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WYOMING DEPARTMENT OF TRANSPORTATION

# State Management Plan

## Appendix B:

### Section 5310

Prepared by:

Wyoming Department of Transportation  
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2024



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## 1 B1 SECTION 5310

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### 2 B1.1 Program Goals and Objectives

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3 The Section 5310 Program (49 United States [U.S.] Code [U.S.C.] 5310) provides funds to improve  
4 mobility for seniors and individuals with disabilities by removing barriers to transportation service and  
5 expanding transportation mobility options. This program supports transportation services planned,  
6 designed, and carried out to meet the special transportation needs of seniors and individuals with  
7 disabilities in all areas—large urbanized, small urbanized, and rural. The program requires coordination  
8 with other federally assisted programs and services in order to make the most efficient use of federal  
9 resources.

10 Section 5310 funds are apportioned to the states by a formula based on the number of seniors and  
11 people with disabilities in the state according to the latest available U.S. Census data.

12 Documents that govern how the Wyoming Department of Transportation (WYDOT) administers Section  
13 5310 funds include:

- 14 • Federal Transit Administration (FTA) Circular 9070.1G:  
15 [https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/C9070\\_1G\\_FINAL\\_circular\\_4-20-](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/C9070_1G_FINAL_circular_4-20-15%281%29.pdf)  
16 [15%281%29.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/C9070_1G_FINAL_circular_4-20-15%281%29.pdf)
- 17 • FTA Website Overview: [https://www.transit.dot.gov/funding/grants/enhanced-mobility-seniors-](https://www.transit.dot.gov/funding/grants/enhanced-mobility-seniors-individuals-disabilities-section-5310)  
18 [individuals-disabilities-section-5310](https://www.transit.dot.gov/funding/grants/enhanced-mobility-seniors-individuals-disabilities-section-5310)

19 The Section 5310 program provides grant funds for capital and operating expenses to subrecipients for:

- 20 • Public transportation projects planned, designed, and carried out to meet the special needs of  
21 seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or  
22 unavailable;
- 23 • Public transportation projects that exceed the requirements of the Americans with Disabilities Act  
24 (ADA) of 1990 (42 U.S.C. 12101 et seq.);
- 25 • Public transportation projects that improve access to fixed-route service and decrease reliance on  
26 complementary paratransit; and
- 27 • Alternatives to public transportation projects that assist seniors and individuals with disabilities with  
28 transportation.

29 Title 49 USC § 5310 authorizes the State to use not more than 10% of these funds for program  
30 administration and to provide technical assistance to subrecipients. WYDOT's technical assistance  
31 includes project planning, program management, program development, coordination of transportation  
32 programs, and research to assist in effective delivery of transportation to seniors and the disabled  
33 residents living in the nonurbanized areas of the state.



1 Title 49 USC § 5310 requires the State to spend not less than 55% of the annual 5310 funding on  
2 Traditional Section 5310 Projects, defined as:

- 3 • (1) Gaps in Service Filled. Provision of transportation options that would not otherwise be available  
4 for seniors and individuals with disabilities measured in numbers of seniors and people with  
5 disabilities afforded mobility they would not have without program support as a result of traditional  
6 Section 5310 projects implemented in the current reporting year.
- 7 • (2) Ridership. Actual or estimated number of rides (as measured by one-way trips) provided  
8 annually for individuals with disabilities and seniors on Section 5310– supported vehicles and services  
9 as a result of traditional Section 5310 projects implemented in the current reporting year.

10 Other Section 5310 projects include:

- 11 • (1) Increases or enhancements related to geographic coverage, service quality, and/or service times  
12 that impact availability of transportation services for seniors and individuals with disabilities as a  
13 result of other Section 5310 projects implemented in the current reporting year.
- 14 • (2) Additions or changes to physical infrastructure (e.g., transportation facilities, sidewalks, etc.),  
15 technology, and vehicles that impact availability of transportation services for seniors and individuals  
16 with disabilities as a result of other Section 5310 projects implemented in the current reporting year.
- 17 • (3) Actual or estimated number of rides (as measured by one-way trips) provided for seniors and  
18 individuals with disabilities as a result of other Section 5310 projects implemented in the current  
19 reporting year.

20 As part of any capital funding, WYDOT requires the recipient to certify that it shall provide written  
21 documentation outlining the replacement schedule for the vehicle(s) if being funded by the State Loan  
22 and Investment Board (SLIB) and a plan for replacement of the vehicle(s).

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## 23 **B1.2 Roles and Responsibilities**

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24 WYDOT is the designated recipient of Section 5310 funds for Small Urbanized Areas (UZA) (50,000 to  
25 200,000) and Rural areas (under 50,000) in Wyoming. Two UZAs in Wyoming (Cheyenne and Casper) are  
26 direct recipients of Section 5310 funds and manage their Section 5310 programs in coordination with  
27 their MPOs, under the oversight of FTA Region 8.

28 WYDOT is responsible for:

- 29 • Developing the program of projects (POP) and the project selection process.
- 30 • Certifying that all projects are included in a locally developed Coordinated Public Transit Human  
31 Services Transportation Plan (Coordinated Plan).
- 32 • Overseeing the implementation of projects as prioritized in the Coordinated Public Transit Human  
33 Services Transportation Plan.
- 34 • Certifying a fair and equitable distribution of funds to subrecipients.



- 1 • Managing all aspects of grant distribution and oversight for subrecipients receiving funds.
  - 2 • Submitting reports as required by FTA.
- 3 The parts of WYDOT’s organization that are involved in the administration of FTA and state transit funds  
4 are listed in the following table.

5 **Table B1.1 Responsibilities Related to Transit Funds Administration**

Organization	Role
WYDOT Office of Local Government Coordination - Transit (LGC)	<p>As the primary entity responsible for the management of FTA funds and for the oversight of subrecipients, performs the roles identified in Circular 9040 (5311) and Circular 9070 (5310) and outlined in this SMP. These include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Participates in statewide planning process, coordinates with MPOs regarding TIPs and STIP.</li> <li>• Develops Coordinated Public Transit Human Services Transportation Plan.</li> <li>• Conducts annual grant application process and awards program funds.</li> <li>• Prepares Program of Projects (POP) and manages grant budgets and schedules.</li> <li>• Reviews and approves subrecipient reimbursements.</li> <li>• Prepares and submits required reporting to FTA, including FFR, FFATA, Milestone Progress Reports, Program Measures Reports, and NTD reports.</li> </ul> <p>Provides technical support to subrecipients and manages submittals through BlackCat.</p>
Transportation Commission	<p>Adopts the STIP.</p> <p>Approves annual transit budget and recommended list of awards as shown in the STIP.</p>
WYDOT Director’s Office (or its designee)	Adopts the WYDOT SMP.
State of Wyoming Attorney General	<p>Reviews agreements between WYDOT and subrecipients for compliance with state and federal requirements</p> <p>Reviews and certifies FTA certifications and assurances.</p>
Assistant Chief Engineer	<p>Reviews and certifies FTA certifications and assurances.</p> <p>Signs the FTA award agreements.</p> <p>Approves high-level policy criteria and transit metrics by which transit funds are evaluated and allocated.</p>
State Planning Engineer	Reviews and signs project amendments and transfer of funds between funding programs.
Office of Program Performance	<p>Produces STIP amendments for Commission approval.</p> <p>Requests FTA and FHWA concurrence on STIP.</p>



<b>Organization</b>	<b>Role</b>
Budget Office	<p>Sets accounting and budget structures and verifies fiscal constraint of STIP.</p> <p>Sets up and closes FTA accounts, projects, and budgets in PeopleSoft.</p> <p>Processes ECHO drawdown from FTA.</p> <p>Processes subrecipient reimbursement requests, reconciles project budgets and apportionments, approves final reimbursement request to FTA.</p>
Grants and Contracts Policy Program	<p>Provides guidance on agreement and/or contract-related questions.</p> <p>Oversees WYDOT’s contracting processes and signs off on transit subaward agreements.</p> <p>Verifies available discretionary grant match</p>
Procurement Services Program	<p>Advertises statewide contracts for state and local government agencies to purchase items.</p> <p>Assists Office of Civil Rights in communicating contracting opportunities, including DBEs and small businesses.</p>
Engineering Services Department	<p>Advertises RFPs for personal services contracts (architectural/engineering).</p>
Office of Civil Rights	<p>Serves as the Disadvantaged Business Enterprise Liaison Officer (DBELO) to WYDOT’s Director.</p> <p>Develops civil rights programs and policies, including the Triennial DBE Participation goal.</p> <p>Provides LGC guidance on civil rights requirements.</p> <p>Oversees subrecipients’ compliance with civil rights requirements in providing services and third-party contracting.</p> <p>Maintains WYDOT’s and subrecipients’ required civil rights documentation.</p> <p>Reports semiannually to FTA on DBE participation.</p>
Office of Internal Review Services	<p>Reviews Single Audit Certification Form or Single Audit Reports.</p> <p>Participates in subrecipient risk assessment evaluations.</p>
Office of Public Affairs	<p>Issues public notices of public comment periods for statewide planning process.</p> <p>Advertises statements of project awards.</p>
Wyoming Department of Health (WDH)	<p>Monitors use of WYDOT-administered federal funds that overlap with WDH federal funds that support senior centers throughout the state, as needed to assist WYDOT.</p>
Wyoming Transit Advisory Committee (WyTAC)	<p>Reviews applications against evaluation criteria and recommended amount of project awards.</p>

1

**2 B1.3 State and Local Coordination**

3 WYDOT’s statewide planning process, inclusive of transit, follows federal and state regulations and  
 4 provides a direction and framework for decision-making regarding investments in Wyoming’s  
 5 transportation system. The statewide planning process, with a documented public involvement process,  
 6 supports sound investment choices that promote responsible and effective use of taxpayer dollars.



1 WYDOT's statewide planning processes are described in Chapter 2 of the State Management Plan.

2 Transit-related plans include:

- 3 • WYDOT Long-Range Transportation Plan
- 4 • Metropolitan Planning Organizations Long-Range Plans
- 5 • WYDOT Intercity Bus Service Study
- 6 • WYDOT Coordinate Public Transit Human Services Transportation Plan

7 Transit funding is outlined in:

- 8 • WYDOT Transit Five-Year Financial Plan
- 9 • State Transportation Improvement Program
- 10 • Metropolitan Transportation Improvement Plans

11 Performance-based planning includes:

- 12 • WYDOT Transit Asset Management Plan
- 13 • Public Transportation Agency Safety Plans

#### 14 B1.3.1.1 WYDOT Coordinated Public Transit Human Services Transportation Plan

15 WYDOT completed a Coordinated Public Transit Human Services Transportation Plan for the state that  
16 identifies and assesses the needs and transportation challenges of older adults, those with disabilities,  
17 and low-income individuals. Developed with input from transit providers and users across the state, it  
18 presents goals and objectives and a plan for improving the accessibility of a specialized transit network.  
19 The plan meets the requirement that the projects, activities, and/or strategies funded by the FTA  
20 Section 5310 program be included in a Coordinated Public Transit Human Services Transportation Plan.  
21 WYDOT's 2024 Plan will be located on this website once it is finalized:  
22 [https://www.dot.state.wy.us/home/planning\\_projects/transportation\\_programs/transit-in-](https://www.dot.state.wy.us/home/planning_projects/transportation_programs/transit-in-wyoming.html)  
23 [wyoming.html](https://www.dot.state.wy.us/home/planning_projects/transportation_programs/transit-in-wyoming.html).

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#### 24 B1.4 Eligible Subrecipients

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25 Eligible subrecipients for Section 5310 funds include the following:

- 26 • Private non-profit organizations.
- 27 • Public bodies that certify that no non-profit organizations in the service area are readily available to  
28 provide the services.
- 29 • Public bodies approved by WYDOT, to coordinate services for the elderly persons and persons with  
30 disabilities.

31 WYDOT requires private non-profit applicants to:



- Hold a 501 (c) (3) certificate verifying non-profit status.
- Register with the Wyoming Secretary of State.

Minimum requirements for subrecipients are detailed in Chapter 3 of the SMP.

### B1.5 Local Share and Local Funding Requirements

All projects funded through FTA programs require some form of local match and sufficient operating funds to operate and maintain FTA-funded programs and projects. Local match requirements are outlined in WYDOT’s BlackCat Application Guidelines that are updated annually and provided below.

**Table B1.2 Local Match Requirements**

	Program	Local/State Match (%)	Federal Share (%)
Operating*	PTA, 5311	43.44	56.56
Project Administration Cannot exceed 40% of the total project budget (per WYDOT policy)	PTA, 5311	20	80
Preventive Maintenance	PTA, 5311	20	80
Mobility Management	5310	20	80
Voucher Program-Operating	5310	50	50
Capital (other than vehicles)	5311, 5339	20	80
ADA and Clear Air Act Vehicle**	5310, 5311, 5339	15	85
Non-ADA Vehicle** Only approved in extenuating circumstances and with compelling substantiating data	5311, 5339	50	50
Planning	5305, 5311	20	80
State Loan and Investment Board		10/10	Varies

PTA = State Public Transit Account

\*WYDOT is eligible for sliding scale rates for Section 5311 funds. Refer to FTA Circular 9040.1G for additional information.

\*\*Local match amount is per WYDOT policy (differs from FTA).

Information about what qualifies as a local match is included in Chapter 3 of the SMP.

### B1.6 Project Selection Criteria and Method of Distributing Funds.

Transit funding for Section 5310 is awarded annually through a competitive grant application process. Projects must be consistent with WYDOT’s Coordinated Public Transit Human Services Transportation Plan.

Project types funded by Section 5310 include:

- New or replacement vehicles





- 1       • Miscellaneous
  - 2           ○ Refurbishment, retrofits, replacement
  - 3           ○ Supporting equipment
  - 4           ○ Supporting infrastructure
- 5       • Facilities (existing, new facility construction, facility rehabilitation)
- 6       • Mobility management
  - 7           ○ Service coordination and customer service
- 8       • Complementary paratransit
- 9       • Voucher program

10

11 Public transportation service providers receiving Section 5310 funds may coordinate and assist in  
12 regularly providing meal delivery service for homebound individuals, if the delivery service does not  
13 conflict with providing public transportation service or reduce service to public transportation  
14 passengers.

15 **B1.6.1.1 Application Process and Evaluation Criteria**

16 The application period is typically open for forty-five (45) days. WYDOT’s timeline for applications  
17 through projects becoming active is as follows:

Public Notice	Application Deadline	Application Reviews*	Project Selections	Submittal to STIP	Project Approval and Awards	Projects Active**
March 1	April 15	Mid-April to Mid-June	June	July	August	October

18 \*LGC, Internal Review Services, Wyoming Transit Advisory Committee (WyTAC)

19 \*\*Upon full execution of the WYDOT subaward agreement.

20 WYDOT reviews each application against the evaluation criteria. Evaluation criteria are continually  
21 monitored for applicability to the program, and new criteria are added as regulations change. A copy of  
22 the evaluation criteria is included in the annual application materials. WYDOT presents its award  
23 recommendations to the Wyoming Transit Advisory Committee (WyTAC) for further evaluation,  
24 concurrence, comment, or changes.

25 [Additional details about WYDOT’s application, evaluation, and award processes are included in Chapter](#)  
26 [3 of the SMP.](#)

27 Specific evaluation criteria for Section 5310 projects include:

- 28       • Availability of funds.
- 29       • Qualifications of applicant.
- 30       • Service area.
- 31       • Cost estimate and local match availability.
- 32       • Proposed procurement method.
- 33       • Identified needs to be addressed by the Capital request.



- 1 • Existing Public Transit services provided in the service area are identified.
  - 2 • Number of persons estimated to be served.
  - 3 • If a replacement vehicle, evaluation of existing vehicle fleet factors.
  - 4 • If requesting a new or additional vehicle, factors necessitating additional equipment show need.
  - 5 • Availability of the equipment to the general public, if requesting vehicle.
  - 6 • Participation in a locally derived Coordinated Public Transit Human Services Transportation Plan.
  - 7 • Adequacy of Maintenance Plan for equipment and facilities.
- 8 \*\* WYDOT may consider extending assistance for Section 5310 Operating Expenses, but only on a case-  
9 by-case, and as-needed basis.

#### 10 B1.6.1.2 Method of Distributing Funds

11 To determine the dollar amount of awards to recommend, WYDOT takes into consideration the amount  
12 requested by the applicant, previous year(s) awards to the applicant, available funding in each of the  
13 programs, demonstrated need, and a fair and equitable distribution of funds statewide. WYDOT's  
14 approach is to fund transit projects for existing subrecipients before funding a project for a new  
15 subrecipient. New subrecipients are required to demonstrate the coordination they have conducted and  
16 the need for the funding.

17 The funding administered by WYDOT will be awarded by priority, in the following order:

- 18 • Projects that preserve and maintain currently established public transit operations, administration,  
19 maintenance, vehicles, facilities, and equipment funded with FTA and state transit funds.
- 20 • Projects and/or strategies that are included in the LRPT and/or Coordinated Public Transit Human  
21 Services Transportation Plan so that service gaps are addressed without duplicating service.
- 22 • Projects that ensure state of good repair under the Transit Asset Management Plan.
- 23 • Projects for non-profit, public transportation providers not currently in the WYDOT program (if  
24 funding allows).

25 Because of limited available funding, WYDOT continues to put an emphasis on a fix-it-first approach—  
26 that is, giving higher priority to the replacement and refurbishment of buses, facilities, and equipment,  
27 rather than on new or expansion capital or planning projects. This does not mean, however, that  
28 expansion or planning projects are not funded—only that an applicant seeking funding for expansion  
29 projects must make a very strong case, with documented justification and evidence of sustainability, in  
30 order for the project to be considered.

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## 1 **B1.7 Annual Program of Projects Development and Approval Process**

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2 From the final list of subawards, as determined through the process described in Section B1.6, a  
3 Program of Projects (POP) is created for the Section 5310 program. WYDOT then assembles an award  
4 application in the FTA Award Management System (TrAMS) based on the POP. FTA reviews the POP and  
5 application for compliance, then approves the award of funds to WYDOT.

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## 6 **B1.8 State Administration, Planning, and Technical Assistance**

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7 WYDOT uses no more than 10% allowable allocation of Section 5310 funding for staff, travel, and  
8 support costs associated with managing the FTA grant programs and providing technical assistance.

9 Examples of Section 5310 activities include:

- 10 • Coordination and oversight of the voucher and check programs
- 11 • Coordination and oversight of Mobility Management programs
- 12 • Annual application cycle and application assistance
- 13 • Project agreements administration
- 14 • Asset management
- 15 • FTA reporting
- 16 • Subrecipient monitoring and support
- 17 • Third-party procurement support
- 18 • Development and maintenance of BlackCat
- 19 • Liaison to state government and WYDOT internal offices
- 20 • Participation in state transit association conferences

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## 21 **B1.9 Transfer of Funds**

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22 Transfers of Section 5310 funds to other programs are not permitted.

23 WYDOT's current approach for awarding funds results in an equitable distribution of funds throughout  
24 the state without transferring funds. If at some point in the future needs shift within the state, WYDOT  
25 will consider transferring funds within the program at that time.

26 WYDOT may use funds apportioned for small urbanized and rural areas for projects serving another area  
27 of the state if the Governor of Wyoming certifies that all of the objectives of the Section 5310 program  
28 are being met in the specified areas. For example, if all objectives of the Section 5310 program are being  
29 met in rural areas, funds designated for rural areas may be transferred to urbanized areas of less than  
30 200,000 in population. Funds apportioned to small urbanized and rural areas may also be transferred for  
31 use anywhere in the State, including large urbanized areas, according to WYDOT's established statewide  
32 program for meeting the objectives of the Section 5310 program. A recipient may transfer apportioned  
33 funds only after consulting with responsible local officials, publicly owned operators of public



1 transportation, and nonprofit providers in the area from which the funds to be transferred were  
2 originally apportioned. Funds apportioned to large UZAs may not be transferred to other areas.

3 All contractual, procurement and payment procedures must follow state and federal guidelines.  
4 Notification to FTA of the intent to transfer funds is in accordance with FTA Circular 9070.1G.

5 The 1993 Wyoming Legislature passed legislation, Wyoming State Statute (WSS) 24-15-101 thru 24-15-  
6 102, and amended in 1999, which set forth the following:

7 WSS 24-15-101. Public Transit Program

8 (a) .....created a "Public Transit Program" to be administered by the Wyoming Department of  
9 Transportation. The department shall

- 10 i. Accept public transit funds from the Federal Transit Administration on behalf of the  
11 State;
- 12 ii. Adopt rules and regulations to implement the purpose of this chapter;
- 13 iii. Distribute State and Federal public transit funds to eligible grantees pursuant to Federal  
14 requirements and rules and regulations of the Department.

15 WSS 24-15-102. Public Transit Account

16 (a) There is created a Public Transit Account within the Highway Fund. The Department  
17 shall fund the program annually with one million five hundred thousand dollars (\$1,500,000)  
18 using unrestricted state highway funds. Funds provided to the State under the Federal Transit  
19 Act and other funds that may become available to assist the urban and rural public transit  
20 programs shall be in addition to funding provided from unrestricted highway funds. Funds in  
21 the account shall be distributed and expended in accordance with federal requirements and  
22 Department rules and regulations.

23 (b) Recipients of funds under the Federal Transit Act may transfer unused grant funds for the  
24 benefit of other public transit programs in the state, subject to the following:

- 25 i. Any transfer of funds under this paragraph require the approval of the Governor;
- 26 ii. Transferred Federal funds under this unrestricted State highway funds to be used as  
27 local match for Federal funds at the rate of one dollar (\$1.00) for every three dollars  
28 (\$3.00) of Federal funds transferred by the transfer or;
- 29 iii. To the extent not reimbursed from unrestricted State funds, the Federal funds  
30 transferred shall be used for the benefit of public transit program grantees for the  
31 acquisition of new transit vehicles, replacement of transit vehicles or rehabilitation of  
32 vehicles in the transit fleet;



- 1           iv.     Federal funds transferred by a program grantee may be carried over into the following  
2                   fiscal year by the Department or a recipient public transit program grantee.

3 All contractual, procurement and payment procedures must follow state and federal guidelines.  
4 Notification to FTA of the intent to transfer funds is in accordance with FTA Circular 9070.1G.

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### 5 **B1.10 Private Sector Participation**

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6 The private sector is invited and encouraged to participate in WYDOT statewide and metropolitan  
7 planning organization transportation planning processes. They also provide input to the WYDOT  
8 Coordinated Public Transit Human Services Transportation Plan.

9 Private sector operators (private non-profit organizations) are eligible subrecipients of federal and state  
10 transit funds and are invited to participate in WYDOT's annual grant application process. They  
11 participate as direct providers of transit services or as contractors to subrecipients to deliver public  
12 transportation or specialized transportation services. Subrecipients are required to conduct third-party  
13 procurements with full and open competition.

14 The private sector in Wyoming supports WYDOT's transit program through:

- 15 • Providing private transportation service to new or expanded customer markets to fill gaps in public  
16 transportation systems.
- 17 • Contracting with public transit providers to providing service on particular routes or particular  
18 customer markets.

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### 19 **B1.11 Civil Rights**

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20 The mission of WYDOT's Office of Civil Rights is to promote equal access to and participation in WYDOT  
21 programs and activities. Additionally, the Office of Civil Rights collaborates with various WYDOT program  
22 staff to foster equality in WYDOT's transportation contracting processes. LGC is responsible for  
23 incorporating equal access to programs and activities during the planning, development, operation, and  
24 integration of transit into the statewide transportation system.

25 LGC monitors compliance with the FTA's civil rights requirements through the following:

- 26 • Including civil rights requirements in the annual application process, including:
  - 27 – Title VI Program annual review Internal Review Services Questionnaire
  - 28 – FTA Standard Certifications and Assurances
  - 29 – Nondiscrimination in Federal Transit Programs Assurance
  - 30 – Assurance of Nondiscrimination on the Basis of Disability
  - 31 – Protections for Private Providers of Public Transportation



- 1 • Requiring subrecipients to submit an updated Title VI Program every three (3) years or if the  
2 subrecipient has a new Authorized Representative.
- 3 • Review of subrecipient Title VI and ADA complaint procedures and records of investigations,  
4 complaints, and lawsuits.
  - 5 – Assistance in resolving complaints.
- 6 • Oversight of third-party contracting procedures and inclusion of required civil rights clauses.
- 7 • Review of the subrecipient Title VI, DBE, ADA, and EEO (if required) program documents annually  
8 prior to awarding funds and during scheduled SIR and Site Review process every three (3) years.
  - 9 – The checklist used during on-site monitoring reviews includes verifying compliance with civil  
10 rights requirements.
- 11 • Review of subrecipient websites.
- 12 • Review of ADA service requirements, including complementary paratransit.
- 13 • Technical assistance and training to subrecipients in the development of and execution of their  
14 programs, including minority applicants and those serving minority or traditionally underserved  
15 populations.
- 16 • Collecting DBE participation data from subrecipients twice a year to inform WYDOT’s DBE semi-  
17 annual report to FTA.

18 [Additional detail about WYDOT’s civil rights programs and WYDOT’s subrecipient oversight activities is](#)  
19 [included in Chapter 5 of the SMP.](#)

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## 20 **B1.12 Section 504 and Americans with Disabilities Act Reporting**

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21 WYDOT oversees subrecipient compliance with ADA requirements. WYDOT is responsible for ensuring  
22 that subrecipients of FTA funding meet the ADA requirements for vehicles, services, and facilities.  
23 Oversight involves review of the subrecipient’s ADA complaint process; review and approval of vehicle  
24 procurement documents; and a review of ADA service requirements, including complementary  
25 paratransit.

26 [Additional information about WYDOT’s Section 504 requirements and oversight of subrecipients is](#)  
27 [included in Chapter 5 of the SMP.](#)

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## 28 **B1.13 Program Measures**

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29 Program Measures Reports are required from subrecipients that have active Section 5310 projects.  
30 These reports ask for updates on program performance. These include:

- 31 • Traditional Section 5310 Projects
  - 32 – Gaps in service filled
  - 33 – Ridership



- 1 • Other Section 5310 Projects
- 2     – Service improvements
- 3     – Physical improvements
- 4     – Ridership

5 Information the subrecipient is required to report may include, but is not limited to:

- 6 • Number of one-way trips.
- 7 • Number of vehicles in service.
- 8 • Ridership demographics.
- 9 • Annual vehicle mileage.
- 10 • Costs associated with providing the service.

11 Subrecipients must submit these reports in BlackCat at least annually; WYDOT then submits the reports  
12 annually to FTA through TrAMS under the Milestone Progress Reports.

13 In addition, WYDOT monitors subrecipient use/expenditures of funds and progress in completing the  
14 awarded projects through the monthly reimbursement requests.

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#### 15 **B1.14 Reporting Requirements**

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16 WYDOT reports the following information on behalf of its subrecipients:

- 17 • **Program Measures Reports.** For those subrecipients receiving Section 5310 funds, WYDOT reports  
18 service and ridership performance measures and targets annually through TrAMS.
- 19 • **Annual Program of Projects (POP) Status Report.** An updated POP, as well as any significant civil  
20 rights issues, notable accomplishments, or difficulties with projects are reported by October 30 of  
21 each year.
- 22 • **Milestone Progress Report (MPR).** Revisions and status updates on projects including revised  
23 completion dates by Monthly Progress Report line item. Reports are due by October 30 annually and  
24 may be required quarterly.
- 25 • **Federal Financial Report (FFR).** Accrual reports for each project within the federal programs are  
26 provided by October 30 of each year for all projects and quarterly for Section 5339 open construction  
27 projects.
- 28 • **National Transit Database (NTD).** For those subrecipients receiving Section 5311 funds, WYDOT  
29 reports transit asset management state of good repair performance measures and targets on behalf  
30 of agencies participating in the Group Transit Asset Management (TAM) Plan.
- 31 • **Semiannual Disadvantaged Business Enterprise (DBE) Reports.** Reports on WYDOT and subrecipient  
32 DBE participation in FTA-assisted contracts by June 1 and December 1.

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#### 33 **B1.15 State Program Management**

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1 Once an executed subaward agreement is in place, WYDOT is responsible for oversight of the  
2 subrecipient and its implementation of the project. Oversight includes monitoring, scheduled reviews,  
3 training, and technical support for subrecipients to support them in compliance with federal and state  
4 regulations and guidelines associated with receiving and disbursing funds.

5 When subrecipients enter into contracts with contractors and subcontractors to perform work funded  
6 by the FTA or state transit funds, the subrecipients are responsible for oversight and compliance of the  
7 contractors and subcontractors with federal and state regulations and guidelines.

8 WYDOT utilizes the Comprehensive Review Contractor's Manual, updated annually by the FTA, as a  
9 guide to conduct oversight. The most current Manual can be found through a link on FTA's Program  
10 Oversight web page (<https://www.transit.dot.gov/regulations-and-guidance/program-oversight/program-oversight>).  
11

#### 12 **B1.15.1 Procurement Policies and Procedures**

13 Information about WYDOT's procurement policies and procedures, including third-party procurement  
14 and oversight is included in Chapter 4 of the SMP.

#### 15 **B1.15.2 Vehicle Use, Maintenance, and Disposition**

16 Information about WYDOT's management and oversight of vehicles is included in Chapter 6 of the SMP.

#### 17 **B1.15.3 Property Management**

18 Information about WYDOT's management and oversight of real property and equipment is included in  
19 Chapter 6 of the SMP.

#### 20 **B1.15.4 Financial Management and Audit**

21 WYDOT manages funds in compliance with federal statutes, regulations, and terms and conditions.  
22 Information received from subrecipients must provide detailed information on expenditures and  
23 services provided in support of projects for payment for grant funds. The subaward agreements held  
24 with subrecipients require that all funds be expended and accounted for as required by federal, state,  
25 and local law.

26 Information about WYDOT's policies and procedures related to invoicing and reimbursement are  
27 included in Chapter 4 of the SMP.

28 WYDOT uses Peoplesoft, a commercial product customized to fit WYDOT needs for project financial  
29 management consistent with federal Office of Management and Budget (OMB) procedures. PeopleSoft  
30 is maintained by the WYDOT Budget Office. It tracks project budgets and issues reimbursements to  
31 subrecipients for funds expended.

32 BlackCat is a web-based tool for grant administration. It is the main depository for documents and  
33 information related to subrecipients, applications, awards, project implementation, subrecipient  
34 monitoring, required documents, and reporting. BlackCat contains the yearly grant application





documents, and tracks monthly reimbursement requests and payments. It is a repository for monthly ridership and mileage data for submission to the National Transit Database. It also stores fleet inventory and assets and maintenance records, facilities, and other capitalized equipment.

#### B1.15.4.1 Single Audit

In accordance with 2 CFR § 200.501(a) and (b), subrecipients that expend \$750,000 or more in a year in federal assistance from all sources must have a single audit conducted, except when they elect to have a program-specific audit conducted, 2 CFR 200.501(c). The audit must be completed, and the data collection form and reporting package must be submitted within the earlier of 30 calendar days after receipt of the auditor's report(s), or nine (9) months of the end of the audit period. Subrecipients are required to submit one copy of their annual single audit report to WYDOT and the Federal Audit Clearinghouse.

#### B1.15.5 Project Close-Out

A project is complete after the purchase of the goods for capital projects or at the end of the service period for operating or mobility management agreements as provided in 2 CFR § 200.343-344 and within 45 days of the final invoice being paid. The executed subaward agreement includes the required project close-out elements or other project deliverables.

WYDOT submits the final reimbursement request in FTA's electronic payment system (ECHO-Web). If needed, WYDOT updates the POP, budget worksheets and fixed asset listing for submission to FTA's TrAMS and revises the budget.

WYDOT's project close-out processes are included in Chapter 4 of the SMP. The drawdown process is described in Chapter 3 (3.10.6.1).

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#### B1.16 Other Provisions

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##### B1.16.1 Subrecipient Oversight

A subrecipient applying for assistance under any FTA program must annually submit Certifications and Assurances during the current federal fiscal year.

In addition to the annual Certifications and Assurances, subrecipients are required to maintain Important Documents on file in BlackCat in the Important Documents module. These documents are reviewed during the annual application process and can be specifically requested and reviewed by WYDOT during the SIR and Site Review Process; however, subrecipients are expected to maintain updated documents on an ongoing basis. These documents cover the applicable areas of review in the FTA's Comprehensive Review Contractor's Manual for a specific fiscal year, which is available at this website: <https://www.transit.dot.gov/regulations-and-programs/program-oversight/fy23-comprehensive-review-contractors-manual>.

All subrecipients are required complete the SIR and participate in a Site Review at least once as a new subrecipient, unless otherwise decided by WYDOT and then at a minimum every three (3) years. The



1 frequency of the reviews is higher for subrecipients that have a risk assessment rating of Medium or  
2 High, with check-ins and Site Reviews determined as needed.

3 [Information about the risk assessment is included in Chapter 3. Details about WYDOT’s subrecipient](#)  
4 [oversight activities are included in Chapter 4 of the SMP](#)

#### 5 **B1.16.2 NEPA/Environmental Protections**

6 Environmental protection requirements for a specific project are reviewed during the annual application  
7 process, where WYDOT confirms that the required environmental clearances for the project have been  
8 obtained.

9 [Details about the required environmental clearances are included in Chapter 3 of the SMP \(Section](#)  
10 [3.10.1\).](#)

#### 11 **B1.16.3 Buy America and Pre-Award and Post-Delivery Audits and Certifications**

12 WYDOT monitors subrecipient compliance with 49 CFR parts 661 -Buy America, and 49 CFR part 663 –  
13 Pre-Award and Post-Delivery audits, bid specifications, and federal vehicle safety requirements during  
14 the vehicle procurement process. WYDOT reviews subrecipient procurement documents to ensure that  
15 the required Buy America notices are in the documents and that the required vendor Buy America  
16 certifications are part of the bid documents.

17 For rolling stock, pre-award and post-delivery certifications include Buy America (if more than  
18 \$150,000), Purchaser’s Requirements (Specifications), and Federal Motor Vehicle Safety Standards.  
19 WYDOT confirms the pre-award and post-delivery audit certifications by the subrecipients are submitted  
20 through BlackCat for review and approval during the procurement process.

21 In addition, pursuant to the Buy America, Buy America Act, which was part of the 2021 Bipartisan  
22 Infrastructure Law, all of the iron, steel, manufactured products, and construction materials used in  
23 construction projects after November 10, 2022 (not subject to a general waver), must be produced in  
24 the United States. Notification to subrecipients about this recent requirement is provided in the annual  
25 grant application documents. Signed Buy America certifications by the vendors are required.

26 [Details about third-party procurement process are included in Chapter 4 of the SMP \(Section 4.5.5\).](#)

#### 27 **B1.16.4 Lobbying**

28 Restrictions on lobbying are included as part of the subaward agreement and are reaffirmed through  
29 annual Certifications and Assurances submittals through BlackCat.

#### 30 **B1.16.5 Drug and Alcohol Testing**

31 WYDOT requires Section 5310 grant recipients to comply with FTA’s Drug and Alcohol regulations that  
32 require drug and alcohol testing for direct employees or contractors who perform safety-sensitive  
33 functions. Covered employees include revenue vehicle operators, dispatchers, holders of Commercial



1 Driver License (CDL) holders operating non-revenue vehicles and those maintaining revenue service  
2 vehicles and equipment.

3 These regulations apply to volunteers if they are required to hold CDLs to operate the vehicles or if they  
4 perform a safety-sensitive function and receive payment in excess of actual expenses incurred while  
5 engaged in the volunteer activity.

6 Rules do not apply to taxicab drivers when patrons (using subsidized vouchers) select the taxi company  
7 that provides the service. Under Section 5310, providers of contracted maintenance service are exempt  
8 from FTA's drug and alcohol testing requirements.

9 WYDOT requires subrecipients to request from the drug testing firms the qualifications of the medical  
10 review officers, substance abuse professionals, breath alcohol technicians, and collectors that support  
11 the subrecipient drug testing programs and to upload them to BlackCat. WYDOT reviews the  
12 qualifications to ensure that they are complete and current.

13 WYDOT requires that subrecipients complete a quarterly Drug and Alcohol Testing report on a Google  
14 Form. In January, WYDOT notifies subrecipients that receive federal funding of their login to complete  
15 annual reporting on FTA's Drug and Alcohol Testing Management Information System (DAMIS) for the  
16 prior calendar year. Subrecipients must review and verify their quarterly reports and complete the  
17 DAMIS forms in February. WYDOT reviews the reports and approves them in DAMIS, verifying the  
18 annual report with the quarterly reports. WYDOT works with subrecipients to make sure the reports are  
19 accurately submitted by the March 15 deadline.

20 [Details about WYDOT's monitoring and oversight of subrecipient compliance with drug and alcohol  
21 regulations and training related to these requirements is included in Chapter 6 of the SMP.](#)

#### 22 **B1.16.6 Charter Bus Service**

23 A subrecipient considering charter service is responsible for complying with the public participation  
24 process described in 49 CFR Part 604 (the Charter Rule). A Local Government Specialist reviews  
25 compliance with Charter Rule during the SIR and Site Review Process and monthly report monitoring  
26 reviews.

27 [Details about requirements related to Charter Rule are included in Chapter 6 \(Section 6.3.1\).](#)

#### 28 **B1.16.7 Exclusive School Transportation**

29 A subrecipient is prohibited from providing school bus service in competition with private school bus  
30 operators unless the service qualifies and is approved by the FTA Administrator under an allowable  
31 exemption. Federally funded equipment or facilities cannot be used to provide exclusive school bus  
32 service. Contractors, lessees, and subrecipients must also comply with school bus regulations.

33 WYDOT is responsible to ensure that exclusive school bus service operated by a subrecipient is provided  
34 under one of the statutory exemptions. Compliance is confirmed during the SIR and Site Review Process.

35 [Details about requirements related to school transportation are included in Chapter 6 \(Section 6.2\).](#)