



**STATE MANAGEMENT PLAN
AND
PROGRAM MANAGEMENT PLAN**

**JOB ACCESS AND REVERSE COMMUTE PROGRAM
(49 U.S. C. § 5316)**

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**STATE MANAGEMENT PLAN
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**JOB ACCESS AND REVERSE COMMUTE PROGRAM
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The Job Access and Reverse commute State Management Plan/Program Management Plan (SMP/PMP) is a document that describes New Jersey's policies and procedures for administering the Federal Transit Administration's (FTA's) Section 5316 program. The primary purpose of this SMP/PMP Management Plan is to provide information to the public regarding the administration of New Jersey's Section 5316 Program and to serve as the basic document that FTA can reference to review NJ TRANSIT'S administration of the Section 5316 Program. A copy of this SMP/PMP is on file at the FTA Region II Headquarters. Updates to the SMP/PMP shall be incorporated and submitted to FTA whenever NJ TRANSIT significantly changes its management of the program, or when the FTA requires new program requirements. This document is available in accessible format upon request.

NJ TRANSIT is responsible for the provision of financial assistance to FTA subrecipients and oversight of grant implementation for most FTA programs in New Jersey. Inquiries should be directed to NJ TRANSIT Headquarters. Contact NJ TRANSIT Headquarters at the following address and phone number:

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GENERAL OVERVIEW

INTRODUCTION AND OVERVIEW

The Job Access and Reverse Commute (JARC) program has had a dramatic impact on the lives of thousands of welfare recipients and low-income families, helping individuals successfully transition from welfare to work and reach needed employment support services such as childcare and job training activities. JARC was established as part of TEA–21 to address the unique transportation challenges faced by welfare recipients and low-income persons seeking to get and keep jobs. With many new entry-level jobs located in suburban areas, low-income and/or welfare recipients have found it difficult to access these jobs from their inner city, urban and rural neighborhoods on a daily basis. Further, many entry-level jobs require working late at night or on weekends when conventional transit services in many communities are either reduced or non-existent. Finally, many employment-related trips are complex for low-income persons, often involving multiple destinations, including reaching childcare facilities and other services as part of the work trip.

Section 3037 of TEA–21 required that JARC project selection be made through a national competition based on statutorily specified criteria. FTA conducted competitions and selected projects for funding appropriated in FY 1999–2002. However, beginning in FY 2000, Congress also began designating specific projects and recipients to receive JARC funding in the conference reports accompanying the annual appropriations acts, and directed FTA to honor those designations with statutory language specifying that FTA C 9050.1 Page I-5 5/1/2007 “notwithstanding any other provision of law, projects and activities designated [in the conference reports] shall be eligible for funding.” Each year, more projects were Congressionally designated until finally all JARC project funding was allocated to Congressionally designated projects and recipients. Although SAFETEA–LU repealed Section 3037 of TEA–21 and substituted the new provisions of 49 U.S.C. 5316, those projects designated by Congress under Section 3037 and not yet obligated remain available to the project for obligation under the terms and conditions of Section 3037.

As required by TEA–21, FTA and the Government Accountability Office (GAO) undertook a number of special studies and evaluations intended to provide an overview of the program accomplishments and to identify challenges the grant recipients faced. FTA required substantial data reporting from grantees to support the evaluation of what was then considered a pilot program.

With the passage of SAFETEA–LU, JARC funding is allocated by formula to States for areas with populations below 200,000 persons, and to designated recipients for areas with populations of 200,000 persons and above. The formula is based on the number of eligible low-income and welfare recipients in urbanized and rural areas.

The formula-based program is intended to provide an equitable funding distribution to States and communities as well as stable and reliable funding in order to implement locally developed, coordinated public transit-human services transportation plans. FTA continues to provide maximum flexibility to communities in designing plans and projects to meet the transportation needs of low-income people and welfare recipients.

In New Jersey, NJ TRANSIT is the “Designated Recipient” of funds and administers the Section 5316 Program. New Jersey's Section 5316 Program makes available operating assistance through a competitive process to eligible recipients. Since this grant program began in 1999 over 8 million trips have been provided with 23 different projects statewide. From the start, the State of New Jersey has stressed the need for the coordination of funding sources and/or services in order to maximize the effects of this

grant program. That remains especially true today in light of the new requirements under SAFETEA-LU.

More information on the Section 5316 Program and the requirements that the State of New Jersey must follow can be found in the FTA circular 9050.1 which can be reviewed at www.fta.gov/documents/C9050.1.doc.

Definitions

- a. **Access to Jobs Project:** Refers to a project relating to the development and maintenance of transportation services designed to transport welfare recipients and eligible low-income individuals to and from jobs and activities related to their employment.
- b. **Chief Executive Officer of a State:** The Governor of any of the 50 States or Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and Virgin Islands, the Mayor of the District of Columbia, or his/her designee.
- c. **Competitive Selection Process:** A process to choose which projects will be funded. The process is conducted by the designated recipient of FTA funds in cooperation with the appropriate metropolitan planning organization (MPO) in urbanized areas over 200,000 in population, or the State in areas under 200,000 in population. The projects selected must be derived from a Locally Developed, Coordinated Public Transit-Human Services Transportation Plan.
- d. **Coordinated Plan:** See “Locally Developed Coordinated Public Transit-Human Services Transportation Plan.”
- e. **Designated Recipient:** See “Recipient.”
- f. **Elderly Individuals and Individuals with Disabilities Program (Section 5310):** FTA formula program for public transportation capital projects planned, designed, and carried out to meet the special needs of elderly individuals and individuals with disabilities. 49 U.S.C. 5310.
- g. **Eligible Low-income Individual:** Refers to an individual whose family income is at or below 150 percent of the poverty line (as that term is defined in Section 673(2) of the Community Services Block Grant Act (42 U.S.C 9902(2)), including any revision required by that section) for a family of the size involved.
- h. **Human Service Transportation:** Transportation services provided by or on behalf of a human service agency to provide access to agency services and/or to meet the basic, day-to-day mobility needs of transportation-disadvantaged populations, especially individuals with disabilities, older adults, and people with low incomes.
- i. **Individual With a Disability:** The term “individual with a disability” means an individual who, because of illness, injury, age, congenital malfunction, or other incapacity or temporary or permanent disability (including an individual who is a wheelchair user or has semi-ambulatory capability), cannot use effectively, without special facilities, planning, or design, public transportation service or a public transportation facility. 49 U.S.C. 5302(a)(5).

j. **Locally Developed Coordinated Public Transit- Human Services Transportation Plan:** A plan that identifies the transportation needs of individuals with disabilities, older adults, and people with low incomes, provides strategies for meeting those local needs, and prioritizes transportation services for funding and implementation.

k. **Mobility Management:** Consists of short-range planning and management activities and projects for improving coordination among public transportation and other transportation-service providers carried out by a recipient or subrecipient through an agreement entered into with a person, including a government entity, under 49 U.S.C. Chapter 53 (other than Section 5309). Mobility management does not include operating public transportation services.

l. **New Freedom Program:** FTA formula grant program for new public transportation services and public transportation alternatives beyond those required by the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) that assist individuals with disabilities with transportation, including transportation to and from jobs and employment support services. 49 U.S.C. 5317.

m. **Non-profit Organization:** A corporation or association determined by the Secretary of the Treasury to be an organization described by 26 U.S.C. 501(c) which is exempt from taxation under 26 U.S.C. 501(a) or one which has been determined under State law to be non-profit and for which the designated State agency has received documentation certifying the status of the non-profit organization.

n. **Other than Urbanized (Nonurbanized) Area:** Any area outside of an urbanized area. The term "nonurbanized area" includes rural areas and urban areas under 50,000 in population not included in an urbanized area.

o. **Program of Projects:** A list of projects to be funded in a grant application submitted to FTA by a designated recipient. The program of projects (POP) lists the subrecipients and indicates whether they are private non-profit agencies, governmental authorities, or private providers of transportation service, designates the areas served (including rural areas), and identifies any tribal entities. In addition, the program of projects includes a brief description of the projects, total project cost and Federal share for each project, and the amount of funds used for program administration from the 10 percent allowed.

p. **Recipient:** In large urbanized areas over 200,000 in population, an entity designated, in accordance with the planning process under 49 U.S.C. 5303, 5304, and 5306, by the chief executive officer of a State, responsible local officials, and publicly owned operators of public transportation, to receive and apportion amounts under the JARC program that is attributable to a transportation management area. In nonurbanized areas or small urban areas under 200,000 in population, the designated recipient is the State agency designated by the chief executive officer of a State to receive and apportion amounts under JARC that are attributable to the State for small urbanized and nonurbanized areas.

q. **Reverse Commute Project:** Refers to a public transportation project designed to transport residents of urbanized areas and other than urbanized areas to suburban employment opportunities.

r. **Subrecipient:** Refers to a State or local governmental authority, non-profit organization, or operator of public transportation services that receives a grant under JARC indirectly through a recipient.

s. **Urbanized Area:** An area encompassing a population of not less than 50,000 people that has been defined and designated in the most recent decennial census as an "urbanized area" by the Secretary of Commerce. Small urbanized areas as used in the context of FTA formula grant programs are urbanized areas with a population of at least 50,000 but less than 200,000.

t. **Welfare Recipient:** Refers to an individual who has received assistance under a State or tribal program funded under part A of Title IV of the Social Security Act at any time during the three-year period before the date on which the applicant applies for a grant under JARC.

PROGRAM GOALS

The goal of the Section 5316 Program is to improve access to transportation services to employment and employment related activities for welfare recipients and eligible low-income individuals and to transport residents of urban areas and non-urban areas to suburban employment opportunities. Additional goals are::

- Encourage development, implementation, maintenance and improvement of public and/or private passenger transportation systems to meet the specific employment transportation needs of persons with low incomes.
- Administer the program consistent with the Section 5316 Program requirements.
- Promote the coordination of other federal, state, and locally assisted transportation services.

Toward these goal, NJ TRANSIT, by applying to the FTA, provides financial assistance for transportation services planned, designed, and carried out to meet the transportation needs of transportation disadvantaged people with low incomes in all areas of the State—urbanized, small urban, and rural. The program requires coordination with other federally assisted program and services in order to make the most efficient use of Federal sources. Although often grant subrecipients serve specific client groups, transportation services funded by this program may be open to the general public once the immediate transportation needs as explained in the subrecipients grant application are satisfied. In addition, all subrecipients must be named in a locally developed “coordination plan”.

The objectives of NJ TRANSIT in administering the Section 5316 Program are as follows:

- 1) Provide the highest level of service possible to employment and employment training for welfare recipients and other low-income individuals in the State of New Jersey.
- 2) Distribute available funds fairly and equitably among all areas in the State of New Jersey.
- 3) Facilitate coordination and cooperation between all subrecipients and NJ TRANSIT.
- 4) Administer the program in accordance with all FTA regulations.

STATE ROLE IN PROGRAM ADMINISTRATION

The Governor of New Jersey has designated NJ TRANSIT as the “designated recipient” of JARC funds, having the requisite legal, financial, and staffing capabilities to receive and administer Federal funds under the Section 5316 program. NJ TRANSIT is the grantee for all Section 5316 funds within the State of New Jersey

and applies on behalf of subrecipients. Subrecipients engage in a competitive process for funding by filing Letters of Intent with their local MPO. The LOI are reviewed with criteria by an MPO committee and ranked. NJ TRANSIT is the nations largest statewide transit agency providing bus, rail and light rail services of over 800,000 daily trips on 242 bus routes, 11 commuter rail lines, and 3 light rail lines. NJ TRANSIT links major points in New Jersey, New York and Philadelphia, serving 162 rail stations, 55 light rail stations and over 20,000 bus stops. The Commissioner of the New Jersey Department of Transportation is Chairperson of NJ TRANSIT's Board of Directors ensuring coordination between the two agencies.

Administration of the Section 5316 Program is placed in the Community Mobility Programs Unit. Various other departments within NJ TRANSIT support the Community Mobility Programs Unit in the administration of the program.

The Community Mobility Programs Unit will administer the Section 5316 program in conformance with the provision of FTA C9050.1 and with the broad direction defined by the statewide goals and objectives. NJ TRANSIT's responsibilities include working with the State Metropolitan Planning Organizations (MPO's) to notify eligible local entities of funding availability; developing project selection criteria; determining applicant eligibility; selecting projects for funding; and ensuring that all subrecipients comply with Federal requirements.

NJ TRANSIT is responsible for ensuring that local applicant and project activities are eligible and in compliance with Federal requirements and their approved application, that private for-profit transportation providers are provided an opportunity to participate to the maximum extent feasible, and that the program provides for maximum feasible coordination of transportation services assisted under Section 5316 with transportation services assisted by other Federal sources. In addition, NJ TRANSIT monitors local projects; ensures that all program activities are included in a statewide transportation improvement program (STIP); and oversees project audit and closeouts. NJ TRANSIT certifies to the FTA annually that the state and subrecipients have met or will meet all Federal requirements.

Under the authority of the U.S. Department of Transportation regulations, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, "49 C.F.R. Part 18 (sometimes referred to as the common rule), NJ TRANSIT relies on its own laws and procedures in the areas of financial management systems, equipment, and procurement for itself and its public body subrecipients.

As the grant recipient NJ TRANSIT'S major responsibilities as the administrator of the project and manager of federal funds are as follows:

- Provide continuous managerial direction to the project.
- Provide adequate inspection of equipment and oversight of services by qualified professionals;
- Assure that the project conforms to grant agreements, applicable statutes, codes ordinances, and safety standards.
- Ensure compliance with all federal, state and program requirements by consultants, contractors, and subcontractors working under approved third party contacts or interagency agreements, including procurement standards and labor regulations.
- Prepare all pertinent performance reports on the project.
- Establish and maintain a record keeping system for overall program accountability.

LOCAL PUBLIC INVOLVEMENT

When the original program goals and objectives were developed, NJ TRANSIT consulted with government agencies, private non-profit agencies, and groups and organizations representing low income individuals, employers, employment training centers, seniors and persons with disabilities and transit operators throughout the state.

Presentations are periodically made at Metropolitan Planning Organizations (MPO) and relevant subcommittees. The MPO's also disseminate information as part of the solicitation for JARC applications.

The yearly Trans-Action Conference jointly sponsored by NJ TRANSIT, NJDOT, C.O.S.T. and the County Transportation Association (CTA) is also used as a forum to disseminate information about the Section 5316 Program. This conference brings together transit operators, planners, consumers, social service agency and State agency representatives.

COORDINATED PUBLIC TRANSIT-HUMAN SERVICES TRANSPORTATION PLAN

OVERVIEW

Federal transit law, as amended by SAFETEA-LU, requires that projects selected for funding under the Section 5310, Job Access and Reverse Commute (JARC – Section 5316) and New Freedom (Section 5317) 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 non-profit transportation and human services providers and participation by members of the public.

The locally developed, coordinated public transit-human services transportation plan (“coordinated plan”) identifies the transportation needs of people with disabilities, elderly individuals, and people with low incomes, provides strategies for meeting those local needs, and prioritizes transportation services for funding and implementation. In New Jersey, the locally “coordinated plans” are developed by the twenty-one (21) counties in the State. In addition, each of the Metropolitan Planning Organization’s (MPO's) either has or is in the process of developing a regional coordinated public transit-human services transportation plan based upon the county plans as well as additional information and public input. This process commenced in 2004 under the State’s United We Ride effort.

UNITED WE RIDE

In February of 2004, the Governor of the State of New Jersey approved representatives from a state interagency committee consisting of the NJ Department of Human Services, NJ TRANSIT and the NJ Department of Labor to attend the United We Ride (UWR) Leadership Forum in Washington DC. In the spirit of the UWR federal Initiative, New Jersey’s interagency committee reconstituted itself and became recognized as the New Jersey Council on Access and Mobility (NJCAM), mirroring that of their federal counterparts. The Council has expanded its membership to include representatives from the Departments of Health and Senior

Services, Corrections, Education and the Department of Labor's Division of Vocational Rehabilitation (DVR), the Department of Human Service's Division of Disability Services (DDS), Division of Developmental Disabilities (DDD), Division of Mental Health Services (DMHS), Division of Youth and Family Services (DYFS), Division Family Development (DFD), Division of Medical Assistance & Health Services (DMAHS) and NJ TRANSIT'S Access Link and the Rutgers Voorhees Transportation Center.

As the year 2005 came to an end, the NJCAM sponsored two one-day workshops. These workshops were held to introduce to local stakeholders the Framework for Action Community Self-Assessment process (www.unitedweride.gov/FFA-Communities.pdf) and to kick-off the county based "coordination plan" process needed to secure Section 5310, JARC and New Freedom formula grant dollars as outlined in the federal transportation legislation, SAFETEA-LU.

In April 2006, the Commissioner of NJ Department of Transportation and the Executive Director of NJ TRANSIT sent a letter to each of the 21 counties in New Jersey asking that they designate a lead person who would serve as the point of contact for the "coordination plan" process. The role of the designated lead was to be the facilitator at the county level that would bring together the relevant stakeholders and oversee the development of the "coordinated plan".

In November 2006, a second annual United We Ride work session was held. At that meeting the designated leads and stakeholder teams from each county attended and the elements of the "coordinated plan" was presented and discussed by representatives of the FTA, NJ TRANSIT and the NJ Department of Human Services.

On October 26, 2007 Governor Corzine signed Executive Order No. 87 creating officially the New Jersey Council on Access and Mobility. This Commissioner level council will work to make the most efficient and effective use of State resources to ensure that elderly individuals, people with disabilities and transportation disadvantaged have access to community based transportation services (See Exhibit C). Starting with federal fiscal year funding 2007 all selected projects in a grant Program of Projects must be derived from the "coordinated plan" process.

REQUIRED ELEMENTS OF A PLAN

In New Jersey, all grant projects shall be derived from a county developed coordinated plan that at a minimum includes the following elements at a level consistent with available resources and the complexity of the local institutional environment:

1. An assessment of available services that identifies current transportation providers (public, private, and non-profit). In New Jersey, the Council on Access and Mobility has developed a survey tool which the counties are strongly encouraged to use. The advantage of using the same survey across the State is to encourage uniformity in developing a Statewide inventory of services;
2. An assessment of transportation needs for people with disabilities, elderly individuals, and people with low incomes. This assessment can be based on the experiences and perceptions of the planning partners or on more sophisticated data collection efforts, and gaps in service;
3. Strategies, activities, and/or projects to address the identified gaps between current services and needs, as well as opportunities to achieve efficiencies in service delivery; and
4. Priorities for implementation based on resources from multiple program sources, time, and feasibility for implementing specific strategies and/or activities identified.

In New Jersey, each county can approach the development of a “coordinated plan” with some degree of flexibility depending upon available staff, time, funding and other resources. Some of the strategies to be considered in the development of the plan are:

1. Community planning session. A county or its designee may choose to conduct a local planning session with a diverse group of stakeholders in the community. Such a session would be intended to identify needs based on personal and professional experiences, identify strategies to address the needs, and set priorities. This process can be done in one meeting or over several sessions with the same group.
2. Self-assessment tool. The Framework for Action: Building the Fully Coordinated Transportation System, developed by the FTA helps stakeholders realize a shared perspective and build a roadmap for moving forward together. In New Jersey, the State encourages counties to utilize the Framework for Action at an initial stakeholder meeting before developing a “coordinated plan”.
3. Focus Groups. A county or its designee could choose to conduct a series of focus groups within communities that provides opportunity for greater input from a greater number of representatives, including transportation agencies, human service providers, and passengers. This information can be used to inform the needs analysis in the community. Focus groups also create an opportunity to begin an ongoing dialogue with community representatives on key issues, strategies, and plans for implementation.
4. Survey. The county or its designee may choose to conduct a survey to evaluate the unmet transportation needs with a community and/or available resources. The State of New Jersey NJCAM has developed a survey tool which focuses primarily on inventorying existing resources and encourages counties or their designee to expand upon that survey to better access unmet needs as needed. The State of New Jersey also encourages the county or its designee to work closely with Transportation Management Associations (TMA’s) and/or other organizations with survey experience.
5. Detailed study and analysis. A county or its designee may decide to conduct a complex analysis using inventories, interviews, IS mapping, and other types of research strategies. Usually, such detailed studies will be considered after an initial “coordination plan” has been developed and a strategy has been identified that needs more in depth planning before funding and implementation can take place.

The projects selected for funding under the Section 5310, JARC and New Freedom programs according to FTA circulars for each program must be derived from a locally developed, coordinated public transit-human services transportation plan that was developed through a process that includes representatives of public, private, and non-profit transportation and human services providers and participation by members of the public. The requirement for developing the local "coordination plan" is intended to improve services for people with disabilities, elderly individuals, and people with low incomes. The stakeholder group for the local planning process should invite members from each of the targeted populations

In New Jersey, NJ TRANSIT as the designated recipient will consider a plan official when the governing body of the county has adopted it. The planning process should be considered an ongoing process and it should be understood that the stakeholders should be consulted periodically to review the status of the plan. Plans will need to be updated periodically and in conjunction with a schedule mutually agreed upon by NJ TRANSIT, the three MPO's in the State and the Counties.

HISTORY OF COORDINATION – EARLY YEARS 1980 THROUGH 1997

The requirement for coordination and the development of a coordination plan for human services transportation is not a new concept in New Jersey. The current requirement under SAFETEA-LU is built upon and reinforces previous efforts in New Jersey.

In January of 1980, a Governor's Task Force on Transportation Services for Senior Citizens and Persons with Disabilities issued a report entitled "Coordinating Specialized Transportation Services in New Jersey." The Task Force identified eighteen major sources of social service transportation funds administered by four different state agencies and twelve of their sub-divisions. The need for a transportation component in order to fulfill a specific social program goal and objective had created many small transportation units which addressed the needs of individual programs oriented towards not only senior citizens and persons with disabilities but the very young, the unemployed, the poor and others who lacked mobility.

It was these costly fragmented transportation services at the local level that lead the Governor's Task Force to endorse the concept of coordination as a means of improving or expanding non-traditional transportation services to the transportation disadvantaged. At the time, the concept of coordination was impossible to achieve because of both real and perceived barriers, such as a funding source losing accountability, client mixing, and/or regulation restrictions.

The Task Force recommended the establishment of an interdepartmental advisory group, which would continue to examine ways to coordinate programs and funding. Other major recommendations were:

- 1) The Department of Transportation should establish an Office for Coordinated Transportation and assume a lead role in coordinating social service and paratransit operations in the State;
- 2) A Transportation Coordination Office should be established in each of the twenty-one counties; and
- 3) Coordination efforts of specialized transportation at the state and local level must include mass transportation services;

There were sixteen other recommendations, which focused on the concepts of cooperation, coordination and consolidation.

As this report was completed there were two other events unfolding, which ultimately lead to the implementation of many of the Task Force's recommendations. The first event was the creation of NJ

TRANSIT, which had been occurring simultaneously during the life of the Governor' Task Force. The second was the potential for state funding which could serve as the glue for the various programs and funding sources with the broadening of the allowable uses of a casino revenue tax fund.

In May of 1981 the responsibility for administering several specialized transportation grants originally housed at NJDOT were transferred to NJ TRANSIT and a newly created Office of Special Services. At the time three FTA (formerly UMTA) administered grant programs; Section 5310, Section 5311 and FAUS Transfer (discontinued program) as well as the state administered Reduced Fare Program were transferred to NJ TRANSIT. Of those four programs, the three FTA grants were to be administered by the newly created NJ TRANSIT Office of Special Services. The Reduced Fare Program was relocated to NJ TRANSIT bus operations.

A few months after the creation of this Office, in November of 1981, voters approved a constitutional amendment to permit casino tax revenues to be used for transportation services for senior citizens and disabled residents. It then took two additional years for the Senior Citizen and Disabled Resident Transportation Assistance Act to be signed into law in January 1984. This legislation created a special transportation assistance program and designated NJ TRANSIT'S Office of Special Services as administrator.

Today, NJ TRANSIT provides technical assistance and program oversight to twenty-one (21) county coordinated paratransit systems, fourteen Section 5311 rural transit systems, over 20 Section 5316 (JARC) employment transportation services and over one hundred (100) agencies under the Section 5310 program.

INTERAGENCY COORDINATION – 1997 THROUGH 2009

In 1997, the Work First New Jersey (WFNJ) welfare reform program served as the catalyst for a statewide inter-agency effort to improve access and mobility for low income and other transit dependent populations. A partnership emerged between the New Jersey Department's of Human Services (DHS), Transportation (DOT), Labor (DOL), NJ TRANSIT and the NJ State Employment and Training Council (SETC), which initiated a coordinated community transportation planning process. That process was instrumental in the development of Community Transportation Plans and securing needed funds by blending program monies to support new or expanded programs that previously limited access to employment in each of the 21 counties. New Jersey began addressing access and mobility limitations by implementing 5 collaborative transportation programs. Free monthly bus/rail passes became available through the WorkPass Program and alternatives to public transit were implemented through the Transportation Block Grant Program to active TANF recipients participating in work related activities. Post-TANF recipients were eligible to receive seven free months of bus/rail passes under the Get A Job: Get A Ride and the Extended WorkPass Programs. If public transportation was inaccessible, beneficiaries were offered the opportunity to participate in the Transportation Plus Grant alternative program. Additionally, local inter-agency transportation steering committees were established to continue discussing ways to enhance transportation services.

In 1999, New Jersey utilized their established local collaborative effort to solicit project proposals when the Transportation Equity Act for the 21st Century (TEA-21) was enacted, creating the Job Access and Reverse Commute (JARC) Federal Transportation Grant. JARC regulations permitted the use of federal funds {such as Medicaid and Temporary Assistance to Needy Families (TANF)} to be used as local match for FTA programs.

ELIGIBILITY AND ELIGIBLE ASSISTANCE CATEGORIES

ELIGIBLE SUBRECIPIENTS

The State of New Jersey does not impose any limitations on eligible subrecipients or service areas, which are more restrictive than those limitations imposed by the federal government.

Eligible recipients of Section 5316 funding fall under one of the three categories listed below:

- Private Non-Profit Organizations: A non-profit organization is a corporation or association determined by the Secretary of the Treasury to be an organization described by 26 U.S.C. §501(c) which is exempt from taxation under 26 U.S.C. Section 501(a), one which has been determined under state Law to be non-profit and for which the designated state agency has received documentation certifying the status of the non-profit organization.
- State and Local Governmental authority, and
- Operators of public transportation services, including private operators of public transportation services.

Section 5316 subrecipients are responsible for reading, understanding, and complying with all the federal and state regulations related to the Section 5316 program.

FEDERAL/LOCAL MATCH REQUIREMENTS

The Federal share of eligible costs shall not exceed 50 percent of the net cost of the program (80 percent for capital and planning). Up to 10 percent of recipient administrative cost may be apportioned at 100 percent Federal share.

The eligible local share for a Section 5316 grant must be from non-FTA sources of funding and can include any local or state funds, purchase of service contracts, dedicated tax revenues, private donations, toll revenue credits, net income from advertising and concessions, or unrestricted federal funds, and non-cash shares as provided in the Circular, Chapter 3.12.a .

Federal funds are unrestricted when a federal agency permits its funds to match Section 5316 funds. The list of federal funds that can be used as a match for Section 5316 is available upon request. Project applicants are responsible for identifying unrestricted federal funds because they are held accountable by the other federal agencies involved. Local funds used to match unrestricted federal funds must be treated as unrestricted federal funds.

Income from contracts to provide human service transportation may be used to offset the cost of providing the service or as local match for Section 5316 operating assistance. The manner in which a local recipient applies income from human service agencies to a local project, that is, whether it is treated as local match, or is used to offset operating expenses--will affect the calculation of net operating expenses and, therefore, the amount

of Section 5316 operating assistance the project is eligible to receive. A state's method of sub-allocating its apportionment among its local subrecipients is a discretionary action. A state may not prohibit a local recipient from using income from Human Service agency contracts as local match for Section 5316 funds as a matter of law. However, New Jersey will consider the degree to which a local recipient demonstrates local financial commitment to a project from other resources of local funds as a rating factor in its discretionary allocation decisions.

In-kind contributions, volunteer services and donations are eligible as part of the local match. Such non-cash sources of local match are eligible only if the value of each is formally documented.

The actual amount that any applicant may receive is limited by the maximum participation rates established for federal and state assistance. The maximum federal and state funding ratio is as follows:

Operating Expenses:	Federal 50%	Local 50%
Capital/Planning/Mobility Management Expenses:	Federal 80%	Local 20%

STATE CONTRIBUTION

Since JARC's inception in 1999 NJ Transit has cooperated with other state agencies in developing comprehensive and coordinated statewide JARC services and providing match funding for these services. NJ Transit, NJ Department of Labor, and NJ Department of Human Services have provided partial matching funds over time. Over the past few years NJ Department of Human Services has contributed \$1 million towards JARC services. It has generally been used as part of the match. With the reduction of federal funds to New Jersey under SAFETEA-LU (formula funding) subrecipients now may be required to fully match FTA funds with their local funds. As available, state funds (NJT, DHS, DOL) would be sought and used as supplemental service to "overmatch" projects in order to keep the existing services operating.

Although NJ Department of Human Services as matter of policy is committed to the provision of funds, the provision of these funds is contingent upon the NJ Department of Human Services approving funds annually.

STATE ADMINISTRATIVE EXPENSES

Up to ten percent (10%) of NJ TRANSIT's total fiscal year federal apportionment may be used for project administration costs (Section 5316 administrative funds). Program administration costs or expenses consist of those costs or expenses incurred by NJ TRANSIT in implementing and managing the entire Section 5316 program, including previously funded projects, if necessary. Section 5316 administrative funds are not specific to one grant, but may help to pay the ongoing administrative costs of previous Section 5316 projects that require further staff effort. FTA treats the limitation on Section 5316 administrative funds as applicable to Section 5316 funds apportioned to the state over time, not necessarily to the apportionment for a particular fiscal year. Eligible program administrative cost may include, but are to limited to, general administrative and overhead costs, staff salaries, office supplies, and development of specifications for vehicles and equipment. The program administration budget line item may also include technical assistance and planning activities, including allocations to subrecipients to support the local coordinated planning process. Guidance on eligible costs is in Office of Management and Budget (OMB) Circular A-87 (codified at 2CFR part 225).

It is allowed and NJ TRANSIT will consider when appropriate using administrative funds for Section 5310, JARC-Section 5316 and New Freedom-Section 5317 to be combined to support activities such as coordinated planning that are common to all three programs.

TECHNICAL CAPACITY

In reviewing an application and during the life of the project all Section 5316 applicants must demonstrate the technical capacity to carry out the services proposed. At a minimum the applicant must be able to:

- Demonstrate the financial ability to perform and deliver the service applying for and awarded.
- Demonstrate the adequate level of staffing and grant experience and knowledge to comply with all FTA grant requirements.
- Demonstrate the adequate level of staffing and operational experience needed in delivering the service as per grant award.
- Demonstrate the adequate level of staffing and maintenance experience for performing required maintenance on vehicles used or purchased for this service.
- Demonstrate the adequate level of vehicles including back-up vehicles to perform the service under this program.
- Demonstrate a driver training program to ensure safe and reliable service to all passengers.
- Demonstrate that the service provided is not duplicating other services funded under FTA or other funding sources. All FTA subrecipients must be part of the local Human Service Coordination Transportation plan.
- Demonstrate there are written procedures and policies for operations, grant administration and FTA reporting requirements.

For those services currently operating that do not meet the minimum technical capacity requirements outlined above, NJ TRANSIT will work with the subrecipient to establish milestones to reach adequate technical capacity.

FUNDING DISTRIBUTION

All funds will be distributed within eligible urbanized and small urban/non-urban areas on a competitive basis. The annual amount apportioned to an eligible area will remain available until they are expended. NJ TRANSIT reserves the right to transfer unexpended funds between approved subrecipient projects within the eligible area after consultation with the subrecipients. In addition, if due to changes in federal funding that results in a significant increase in federal funding in any given year, NJ TRANSIT reserves the right to consider additional service proposals and/or applicants.

ELIGIBLE CAPITAL EXPENSES

Capital expenses include the acquisition of equipment needed for an efficient and coordinated public transportation system. Where FTA allows certain cost to be capitalized or treated as operating expenses, the state may determine which of those costs it will allow subrecipients to capitalize. Capital expenses include, but are not limited to:

- Rolling Stock
- Radios and communication equipment
- Passenger shelters/bus stop signs
- Lifts or securement devices
- Vehicle rehabilitation (durable goods, such as spare parts with a unit cost exceeding \$300.00 and a useful life of more than one year)
- Computer hardware and software
- Installation costs, vehicle procurement, testing, inspection and acceptance costs

Lease of equipment or facilities when lease is more cost effective than purchase

Equipment

Miscellaneous

Mobility management: Supporting new mobility and coordination programs among public transportation providers and other human service agencies providing transportation. Mobility management is an eligible capital expense. Mobility management techniques may enhance transportation access for populations beyond those served by one agency or organization within a community. Mobility management is intended to build coordination among existing public transportation providers and other transportation service providers with the result of expanding the availability of service. In New Jersey mobility management activities may include:

1. Support for short term management activities to plan and implement coordinated services;
2. The support of State and local coordination policy bodies and councils such as the NJCAM and local stakeholder groups;
3. The operation of transportation brokerages to coordinate providers, funding agencies and customers;
4. The support of local travel training identified in locally develop "coordination plans";
5. The development and operation of one-stop transportation traveler call centers to coordinate transportation information on all travel modes and to manage eligibility requirements and arrangements for customers among supporting programs; and
6. Operational planning for the acquisition of intelligent transportation technologies to help plan and operate coordinated systems inclusive o Geographic Information Systems (GIS) mapping, Global Positioning System technology, coordinated vehicle scheduling, dispatching and monitoring technologies as well as technologies to track costs and billing in a coordinated system and single smart customer payment systems. Please note this is only for the planning of these operational activities. The actual acquisition of technology is eligible under the capital equipment non-mobility management portion of the grant program.

Mobility management projects cannot use funds for the actual provision of service but only for the planning and implementation of broker or one-stop operations or other related activities. Such projects should not expect the Section 5316 program to fund the entire cost of planning and implementation nor should funding be expected to subsidize ongoing operations once planning and implementation has been completed.

ELIGIBLE OPERATING EXPENSES

Operating expenses are those associated with the provision of transportation services. Operating expenses include, but are not limited to:

- Salaries and Fringe Benefits (drivers, mechanics, and dispatchers, etc.)
- Licenses and registrations; insurance
- Contract Services (work and labor provided by outside organizations, including marketing)
- Maintenance and repairs
- Replacement parts (which do not meet the criteria for capital items)
- Materials consumed (fuel, oil, etc.)
- Other Miscellaneous Expenses (including uniforms)

APPLICATION INSTRUCTIONS & REVIEW PROCESS

MAILING LIST/PROGRAM NOTIFICATION

The MPO's maintain a mailing list to notify interested organizations of the Section 5316 Program. This list is comprised of agencies that have received or are receiving assistance under this program, agencies that applied to this program but were denied funding, and agencies that inquired or requested information regarding this Program via phone, letters or email. The MPO's will send out Notice requesting applications from agencies interested in applying for Section 5316 funds. Information sessions are held in each MPO area to give interested applicants an opportunity to learn about the JARC program and ask questions. Applicants can contact their local MPO and NJ TRANSIT's Community Mobility Department, by phone or in writing, for technical information or general assistance in completing an application.

APPLICATION

Interested parties must submit an application to the MPO's. The applications are reviewed by the MPO's, the MPO's committees, and NJ TRANSIT. The application is part of the comprehensive, transparent, competitive selection process. The applications request the following information:

- Project Description - Information regarding the eligibility of the project and the organization.
- Plan Consistency – A description of how the proposed project relates to the Coordinated Public Transit-Human Services Transportation Plan.
- Funding and Local Match - A budget estimate and description of the source of the required match.
- Evidence of Performance - Documentation on the performance report of existing services and/or criteria for measuring performance of the new/expanded proposed service. A description on how the service has filled or will fill gaps in existing transportation service for welfare/low income individuals to employment activities and what would be the consequence if such service were not provided.
- Certification and Assurances - The applicants must sign the certifications and assurances required of each grantee (except those applicable only to direct grantees), and all those applicable to the particular project (for example, the lobbying certification if the application exceeds \$100,000).
- Coordination - The applicants must describe how FTA assisted services are or will be coordinated with social service agencies and private transportation providers in the service area. The application must relate their proposal to the local Coordinated Public Transit-Human Service Transportation Plan. Since NJ TRANSIT is responsible for administration of the FTA Section 5310, Section 5311, Section 5316 (Job Access), Section 5317 (New Freedom) and state casino revenue funding for transportation, the agency has historically encouraged coordination of transit services provided through these programs. Existing coordinated transportation systems or agencies working in cooperation with other transportation providers are given preference for funds available under the Section 5316 program. All subrecipients must, at a minimum, participate in the locally developed Coordinated Public transit-Human Services Transportation Plan process and be willing to participate as a stakeholder.
- Public Involvement – Proof of public involvement (i.e., a copy of the published notice, hearing record, if one was held, and summary of efforts to involve the private sector to the maximum extent feasible, etc.).
- Civil Rights –If any lawsuits or complaints have been received or acted on, within the past year, a

statement of status or outcome of each complaint should be attached to the Application. For construction projects that are not categorical exclusions, information about social and economic impacts should be included in the documentation for the environmental review.

- Labor - The application must document that the applicant will agree to accept the terms and conditions of the special warranty of employee protective arrangements for the Section 5316 Program.

PROJECT REVIEW and SELECTION CRITERIA

NJ TRANSIT's Community Mobility Programs Unit and the MPO Committee are responsible for review, evaluation and approval for each project. Applications will be evaluated based upon five primary criteria:

- a) Need: The level of planning reflected and the ability of the proposed project to meet identified local transportation needs.
- b) Coordination: The level of coordination among the human service agencies and the existing public transportation providers in the area.
- c) Performance: The extent to which the proposed service will meet the need for service. An applicant's past experience will be considered. The annual application of a successful approved project is given a priority over new requests.
- d) Financial: Commitment of transportation and human service providers to provide the match and long-term support. Applicants must submit a resolution from the County Board of Chosen Freeholders or Agency Director authorizing the application and the commitment of local match.
- e) Innovation: Creative approaches to providing the service (may include innovative expansion and capital).

Notice of Award

The MPO notifies each applicant of the results of the evaluation. NJ TRANSIT'S Community Mobility staff is responsible for collecting certifications and other information as a follow up (Part 2) to the application as well as evaluating and determining the level of funding that each project will receive based upon financial need and available funds.

PUBLIC INVOLVEMENT

All twenty-one counties in New Jersey belong to one of three Metropolitan Planning Organization's (MPO's). The Transportation Improvement Program (TIP) is a planning document that describes how federal transportation funds will be used in MPO areas. The state's transportation capital improvement program (STIP) identifies multi-modal transportation projects that use federal, state, and local government funds from all MPO areas in the State. The STIP is the product of a collaborative transportation planning process. The final product becomes a project scheduling and funding document.

Under the requirements of 49 U.S.C. 5323(a)(1) States or local governmental authorities may use FTA funds to operate public transportation service in competition with or in addition to transportation service provided by an existing public transportation company only if the grantee "to the maximum extent feasible" provides for the participation of private companies. All projects are listed in the STIP and the MPO planning process provides adequate opportunity to address private sector concerns.

NJ TRANSIT recognizes that important opportunities to provide service exist particularly in the areas of human service transportation. Human service transportation generally refers to programs designed for individuals with lower incomes, people with disabilities, elderly persons, and sometimes children and youth. Private providers may be uniquely qualified to serve these specialized travel markets.

The New Jersey Council on Access and Mobility (NJCAM) is leading an interdepartmental effort in the State known as United We Ride to promote coordinated human service transportation delivery systems and improve access to transportation-disadvantaged populations. This initiative emphasizes the need to develop coordinated transportation plans at the State and local level. Private operators have the opportunity to be active participants in the development of these plans. The United We Ride initiative encourages communities to develop a family of services that range from fixed route bus, to shared ride, to demand response, to volunteer systems that offer a wide range of mobility options for consumers.

ANNUAL PROGRAM OF PROJECTS

NJ TRANSIT establishes the annual program level based on federal formula allocations. This information is included in FTA's annual federal register notice after the annual federal transportation appropriations bill becomes law.

After reviewing all the recommendations, NJ TRANSIT drafts a Program of Projects for inclusion into a formal grant submission to the FTA based on the available funds. Final determination of applicants included in the grant and the amount of funding that each applicant is to receive are made by NJ TRANSIT.

NJ TRANSIT notifies all applicants of the final program of projects.

SCHEDULE

The State Management Plan establishes a general timeline, which will be used as an approximate guide to the application process. The Section 5316 grant development schedule is as follows:

<u>APPLICATIONS</u>	
October/November	MPO's send out notice of solicitation for JARC projects
December/January	MPO's and NJ TRANSIT meet with interested applicants
January/March	Applications submitted to MPO's. MPO Review Committee meets with NJ TRANSIT to review and rank applications.
April	MPO sends out notice of award/non award to applicants.
May/June	NJ TRANSIT requests "Part 2" of application (support documents).
July/August	Applicants and MPO notified of proposed budget (available funds).

September/October NJ TRANSIT Office of Capital Programming and Administration submits grant application to FTA.

November/December FTA awards annual grant. NJ TRANSIT announces Federal action.

AGREEMENTS (LEASES)

January/February Mail subrecipient agreements to sign.

Subrecipient returns signed agreements and sub-contracts.

March/April Executed agreement and reimbursement forms mailed to all approved subrecipients.

REPORTING)

Monthly The subrecipient shall submit an Expenditure Report, Reimbursement Request form with supporting documentation of actual expenses incurred and the corresponding Service Report form. Ridership and Safety reports also submitted.

Bi-Annual DBE Reports Due to NJ TRANSIT

Annual (July) submit National Transit Database Reports

No later than 180 days after the close of the subrecipient's fiscal year. The subrecipient shall deliver an annual audit report to the Community Mobility Programs Unit.

ADMINISTRATIVE REQUIREMENTS

GENERAL

The basic grant management requirement for State and local governments are contained in the Department of Transportation (U.S. DOT) regulations, "Uniform Administrative Requirement for Grants and Cooperative Agreements to State and Local Governments," 49 C.F.R. Part 18. The comparable U.S. DOT rule for private nonprofit organizations is "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations," 49 C.F.R. Part 19. Parts 18 and 19 are collectively known as the "common rule". The provision of these rules applies except where inconsistent with Federal statutes or authorizing legislation.

The common rule identifies three areas in which the administrative requirements for State grantees and their subrecipients which are governmental authorities may differ from Federal requirements for local government grantees: equipment management, procurement, and financial management systems. The basic intent in these areas is to provide greater flexibility to the States in standardizing the management of related state and Federal programs. Part 19 does not allow States to pass down state procedures in these three areas to subrecipients that are nonprofit organizations as Part 18 permits for subrecipients that are public bodies. However, so long as the state procedures are not inconsistent with Part 19, the State may apply the same procedures for all its subrecipients.

As long as NJ TRANSIT'S procedures are not inconsistent with Part 19, NJ TRANSIT may apply the same procedures for all its subrecipients. In addition, NJ TRANSIT may use procedures that are more restrictive than Part 19, but in the case of nonprofit organizations, NJ TRANSIT procedures may not be more permissive than Part 19.

NJ TRANSIT will enter into a written agreement with each subrecipient stating the terms and conditions of assistance by which the project will be undertaken and completed.

STATE ADMINISTRATION, PLANNING AND TECHNICAL ASSISTANCE

NJ TRANSIT sets aside up to ten percent (10%) of the annual federal allocation to the State for administrative expenses. In New Jersey, administrative expenses are primarily for general administrative and overhead costs, staff salaries, office supplies, and the development of specifications for vehicles and equipment. NJ TRANSIT would consider using funds to support technical assistance and planning activities including activities that support local coordinated planning processes based upon the availability of funds.

TRANSFER OF FUNDS

The FTA allows funds to be transferred between small urbanized and non-urbanized areas as well as allows Section 5310, 5316 or 5317 funds to be transferred to Section 5307 and S5311 programs. NJ TRANSIT does not transfer funds between programs.

Transfer between Funding Categories. NJ TRANSIT may use funds apportioned for small urbanized and rural areas for projects serving another area of the State, if the chief executive officer of the State certifies that all of the objectives of JARC are being met in the specified areas. For example, if all objectives of the

JARC program are being met in rural areas, funds designated for rural areas may be transferred to urbanized areas of less than 200,000 in population. Funds apportioned to small urbanized and rural areas may also be transferred for use anywhere in the State including large urbanized areas, if the State has established a statewide program for meeting JARC program goals. There is no authority to transfer funds apportioned to large urbanized areas to small urbanized or rural areas.

Transfer to Other FTA Programs: NJ TRANSIT may transfer JARC funds apportioned to it for rural or small urbanized areas to apportionments under Section 5311(c) or 5307, or both. The purpose of the transfer provision, however, is not to supplement the resources available under the State's Section 5311 or Section 5307 apportionments. Transfer to Section 5311 or Section 5307 is permitted, but not required. FTA will also award stand-alone JARC grants to the State. Stand-alone grants facilitate the State's ability to recover and reprogram JARC program funds within the period of availability if they are not expended for the projects the State originally selected. If the State does choose to transfer the funds into the Section 5311 or Section 5307 programs, FTA has established a scope code (646) for JARC projects included within a Section 5311 or 5307 grant. Although JARC funds can be transferred to Section 5307 for award directly to a small urbanized area recipient in a Section 5307 grant, the grant should only include funding and activities for the JARC project(s). States may combine funds from multiple programs in a consolidated Section 5311 grant, but the State must track, manage, and report on each program's funds separately within the consolidated grant.

One purpose for transferring JARC program funds to Section 5311 is to allow Federally-recognized Indian tribes, which are eligible direct recipients under the Page III-6 FTA C 9050.1 5/1/2007 Section 5311 program but not under the other programs, to apply directly to FTA for funds allocated to them under the State's competitive selection process for JARC. Similarly, transferring JARC funds to Section 5307 allows direct recipients of Section 5307 grants in small urbanized areas, to apply directly to FTA for funds competitively awarded under the State's JARC program.

PRIVATE SECTOR PARTICIPTION

NJ TRANSIT recognizes that important opportunities to provide service exist particularly in the areas of human service transportation. Human service transportation generally refers to programs designed for individuals with lower incomes, people with disabilities, elderly persons, and sometimes children and youth. Private providers may be uniquely qualified to serve these specialized travel markets.

The New Jersey Council on Access and Mobility (NJCAM) is leading an interdepartmental effort in the State known as United We Ride to promote coordinated human service transportation delivery systems and improve access to transportation-disadvantaged populations. This initiative emphasizes the need to develop coordinated transportation plans at the State and local level. Private operators have the opportunity to be active participants in the development of these plans. The United We Ride initiative encourages communities to develop a family of services that range from fixed route bus, to shared ride, to demand response, to volunteer systems that offer a wide range of mobility options for consumers.

CIVIL RIGHTS

NONDISCRIMINATION.

49 U.S.C. § 5332 states that "a person [defined broadly] may not be excluded from participating in, denied a

benefit of, or discriminated against under, a project, program, or activity receiving financial assistance [from FTA] because of race, color, creed, national origin, sex, or age."

At NJ TRANSIT, the Assistant Executive Director (AED) of Diversity Programs is responsible for Title VI, DBE, and EEO. The AED of Diversity Programs reports directly to the Executive Director. The Local Programs and Minibus Support Unit is responsible for monitoring Section 5310 and 5311 subrecipients for compliance with Title VI, DBE and EEO. The office works directly with the AED of Diversity Programs on these matters.

NJ Transit and all subrecipients of FTA assistance are responsible for compliance with all civil rights requirements applicable to transit related projects including the nondiscrimination prohibitions of 49 U.S.C. § 5332, and of Title VI of the Civil Rights Act of 1964, as amended; the Equal Employment Opportunity (EEO) requirements of Title VII of the Civil Rights Act of 1964, as amended and 49 U.S.C. 5332 and any implementing requirements FTA may issue; Nondiscrimination on the basis of sex including requirements of Title IX of the Education Amendments of 1972 and 49 CFR part 25, and with any implementing directives that DOT or FTA may promulgate,. Nondiscrimination on the basis of age including requirements of the Age Discrimination Act of 1975, as amended 42 U.S.C. 6101 et seq. and implementing regulations; Nondiscrimination on the basis of disability including requirements under Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990, as amended (ADA) and Disadvantaged Business Enterprise (DBE) to the extent required by Federal law.

TITLE VI PROGRAM REQUIREMENTS.

Title VI of the 1964 Civil Rights Act, Section 601 states: No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial Assistance. The Title VI Circular (4702. 1A) effective May 2007 established new requirements for NJ TRANSIT to document and monitor their FTA subrecipients compliance to Title VI.

NJ TRANSIT will require that subrecipients annually sign the nondiscrimination assurance included in FTA's notice of Certifications and Assurances. NJ TRANSIT shall submit its assurance to FTA and shall retain assurances from subrecipients.

Each agency in their application to NJ TRANSIT must provide the estimated number of minority group persons in its service area. It is not envisioned that an organization be required to do a detailed head count or use elaborate means to gather the information. Using the most recent US Census data for an agency's service area would be sufficient in providing this information.

NJ TRANSIT will review a demographic profile of the State of New Jersey by county to ensure transportation needs of low income and minority populations are considered in the provision of service and grant selection process. NJ TRANSIT will prepare with its annual Section 5316 grant application a record of approved and rejected funding requests that identifies applicants that are minority organizations or that provide assistance to minority communities.

In this area subrecipient responsibilities are:

- The subrecipient must sign annually certifications and assurances pertaining to Civil Rights. Once awarded a FTA award all subrecipients must sign the FTA annual Certifications and Assurances yearly.
- The subrecipient must have a method for public notification of Title VI rights and procedures that the public may follow to file a Title VI complaint. Subrecipients who provide transportation services must

disseminate the following information to their passengers through measures that can include, but cannot be limited to a posting on the agency's website.

*The agency operates transportation programs without regard to race, color, or national origin;

*The public can request additional information about the subrecipient

*There are procedures that can be taken if a person feels they have been discriminated against.

- The subrecipient must have written procedures for receiving, tracking, investigating, responding to Title VI complaints and record keeping of such complaints. NJ TRANSIT shall maintain for itself and its subrecipients a description of any complaints alleging discrimination in service delivery filed within the past year together with a statement of status or outcome of each such complaint. All information must be retained for a minimal of three years.
- The subrecipient must ensure access to their transportation programs for those passengers with Limited English Proficiency (LEP).
- The subrecipient must document that they sought out the viewpoints of minority, low-income and LEP populations in the course of conducting public outreach and involvement activities. NJ TRANSIT is required to monitor such outreach done by their subrecipients. Outreach can be done by advertising programs in the local newspaper and regular public meetings, or doing outreach at community based organizations, and making sure there is a channel for feedback from community groups.

EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS.

The applicant agrees to comply, and assures the compliance of itself and each third party contractor with all equal employment opportunity EEO requirements of Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000e) and 49 U.S.C. 5332 and any implementing requirements FTA may issue.

In this area subrecipient responsibilities are:

1. Post EEO information in a place readily accessible by employees.

DISADVANTAGED BUSINESS ENTERPRISE PROGRAM REQUIREMENTS.

Funding is provided through NJ TRANSIT under the Section 5316 Program. Therefore, there are currently opportunities for subrecipients to receive federal funds under this program. NJ TRANSIT'S Office of DBE submits a goal to FTA as part of a corporate wide plan. NJ TRANSIT has an approved DBE plan on file with the FTA. This plan includes FTA subrecipient's DBE responsibilities and activities. All FTA subrecipients receiving operating funding are required to complete and submit the Subrecipient DBE Reporting Form on a bi-annual basis to NJ TRANSIT.

SECTION 504 AND ADA REPORTING.

Section 504 of the Rehabilitation Act of 1973 preceded the Americans with Disabilities Act (ADA). Section 504 prohibits discrimination on the basis of handicap by recipients of Federal financial Assistance. In addition, the

Americans with Disabilities Act of 1990, as amended (ADA), specify Federal civil rights of individuals with disabilities. In New Jersey FTA funded subrecipients must comply with 49 C.F.R. Parts 27,37, and 38, and regulations implementing ADA and Section 504 rule. Among other requirements, the regulations: prohibit discrimination against individuals with disabilities; require that vehicles acquired be accessible to and usable by individuals with disabilities, including individuals using wheelchairs (with limited exceptions for demand responsive systems providing equivalent service to individuals with disabilities or a demonstration of inability to obtain an accessible used vehicle despite good faith efforts to do so); and require that public entities operating fixed route transit plan for and provide complementary paratransit for individuals with disabilities who cannot use accessible fixed route transit. Deviated fixed route services do not have to provide complementary paratransit service.

All vehicles purchased by NJ TRANSIT with Section 5316 funds are equipped, maintained, and operated in accordance with the regulations.

In addition, subrecipients of any FTA funds or equipment should be aware that they also have responsibilities under other provisions of ADA in the areas of employment, public accommodations, and telecommunications.

In this area subrecipient responsibilities are;

1. Sign certifications of compliance pertaining to ADA requirements;
2. Establish service policies and procedures in accordance with the ADA;
3. Establish a complementary paratransit program for publicly operated fixed route systems; and
4. Notify NJ TRANSIT of any ADA complaints related to transportation services.

STATE PROGRAM MANAGEMENT

PROGRAM MEASURES

Performance goals that define levels of performance and performance indicators to measure outputs, service levels, and outcomes are maintained. The primary measure of evaluation for JARC projects are actual number of monthly rides (passenger trips) provided in relation to the projects environmental conditions (rural or urban). This measure has been reported since program inception in 1999. Also kept are statistics on monthly vehicle miles and service hours. These statistics are reported monthly.

Attempts have been made to report actual/estimated number of jobs accessed as a result of the JARC projects. However, due to nature of New Jersey geography and types of service this number has been difficult to obtain. An annual NTD report is filed on behalf of JARC along with other reports required by the FTA.

LEASING VEHICLES ACQUIRED WITH SECTION 5316 FUNDS

Vehicles acquired under the Section 5316 Program may be leased to other entities such as local public bodies

or agencies, other private nonprofit agencies, or private for-profit operators. Under such a lease, the lessee operates the vehicle on behalf of the Section 5316 subrecipient and provides transportation to the subrecipient's clientele as described in the grant application.

The agreement between the Section 5316 subrecipient and the lessee must contain the terms and conditions that must be met in providing transportation service. In order to ensure that subrecipients meet the terms and conditions of the original grant with FTA, subrecipient must submit for review and written approval, a copy of any lease between the subrecipient and a potential lessee.

CONTROL AND RESPONSIBILITY

When vehicles or other equipment acquired with Section 5316 funds are operated by an entity other than the subrecipient, control and responsibility for the operation of the vehicles or other equipment must remain with the subrecipient unless transfer of the control and responsibility is made to another subrecipient authorized by NJ TRANSIT.

TITLE TO VEHICLES

NJ TRANSIT assigns title of the equipment to the subrecipient with NJ TRANSIT as the first lienholder. Upon completion of the project and the useful life of the vehicle being met, NJ TRANSIT will seek FTA's approval for disposition instructions prior to releasing any lien on vehicles. Upon receipt of FTA approval, the lien will be released, a termination of lease agreement is signed and the equipment is turned over to the subrecipient with no further obligations. NJ TRANSIT reserves the right to hold title of equipment purchased. NJ TRANSIT retains the original title at NJ TRANSIT until the useful life of the equipment has been met and the vehicle is ready to be retired from the program.

SATISFACTORY CONTINUING CONTROL

When capital equipment is acquired or improved for use by any entity in providing transportation services provisions must be made to assure satisfactory continuing control of that capital equipment.

NJ TRANSIT retains the authority to make periodic reviews of projects and conduct site visits to assess the efficiency and effectiveness of each project. NJ TRANSIT designated employees are authorized to enter without delay and at reasonable times the premises of a subrecipient without the necessity of the subrecipient's permission, to inspect project equipment and records. As a standard practice, NJ TRANSIT will contact a subrecipient ahead of time to set up a time and place for a vehicle inspection. Inspections shall not commence without first identifying to the subrecipient the purpose of the visit, which is to complete a formal inspection of project equipment and records. Representatives from NJ TRANSIT are authorized to inspect subrecipient vehicles at any location and time as deemed appropriate by inspectors.

When conducting an inspection, the NJ TRANSIT representative shall present their credentials to the subrecipient, or vehicle operator, explain the nature and purpose of the inspection; and indicate, generally, the scope of the inspection. The scope of the inspection may be broadened if circumstances warrant. NJ TRANSIT inspectors shall have authority to photocopy records, interview staff, and take photographs related to the purpose of the inspection. The conduct of inspections shall be such as to minimize disruption of the operations of the subrecipient. At the conclusion of an inspection, the NJ TRANSIT representative shall confer with a representative of the subrecipient and advise him/her of any equipment defects discovered during the inspection.

Each vehicle will be inspected, at minimum, once every two years to determine the accuracy of required reports and to evaluate the overall condition of the vehicle. In addition, randomly selected maintenance records as well as an inspection of subrecipients maintenance facilities, if applicable, will be conducted during the scheduled site visit. If a follow-up inspection discloses that a subrecipient has failed to correct a defect, the subrecipient will be considered in noncompliance and NJ TRANSIT may consider, depending upon the severity of the infraction, termination of the lease agreement with the subrecipient.

EQUIPMENT MANAGEMENT

GENERAL

Subrecipients must use, manage, and dispose of equipment acquired under a Section 5316 grant in accordance with state laws and procedures. Subrecipients shall have at the establishment where operations, dispatching, scheduling, administration, and project equipment is stored and/or utilized, the current contractual agreement and/or equipment lease. Additionally all vehicle maintenance, insurance and, accident reports must be at the establishment. Reproductions of all materials shall constitute compliance with this requirement.

TRANSFER OF PROPERTY

NJ TRANSIT can transfer equipment acquired with assistance under Section 5316 to any subrecipient eligible to receive assistance under 49 U.S. C. Chapter 53, if the equipment will continue to be used in accordance with the requirements of Section 5316. The entity receiving equipment under this provision to provide Section 5310 service must comply with all the State and Federal requirements for Section 5316 subrecipients. NJ TRANSIT will first consider transferring equipment to other approved Section 5316 subrecipients.

In addition, Section 5334(g) allows facilities and equipment and other assets (including land) which are no longer needed for the purposes for which they were acquired to be transferred to any public body to be used for any public purpose with no further obligation to the Federal government, if authorized by the Secretary.

VEHICLE USEFUL LIFE AND REPLACEMENT STANDARDS

NJ TRANSIT is responsible for establishing and implementing rolling stock requirements for all categories of vehicles acquired under the 5316 programs. Specifically, NJ TRANSIT is responsible for establishing minimum useful life standards for vehicles; establishing procedures for determining fair market value; and developing policies and procedures for maintenance and replacement of vehicles. Maintenance requirement and insurance coverage must be adequate to protect the Federal interest in the vehicle within the useful life determined by NJ TRANSIT. The useful life criteria described below is effective for all vehicles purchased after July 1, 2007. Useful life is defined as:

1. Light Transit (Type) Buses - Medium Duty Buses, manufactured under Federal Motor Vehicle Safety Standards applicable to light transit buses, which may be equipped with either gasoline or diesel engines, are classified as having a minimum useful life of seven (7) years, or 200,000 miles. These may be classified by some manufacturers as transit (30') type buses.
2. Small Buses, Medium Duty Chassis, with add-on bodies installed by other than the original equipment chassis manufacturer, usually under twenty-eight (28') feet in length. These units shall be classified as having a minimum useful life of five (5) years or 150,000 miles.
3. Fifteen (15) Passenger Vans - manufactured as classified by original equipment manufacturer of body and chassis, including "modified" units incorporating raised roof and/or a lesser number of seats to accommodate handicapped passengers using wheelchairs or other mobility devices, with lift devices installed. These units shall be classified as having a minimum useful life of four (4) years or 100,000 miles.
4. Mini-Vans - manufactured as classified by original equipment manufacturer of body and chassis, with capacities of up to six (6) passengers, with wheelbase of less than 128". These units shall be modified to incorporate raised roof or lowered floors. Installation and use of manual ramps for accessibility is permissible, subject to design and specifications, compliance with state and federal requirements. They shall be classified as having minimum useful life of four (4) years or 100,000 miles.
5. Stations Wagons - manufactured as classified by original equipment manufacturer of body and chassis, with capacities of up to nine (9) passengers. These units shall not be structurally modified by after market manufacturers. These units shall be classified as having a minimum useful life of four (4) years or 100,000 miles. Presently, station wagons are not offered by NJ TRANSIT to applicants but may be considered in special situations.

If a subrecipient wishes to withdraw the vehicle from service before it has met the useful life standards, NJ TRANSIT will make a determination of the vehicle's usefulness and its disposition by appraising its current condition, its repair history, etc. The subrecipient should be prepared to supply the information required by NJ TRANSIT to make such a determination.

If NJ TRANSIT determines that the vehicle is not eligible for early disposition the subrecipient may, with NJ TRANSIT's concurrence; keep the vehicle in service; or if no longer needed return to NJ TRANSIT which will transfer it to another selected subrecipient; or with NJ TRANSIT'S approval the subrecipient may keep the vehicle but reimburse NJ TRANSIT the fair market value of the vehicle.

DISPOSITION

Usually, NJ TRANSIT will initiate disposition if the useful life of a vehicle has been met. Subrecipients must notify NJ TRANSIT in writing to request an inspection of the vehicle(s) or equipment they wish to dispose before the useful life has been met. In such cases, the inspection will determine if the disposition of the vehicle(s) or equipment is warranted for reasons other than age or mileage.

Subrecipients must follow state laws and procedures for disposing of equipment. NJ TRANSIT is not required to return to FTA proceeds from the disposition of equipment, regardless of the fair market value at the time the equipment is sold, so long as the proceeds remain in use for mass transit purposes. This applies to all equipment currently in use, which was purchased with Section 5316 funds. As a general rule any funds received are returned to the NJ TRANSIT Section 5316 Program.

The fair market value can be determined by either receiving two price quotes from reputable vendors or applying an accelerated depreciation calculation based on the remaining life of the equipment at time of disposal. Straight-line depreciation can be used although NJ TRANSIT recognizes that it is not as accurate a method in determining the fair market value. Both parties must agree upon the price before transfer can occur. This type of disposition is not the preferred method and NJ TRANSIT will follow only in rare or unique cases. If NJ TRANSIT determines that the vehicle is eligible for early disposition, the subrecipient may dispose of the vehicle as it chooses.

VEHICLE INSURANCE

NJ TRANSIT requires subrecipients to submit verification of insurance. Subrecipients are required to maintain insurance coverage in the amount of one million dollars per vehicle. The subrecipient must safeguard against loss, damage or theft of equipment and list NJ TRANSIT as an additional insured. NJ TRANSIT will periodically review this requirement and adjust the amount of coverage accordingly.

VEHICLE DESTROYED OR DAMAGED.

All vehicles purchased with Section 5316 funds must be covered by insurance. If a vehicle damaged in a fire, accident, etc. is repairable, the subrecipient should negotiate a settlement with the insurer, get the vehicle repaired and place it back in service. If the vehicle is not repairable, the entire settlement including any deductible will be returned to NJ TRANSIT who will put the insurance settlement back into the program to purchase additional vehicles, which can be assigned to an approved subrecipient. NJ TRANSIT will discuss with the subrecipient the need for a replacement and consider that need in assigning new and or transferred equipment. NJ TRANSIT reserves the right to waive the return of the deductible if it places an economic burden on the subrecipient agency.

MAINTENANCE

During inspections and site visits NJ TRANSIT staff will inspect equipment purchased with Section 5316 funds. During these inspections NJ TRANSIT may randomly select for review maintenance records for a vehicle. Subrecipients are encouraged to have their own written preventive maintenance procedures. However, at a minimum subrecipients are expected to follow the maintenance practices contained in NJ TRANSIT'S Vehicle Preventive Maintenance Guidelines. Failure to follow these practices could lead to a subrecipient being cited for noncompliance.

PROCUREMENT

Within the application completed by a potential subrecipient is a vehicle menu from which the applicant can

select the vehicle type most appropriate for meeting their service needs. NJ TRANSIT requires that all equipment purchased under this grant program be accessible and meet ADA vehicle specification requirements. NJ TRANSIT develops the specifications. NJ TRANSIT using a formally advertised competitive bid process handles the purchasing of all vehicles. NJ TRANSIT will comply with all Buy America requirements and other federal certifications as required by law.

FINANCIAL MANAGEMENT

FINANCIAL RECORDS

Financial records, supporting documentation, and all other records pertinent to a grant must be retained by NJ TRANSIT and will be made readily available to authorized representative of the U.S. Department of Transportation and the Comptroller General of the United States for a period of three years. The retention period starts on the date of forwarding the final Financial Status Report (SF-269A) If any litigation, claim or audit is started before the expiration of the three-year period, the records must be retained beyond three years, until all litigation, claims, or audit findings involving the records have been resolved.

AUDITS

NJ TRANSIT does not require an audit from a subrecipient when the assistance provided is solely in the form capital equipment procured directly by the state. An audit is required however, if subrecipients for any reason purchases equipment. Situations rarely occur when subrecipient purchases equipment under this program, however, the possibility does exist if equipment is purchased as the result of an insurance settlement or if other flexible funding is transferred into the Section 5316 program.

When required, subrecipients are to perform audits pursuant to the requirement of OMB Circular A-128, "Audits of State and Local Governments" or OMB Circular A-133, revised Audits of Institutions of Higher Education and Other Non-Profit Institutions" (including any future amendments thereto); Subrecipients are responsible for bringing problems to NJ TRANSIT's attention. All subrecipients are required to submit a copy of their most recent audit at the time of application.

CLOSEOUT

NJ TRANSIT shall initiate project closeout with the FTA within 90 days after all funds are expended and all work activities for the project are completed. A final Financial Status report (SF 269A), final budget and final program of projects are required at the time of closeout.

It is NJ TRANSIT'S intention for Section 5316 grants awarded for a specific program of projects be completed within three years. If small amounts of funds remain in an inactive grant, NJ TRANSIT will request that the funds be deobligated and the project closed out.

REPORTING REQUIREMENTS

QUARTERLY REPORTS

NJ TRANSIT is required to submit to FTA an quarterly program report for every active grant. Reports consist of an updated program of project and revised budget for each approved program of projects, which contains active projects. It reflects revised project descriptions, changes in projects from one category to another, and adjustments within budget categories. In addition, it includes a narrative report indicating progress against milestones for vehicle procurements and/or construction projects, and estimating the revised completions date for the grants. In addition, the report includes notable accomplishments or problems involving Section 5316 subrecipients. NJ TRANSIT has worked closely with the FTA Region II office and NJ TRANSIT includes Section 5316 Program reports as part of the quarterly reporting process.

FINANCIAL STATUS REPORTS

The state must submit a Financial Status report for each active grant annually, for the period ended September 30. For the purpose of this report, funds are considered encumbered when agreements are signed with vendors to purchase vehicles.

SUBRECIPIENT MONTHLY REPORTS

All subrecipients are required to submit a monthly report to NJ TRANSIT. These reports shall be used for review and analysis of performance and compliance requirements. This report includes ridership and maintenance cost information.

SECTION 5316 VEHICLE INVENTORY

The Local Programs Support Unit maintains a database for equipment purchased under this program. Information for vehicles includes but is not limited to the name and address of subrecipient, NJ TRANSIT vehicle inventory number, license plate number, delivery date, date of last quarterly report and status of insurance. Files are updated with information provided from subrecipient quarterly reports.

DBE REPORTS

All FTA subrecipients receiving operating funding are required to complete and submit the Subrecipient DBE Reporting Form on a bi-annual basis to NJ TRANSIT.

REQUIREMENTS AND OTHER PROVISIONS**CHARTER SERVICE REPORTS**

All FTA subrecipients providing charter services must report quarterly to NJ TRANSIT.

SCHOOL TRANSPORTATION

Section 5323(f) prohibits the use of FTA funds for exclusive school bus transportation for school students and school personnel. The implementing regulations (49 C.F.R. Part 605) do permit regular service to be modified to accommodate school students along with the general public. For the purpose of FTA's school bus regulation, Headstart is a social service, not a school program. FTA subrecipients may operate vehicles, which meet the safety requirement for school transportation, but may not provide exclusive school service. In the State of New Jersey, in most cases, special license plates and equipment must be on school buses. Vehicles purchased under this program do not meet state laws regarding school buses and cannot be used to transport children to and/or from school or school related activities.

SAFETY

FTA'S authority in the area of transit safety is set forth in Section 5329. FTA may withhold further financial assistance from any grantee that fails to correct any condition which FTA believes "creates a serious hazard of death or injury." FTA'S authority to investigate and make findings in certain safety-related areas is permissive, not mandatory. FTA may also require a recipient to submit a plan for eliminating, mitigating or correcting any deficiency.

DRUG AND ALCOHOL ABUSE

Subrecipients that receive only Section 5310, Section 5316 (JARC), or Section 5317 (New Freedom) assistance are not subject to FTA's Drug and Alcohol testing rules, but must comply with the Federal Motor Carrier Safety Administration (FMCSA) rule for employees who hold Commercial Driver's Licenses (49 CFR part 382). Section 5310 subrecipients that also received funding under one of the covered FTA programs (Section 5307 or Section 5311) should include any employees funded under section 5310 projects in their testing program.

DRUG-FREE WORKPLACE

The Drug-Free Workplace Act is part of the federal government's effort to eliminate illegal drugs from the workplace. The Drug-Free Workplace Policy is a "first-tier" requirement applying to NJ TRANSIT and does not apply to subrecipients of Section 5310, Section 5311, Section 5316 and Section 5317.

COMMERCIAL DRIVERS LICENSE

Under federal law all drivers of vehicles designed to transport more than 15 persons (including the driver) must have a commercial driver's license (CDL). Mechanics that drive the vehicles must also have a CDL. The State of New Jersey has additional CDL requirements. If a subrecipient is not clear on whether or not the vehicle they have received under this program requires a CDL they should contact the NJ TRANSIT Innovative Service and Sales Programs Unit.

RESTRICTION ON LOBBYING

Federal financial assistance may not be used to influence any member of Congress or an officer or employee of any agency in connection with the making of any Federal contract, grant, or cooperative agreement. NJ TRANSIT, subrecipients, and third party contractors at any tier awarded FTA assistance exceeding \$100,000 must sign a certification so stating and also must disclose the expenditure of non-Federal funds for such purposes (49 C.F.R. Part 20). Other Federal laws also govern lobbying activities. For example, Federal funds may not be used for lobbying Congressional representatives or senators indirectly, such as by contributing to a lobbying organization or funding a grass-roots campaign to influence legislation (32 U.S.C. § 1352). General advocacy for transit and providing information to legislators about the services a subrecipient provides in the community are not prohibited, nor is using non-Federal funds for lobbying, so long as the required disclosures are made.

PROTECTION OF THE ENVIRONMENT

The vehicles and other related equipment items routinely purchased under the Section 5310 program do not involve significant environmental impacts. Those projects are referred to as “categorical exclusions” in FTA’s procedures because those types of projects have been categorically excluded from FTA’s requirements to prepare environmental documentation. If questions or concerns arise about any unusual projects proposed by an applicant NJ TRANSIT will contact the FTA regional office for consultation regarding environmental requirements.

CLEAN AIR ACT

The Clean Air Act, as amended, establishes many substantive requirements in order to bring air quality regions, which violate the national ambient air quality standards into attainment by prescribed dates. Most "nonattainment" areas are heavily urbanized, but in the case of areas that are nonattainment for ozone or small particulate matter (PM-10), substantial rural areas may be included within the nonattainment area boundaries.

Other Clean Air Act requirement may apply to the Section 5310 Subrecipient, e.g., phase-in of more stringent bus emission standards. The FTA regional office can supply up-to-date information on various provisions of the clean Air Act related to mobile sources.

OTHER PROVISIONS

CHARTER SERVICE

As a subrecipient of Federal Transit Administration (FTA) funding (Section 5307, 5310, 5311, 5316, and/or 5317) you are required to comply with the charter service rules, 49 CFR Part 604. New rules for charter service were issued by the FTA in 2008.

Charter service is now defined as transportation provided at the request of a third party for exclusive use of a vehicle for a negotiated price or transportation provided to the public for events or functions that occur on an irregular basis or of a limited duration and a fare is charged (above regular fare) or a third party pays for part of or the whole service.

The general goal of these regulations is to protect the private charter provider from unfair competition from FTA subrecipients; there are exceptions where the FTA subrecipient can provide charter service. Below are some of the exceptions but not all:

- **Exception one:** FTA subrecipients are allowed to provide charter services to human services organizations that receive funding, either directly or indirectly from the list of the 64 federal programs that are listed in “Appendix A” of this rule.
- **Exception two:** FTA subrecipients are allowed to provide charter services to Qualified Human Services Organizations (QHSO), but these QHSO must be registered on-line with the FTA (under charter service registration). In addition the transportation is limited only to senior citizens, people with disabilities or low income individuals.
- **Exception three:** FTA subrecipients can provide charter service whenever private charter service operators (who must also register on-line with the FTA under charter service registration) decline the opportunity to respond to a request for charter service. This exception only applies if the requestor of the charter service and the FTA subrecipient follow the charter service required notifications and registration procedures.
- **Exception four:** FTA subrecipients can provide charter service if they have filed a petition with the FTA Administrator and this petition has been approved. For example there could be a petition granted

for an economic hardship imposed on the charter service requestor's customers if the FTA subrecipient couldn't provide the service.

There is a FTA on-line registration requirement for both private charter operators and certain QHSOs. Private operators must register on-line, there is a detailed list of information they must provide including their geographic service area and whether they provide reduced rates to QHSOs. The revised charter service rules includes a Private Operator's Bill of Rights, but only for those private operators who register on-line. A QHSO is also required to register on-line if they do not receive one of the identified federal funds listed on Appendix A of the law.

If you are receiving FTA funds from 5310, 5311, 5316 and 5317, and using these funds for program purposes you are exempt from charter service rules. That is to say, you can only provide charter service that supports "program purposes" that are funded under these programs. However, you are still required to track all charter service requests from other parties and ensure that they follow the required charter rule registration and request process. **As a FTA subrecipient of these funds you are not required to register on-line.**

As a FTA subrecipient you must maintain records of charter requests, notices and charter services operating under the various exceptions in the charter service rules. This must be submitted to NJ TRANSIT on a quarterly basis.

EXHIBIT A

Vehicle Inspection Form

VEHICLE INSPECTION

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DATE: _____ **COUNTY:** _____ # _____

TRANSPORTATION PROVIDER NAME: _____

Vehicle Year	Inspection Sticker	Plate Number	Vin Number		Securements ___ Flp ___ Lift ___ w/c ___ amb ___
Make	Model	Body	Registration	Insurance Card	Odometer

EXHIBIT B

Vehicle Preventive Maintenance Guidelines

NEW JERSEY TRANSIT LOCAL PROGRAMS SUPPORT UNIT

RECOMMENDED VEHICLE PREVENTIVE MAINTENANCE GUIDELINES



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INTRODUCTION

Preventive Maintenance: The performance of regularly scheduled maintenance procedures on a vehicle in order to prevent the possibility of malfunctions.

It's critical that a well-established, comprehensive preventive maintenance program be in place. To have a good maintenance plan is as important to a successful transportation system as the actual purchase of vehicles.

A preventive maintenance plan consists of:

- X making preventive maintenance arrangements (setting up necessary accounts)
- X adhering to a detailed preventive maintenance schedule
- X conducting daily vehicle inspections via pre & post trip inspections
- X completing corresponding inspection checklists, and
- X Keeping a thorough maintenance record on file for each vehicle.

PREVENTIVE MAINTENANCE ARRANGEMENTS

Preventative Maintenance can be arranged in a variety of ways to fit your system's needs:

- **Contract maintenance out to commercial mechanics.**
- **Arrange for other agencies such as city or county garages, or school bus garages to maintain vehicles.**
- **Set up an in-house maintenance program.**
 - Major advantages to an in-house program:
 - Vehicles will be routinely checked for problems,
 - Mechanics will be familiar with the vehicles,
 - And most important, the mechanic will be your employee.
- **A combination program: In-house routine maintenance combined with other work contracted out.**

Examples:

Potential in-house work; oil change, oil filter change; air filter change and PCV valve change.

Jobs to contract out; those requiring special expertise and machinery.

- **Train drivers on how to properly inspect the vehicles for pre & post trip inspections. Ensure that all findings are communicated to maintenance personnel in a timely fashion**

Important:

For an effective in-house preventive maintenance program, the following minimal facilities are necessary:

A garage or building for vehicles to be brought undercover for servicing;

Proper drainage for washing vehicles in your garage;

A recycling or disposing process for motor oil and other wastes;

Equipment for lifting and jacking vehicles;

A complete set of tools – at the very least, a basic set of small tools to perform necessary minor repairs on the spot.

PREVENTIVE MAINTENANCE

After you have made the arrangements for your preventive maintenance program, work with your entire staff (drivers, dispatchers, and mechanics) to develop a basic maintenance schedule.

Mechanics must be familiar with the minimum maintenance requirements for each vehicle. This can be accomplished by studying the manufacturer's maintenance manuals that are provided with the delivery of each vehicle.

With each vehicle, maintenance must be performed either at a specific mileage increment or within a specific period of time. If routine maintenance is not performed, the vehicle's reliability will suffer, its work life could be shortened and its warranty provisions might be violated.

As a general rule, follow the vehicle manufacturer's manual. It will suggest specific requirements, materials, tools and preferred time schedules. A general preventive maintenance schedule is provided on page 7 to act as a guide and supplement to your owner's manual.

P

REVENTIVE MAINTENANCE SCHEDULE

Be alert and ready to make schedule adjustments according to your specific needs. When making adjustments, be certain to document any changes and update this list for reference.

Regularly

Wash vehicle interior and exterior – determine need by the amount of use and road conditions. (Salt used for clearing roads and chemical solutions used to control dust on unpaved roads may require more frequent washes.)

Unscheduled

Alternator
Starter motor
Windshield wiper motor
Windshield wiper blades
Exhaust components; muffler, manifolds, pipes, hangers and clamps
Headlamps, turn signal bulbs, brake lights and marker lights
Vehicle interior fittings, seat materials
Wheelchair lift components
Wheelchair restraint components

Every Year

Flush radiator
Replace coolant

Service air conditioner

Lubricate all door and hood hinges

Lubricate all door and hood locks

Lubricate door rubber weather-strips

**Every 2
Years**

Replace all hoses; more often if necessary.

CUTAWAY PREVENTIVE

MAINTENANCE SCHEDULE



MILES (in thousands)	3	5	6	8	9	12	15	18	21	24	27	30
MAINTENANCE OPERATION												
Change engine oil, replace filter	x		x		x	x	x	x	x	x	x	x
Lubricate Chassis	x		x		x	x	x	x	x	x	x	x
Replace Fuel Filter							x					x
Check engine idle speed (diesel)				x				x			x	
Check throttle & idle return spring	x						x			x		
Inspect drive belts, adjust, replace				x				x		x		x
Change air filter & PCV valve							x			x		
Rotate Tires				x				x		x		x
Inspect Brake System		x				x	x		x		x	x
Change all brake pads								x				x
Engine Tune - up												
Service transmission												x
Pack Wheel Bearings										x		

MILES (in thousands)	39	42	45	48	51	54	57	60	63	66	69	72
MAINTENANCE OPERATION												
Transfer Case Fluid				x								
Change engine oil, replace filter	x	x	x	x	x	x	x	x	x	x	x	x
Lubricate Chassis	x	x	x	x	x	x	x	x	x	x	x	x
Replace Fuel Filter			x					x				
Check engine idle speed (diesel)							x		x			x
Check throttle & idle return spring				x					x			x
Inspect drive belts, adjust, replace				x				x		x		x
Change air filter & PCV valve				x					x			x

Rotate Tires	x							x			x	
Inspect Brake System		x	x		x		x	x		x		x
Change all brake pads				x						x		
Engine Tune - up								x				
Service transmission								x				
Pack Wheel Bearings				x								x

CONTINUED

MILES (in thousands)	81	84	87	90	93	96	99	102	105	108	111	114
MAINTENANCE OPERATION												
Transfer Case Fluid				x								
Change engine oil, replace filter	x	x	x	x	x	x	x	x	x	x	x	x
Lubricate Chassis	x	x	x	x	x	x	x	x	x	x	x	x
Replace Fuel Filter				x								
Check engine idle speed (diesel)							x					
Check throttle & idle return spring				x								
Inspect drive belts, adjust, replace				x				x				
Change air filter & PCV valve				x								
Rotate Tires	x							x				
Inspect Brake System	x		x	x		x		x		x		x
Change all brake pads				x								
Engine Tune - up				x								
Service transmission				x								
Pack Wheel Bearings				x								



Small Bus Preventive Maintenance Schedule

MILES (in thousands)	5	10	15	20	25	30	35	40	45	50
MAINTENANCE OPERATION										
Change engine oil, replace filter	X	X	X	X	X	X	X	X	X	X
Lubricate Chassis	X	X	X	X	X	X	X	X	X	X
Replace Fuel Filter				X				X		
Check engine idle speed (diesel)		X		X			X			X
Check throttle & idle return spring	X		X			X			X	
Inspect drive belts, adjust, replace		X		X		X		X		X
Change air filter & PCV			X			X			X	

valve



Rotate Tires		x		x		x		x		
Change all brake pads				x				x		
Engine Tune - up					x					x
Service transmission						x				
Pack Wheel Bearings						x				

MILES (in thousands)	55	60	65	70	75	80	85	90	95	100
MAINTENANCE OPERATION										
Change engine oil, replace filter	x	x	x	x	x	x	x	x	x	x
Lubricate Chassis	x	x	x	x	x	x	x	x	x	x
Replace Fuel Filter		x				x				x
Check engine idle speed (diesel)			x		x			x		
Check throttle & idle return spring		x			x			x		
Inspect drive belts, adjust, replace		x		x		x		x		x
Change air filter & PCV valve		x			x			x		
Rotate Tires	x			x			x			x
Change all brake pads		x				x				x
Engine Tune - up					x					x
Service transmission		x						x		
Pack Wheel Bearings		x						x		

WHEELCHAIR LIFT PREVENTIVE MAINTENANCE

Preventive maintenance of a wheelchair lift is an essential aspect of keeping it working and increasing its operating life. Proper preventive maintenance may reduce unscheduled lift repairs, operation down time, and will increase the longevity of the lift. A regular preventive maintenance schedule is a requirement for every lift-equipped vehicle. Regular preventive maintenance procedures can be found in the instruction manual provided with the lift at the time the vehicle was delivered.

It is also very important that the preventive maintenance procedures recommended in the manufacturer's instruction manual be followed since wheelchair lift design varies among manufacturers. Please keep in mind the following recommended procedures are not meant to replace the specific procedures recommended by the individual manufacturer(s) but are to be used as a general supplement.

Conditions Affecting Preventive Maintenance

The time interval for preventive maintenance of wheelchair lifts varies due to several factors. Lift usage, weather conditions and contamination are three important factors that will affect maintenance. Large agencies or agencies that serve a larger disabled population require more maintenance because of increased lift usage.

Be advised that harsh weather conditions will also affect lift operation and regular maintenance. Rain, snow, sun and other weather elements can cause additional wear & corrosion which will consequently increase the amount of maintenance that will be needed.

To that extent, large amounts of snow tend to corrode lifts more rapidly. This is due to the lift coming into contact with road salt, which causes the actual corrosion. Additionally, be aware that vehicles operated close to saltwater tend to become corroded due to the high levels of moisture in the air. Likewise, dusty & sandy conditions can cause contamination of your lift as well. Bottom line is that in any extreme condition, pay special attention to keeping the lift clean and well lubricated.

Preventive Maintenance Requirements of the ADA

The ADA requires transportation providers/agencies to ensure that service will not be denied to individuals with disabilities due to inoperative lift equipment. The act requires agencies to properly maintain their lift equipment to ensure proper operating conditions are not interrupted. The ADA also requires agencies to effect timely repairs if the lift equipment does malfunction or fail.

There are five primary requirements of the ADA that an agency must keep in mind when developing a preventive maintenance program for its lifts.

- *Establish a system of frequent preventative maintenance checks of all lift equipment sufficient to determine they are in proper working order.*

The first requirement does not specifically require that the lift be cycled daily. If you have another means of testing the lift such as using the lift in service every day or every other day, then this method may be used. However it is unacceptable to allow a lift to remain idle for several days. This would be in direct violation of the act.

- *Ensure that the vehicle operator reports to the entity, by the most immediate means available, any failure of a lift to operate in service.*

When a lift breaks down in-service, it is the responsibility of the driver to inform the entity by the most immediate means available. If the vehicle is equipped with a radio or telephone, then the driver must call in the problem on the spot. Otherwise the driver must call in the problem at the first available opportunity such as at a pay phone. It is unacceptable to wait until the end of the day to report the problem.

- *Take the vehicle out of service before the beginning of the vehicle's next service day and ensure that the lift is repaired before the vehicle returns to service.*

The vehicle may finish the remainder of the service day if there is an in-service failure. However, the vehicle must be repaired before returning to service.

- *When there is no spare vehicle available to take the place of a vehicle with an inoperable lift, and taking the vehicle out of service will reduce the transportation service the entity is able to provide, the agency may keep the vehicle in-service with an inoperable lift for no more than five days (if the entity serves an area of 50,000 or less population) or three days (if the entity serves an area of over 50,000 population) from the day on which the lift is discovered to be inoperative.*

Once the allowable times have elapsed, the vehicle must go into the shop, and not returned until the lift is repaired. In the event a spare vehicle becomes available, it must be used in place of the vehicle with the inoperative lift or an inaccessible spare vehicle that is being used in its place.

- *In any case in which a vehicle is operating on a fixed route with an inoperative lift, and the headway to the next accessible vehicle on the route exceeds 30 minutes, the agency must promptly provide alternative transportation to individuals with disabilities who are unable to use the vehicle because its lift does not work.*

This requirement would accommodate passengers who could not use an inaccessible vehicle. It provides that the agency have an alternative accessible vehicle so as to not cause an inconvenience to passengers

Periodic Maintenance

Thorough preventative maintenance procedures should be performed at designated intervals. These intervals may be stated in terms of time (months, weeks, etc.) or number of lift cycles. It is recommended that the cycle interval be used on vehicles with high lift usage (at a level of approximately eight lift cycles per day). Measuring lift usage in this manner will allow the lift to have preventive maintenance performed based on the frequency of use.

On vehicles that have fewer than eight lift cycles per day, a time interval should be employed.

This is very important for vehicles with lifts that are rarely used. Even if a lift is not used very often, lubricants can become contaminated and parts on the lift can become loose due to vibrations from everyday driving. These are in addition to the daily pre-trip and post-trip inspections and any maintenance daily inspections may reveal as immediately necessary. A lift cycle counter can be useful for determining when periodic maintenance is due if the number of lift cycles is the standard used. Each agency should evaluate their individual maintenance programs as local conditions may require more frequent intervals. Manufacturers often provide a recommended maintenance schedule in their manuals and these schedules should be followed for the corresponding equipment.

General lubrication and minor adjustments of external working parts on the lift mechanism should be performed once or twice per month or once every 50 – 200 lift cycles. Once every year or every 1,250 to 2,400 cycles a more thorough maintenance check is necessary.

Generally the best time for lift maintenance is when the vehicle is brought in for preventive maintenance checks. Ideally, this consists of an inspection by a mechanic qualified to perform lift repairs and adjustments. However, there are some relatively simple tasks that other personnel may be capable of performing.

On hydraulic lifts, check the fluid level in the pump. The fluid should be free of contaminants and should not be discolored. If either is present, the fluid should be changed immediately. On all lifts, movable external parts can be inspected for wear, damage or misalignment and can be properly lubricated as well.

Due to the new Federal Motor Carrier Safety Regulations, the new “Section 403” lifts are equipped with warning alarms and lights. These components must also be checked frequently and added to your preventative maintenance program. For specifics on these components, please refer to the manufacturer’s literature.

Lubrication

Lubrication of the lift is perhaps the most important component of your preventive maintenance program. Due to various operating conditions the implementation of a regular lubrication schedule can reduce the number and severity of breakdowns. Weather can cause binding, possibly destroy electrical connections, and wash away lubricants. Severe conditions may require more frequent lubrication. Cleaning the lubrication points at every maintenance check is important. It will ensure that contaminants are removed.

Proper lubrication of the lift requires the use of proper lubricants. Each lift manufacturer recommends a type and frequency of lubrication. Check the operating instructions for the type of lifts you are operating. If you do not have these recommendations, the following information is provided.

For specific lubricant types, please refer to manufacturer's literature which is provided with the vehicle at the time of delivery. If the literature is not clear, please call the manufacturer directly. In the event that all measures are unsuccessfully exhausted producing no results, please contact the NJ TRANSIT Warranty Administrator at the following:

Robert Cowan
Warranty Administrator
Minibus Support
(973) 491-7986

WHEELCHAIR LIFT MAINTENANCE SCHEDULE

Perform lift maintenance at scheduled intervals according to number of cycles or elapsed time, whichever comes first. Correct any potentially dangerous situations at once. (Refer to provided manufacturer literature for more detailed information)

Daily or 10 LiftCycles

- Cycle Lift
 - Inspect for worn or loose parts
 - Inspect for smooth operation (both directions)
 - Inspect for capability of holding weight (stand on lift for one complete cycle)
 - Inspect for leaks
 - Listen for unfamiliar noises
 - Check hydraulic fluid
 - Ensure all lights and alarms are functional
-

Monthly or 50 Lift Cycles

- Inspect and lubricate all platform hinges
 - Inspect and lubricate shoe assembly
 - Inspect handles and mounting or pivot pins
 - Inspect cylinder mounting pins/brackets and emergency release pin
 - Inspect stanchion assembly bolts
 - Inspect and lubricate platform pick-up fold bearings
 - Inspect platform assembly
 - Inspect platform shaft connection and fold axles
 - Check platform for level alignment - adjust as needed
 - Ensure all lights and alarms are functional
-

**Yearly or 1,200 Lift
Cycles**

Check manual lift operation (with and without weight on platform)

Check/replace bushings

Inspect power cord and connections

Inspect safety features for proper operation

Inspect frame for bends, cracks and breaks

Inspect arm pins/pivot points for excessive wear

Inspect platform pick-up fold bearings and cam for excessive wear

Inspect bridge plate and front safety barrier for proper operation

Ensure all lights and alarms are functional

DAILY VEHICLE INSPECTION

Daily vehicle inspections are crucial to the success of the Preventive Maintenance Program and contribute to the establishment of strong communication between drivers, mechanics and management. Investing a short time on a daily basis to inspect each vehicle will help detect problems early, thereby improving safety and decreasing vehicle repair costs.

Attached is the recommended sample **Pre-Trip** Inspection form. Please add or delete items you feel are not, appropriate for your operation. Be advised that this form closely resembles the form used by the Department of Transportation. Thus NJ TRANSIT highly recommends this form be utilized

The very first line of defense in the proper preventive maintenance quest belongs to the vehicle operators. Each operator must inspect his or her vehicle **prior** to departure and complete a Pre-Trip Inspection form. The completed form is submitted to a supervisor prior to the start of the day's activities so that necessary maintenance or repairs can be noted and scheduled. NJ TRANSIT also recommends the operator perform a **post trip** inspection at the end of the run to ensure the vehicle is in the condition it needs to be for the next operator.

The previous 90-days of Daily Pre-Trip Inspection forms must be included in the permanent vehicle file. This record will be reviewed during NJ TRANSIT site visits.

COMPREHENSIVE MAINTENANCE RECORD

A Comprehensive Maintenance Record, attached, must be kept on file for each vehicle as part of that vehicle's permanent file. This record must be filled out every time any maintenance is performed on that vehicle.

Benefits of keeping a Comprehensive Maintenance Record:

- *Provides a quick reference to the vehicle*
- *Provides a complete history of repairs*
- *Identifies chronic problems*
- *Shows trends in mileage and fuel consumption*
- *Tracks responsibility for repairs*
- *Records amount of time vehicle is out of service*
- *Meets NJ TRANSIT lease requirements*

These records will be reviewed during NJ TRANSIT site visits.

NJ TRANSIT also recommends that a file be kept for each vehicle that includes all work orders, outside vendor receipts, and any other documentation that is related to that vehicle

ATTACHMENTS

**1. PRE-TRIP INSPECTION
FORM**

**2. COMPREHENSIVE
MAINTENANCE RECORD**

VEHICLE DAILY PRE-TRIP INSPECTION

DATE: ____/____/____

VEHICLE #: _____

SIGNATURE OF DRIVER: _____

All items must be inspected prior to departure each day. If an item is damaged or requires maintenance place an "X" on the line next to the item and provide a brief description of the "defect". If an item is not applicable to your vehicle, place "N/A" on the line.

ENGINE INSPECTION

- ____ Battery Fluid/Connection
- ____ Transmission Fluid
- ____ Oil Level
- ____ Windshield Washer Level
- ____ Brake Fluid
- ____ Hoses/Belts
- speed
- ____ Water Level/Radiator
- during

EXTERIOR INSPECTION

- ____ Tampering/Body Damage
- ____ Windows/wipers
- ____ Mirrors
- ____ Reflectors
- ____ Turn Signals/4-way Flashers
- torn
- ____ Tires/Wheels/Suspension
- properly
- ____ Headlights/Parking Lights/Marker Lights
- operates
- ____ Doors
- ____ Cleanliness
- secure

SAFETY EQUIPMENT

- ____ Triangles
- ____ First Aid Kit
- ____ Bloodborne Pathogens Kit (Spill Kit)
- securements
- ____ Seat Belt Cutter

ACCESSIBILITY EQUIPMENT

- ____ One Complete Lift Cycle
- ____ Lift deploys only with parking brake set and/or transmission in park
- ____ Smooth movement
- ____ Works at proper
- ____ Platform is level
- entire operation
- ____ Smoothly clears door frame and opened door
- ____ Lift light operates
- ____ No physical damage to lift
- ____ Electric wires not cut frayed, corroded,
- ____ Switches operate
- ____ Hand pump
- properly
- ____ Hoses/fittings
- ____ Cables/belts/chains
- ____ Hydraulic fluid leaks
- ____ Mounting bolts
- ____ Bridge Plate
- ____ Handrails
- ____ Mobility aid
- ____ Floor plates

- _____ Extra Fuses
- _____ Fire Extinguisher
- _____ Rear Door Buzzer
- _____ Exit Windows/Buzzers
- _____ Roof Hatch
- _____ Two-way radio
- _____ Spare Tire/Jack/Lug Wrench

- _____ Lift Alarms
- _____ Lift Lights

INTERIOR

- _____ Mirrors
- _____ Lights
- _____ Horn
- _____ Registration/Insurance
- _____ Seats/Seat Belts
- _____ AC/Heat/Defroster/wipers
- _____ Transmission Selector
- _____ Gauges and Indicators
- _____ Brakes (foot/parking)
- _____ Signage/Decals
- _____ Cleanliness

COMMENTS

EXHIBIT C

Governor's Executive Order

GOVERNOR CORZINE SIGNS EXECUTIVE ORDER CREATING NEW JERSEY COUNCIL ON ACCESS AND MOBILITY

By [Governors Press...](#) - October 26, 2007 - 5:05pm

Tags: [Governor Jon S. Corzine](#),

Release Date: October 26, 2007

TRENTON - Noting that October is National Disability Employment Awareness month, Governor Jon S. Corzine today signed an executive order creating the New Jersey Council on Access and Mobility. This council will work to make the most efficient and effective use of State resources to ensure that the elderly, disabled and transportation disadvantaged have access to community based transportation services.

EXECUTIVE ORDER NO. 87

WHEREAS, the State of New Jersey has made great strides in the last 20 years in providing community based transportation services to its seniors, persons with disabilities, and economically disadvantaged populations; and

WHEREAS, having access to employment, health care, education, and other community services and amenities is critical to the quality of life of transportation-disadvantaged citizens; and

WHEREAS, enhancing access to transportation will improve mobility, employment opportunities, and availability of community services to citizens who are transportation-disadvantaged; and

WHEREAS, both State and federal government have allocated millions of dollars to fund human service transportation programs through a variety of agencies within this State; and

WHEREAS, federal law now requires that human service transportation projects selected for certain federal funding be derived from a locally developed, coordinated public transit human services transportation plan; and

WHEREAS, at the federal level this coordination activity is centered around the United We Ride Initiative; and

WHEREAS, there is a need to both identify additional resources as yet untapped or underutilized and maximize the benefit of the State's monetary resources currently earmarked for human service transportation programs through the creation of strategies that efficiently and effectively deliver services and centralize the management of information and resources; and

WHEREAS, the quality of decision making in these matters can be enhanced by providing a forum that brings together input and insight from the participating agencies, the providers, and the consumers of these transportation services;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby established in the Department of Human Services the New Jersey Council on Access and Mobility (the “Council”).

2. The Council shall be composed of four public members appointed by and serving at the pleasure of the Governor, one selected from each of the following communities: physically challenged individuals, seniors, individuals with developmental disabilities or mental health challenges, and low income individuals. The public members shall serve without compensation. In addition, the following individuals shall serve on the Council in an ex officio capacity and may appoint a designee to serve in his or her place: the Commissioners of Children and Families, Community Affairs, Education, Health and Senior Services, Human Services, Labor and Workforce Development, and Transportation, the State Treasurer, the Adjutant General, and the Executive Director of New Jersey Transit Corporation.

3. The Governor shall designate a chairman and vice chairman of the Council from among its members.

4. The Council is authorized to call upon any department, office, or agency of State government to provide such information, personnel, and assistance as deemed necessary to discharge its responsibilities under this Order. Each department, office, and agency of State government is hereby required, to

the extent not inconsistent with law, to cooperate with the Council and to furnish it with such information, personnel, and assistance as is necessary to accomplish the purpose of this Order.

5. The Council shall inventory existing State and federal transportation funding sources used for transportation services within the various departments and agencies in the State, study ways to improve coordination of resources, and make recommendations for improving services and programs.

6. The Council shall participate in the Federal United We Ride Program and coordinate activities with the Federal Council on Access and Mobility.

7. The Council shall meet no less than four times a year. The Council shall establish an appropriate number of subcommittees which may be composed of staff from a department or agency identified in paragraph 2 and representatives of consumers served by that department or agency. Such subcommittees shall meet monthly and report to the Council on a quarterly basis. All Council progress will be documented in written reports. By December 31st of each year of the Council's existence, the Council shall make a report of its activities, findings, and recommendations to the Governor and Legislature.

8. The Council shall expire on January 1, 2010.

9. This Order shall take effect immediately.

