Delaware Transit Corporation

FTA Section 5310 Program

FY 2020

Applicant Information Guide

INTRODUCTION

In the 1970's, prior to current federal mandates, the State of Delaware dedicated itself and its resources to programs and policies, which assist its elderly and disabled citizens. Among the most important are its transportation services. The primary goal of these services is to increase the mobility of the transportation-disadvantaged, thus helping to eliminate the isolation caused by the lack of reliable transportation. The availability of such transportation greatly increases opportunities to participate in our modern and complex society, improves quality of life and lessens distance by removing barriers between much needed public services.

The Federal Transportation Administration (FTA) Section 5310 Program allows each State to enhance its own transportation services by appropriating certain funds annually. These funds are used for the procurement of vehicles, related equipment, to provide service to be utilized by nonprofit organizations or governmental authorities for the \ transportation of elderly and disabled persons within each State. FTA provides up to 80% of the funding and Delaware the remaining 20%. Currently there is no requirement for monetary contributions from the recipients.

Since 1982, the State of Delaware has obtained, and awarded, an average of seven (19) vehicles per year within the state. Quite often, these vehicles are the sole source of transportation for many of the State's elderly and disabled. Through the funding and administration of this valuable program, the United States Department of Transportation and the State of Delaware are jointly providing increased mobility and accessibility, thus improving the quality of life for Delaware's elderly and disabled citizens.

The guidelines and information contained in this Applicant Information Guide will enable all interested organizations to determine their eligibility for participation in this Program, and assist in the actual application process.

PURPOSE

Section 5310 of the Federal Transit Act, as amended, declares that elderly and disabled persons should have the same rights as others to utilize mass transportation services. The purpose of the 5310 Program is to provide assistance in meeting the transportation needs of these individuals where public transportation services are unavailable, insufficient or inappropriate.

The purpose of this Program Guide is to provide information on Delaware's participation in the Section 5310 Program and to serve as a tool to assist organizations in applying for Section 5310 Program funding. The Program Guide further outlines the State's goals, objectives, procedures and requirements.

GOALS AND OBJECTIVES

The goal of the 5310 Program is to encourage and assist in the provision of needed transportation services for elderly and disabled citizens statewide. The state's desire is to increase mobility and improve access to essential services and enhance the overall quality of life for all citizens.

The objectives of the Program are:

1. To actively promote the coordination of specialized transportation services to persons 60 years of age or older and to disabled persons of any age, regardless of the type of disability (cognitive or physical).

2. To help alleviate the transportation barriers associated with being elderly and/or disabled, and to provide guidelines for private nonprofit and public organizations to collectively work to help achieve that goal.

3. To encourage cooperation and coordination among all Section 5310 organizations and their programs, and with other agencies providing transportation services.

4. To ensure full compliance with Federal and State guidelines and requirements.

5. To ensure adherence to the Delaware Department of Transportation's Long Range Transportation Plan.

ROLES AND RESPONSIBILITIES

The role of The Federal Transportation Administration (FTA)
The Program is administered at the Federal level by the Federal Transportation Administration, an agency of the United States Department of Transportation. FTA's responsibilities include providing overall policy and program guidelines, allocating funds to States who administer the Program, reviewing and approving State grant applications.

The role of The Delaware Department of Transportation (DelDOT)
DelDOT has the initial responsibility, as designated by the Governor, to oversee the Section 5310 Program in Delaware.

The role of The Delaware Transit Corporation (DTC)
DTC has been selected to administer the Section 5310 Program in Delaware. DTC will determine if the 5310 funds will be used for purchased transportation, the purchase of vehicles, or any combination of the eligible activities listed in the circular. DTC's primary responsibilities include advertising the availability of Program funds, issuing applications, reviewing applications, and recommending the selection of eligible organizations/projects. In addition DTC is responsible for the procurement of vehicles and/or related equipment and monitoring all aspects of the Program.

The role of Organizations participating in the Section 5310 Program
It is the responsibility of each participating organization to fully comply with all Program requirements. Each organization must utilize all awarded funds and equipment as intended and stated in their original agreement.

ELIGIBILE SUB- RECIPIENTS

Section 5310 funds are made available through DTC to agencies deemed eligible and who demonstrate a project plan that meets FTA and DTC qualifying standards and favorably serves persons with disabilities and elderly citizens.

There are three categories of eligible applicants for Section 5310 funding:

1. Private nonprofit organizations. A nonprofit organization is a corporation or association determined by the Secretary of the Treasury to be an organization described by 26 U.S.C. Section 501(c) which is exempt from taxation under 26 U.S.C. Section 501 (a) or Section 101 or one which has been determined under state law to be nonprofit and for which the designated state agency has received documentation certifying the status of the nonprofit organization.

2. Governmental authorities that certify to the chief executive officer of a State that no non-profit corporations or associations are readily available in an area to provide the service; and

3. Governmental authorities approved by the State to coordinate services for elderly persons and persons with disabilities.

Local governmental authorities eligible to apply for Section 5310 funds as coordinators of services for elderly persons and persons with disabilities are those designated by the State to coordinate human service activities in a particular area. Examples of such eligible governmental authorities are a county agency on aging or a public transit provider which the State has identified as the lead agency to coordinate transportation services funded by multiple Federal or State human service programs.

FUNDING DISTRIBUTION AND PRIORITIES

Allocation of Funds

SAFETEA–LU was amended in 2005 and Moving Ahead for Progress in the 21st Century (MAP-21) introduced the requirement that projects funded with 5310 funds be derived from a locally developed, coordinated public transit-human services transportation plan. In order for an application to be considered for funding it must be derived from one of the locally developed, coordinated public transit-human services transportation plans for the State of Delaware. The number of organizations funded under the Program ultimately depends upon the funds allocated to the State of Delaware by FTA for the current fiscal year program. Funds are allocated according to an administrative formula that is based on the number of elderly and persons with disabilities in each state according to the latest available U.S. Census data. FTA announces the annual fiscal year funding level each year after October 1st.

The federal portion of Section 5310 funding (80%) will be augmented in Delaware by a 20% portion contributed by the State. These combined funds will ensure that eligible organizations bear no immediate financial responsibilities other than those associated with registration, insurance and

operation and maintenance of the vehicles.

Section 5310 funds are allocated to participating organizations that qualify under the evaluation criteria and document their commitment to the Program goals and objectives. The objectives in allocating funds to qualified organizations are as follows:

- To provide funding for the transportation related needs of participating 5310 organizations commensurate with achieving the goal of coordinated transportation service delivery;
- to provide an equitable distribution of limited 5310 funds to both existing program participants and new program participants;
- To provide funding for those organizations interested in participating but that were unable to do so in previous years.

Using this systematic approach for 5310 fund distribution, it is expected that funding will be provided more equitably throughout the state to eligible organizations

Funding Priorities are as follows:

1. **Priority One:** To provide vehicle replacement to current Section 5310 organizations needed to maintain current programs; to contract with providers to previously funded organizations which will allow new service to be implemented in an area not adequately represented by the Program and to contract with providers who demonstrate a need for transportation, but currently have limited transportation options available

2. **Priority Two:** Acquisition of service in order to promote use of private sector providers and coordination with other human services agencies, and public transit providers.

3. **Priority Three:** Additional public transportation projects that improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA-complimentary transit service; or provide alternatives to public transportation that assist seniors and individuals with disabilities with transportation.

Available funds in Delaware are distributed according to the results of the evaluation process (see **Evaluation and Award**). Vehicles and related equipment are funded until combined State and Federal allocations are exhausted. DelDOT does not guarantee that **exact** requests will be met, only that organizations will be awarded certain equipment if the evaluation process results in that award. Please refer to **Evaluation and Award** for more information regarding distribution of funds.

TRANSPORTATION PARTNERSHIP PROGRAM

The trip Subsidy Program is intended to alleviate excess rider demand on DTC's Paratransit Services by creating innovative partnerships that increase mobility options in the community.

VEHICLES and RELATED EQUIPMENT

Vehicles funded for transporting elderly and disabled individuals will include Ford E450, 16 passenger paratransit buses,11 passenger vans with flip seats for up to 3 wheelchairs and 5 seated passengers and Dodge Caravans with a wheelchair ramp for 1 wheelchair and 3 seated passengers The buses are customized, to the extent possible, to the needs of the organization and it is the responsibility of each interested organization to be as specific as possible when indicating needs on the application. In all cases, vehicles will be wheelchair lift-equipped. Funded organizations will be given the opportunity to select certain vehicle exterior colors after the awards are made.

OWNERSHIP

FTA provides 80% of the funding for the Program and the State of Delaware provides the 20% local match on behalf of the Section 5310 recipients. Title to the equipment acquired under the Section 5310 program will be retained by the organization to which it is awarded, for the useful life of the vehicle. Useful life is defined by DTC and will vary by type of equipment as well as by operational environment. Section 5310 recipients may not enter into any form of agreement, which affects or in any way encumbers or alters the title to equipment funded under this program without the prior written consent of DTC.

In most cases, the ownership of vehicles more than five (5) years old, which were awarded through the Program, remain the same with no further obligations to the Program, EXCEPT:

1. The recipient Agency must continue to provide vehicle insurance, with the Delaware Transit Corporation (DTC) named as the additional insured. The Agency must furnish DTC with a Certificate of Insurance yearly, specifically noting the vehicle covered.

2. The Agency must retain ownership of the vehicle until such time as it is not either serviceable or the Agency no longer has a need for the vehicle. The Agency may not enter into any agreement with regard to leasing, selling or otherwise disposing of the vehicle. All vehicles purchased under this Program must be returned to DTC for disposal in accordance with Delaware State Law.

3. FTA regulations must be followed until the vehicle is returned to DTC.

4. All terms and conditions of the original contract will remain in place until the vehicle is returned to DTC. This includes provisions for monthly reporting as specified by DTC.

RESPONSIBILITIES

Title VI
Title VI is a Federal statute and provides that no person shall, on the grounds of race, color or national origin, be excluded from participating in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. A Title VI statement must be attached to the application. For more information regarding this program, please refer to the FTA Title VI Circular 49CFR part 21. A copy of the Long and Short Title VI notices are attached to the application. They must be submitted with your application.

Insurance
DTC requires all organizations acquiring vehicles under the Section 5310 Program to purchase and maintain full insurance coverage. Collision and comprehensive insurance must be for the market value of the acquired vehicle and related equipment. Organizations must carry minimum liability coverage of one million dollars ($1,000,000.00). Liability coverage must indemnify and hold harmless DTC against any liability arising out of the organization's possession and use of any Section 5310 vehicle(s) and equipment.

Monthly Reporting
Monthly vehicle utilization reports are required from organizations receiving Section 5310 equipment. These reports are to be submitted to DTC by the 15th working day of the following service month. DTC reviews and analyzes the monthly reports and uses this information to monitor the Program.

DTC Vehicle Preventive Maintenance Program
Organizations awarded Section 5310 vehicles are required to participate in DTC's Vehicle Preventive Maintenance (VPM) Program, which provides routine vehicle maintenance and inspection on a regularly scheduled basis. Agencies are responsible for maintaining the interior and exterior of the vehicle in a clean manner that reflects a quality transportation service. Each organization is responsible for the cost of labor, parts and supplies under the VPM program along with all costs associated with additional maintenance outside of the VPM program. Repairs must be completed in a timely manner. Upon receipt of a vehicle, DTC will set up a maintenance schedule at one or more of its locations statewide. Recipient organizations are responsible for delivering the vehicle for maintenance and retrieving the vehicle in a timely manner.

Driver Training and Drug/Alcohol Testing
Organizations awarded Section 5310 vehicles will be required to meet any applicable FTA and USDOT regulations concerning Drug/Alcohol Testing. If required, organizations will be required to demonstrate participation in random drug and alcohol testing programs as required by FTA/USDOT by providing documentation which supports the agency's participation. DTC does not require any specific driver training course, but offers organizations the opportunity to participate in DTC's Driver Training Program and driver safety classes.

Commercial Driver's License
By Federal regulation, a commercial driver's license must be held by any and all operators of vehicles which seat 15 or more people including the driver. DTC will provide driver's training and/or refresher training for sub-recipients if requested. Additionally, DTC believes that, in-part, safe vehicle operation results from recognizing, understanding, and appreciating special customer needs. DTC makes available training to each sub-recipients in passenger sensitivity.

DTC Agreement
The terms and conditions for the use of any Program equipment are outlined in the Standard Agreement between DTC and all recipient organizations. The Agreement must be fully executed before any organization can take possession of any equipment. A copy of the Agreement will be retained by the organization.

Other State Regulations
DTC reserves the right to inspect all equipment received and awarded under this Program. If not used in accordance with the guidelines as set forth, DTC reserves the right to repossess the equipment. In addition, any equipment not maintained in accordance with manufacturers' specifications and DTC's standards for cleanliness, safety and/or mechanical soundness, is subject to involuntary retrieval by DTC. Please refer to **Procedures Fo Noncompliance** for more information.

USE AND DISPOSAL OF VEHICLES

Use of Funded Equipment
Federal regulations require that all vehicles and/or related equipment acquired under Section 5310 be used only in the following ways:

1. By the private nonprofit organization as described in its original application.

2. By several private nonprofit organizations in coordinated services for a variety of elderly or disabled persons. It is understood that, at a minimum, the service, which was proposed by the organization in its grant application, will be provided and that the originally designated clientele will be served.

3. By a private-for-profit operator, through lease or other contractual agreement, with the private nonprofit organization. FTA will permit vehicles acquired by nonprofit organizations to be leased to private-for-profit companies where such organizations could not otherwise provide required services and where such arrangements result in more efficient and effective service for elderly and disabled persons. Such arrangements must have the prior written permission of DTC.

4. By public bodies approved by the State to coordinate services for elderly and persons with disabilities.

5. By public bodies that certify to the Governor that no nonprofit corporations or associations are readily available in an area to provide the service.

Effective policy control of vehicles must remain with the grant recipient. DTC must approve any contractual arrangements entered into under all of the above prior to contract execution.

Disposal of Funded Equipment
FTA funded vehicles and related equipment will be returned to DTC in the following circumstances:

1. Organization is terminating the program for which the equipment was purchased.

2. DTC requires organization to return the vehicle (see **Procedures for Noncompliance**).

3. The vehicle has exceeded its useful life and is eligible for rehabilitation or disposal. DTC will determine if rehabilitation is cost-effective, and, if so determined, will retrieve the vehicle, perform the necessary rehabilitation, and return the vehicle to the Program.

4. In the event of extremely unusual or safety-related circumstances.

Vehicles will not be transferred, returned to DTC, or parked in storage, nor taken out of service for any period of time because of color, seating configuration, size, maintenance problems (except those which may create a safety hazard), or etc. All returned or transferred vehicle(s) will require DTC's prior written authorization prior to return or transfer. Upon the return of any vehicle or related equipment to DTC, the organization surrenders all claims to and interests in such equipment. Upon receipt of any funded vehicle or related equipment, DTC will make final disposal in accordance with State and Federal guidelines.

Disposition of Vehicles Destroyed or Damaged in Fire and/or Accident
All vehicles purchased with Section 5310 funds must be covered by insurance. If a vehicle damaged in a fire and/or accident is repairable, the organization must negotiate a settlement with the insurer, get the vehicle repaired and place it back in service.

If the vehicle is not repairable, it is eligible for replacement. If the organization wishes to replace the vehicle, 100% of the insurance claim payments must be applied to the cost of the replacement vehicle. If the organization does not wish to replace the vehicle, the insurance claims payment must be returned to DTC.

RESTRICTIONS

Vehicle Use
Vehicles are to be used for application related needs, to meet other transportation needs of elderly persons and persons with disabilities and to meet other Federal program or project needs.

Leasing Vehicles
Leasing of vehicles acquired under this Program to private-for-profit operators is permitted and can be leased to public bodies on the same basis as to any other agency, which is explained elsewhere in

this guide.

Vehicles acquired under this Program may be leased to other entities such as local public bodies or agencies, other private non-profit agencies, or private for-profit operators. Under such a lease, the lessee operates the vehicles on behalf of the Section 5310 recipient and provides transportation to the recipient's clientele as described in the grant application. This is permitted only when all of the following criteria are met:

1. The transportation service provided by the public body is specialized service for elderly and/or disabled persons, and the public body does not provide general public transportation services;

2. The public body cannot acquire vehicles through other FTA funding sources to provide the service; private-for-profit operators in the area have been given first opportunity to participate in the provision of such service, and the control and responsibility for the vehicle remains with the private nonprofit organization.

3. DTC must approve any contractual agreement entered into which involves a Section 5310 vehicle prior to its execution.

Meal Delivery Service
Exclusive use of Section 5310 vehicles for the delivery of meals is prohibited. However, vehicles used to transport elderly and disabled persons can also be used for incidental meal delivery service during those periods when the vehicles are not in use for the purposes stated in the organization's original application. This type of use should be kept to a minimum, must not interfere with any transportation services for the elderly and disabled.

Organizations that seek to obtain Program vehicles to transport elderly and disabled persons and to deliver meals must provide detailed explanation of these uses in their application. FTA-funded organizations are prohibited from using Program vehicles for meal delivery unless specifically authorized by DTC.

Coordination with Other Transportation Providers
Agencies are encouraged to participate in coordination of services through development of Interagency Agreements. Priority will be given to those agencies indicating a willingness to participate in a coordinated transportation program. Organizations must also assure that the equipment acquired under this Program will be used to enhance services offered by DTC to improve mobility for elderly persons and persons with disabilities.

Service Area
Vehicles funded through this Program must be utilized to transport any organization's eligible clients only within the State of Delaware, unless written permission is obtained from DTC prior to any trips.

PROCEDURES FOR NONCOMPLIANCE

It is the intent of DelDOT and DTC to ensure full compliance with all FTA regulations with regard

to the Section 5310 Program. While situations that place a program in noncompliance are rare, procedures have been established to enable DTC to effectively monitor the Program. Depending upon the type of compliance problem and the severity, the following process will be used when applicable:

1. An officer or representative of DTC will notify the Organization that there is evidence of noncompliance. An informal meeting will be conducted with the Organization and DTC to discuss the problem. DTC will make every attempt to discuss compliance requirements with the Organization to prevent any misunderstandings.

2. After this initial meeting, if compliance problems persist, DTC will notify the Organization in writing of the continuing problem, and allow 30 days for resolution of the problem.

3. Should the meeting and written notification fail to bring an organization into compliance, DTC may exercise one of the following options (on a case-by-case basis, depending upon severity of noncompliance):

    a. deny future funding requests of the organization

    b. direct that the funded vehicle and/or related Equipment be immediately returned to the nearest DTC facility.

DTC reserves the right to repossess a vehicle immediately where there is evidence that the vehicle is:

1. being used for illegal activities

2. operating in violation of safety standards

3. operating in violation of DTC policies

In the event that vehicles and/or related equipment are forfeited by a funded organization, DTC will in turn re-allocate the equipment to another eligible organization. The original grantee will relinquish all rights to any vehicle or related equipment that has been reallocated. Reallocation to other organizations will be considered permanent and vehicles will not be returned to the original-funded organization, even in the event that the organization subsequently resolves the noncompliance problems.

In the event that vehicles and/or related equipment are forfeited by a funded organization, the organization may appeal such a DTC decision. The appeal must be written and set forth the conditions and circumstances that will allow a clear, reasonable understanding of the facts for such an appeal. Within thirty days (30) of the forfeiture, the appeal must be received at the following address:

The Delaware Transit Corporation
119 Lower Beech Street, Suite 100
Wilmington, Delaware 19805

Attention: Marcella Brainard, Chief Mobility Manager

Following receipt of the written appeal, the organization filing such will be notified as to the time and place of an appeal hearing.

THE APPLICATION PROCESS

Application Submission
The Section 5310 Application is a separate part of this package, and must be submitted as such. Organizations should provide complete and detailed information for each question in the application. Failure to complete all questions will diminish the chance of receiving an award under the Program. Completed applications must be received, **in duplicate**, not later than the application deadline of each funding year to be eligible for consideration. Applications must be received at the following addresses:

The Delaware Transit Corporation
119 Lower Beech Street, Suite 100
Wilmington, Delaware 19805
Attention: Kathy Maguire, Contract Specialist

Delaware Transit Corporation
900 Public Safety Boulevard
Dover, DE 19903
Kathy Maguire, Contract Specialist

Please note that applications received after the deadline established for that funding year will not be considered for funding.

Application Requirements
The Section 5310 application will require organizations to provide certain information that will enable DTC to evaluate the needs and overall eligibility of each organization. Specific information required is as follows:

1. A completed application for equipment or a letter of intent for providing service
2. Most recent Financial Statements and last Independent Auditors Report
3. Federal Transit Administration Certifications and Assurances
4. Certification of Incorporation in the State of Delaware (Articles of Incorporation)
5. Certification of Non-Profit Status-Internal Revenue Service Section 501(c)
6. Organization Chart as referenced in Section 7 of the application.
7. Title VI Statement – Must be filled out and submitted with your application

The submission of these items is mandatory for your agency to be considered for award.

EVALUATION AND AWARD

Organizations that will be funded under the Program for the applicable fiscal year will be based upon

an evaluation of each proposed transportation service. Each Organization's application will be evaluated as to how the Organization fulfills the transportation priorities as stated in the Funding Distribution and Priorities Section of this Applicant Information Guide.

Each organization will also be evaluated on the following criteria:

1. transportation needs of the clientele to be served as stated in the organization's application;

2. organization's use of existing transportation providers;

3. coordination efforts with other nonprofit and public transportation service providers;

4. proposed utilization of requested vehicle(s) as well as, past utilization of previously funded equipment, if appropriate;

5. fiscal and management capabilities;

6. if the applicant is a current program participant, whether or not that applicant is in full compliance with program objectives. Any applicant currently participating in the program, and who is not in full compliance, will not be funded until full compliance is achieved;

7. contributed capital for the purchase of the vehicle(s) or equipment.

Available funds for Delaware are awarded according to the results of the evaluation process. DTC must ensure that the Section 5310 Program projects selected are derived from a locally developed, coordinated public transit-human services transportation plan. Applications, with the highest evaluations, are funded until all available funds are exhausted. DTC may choose to fund only a portion of the request. The amount of each award is based on the projected cost of the equipment most appropriate to meet the stated objectives of the organization. DTC will determine the budget price for all awarded equipment. After preliminary evaluation, the Program then proceeds to the final, three-step process, as follows:

STEP ONE : After all applications are ranked by DTC and allocation of funds has been made by FTA, DelDOT will approve organization applications for funding. Approval will start with the organization receiving the highest score and continue until all funds are exhausted. DTC reserves the right to partially fund applications. Approval of applications is contingent upon verification of all information submitted and completion of all required documents. DTC will notify all organizations of the results, by mail.

STEP TWO: Awards are subject to approval by the Secretary of Transportation. Organization applications that have successfully completed Step 1 will be brought before the Secretary for review and approval.

STEP THREE: Applications which have been approved will be incorporated into DTC's annual grant application to FTA for Section 5310 funding. DTC will keep organizations

advised of the progress of federal grant approvals and will notify each organization when the actual award has been made. Upon the federal award of funds, DTC will begin the procurement process for equipment. Organizations must execute an agreement with DTC and comply with all other guidelines as outlined in the Applicant Information Guide before procurement can begin

After all Award steps have been completed, DTC, through its bidding and procurement process, will procure all equipment approved for funding. DTC will notify recipient organizations of the date of delivery of equipment. DTC will fully inspect all vehicles before releasing the vehicle to any Organization. Organizations must execute a DTC Agreement and Preventive Maintenance Agreement and provide proof of insurance prior to taking possession of any vehicle. The cost of title, registration and vehicle tags is the responsibility of each Organization.

PARTNERSHIP PROGRAM

If an agency is interested in providing trips through the Partnership program, a letter of intent with the proposed number of trips and a proposed rate per trip .should be sent to Kathy Maguire at the Wilmington address.

PROGRAM SCHEDULE OF EVENTS

Advertise:

Weeks of December 2, 2019 and December 9, 2019

Workshops

December 17, 2019 - 10:00 a.m. at the Delaware Transit Corporation Administration Building located at 119 Lower Beech Street, Wilmington, DE 19805. The workshop will be held in the Shipyard Room.

December 19, 2019 - 10:00 a.m. at the Delaware Transit Corporation Administration Building located at 900 Public Safety Blvd., Dover DE 19901. The workshop will be held in the Oak Room.

Application and Letter of Intent for Trips Due By Close of Business (4:30pm)

January 17, 2020 – no exceptions will be made.

DEFINITIONS

APPLICANT

Any private, nonprofit or public body corporation making application to DelDOT for funding under

the Section 5310 (formerly Section 16) Program.

COORDINATION
Working together with other transportation providers or organizations and funding sources, including other private nonprofit, public, and private-for-profit providers, to consolidate services and funding. This includes both operating and capital funds and may be affected through documented meetings, telephone conversations and written correspondence.

CONTRACT (OR AGREEMENT)
The written agreement entered into by the applicant organization and DTC for purposes of securing equipment under the rules and regulations of the Program.

DTC
The Delaware Transit Corporation; subsidiary of the Delaware Transportation Authority; DTC administers the Section 5310 (formerly Section 16) Program on behalf of DelDOT and DTA.

DelDOT
The Delaware Department of Transportation authorizes a 20% matching fund for eligible Delaware organizations and has final, State-level approval of all applications. The federal share of eligible capital and administrative costs is not to exceed 80% of the net cost of the program.

DISABLED
All individuals who, by reason of illness, injury, age, congenital malfunction, or other permanent or temporary incapacity or disability, are unable without special facilities or special planning or design to utilize mass transportation facilities and services as effectively as those persons who are not so affected. Disabled persons include:

Ambulatory persons whose capacities are hindered by sensory disabilities such as blindness or deafness; mental disabilities such as mental retardation or emotional illness; physical disabilities which still permit the person to walk comfortably; or a combination of these disabilities.

Semi-ambulatory persons who require special aids to travel such as canes, crutches, walkers, respirators, or human assistance; and

Non-ambulatory persons who must use wheelchairs or wheelchair-like equipment to travel.

ELDERLY
All individuals aged 60 years and older.

EQUIPMENT
Includes accessible passenger vehicles and other equipment such as communication devices (radios) to be used for the provision of direct transportation services for the elderly and disabled.

FTA
The Federal Transit Administration, a division of the United States Department of Transportation.

PRIVATE, NONPROFIT ORGANIZATION
Any community chest, fund, foundation, civic league or other organization not organized for profit but operated exclusively for the promotion of social welfare and no part of net earnings of which benefits any individual or shareholder. No substantial part of any organization defined herein will include campaigning for any candidate for public office or attempts to influence legislation. Must comply with Section 501(c) (3) or (4) of the United States Internal Revenue Code.

PROGRAM
The Federal Capital Subsidy Grant Program authorized under Section 5310 (formerly Section 16) of the Federal Transit Act of 1994, as amended.

PUBLIC BODIES
A public entity is responsible for administering and managing transit activities and services. A public body can directly operate transportation services or contract out.