

PUBLIC NOTICE

VERSION 4.7.17

INFORMATION

In accordance with federal requirements (49 U.S.C. 5323 (a) (1)), private for-profit bus, taxi and ambulate operators must have a fair and timely opportunity to participate in the development of the grant proposal, and afforded a feasible opportunity to provide the proposed service requested under this federal funding program.

Therefore, when complying with this mandatory section of the application, be aware that some private for-profit operators may contact you to determine how they can assist with your transportation needs and to offer their own contractual service proposals for consideration.

Applicants must issue a public notice announcing their intent to provide transportation services through utilization of federal funds; the public notice ensures private for-profit transportation providers have a fair and timely opportunity to participate. The notice must invite interested private for-profit operators to respond and submit a proposal on the proposed services by sending a written notice within a reasonable timeframe of the public notice.

To fulfill the public notice requirement, applicants must prepare a public notice for the project. Applicants may use the form and language of the following sample public notice. Applicants may use the following options:

- Option 1: Either, publish the public notice at least one time as a legal notice, or a paid advertisement in a daily general circulation newspaper covering the service area. If there are no daily newspapers in the service area, a weekly publication will suffice. Applicants must attach a copy of the actual legal notice or public notice from the newspaper with the application, and attach any correspondence from operators responding to the notice (if any).
- Option 2: Send by certified mail a typewritten copy of the public notice to all private bus, taxi and ambulate companies in the proposed project service area. Application supporting documentation should include: (1) a copy of the actual public notice sent to all private operators, (2) the postmarked certified mail receipts for these mailings, and (3) correspondence received from any operators in response to the notice (if any).

If NO Public Comments are received, a statement signed by the applicant's designated official that no public comments were received must be submitted on the applicant's official letterhead.

SAMPLE NOTICE

Transportation providers and other interested parties are hereby notified that (name and address of applicant) is applying for a federal grant of up to \$_____, under Section 5310 of Chapter 53 of Title 49, United States Code, for (describe project type(s) to (describe purpose(s)) within (service area) to meet the needs of elderly individuals and individuals with disabilities.

The purpose of this notice is to invite private for-profit bus, taxi, ambulette operators and other interested parties to participate in the development of proposed grant project(s) and in the provision of enhanced transportation services to elderly individuals and individuals with disabilities. Please contact (name and telephone number of contact person) within XX calendar days of this public notice to request a copy of the project(s) proposed. Comments on proposed projects must be submitted to (name of applicant) within XX calendar days after receipt of the proposed project information.

TRANSLATION NOTE

Please be advised that you must prepare and publish the Public Notice in languages appropriate in the service area(s) of the proposed project(s).

PUBLIC HEARING NOTE

An opportunity for a public hearing is required ONLY for Public Agencies requesting Capital grants under Section 5310. An application for Section 5310 submitted by a public agency should contain a copy of the notice of public hearing and an affidavit of publication.

INQUIRIES

If you receive inquiries about or objections to your project, you must respond by supplying information about the transportation services that utilize federal funds in this grant proposal. This information should be sufficient to, in turn, be used by the for-profit transportation provider to provide you with a cost estimate for the service. In response to an inquiry, you must convey that the for-profit transportation provider may have the option of providing your proposed service with grant funds, or by leasing the grant vehicle(s) for a negotiated fee. To assure continuity and appropriate service for your consumers, you have the right to insist upon a multiple-year contract, and the specialized type of service your consumers require.

Responses to inquiries do not have to be completed by application submission, but must be submitted within XX days after applications are due. If comments are received, copies of the comments must be submitted along with the response to the comments on the applicant's official letterhead.

If received, applicants must evaluate proposals from private for-profit transportation providers on a fully allocated cost basis, by including the annualized value of all grant vehicles, other capital equipment, mobility management and operating assistance requested, subject to an award. Utilize fully allocated salary costs even if drivers and other employees are volunteers, as well as all other estimated operating costs relating to the transportation services proposed and government contributions that will support the project. This ensures equitable evaluations by your organization.

Applicants must report the lowest cost of service(s) obtained (if applicable) from a private-for-profit transportation provider in order to conduct a per passenger trip cost comparison.

Following the evaluation of a proposal, should your organization decide not to accept a proposal to operate your transportation service, you must explain your reasons in a letter to the provider (attach a copy of this letter to the application).

Should this result in a formal protest or complaint from a transportation provider, contact the staff us for further instruction.

It is to your advantage to resolve any protests, and to use private for-profit transportation providers when they can provide appropriate service at reasonable rates. Since FTA federal funds are insufficient to fulfill the needs of all organizations throughout the State, WAMPO encourages organizations to investigate all potential coordination opportunities. In the event that an objection cannot be resolved, WAMPO may use all relevant service and cost data to evaluate your service in a protest resolution.