



New Hampshire Department of Transportation
Public Transportation Programs (Sections 5310, 5311, 5339)
State Management Plan
February 2024

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The State Management Plan is available on NHDOT's website: [FTA Grants | Department of Transportation \(nh.gov\)](#)

Title VI Notice to the Public



New Hampshire Department of Transportation Title VI Notice to Public

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Title VI Coordinator
New Hampshire Department of Transportation
PO Box 483, 7 Hazen Drive
Concord, NH 03302-0483
titlevi@dot.nh.gov
(603) 271-2467
TTY ACCESS: (800) 735-2964

If information is needed in another language contact: 603-271-2467
Si necesita información en otro lengua contacto: 603-271-2467
Si l'information est nécessaire dans un autre langue contact: 603-271-2467
Se são necessárias informações em outro linguístico contacto: 603-271-2467
如果信息需要另一种语言接触: 603-271-2467
Nếu cần thông tin liên lạc ngôn ngữ khác: 603-271-2467

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Email: info@dot.nh.gov
Phone: (603) 271-6612 (TDD access: Relay NH 1-800-735-2964)
Mail: PO Box 483, Concord, NH 03302-0483

Introduction

The State Management Plan (SMP) documents the policies and procedures for the State of New Hampshire Department of Transportation (NHDOT) to administer the following public transportation programs funded by the Federal Transit Administration (FTA):

- Nonurbanized Area Formula Program (Section 5311)
- Enhanced Mobility of Seniors & Individuals with Disabilities Program (Section 5310)
- Bus and Bus Facilities Program (Section 5339)

This SMP provides information on management of each of these above programs. The management approach for each of these programs is the same throughout this document, unless otherwise indicated. In managing these programs, NHDOT adheres to FTA/Federal regulations and requirements, with the respective FTA Circulars providing the primary source of guidance.

FTA Circulars can be found here:

- All:
 - <https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/final-circulars>
- Nonurbanized Area Formula Program (Section 5311)
 - <https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/formula-grants-rural-areas-program-guidance-and-application>
- Enhanced Mobility of Seniors & Individuals with Disabilities Program (Section 5310)
 - <https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/enhanced-mobility-seniors-and-individuals-disabilities>
- Bus and Bus Facilities Program (Section 5339)
 - <https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/bus-and-bus-facilities-program-guidance-and-application>
- Award Management Requirements
 - <https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/award-management-requirements-circular-50101e>

Mission

NHDOT's mission: Transportation Excellence Enhancing the Quality of Life in New Hampshire

NOTE: The core contents in the remainder of the State Management Plan (SMP) are organized per Chapter VI of FTA [Circular 9040.1G](#) for ease of reference.

A. Program Goals and Objectives

NHDOT supports the mission with the State's public transportation program goals:

- To enhance the access of all residents and others to employment, education, health care, public services, shopping, and recreation;
- To assist in the maintenance, development, improvement, and use of public transportation systems, including specialized and human services transportation, in rural and small urban areas;
- To improve the quality and availability of existing public and specialized transportation services;

NHDOT periodically conducts studies to address such goals. Most recently, the 2019 Statewide Strategic Transit Assessment study (finalized in January 2020) highlighted statewide gaps in terms of service areas as well as technology enhancements. The study included outreach to stakeholders statewide that served to highlight the following policy priorities:

1. Basic mobility for transit-dependent people;
2. Access to employment for transit-dependent people;
3. Maximizing ridership and efficiency;
4. Supporting economic vitality; and
5. Attracting millennials/choice riders

NHDOT achieves these goals through the State's public transportation program objectives:

- To facilitate the most efficient use of all Federal funds used to support public transportation in non-urbanized areas through coordination of services, including via participation in the NH State Coordinating Council (SCC) for Community Transportation;
- To utilize the FTA Section 5339 funds and any other sources of capital assistance to replace capital equipment that has exceeded its useful life in accordance with the Transit Asset Management Plan with new equipment and provide modern and efficient transit facilities;
- To use streamlined, efficient procedures for applications, drawdown of funds, and reporting by subrecipients to keep administrative burdens to a minimum;
- To monitor performance measures and provide oversight of subrecipients to encourage improved effectiveness and efficiency from year to year;
- To maintain a minimum workable level of Section 5311 funds sufficient to support viable existing transportation services before providing grants to fund new transportation services, unless additional funds are available and, at NHDOT's discretion, in support of the above mission, goals, and objectives;
- To make the maximum use of the State's allocation by targeting available Section 5311 funds to eligible rural regions according to demonstrated need and the effectiveness of existing service.

B. Roles and Responsibilities

Legal Authority

NHDOT has been designated by the Governor as the agency responsible for state administration of FTA public transportation programs. This designation was established by a letter from the Governor dated September 1, 1981. A September 21, 2012, letter from the Governor established designation for the Section 5339 program and reaffirmed the designation for the Section 5303, 5304, 5305, 5307, 5310 and 5311 programs.

Bureau of Rail and Transit

NHDOT is the recipient of FTA grants for the programs listed above. Within the NHDOT, the Bureau of Rail and Transit administers the programs, including, but not limited to:

- Applying for and managing all FTA grant agreements
- Allocating and managing the funding among different transportation programs
- Soliciting contractors/subrecipients for grant applications to provide the transportation programs through a fair and equitable process
- Ensuring public participation as appropriate
- Entering into agreements with contractors or subrecipients
- Reimbursing subrecipients/contractors for their services
- Providing oversight and technical assistance to subrecipients/contractors
- Monitoring performance
- Reporting timely program and financial data to the FTA and to other stakeholders

NHDOT enters into agreements with contractors/subrecipients to provide transit services and/or to complete capital projects. All such agreements of \$10,000 or more must be approved by Governor and Executive Council, an elected body that ensures that local officials and the public have an opportunity to comment on public transportation programs and projects. The State of New Hampshire Department of Administrative Services (NHDAS) Handbook outlines the requirements.

Manual of Procedures 150: <https://www.das.nh.gov/mop/>

NHDAS Administrative Handbook: <https://www.das.nh.gov/mop/incorporated.aspx>

While the State's Long-Range Transportation Plan, last updated in 2010, includes transit as a consideration, public transportation planning is primarily accounted for via the State of NH's Ten-Year Plan (TYP) process, which included a series of (30+) statewide public meetings at which the Governor's Advisory Commission on Intermodal Transportation (GACIT) presents transportation-related priorities spanning the 10-year period in question. The TYP itself is updated every two years, with GACIT hearings conducted that result in the subsequent biennium's TYP being recommended to the Governor. The TYP is then reviewed and amended as part of each biennium's legislative process. For example, feedback during GACIT hearings concerning public/human services transportation needs resulted in the GACIT members to recommend an increase in funding to be earmarked each year for such purposes.

C. Coordination

The New Hampshire legislature in 2007 established the State Coordinating Council for Community Transportation (SCC). RSA 239-B, amended in 2010, assigned the following duties to the SCC:

I. Develop, implement, and provide guidance for the coordination of community transportation options within New Hampshire so that the general public, in particular citizens in need of access to essential services and activities, can access local and regional transportation services and municipalities, human service agencies, and other organizations can purchase shared ride coordinated transportation services for their citizens, clients, and customers.

II. Set statewide coordination policies for community transportation, establish community transportation regions, encourage the development of regional coordination councils, assist other regional efforts as needed, and monitor the results of statewide coordination.

III. Approve the formation of regional coordination councils and the selection of regional transportation coordinators, according to such criteria and guidelines as the SCC may establish.

IV. Solicit and accept donations for funding to implement and sustain community transportation.

The SCC is the State's mechanism for interagency coordination. The Departments of Transportation, Health and Human Services, and Education are all represented on the SCC, as well as the Governor's Commission on Disability, regional planning commissions, and others.

The SCC has divided the State into Regional Coordinating Councils (RCCs) as described in Section III above. RCCs are an advisory body of members formally constituted and meeting regularly with the purpose to address the local unique transportation needs of the populations, including but not limited to, developing, and implementing the State's Mobility Management Network, which is included in the SCC Mobility Management Blueprint. Membership of the respective RCCs vary and include non-profit, for-profit, and governmental agencies, as well as members of the public.

Consistent with the SCC's charter, NHDOT strongly encourages coordination by subrecipients of public transportation services, including human services transportation, supported by FTA and other federal sources. As such, NHDOT encourages transportation providers, and specifically its subrecipients and contractors, to participate in the RCCs in which they provide services. Coordination has tangible impacts to customers as well as providers and funding agencies, such as:

- Customers benefit from a single phone number or portal for any transportation service
- Providers that report to the National Transit Database (NTD) help NH realize additional formula funds for FTA Section 5307, 5311, and 5339 programs, including increasing chances of 5307 providers qualifying for incentive-based funding such as via the Small Transit Intensive Cities (STIC) program; thus, there is a benefit to having 5310-funded services provided by 5307 and 5311 recipients/subrecipients
- Fewer subrecipients generally results in reduced administrative burdens with regard to FTA compliance oversight and general grant agreement administration, as well as realizes economies of scale.

To help further coordination, all grant applications require potential subrecipients to describe their existing coordination arrangements with other providers. More specific program information is summarized below:

Section 5310

NHDOT has two separate programs for Section 5310 grant funds: 1) Statewide 5310 capital program and 2) 5310 RCC program. In both cases, the application requires applicants to indicate in which locally developed Public Transit/Human Services Coordination Plan (aka "Coordinated Plan") their project is included. The coordination planning process involves identification of the needs of seniors, individuals with disabilities, and people with low incomes, strategies to address those needs, and recommended actions to implement transit improvements. NHDOT reviews all plans and verifies that they comply with FTA requirements, with plan dates and page numbers generally requiring inclusion with grant applications in TrAMS.

Section 5310 applicants are required to obtain a certification from public transit operators that they, the public transit operator, cannot feasibly provide the service being applied for. The 5310 applicants must also provide a letter of support from the RCC in which their project/vehicle/service will primarily operate.

D. Eligible Subrecipients

The state does not impose eligibility restrictions more limiting than those of the FTA except as noted below.

Section 5310 RCC: Each RCC votes on a private nonprofit organization or government entity that will serve as the respective region's direct subrecipient to NHDOT, also known as the RCC Lead Agency, which acts on behalf of the RCC administratively and programmatically. Lower tier subrecipients are vetted by the appropriate RCC as well as NHDOT regarding state and federal program requirements. As an RCC is not a legal entity formed and registered in the state to do business, an RCC thus votes on a Lead Agency (from its members) to act on their behalf. See above Coordination Section for more information on RCCs.

On behalf of the state, NHDOT may reserve apportioned/transferred funding to implement projects with a statewide significance with funding from these programs. These may include (but are not limited to) technical assistance programs, mobility management, statewide and regional coordination, intelligent transportation, software applications, or public awareness projects.

All subrecipients are encouraged to work with private providers in developing and operating service. Private operators may participate in service planning through membership on boards or advisory committees, local or regional transit planning, and through the opportunity to comment on funding applications that all Section 5311 applicants are required to offer.

E. Eligible Services and Service Areas

Eligible service and service areas are per those as detailed in related FTA Circulars. NHDOT follows these definitions and does not restrict or limit eligible service, service areas, assistance categories, or eligible expenses beyond the FTA definition. Charter and school bus operations are not eligible except as permitted by FTA regulations.

NHDOT encourages interstate coordination and works with neighboring states to ensure borders do not impede services. For ease of administration, NHDOT may opt to transfer apportioned funds to a neighboring state for services that benefit populations within NH. Conversely, it may accept apportioned funds from other states to provide services that benefit the populations within those states.

F. Eligible Assistance Categories

NHDOT ensures only costs allowable per [2 CFR 200](#) are reimbursed. This is done via reviews during the application process, periodic reviews of requests for reimbursement, and compliance reviews as described herein.

For the FTA Section 5311 program, the eligible assistance categories are administration, capital preventive maintenance, capital ADA, and operating expenses. There is no formula for allocating grant funds between program administration and operating, but NHDOT encourages subrecipients to minimize administrative expenses to the extent possible. NHDOT permits funding of preventative maintenance and ADA paratransit at the 80% capital rate and program administration at 80%, to the extent that sufficient funding exists. NHDOT utilizes the permitted set-asides of program funds for state administration. Per Appendix F of Circular [9040.1G](#), NHDOT considers depreciation of privately owned assets as a reimbursable expense. Any vehicles or other assets purchased with federal, state, or local government assistance are not eligible.

G. Local Share and Local Funding Requirements

Subrecipients in all programs are responsible for providing matching funds in the amounts specified by FTA, at a minimum. Sources of eligible local match are described in the FTA Circulars and NHDOT recognizes all sources permitted by the FTA for all programs. NHDOT does not distinguish between local revenues and funds derived from service contracts from other agencies, including those contracts paid with federal funds; both are considered local matching funds. Subrecipients may use in-kind contributions as local share, subject to NHDOT/FTA approval.

Section 5310: Subject to the availability of State appropriations, NHDOT provides up to one-half of the required local matching funds for public transit vehicle or facility grants. Additionally, NHDOT, subject to approval of a NH Legislative Committee, the Capital Project Overview Committee (CPOC), may use toll credits for the non-federal match required for state and regional mobility managers. Use of toll credits as match for other eligible projects is also subject to approval of CPOC.

Section 5311: Subject to the availability of State appropriations, NHDOT provides a) up to one-half of the required local matching funds for public transit vehicle or facility grants, and b) operating assistance for public transit service (urbanized or rural) based on an NHDOT-developed distribution methodology, which may include considerations such as ridership, service area, and total operating budget. While not routinely used as match for this program, the use of toll credits for eligible projects would be subject to approval of CPOC.

Note: In-kind match for intercity bus transportation is detailed within Section I below.

H. Project Selection Criteria and Method of Distributing Funds

Given the unique nature of each funding program, project selection criteria and the method of distributing funds varies per program. For all programs, prioritization is placed on existing subrecipients as well as on replacements/continuation of projects as opposed to expansions/ new projects. NHDOT may require new applicants to obtain letters of support from regional planning commissions, affected RCCs, and/or other stakeholders prior to being deemed eligible for awards. Additionally, new applicants will be required to provide proof of technical capacity, including knowledge of, and ability to comply with, all federal and state requirements. For example, a new subrecipient shall demonstrate compliance with Title VI, ADA, Financial Management and Capacity, etc. See below for further details regarding New Transit Services/New Providers.

Exiting subrecipients will continue to have their programs reviewed for compliance. As a result, NHDOT will not request, at application time, all the detailed information as that of a new subrecipient to evaluate the qualifications of a subrecipient. Rather, NHDOT will conduct ongoing monitoring and compliance reviews on existing subrecipients.

Section 5310 Enhanced Mobility for Seniors & Individuals with Disabilities

NHDOT will generally set aside 50% of apportioned funds for the Capital program, with a lower percentage being made available at NHDOT's discretion based on projected demand per the Transit Asset Management (TAM) plan and other factors deemed to be relevant. For both solicitations, NHDOT ensures that each project is included in a locally developed coordinated plan as part of the application/evaluation process. NHDOT reviews the coordinated plan itself to ensure it was developed and approved in cooperation with stakeholders, including seniors and individuals with disabilities that utilize the transportation services. Unique considerations include the following:

- 1) 5310 RCC

- Project Selection: Each RCC’s lead agency applies on behalf of the RCC with their proposed projects as determined by the RCC itself via a vote. NHDOT reviews the proposed projects to ensure eligibility based on compliance with Section 5310 grant requirements. This solicitation is considered non-competitive due to the regional distribution of funds described below.
- Method of Distributing Funds: Each RCC receives an allocation based on, at a minimum, the population of 1) seniors and 2) individuals with disabilities within the regions based on an analysis of Census data. The regional allocation, including the diverse representation at both the SCC as well as the RCC levels, helps ensure that there is an equity of distribution of benefits among eligible groups within the state. NHDOT may consider and utilize other factors, such as lane miles and land area, when determining regional allocations; this consideration is likely to include consultation with the SCC.
 - Distribution methodologies other than those summarized above may be employed in cases in which additional, non-apportioned funds, are allocated for RCC-related services; those distribution methodologies will be shared with RCCs and eligible subrecipients in advance of distribution.

2) 5310 Capital

- Project Selection:
 - Replacement revenue vehicles: As funding allows, all replacement vehicles will be funded in a non-competitive manner provided the following requirements are met: a) the assets will continue to be used primarily for eligible services, b) the agency commits to providing necessary matching funds, c) the affected RCC(s) provides a letter of support, and d) the applicant demonstrates substantial compliance with FTA requirements based on NHDOT reviews (subrecipients) or triennial reviews (direct recipients). Additional info may be required of applicants.
 - Should funding be insufficient, the project selection will be primarily based on TAM priorities, whereby vehicles with the lowest State of Good Repair (SGR) index score per the TAM plan will receive top priority. Consideration may also be given to vehicles that are part of coordinated services and serve a broad base of riders without eligibility restrictions.
 - All other projects: Capital funding is provided on a discretionary basis via a statewide application process. NHDOT requires a letter of support from the RCC primarily affected by the project. In addition to the cursory information required for replacement revenue vehicle projects, see “Expanded/New Transit Services/Subrecipients: Criteria” section below for details relative to evaluation criteria. NHDOT will rank application scores from highest to lowest and make project awards based on the priority rankings.
- Method of Distributing Funds: Statewide 5310 funding is prioritized for rural subrecipients as the 5310 program has a sub-allocation specifically for urbanized areas (small and large).

Section 5311 Formula Grants for Rural Areas

- Project Selection:

- Existing Services: NHDOT will generally prioritize selection for existing services over new or expanded services. Other than as noted in the “Method of Distributing Funds” section below, applications are considered noncompetitive when the existing subrecipients apply to continue to provide their existing services. However, budgets will be scrutinized and may be capped at NHDOT’s discretion based on factors such as statewide requests exceeding the amount available, a request exceeding reasonably anticipated cost increases as compared to the existing agreement period, etc. NHDOT will ensure the applicant continues to have the existing ability and capacity to provide the service via its compliance review process. NHDOT reviews applications to make sure requested funding for continuation of services reasonably reflects projected budgets based on historical expenses, inflation, and similar factors. Should funding be insufficient to accommodate all existing services, NHDOT will consider factors such as how recently the service was implemented, frequency of service, ridership and cost measures (e.g., pax/mile, cost/mile), alternative transportation options in the service area, and alternative funding potential to determine the best options regarding project selection.
 - New or Expanded Services: New and expanded services (see definition below) will be considered a competitive solicitation. See “Expanded/New Transit Services/Subrecipients: Evaluation Criteria” section below for details relative to evaluation criteria. NHDOT will rank application scores from highest to lowest and make project awards based on the priority rankings.
 - NHDOT reserves the right to use discretion to modify selection/award that is deemed most advantageous to the State. In such cases, NHDOT’s rationale will be documented for transparency.
 - NHDOT may select none, one, or all applications depending on the funding available. NHDOT will consider applications for new or expanded (rural) service from all regions of the state based on FTA eligibility.
 - Section 5311 funds will generally be used for operating projects only, including administration, capital preventive maintenance, and capital ADA projects, as Section 5339 funding will be used for capital projects to support 5311 providers/services.
 - In the event requests for existing services exceed that which NHDOT has reserved for the purpose based on reasonably anticipated cost increases as compared to the existing agreement period, whereby the existing services would be competing for funding otherwise intended for expansion/new services, NHDOT will use its discretion to determine the award based on what is deemed most advantageous to the state.
- Method of Distributing Funds:
 - Existing Services: NHDOT determines funding levels based on existing funding to subrecipients, with anticipated or available funding relative to any anticipated cost increases serving as the primary consideration/constraint. Other than as noted above, NHDOT will not reduce funding for continued service that meets the selection criteria to fund new or expansion projects.
 - NHDOT reserves the right to reallocate funding from existing services if they do not meet performance goals (e.g., cost and ridership measures or others included in statewide studies) and there are no available means of improving service effectiveness. It is not NHDOT’s intention to cut existing service in favor of a

new/expanded service without first exhausting all reasonable means by which to improve the existing service.

- New or Expanded Services: To the extent that funding permits, NHDOT will fund projects based on available funding and may negotiate requested project funding to consider applications for new or expanded service from all regions of the state.

Section 5339 Grants for Buses and Bus Facilities Formula Program

- Project Selection:
 - Replacement revenue vehicles: For replacement revenue vehicles of existing FTA recipients/subrecipients, the project selection is primarily based on TAM priorities. As funding is projected to be sufficient for all replacement revenue vehicles for the foreseeable future, all replacement vehicles will be funded in a non-competitive manner provided the following requirements are met: a) they will continue to be used for eligible services, b) the agency commits to providing necessary matching funds, and c) demonstration of eligibility based on substantial compliance with FTA requirements based on NHDOT reviews (subrecipients) or triennial reviews (direct recipients). Additional info may be required of applicants.
 - All other projects: Capital funding is provided on a discretionary basis via a statewide application process. In addition to the cursory information required for replacement revenue vehicle projects, see “Expanded/New Transit Services/Subrecipients: Evaluation Criteria” section below for details relative to evaluation criteria, NHDOT will rank application scores for other capital projects from highest to lowest and make project awards based on the priority rankings.
 - As feasible based on projected funding availability and project eligibility, NHDOT may, at its discretion, fund projects originally applied for as 5310 capital projects using 5339 funding.
 -
- Method of Distributing Funds: Statewide funds are prioritized for rural projects as urbanized areas receive their own sub-apportionments. Existing/replacement projects are prioritized over new/expansion projects. Should funds remain after a grant/project solicitation, NHDOT reserves the right to set aside carryover funding for initiatives/projects that affect multiple eligible agencies. In such instances, NHDOT will ensure sufficient funding is projected based on NHDOT’s TAM as well as capital plans provided by NH’s public transportation agencies.

Expanded/New Transit Services/Subrecipients

Definitions:

Existing: Service that has previously been approved/funded by NHDOT and are still operating/utilized for the program purpose at the time of the solicitation in question.

Expanded: The addition of routes, frequency, days, and/or hours of service/operation related to an otherwise existing service. (The term “expanded” would not apply to capital items. For instance, a facility expansion would be considered a new request.)

New: Service not currently operational and/or is not currently funded by NHDOT or FTA. In the case of a subrecipient/contractor, this would equate to not having a current agreement with NHDOT at the time of solicitation.

Evaluation Criteria:

NHDOT will consider additional criteria when evaluating applications for expansion or new transit services/capital projects, which may include but are not limited to:

1. Program Component, which may include but is not limited to:
 - a. Demonstrated community need for the project (e.g., what gap is addressed?).
 - b. Defined goals and objectives and performance measures; for instance, those policy priorities identified in statewide studies.
 - c. Defined approach for the project delivery.
 - d. Coordinated activities with other transit/human service providers.
 - e. Adequate resources to accomplish the project.
 - f. Defined populations being served.
 - g. Ensured those individuals who are defined as minorities and disadvantaged are served fairly.
2. Qualification Component, which may include but is not limited to the applicant's/proposer's:
 - a. Qualifications
 - b. Experience
 - c. Performance: The applicant successfully demonstrates service efficiency and effectiveness, measured in ridership, service miles and hours, and costs. New applicants must demonstrate the ability to measure performance and achieve goals.
 - d. Compliance/demonstrated ability to comply with federal and state laws, regulations, and other contract requirements
 - e. Industry knowledge
 - f. References
3. Financial Component, which is the applicant's/proposer's financial capabilities such as but not limited to:
 - a. Financial management (historical or demonstrated via policies, audits, etc.)
 - b. Funding sustainability related to sources of local match
 - c. Adequate budget for project
 - d. Financial strength of applicant/proposer
4. Applicants/proposers may be required to demonstrate community need for their projects in one or more of the following ways:
 - a. Locally coordinated transportation plan and letter from support from the RCC.
 - b. Regional planning commission plan
 - c. Strategic report/study conducted by a third party
 - d. Results of a needs assessment/survey
 - e. Historical and projected ridership/performance that can be substantiated by data
 - f. Current census data, by showing which individuals will benefit from those services to remain in the community and to live healthy, independently, and safely.

NHDOT recognizes that scoring criteria may not sufficiently enable NHDOT to discern between the merits of every potential project, or to account for mitigating circumstances such as possibly partially funding one higher-scoring project's award to accommodate a critical component of a lower-scoring project. As such, NHDOT reserves the right to use its discretion when making final funding decisions provided that any deviation from the score-based outcome is documented and disclosed to the affected agencies.

I. Intercity Bus Transportation

Consultation Process: To help inform NHDOT when determining priorities in consideration of available funding, NHDOT will conduct an intercity bus consultation per FTA requirements as set forth in Circular [9040.1G](#) or as amended. Specifically, NHDOT will consult with private bus operators, Section 5311 subrecipients, regional planning commissions, neighboring states, and other potentially interested stakeholders in identifying statewide intercity bus needs. NHDOT's intercity bus consultation process shall include, at a minimum, the following elements:

- identification of intercity bus providers in the state
- activities the state will perform as part of consultation with identified providers and intercity bus organizations
- an opportunity for intercity bus providers to submit proposals for funding as part of the state's distribution of its annual apportionment
- a direct correlation between the results of the consultation process and a determination that the state's intercity service needs are being met adequately

Project Selection: NHDOT generally conducts a biennial solicitation via a Request for Proposal (RFP) process. The RFP shall include information on the intercity bus program and an invitation to submit proposals for funding. NHDOT also communicates regularly with the State's intercity bus operators through meetings, correspondence, and other means to discuss intercity bus services and needs.

- Existing services are prioritized. When sufficient funding exists to consider expansion services, NHDOT will prioritize those services based on its most recent consultation process.
- Should applicants request intercity in-kind match, NHDOT obtains a description of the feeder service and connecting service, including locations served by each. Only those trips that make meaningful connections with the feeder service are considered eligible for intercity in-kind match. For example, if the applicant makes four trips per day through the point of the connecting service but the feeder service only operates twice daily, only the gross operating costs of the two daily connecting trips are eligible to be used as intercity in-kind match. Documentation to substantiate any in-kind match must also be provided with each invoice/request for reimbursement.

Method of Distributing Funds: In evaluating any Section 5311(f) proposals received, NHDOT considers intercity bus needs as identified through the most recent intercity consultation process. If no eligible applications are received or if proposals do not meet an identified need relative to other non-urbanized transit needs, NHDOT may use some or all of the required 15% set-aside of Section 5311(f) funds in this program for rural transit service after making the required certification that intercity needs have been met. Prior to certifying, NHDOT will ensure that an intercity consultation process has been completed within the previous four years.

- Funding for the intercity bus program may be for administrative, capital, and operating expenses. All Section 5311 reporting and compliance provisions apply to the intercity program as well.

J. Annual Program of Projects Development and Approval Process

Section 5310 RCC and 5311 solicitation are generally conducted in Nov/Dec every other year (even years). Section 5310 Capital and 5339 solicitation are generally conducted every fall. NHDOT distributes applications with explanatory material to all existing subrecipients, others who have requested applications, and a distribution list that includes regional planning commissions and RCCs. All grant applications and supporting materials are made available on NHDOT's website. For 5310 Capital solicitations, a notice of funding availability is published in a newspaper with statewide distribution. Department staff reviews each application for content and compliance with all requirements, and awards are based on the criteria and distribution method listed above. The program of projects is then prepared and submitted to the FTA regional office.

Planning Process. The state and regional transportation planning process also contributes to the development of service planning and improvements in the public transportation program. NHDOT makes FTA planning funds available to regional planning commissions to assess transportation needs and conduct transit planning activities through its consolidated planning program. Regional and statewide transit plans play an important part in the design of transit services. NHDOT includes all FTA program funds in the Statewide Transportation Improvement Program (STIP).

K. Transfer of Funds

For those subrecipients adjacent to or partly within an urbanized area, NHDOT may transfer Section 5307 funds apportioned to that area to Section 5311 for that subrecipient's non-urbanized area service. Other available Section 5307 funds may be transferred to Section 5311, or to other urbanized areas in accordance with FTA procedures and with the applicable Federal share percentages retained. NHDOT may transfer Section 5307 funds or flexible funds to Section 5311 to achieve program purposes, prevent lapsing and maximize efficient use of financial resources, as permitted by FTA guidance; notice of the transfers is forwarded to FTA.

NHDOT may transfer flexible FHWA funds to FTA programs for eligible project purposes with notification of FHWA and FTA. The request to transfer funds is transmitted to FHWA for processing. NHDOT may additionally request to transfer funds between small urban and nonurbanized areas based on project needs and program balances.

L. State Administration and Technical Assistance

NHDOT utilizes its state administration share (10% of apportioned funding as of FFY2023) of the Section 5310 and 5311 grants to cover expenses related to program administration, compliance monitoring, and technical assistance. These expenses include salaries and benefits, overhead, office expenses, equipment, travel, and other approved administrative costs. Technical assistance includes direct consultation with subrecipients on their regulatory obligations, both state and federal; on financial management of their programs; and on other issues as needed. NHDOT has site visits and meetings with boards and staff of subrecipients as appropriate, meets regularly in person, virtually, or by telephone with individual grantees, and attends regular meetings of the New Hampshire Transit Association (NHTA) and Statewide Coordinating Council (SCC), which include most transit operators and many Section 5310 subrecipients. Technical assistance funded with the state administration funds is generally provided directly by Department staff, while other technical assistance from consultants or other third parties is provided through the planning program as noted above, as well as the Rural Transit Assistance Program as described below.

M. Rural Transit Assistance Program (RTAP)

The goal of the Rural Transit Assistance Program (RTAP) in New Hampshire is to improve the quality of public transportation through a higher level of training of personnel involved in the delivery of services, technical assistance to transit and paratransit operators, and other support to public transportation. The emphasis of the program is on assistance to rural transit operators, while including other transit and paratransit operators to the extent possible. NHDOT relies on information from transportation operators, as well as its staff, to select projects for inclusion in the state's program. This information primarily comes from NHTA or the NH RTAP Advisory Committee, which includes representatives from Section 5311 and 5310 grantees or other paratransit operators, and other appropriate agencies. It is NHDOT's policy to provide direct RTAP training at no cost whenever possible, although participants may be required to meet travel, lodging, food, and other expenses related to attendance at an RTAP event. NHDOT generally provides RTAP training and technical assistance through a contract with a consultant for management of the NH RTAP Program, and by arrangement with neighboring states through reciprocal or multi-state training and technical assistance offerings. More detailed information on RTAP programs and requirements is available on the NHRTAP website, www.newhampshirertap.com.

N. Private Sector Participation

NHDOT reviews locally developed human services coordination plans to ensure that private operators are included in the planning process. In addition, new applicants certify that they have complied with the requirements for private sector participation included in the FTA circulars. In addition, the Section 5311(f) intercity bus consultation process includes extensive outreach to private sector providers.

O. Civil Rights

NHDOT requires all subrecipients to comply with Title VI of the Civil Rights Act of 1964 and other pertinent legislation. NHDOT's Title VI program is administered by the Office of Access, Opportunity & Compliance (OAOC), with the Bureau of Rail and Transit serving as a conduit to FTA subrecipients and contractors to assist OAOC in compliance efforts. NHDOT's funding application requires new applicants, at a minimum, to provide information on any active lawsuits or complaints alleging discrimination, investigations, or other civil rights compliance review activities, as required by FTA. New applicants also provide a description of other sources of revenue, including Federal agencies, and minority populations in the service area. Existing subrecipients' Title VI programs are reviewed by NHDOT at least every three years to ensure compliance. Each subrecipient & contractor must annually sign and submit Certifications and Assurances. Subrecipients must report as required on DBE goals and on progress in meeting the goals. Regarding the Equal Employment Opportunity requirements, in the event that a Section 5311 subrecipient exceeded the thresholds for EEO requirements, a full or partial EEO program would be required, as applicable to the FTA thresholds and requirements.

P. Maintenance

NHDOT requires a written vehicle maintenance plan that verifies that subrecipients are required to maintain vehicles to original equipment manufacturers' standards at a minimum and maintains ADA accessibility features to the standards required by ADA regulations. NHDOT monitors maintenance directly during subrecipient reviews. Those subrecipients operating facilities funded by FTA are required to develop and follow facility maintenance plans.

Q. Charter Rule

Subrecipients are required to submit certifications and assurances of compliance with the charter rule. In the event a subrecipient proposes a charter not for program purposes or under emergency conditions that does

not fall under one of the approved exceptions listed in the rule, the subrecipient must comply with the notice provisions of the charter rule by providing email notice of the proposed charter, following the procedures in 49 CFR Part 604.14, to registered charter providers. Subrecipients providing charters under one of the exceptions are required to submit quarterly reports to NHDOT for submission to FTA. NHDOT reserves the right to prohibit charter operations through its grant agreement with the subrecipient. If a subrecipient wishes to petition to the FTA Administrator for a special events, hardship, or discretionary exception as provided in the rule, NHDOT will review the information in the petition and forward it to the FTA if it is determined to have merit. Charter complaints and appeals are handled by subrecipients' complaint process and, if made to NHDOT, may be referred to NHDOT's hearings officer or transportation appeals board if not resolved at the staff level.

R. Section 504 and ADA Reporting

NHDOT reviews the services provided by subrecipients at least biennially for compliance with ADA requirements. This includes review of paratransit plans and services where applicable, and information gained on site visits to determine whether service provision complies with the Americans with Disabilities Act, Section 504 and pertinent regulations for maintenance and operation of accessibility features and other ADA requirements. All vehicle procurements, whether conducted by the State (NHDOT) or subrecipients, require compliance with all ADA regulations. NHDOT reviews all bid documents to ensure compliance.

S. National Transit Database (NTD) Reporting

NHDOT transmits the FTA NTD form to 5311 subrecipients and verifies the information received for accuracy when compared with other reports and data submitted to NHDOT. NHDOT then completes the NTD form and submits it to FTA. All NTD reports are prepared in accordance with 49 USC 5335(b).

T. State Program Management

NHDOT enters into an annual or biennial grant agreement with each Section 5310 (RCC) & 5311 subrecipient, and a Vehicle Use Agreement with each Section 5310 vehicle subrecipient. The grant agreement requires adherence to FTA and state guidelines for program management and includes all required FTA clauses. NHDOT follows the guidelines within the Comprehensive Review Contractor's Manual in carrying out its compliance monitoring activities. Compliance monitoring for grants of operating assistance includes review of information included with invoices, regular discussions with subrecipients on financial and compliance questions, and a periodic, detailed on-site compliance review. The review may be conducted by Department staff or by consultants to NHDOT. In either case, all required topics (per the Contractor's Manual) are covered at least every two years, whether via a single comprehensive review or via targeted reviews for one or more topics at a time. Other similar reviews are conducted on specific program areas as needed.

In cases where subrecipients are determined to be deficient in an area/areas, NHDOT provides assistance as necessary to remedy any shortcomings; generally, in the form of providing RTAP funding for training and/or an RTAP task with a consultant to provide enhanced assistance. Failure of a subrecipient to correct deficiencies after such steps have been taken may result in withholding FTA funding until rectified.

Accounting procedures (all programs). Subrecipients shall conduct financial activities in accordance with the generally accepted accounting principles. Subrecipients shall submit costs on forms approved by NHDOT and shall maintain all supporting documentation for the costs such as, but not limited to, purchase orders and receipts for payment. Subrecipients submit to NHDOT monthly/quarterly statements indicating all revenues and costs. The subrecipient maintains records for at least three years after grant closeout for inspection by NHDOT. Requests for payment to the

state must include total costs, revenues, and local matching funds, as well as the Federal portion of the costs. Payments are made on a reimbursement basis for costs incurred by the subrecipient. Each subrecipient is responsible for retaining an independent auditor to perform an annual compliance and financial audit, to be submitted for review to NHDOT. Final payment and closeout, if applicable, are withheld pending receipt of any pending reports, including certified audit, and subrecipients must provide any required reimbursement within 30 days of the audit date.

Vehicle and Equipment procurement (all programs). Unless otherwise noted below, vehicles in all programs are procured by the state in compliance with state purchasing regulations and federal regulations, including FTA Circular 4220.1F. Where possible, NHDOT will seek to identify FTA-compliant procurements in other states, or those conducted by NH's direct FTA recipients, via which subrecipients may obtain vehicles in lieu of NHDOT's being required to develop specifications.

Subrecipients that are capable of managing procurements themselves may, upon request, be permitted to procure vehicles themselves or through a procurement by another agency. Accessible minivans may generally be procured by existing subrecipients as "small purchases" provided a) their agencies' procurement policies allow for such procurements and b) the procurement will be for less than the Buy America threshold, currently \$150,000. Subrecipients may purchase other equipment, such as computers and maintenance equipment, directly under micro-purchase or small purchase procedures.

Title to vehicles is in the name of the subrecipient, but NHDOT holds a security interest or lien throughout the useful life of the vehicles to protect the federal interest in the property. Additionally, NHDOT holds the physical copy of the title within NHDOT's files.

Transit Asset Management

NHDOT is responsible for the FTA-funded assets (vehicles, facilities, and equipment). As part of the asset management, NHDOT has a Transit Asset Management Plan (TAM). The TAM is a strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating, and replacing/disposing of transit capital assets. The plan provides how assets are managed for their performance, risks, costs over their life cycle for the purpose of providing safe, cost-effective, and reliable public transportation. The State Management Plan incorporates the TAM Plan by reference. The TAM plan is provided to all subrecipients and is available upon request to NHDOT.

Equipment and property management (all programs). As noted above, each subrecipient's agreement requires compliance with vehicle maintenance guidelines in the interest of operating safe, clean, and properly functioning vehicles, and with facility construction and property management regulations and guidelines. To help ensure satisfactory continuing control of federally funded assets, NHDOT receives annually an inventory of vehicles and other capital equipment, i.e., items having a useful life of more than one year and an acquisition cost of \$5,000 or more, and a certification of the current use and continued need for the equipment. In addition, NHDOT conducts a periodic on-site inspection of all vehicles. This includes a review of maintenance records to ensure that original equipment manufacturer's guidelines, at a minimum, are being followed. Evidence of adequate levels of insurance on vehicles must be presented to NHDOT prior to contract/grant agreement approval and annually.

Vehicle use and disposition (all programs). NHDOT verifies through regular site visits that subrecipients are using vehicles consistent with their funding applications and with FTA guidelines. NHDOT has established the following useful life thresholds for all vehicles:

Class	Vehicle or Equipment Type	Useful Life
Class 1	Minivan, van, sedan, Ford Transit 150	4 years / 100,000 miles
Class 2	Light-duty small bus, small body-on-chassis, Transit 350	6 years / 150,000 miles
Class 3	Medium-duty transit bus < 30 feet, trolley, Sprinter, Frontrunner	7 years / 200,000 miles
Class 4	Heavy-duty transit bus < 35 feet	10 years / 350,000 miles
Class 5	Heavy-duty transit bus 35+ feet	12 years / 500,000 miles
Class 6	Over-the-road coach	12 years / 600,000 miles

Vehicles that have not reached the useful life threshold may be sold only with the approval of NHDOT under unusual circumstances provided that appropriate FTA and State reimbursements are made as applicable. Vehicles beyond the useful life threshold may be sold for fair market value or at the state surplus property auction. Should the subrecipient continue to use the vehicle beyond the useful life of the vehicle, NHDOT will continue to hold security interest or lien on the vehicle until disposition. Subrecipients must request permission from NHDOT to dispose of their vehicles other than instructed herein. NHDOT, in turn, will consider merits at its discretion on a case-by-case basis and will document any variance from standard protocols.

All proceeds from equipment/vehicle sales must be dedicated to the subrecipient's transportation program such that it may be used for subsequent capital grants. When the proceeds of a vehicle sale exceed \$5,000, NHDOT requires the subrecipient to reimburse the Federal share of any net proceeds over the \$5,000 threshold via [pay.gov](https://www.pay.gov) per FTA requirements. NHDOT will provide to the transit system instructions and tools how to dispose of an asset/vehicle and how to determine the amount pay the FTA their share of the proceeds over \$5,000.

NHDOT may require transfer of vehicles to other eligible subrecipients if their use does not meet minimum mileage thresholds or is not consistent with program purposes, or if the vehicle is no longer needed for the program purpose. In such an event, the agency receiving the vehicle may have to pay the proportionate (undepreciated) local share to the agency from which the vehicle was transferred.

Subrecipients may request to NHDOT to transfer vehicles to another subrecipient within NH. Written approval from NHDOT is required. In such cases, any compensation would be determined by the two subrecipients, with NHDOT's providing guidance upon request. The following requirements also apply:

Minimum useful life has NOT been met OR value is \$5,000 or more: The receiving subrecipient shall title the vehicle and list NHDOT as the lien holder.

Minimum useful life HAS been met AND value is less than \$5,000: The requesting agency must provide documentation from a third party (e.g., an appraiser) that the fair market value is less than the \$5,000 threshold, at which FTA retains an interest. The receiving subrecipient needs to title the vehicle and does not need to include NHDOT as the lien holder.

Other reporting requirements

Each vehicle subrecipient is required to submit a quarterly performance report detailing costs, revenues, service hours and miles, passenger trips, and other pertinent information, such as incident reports and GTFS data, if applicable.

Section 5311: Subrecipients are required to submit a report of charter activity (if any); drug and alcohol reports; documentation of DBE contracting; and evidence of workers compensation insurance.

U. Other provisions

Additional regulatory requirements are addressed in the application process, by requiring the specified clauses, certifications, or assurances to be signed by each subrecipient. These include, but are not limited to, Buy America, environmental protection, labor protection per Section 5333(b), lobbying restrictions, pre-award and post-delivery audit, drug and alcohol testing, and school bus regulations. NHDOT distributes pertinent information on these requirements to each subrecipient, meets with subrecipients as necessary, and arranges workshops, site visits, or other meetings to provide the available information on the regulation to subrecipients and monitor compliance activities. Subjects of these workshops or on-site meetings include topics such as drug and alcohol testing, cost allocation, financial management, civil rights reporting, DBE programs, and vehicle maintenance.

NHDOT reviews the most recent Contractors Manual to ensure its compliance reviews are conducted according to the most recent FTA requirements. Any revised requirements are communicated with subrecipients, who must acknowledge understanding and compliance with such requirements.

END