WYDOT TRANSIT APPLICATION GUIDELINES

FOR

FEDERAL TRANSIT ADMINISTRATION AND STATE PUBLIC TRANSIT PROGRAMS

Revised February 2026

WYDOT Transit Program

TRANSIT PROGRAMS

Bus and Bus Facilities Program (Section 5339)

Section 5339 - Bus and Bus Facilities program is a capital-only grant. This capital program provides funding to replace, rehabilitate, and purchase buses and related equipment, and to construct bus-related facilities. Section 5339 funds cannot be used for operating assistance. Depending on the project, the following match ratios apply – for the purchase of equipment, construction or non-vehicle projects, the federal portion is 80% and the local match is 20%; for ADA vehicles the federal portion is 85% and the local match is 15% and for non-ADA vehicles the federal share is 50% and the local match is 50%.

There is a new Buy America requirement for all construction projects. Simply stated, as of November 10, 2022, every award that is obligated and funded with federal dollars requires that any construction materials procured under the award will be manufactured in the United States. The FTA has updated the circular and has consolidated the Section 5339 and Section 5311 program together into one document. This circular is Formula Grants for Rural Areas: Program Guidance and is further explained in FTA Circular C9040.1H and is located on the FTA website at https://www.transit.dot.gov/sites/fta.dot.gov/files/2024-10/C9040.1H-Circular-11-01-2024.pdf

Rural Area Formula Grants (Section 5311)

Section 5311 - This program provides operating assistance, project administration, maintenance and capital assistance to support public transportation in rural areas, with a population of less than 50,000, where many residents often rely on public transit to reach their destinations. Funding is based on a formula that uses land area, population and transit service. Eligible activities also include planning, operating, job access and reverse commute projects and the acquisition of public transportation services. The FTA has updated the circular and has consolidated the Section 5339 and Section 5311 program together into one document. This circular is Formula Grants for Rural Areas: Program Guidance and is further explained in FTA Circular C9040.1H and is located on the FTA website at https://www.transit.dot.gov/sites/fta.dot.gov/files/2024-10/C9040.1H-Circular-11-01-2024.pdf

Tribal Transit Program

The Tribal Transit Program now consists of both formula and competitive grant programs. Only federally recognized tribes are eligible recipients under the Tribal Transit Program. However, tribes that are not federally recognized remain eligible to apply to the state as a subrecipient for funding under the State's apportionment. All activities eligible under Section 5311 are also eligible under the Tribal Transit Program.

Enhanced Mobility of Seniors and Individuals with Disabilities (Section 5310)

Section 5310 - Enhanced Mobility for Seniors and Persons with Disabilities Program is to improve mobility for seniors and individuals with disabilities by removing barriers to transportation service and expanding transportation mobility options. This program supports transportation services planned, designed and carried out to meet the special transportation needs of seniors and individuals with disabilities in all areas – large urbanized, small urbanized, and rural. Eligible projects include both traditional capital investment and nontraditional investment beyond the Americans with Disabilities Act (ADA) complementary paratransit services. The program requires coordination of federally assisted programs and services in order to make the most efficient use of federal resources. Projects selected for Section 5310 funding must be included in a locally developed, coordinated public transit-human services transportation plan. At least 55% of program funds must be used on capital or "traditional" projects that could include buses and vans, wheelchair lifts, ramps, securement devices, transit-related information technology systems or mobility management programs. The remaining 45% is for other "nontraditional" projects that could include but are not limited to travel training, volunteer driver programs, building an accessible path to a bus stop, improving signage, etc. The federal share of the eligible project cost is 80%. Section 5310 is further explained in FTA Circular 9070.1H located on the FTA website at https://www.transit.dot.gov/sites/fta.dot.gov/files/2024-10/C9070.1H-Circular-11-01-2024.pdf

Statewide Transit Planning (Section 5304)

Section 5304 - Statewide Transit Planning provides financial assistance for statewide transportation planning and other technical assistance activities. The federal share of eligible planning activities is 80%. Section 5304 is further explained in FTA Circular 8100.1D located on the FTA website at https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/program-guidance-metropolitan-planning-and-state-planning-a-0

Some examples are:

- Local and regional transit human services plan.
- Local and regional marketing plans and surveys for special needs and public transportation.
- Agency financial and operating plans.
- Comprehensive transportation plan.
- Mobility Management planning.
- Shuttle and fixed route planning.
- Deviated fixed route planning.
- Studies relating to management, planning, and economic feasibility of a transportation project.
- Work elements and related activities preliminary to and in preparation for constructing, acquiring, or improving the operation of facilities and equipment. This includes the planning for "livability" features to enhance the usability and community-friendliness of the transit system environment'; and
- Plan, engineer, design, and evaluate a public transportation project.

LOCAL MATCH REQUIREMENTS

- Operating, Administration, Maintenance, and Capital projects must have a local match.
- Minimum Matching Ratios for each category are as follows:
  - Operating – 56.56% Federal/State and 43.44 % Local
  - Administration – 80% Federal/State and 20% Local
    - **Administration expenses must not exceed 40% of your total project budget.**
  - Maintenance – 80% Federal/State and 20% Local
  - Capital (other than vehicles) – 80% Federal/State and 20% Local
  - ADA Vehicle – 85% Federal/State and 15% Local (ADA vehicle must have a lift or ramp)
  - Non-ADA Vehicle – 50% Federal/State and 50% Local
  - Planning – 80% Federal/State and 20% Local
- Local Match can only be counted once.
  - **Local Match cannot be used to match Federal funds for more than the single project to which they are dedicated.**
- Local Match for Capital Requests must be in Cash (land value considered for facility construction).
- All recipients may be required to provide a detailed report stating what sources of local match were Expended, and where they came from during the fiscal year.
- The State Loan and Investment Board's (SLIB) Transportation Enterprise Fund could possibly be an eligible matching source for vehicle purchases.

SOURCES OF LOCAL MATCH FOR TRANSIT PROJECTS

The local match may be provided from an undistributed cash surplus, cash reserve fund and service agreements with State or local human service agencies. Some examples of these sources include;

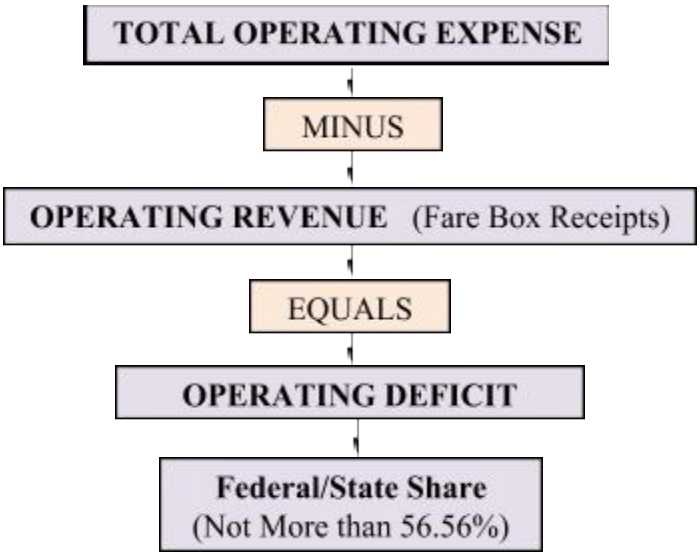
- State or local appropriations;
- dedicated tax revenue.
- private donations.
- revenue service contracts; and
- net income from marketing/advertising.

In certain instances, the local match may be derived from Federal programs that are eligible to be expended for transportation, other than Federal Department of Transportation programs. Examples of these sources include:

- Temporary Assistance for Needy Families (TANF);
- Medicaid.
- Employment training programs.
- Rehabilitation Services.
- Older Americans Act (Title 3B).
- Community Services Block Grant (CSBG) funding; and
- Community Development Block Grant (CDBG) funding.

Non-cash matches such as donations, volunteer services and in-kind contributions, as well as funding from other federal programs, may be used as local match. However, such match must be thoroughly documented and supported by statements of value. **Prior approval from WYDOT is <u>mandatory</u>.**

Section 5311/Statewide Rural Public Transit, the federal/state funds will reimburse grantees for their net operating deficit. An example is provided below:



ELIGIBILITY AND PROJECT SELECTION

Organizational Eligibility

Program	ORGANIZATION TYPE		
5310	Private Non-Profit Organizations	Public bodies that certify to WYDOT that no non-profit corporations or associations are readily available in an area to provide the service.	Public bodies approved by WYDOT to coordinate services for the elderly and individuals with disabilities.
5311	A state or local governmental entity.	Private non-profit organizations.	Commercial, for-profit operators (**5311(f) only**)
5339	A state or local governmental entity.	Private non-profit organizations.	Operators of public transportation services, including private operators of public transit services.
5304	A state or local governmental entity.	Private non-profit organizations.	

Section 5310 Project Evaluation Criteria

Section 5310 – Elderly and Persons with Disabilities applications are evaluated on their project components by the WYDOT Transit Staff. Those project evaluation components include:

- Availability of funds.
- Qualifications of applicant.
- Previous grant performance – utilizing awarded funding in a timely manner.
- Service area.
- Cost estimate and local match availability.
- Proposed procurement method.
- Identified needs to be addressed by the Capital request.
- Existing Public Transit services provided in the service area are identified.
- Number of individuals estimated to be served.
- If a replacement vehicle, evaluation of existing vehicle fleet factors.
- If requesting a new or additional vehicle, factors necessitating additional equipment show need.
- Availability of the equipment to the general public, if requesting vehicle.
- Participation in a locally derived Coordinated Human Services Transportation Plan; and
- Adequacy of Maintenance Plan for equipment and facilities.

** WYDOT may consider extending assistance for 5310 Operating Expenses, but only on a case-by-case, and as-needed basis. **Currently, this funding is primarily utilized and awarded to the two voucher programs in the state. If applying for a vehicle, please utilize 5339 funding**.

Section 5311 Project Evaluation Criteria

Section 5311/Statewide Rural Public Transit applications are evaluated on project components. Those project evaluation components include:

- Addresses public transportation service in the community or service area.
- Addresses service area expansion, extended service areas and/or meeting identified and currently unmet needs.
- Leverages funding from other sources to support overall project.

- ➢ Previous grant performance – utilizing awarded funding in a timely manner.
- ➢ Demonstrates a coordinated community transportation human services planning effort.
- ➢ Demonstrates that the applicant has participated in a public participation effort.
- ➢ Reflects a balanced and feasible budget and the availability of local match.
- ➢ Demonstrates a sustainable project, contributing to the livability of the service area.
- ➢ Has shown contractual responsibilities and program compliance requirements in previous funding cycles.
- ➢ The project sets forth goals to be accomplished which would measure success of the project.
- ➢ The application describes community benefits resulting from the funding request; and
- ➢ The application indicates the prospective grantee is attempting to improve program efficiency and effectiveness.

Section 5311/Statewide Rural Public Transit applications will be evaluated by the Wyoming Transit Advisory Committee (WyTAC). Final funding decisions are made at the discretion of the WYDOT Transit Staff.

Section 5339 Project Evaluation Criteria

Section 5339 (Bus and Bus Facilities Program) is a capital-only program, and funds are limited to capital projects to replace, rehabilitate, and purchase buses and bus-related equipment, and to construct bus-related facilities. Thus, Section 5339 funds cannot be used for operating assistance. Final funding decisions are made at the discretion of the WYDOT Transit Staff with assistance from the Wyoming Transit Advisory Committee (WyTAC).

- ➢ Availability of funds.
- ➢ Qualifications of applicant.
- ➢ Previous grant performance – utilizing awarded funding in a timely manner.
- ➢ Service area.
- ➢ Cost estimate and local match availability.
- ➢ Proposed procurement method.
- ➢ Identified needs to be addressed by the Capital request.
- ➢ Existing Public Transit services provided in the service area are identified.
- ➢ Number of individuals estimated to be served.
- ➢ If a replacement vehicle, evaluation of existing vehicle fleet factors – vehicle must meet the useful life and/or years in service per the Wyoming Transit Asset Management Plan.
- ➢ If requesting a new or additional vehicle, factors necessitating additional equipment need must be shown.
- ➢ Availability of the equipment to the general public, if requesting a vehicle.
- ➢ Adequacy of Maintenance Plan for equipment and facilities.

Section 5304 Project Evaluation Criteria

Section 5304 – Statewide Transit Planning applications are evaluated by the WYDOT Transit Staff on its project components. The project evaluation components include:

- ➢ Availability of funds.
- ➢ Qualifications of applicant.
- ➢ Previous grant performance – utilizing awarded funding in a timely manner.
- ➢ Cost estimate and local match availability.
- ➢ Outreach effort; and
- ➢ Coordination considerations.

Mobility Management Evaluation Criteria

The determination to fund a project for Mobility Management will be made at the sole discretion of the WYDOT Transit Staff. The WYDOT Transit Staff will also determine as to the source of funding depending on the relevance of any awarded project to the goals of the specific program. For the initial project, WYDOT Transit Staff has these initial Key Steps for Mobility Management in Wyoming:

- Develop an inventory of services.
- Identify customer needs and gaps in service.
- Develop strategies to meet customer needs.
- Coordinate financial and other resources.
- Improve coordination through transportation brokerage services.
- Provide training for other staff and volunteers.
- Promote the use of innovative technologies (e.g., web-based information, email alerts, etc.), services and other methods to improve customer service and coordination; and
- Develop customer information and trip planning systems.

DRUG AND ALCOHOL PROGRAM

Providers of Section 5311/Statewide Rural Public Transit service are required to participate in the FTA Drug and Alcohol program. WYDOT has a model policy that providers should have adopted for use in their transit program that all safety-sensitive employees must be part of. This policy may be in addition to requirements you have for other employees. Safety-sensitive positions for this program are defined as:

- Drivers of Revenue Vehicles (this includes drivers in programs without a fare)
- Vehicle Maintenance Personnel (only if they are employees of your agency)
- Vehicle Control and Dispatch Personnel
- CDL Non-Revenue Vehicle Operators
- Armed Security Personnel

These employees are required to pass a pre-employment Drug and Alcohol test prior to performing any of the above functions. In addition to the pre-employment Drug and Alcohol testing, these employees are subject to random testing when performing the safety-sensitive functions. Effective January 1, 2019, Federal Transit Administration (FTA) issued a change to its drug and alcohol regulation for random testing at 49 CFR 655.45, which increased the minimum rate of random testing to:

Drug Testing	Alcohol Testing
50%	10%

As of November 13, 2017, the Department of Transportation (DOT) published a final rule that, among other items, expands the Department's current drug testing panel – marijuana, cocaine, opioids, phencyclidine and amphetamines - to include certain semi-synthetic opioids (i.e., hydrocodone, oxycodone, hydromorphone, oxymorphone). Some common names for these semi-synthetic opioids include OxyContin®, Percodan®, Percocet®, Vicodin®, Lortab®, Norco®, Dilaudid®, Exalgo®. In addition, you will no longer be tested for MDEA. These changes are effective as of January 1, 2018. **Please ensure that all these drugs are included in your policy as the drugs tested for in the protocol.**

SYSTEM SAFETY

WYDOT encourages all transportation providers in the State of Wyoming to take advantage of the training provided by the Wyoming Public Transit Association (WYTRANS). While this exact training is not required for all funding types, all persons awarded funding will be required to furnish proof of a minimum of driver and passenger training. The minimum training requirements for 5311/State Rural Transit providers are included below for your reference.

WYDOT/WYTRANS TRAINING REQUIREMENTS FOR DRIVERS REVIEWED AND REVISED October 9, 2024

On October 9, 2024, the WYTRANS Board reviewed the WYTRANS/WYDOT training requirements. WYDOT first adopted training requirements in 1994. These requirements are periodically reviewed and revised by WYDOT and the WYTRANS Board of Directors. Please call WYDOT at 307-777-4438 or Jaime Hunolt at WYTRANS, 307-679-3220 with any questions regarding these requirements.

1. Transportation Safety Institute (TSI) is provided through WYTRANS. Contact Jaime Hunolt 307-679-3220 to arrange for a trainer to come to your area. TSI Training includes Introduction to Paratransit, Managing Emergencies, Customer Service, and Vehicle Operations. Recertification is required every three years.

2. First Aid/CPR can be obtained through an accredited organization. The American Red Cross, the American Heart Association, or the National Safety Council courses and other accredited agencies are acceptable. Recertification is due as required by certifying agency.

3. CDL-for drivers of vehicles designed to carry 16 or more passengers, including the driver. Source: Wyoming Driver License Manual for Commercial and Heavy Vehicles. (WYDOT March 2001)

4. Bloodborne Pathogens Awareness is covered in TSI but also must be reviewed annually. WYTRANS has a training manual and video provided upon request.

5. Worker-right-to-know. Annual review is recommended. A Training manual may be obtained from WYTRANS.

6. Drug and Alcohol Awareness Training is required as per FTA Regulations. Initial two-hour training for supervisors and one hour for drivers. A one-hour review is recommended annually for supervisors but not required.

7. A DOT Physical is required for all Interstate and some Intrastate operations. Source: Wyoming Driver License Manual for Commercial and Heavy Vehicles. (WYDOT March 2001).

STATE TRAINING REQUIREMENTS FOR DRIVERS AND ASSISTANTS		
TRAINING	**INITIAL**	**RECERTIFICATION**
TSI (Transportation Safety Institute)	Within 6 months from date of hiring. 12-hour class	8-hour recertification class Every 3 years
Standard First Aid	Within 6 months from date of hiring from accredited organization-see above	As accredited organization requires Typically every 2 years
CPR	Initial training in First Aid Course From accredited organization-see above	CPR recertification required by all accredited organizations. Every 2 years
Bloodborne Pathogen Awareness (Video and Manual)	Within 6 months from date of hiring Included in TSI training.	Annual one-hour review
SDS Hazardous Material Training	Within 6 months from date of hiring Can be included in TSI training. WYTRANS has manual.	Annual review
Drug & Alcohol Awareness (Video and Manual)	Initially 2 hours for Supervisors and 1 hour for drivers.	Annual review recommended, not required, can be part of TSI

Revisions adopted by the WYTRANS Board October 9, 2024

NOTICE FOR CAPITAL AWARDS AND AGENCY PROCUREMENT

Applicants <u>SHOULD NOT</u> proceed to purchase the capital equipment awarded through this grant application process until WYDOT gives explicit approval to purchase and issues a notice to proceed. Moving forward on a project, without a signed project agreement between WYDOT and the applicant, disqualifies the use of Federal or State funding.

- All grantees are required to comply with third-party contracting standards in accordance with FTA guidelines defined in FTA Circular 4220.1F, *Third-Party Contracting Requirements*, and adhere to standard procurement practices outlined by the FTA in the Best Practices Procurement Manual.
- All grantees are required to have an approved Procurement Policy on file with WYDOT.
- All grantees, in accordance with 49 U.S.C. 5325(a), *Full and Open Competition,* agree to conduct all procurement transactions in a manner that provides full and open competition. Grantees must also ensure bidder compliance with the following (all may not apply based on award type and amount):
  - ✓ Americans with Disabilities Act.
  - ✓ Buy America.
  - ✓ Bus Testing.
  - ✓ Federal Motor Vehicle Safety Standards.
  - ✓ Davis Bacon Labor Standards.
  - ✓ Debarment and Suspension.
  - ✓ Lobbying.
  - ✓ Bonding Requirements; and
- All grantees are required to generate a written record of procurement history to include procurement planning, specifications and pre-award and post-delivery audit requirements under FTA and State procurement regulations. The grantee's procurement records must be sufficiently detailed to sustain an audit by FTA or WYDOT. The FTA requires WYDOT and its grantees to maintain procurement files and grant files for a period of not less than three (3) years from the closing of the grant. **All files relating to capital purchases must be maintained until notified by WYDOT.**

There is a new Buy America requirement for all construction projects. Simply stated, as of November 10, 2022, every award that is obligated and funded with federal dollars is required that any construction materials procured under the award will be manufactured in the United States.

FACILITY REHABILITATION AND CONSTRUCTION

The information collected in the application is for project selection purposes. In completing the environmental and planning stages of your project, there may be obstacles that prevent or delay the building of your facility. The purpose of these funds is to house vehicles funded by the FTA and/or vehicles used for public transportation or for transit facilities like transfer stations. Any other use of the facility must be requested in writing to WYDOT and granted before use in any other manner. These uses must not interfere with the intended use of the project.

If you are selected for a Facility Project, you will need to work closely with the WYDOT Transit Staff to ensure that all Federal Requirements are met on this project. You **MUST NOT** enter into a contract or agreement with any consultant or contractor concerning this project without prior WYDOT Transit Staff authorization. You may ask a contractor to supply you with an estimate of costs associated with the project; however, this **should not** be construed as an offer for that contractor to construct your project if selected.

COORDINATED HUMAN SERVICE TRANSPORTATION PLAN

All capital applicants must be part of a locally derived Coordinated Human Service Transportation Plan or be approved to be part of a different project by WYDOT **prior** to submission of this application. Coordinated Human Service Transportation Plans need to specify the type of capital projects to be performed.

HOME DELIVERY MEALS

Vehicles funded with FTA money may **not be used exclusively** for meal deliveries. Public transportation service providers receiving Section 5310 funds may coordinate and assist in regularly providing meal delivery service for homebound individuals, if the delivery service does not conflict with providing public transportation service or reduce service to public transportation passengers.

FUNDING OPTIONS FOR VEHICLES

Transportation Enterprise Fund (TEF):
Your organization may apply directly to the State Loan and Investment Board (SLIB) for participation in the TEF Program during their normal solicitation. You could apply for a vehicle at 100% funding, however WYDOT Transit Staff encourage you to use local funds for the request. WYDOT will not be involved in this purchase at all, and you will not be restricted by our purchasing rules and regulations or the restrictions imposed by the FTA.

Transportation Enterprise Fund and WYDOT 5310/5339 Funds:
This is the traditional way that many agencies applied for TEF funds in the past with a few changes. You will need to apply to WYDOT through the BlackCat system during their application period for your percentage of the 5310/5339 program and TEF during their application period. When applying to SLIB, we recommend applying for 15%, for an ADA vehicle or 50% for Non-ADA Vehicle. While not strictly mandatory, should SLIB cover the full 15% portion, providing a local contribution is **highly** encouraged. The WYDOT and Local percentages will be adjusted after the SLIB funding is awarded. In this scenario, you are required to meet all rules for State and FTA procurements regardless of the amount of 5310/5339 funds awarded.

WYDOT 5310/5339 Funds Only:
You apply directly to WYDOT through the BlackCat system for your capital needs. WYDOT will pay 85% of your ADA vehicle purchase price using FTA 5310/5339 funds and you will supply the 15% local match. If a non-ADA vehicle is requested, WYDOT will pay 50% of the non-ADA vehicle purchase price using FTA funds and you will supply the 50% local match. WYDOT must also receive a signed Certification of Equivalent Service that states you have adequate inventory, in good repair, to service persons requiring ADA assistive equipment. All FTA rules and regulations will apply to the procurement of this vehicle even though it is non-ADA. All other capital items, including communication equipment, software, shop equipment, etc. are at 80% Federal 5310/5339 funds and 20% local match.

*If you are awarded a Section 5310/5339 project, you will be **required** to report several performance measures. The vehicle mileage will be updated at least twice a year in the BlackCat system. The number of one-way trips, the number of vehicles in service, ridership demographics, and costs associated with your service will be updated monthly in the BlackCat system on the monthly ridership report.

The Wyoming Department of Transportation (WYDOT) is committed to ensuring that no person is excluded from participation in, or denied the benefits of, or be subject to discrimination in the receipt of its services based on race, color, or national origin, or any other characteristics protected by law, including Title VI of the Civil Rights Act of 1964, as amended. Further, under the Americans with Disabilities Act (ADA) of 1990, no entity shall discriminate against any individual with a physical or mental disability in connection with the provision of transportation services.