

# MINUTES

## COORDINATED TRANSIT COMMITTEE



Wednesday, July 19, 2023 | 10:30a

Boardroom - Main Level of the Metro Transit Building

### Attendees

#### Voting Members

Natasha Wilks - Black Hills Works  
Jane Bird - Black Hills Works  
Tami Jenson - City of Council Bluffs  
Wilson Rivas - ENCAP  
Randy Stonys - ENHSA  
Tammy Bradley-Larson - Florence Home  
John Owens - Metro Transit  
Rich McFall - Nebraska VR  
Donna Montelegre - Papillion  
Melanie Davis - UNMC Munroe Meyer Institute  
Vicki Quaites-Ferris - Empowerment Network  
Cale Brodersen - City of La Vista

#### Non-Voting Members

Rich Surber - Lutheran Family Services  
Brandon Smith - Omaha Public Schools  
Albert Kate - Lutheran Family Services  
Alicia Johnson - Metro Transit  
Kari Ruse - NDOT  
Lucinda Dowding - NDOT  
George Gallardo - NDOT  
Bill Bivin - UNO & Statewide Mobility Manager

#### MAPA Staff

Travis Halm                      Court Barber  
Lindsey Button                Carlos Morales

\*Attended virtually

Meeting called to Order at 10:31am.

### Action Items

#### For CTC Approval

1. Approval of Meeting Minutes from the June 21, 2023 CTC Meeting  
Cale Brodersen motioned to approve the minutes. Seconded by Melanie Davis. Motion passed unanimously.

#### For TTAC Recommendation

2. Coordinated Transit Plan - Limited English Proficiency  
Halm presented an addition to the Coordinated Transit Plan on Limited English Proficiency demographics and resources available to persons in the region. The Iowa DOT Calendar operates differently than the MAPA calendar with regards to plan development. Iowa DOT has just reviewed the CTP, and requested additional information on LEP demographics and resources available to them. Our CTP serves as the Passenger Transportation Plan, per Iowa DOT requirements. This constitutes a minor amendment to the CTP and will require a 7 day

public comment period, with the MAPA Board of Directors meeting serving as the public meeting.

Eventually we would like to get to the point where NDOT, Iowa DOT, and MAPA operate on the same calendar with regards to planning documents so that Nebraska and Iowa requirements can be given the same level of attention.

Halm presented a map of the percentage of LEP Households in the MAPA region. Populations are concentrated in North and South Omaha. Halm also presented tables of total LEP population, and a table of LEP resources, Title VI availability, and Title VI Resources for transit agencies in the region.

Halm requested a recommendation of approval of the Coordinated Transit Plan minor amendment to TTAC.

Motion to approve by Wilks. Seconded by Brodersen. Motion passed unanimously.

## **Discussion Items**

### **3. 5310 Program**

Kari Ruse, Lucinda Dowding, Bill Biven, and George Gallardo from NDOT were in attendance at the meeting to discuss various concerns and questions regarding supply chain issues and vehicle acquisition through the 5310 program. The CTC met in June to develop questions for NDOT, which were sent to NDOT in preparation for this meeting.

Ruse, manager of the transit program at NDOT, provided some history of the 5310 program. Over 10 years ago, the State was the direct recipient for all 5310 funds awarded annually, with an apportionment to the two large urban areas, small urban areas, and rural areas. NDOT managed all 5310 programs. With the FAST act, the DOT changed the regulations so that large urban planning organizations could be direct recipients for funds for their area. The Lincoln MPO said no, so NDOT has continued to manage their apportionment. MAPA decided to take on that role of direct funding recipient, which is why the program is organized the way it is today for the Omaha-Council Bluffs Metropolitan Area. This is a unique arrangement in which MAPA solicits projects and administers awards, but then responsibility shifts back to the NDOT with regards to vehicles etc. Program efficiency has not improved, and NDOT only receives a flex letter from MAPA outlining awards that have been distributed. NDOT opens an additional grant with FTA for the money that has been flexed to them. It has been a complex and difficult situation.

MAPA staff clarified that the conversation today was not focused on the potential of NDOT becoming the direct recipient of 5310 funds again for the Omaha Metro area, and managing the whole program through accepting applications through to vehicles.

Ruse answered the prepared question of whether specific items were holding up delivery of vehicles, and if those items could be waved at least temporarily. Supply chain issues currently are related to the vehicle chassis, which is not really something that can be waived. Vendors

would not agree to a timetable for vehicle delivery due to supply chain issues. There is nothing NDOT is currently asking vendors to do that is holding up vehicles. It continues to be a global supply chain issue.

Ruse added that FTA vehicles are deemed ready for replacement at 4 yrs old or 100,000 miles. At that time, NDOT would consider allowing for vehicle replacement. To complicate FTA also has a useful life benchmark assigned to each procured vehicle. Useful life for vans is 8 years and cutaway buses are 10 years. For trading out vehicles, you cannot trade or dispose of a vehicle without prior authorization from NDOT and there is a vehicle disposition form on the dashboard for FTA funded vehicles. Agencies can submit that vehicle disposition form to NDOT and then continue with the disposal of that vehicle. NDOT recommends that transit providers dispose of that vehicle via public auction, which is the easiest way, and then contact NDOT through the disposition form with those final disposition values (how much it sold for and on what date at auction).

Ruse then noted the CTC heard from MAPA staff that there may be vehicle models available sooner than models we traditionally used. NDOT has a relatively new contract for Ford Transits. There is an option for a side or rear lift. NDOT does have a vehicle selection guide available at [nebraskatransit.com](http://nebraskatransit.com) which shows the options and prices. Ruse will distribute the link to that selection guide for distribution to the group. The Ford Transit is included in that selection guide. NDOT started ordering Ford Transits several months ago and have still not received any since beginning this ordering process, and cannot say for sure what the timeframe will be for delivery. These vehicles are modified vehicles, so they take some additional time to deliver. NDOT is also unfortunately in between contracts for small bus and lower Ford minivans. NDOT is currently working to put new contracts in place, and have asked a consultant for a non ADA accessible van and anticipate providing contracts for an 8 and 12 passenger van. In October 2022, the FTA issued a "Buy America" waiver allowing very specific small van procurement for those that do not meet buy america requirements, and is hoping to have those contracts by the end of the year. These vehicles may be more useful for rural areas.

Rich McFall inquired: in what situation would they use the smaller non ADA vehicle? Ruse stated determination is up to the agency. Stonys expressed interest in those vehicles and asked if they would still qualify for 5310 funds. Ruse said yes they would. Certification of equivalent services - what population you serve, why you want this vehicle, do you have accessible vehicles already. Formality on the application. Stonys - we are expanding out west and some of these non ADA vehicles could be something we could use.

Rich Surber inquired how many different vendors exist that perform van modification for ADA compliance. Ruse noted that NDOT contracts with Master's transportation - office in Kearney, who manufactures vehicles in Kansas. Surber then inquired whether a provider can contract out of state? Surber noted that a company in Council Bluffs modifies fire trucks and ambulances as well. Surber asked if a provider could contract with them, to have more vendors available, which could help things move quicker. Ruse noted they could do that but they would have to bid on the contract and it would become a low bid situation. Ruse noted they received three bids on the Ford Transits, and Master's Transportation was the low bid for that. Surber asked if we always end up with just one vendor. Ruse confirmed that one vendor is chosen, and with the supply chain it would be unlikely to make a difference in delivery time as all vendors are experiencing

the same supply chain issues. Melanie Davis asked if all vendors are backlogged with the same issues. Ruse said the assumption is that all are backlogged given these issues. Surber asked: with the non ADA vehicles how does that work with non-profits being allowed to work with those? Ruse answered: it's a different vehicle you would be allowed to apply for under the 5310 program. We assume that when we have the contracts for the smaller vans, they will not have to be modified, so we MAY be able to get those quicker. Surber: there are many entities who sell those vehicles in the metro area, but if NDOT is obligated to only work with one vendor. Ruse noted that the state government has to go through the procurement process and have that vendor contract in place due to federal regulations.

Ruse answered the following question: Are there any other options for agencies waiting on vehicles? You can use your own funds, but if you want to use federal funding unfortunately we are restrained at this time.

Ruse continued discussion of the statewide coordination plan. The State of Nebraska is required to have this plan through the 5310 program. FTA found the current plan to be deficient as it does not have strategies in the plan. It needed to be updated anyway, so NDOT is working on that plan update with defined strategies for improvement statewide. The committee may participate in this effort either as a committee or as individuals or agencies. Ruse noted that the plan is due to FTA in August, and that NDOT has hired a consultant to complete the plan. Halm noted that MAPA has also provided NDOT with the CTP and aspects will be included in their process, in addition to participating in the statewide coordination meetings.

Ruse answered a prepared overall question on Improving overall communications: NDOT is working towards making a change to the 5310 program related to MAPA coordination, and NDOT would then have final determination of vehicles in the MAPA region as well. NDOT accepts applications from August 1st through October 31st and will start this year. Applications are online.

Ruse confirmed that NDOT will attend CTC meetings in July for 5310 application purposes. Ruse then noted that for the Omaha area, it is logical for this committee to review, evaluate, and score the applications, but NDOT will reserve the option to make the final decisions as to who is awarded a vehicle based on their experience with agency compliance within the program. Ruse also added that if a provider is not in compliance, or has an outstanding compliance review, get that submitted to NDOT as this will be considered for future awards.

Donna Monteleagre inquired if this new process would take over the MAPA 5310 Call for projects. Barber confirmed that it would, and that most changes however would be administrative work. From the perspective of most of the people in this room it only changes the application. MAPA will be using the same application as NDOT, but when a provider submits the application to NDOT, NDOT will take all regional applications and pass them onto MAPA who will create a selection subcommittee, perform project evaluations under CTC guidelines, and forward award recommendations on to NDOT. For the most part it doesn't change aside from the application process being unified with NDOT. Anyone applying from Iowa will probably use the same application, but it will be a regional selection like it has been in the past.

Barber continued, stating that MAPA is still in discussion with NDOT and Iowa DOT, but the regional selection process won't change. Still need to work out who makes the final decision on the Iowa side. There's no line drawn between the States in this case, as money is apportioned to the region, which includes both Nebraska and Iowa, adding that Iowa doesn't have a specific apportionment among that regional amount. Finalized process on this process related to Council Bluffs compliance and selection is still being determined.

Kari Ruse added that NDOT will still be asking for Title VI plans, and compliance reviews. That won't change. Currently NDOT does not allow operating assistance, and allows for procurement of vehicles and purchase of service. For example, Papillon runs their own paratransit service within their city. MAPA has a contract with Papillon to provide service, so from Papillon's perspective it's an operating contract, but from the NDOT perspective this would be a purchase of service.

Ruse asked whether the service contracts are 80% federal, Barber responded they are 50/50, a hold over from when the CTC decided it didn't want to change how well the money is spread out. When MAPA initially took on the 5310 program, we were assuming those had to be operating and meet the 40% maximum threshold per year and it needed to be a 50/50 funding split. It wasn't until further investigation that we learned you could do it as capital entirely and do an 80/20 federal/local split. CTC discussed whether to keep 50/50 or shift to 80/20 and decided to keep 50/50. All current contracts are 50/50. We may want to discuss at a future CTC meeting as this hasn't come up in a few years. Ruse noted it's allowable at 80/20, but Barber added that a more even split spreads the money more. Ruse noted this would be called a purchase of service, not operations.

Ruse noted that most of the service contracts are with non-profits in the area.

Monteleagre inquired which dates were set for opening and closing for the applications? Ruse noted the dates are Aug 1 to Oct 31. Monteleagre asked if they applied this year, when would actual fulfillment of the bus take place? Barber added that the timetable is being unified, but MAPA is not changing the timing of the funding. Any awards already made still stand. We have programmed projects out through 2025 but will have to check. Barber noted MAPA is programmed a few years out.

Ruse added that the state programs out of the next fiscal year, for only one year, and that no vehicles have been programmed for 2026 and 2027. That has been another cause for confusion as MAPA programs further out. Ruse noted that NDOT needs to close out some older grants and work through that on the back end. Barber clarified that MAPA has to have 4 years of projects in the TIP. Barber added that MAPA may not need to be so specific in those later years, but the actual awards we may be able to keep within a fiscal year. MAPA will need to figure that out, and it may make things a bit simpler for service providers as only having to think 1 year out. This is a conversation we may have to have with the committee. Barber added that he can send something out that explains this process, but it all has to do with how MAPA programs a certain number of years of projects in the TIP, and how exactly we unify that with the State program.

Barber stated that the ultimate question is how far out do we want awards to go, as service providers. Would you prefer to apply for immediate funding, or a few years out? Monteleagre

noted that it does get confusing when applying out several years, and that it's more confusing when a programmed year is not a delivery year due to multi-year delays. Ruse and Barber both confirmed that vehicle purchases programmed in previous years do not need to be applied for again.

Barber added that he will have to get NDOT an outline of the total funds currently available. The outline will not be the full amount as we projects are already programmed in FY24.

McFall asked: if someone leaves an agency, how do we know if the agency applied? Barber answered that an agency should have award letters from previous calls for projects. I have sent out updates upon request when agencies have multiple award letters from multiple calls for projects.

McFall asked for clarification if MAPA is the sole entity that holds the information on previous calls. Barber stated that agencies receive a letter specifying the award, what it's for, total dollars, year etc. If you want to change that award, we can usually do that kind of thing (swap a van for a bus for example). The letter will have a table showing how much funding is expected each year. Barber noted that MAPA has a log of everyone who has applied and can update as needed.

Barber added that some processes may need to change on award letters and the awarding process if awards are only given for the upcoming fiscal year, but if an agency has a vehicle to replace, previously applied and received that award, then don't apply again. If a new vehicle needs to be replaced, then apply for that replacement.

Brodersen added that City governments need to forecast two years of projects for budgeting purposes, but we can talk about what that needs to look like. For other organizations that might not be the case. Maybe it's more helpful to be one year out rather than 4 years.

Barber: when someone sends in an application through NDOT they wouldn't say what year the funds are needed. Ruse and I will have to talk and figure that out.

Monteleagre added that if Papillion applied this August for FY24, that it has already passed up the fiscal year to turn it in asking for the money because our fiscal year starts Oct 1. Cale noted they could budget and roll the dice on whether the application is approved or not, that it's still possible, but not as smooth for our process. Barber confirmed that these budgeting concerns will be worked out in the transition process, since some cities need two years in advance, while other nonprofits require less lead time.

Ruse noted that prior to COVID, vehicles would be delivered 90-120 days after application is approved and the PO is sent to the vendor. Barber inquired that if a municipality needed to wait a bit how would that affect the system. Ruse noted that to go through their budgeting cycle if they needed to wait 9-12 months. Ruse: we could hold the PO. Barber: NDOT could hold until you need your vehicle. Monteleagre inquired about the application process going back to awards based on compliance, if NDOT would make entities aware of their compliance status Ruse confirmed that compliance review processes are communicated with providers, and occur every 3-4 years.

Barber answered a question from Davis that an existing service contract does not have to be in place to apply for that funding. We haven't fully figured out how the contracts will be run and will need to have further discussions. However, MAPA will not be handling contracts in the future, and that contracts would be handled with NDOT. Barber added that the contractual logistics for Council Bluffs are still being determined.

Natasha Wilks stated that their current contract is for FY23 and 24. If we already have funding through 2024, they would not apply this round. Barber stated that is correct, that they would need to wait for the next round of project selection. Barber added that he can send the outline of funding, and that Black Hills may not need to apply for a couple of years. He added that they may apply for additional funding if the current awards are not enough.

4. NADTC Diversity, Equity and Inclusion Symposium

Halm stated that MAPA and Metro transit were awarded a grant to perform a symposium on Diversity, Equity, and Inclusion from NADTC. There will be a recorded presentation followed by a facilitated discussion sometime between Aug 21 and Sept 10. Goal is to help providers and partners gain a better understanding of the challenges (check the slides).

Halm added that MAPA is looking to have a representative from North and South Omaha in particular, as well as paratransit users, locally elected officials from the city of omaha, state of nebraska etc, resource providers and media. Next steps - we are currently considering venues and times and availability of participants to get to the meetings. We need to refine the scope and decide which partners to bring to the symposium. You will receive more information on this as it comes out, especially if we are looking for participants, as we have already received interest from this committee. Turn around will be very quick on this.

Alicia Johnson, the Metro Transit Diversity, Equity and Inclusion director introduced herself, adding that this symposium is an exciting opportunity to partner with MAPA and move work forward on DEI. We are hoping to focus on aging and folks with disabilities through ethnically and culturally diverse populations. Johnson added that this creates an opportunity to build on work from the Empowerment Network's state of north omaha and aging populations in that region. There are a lot of conversations we can bring together in this symposium and move forward.

Vicki Quaites Ferris inquired if is UNMC easily accessible? Halm noted that Munroe Meyer institute is in Aksarben Village across from Scott Campus and UNO. Halm noted that MAPA has not officially decided on a location yet, but options were presented, and that the venue will be transit and ADA accessible.

5. Additional Business & Public Comment

No additional business

Vicky motioned to adjourn. Second by Bird. Motion passed unanimously.

Adjourn at 11:29am