as it may be amended from time-to-time, unless FTA has provided written approval of an alternative procedure or course of action.

##

*Selection and Signature Page(s) follow.*

**FEDERAL FISCAL YEAR 2007 CERTIFICATIONS AND ASSURANCES FOR  
FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS**

*(Signature page alternative to providing Certifications and Assurances in TEAM-Web)*

**Name of Applicant:** \_\_\_\_\_

**The Applicant agrees to comply with applicable provisions of Categories 01 – 23.** \_\_\_\_\_

OR

**The Applicant agrees to comply with the applicable provisions of the following Categories it has selected:**

| <u>Category</u> | <u>Description</u>   |       |
|-----------------|--|-------|
| 01.             | For Each Applicant.  | _____ |
| 02.             | Lobbying.  | _____ |
| 03.             | Procurement Compliance.  | _____ |
| 04.             | Private Providers of Public Transportation.  | _____ |
| 05.             | Public Hearing.  | _____ |
| 06.             | Acquisition of Rolling Stock.  | _____ |
| 07.             | Acquisition of Capital Assets by Lease.  | _____ |
| 08.             | Bus Testing.   | _____ |
| 09.             | Charter Service Agreement.   | _____ |
| 10.             | School Transportation Agreement.   | _____ |
| 11.             | Demand Responsive Service.   | _____ |
| 12.             | Alcohol Misuse and Prohibited Drug Use.  | _____ |
| 13.             | Interest and Other Financing Costs.  | _____ |
| 14.             | Intelligent Transportation Systems.  | _____ |
| 15.             | Urbanized Area Formula Program.  | _____ |
| 16.             | Clean Fuels Grant Program.   | _____ |
| 17.             | Elderly Individuals and Individuals with Disabilities Formula Program and Pilot Program. | _____ |
| 18.             | Nonurbanized Area Formula Program.   | _____ |
| 19.             | Job Access and Reverse Commute Program.  | _____ |
| 20.             | New Freedom Program.   | _____ |
| 21.             | Alternative Transportation in Parks and Public Lands Program.                            | _____ |
| 22.             | Infrastructure Finance Projects.   | _____ |
| 23.             | Deposits of Federal Financial Assistance to a State Infrastructure Banks.                | _____ |

**FEDERAL FISCAL YEAR 2007 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE**  
(Required of all Applicants for FTA assistance and all FTA Grantees with an active capital or formula project)

AFFIRMATION OF APPLICANT

Name of Applicant: \_\_\_\_\_

Name and Relationship of Authorized Representative: \_\_\_\_\_

BY SIGNING BELOW, on behalf of the Applicant, I declare that the Applicant has duly authorized me to make these certifications and assurances and bind the Applicant's compliance. Thus, the Applicant agrees to comply with all Federal statutes, regulations, executive orders, and directives applicable to each application it makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2007.

FTA intends that the certifications and assurances the Applicant selects on the other side of this document, as representative of the certifications and assurances in this document, should apply, as provided, to each project for which the Applicant seeks now, or may later, seek FTA assistance during Federal Fiscal Year 2007.

The Applicant affirms the truthfulness and accuracy of the certifications and assurances it has made in the statements submitted herein with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 *et seq.*, and implementing U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31 apply to any certification, assurance or submission made to FTA. The criminal fraud provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with a Federal public transportation program authorized in 49 U.S.C. chapter 53 or any other statute

In signing this document, I declare under penalties of perjury that the foregoing certifications and assurances, and any other statements made by me on behalf of the Applicant are true and correct.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Name \_\_\_\_\_  
Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): \_\_\_\_\_

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has authority under State and local law to make and comply with the certifications and assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the certifications and assurances have been legally made and constitute legal and binding obligations on the Applicant.

I further affirm to the Applicant that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these certifications and assurances, or of the performance of the project.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Name \_\_\_\_\_  
Attorney for Applicant

Each Applicant for FTA financial assistance and each FTA Grantee with an active capital or formula project must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its signature in lieu of the Attorney's signature, provided the Applicant has on file this Affirmation, signed by the attorney and dated this Federal fiscal year.

## APPENDIX B



# CAPITAL DISTRICT TRANSPORTATION COMMITTEE

One Park Place, Main Floor • Albany, NY 12205-2676  
www.cdtcmpo.org e-mail: cdtc@cdtcmpo.org

Phone: (518) 458-2161  
Fax: (518) 459-2155

October 18, 2006

Dear Health and Human Services Professional:

The enclosed survey is an essential component of complying with the new rules set forth under federal transportation legislation, SAFETEA-LU. The SAFETEA-LU (Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users) legislation requires each region to prepare a coordinated public transit-human services transportation plan. This plan must be developed through a process that includes representatives of public and non-profit transportation human service providers, participation by the public, and by those representing the needs of welfare recipients and eligible low-income individuals. ***From now on, all projects using Federal Transit Administration (FTA) funds for vehicle purchases or services to elderly or disabled populations must derive from the regional plan.***

To meet these guidelines, the Capital District Transportation Committee (CDTC) has organized a Regional Transportation Coordination Committee (RTCC) representing all the groups listed above. The RTCC has developed the enclosed “2006 Capital District Health and Human Services Transportation Survey” to determine what needs are being met, and more importantly, what transportation needs of clients are not being met. A similar effort was conducted by CDTC in both 1976 and 1988.

The information collected from this survey effort will fulfill the data collection component of the coordinated plan rules set forth under SAFETEA-LU. Failure to complete the survey could jeopardize the federal acceptance of the coordinated public transit-human services transportation plan. ***If the plan is not accepted, monies for Jobs Access Reverse Commute (JARC), New Freedom Initiative and Section 5310 programs will not be available for programming in the Capital District.*** Many agencies, perhaps even your organization, are dependent on these funds to provide essential transportation services. Please do not jeopardize the continuation of this funding stream—take a few moments today and complete the survey.

Please respond to the survey by November 13, 2006. The survey should be completed in its entirety if your organization directly provides or purchases transportation services. If your organization does not provide or purchase transportation, but helps consumers find transportation or often receives requests for transportation services, only the first portion of the survey should be completed.

Once all the survey responses are received, a directory will be created that identifies agency programs, transportation services and rules/restrictions for accessing these services. The directory will be mailed to all survey participants, and will also be made available on-line.

If you would like additional information about CDTC, or the purpose of the survey, or the SAFETEA-LU requirements, feel free to contact Deborah Stacey at (518) 458-2161. Alternatively, Ms. Stacey can be reached via email at [dstacey@cdtcmpo.org](mailto:dstacey@cdtcmpo.org).

Sincerely,

John P. Poorman  
CDTC Staff Director



# 2006 CAPITAL DISTRICT HEALTH & HUMAN SERVICES TRANSPORTATION SURVEY

This survey is divided into three parts and primarily contains check off boxes to help minimize the time needed for completion. Part I should be completed by all respondents and asks general questions about your consumers and their transportation needs. Parts II and III should be completed by respondents who provide transportation services to consumers.

If you have any questions about the survey or how to complete it, please contact Deborah Stacey at the Capital District Transportation Committee (CDTC) at 458-2161 or by email at [dstacey@cdtcmppo.org](mailto:dstacey@cdtcmppo.org).

Completed surveys are due by **November 13, 2006**. Please mail the entire survey package (including any uncompleted sections) using the return self-stamped envelope provided.

**Important:** All answers provided in this survey are for informational purposes only. Answers provided will not be shared with enforcement or regulatory entities, except as part of aggregate, anonymous data reports and analyses.

## PART I

### ORGANIZATION INFORMATION & GENERAL TRANSPORTATION NEEDS

*(THIS PART SHOULD BE COMPETED BY ALL RESPONDENTS RELATED TO ALL CONSUMERS OF THE ORGANIZATION, NOT JUST THOSE RECEIVING TRANSPORTATION ASSISTANCE)*

Organization Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Organization Phone: \_\_\_\_\_ Organization Fax: \_\_\_\_\_

Website url: http:// \_\_\_\_\_

Contact Person: \_\_\_\_\_ Contact Phone: \_\_\_\_\_

Contact Email: \_\_\_\_\_

**1. What age group(s) does your organization serve? (Check all that apply)**

- |   |   |
|---|---|
| <input type="checkbox"/> Children/Youth ages 0-12 | <input type="checkbox"/> Seniors ages 60+ |
| <input type="checkbox"/> Adolescents ages 13-17   | <input type="checkbox"/> Other: _____     |
| <input type="checkbox"/> Adults ages 18-59        |   |

**2. What special needs subgroups does your organization serve?(Check all that apply)**

- |  |   |
|--|---|
| <input type="checkbox"/> Persons with mental illness             | <input type="checkbox"/> Pre-school/school-aged children with varied disabilities |
| <input type="checkbox"/> Persons with developmental disabilities | <input type="checkbox"/> Persons with physical disabilities                       |
| <input type="checkbox"/> Persons with alcohol/substance abuse    | <input type="checkbox"/> Low income/Public Assistance                             |
| <input type="checkbox"/> Persons with medical problems           | <input type="checkbox"/> Other: _____   |

**3. In which Capital District county(ies) do your organization's consumers reside? (Check all that apply)**

- |                                 |                                   |                                      |                                     |
|---------------------------------|-----------------------------------|--------------------------------------|-------------------------------------|
| <input type="checkbox"/> Albany | <input type="checkbox"/> Saratoga | <input type="checkbox"/> Schenectady | <input type="checkbox"/> Rensselaer |
|---------------------------------|-----------------------------------|--------------------------------------|-------------------------------------|

**4. What percentage of your consumers do you estimate have transportation limitations? \_\_\_\_\_%**

("Transportation limitation" is any physical, developmental, mental, economic or other condition(s) that limits a person's ability or causes difficulty in getting to places to which they need or want to go.)

**4a. Of those consumers identified in question 4, please estimate the percentage that have the following types of transportation limitations:**

- \_\_\_ % Age-related disability
- \_\_\_ % Physical disability
- \_\_\_ % Financial limitations (e.g. cannot afford vehicle or public transit)
- \_\_\_ % Lives in remote location
- \_\_\_ % Developmental disability
- \_\_\_ % Mental Health disability
- \_\_\_ % Visual impairment
- \_\_\_ % Hearing impairment
- \_\_\_ % Other: \_\_\_\_\_
- N/A - None of our customers have transportation limitations

**4b. Of those consumers identified in question 4, please estimate the percentage who need special equipment or assistance:**

- \_\_\_ % Wheelchair lifts
- \_\_\_ % Car seats
- \_\_\_ % Personal Care Attendant/Escort
- \_\_\_ % Assistance getting in/out of vehicle
- \_\_\_ % Location call outs/Navigation assistance for visually impaired
- \_\_\_ % Other: \_\_\_\_\_
- \_\_\_ % Unsure of special equipment or assistance needs

**5. Does your organization specifically dedicate staff or volunteers, either full or part time, to providing consumers with trip planning or travel training assistance?**  Yes  No

**6. Approximately what percent of your consumers arrange for their own transportation?** \_\_\_%

**6a. Do you reimburse these clients for travel expenses?**  Yes  No

**6b. If yes, approximately how many total trips do you reimburse per week on average?** \_\_\_\_\_

**7. Please describe briefly the primary concern(s) that you have regarding the provision of transportation services to persons with transportation limitations:**

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**Please Continue to Part II on the Next Page**

**PART II:**  
**TRANSPORTATION SERVICE INFORMATION**  
*(THIS PART SHOULD BE COMPLETED BY RESPONDENTS THAT DIRECTLY PROVIDE OR PURCHASE TRANSPORTATION ASSISTANCE FOR CONSUMERS)*

8. What kind of transportation assistance does your organization provide to your consumers? (Check all that apply)

- Direct Transportation (Check all forms of direct transportation that apply):
  - Organization owned/leased cars
  - Organization owned/leased vans/buses
  - Personal vehicles driven by employees (Check here  if you provide cash reimbursement to staff for consumer-related travel)
  - Personal vehicles driven by volunteers (Check here  if you provide cash reimbursement to volunteers for consumer-related travel)
- Transportation Purchased (Check all forms of purchased transportation that apply):
  - Contract with another organization for transportation
  - Other purchased arrangements (specify): \_\_\_\_\_
- Provide CDTA Swiper Pass/Tokens
- Provide cash reimbursement to consumers for transportation
- We do not provide assistance with transportation (**STOP - You do not need to complete the rest of the survey**)
- Other: \_\_\_\_\_

9. During 2005, how many one-way passenger trips per week did you provide or arrange on average? (Each passenger pick up and drop off is counted as a one-way passenger trip) \_\_\_\_\_

9a. Please estimate the percentage of the total one-way trips that were provided Monday – Friday: \_\_\_\_\_%

10. Do you restrict the use of your transportation assistance only to consumers of your own organization's programs and services?       Yes       No

10a. If yes, is the restriction an       agency policy or  funding source restriction?

10b. Please briefly explain the restriction:  
 \_\_\_\_\_  
 \_\_\_\_\_

11. Please identify the purposes of your organization's transportation assistance:

- |   |   |
|---|---|
| <input type="checkbox"/> Treatment Program Attendance                               | <input type="checkbox"/> Social Security, etc.)                             |
| <input type="checkbox"/> Social/Recreational Programs                               | <input type="checkbox"/> Legal assistance agencies                          |
| <input type="checkbox"/> Medical-related appointments/services                      | <input type="checkbox"/> Criminal justice/court activities and appointments |
| <input type="checkbox"/> Employment-related (e.g. job, interviews, training, etc.)  | <input type="checkbox"/> Groceries/Shopping/Personal business               |
| <input type="checkbox"/> Education-related (e.g. school, vocational programs, etc.) | <input type="checkbox"/> Congregate Meals                                   |
| <input type="checkbox"/> Government income/support agencies (e.g. DSS,              | <input type="checkbox"/> Other: _____                                       |

12. Please indicate the type of transportation your organization either directly provides or purchases. (Check all that apply)

- CDTA Tokens/Swipers
- Fixed Route (prescribed routes and fixed schedules)
- Demand Response (consumer requests services when needed)
- Recurring Trips (consumer-specific, recurring patterns of pick-up/destination, time and days of week)
- Special Events (transportation for the specific purpose of customers getting to/from a special events)

**13. Is the transportation you provide restricted geographically by:**

- County? If so, which county(ies) do you serve?  Albany  Saratoga  Schenectady  Rensselaer  
 Municipality? If so, which municipalities do you serve? \_\_\_\_\_

Geographic radius?  < 25 miles  25 - 35 miles  36 - 50 miles  > 50 miles

Zip Code? If so, which zip codes? \_\_\_\_\_

**The remainder of the questions in this part (questions 14 – 31) are to be completed by organizations that own or lease vehicles. If your organization does not own or lease vehicles to provide transportation, please skip to Part III, question 32.**

**14. To what age group(s) does your organization provide transportation? (check all that apply)**

- Children/Youth ages 0-12  Seniors ages 60+  
 Adolescents ages 13-17  Other: \_\_\_\_\_  
 Adults ages 18-59

**15. To what special needs subgroups does your organization provide transportation? (check all that apply)**

- Persons with mental illness disabilities  
 Persons with developmental disabilities  Persons with physical disabilities  
 Persons with alcohol/substance abuse  Low income/Public Assistance  
 Persons with medical problems  Other: \_\_\_\_\_  
 Pre-school/school-aged children with varied

**16. Please estimate the percentage of the passengers your organization transports who require special equipment or assistance.**

- \_\_\_\_% Wheelchair lifts  
\_\_\_\_% Car seats  
\_\_\_\_% Personal Care Attendant/Escort  
\_\_\_\_% Assistance getting in/out of vehicle  
\_\_\_\_% Location call outs/Navigation assistance for visually impaired  
\_\_\_\_% Other: \_\_\_\_\_  
\_\_\_\_% No special equipment or assistance provided

**17. Please estimate the percentage of all trip requests denied or cancelled by your organization in the past year for the following reasons.**

- \_\_\_\_% Customer ineligible  
\_\_\_\_% Request outside geographic service area  
\_\_\_\_% Request outside scope of organization's transportation services  
\_\_\_\_% Request outside of standard vehicle availability/schedule  
\_\_\_\_% Insufficient capacity to accommodate volume of requests  
\_\_\_\_% Inability to adequately accommodate customer's special needs  
\_\_\_\_% Other: \_\_\_\_\_  
 We have not denied trip requests during the past year

**18. How do you maintain your vehicle fleet? (Check all that apply)**

- Vehicle maintenance performed in-house  
 Vehicle maintenance contracted to outside vendor  
 Other (please specify) \_\_\_\_\_

**19. For vehicle scheduling, dispatching and communications with and between vehicles during their routes, do you use: (Check all that apply)**

- Two-way radio
- Cell phones
- Computer scheduling software (please specify) \_\_\_\_\_

- Other: \_\_\_\_\_
- We do not use scheduling, dispatching or communication tools or equipment

20. Who normally drives your organization's vehicles to provide transportation services for customers? (Check all that apply)

- Volunteers
- Staff hired specifically to be drivers
- Other staff
- Other: \_\_\_\_\_

20a. Approximately how many drivers does your agency use per day to provide transportation services to customers? \_\_\_\_\_

21. Are employees and volunteers who serve as drivers for your organization required to comply with special training, certifications or other regulations under the New York State Department of Motor Vehicles, such as having a Commercial Drivers License (CDL)?  Yes  No

22. Please provide the following information for all of the transportation-related training that your organization provides to your employee and volunteer drivers:

| Type of Training | Who Receives Training? (volunteers, driver staff, non-driver staff) | Annual Hours | Mandated? (Check if training is mandated by regulation) |
|------------------|---|--------------|---|
|                  |   |              |   |

23. Are you required to comply with New York State Department of Transportation (DOT) vehicle inspections?  Yes  No

24. Please indicate if you are currently experiencing any of the following challenges in operating your transportation program. (Check all that apply)

- Unfamiliar/inexperienced with DOT regulations
- Difficulty complying with DOT vehicle regulatory standards
- Difficulty accessing/setting up DOT inspection
- Difficulty recruiting and retaining qualified drivers
- Difficulty finding/accessing driver training
- Difficulty finding reliable/quality maintenance and repair services
- Difficulty obtaining affordable transportation-related insurance
- Difficulty securing adequate funding for providing/operating transportation services
- Inadequate number of vehicles owned to meet demand
- Inability to adequately fill customer transportation needs due to vehicle maintenance and repair needs and/or lack of backup vehicles
- Other (please specify) \_\_\_\_\_

25. Do you have under-utilized transportation capacity?  Yes  No

If yes, how frequently?  Often  Sometimes  Rarely

25a. Do you experience vehicle downtime not related to maintenance or inspection?  Yes  No

If yes, how frequently?  Often  Sometimes  Rarely

25b. Is your organization's under-utilized transportation capacity and/or non-maintenance related vehicle downtime predictable?  Yes  No  Not Applicable

26. **Does your organization participate in transportation coordination programs and efforts?** (Check all that apply)
- Share vehicles with another organization
  - Share a pool of volunteer or hired drivers with another organization
  - Coordinate vehicle routes/schedules with another organization and/or transport non-organization customers
  - Share transportation scheduling and dispatching efforts and resources
  - Shared provision or joint purchase with another organization of vehicle maintenance services
  - Joint contract or purchase for bulk fuel
  - Other: \_\_\_\_\_
  - We do not currently participate in transportation coordination programs and efforts
27. **Do you provide transportation to other organizations' consumers?**  Yes  No  
 If yes, please name the other organization(s): \_\_\_\_\_
- 27a. **Please indicate the structure used for these coordination arrangement(s):** (Check all that apply)
- Contract or Memorandum of Understanding with another organization(s)
  - Revenue/reimbursement received from other organization for transportation provision
  - Passenger from other organization pays for transportation provided
  - Other: \_\_\_\_\_
28. **Is your organization interested in serving on a task force that would investigate coordination options for human service transportation?**  Yes  No  Unsure
29. **Is your organization interested in having its transportation services information included in a future directory of human services transportation services?**  Yes  No  Unsure
30. **Looking toward the next five-year period, please estimate the number of vehicles you will need for expansion or replacement purposes.**

| Vehicle Type | # of Vehicles for Replacement | # of Vehicles for Expansion |
|--------------|-------------------------------|-----------------------------|
| Buses        |                               |                             |
| Vans         |                               |                             |
| Cars         |                               |                             |
| Trucks/SUV   |                               |                             |
| Other: _____ |                               |                             |

**Please Complete the Vehicle Roster on the Next Page**

## 2006 CAPITAL DISTRICT HEALTH & HUMAN SERVICES TRANSPORTATION SURVEY – PART II (CONTINUED)

31. Please complete the vehicle roster chart for all of your organization’s owned and leased vehicles. Do not include staff or volunteer owned vehicles that may be used to provide transportation to consumers. This information is being collected to assess the overall condition of our community’s entire fleet of vehicles, as well as to identify potential opportunities for coordination by understanding total fleet size and capacity.

### Current Vehicle Roster

| Vehicle | Model Year | Vehicle Type<br>Bus, Van, Car,<br>Truck/SUV, or Other (if<br>Other, please specify) | Passenger Capacity | Vehicle Condition<br>Excellent, Good, Fair, or<br>Poor | # of Wheelchair positions | Wheelchair Access<br>Lift, Ramp, None or<br>Other (if Other, please<br>specify) | Vehicle Use Status<br>Active, Spare or<br>Inactive | Annual Mileage<br>(if known) |
|---------|------------|---|--------------------|--|---------------------------|---|--|------------------------------|
| #1      |            |   |                    |  |                           |   |  |                              |
| #2      |            |   |                    |  |                           |   |  |                              |
| #3      |            |   |                    |  |                           |   |  |                              |
| #4      |            |   |                    |  |                           |   |  |                              |
| #5      |            |   |                    |  |                           |   |  |                              |
| #6      |            |   |                    |  |                           |   |  |                              |
| #7      |            |   |                    |  |                           |   |  |                              |
| #8      |            |   |                    |  |                           |   |  |                              |

This page may be copied for agencies with more than 8 vehicles. For additional pages, please continue the vehicle numbering sequence (e.g. 9, 10, 11, etc.)

**PART III**  
**TRANSPORTATION FINANCIAL INFORMATION**

**Purpose:** To fully understand our community’s human services transportation system, it is important to know about the fiscal resources dedicated to transportation. The following questions request information relating to the 2005 fiscal year (January 1, 2005 – December 31, 2005). If your organization follows a different fiscal year calendar, please indicate such below and provide information for the most recent fiscal year completed.

**Reminder:** The answers provided in this survey are for informational purposes only. *Answers will not be shared with enforcement or regulatory entities, except as part of aggregate, anonymous data reports and analyses.*

Indicate Fiscal Year Reported:  2005     Other:

\_\_\_\_\_

**32. For the fiscal year indicated above, please estimate the total amount your organization expended to provide transportation services: \$\_\_\_\_\_**

**32a. Please list the types of expenses included in the above total** (e.g. wages and benefits, equipment and vehicle costs, insurance, mileage reimbursement, maintenance, facility overhead, driver drug tests, training, purchased transportation services, etc)

\_\_\_\_\_  
\_\_\_\_\_

Check here if your organization is unable to estimate the total amount expended annually to provide transportation services.

**32b. Please estimate the total amount your organization expended in the fiscal year indicated above for the following transportation-related items:**

|                         |         |
|-------------------------|---------|
| Total annual fuel costs | \$_____ |
| Total maintenance costs | \$_____ |
| Total insurance costs   | \$_____ |

**33. Does your organization receive funding that is restricted to the provision of transportation assistance?**

Yes                       No

If yes, please specify the funding source(s):

\_\_\_\_\_  
\_\_\_\_\_

**34. Does your organization’s budget have a specific line item(s) for transportation-related services?**

Yes                       No

*Thank you for completing the 2006 Capital District Health & Human Services Transportation Survey. The information you provided will greatly assist the Regional Transportation Coordination Committee in their efforts to analyze the current transportation system, as well as to identify needs and opportunities for enhanced coordination and service delivery.*