



# **Program Management Plan**

**Section 5310: Enhanced Mobility for Seniors and Individuals with Disabilities for the El Paso Region Urbanized Area**

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# El Paso Metropolitan Planning Organization FTA Section 5310

## PROGRAM MANAGEMENT PLAN

### Table of Contents

Preamble .....	5
1.0 Goals and Objectives .....	5
2.0 Roles and Responsibilities of EPMPO .....	6
2.1 Coordinated Plan .....	6
3.0 Eligible Sub-recipients .....	7
4.0 Funding Eligibility .....	8
4.1 Transfer of Funds .....	8
5.0 Local Funding Requirements .....	9
5.1 Transportation Development Credits (TDCs) .....	9
6.0 Funding Distribution and Project Selection Criteria .....	10
6.1 Application Cycle .....	10
6.2 Application Evaluation and Scoring .....	10
6.3 Equity of Distribution .....	10
6.4 Project Approval and Award .....	11
6.5 Timeline .....	11
6.6 Sub-recipients Monitoring .....	14
6.7 Procurement & Reimbursement Process Summary .....	17
6.8 Appeals Process .....	18
7.0 Administration of 5310 Programs .....	19
8.0 Title VI, Section 504, and ADA Compliance .....	22

9.0 Management of 5310 Programs .....	23
10.0 Performance Measures .....	24
11.0 Program Management Plan Updates .....	25
12.0 APPENDIX.....	26
12-A: Acronyms .....	26
12-B: El Paso Region Urbanized Area Map Census 2010.....	27
12-C: EPMPO Study Area Map .....	28
12-D: EPMPO Transportation Policy Board and Committees.....	29
12-E: EPMPO TIP Project Request Form .....	31
12-F: EPMPO TIP Example Page .....	34
12-G: Section 504; US Department of Health and Human Services Fact Sheet .....	35
12-H: EPMPO Title VI Plan .....	38

## Preamble

The El Paso Metropolitan Planning Organization (EPMPO) Program Management Plan (PMP) was adopted by the Transportation Policy Board (TPB) on March 7, 2014 with subsequent revisions as allowed per Federal Transit Administration guidance for management plan revisions as needed or required.

### 1.0 Goals and Objectives

The goal of this Program Management Plan (PMP) is to describe the El Paso Metropolitan Planning Organization's (EPMPO) process for managing the Federal Transit Administration (FTA) 5310 program within the El Paso urbanized area. As part of this process, EPMPO intends to fulfill the following objectives:

- Identify, contact and inform public agencies, community organizations and non-profit and eligible private for profit organizations providing service for seniors and persons with disabilities, as to the availability of 5310 program grant funds. This may be accomplished by disseminating information to agencies through email distribution lists, posting to the EPMPO website, publishing through local newspaper and known media outlets, as well as announcements at public meetings, EPMPO will continue to explore ways to enhance public outreach;
- Establish, promote and outline a process for soliciting and evaluating 5310 program funding proposals;
- Assure that proposals selected for funding are responsive to one or more of the needs identified in the Far West Texas/El Paso (WTEP) Regional Transportation Coordination Plan;
- Assure that proposals selected for funding are responsive to one or more strategies and/or objectives in the EPMPO Congestion Management Process (CMP);
- Establish the requirements for the selected projects to enter into grant agreements with EPMPO; and,
- Summarize the requirements for managing and reporting the progress for implementing the funded projects.

This PMP is a living document. It will be updated regularly to incorporate any expansions and enhancements of the 5310 program, as well as any revisions to the programs' management, requirements, or guidelines. Both the EPMPO MTP and CMP may be downloaded off the EPMPO website at [www.elpasompo.org](http://www.elpasompo.org) or requested at the EPMPO offices at 211 N. Florence, Suite 202, El Paso, TX 79901 or by calling 915-212-0258. Downloading the WTEP Regional Transportation Coordination Plan may be done by visiting the website: [www.regionalserviceplanning.org/texas\\_regions/coordination\\_plans](http://www.regionalserviceplanning.org/texas_regions/coordination_plans)

## 2.0 Roles and Responsibilities of EPMPO

EPMPO is the Designated Recipient for 5310 funds allocated to the El Paso urbanized area. EPMPO's role includes administering, managing, programming these funds, selection, and overseeing the implementation of the projects. Other EPMPO responsibilities as the Designated Recipient of funds from the 5310 program are relevant to the Coordination Plan and are briefly described below.

### 2.1 Coordinated Plan

Coordination with stakeholders is heavily emphasized in the Regional Coordinated Transportation Plan. This plan lays out various recommended approaches for maximizing the potential benefits that can be derived through the coordination of services.

The EPMPO also emphasizes the coordination of services among the region's stakeholders and eligible sub-recipients of funding from the 5310 programs. Accordingly, applicants must describe their project level coordination arrangements prior to being considered for grant funding.

EPMPO also encourages the efforts of the region's stakeholders to streamline and expand the eligibility of projects and services that could be funded by the 5310 programs.

Although, EPMPO is not directly responsible for developing the Regional Coordinated Transportation Plan, EPMPO is responsible for ensuring that the plan from which a selected project was included was developed in compliance with the statutory requirements. The Far West Texas/El Paso Regional Transportation Coordination Committee (WTEP) is the region's responsible group to develop and coordinate the region's coordinated transportation plan. This plan is available for downloading through the website: [www.regionalserviceplanning.org/texas\\_regions/coordination\\_plans](http://www.regionalserviceplanning.org/texas_regions/coordination_plans)

### **3.0 Eligible Sub-recipients**

Under the federal guidelines, the following entities are eligible to apply for 5310 funding:

- Private nonprofit organization
- Public and private transportation providers
- Tribal governments
- State or local governmental authority that:
  - is approved by a state to coordinate services for seniors and individuals with disabilities; or
  - certifies that there are no nonprofit organizations readily available in the area to provide services

To be eligible for funding from the 5310 programs, proposed projects must be located within or a destination within the El Paso urbanized area. El Paso's urbanized area is indicated in the map in Appendix 12-B and is related to the 2010 US Census demographic results.

Additional information regarding eligible sub-recipients can be found on FTA Circular 9070.1G, Chapter III, Sections 5 - 7.

## 4.0 Funding Eligibility

Section 5310 funds are available for capital and operating expenses to support the provision of transportation services that meet the specific needs of seniors and individuals with disabilities. All projects must either be situated in the El Paso Region's Urbanized Areas or may also originate in a rural area but must have the final destination be situated in an urbanized area within the El Paso region to qualify for EPMPO Section 5310 Urbanized Area funds. Please see Appendix 12-B for the El Paso Region's Urbanized Area Map or visit [http://www2.census.gov/geo/maps/dc10map/UAUC\\_RefMap/ua/ua27253\\_el\\_paso\\_tx--nm/DC10UA27253\\_000.pdf](http://www2.census.gov/geo/maps/dc10map/UAUC_RefMap/ua/ua27253_el_paso_tx--nm/DC10UA27253_000.pdf).

### Capital

Fifty-five (55) percent of funds shall be available for capital projects planned, designed, and carried out to meet the needs of seniors and people with disabilities. 55 percent is a floor, not a ceiling; more than 55 percent of apportionments can be used for these types of projects.

Eligible projects for the required 55 percent of capital projects include the capital cost of contracting for the provision of transit services for seniors and individuals with disabilities and other specialized shared-ride transportation services. The purchase of rolling stock for or the acquisition of the Americans with Disabilities Act (ADA) complementary paratransit service are eligible capital expenses that may also qualify under the 5310 Program as public transportation capital projects planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities when fixed-route public transportation is insufficient, unavailable or inappropriate, provided the projects are carried out by eligible recipients.

### Operating

Forty-five (45) percent of 5310 funds may be used for operating expenses that provide transportation services that exceed the requirements of the ADA or improve access to fixed route services and decrease reliance by individuals with disabilities on ADA complementary transit service.

### Administration

Through the approval of the Unified Planning Work Program (UPWP) by the EPMPO Transportation Policy Board (TPB), up to ten (10) percent of the total obligated funds for the fiscal year may be committed for administration of the 5310 grant program to the EPMPO. The administrative tasks performed by the EPMPO in support for processing the 5310 grant program include maintenance of the EPMPO Program Management Plan, preparation of competitive project calls, vehicle inspections and data collection, and staff training regarding federal requirements. Any remaining portion, if any, of the ten percent may also be awarded to sub-recipients for administration of a 5310 program that is funded through 5310 funds.

Further information regarding eligible activities can be found on FTA Circular 9070.1G, Chapter III, Sections 13. – 15.

### 4.1 Transfer of Funds

Per the requirements of the FAST Act, 5310 funds apportioned to large UZAs may not be transferred to other areas. Transfer of 5310 funds to other programs are also not permitted (C 9070.1G, p.III-6). However, States are allowed to transfer funds from rural areas to urbanized areas of less than 200,000 in population. The EPMPO will ensure that all Section 5310 funds are expended on projects for eligible 5310 activities within the EPMPO TMA– including instances when state funds are made available to organizations and agencies in the EPMPO region. A copy of the EPMPO Study Area map is available in Appendix 12-C.



## 5.0 Local Funding Requirements

5310 funds are eligible to support up to eighty (80) percent of the cost of capital projects and up to fifty (50) percent of the net operating costs.

The local share may be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, a service agreement with a State or local service agency, or new capital. Some examples of these sources of local match include: State or local appropriations; dedicated tax revenues; private donations; revenue from service contracts; toll revenue credits; transportation development credits (TDC); and net income generated from advertising and concessions. Non-cash share such as donations, volunteered services, or in-kind contributions is eligible to be counted toward the local match as long as the value of each is documented and supported, represents a capital cost which would otherwise be eligible under the program, and is included in the net project costs in the project budget.

Income from contracts to provide human service transportation may be used either to reduce the net project cost (treated as revenue) or to provide local match for Section 5310 operating assistance. No FTA program funds may be used as a source of local match for other FTA programs, even when used to contract for service.

All sources of local funding must be identified in the initial 5310 grant application.

The use and certification of toll revenue credits is the sole responsibility of the sub-recipient and certification documentation must be provided to be included in the FTA grant application.

Awarded sub-recipients will be required to fill out and submit to EPMPO staff a Project Request Form for programming the awarded 5310 funds into the EPMPO TIP. A sample of the form is available in Appendix 12-E and a sample of how the program will be documented in the TIP is in Appendix 12-F. Selected projects will also be incorporated into the EPMPO metropolitan transportation plan through amendment and formally reviewed by the TPB.

Further information regarding federal/local matching requirements can be found on FTA Circular 9070.1G, Chapter III, Section 16.

### 5.1 Transportation Development Credits (TDCs)

Awarded sub-recipients will be allowed to submit TDCs as a source for their local match on a proposal and must follow the TxDOT percentage match that is currently available at the time the proposal is submitted. TDC's can only be requested for capital costs and may not be requested for operating costs. Percentages may vary for different categories (i.e Capital matching may be at an 85%/15% standard with the TDC covering 15% of the total cost of the purchase of the vehicle(s)). EPMPO will submit the TDC request on behalf of the sub-recipient to TxDOT after the awards have been approved by the TPB. Sub-recipients must, however, be prepared to cover the required match with local match funds if the TDCs are not approved by TxDOT and the Texas Transportation Commission.

## 6.0 Funding Distribution and Project Selection Criteria

### 6.1 Application Cycle

The FAST (Fixing America's Surface Transportation) Act requires that projects and programs to be implemented with funding from the 5310 program to be the outcome of a selection process that is fair and equitable. The FTA provides some flexibility with the process itself. The selection process may be held annually or at intervals up to three years, as determined by EPMPO and based on local needs. EPMPO will select projects as needed to fund eligible projects and programs and to avoid the lapsing of any funds that are not obligated in a timely manner.

5310 funds need to be obligated within the next two federal fiscal years following the fiscal year in which the funds were appropriated by Congress. In this regard, the federal fiscal year starts on October 1 and ends on September 30 of the following year. Any 5310 funds remaining from prior fiscal years and which have not lapsed will be combined with funds from the fiscal year in which the selection will take place and those funds expected to be made available within the following fiscal year. Accordingly, 5310 funds from up to three consecutive fiscal years could be made available and EPMPO will select projects and programs at intervals not to exceed this time frame. This approach will allow for the development of more viable and longer-term projects, reduce the administrative cost of the programs, and allow for other efficiencies.

EPMPO intends to authorize project expenses annually, contingent upon the levels of federal appropriations expected to be made available by Congress each fiscal year. The awarding and programming of prior 5310 program grant funds will be prioritized for obligation in the most current process to avoid lapsing. Future selections will be contingent on the availability of funds and approval of new legislation by Congress.

### 6.2 Application Evaluation and Scoring

EPMPO is responsible for the selection of projects, and may, but is not required to, include a competitive selection process. In any case, EPMPO will select projects on a fair and equitable basis. If EPMPO decides to conduct a competitive solicitation for projects, EPMPO may conduct the solicitation or arrange for an alternative to conduct the solicitation, such as the City of El Paso, El Paso County, or Sun Metro (MV Transportation).

### 6.3 Equity of Distribution

The EPMPO has the City of El Paso as its fiscal agent and must abide by the procurement processes, rules, and guidelines regarding grant processes. The City of El Paso's Procurement Process is available at the EPMPO website at [www.elpasompo.org](http://www.elpasompo.org). Beyond the broad outreach and consultation process undertaken during the development of the Coordinated Plan, the process for selecting projects will be widely publicized and disseminated directly to the agencies providing or needing specialized transportation services in the EPMPO urbanized area. The information will also be disseminated through the various agency meetings.

Information relevant to the selection process and application guidelines and forms, will be made available at EPMPO's website at <http://www.elpasompo.org/>.

#### 6.4 Project Approval and Award

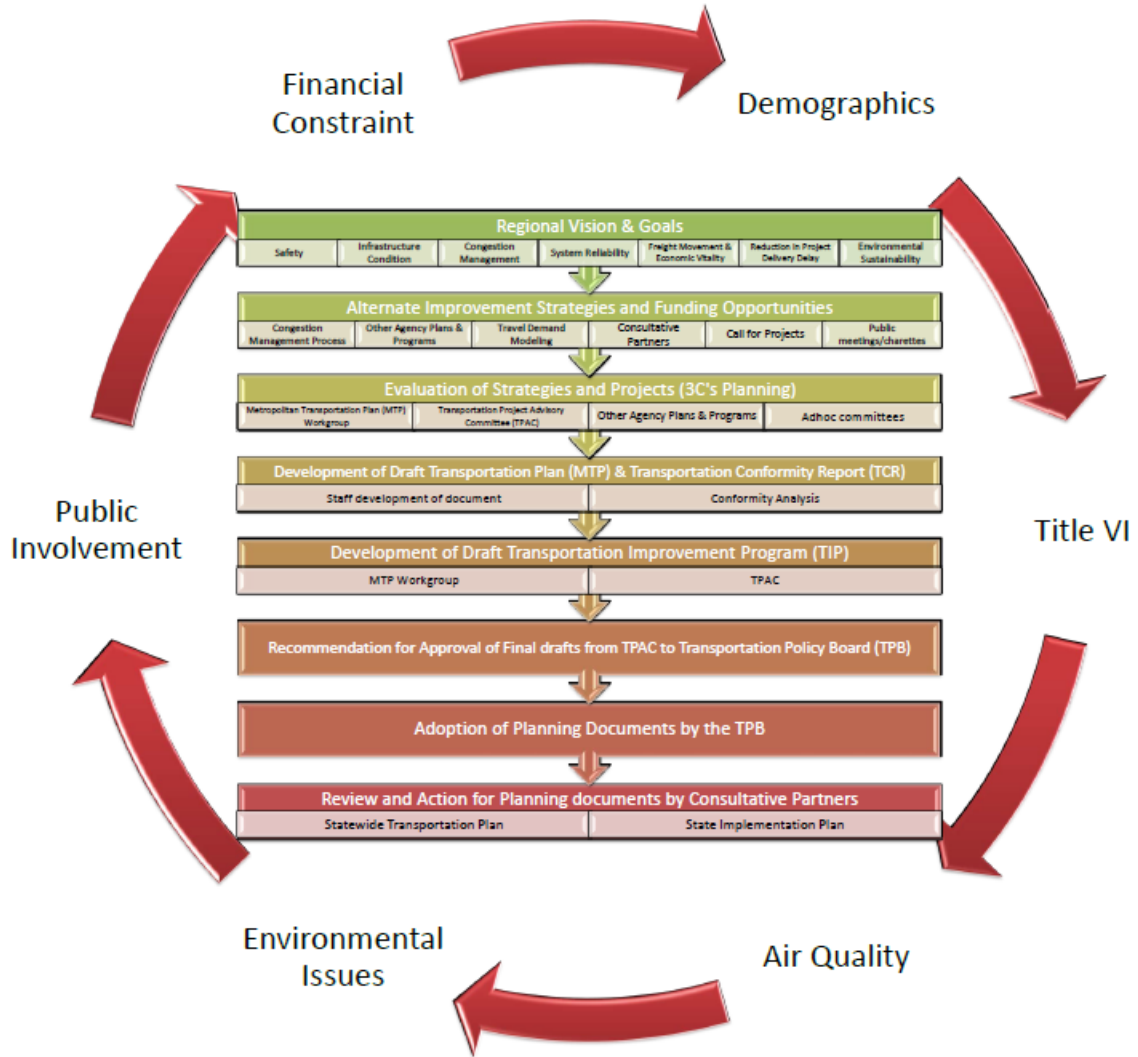
Proposals may be selected based on but not limited to project mobility, effectiveness and benefit to urbanized area, program reach, and population served. Project proposals will be evaluated whether goals, objectives, and/or strategies demonstrated in the Regional Coordinated Transportation Plan are identified or addressed in the proposal and whether proposals include one or more CMP strategies/objectives. After this review, EPMPO staff will forward the qualified submittals to an ad-hoc committee formed by the EPMPO Transportation Project Advisory Committee (TPAC), who will then provide recommendation for awards to the TPAC after reviewing the submittals. After considering the ad-hoc committee's recommendation, the TPAC will then decide on its own recommendations to deliver to the EPMPO Transportation Policy Board (TPB) for approval.

TPB approved project proposals will be included in the EPMPO's MTP and TIP and forwarded for inclusion in the Statewide TIP. The final step would be to submit the grant application(s) to the FTA for approval.

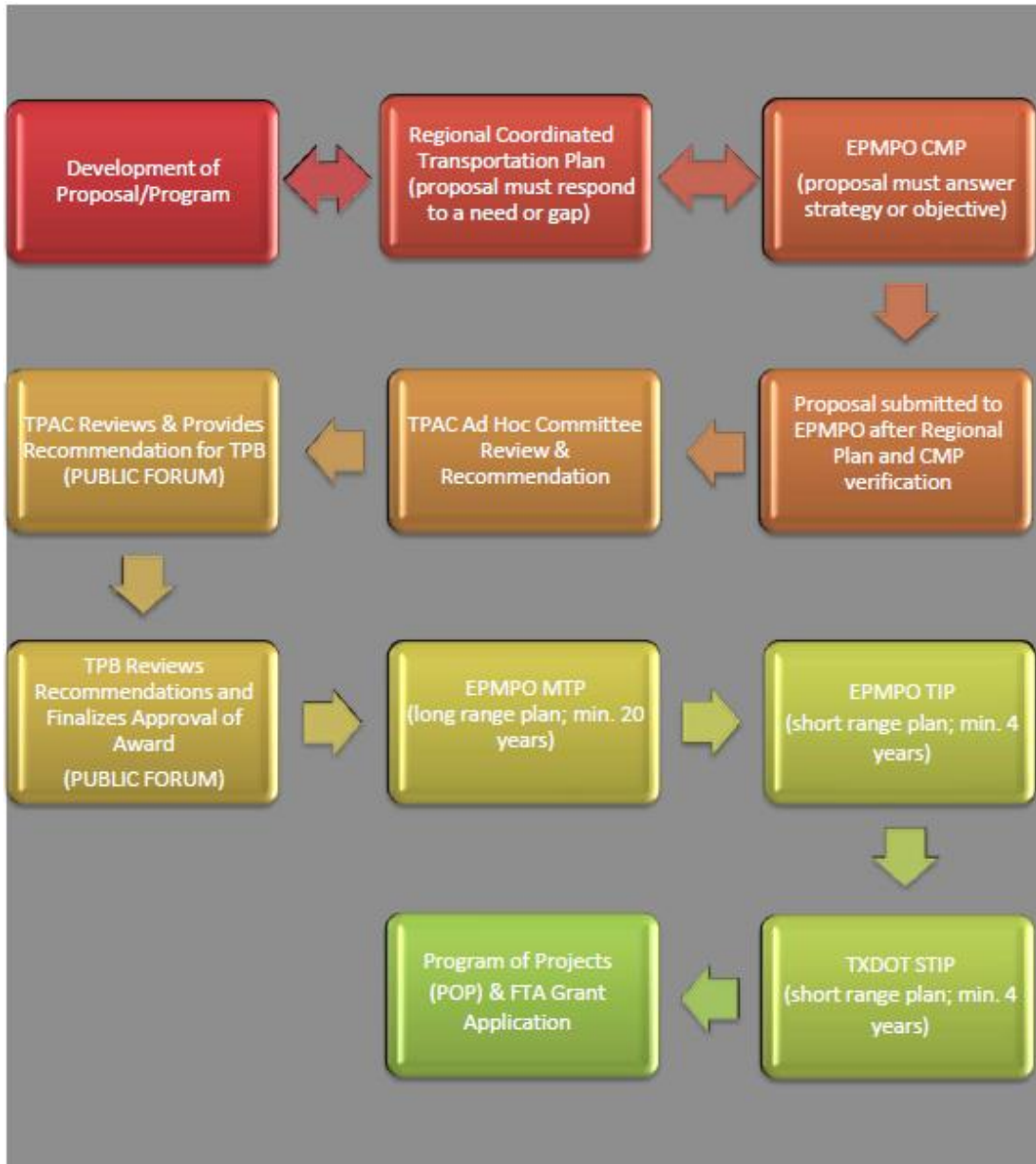
#### 6.5 Timeline

Award notifications for the 5310 program will be transmitted to those agencies selected. Those agencies that were not recommended for funding will be sent letters to inform them of the results of the evaluation process. Sub-recipients recommended for funding will be sent an award notification letter. A Project Grant Agreement (PGA) between EPMPO and the sub-recipient will be prepared for execution. The PGA will indicate the date of the grant approval by the FTA and the effective date for project implementation.

# EPMPD Planning Process Chart



## 5310 Project Selection Process



Overall, it may take up to 12 months from the announcement date of the Request of Proposals to the execution of the PGA. This would depend on funding availability, the number of applications received, and the timeliness of selection process. The following is a tentative schedule using a competitive solicitation:

- **Solicitation for Proposals:** posting information to the EPMPO website and in accordance with the EPMPO Public Participation Plan (PPP); and this document may be reviewed at the EPMPO offices or downloaded from the EPMPO website, [www.elpasompo.org](http://www.elpasompo.org), or a hard copy may be requested from the EPMPO offices. It is the responsibility of eligible applicants to keep track of the information posted on EPMPO's website and to provide their contact information to EPMPO.
- **Proposals Due:** due dates for proposals to be due will be posted with the Request for Proposals.
- **Evaluation of Applications:** the EPMPO may contact the applicant to inquire about the contents of the proposal and may request additional information or clarification. The applicant may also be required to provide an oral presentation of its proposal to the TPAC Ad-hoc Committee, the TPAC, and the TPB.
- **Award Notification:** a letter will be sent to successful applicants with information on the amount and source of the federal award. It will also include a request to confirm, in writing, the acceptance of the award and the availability and source of the local match, if not already provided with the application.
- **FTA Grant Application and Approval:** EPMPO staff will prepare and submit the grant application to the FTA for approval. Due to the certifications needed, including those from the United States Department of Labor, it may take up to two months for FTA's final approval.
- **Project Grant Agreement;** the time required for execution of the PGA between the sub-recipient of funds from the 5310 program and the EPMPO will depend on the availability of supporting documentation from the sub-recipient (such as clear scope of work, timeline for project implementation, project item line budget and cash flow) and its readiness to accept its terms and conditions.
- **Effective Date of Reimbursable Activities:** the PGA specifies the effective date of its terms and conditions, including the period of reimbursable activities. In this regard, the EPMPO will reimburse the sub-recipient for any eligible expenditure incurred (after deducting the required local match) since the effective date of the PGA. Any expenditure incurred by the sub-recipient prior to the execution of the PGA with EPMPO is the sub-recipient's responsibility.

The EPMPO is not committed to reimburse any expenditure if the PGA between the agencies is ultimately not executed, the project is cancelled, the federal funding is not available, or the FTA does not approve the grant application, among other possible scenarios.

### 6.6 Sub-recipients Monitoring

EPMPO may coordinate a sub-recipient orientation workshop after the awarding the fund, if necessary, to provide technical assistance on the process that would need to be followed and the federal requirements that would have to be met to receive the federal funds. EPMPO will schedule regular meetings with the sub-recipients to discuss issues or concerns regarding their projects and to provide assistance during implementation to ensure projects are consistent with the funding agreement. Sub-recipients will also be required to provide quarterly progress reports and an annual report during the period in which they invoice for eligible activities until grant close-out. In this regard, sub-recipients need to keep track of the performance measures identified for their projects in the PGA. Sub-recipients may also be required to present a program status report/presentation to the EPMPO TPB if so requested by the Board chairperson.

Sub-recipients would also need to provide supporting documentation when invoicing EPMPO for expenses incurred. Sub-recipients will not be paid in advance of costs incurred. Instead, funds from the 5310 programs

will be paid to the sub-recipient on a reimbursement basis only. EPMPO will monitor closely all activities by the sub-recipient and take corrective actions to resolve any noncompliance issues, including informing the sub-recipients if they are at risk of losing any of the funding that was awarded. The sub-recipients need also to comply with Title VI and the auditing requirements specified in the PGA.

## 6.6 SUB-RECIPIENT RESPONSIBILITIES

- Vehicles and related equipment - Subrecipients vehicles must be inspected by EPMPO staff prior to being put into service and subrecipients must maintain an inventory listing of all vehicles and equipment purchased with 5310 funds.
- Insurance - Subrecipients must ensure the vehicle coverage complies with requirements imposed by State and local laws, regulation, and ordinances, *except as the Federal Government determines otherwise in writing.*
- Ownership - Subrecipients will maintain record of vehicle registration and ownership and notify EPMPO of any changes.
- Vehicle use - Subrecipients are allowed to use vehicles only for the intended purpose under the original agreement. Incidental use is allowed as long as it does not interfere with passenger transportation service. Priority service is given to the intended program clients and may be available to the general public if capacity allows.
- Disposal of vehicles and equipment - Vehicles must meet a useful life requirement before they can be disposed. Subrecipients must notify the EPMPO of anticipated disposition or action of their 5310 vehicles and equipment.
- Changes in vehicle status or condition - Subrecipients must notify the EPMPO of any action or change in vehicle condition so that impact to transportation service provided may be evaluated.
- Preventive maintenance program - Subrecipients must keep the 5310 funded vehicles and equipment in good operating order and participate in a preventative maintenance program. At a minimum, vehicles will be maintained in accordance with the manufacturer's suggested preventive maintenance schedule. Out of order equipment must be repaired promptly. Subrecipients equipment and vehicles are subject to FTA safety inspections by EPMPO staff.
- Procurement - Subrecipients may utilize the procurement process of the City of El Paso, TXMAS, or agency procurement process that complies with FTA requirements for vehicles, supplies, and equipment. Subrecipients must follow the procurement procedures set forth in the most recent edition of FTA Circular 4220.1.
- Safety - Subrecipients will comply with the Federal Motor Carrier Safety Standards (FMCSS), State and local requirements.
- Driver licensing – Subrecipients are responsible for proper state licensing for its drivers assigned to 5310 vehicles.
- Driver and management training - Subrecipients will comply with the Federal Motor Carrier Safety Administration (FMCSA), State and local requirements.
- Accident/incident reporting - Subrecipients must notify the EPMPO of any incident/accident to 5310 vehicles so that impact to transportation service provided may be evaluated.
- Civil rights – Subrecipients are responsible for compliance as outlined in the EPMPO Title VI Program.
- Subcontractor requirement – Subrecipients must ensure that subcontractors comply with FTA and federal requirements.
- Financial management - EPMPO utilizes the City of El Paso's PeopleSoft accounting software to manage the financial records for the processing of program funds and subrecipients are required to submit information in a timely manner and according to financial system requirements.
- Record keeping - Subrecipients must retain maintain all financial and programmatic records, supporting documents, statistical records, and other records of each contractor/subcontractor.
- Audits – Audits: Subrecipients that expend \$750,000 or more in a year in federal assistance from all sources must have a single audit conducted. Closeout: Confirmation that activities are complete. A final milestone progress report indicating the actual completion date of each.

- Monitoring – Subrecipient is responsible for monitoring each activity under the Award to ensure activities are carried out in accordance with the Award. As part of the grant agreement, the subrecipients shall permit EPMPO, FTA or any of their authorized representative, full access to any records and supporting documents relevant to the program. EPMPO reserves the right to inspect all project equipment and property and shall conduct periodic desk reviews and/or on-site reviews of the subrecipients as part of its monitoring efforts.
- Additional information regarding Subrecipient responsibilities can be found in FTA Circulars 5010.1E and 9070.1G.



## 6.7 Procurement & Reimbursement Process Summary

- 1. Sub-recipient must request approval from the EPMPO prior to purchase of bus or equipment. EPMPO will review the sub-recipient's procurement process, if applicable, for compliance. EPMPO would then concur with the sub-recipient to procure bus.**
- 2. The sub-recipient is responsible to develop a narrative on the procurement process of any capital purchase and/or, if applicable, operational purchases, and submit it to EPMPO when requesting reimbursement for any purchases.**
- 3. Once the vehicle is inspected and all requirements are met, it is the responsibility of the EPMPO to send a letter or e-mail, to the sub-recipient indicating that the vehicle was inspected and that the sub-recipient can utilize the vehicle. Once the sub-recipient is in agreement to those terms, then they must submit a letter of acceptance to the EPMPO.**
- 4. Sub-recipient must submit the following to the EPMPO to receive reimbursement:**
  - a. Procurement narrative
  - b. Invoice addressed from the sub-recipient
  - c. Original invoice from the distributing company or retailer, whichever may be applicable
  - d. Insurance policy and card
  - e. Letter of acceptance
  - f. Consolidated Certification form
  - g. EPMPO may request additional documentation, as needed.
- 5. The sub-recipient will be responsible in developing and submitting the following documents:**
  - a. Vehicle Damage Report Form
  - b. Pre & Post Inspection Checklist
  - c. Maintenance Policies
  - d. Preventive Maintenance Plan
  - e. Procedures for Securing Wheelchairs
- 6. It will also be the responsibility of the sub-recipient to complete quarterly reports to the MPO that will address the following:**
  - a. Actual Vehicle Revenue Hours
  - b. Actual Vehicle Revenue Miles
  - c. Passenger Trips
  - d. Number of Revenue Vehicles
  - e. Total Revenues
  - f. Fare Revenues if any
  - g. Other Local Revenues
  - h. Total Expenses (Operating & Capital)
  - i. Any other pertinent information that may be requested from the EPMPO that would also accompany any requests for reimbursement for other capital items, administration, and/or operations.

## 6.8 Appeals Process

Only an entity that has actually submitted a proposal may appeal an award decision.

Failure to follow the requirements of the Appeals Process established by the EPMPO, in accordance with the City of El Paso's Protest Procedures for bids, shall constitute a waiver of all protest rights.

Protest must be made after the TPB agenda has been posted and by 5 p.m. the day before the TPB meeting in which the award will be considered. The appealing entity must write a letter to the Executive Director using the phrase "5310 Appeal" to the address listed below. The appeal must be sent by certified or registered mail or delivered in person. Note: the recommendation for award is posted on the EPMPO website at least 72 hours before each Board meeting.

The written protest should include 1) the title of the proposed project/program and should clearly state, with particularity, the relevant facts believed to constitute an error in the award recommendation, or desired remedy; 2) a specific identification of the statutory or regulatory provision that the Appealing Entity alleges has been violated and the provisions entitling the Appealing Entity to relief; 3) a specific factual description, with particularity, of each action by the EPMPO that the Appealing Entity alleges to be a violation of the statutory or regulatory provision that the Appealing Entity has identified pursuant to item (2) of this paragraph (mere disagreement with the decisions of EPMPO staff does not constitute grounds for appeal). If there is no disputed issue of the material fact, the Appeal must indicate this as well.

Only the information provided within the appeal period will be considered in making a recommendation to the Board.

All appeals must be sent to:

El Paso Metropolitan Planning Organization  
Attn.: Executive Director  
211 N. Florence Street  
Suite 202  
El Paso, TX 79901-1666

## 7.0 Administration of 5310 Programs

The following summarizes the responsibilities of EPMPO as the designated recipient.

- Assists sub-recipients or potential sub-recipients with technical support to: i) establish project eligibility; ii) manage and administer projects; iii) understand grantee (EPMPO) and federal compliance policies, including procurement guidelines and required matching funds; and iv) understand the conditions on how federal grant funds can be spent.
- One of the primary means of assistance will be by co-sponsoring and/or hosting proposal seminars with stakeholders during the Request for Proposals cycle. These seminars will assist in informing potential applicants of the process and details involved with the grant application and administration of the award. EPMPO has also developed a program to host, if necessary, a grantee introduction seminar for all new sub-recipients after each selection process. The meeting will allow EPMPO to meet with all of the new sub-recipients to discuss general and specific performance goals to be achieved, their reporting and the administrative responsibilities, and EPMPO's standardized invoicing practices.
- In order to clarify the goals of each project and assist the sub-recipients in the development of good progress reporting and accounting practices, EPMPO will meet individually with each of the sub-recipients before the beginning of grant expenditures.
- Ensures that sub-recipients adhere to the FTA Master Agreement, EPMPO's PGA, and other federal and state requirements, as applicable, to ensure federal funds are used according to the established contractual requirements. This activity will be accomplished with site visits and review of sub-recipients' records.
- Seeks from the sub-recipients an annual signed certification that affirms sub-recipient compliance with the standard terms and conditions governing the administration of projects funded with federal dollars awarded by the FTA through EPMPO, as described on the PGA or the FTA Master Agreement. This information is provided to the auditors as part of EPMPO's compliance monitoring effort. The EPMPO does not meet the thresholds for Equal Employment Opportunity and Disadvantaged Business Enterprise, the EPMPO Title VI document (Appendix 12-H) explains related information.
- Provides the Program of Projects funded with the 5310 program for inclusion in the Transportation Improvement Program through a Project Request Form.
- Prepares a summary of the funds available for distribution upon approval of the federal budget for the federal fiscal year that starts October 1 and corresponding federal transportation appropriations sometime thereafter and their publication in the Federal Register.
- Initiates the development of the grant applications for the FTA, and upon FTA's award, initiates the funding agreements with the sub-recipients.
- Assures sub-recipients development performance measures for each 5310 funded project to monitor and report the benefits of the federal investment.
- EPMPO will maintain good working relationships and coordination with stakeholders, the federal, state, regional, and local agencies regarding human services transportation projects and programs funded with the 5310 funds.
- Analyzes federal, state, and local legislation and policies relevant to the 5310 program.

- Makes recommendations to the EPMPO Board for improvements in managing and administering the 5310 programs.
- Serves as the point of contact for any activities related to the 5310 urbanized area programs, such as coordinating the reviews and audits performed by the FTA,
- Subrecipients are responsible for all maintenance and upkeep on any vehicle or equipment purchased with Section 5310 funds. EPMPO will request an annual report with list of vehicles and maintenance schedules. EPMPO will also perform site visits to inspect vehicles and equipment.
- EPMPO will initiate project closeout after all funds are expended and all work activities are complete. EPMPO will submit a final Milestone Report, Final Budget Revision (if needed), and a Final Federal Financial Report
- Other Provisions:

### **Environmental Protection**

If EPMPO allows a subrecipient to use Section 5310 funding for purposes other than vehicle purchases (for example, new construction or expansion of transit terminals, storage and maintenance garages, office facilities, and parking facilities), EPMPO will screen potential projects when they are first identified to make an initial determination as to which projects clearly meet the FHWA/FTA criteria for CEs and which projects may require additional documentation.

EPMPO will coordinate with the FTA regional office early in project development so that any necessary environmental analysis and review will not delay implementation. EPMPO will discuss with the FTA regional office any project involving new construction of a facility or substantial rehabilitation of an existing facility to determine the need for information supporting a CE and the applicability of any additional environmental requirements.

### **Buy America Provisions/Pre-Award and Post Delivery Reviews**

#### Traditional Program

EPMPO is responsible for ensuring bid specifications include all FTA procurement certifications. EPMPO is responsible for ensuring vendors meet all Buy America/Pre-Delivery audit provisions (as well as all FTA procurement certifications) prior to approval of vendor contracts.

In accordance with federal regulations, EPMPO performs a federal post-delivery audit of vehicles to ensure vendor compliance with vehicle specifications, Buy America requirements, federal motor vehicle safety standards and bus testing.

#### Other Program

Other subrecipients must certify to EPMPO that it will conduct a pre-award and post- delivery audit of vehicles purchased with FTA funds.

### **Restrictions on Lobbying**

EPMPO Section 5310 subrecipients awarded FTA assistance exceeding \$100,000 will sign a certification so stating (restrictions on lobbying) and must disclose the expenditure of non-Federal funds for such purposes (49 CFR part 20). EPMPO will gather signed certification(s) at time of sub-recipient grant application to EPMPO.

### **Prohibition of Exclusive School Transportation**

Through its sub-recipient compliance reviews, EPMPO ensures that subrecipients are not providing exclusive school transportation per Section 5323(f) of the Federal Transit Act.

### **Prohibited Charter Services**

Through its sub-recipient compliance reviews, EPMPO ensures that subrecipients are not engaging in prohibited charter bus services.

### **Drug/Alcohol Testing**

EPMPO Subrecipients that receive only Section 5310 will comply with the Federal Motor Carrier Safety Administration (FMCSA) rule for employees who hold Commercial Driver's Licenses (49 CFR part 382). EPMPO Section 5310 subrecipients that also receive funding under one of the covered FTA programs (Sections 5307, 5309 and 5311) will include any employees funded under Section 5310 projects in their testing program.

## 8.0 Title VI, Section 504, and ADA Compliance

EPMPO requires sub-recipients to document that they distribute FTA funds without regard to race, color, national origin, and disability or discrimination against disadvantaged business enterprises, among applicable civil rights requirements. **Not all applicable civil rights requirements are discussed in the PMP.**

EPMPO complies with FTA's Title VI requirements in the following manner: i) provision of an annual Title VI certification and assurance; ii) documentation of Title VI complaint procedures; iii) record keeping of all Title VI investigations, complaints, and lawsuits; iv) provision of meaning access to persons with Limited English Proficiency; v) notification to beneficiaries of protection under Title VI; and vi) a requirement that each sub-recipient demonstrates that it has adopted a Title VI program or becomes part of City of El Paso's list of qualified bidders/applicants for solicitations for proposals; automatically submitting itself to the requirements for the City of El Paso's Title VI assurances for sub-contractors/sub-recipients. Within each of these broad categories are specific requirements for survey and other data collection, analysis, and information distribution that cover transportation programs, construction programs, and transit service planning, operations, and service/fare changes.

EPMPO's promotion, administration, and distribution of information and funding relevant to the 5310 programs is consistent with EPMPO's Title VI Policy, which is made part of this document by reference (Appendix 12-H). This policy is posted in the EPMPO Title VI Plan on the EPMPO's web site at [www.elpasompo.org/other/ppp/](http://www.elpasompo.org/other/ppp/).

In order to fulfill Section 504 obligations, EPMPO plans on working closely with its sub-recipients to ensure the goals of their federal 5310 grants are being met (see Appendix 12-G). In order to track this progress, EPMPO will review each submitted invoice and insure that all required backup material is attached and correct in order to validate funds spent, work to resolve any potential ineligibility issues with any sub-recipient and obtain the return of any funds paid out that have been found to have been ineligible. In addition, the EPMPO will review all quarterly and annual reports to ensure consistency with the terms of the federal grant and the PGAs. Finally, EPMPO will make annual site visits to each sub-recipient to ensure purchased items, service, and/or training funded by the federal grant are in full service, being maintained as per manufacturer's recommendations, and are being used to meet the performance measures set in the PGA and in federal guidelines.

EPMPO will evaluate all projects receiving grant funds for compliance with all relevant ADA laws, regulations and policies and will work with sub-recipients to provide technical assistance.

## 9.0 Management of 5310 Programs

The following describes the activities to be performed by EPMPPO to ensure federal funds are not lost (lapsed) to the region. The activities described below are part of the oversight and project management activities necessary to ensure that projects funded with 5310 funds are implemented in accordance to the FTA program guidelines and funding agreements.

- Monitor expenses and reimbursements to sub-recipients to ensure compliance with the federal grant award and the PGA.
- Work with City of El Paso's Finance Department to include project-related information in City of El Paso's financial system, such as project identification (CFDA No) number, grant number, amount, and information on local contribution and funding sources, if any. This information is needed for accounting and monitoring of project funding and expenses.
- Review for accuracy and eligibility sub-recipient invoices, ensure that the required documentation is on file and payments are made as approved.
- Compile and distribute FTA procurement guidelines to all sub-recipients. Work with all grantees to analyze, evaluate, and answer any particular procurement questions they may have relevant to their project(s).
- Prepare quarterly status progress reports and financial reports and report to FTA's Transit Award Management System (TrAMS) prior to the deadlines.
- Monitor, through yearly site visits, project implementation activities and ensure compliance with federal and contractual requirements.
- Analyze project activities and determine if any changes to the budget, scope, or schedule are required. Accordingly, initiate and prepare any needed grant and PGA amendments prior to requesting FTA's approval to grant revisions.
- Analyze monthly or quarterly project expenses and reimbursements from the FTA and reconcile with FTA's TrAMS system for accuracy.
- Prepare and file grant budget revisions.
- Evaluate, prepare and file grant and PGA closeout documents.
- Work with sub-recipients to set performance measures through the life of the project to track its effectiveness and progress, as described in Section 10.0 and in the PGA.

As part of the oversight and project management activities, each project will be assigned a project number that will be linked to the FTA grant funding the project.

## 10.0 Performance Measures

Consistent with federal guidelines and as incorporated in the PGA, sub-recipients will be asked to show (as applicable) all increased activity due to the grant funded project, such as:

- Actual annual number of rides (as measured by one-way trips) as a result of the implementation of 5310 program.
- Annual increases or enhancements related to geographic coverage, service quality and/or service times that impact the availability of transportation services for individuals with disabilities.

These measurements are indicative of any co-relation to performance measures numbers 3 and 4 listed in the EPMPO CMP (EPMPO 2013 CMP, pages 42-43).

The sub-recipients will also work jointly with EPMPO to establish other performance indicators that are more specific to their projects to measure relevant outputs, service levels, and outcomes. Sub-recipients will be required to report these performance measures on a quarterly basis and on an annual basis and as required by the EPMPO and FTA.



## **11.0 Program Management Plan Updates**

The PMP is a living document. Throughout the federal legislation, there are, at times, changes to federal funding programs and the amount of available funding and criteria involved with said programs. The PMP will be updated regularly to incorporate any expansions and enhancements of the 5310 programs, as well as any revisions to the programs' management, requirements, or guidelines. It will also be updated per the request of the FTA or based on significant input submitted from the EPMPO Board, sub-recipients, eligible applicants, and the general public. All significant changes to the PMP will follow the process for amendments to EPMPO planning documents as described in the EPMPO PPP and will require EPMPO Board adoption. Thereafter, the document will be forwarded to FTA for approval. At minimum, the PMP will be updated every three to four years.

## 12.0 APPENDIX

### 12-A: Acronyms

ADA – Americans with Disabilities Act

CMP – Congestion Management Process

CMPC – Congestion Management Process Committee

EC – Executive Committee

EPMPO – El Paso Metropolitan Planning Organization

FAST Act - Fixing America’s Surface Transportation

FTA – Federal Transit Administration

MAP – 21 – Moving Ahead for Progress in the 21<sup>st</sup> Century Transportation Bill

MTP – Metropolitan Transportation Plan

PGA – Project Grant Agreement

PMP – Program Management Plan

POP – Program of Projects

PPP – Public Participation Plan

SMC – Suburban Mobility Committee

TDC – Transportation Development Credit

TFC – Transportation Finance Committee

TIP – Transportation Improvement Program

TPAC – Transportation Project Advisory Committee

TPB – Transportation Policy Board

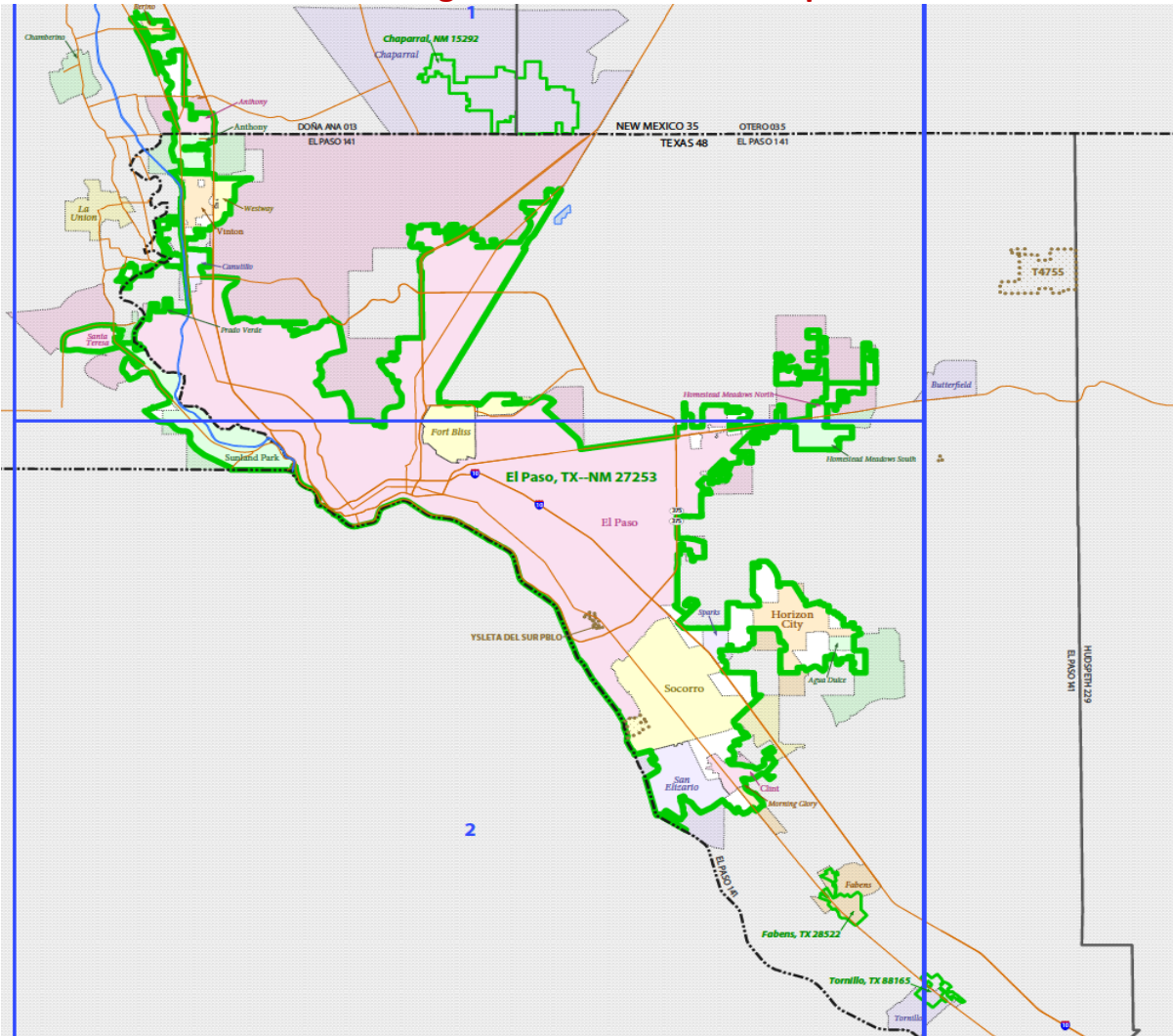
TrAMS - Transit Award Management System

TTC – Transit Coordination Committee

WTEP – Far West Texas Regional Transportation Coordination Committee

# APPENDIX

## 12-B: El Paso Region Urbanized Area Map Census 2010



LEGEND			
SYMBOL DESCRIPTION	SYMBOL		
International	-----		
United American Indian Reservation	-----		
Old Reservation Trust Land	-----		
Urbanized Area	-----		
Urban Cluster	-----		
State or substantially independent entity	-----		
County or statistically equivalent entity	-----		
Minor Civil Division (MCD) <sup>1</sup>	-----		
Consolidated City	-----		
Incorporated Place <sup>2,3</sup>	-----		
Census Designated Place (CDP) <sup>4</sup>	-----		
DESCRIPTION	SYMBOL	DESCRIPTION	SYMBOL
Interstate	-----	Water body	-----
U.S. Highway	-----	Military	-----
State/County	-----	County/Indian Land	-----
Other Road	-----	Indian Land	-----
Arroyo	-----	Unincorporated Place	-----
Proposed Stream	-----		
Intermittent Stream	-----		

Where international, state, county, and/or MCD boundaries coincide, the map shows the boundary system for only the highest ranking of these boundaries.

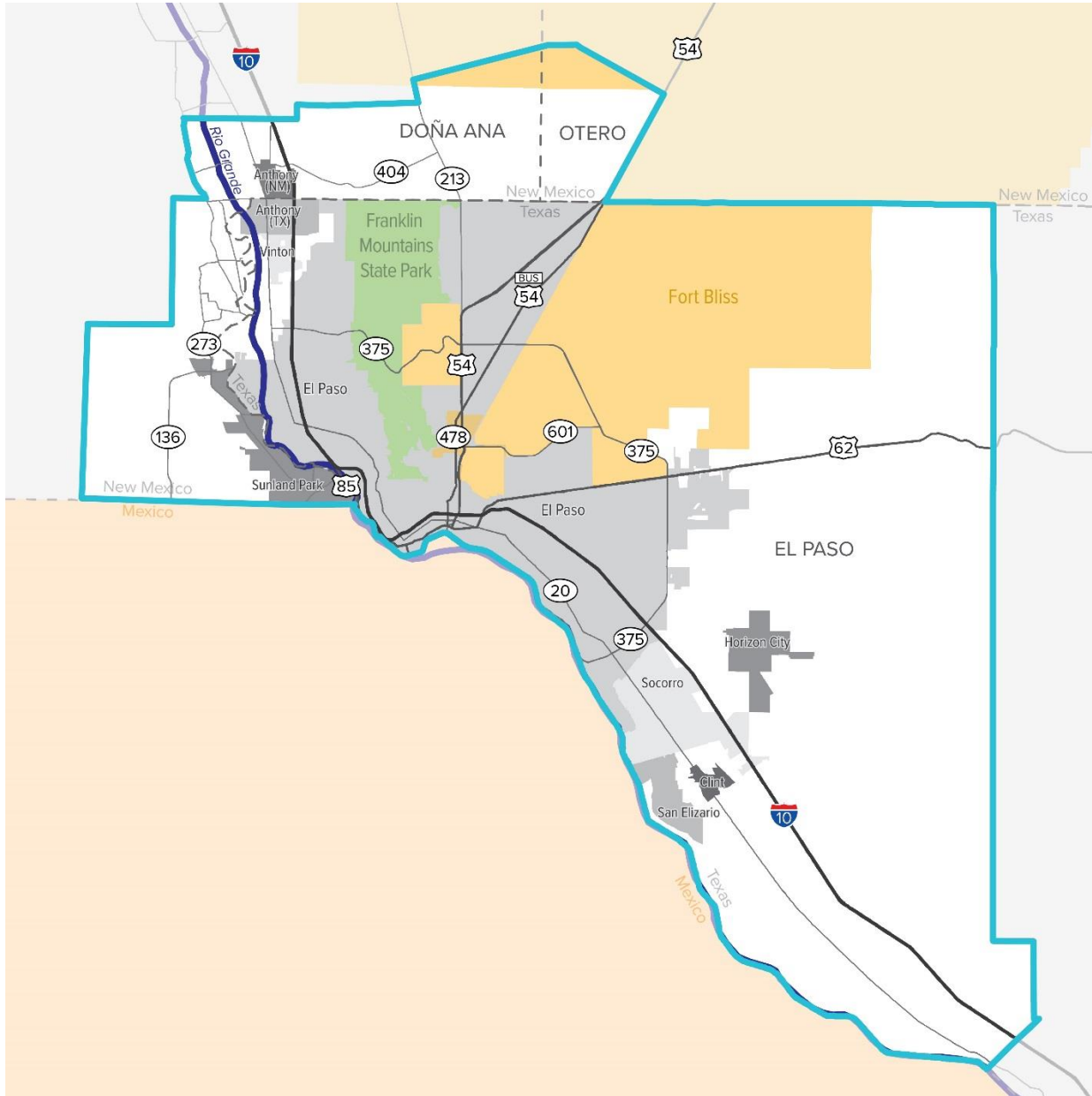
<sup>1</sup> A \* following an MCD name denotes a Non-MCD. A \*\* following a place name indicates that a Non-MCD exists with the same name and FIPS code as the place; the Non-MCD label is not shown.

<sup>2</sup> MCD boundaries are shown in the following states in which none or all MCDs function as general purpose governmental entities: Connecticut, Illinois, Indiana, Kansas, Maine, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Dakota, Vermont, and Wisconsin. Other state names and counties that are not covered here are managed by management practices and Missouri has most counties covered by management practices.

<sup>3</sup> Place label color corresponds to the place ID color.

Label colors: Davis (green), Davis (green), Davis (green)

**APPENDIX**  
**12-C: EPMPO Study Area Map**



## APPENDIX

### 12-D: EPMPO Transportation Policy Board and Committees

EPMPO TPB Membership shall consist of the following but not by way of limitation:

Texas:

Town of Anthony	1 Elected Official; Mayor or Appointee
City of El Paso	6 Members; Mayor or Appointee + no less than 3 Elected Officials
Town of Clint	1 Elected Official; Mayor or Appointee
County of El Paso	2 Elected Officials; County Judge or Appointee
Town of Horizon City	1 Elected Official; Mayor or Appointee
City of San Elizario	1 Elected Official; Mayor or Appointee
City of Socorro	1 Elected Official; Mayor or Appointee
Village of Vinton	1 Elected Official; Mayor or Appointee
Texas State Senator(s)	All Elected Officials from the El Paso MPO Study Area
Texas State Representative(s)	All Elected Officials from the El Paso MPO Study Area
El Paso International Airport	1 Member
El Paso County Transit Agency or County-wide Mass Transit Authority	1 Member
Sun Metro/Mass Transit Department	1 Member
Texas Department of Transportation	1 Member

New Mexico:

City of Anthony, N.M.	1 Elected Official; Mayor or Appointee
Doña Ana County	1 member
City of Sunland Park, NM	1 Elected Official; Mayor or Appointee
New Mexico State Representative(s)	1 Elected Official from the El Paso MPO Study Area
New Mexico State Senator	1 Elected Official from the El Paso MPO Study Area
New Mexico Dept. of Transportation	1 member

The City of El Paso’s representation on the Transportation Policy Board shall be equal to the number of incorporated Texas municipalities, cities, towns, or villages within the urbanized study area who have representation on the TPB.

The MPO will have six (6) standing committees:

- Executive Committee (EC)
- Congestion Management Process Committee (CMPC)
- Transportation Finance Committee (TFC)
- Suburban Mobility Committee (SMC)

- Transportation Project Advisory Committee (TPAC)
- Transit Coordination Committee (TCC)

**APPENDIX**  
**12-E: EPMPO TIP Project Request Form (sample)**



**5310 ePRF**  
**Electronic Project Request Form**

Date  
Fri Jan 19, 2018 1:11:20 PM MST

- New project
- Revision/addition to an approved project

Is the decision making/governing body of your agency committed to this project?  Yes  No

MPO ID# \_\_\_\_\_

Project Name \_\_\_\_\_

Project Description \_\_\_\_\_

Limit From \_\_\_\_\_

Limit To \_\_\_\_\_

Need and Purpose: \_\_\_\_\_

Agency Comments: \_\_\_\_\_

- Requesting Transit funds for his project/program (FTA, State and/or Local Funds)

**Federal Fiscal Year (FY)**

If not known provide range \_\_\_\_\_

Network Year 2020

**Project Selection Process**

Will this project achieve goals as identified in the Regional Transportation Plan?

If yes, please provide attachment with supporting information: \_\_\_\_\_

Is this project from an updated comprehensive plan, thoroughfare plan, feasibility or corridor study?

If yes, please provide link or attachment: \_\_\_\_\_

How does this project address congestion, mobility, accessibility, and reliability of NHS? \_\_\_\_\_

Is this project part of TPB resolution for a Comprehensive Mobility Plan (CMP)?

Is this decision making/governing body committed to the local/state share (match)?  
Attach documentation. E.g. Resolution, Financial Plan, etc. \_\_\_\_\_

Sponsor's investment to construction cost. (Excluding required local/state share) \_\_\_\_\_

National Goals

Safety

How does this project meet this goal? \_\_\_\_\_

Infrastructure Condition

How does this project meet this goal? \_\_\_\_\_

Congestion Reduction

How does this project meet this goal? \_\_\_\_\_

System Reliability

How does this project meet this goal? \_\_\_\_\_

Freight Movement and Economic Vitality

How does this project meet this goal? \_\_\_\_\_

Environmental Sustainability

How does this project meet this goal? \_\_\_\_\_

Projects will be examined at the corridor level to determine multimodal needs. Which best describes this projects. [Block System](#):

Within community     Community to community     Community to region     Region to region

Have the above dates been reviewed by TXDOT or NMDOT     Yes     No     N/A    Date Reviewed \_\_\_\_\_

Reviewed By \_\_\_\_\_ Agency \_\_\_\_\_

**Project Phase(s)** 

\*\*Only checked phase(s) will be consider for funding (Year of Expenditure (YOE) Cost). If a phase has been or will be completed with local funds or resources, please do not check. Please enter cost information for each Phase checked.

Capital     C     PE     R  
 Operations     Non-C     E:Env     R:Acq  
 E:Eng     R:Utl

**\*\*Transit Only**

Apportionment Year \_\_\_\_\_  
TDC Award Amount \_\_\_\_\_  
TDC Award Date \_\_\_\_\_  
TDC Amount Requested \_\_\_\_\_  
Project Type:  Capital  
 Operating  
 Planning



**Project Funding**

Requesting MPO Funds

YOE Cost \$0.00

Capital (Bus Purchase 85%-15%)	Federal Share Usually 80%	Local Share Usually 20%	Local Contribution Beyond Local Share	Total Share
	\$0.00	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total Funding by Share</b>	\$0.00	\$0.00	\$0.00	\$0.00
Add Funding	Remove Funding			

YOE Cost \$0.00

Operations	Federal Share Usually 50%	Local Share Usually 50%	Local Contribution Beyond Local Share	Total Share
	\$0.00	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00	\$0.00
<b>Total Funding by Share</b>	\$0.00	\$0.00	\$0.00	\$0.00
Add Funding	Remove Funding			

**Contact Information**

Sponsor \_\_\_\_\_

Name	Phone No.	eMail	Agency	Title
------	-----------	-------	--------	-------


**Attachments (Include a map of your service area or other documents).**

Files Attached 0 Add File Open File Remove File Show Attachment Name and Size

- \*Only Adobe Acrobat users may be able to attach files to this form. If you are not able to attach files, please send them via e-mail.
- \*This form does not guarantee the funds requested nor the approval of the project in the MTP/TIP.
- \*By signing this Project Request Form you certify that the project Description and limits are within the scope of work of the project.
- \*Please fill out this form **entirely**, and sign (digital signature). If \*Signed By\* field is blank, the form will not be accepted.

ePRF PSP rev2 Save Form As Reset Form Print Form Signed By Save your form before signing, all fields will be locked after signature is provided. Page 3 of 3

## APPENDIX 12-F: EPMPO TIP Example Page

 EL PASO MPO TRANSPORTATION IMPROVEMENT PROGRAM (TIP) 2013-2016		YOE = Year of Expenditure	
<u>General Project Information</u>		<u>Funding Information (YOE)</u>	
Project Sponsor:	City of Socorro	Fed. Fundig Category:	Sec. 5310 - Seniors & People w/Disabilities >200K
MPO ID:	T011	OtherFTASection:	
Project Name:	City of Socorro FTA 5310 Grant Bus Purchase	Federal (FTA) Funds:	\$60,000
Apportionment Year:	2013	State (TXDOT) Funds:	\$0
Project Phase:	C	Other Funds:	\$15,000
Brief Project Description:	Purchase a type-2 bus to accommodate residents with special needs. Assigned to Rio Vista Community Center for City's senior citizens program.	<b>Fiscal Year Cost:</b>	<b>\$75,000</b>
Sec5309 ID:		Construction	\$75,000 PE \$0 ROW \$0
Amend Date:	08/2014	<b>Total Project Cost:</b>	<b>\$75,000</b>
Remarks/Amend Action:	Amend to add project into the 2040 Horizon 2013-2016 TIP	TDC Amount Requested:	\$15,000
		TDC Awarded Date & Amount	
<u>General Project Information</u>		<u>Funding Information (YOE)</u>	
Project Sponsor:	TXDOT-TRANSIT	Fed. Fundig Category:	Sec. 5310 - Seniors & People w/Disabilities >200K
MPO ID:	T011	OtherFTASection:	
Project Name:	ELDERLY AND DISABLED TRANSPORTATION PROGRAM	Federal (FTA) Funds:	\$381,870
Apportionment Year:	2013	State (TXDOT) Funds:	\$0
Project Phase:	C	Other Funds:	\$0
Brief Project Description:	ELDERLY AND DISABLED TRANSPORTATION PROGRAM	<b>Fiscal Year Cost:</b>	<b>\$381,870</b>
Sec5309 ID:		Construction	\$381,870 PE \$0 ROW \$0
Amend Date:	08/2014	<b>Total Project Cost:</b>	<b>\$381,870</b>
Remarks/Amend Action:	AMEND TO REVISE IN FY 2013 OF HORIZON 2040 MTP AND HORIZON 2013-2016 TIP	TDC Amount Requested:	
		TDC Awarded Date & Amount	
<u>General Project Information</u>		<u>Funding Information (YOE)</u>	
Project Sponsor:	Project Amistad	Fed. Fundig Category:	Sec. 5310 - Seniors & People w/Disabilities >200K
MPO ID:	T011	OtherFTASection:	
Project Name:	Project Amistad Replacement Vehicle	Federal (FTA) Funds:	\$155,000
Apportionment Year:	2013	State (TXDOT) Funds:	\$0
Project Phase:	N/A	Other Funds:	\$38,750
Brief Project Description:	Replace on vehicle, preventive maintenance and computer equipment to continue to provide transportation services to the El Paso County.	<b>Fiscal Year Cost:</b>	<b>\$193,750</b>
Sec5309 ID:		Construction	\$193,750 PE \$0 ROW \$0
Amend Date:	08/2014	<b>Total Project Cost:</b>	<b>\$193,750</b>
Remarks/Amend Action:	Amend to add into the 2040 Horizon 2013-2016 TIP	TDC Amount Requested:	\$38,750
		TDC Awarded Date & Amount	

C = Construction; E = Engineering; R = Right of Way (ROW)

## APPENDIX

### 12-G: Section 504; US Department of Health and Human Services Fact Sheet

## YOUR RIGHTS UNDER SECTION 504 OF THE REHABILITATION ACT

### What Is Section 504?

**Section 504 of the Rehabilitation Act of 1973 is a national law that protects qualified individuals from discrimination based on their disability.** The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal department or agency, including the U.S. Department of Health and Human Services (DHHS). These organizations and employers include many hospitals, nursing homes, mental health centers and human service programs.

Section 504 forbids organizations and employers from excluding or denying individuals with disabilities an equal opportunity to receive program benefits and services. It defines the rights of individuals with disabilities to participate in, and have access to, program benefits and services.

### Who Is Protected from Discrimination?

Section 504 protects ***qualified individuals with disabilities***. Under this law, ***individuals with disabilities*** are defined as persons with a physical or mental impairment which substantially limits one or more major life activities. People who have a history of, or who are regarded as having a physical or mental impairment that substantially limits one or more major life activities, are also covered. Major life activities include caring for one's self, walking, seeing, hearing, speaking, breathing, working, performing manual tasks, and learning. Some examples of impairments which may substantially limit major life activities, even with the help of medication or aids/devices, are: AIDS, alcoholism, blindness or visual impairment, cancer, deafness or hearing impairment, diabetes, drug addiction, heart disease, and mental illness.

In addition to meeting the above definition, for purposes of receiving services, education or training, ***qualified individuals with disabilities*** are persons who meet normal and essential eligibility requirements.

For purposes of employment, ***qualified individuals with disabilities*** are persons who, with reasonable accommodation, can perform the essential functions of the job for which they have applied or have been hired to perform. (Complaints alleging employment discrimination on the basis of disability against a single individual will be referred to the U. S. Equal Employment Opportunity Commission for

processing.) **Reasonable accommodation** means an employer is required to take reasonable steps to accommodate your disability unless it would cause the employer undue hardship.

## Prohibited Discriminatory Acts in Health Care and Human Services Settings

Section 504 prohibitions against discrimination apply to service availability, accessibility, delivery, employment, and the administrative activities and responsibilities of organizations receiving Federal financial assistance. A recipient of Federal financial assistance may not, on the basis of disability:

- X Deny qualified individuals the opportunity to participate in or benefit from federally funded programs, services, or other benefits.
  
- X Deny access to programs, services, benefits or opportunities to participate as a result of physical barriers.
  
- X Deny employment opportunities, including hiring, promotion, training, and fringe benefits, for which they are otherwise entitled or qualified....

These and other prohibitions against discrimination based on disability can be found in the DHHS Section 504 regulation at 45 CFR Part 84.

For information on how to file a complaint of discrimination, or to obtain information of a civil rights nature, please contact us. OCR employees will make every effort to provide prompt service.

**Hotlines: 1-800-368-1019 (Voice); 1-800-537-7697 (TDD); E-Mail: [ocrmail@hhs.gov](mailto:ocrmail@hhs.gov); Website: <http://www.hhs.gov>**

**APPENDIX**  
**12-H: EPMPO Title VI Plan**

The EPMPO Title VI Plan can be accessed at: [www.elpasompo.org/other/ppp/](http://www.elpasompo.org/other/ppp/).

Or may be obtained from the EPMPO offices.