



**5316 Job Access Reverse Commute and
5317 New Freedom**

Program Management Plan

**Miami Urbanized Area (Broward, Miami-Dade, and
Palm Beach Counties)**

Revised October 9, 2012

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INTRODUCTION

The South Florida Regional Transportation Authority (SFRTA) has been designated by order of the Governor of the State of Florida as the agency (“designated recipient”) responsible for administration of the Federal Transit Administration’s (FTA) Section 5316 Job Access & Reverse Commute (JARC) and Section 5317 New Freedom programs within the Miami Urbanized Area (UZA). The urbanized areas of Broward, Miami-Dade, and Palm Beach Counties are designated as the Miami UZA, which is the fifth largest UZA in the U.S. based on 2000 Census population data.

This Program Management Plan (PMP) describes SFRTA’s policies and procedures for administering the JARC and New Freedom programs in accordance with requirements in FTA Circulars C 9050.1 and 9045.1, both dated May 1, 2007.

This PMP is intended to fulfill several functions:

- Serve as the basis for FTA to perform management reviews of SFRTA’s administration of the program.
- Provide public information on SFRTA’s administration of the program.
- Provide program guidance to local project applicants.

PROGRAM GOALS AND OBJECTIVES

The purpose of the **JARC program** is two-fold. The job access element of the program is intended to assist new or expanded transportation services that connect low-income individuals to jobs and other employment-related services. The reverse commute element of the program is intended to provide transportation services, regardless of income, to those living in urbanized areas but working in suburban areas.

The purpose of the **New Freedom program** is to provide improved public transportation services, and alternatives to public transportation, for individuals with disabilities, beyond those required by the Americans with Disabilities Act (ADA) of 1990.

The philosophy underlying SFRTA’s role as designated recipient for JARC and New Freedom funds is to eliminate barriers and increase transportation options for people with disabilities, eligible low-income individuals, and welfare recipients through the coordination of the efforts and resources of public transit agencies, human services

agencies, and private providers of public transportation services. Further, SFRTA will strive to address the gaps in service identified in the local Coordinated Public Transit-Human Services Transportation Plans (including Transportation Disadvantaged Service Plans), minimize duplication of services, and maximize available resources. SFRTA will achieve these goals by meeting the following objectives:

- Create an area-wide competitive selection process that closely references the local Coordinated Public Transit-Human Services Transportation Plans “Coordinated Plans” to determine funding priorities and selection criteria.
- Create a PMP that clearly explains the responsibilities of both SFRTA and grant applicants and methods of administering the program in a transparent, open manner.
- Identify and involve as many grant applicants as possible through newspaper announcements, electronic media, the metropolitan planning process, or other means that will attract potential grantees.

ROLES AND RESPONSIBILITIES

As the designated recipient, SFRTA manages all aspects of JARC and New Freedom grants in the Miami UZA and perform a variety of administrative functions. SFRTA’s responsibilities include:

- Notifying eligible recipients of program funding availability;
- Development of JARC/New Freedom project selection criteria;
- Determining applicant eligibility (in consultation with FTA when needed);
- Conducting an area-wide competitive selection process to determine which projects should receive funding;
- Ensuring the fair and equitable distribution of program funds;
- Forwarding an annual Program of Projects (POP) and grant applications to FTA;
- Certifying that each project selected is derived from the transportation-related needs documented in the Coordinated Plan;
- Applying for and receiving the FTA grants for these programs on behalf of sub-recipient(s);
- Ensuring adherence to federal program guidelines through Interlocal Agreements with all sub-recipient(s);
- Incorporating the selected projects into the TIP (Transportation Improvement Program) and STIP (State Transportation Improvement Program);

- Receiving financial and status reports from all sub-recipients;
- Completing financial and progress status reports in the FTA electronic grants management system (TEAM);
- Implementing a monitoring plan to ensure compliance and consistency of projects implemented by funding recipients;
- Other administrative actions as necessary to ensure project completion in accordance with the appropriate federal rules, regulations and circulars.
- Developing a PMP to document procedures;

The JARC and New Freedom direct/sub-recipients' responsibilities include:

- Direct recipients (transit operators who are FTA grantees) must submit grant application (once selected from the area-wide competitive process) to FTA and carry out the terms of the grant;
- Meeting program requirements and grant agreement requirements including, but not limited to, Title VI reporting requirements;
- Making best efforts to execute selected projects per scope of services; and
- Complying with other applicable local, state, and federal requirements.

COORDINATION

As one of the largest urbanized areas in the U.S., Miami UZA has multiple transportation planning, human services, and transit service provider agencies. Broward, Miami-Dade, and Palm Beach Metropolitan Planning Organizations (MPOs) function within the Miami UZA. Broward County Transit (BCT), Miami-Dade Transit (MDT), and Palm Tran provide both fixed route and paratransit services. The above agencies, Florida Department of Transportation (FDOT), South Florida and Treasure Coast Regional Planning Councils, and SFRTA are the core agencies involved in transportation planning and operating activities in the Miami UZA. All these entities are members of SFRTA's Planning Technical Advisory Committee (PTAC), which oversees the application review process for JARC and New Freedom programs.

Several technical and citizens' sub-committees, ADA Advisory Committee, non-profit transportation service providers, and carpool/vanpool service providers are associated with the above agencies. Therefore, coordination and outreach efforts of JARC and New Freedom programs utilize the e-mail databases and resources available to the member agencies of PTAC. Since the annual POP will be approved by the SFRTA's Governing

Board, local elected officials and jurisdictional staff will be involved in the ongoing coordination process.

Transportation Disadvantaged (TD) Coordinators of the three counties coordinate the development of individual Public Transit-Human Services Transportation Plans and Transportation Disadvantaged Service Plans (TDSPs), which serve as the “Coordinated Plans.” The Coordinated Plans are developed in accordance with state legislative requirements and criteria established by the Florida Commission for the Transportation Disadvantaged. The process of developing the coordinated plans has encouraged discussions that have already resulted in increased communication and coordination among agencies, including transportation disadvantaged local coordinating boards. The Local Coordinating Board (LCB) identifies local service needs and provides information, advice, and direction on the coordination of services to be provided to the transportation disadvantaged. Also, the LCB reviews the amount and quality of service being provided to the respective county's transportation disadvantaged population.

The JARC/New Freedom competitive selection process emphasizes coordination at all levels to provide enhanced transportation services. Coordination is weighted in the project application to ensure that projects that are selected are consistent with the intent of the Coordinated Plan. As part of the competitive selection process, project sponsors are asked to identify inter-agency and/or service coordination efforts they have been engaged in, as well as any financial partnership that they may be a part of. These are important portions of the application and have the ability to either negatively impact or increase the chances that a project sponsor will be awarded funding.

ELIGIBLE SUB-RECIPIENTS

Entities considered eligible sub-recipients under federal guidelines for the JARC and New Freedom Programs are eligible for funding in the Miami UZA. The eligible sub-recipients outlined in the federal program guidelines include:

- Private non-profit organizations.
- State or local governmental authority.
- Operators of public transportation services, including private operators of public transportation services.

Applicants must ensure that they will be able to meet all federal requirements, including those listed in FTA's Certifications and Assurances, and document sources of local matching funds as part of the application process.

The competitive selection process may result in JARC and/or New Freedom awards to transit agencies in the Miami UZA. SFRTA, BCT, MDT, and Palm Tran currently receive Urbanized Area Formula Grant (Section 5307) funds from FTA and, if selected, are eligible to become direct recipients of these awards. As such, BCT, MDT, and Palm Tran may enter into a supplemental agreement with SFRTA whereby they may access and administer their project grants directly.

LOCAL SHARE AND LOCAL FUNDING REQUIREMENTS

Local share: SFRTA will follow federal guidelines for determining eligible local matching share for JARC and New Freedom projects. Depending on whether a project is for capital or operating expenses, the applicant will be required to provide at minimum between 20 percent and 50 percent of the project cost as local match or share. Applicants are asked to provide the source of local match that will be used for the project.

Potential funding sources for local share: All of the local match must be provided from sources other than federal Department of Transportation funds. Examples of types of federal programs that are potential sources of local match include: employment training, aging, community services, vocational rehabilitation services, and Temporary Assistance for Needy Families (TANF). State or local funds and private donations are other sources of local match. Fare revenue or user fees generated by the service to be supported by the JARC or New Freedom grant cannot be used as matching funds. In-kind contributions such as volunteered services, equipment, or facility space are allowed to meet the match requirements. These in-kind contributions must be verifiable from the records of sub-recipients (i.e., the valuation plan must accompany the application). The in-kind contributions are subject to certain restrictions:

- The federal share of a DOT funded position is not an eligible in-kind service match; however, any State or local funds used to support transit or human service staff is an eligible match. The value of the contributed staff time will be based on the employee's pay rate. Fair market value of volunteer labor must be computed based on the regular rates paid for similar work in other activities in the organization or in the labor market.

- Transit system vehicles/equipment purchased with federal DOT funds cannot be used as in-kind match. Vehicles/equipment purchased with other federal (e.g., TANF), State, or local funds may be used as an in-kind match. The contribution of in-kind supplies/material should be valued at the market value of the supplies at the time of donation.
- Building/facility space can be used as in-kind match and must be valued at the fair market rental rate.

PROJECT SELECTION CRITERIA AND METHOD OF DISTRIBUTING FUNDS

SFRTA conducts an area-wide competitive selection process for projects seeking JARC and New Freedom funds. The process will be open and transparent, and every effort will be made to reach both public and private sector entities that provide services to the primary target populations, assuring equity of access to the benefits of the grant programs among eligible groups, as required by Title VI of the Civil Rights Act. Calls for projects and applicants will be announced through press releases, local media, SFRTA's web site (<http://www.sfrta.fl.gov>), e-mails to MPOs, FDOT, transit agencies, and their sub-committees, and through SFRTA's purchasing procedures. SFRTA will consider applications from eligible entities whose proposed transportation projects serve the Miami UZA. This means that there is either an origin or destination located within urbanized areas of Broward, Miami-Dade, or Palm Beach counties. SFRTA will provide assistance to the applicants in the form of pre-application workshops and availability of staff to handle inquiries during the grant application period.

Project selection criteria have been developed based on the guidance provided in SAFETEA-LU circulars on JARC and New Freedom programs. The applications will be evaluated based on the following criteria:

- Eligibility
- Coordination and Consistency with the HSTP/TDSP
- Project Readiness / Ability to Implement
- Sustainability
- Need

SFRTA's PTAC (with assistance from SFRTA staff) will evaluate and rank the projects according to criteria communicated during the project solicitation process. When the

scoring process is complete, SFRTA's Governing Board will select projects for funding based on the PTAC's recommendations.

Sponsors of projects selected for funding will be required to certify compliance with all applicable FTA and federal requirements, including the appropriate annual Certifications and Assurances. Once FTA's determination of funding is received, SFRTA will use standard procurement procedures, as approved by FTA, to distribute funds.

ANNUAL PROGRAM OF PROJECTS DEVELOPMENT AND APPROVAL PROCESS

Process and Timeline: SFRTA strives to provide sufficient time for prospective applicants to develop their project applications; for PTAC and SFRTA staff to review and score project applications and develop the proposed Program of Projects (POP); and for the SFRTA's Governing Board to review and approve the proposed POP. In total, the process is expected to take about four to six months from the time the call for projects is issued to the Governing Board's adoption of the POP. The detailed timeline for each call for projects is issued along with the program guidelines.

The selected projects will be publicly advertised. The POP will be included in the Transportation Improvement Program (TIP) and the State Transportation Improvement Program (STIP) at the aggregate program level. The POP will then be entered into FTA's electronic grants management system (TEAM). Once the FTA approves the grant, SFRTA will execute agreements with each sub-recipient, after which they may begin work on the project.

Type A and Type B projects: In the event number of eligible projects exceeds the available funding, SFRTA may establish two categories of projects.

- Type A projects are the highest ranked projects for which funding is approved.
- Type B projects are contingency projects. A contingency project may be funded if a Type A project is deleted from the POP. The reasons for deleting a Type A project may include the sub-recipient cancelling the project or the sub-recipient's inability to initiate the project in a timely manner.

In the event a Type A project is deleted from the POP and the resulting funds could not be fully reallocated to a Type B project, if approved by the FTA, unused funds may be available for award during the next competitive selection process.

Throughout the selection, review, and adoption process, SFRTA will work closely with FTA representatives to ensure a comprehensive, fair, and equitable distribution of funds.

SCOPE REVISIONS AND REPROGRAM OF FUNDS

The sub-recipients are required to implement the scope of work submitted during the competitive selection process within budget and schedule. If a sub-recipient desires to make minor revisions to the original scope of work due to extenuating circumstances, a written request with justification must be forwarded to SFRTA. The revised scope must satisfy the JARC/New Freedom program goals and should not substantially deviate from the original project goals. After reviewing the request for revision of scope and reprogram of funds, SFRTA will consult with the FTA to make a determination. The sub-recipient must not initiate any work outside of the initial scope until a written authorization is received from SFRTA. Any work completed outside of scope without written authorization will not be reimbursed.

RETURNED FUNDS

After the POP is approved by the FTA, if a sub-recipient or a direct recipient fails to utilize the obligated funds, SFRTA will coordinate with the FTA to explore the feasibility of making such funds available for redistribution through a subsequent competitive selection process.

TRANSFER OF FUNDS

There is no authority to transfer JARC or New Freedom funds apportioned to large urbanized areas to small urban or rural areas.

ADMINISTRATION, PLANNING, AND TECHNICAL ASSISTANCE

SFRTA, the Designated Recipient for JARC and New Freedom programs in the Miami UZA, may use up to 10 percent of the yearly apportionment of funding at a 100 percent federal match for program administration, monitoring, planning, and technical assistance. These funds support the development and continued administration of the application process, oversight of funded projects, and assistance provided to applicants.

Information about the JARC and New Freedom programs is provided on SFRTA's web site (<http://www.sfrta.fl.gov>). SFRTA staff is also available by telephone or e-mail to provide technical assistance throughout the program process. During project solicitation, a teleconference is conducted for prospective applicants. After projects have been selected, sub-recipients are informed of necessary steps in order to obtain the grant award.

PRIVATE SECTOR PARTICIPATION

SFRTA, in cooperation with area MPOs, FDOT, and transit agencies conducts public outreach to potential private sector program participants using several avenues:

- Funding notices are sent via e-mail to various stakeholder groups, businesses, and individuals.
- Announcements are made at various meetings of stakeholder groups.
- Press releases are issued.
- Program updates are published on SFRTA's web site.

CIVIL RIGHTS

SFRTA, as the designated recipient of JARC and New Freedom grant monies, will comply with all provisions of Title VI of the Civil Rights Act of 1964 pertaining to civil rights and nondiscrimination in regulating the grants. These regulations prohibit discrimination on the basis of race, color, creed, national origin, age, sex, and disability. SFRTA specifically requires in all third party contracts and funding agreements that the sub-recipient/contractor at any tier complies with all requirements of Title VI. Failure to do so is considered a breach of contract.

Furthermore, SFRTA complies with all applicable equal employment opportunity (EEO) provisions of 49 USC §§ 2000e, and implementing federal regulations and any subsequent amendments thereto. SFRTA specifically requires in all third party contracts and funding agreements that the sub-recipient/contractor agrees to comply with all applicable EEO requirements of Title VI and states that failure to do so is considered a breach of contract.

Lastly, SFRTA does not discriminate on the basis of race, color, sex, or national origin in the award and performance of any federally assisted third party contract or funding agreement in the administration of its DBE Program and complies with the requirements of 49 CFR Part 26. SFRTA will take all necessary and reasonable steps set forth in 49 CFR Part 26 to ensure nondiscrimination in the award and administration of all third party contracts and funding agreements.

SECTION 504 AND ADA REPORTING

As part of the grant agreement with SFRTA, all sub-recipients and direct recipients of JARC and New Freedom funds will be required to sign certifications and assurances that all guidelines and regulations relating the Americans with Disabilities Act (ADA) of 1990 and Section 504 will be adhered to.

PROGRAM MEASURES

FTA expects certain quantitative and qualitative measures to be collected for each of the grant programs. Reporting and data collection measures for the JARC and New Freedom programs will be detailed in the agreements with sub-recipients. Direct recipients will be responsible for all project grant management and reporting requirements. SFRTA requires that each sub-recipient accurately collect and report the following measurements on at least a quarterly basis.

For the **JARC program**, quantitative and qualitative information should be collected for:

- Actual or estimated number of jobs that can be accessed as a result of geographic or time-related coverage of JARC projects implemented in the current reporting year.
- Actual or estimated number of rides (as measured by one-way trips) provided as a result of the JARC projects implemented in the current report year.

For the **New Freedom program**, quantitative and qualitative information should be collected for:

- Services provided that impact availability of transportation services for individuals with disabilities as a result of the New Freedom projects

- implemented in the current reporting year. Examples include geographic coverage, service quality and/or service times.
- Additions or changes to environmental infrastructure (e.g., transportation facilities, sidewalks, etc.), technology, vehicles that impact availability of transportation services as a result of the New Freedom projects implemented in the current reporting year.
 - Actual or estimated number of rides (as measured by one-way trips) provided for individuals with disabilities as a result of the New Freedom projects implemented in the current reporting year.

DESIGNATED RECIPIENT PROGRAM MANAGEMENT

SFRTA will administer all JARC and New Freedom grants for sub-recipients in the Miami UZA. All reporting and financial transactions will be managed through FTA's Transportation Electronic Award and Management (TEAM) and Electronic Clearing House Operation Web (ECHO-Web) systems. Any transit agency receiving Section 5307 funds that is awarded JARC or New Freedom funds in SFRTA's competitive selection process would be expected to become a direct recipient of these grants by completing the supplemental agreement in TEAM-Web, and will be responsible for all project grant management; SFRTA will be released from any liability pertaining to direct recipient grants.

SFRTA will develop and execute grant agreements with each sub-recipient selected to receive funding from the JARC or New Freedom programs detailing reporting requirements and containing all applicable certifications and assurances. The amount, type (capital, operating, or planning), and time period of the funding award will be included in this contract; any expenses incurred in excess of the budgeted amounts are the sole responsibility of the sub-recipient and are not eligible for reimbursement.

SFRTA will conduct its program management in compliance with the provisions of 49 CFR Part 18. Sub-recipients that are public providers of public transportation will also follow these requirements and sub-recipients that are private organizations (whether non-profit or for-profit) will follow the requirements of 49 CFR Part 19.

Procurement

Sub-recipients will be required to certify compliance with all federal requirements for fair and open competitive procurement processes, including 49 CFR 18.36 and FTA Circular 4220.1F, "Third-Party Contracting Requirements." Equipment purchases may be

conducted directly by the sub-recipient, with SFRTA oversight and prior written authorization, or through an existing term contract through another governmental agency or FDOT, if eligible. Additional procurement information is available in the FTA “Best Practices Procurement Manual.” The sub-recipients will be reimbursed only after the purchase invoices are submitted. No advance payments will be made by SFRTA to sub-recipients toward purchasing of vehicles under any circumstances.

FTA requirements and standards apply to the procurement of all supplies, equipment, and professional services. Prior to entering into any third subagreement, lease, or third party contract, sub-recipients must review the “Excluded Parties Listing System” at <http://epls.gov/>.

Property Management and Vehicle Use, Maintenance, and Disposition

SFRTA complies with all applicable requirements in the FTA Grant Management Guidelines (FTA Circular 5010.1D) with regard to equipment, supplies, and rolling stock purchases by making the requirements part of the sub-recipients’ contract with SFRTA.

Financial Management

SFRTA maintains financial management systems for financial reporting, accounting records, internal controls, and budget controls subject to standards specified in state laws enforced by the Auditor of State. Sub-recipients must agree to establish and maintain an accounting system that accurately tracks and itemizes project costs by line item. All accounting records and other supporting papers should be kept by the sub-recipient for a minimum of three years from the date of the final payment. These records should be made available to SFRTA, auditors, or the FTA upon request.

Audit

Sub-recipients receiving greater than \$500,000 annually in federal funding are responsible for obtaining annual audits at either the grant or organization level that are consistent with the requirements of OMB Circular A-133. A copy of this audit must be submitted to SFRTA, and any audit findings must be resolved by the sub-recipient. Sub-recipients receiving less than \$500,000 of federal funds in the federal fiscal year are exempt from federal audit requirements. However, records must be made available for review or audit upon request.

Project Monitoring and Reporting

SFRTA will be responsible for reporting to FTA the total expenditures for each federal grant and reconciling the grant expenditures and revisions to the project budgets. The sub-recipients are provided funding for their project on a reimbursement basis. The sub-recipients will bill SFRTA no more frequently than monthly by forwarding their itemized signed invoices with backup documentation to verify the work completed per sub-recipient agreement and a progress report. The progress report will permit SFRTA to determine if the sub-recipient is:

- Meeting performance goals
- On schedule
- On budget and within funding limitations
- Able to meet local match requirements from eligible funds
- Encountering non-funding challenges
- Taking corrective actions

The sub-recipients are required to submit quarterly reports to SFRTA to calculate the following program measurement indicators as required by the FTA.

JARC:

- Actual or estimated number of jobs that can be accessed as a result of geographic or temporal coverage of JARC projects implemented in the current reporting year.
- Actual or estimated number of rides (as measured by one-way trips) provided for low income individuals and reverse commute job access as a result of the JARC projects implemented in the current reporting year.

New Freedom:

- Increases or enhancements related to geographic coverage, service quality, and/or service times that impact the availability of transportation services for individuals with disabilities as a result of the New Freedom projects implemented in the current reporting year.
- Additions or changes to environment infrastructure (e.g., transportation facilities, sidewalks, etc.), technology, and vehicles that impact availability of transportation services as a result of the New Freedom projects implemented in the current reporting year.

- Actual or estimated number of rides (as measured by one-way trips) provided for individuals with disabilities as a result of the New Freedom projects implemented in the current reporting year.

On-Site Reviews

The objective of on-site reviews is to strengthen JARC and NF programs in the Miami UZA by enhancing coordination between the designated recipient and sub-recipients (and direct recipients). On-site reviews will provide an opportunity to discuss project status, assess progress against key milestones, review compliance, and identify improvements to reporting aspects. Site visits may be conducted using checklists that outline accounting, record-keeping, regulatory compliance, and other requirements. For capital projects, on-site review will also verify that the vehicle or other capital equipment is being used in a manner consistent with the proposal submitted. SFRTA staff will coordinate with sub-recipients and direct recipients to schedule periodic on-site reviews.

Close-Out

Close-out of projects will occur within 90 days after all work activities for the projects are completed and applicable federal funds are expended. SFRTA will also initiate POP close-out with FTA within 90 days after all work activities for the program of projects are completed. A final financial status report, final budget, and final POP will be submitted to FTA.

OTHER PROVISIONS

Environmental Protections

SFRTA does not expect any JARC or New Freedom programs to incur any significant environmental impacts, and thus anticipates funding only projects that are categorical exclusions. If a project is deemed subject to environmental regulations, SFRTA will require the sub-recipient to prepare the environmental document and Notice of Determination for federal certification before the sub-recipient receives any project funds.

Labor Protections

Guidelines from the Davis-Bacon Act and the Transit Employee Protection Act describe the necessary labor protections that will be expected of all JARC and New Freedom

project sponsors. All applicants will be required to sign certifications and assurances that these requirements will be followed.

Buy America, Pre-award and Post-Delivery Reviews

SFRTA will require sub-recipients to certify compliance with Buy America requirements applicable to FTA grants as listed in 49 USC 5323(j) and 49 CFR Part 661; and for procurement of vehicles other than sedans or unmodified vans, with pre-award audit, bid analysis, post-delivery audit, and final inspection requirements in 49 CFR parts 663 and 665.

Lobbying

The designated recipient, sub-recipients, and third party contractors awarded FTA assistance exceeding \$100,000 must sign a certification stating that federal funds, including JARC or New Freedom monies, 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. Nor shall said funds be used to influence any member of the Florida legislature, nor any local governing body.

School Transportation

Projects intended exclusively for school bus transportation for school students and school personnel are not eligible for FTA funds, including JARC and New Freedom. Regular service that also serves the general public but has been modified to accommodate school students is allowed. FTA recipients may operate multi-functional vehicles, but may not provide exclusive school service.

Commercial Drivers License

All drivers of vehicles designed to transport 16 or more passengers (including the driver) must have a commercial driver's license. Mechanics who drive the vehicles must also obtain a commercial driver's license.

Drug and Alcohol Testing

SFRTA requires sub-recipients to make appropriate certifications of compliance with federal requirements for Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations.