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Introduction

RPTD Compliance Review Program

Scope of the Review

The Oregon Department of Transportation (ODOT) Rail and Public Transit Division’s (RPTD) compliance review program is designed to assist the division assess how Oregon transit agencies meet the varied compliance requirements imposed by the Federal Transit Administration (FTA), ODOT, and RPTD. This assessment is done using an on-site review process.

This Field Guide provides guidance to RPTD subrecipients who are subject to on-site review and helps to ensure reviewers provide consistent and thorough review. The purpose of review is to assess how well each subrecipient’s management practices comply with federal and state laws, rules, requirements, and regulations. The overall goal of the program is to improve each subrecipient’s compliance with applicable regulations while at the same time strengthening managerial abilities in the following areas.

Each review is organized into twelve major areas:

1. Program Management
2. Financial Management
3. Operations Management
4. Procurement
5. Use and Maintenance of Project Equipment
6. Civil Rights
7. Americans with Disabilities Act
8. Charter and School Bus Provision
9. Statewide Transportation Improvement Fund
10. Special Transportation Fund
11. Monitoring of Lower Tier Subrecipients
12. Other Elements

Data collection to support each review is conducted in two stages: (a) a desk review, conducted by a review consultant based on the submittal of requested data by the subrecipient; and (b) information gathered during a one- to two-day on-site visit.

The review process begins with a notification letter from RPTD to the subrecipient stating that a compliance review has been scheduled. The letter outlines the scope and parameters of the review, includes a request for data, and recommends which officials should participate.
Desk Review

Subrecipients are given 30 days to provide information requested for the desk review. All information is to be submitted electronically to a secure cloud server. Requested data is documented in the attached “Requested Document Upload Checklist”. The reviewer will examine the submitted documents prior to the on-site review.

On-Site Review

RPTD and the subrecipient will mutually determine the dates for the on-site review. While on site, the review team will interview personnel at the transit agency, including, but not necessarily limited to, individuals who hold the following positions:

- Transit manager
- Governing body chair
- Advisory body chair
- Operations manager
  - Customer service
  - Scheduling
  - Dispatch
- Maintenance manager
- Fiscal director
- Human resources director
- Civil rights manager
- Procurement manager
- Training supervisor

The on-site visit will begin with an entrance interview. During this session, the review consultant and RPTD staff will review the scope of the review and provide an opportunity for the subrecipient to ask questions.

Depending upon the complexity of the subrecipient’s transit system, the site review will take between four and sixteen hours.

At the conclusion of the review, an exit conference will be held. The review consultant will discuss preliminary findings and potential remediation strategies.

Compliance Report

Following the desk review, on-site visit, document analysis, subrecipient staff interviews, and inspection of records, equipment, or procedures, the review consultant may render a finding. Findings may include:
• Compliance Observations – These are issues of regulatory compliance and must be remedied within a mutually-agreed-upon timeframe determined by the RPTD regional transit coordinator (RTC) and the subrecipient under review.

• Advisory Recommendations – These represent best practices in nonurbanized area management and operations. The subrecipient is not obligated to implement advisory recommendations.

Forty-five days after the on-site review, the review consultant will release a draft report to RPTD. Following RPTD review and within 60 days of the review date, the final report will be released to the subrecipient.

Compliance observations will be assigned a period of remedy, ranging from 30 to 180 days. Deficiencies with less impact, or that have a required public hearing and/or approval process, will have a longer remedy period.

Advisory recommendations do not require implementation, but instead are suggestions provided by the review consultant which represent industry best practices and may assist in achieving greater subrecipient efficiency.

The report will be organized by topic, corresponding to the outline of this Review Guide. Each section will provide a summary of the compliance requirements, the observations and findings of the review consultant, and the actions necessary to remedy the findings.

**Resolution of Compliance Findings**

During the remediation period, RPTD expects the subrecipient to satisfactorily resolve all compliance observations within the agreed-upon timeline. Advisory recommendations may be accepted or rejected, as appropriate – these are only recommendations, not requirements.

To assist the RTC monitor the subrecipient’s progress in closing findings, a monitoring form will be issued in conjunction with each report.

After issuance of the report, the RTC will be available to assist the agency remedy and close findings; provide examples of policies, procedures, and best practices; and review system proposals for remedy. It will be the primary responsibility of the RTC to close findings.

The review consultant will also be available, as needed, for consultation via email and/or by telephone, to provide further assistance.
# Requested Document Upload Checklist

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Document to be Uploaded in Advance of Site Visit</th>
</tr>
</thead>
</table>

## Program Management
- [ ] Copies of any subcontracts with lower tier operators

## Financial Management
- [ ] Subrecipient’s chart of accounts
- [ ] Indirect cost allocation plans and cognizant agency approval letter
- [ ] Written financial management policies and procedures

## Procurement
- [ ] Copies of written procurement policies
- [ ] Copies of code of conduct governing personnel involved in procurement (if not included in written procurement policy)
- [ ] Non-accessible vehicle acquisition certification
- [ ] Copies of third-party contracts arising from all formal procurements since the last review (Note: if there are multiple instances of formal procurements, contact the review team and seek clarification on the submittal)
- [ ] For locally conducted procurements, copies of procurement documents, including IFB, RFP, or purchase orders and vendor lists, bid tabulations, etc. (Note: if there are multiple instances of formal procurements, contact the review team and seek clarification on the submittal)

## Use and Maintenance of Project Equipment and Facilities
- [ ] Copy of vehicle preventive maintenance plan and schedules
- [ ] Copy of facility maintenance plan (if federally-funded or state-funded facilities are owned by the system)
- [ ] Certificate of insurance documenting coverage levels, additional insured, etc.
- [ ] Vehicle fleet roster with funding source designation, date of acquisition, accessibility status, and “designed to transport” capacity
- [ ] Transit equipment inventory
- [ ] Blank pre-trip vehicle inspection form
- [ ] Vehicle lease agreements (if any)
- [ ] Equipment/vehicle disposition procedures
- [ ] Buy America certifications, if applicable
- [ ] Pre-award and post-delivery audits (if applicable)
<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Document to be Uploaded in Advance of Site Visit</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Copies of vendor provided Bus Testing certifications (approval page only)</td>
</tr>
</tbody>
</table>

**Civil Rights**

- Copy of most recent Title VI program
- Description(s) of any lawsuits or complaints alleging discrimination on the basis of race, color, or national origin in service delivery filed within last year along with statement of resolution/outcome
- Summary listing of all civil rights complaints since the last review
- Copy of EEO program (If the subrecipient requests or receives capital or operating assistance in excess of $1 million in the previous federal fiscal year, OR requests or receives planning assistance in excess of $250,000 in the previous federal fiscal year AND employs more than 50 employees)

**Americans with Disabilities Act (ADA)**

- Copies of any complaints filed against the subrecipient alleging discrimination on the basis of disability in service delivery (filed within last year) along with statement of resolution/outcome
- Service brochures and other system information made available to the public
- Complementary paratransit application and guidelines (if applicable)
- Copy and description of fare structure employed by the subrecipient
- ADA related service and operating policies

**Charter and School Bus**

- Charter reports, last year
- Contracts with all entities that purchase contracted service from the subrecipient (if available)

**Statewide Transportation Improvement Fund (STIF)**

- List of STIF advisory committee members
- STIF advisory committee by-laws
- Most recent STIF Plan
- STIF-financed capital inventory
- Chart of account for STIF funds, including evidence that the entity manages STIF moneys in separate governmental accounts

**Special Transportation Fund (STF)**

- List of STF advisory committee members
<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Document to be Uploaded in Advance of Site Visit</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>STF advisory committee by-laws</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Copy of most recent public transit/human services coordinated plan</td>
</tr>
</tbody>
</table>

**Monitoring of Lower Tier Subrecipients**

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Document to be Uploaded in Advance of Site Visit</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Copy of lower tier subrecipient monitoring review checklist (if used)</td>
</tr>
</tbody>
</table>
Section 1. Program Management

In this section, a subrecipient’s eligibility and authority to receive FTA funds is established.

Program Identification

Eligibility for federal and state program funds is determined by RPTD as part of the planning and grants management process. In this stage of the review, the reviewer documents the funding sources used by the subrecipient since the last review. The reviewer does not verify eligibility or eligible services. If, upon review of the scope of services, the reviewer determines that the described services vary from that outlined in the project application and/or as described in a statement of work or subrecipient agreement, this will be reported as a finding.

1. What are the sources of federal funds received by this subrecipient since the last review? (Check all that apply)

☐ Section 5311  ☐ Section 5311(f)  ☐ Section 5310  ☐ SGR
☐ Section 5339  ☐ STF  ☐ STIF  ☐ Other
☐ Tribal Transit

Governance

All RPTD subrecipients must be legally constituted and have a governing body structured according to the organizational status of the agency. Governing bodies, in addition to providing the legal authority to enter into an agreement with RPTD, must provide appropriate oversight of financial affairs and approve all key policies of the agency (e.g., procurement policies). If the governing body delegates any of these responsibilities, the reviewer will examine such delegation authority.

FTA requirements include approval actions by the governing body. These policies, plans, or programs include those covering Disadvantaged Business Enterprises (DBE), Title VI, Affirmative Action, and drug and alcohol regulations.
2. What is the governing body of the subrecipient that is duly authorized to operate the public transit project?

______________________________________________________________________________
______________________________________________________________________________

3. How often does the body meet?

______________________________________________________________________________

4. Is there documented evidence that this body deliberates on key management issues facing the subrecipient?

☐ Yes ☐ No

If Yes, how often are transit-related topics included on the agenda of this body?

______________________________________________________________________________
______________________________________________________________________________

5. What type of control, if any, does the governing body exercise over the subrecipient?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Governing Body Oversight Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>Conducts annual appraisal and performance review of transit program executive</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Reviews periodic financial and service reports</td>
</tr>
<tr>
<td>☐</td>
<td>☚</td>
<td>Approves annual budget</td>
</tr>
<tr>
<td>☚</td>
<td>☚</td>
<td>Approves purchases over a governing body specified threshold</td>
</tr>
<tr>
<td>☚</td>
<td>☚</td>
<td>Other (describe):</td>
</tr>
</tbody>
</table>

6. Does subrecipient management provide the governing body with routine financial and/or progress reports?

☐ Yes ☐ No
If Yes, please provide a copy of a sample, recent report *(to be collected or reviewed on-site).*

7. If Yes to Question 6, select the topical content provided in the report:

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Topical Content of Governing Body Reports</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Ridership and performance data summarizing the period</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Comparative data regarding performance as compared to a prior period</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Management’s narrative summary of activities during the report period</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Financial reports</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Type of Financial Report</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Profit and loss statement</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Variance report (income/revenues)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>General ledger/register transactions</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Other (describe):</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Accident/incident reports</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Customer service commendations/complaints report</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Title Equal Employment Opportunity (EEO) complaints report</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reasonable modification requests/complaints reports</td>
</tr>
</tbody>
</table>

8. Has the governing body delegated grants management or decision-making responsibilities to other parties, such as key employees of the organization?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
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<tbody>
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</table>

If Yes, is there a governing body resolution or other appropriate action that approves this delegation of authority?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
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</table>
Control Environment

A subrecipient’s overall control environment sets the tone of the agency and influences the control consciousness of its employees. To successfully address risks and achieve its objectives, agency management must institute various control activities, such as segregation of duties, physical controls, and a system of approvals.

9. Are the subrecipient’s employees skilled and trained to perform the duties associated with their particular job functions (e.g., daily staff management, accounting functions, delivery of services)?

☐ Yes ☐ No

If Yes, describe how the subrecipient ensures that individuals with the proper training and credentials are assigned job duties.

______________________________________________________________________________

______________________________________________________________________________

10. How does management remain well-informed of the requirements of laws and regulations pertinent to transit programs?

______________________________________________________________________________

______________________________________________________________________________

11. How does management communicate the message to employees that integrity cannot be compromised?

______________________________________________________________________________

______________________________________________________________________________
Section 2. Financial Management

Overview

As the primary recipient of grant funds and as the state agency designated to administer such funds for public transit activities, RPTD manages the financial elements of transit programs in accordance with its existing procedures, FTA guidelines, and other applicable state and federal regulations.

All subrecipients are required to establish and maintain an accounting system to which all transportation-related costs, revenues, and operating costs are recorded so that they may be clearly identified, easily traced, and substantially documented. The fully-allocated cost of the public transit program must be clearly identified regardless of the operational nature of the subrecipient.

Accounting Practices

Receipt of grant funding from RPTD obligates the subrecipient to use the funds it receives as specified in the project application and subrecipient agreements. Execution of these agreements establishes a partnership between RPTD and the subrecipient wherein RPTD assumes an oversight role in the use of grant funds and retains a vested interest in any unused grant balances, improperly applied funds, and property and facilities acquired under the subrecipient agreement. Subrecipients and third party contractors are responsible for establishing and maintaining adequate internal controls over all functions that relate to project administration and execution. These control systems must adhere to the applicable requirements outlined in the RPTD State Management Plan and other requirements as may be established by RPTD.

Financial records, supporting documentation, and all other records pertinent to a subrecipient agreement must be retained by the subrecipient and must be made readily available to authorized representatives including RPTD, for a period of three years from the date of project completion and/or until final payment under the agreement has been rendered (whichever is later).

If any litigation, claim, or audit is started before the expiration of the three-year period, the records must be retained beyond three years, until all litigation, claims, or audit findings involving the records have been resolved.
1. Is the subrecipient's chart of accounts sufficiently detailed to accumulate project revenues and expenses in detail?
   □ Yes □ No

2. Is the chart of accounts sufficiently detailed to distinguish between capital and operating expenses?
   □ Yes □ No

3. Is the subrecipient's accounting system capable of generating reports to ensure the timely collection of revenues and grant receipts?
   □ Yes □ No

4. Are subrecipient personnel who are responsible for recording financial transactions, generating reports, and ensuring the accuracy of financial data suitably trained to perform these functions?
   □ Yes □ No

5. Does the subrecipient adhere to the requirement that all financial records pertaining to an RPTD subrecipient agreement be retained for three years following the final payment?
   □ Yes □ No

6. Does subrecipient maintain written financial management procedures?
   □ Yes □ No

7. Federal cost principles require that all costs incurred must be “reasonable and necessary.” Does the subrecipient have a process in place to determine reasonable and necessary costs prior to making expenditures?
   □ Yes □ No
If Yes, what is this process?

______________________________________________________________________________
______________________________________________________________________________

8. How does the subrecipient ensure that costs claimed under a federal grant award are not included as a cost or used to meet cost sharing or matching requirements of any other federally-financed program in either the current or a prior period?

______________________________________________________________________________

9. Financial capacity is measured by a subrecipient's ability to handle a number of functions, including the following management elements. Determine if the subrecipient demonstrates sufficient managerial ability to:

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Match and manage FTA grant funds.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Cover grant cost overruns.</td>
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<td></td>
<td></td>
<td>Cover operating deficits through long-term, stable, revenue sources.</td>
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<tr>
<td></td>
<td></td>
<td>Maintain and operate grant-funded equipment.</td>
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<tr>
<td></td>
<td></td>
<td>Conduct annual A-133 audits (if applicable).</td>
</tr>
</tbody>
</table>

Indirect Costs

Indirect costs are those: (a) incurred for a common or joint purpose benefiting more than one cost objective, and (b) not readily assignable to the cost objectives specifically benefitted without effort disproportionate to the results achieved. The term "indirect costs" applies to costs of this type originating in the subrecipient's department which receives the grant, as well as those incurred by other departments in supplying goods, services, and facilities.

There is no universal rule for classifying certain costs as either direct or indirect under every accounting system. A cost may be direct with respect to some specific service or function, but indirect with respect to the federal award or other final cost objective. Therefore, it is essential that each cost item be treated consistently in like circumstances either as a direct or an indirect cost. Where an accumulation of
indirect costs will ultimately result in charges to a federal award, either a cost allocation plan or a de minimis indirect rate election is required.

Amounts not recoverable as indirect costs or administrative costs under one federal award may not be shifted to another federal award, unless specifically authorized by federal legislation or regulation.

For organizations that seek reimbursement of indirect costs under their federal grant awards, an indirect cost rate proposal must be prepared annually and submitted to the cognizant federal agency for indirect costs, an agency designated by the Office of Management and Budget (OMB) for reviewing, negotiating, and approving indirect cost rates. In the absence of a designated cognizant agency for indirect costs, the federal funding agency providing the most significant amount of funding will typically serve as the cognizant agency. In cases where funds first flow to a primary recipient and then to a subrecipient, the primary recipient may review, negotiate, and approve indirect cost rate proposals (this scenario describes the relationship between RPTD and its subrecipients).

10. Does the subrecipient seek reimbursement of indirect costs in its claims under its various federal grant awards?

☐ Yes  ☐ No

If Yes, has subrecipient submitted the plan for approval to a cognizant federal agency or RPTD?

☐ Yes  ☐ No

If Yes, which agency approved the Cost Allocation Plan (CAP)?

______________________________________________________________________________

Does the subrecipient claim the de minimis indirect cost rate?

☐ Yes  ☐ No

11. Is the CAP updated annually or on a multi-year period as required by the cognizant agency for indirect cost?

☐ Yes  ☐ No

What is the date on the latest approved CAP?

______________________________________________________________________________
12. Are claims for reimbursement of indirect costs made in accordance with the latest approved indirect cost rate?

☐ Yes  ☐ No

### Internal Controls

Subrecipients are responsible for establishing and maintaining adequate internal controls over functions that affect implementation of a grant award. For proper management of awards, these controls must be used by the subrecipient in all of its operating, accounting, financial, and administrative systems. To ensure proper accountability for grant funds, internal controls must be integrated with the management systems used by the subrecipient to regulate and guide its operations.

13. Subrecipients must demonstrate that they have policies, procedures, and protocols in place to demonstrate sufficient internal controls over financial management. Does the subrecipient address the following internal controls?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>Does the subrecipient have written grant administration policies that govern organizational control of its activities?</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Does the subrecipient's formal organizational structure clearly define, assign, and delegate appropriate authority for all duties?</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Given the size of the organization, is there sufficient segregation of duties in financial management functions to ensure that adequate internal checks and balances exist?</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Does the subrecipient have a system of organizational planning to determine financial, property, and personnel resource needs?</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Are there sufficient checks and balances in place to prevent illegal or unauthorized transactions or acts?</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Do the subrecipient's information systems reliably provide needed operating and financial data for decision-making and performance review?</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Does the subrecipient have any type of internal audit functions to ensure that grant funds are expended properly?</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Are the subrecipient's personnel properly qualified for their assigned responsibilities, duties, and functions? Are education, training, experience, competence, and integrity considered in assigning work?</td>
</tr>
</tbody>
</table>
| ☐   | ☐  | Are the subrecipient's expenditures controlled so that construction, equipment, goods, and services are acquired and received as contracted for (as to quality,
14. How is the security of financial data maintained? Who has access to records? How often is the financial system backed up?

__________________________________________________________________________________  
__________________________________________________________________________________  

Budget

Subrecipients are responsible for monitoring expenditures and must compare these expenditures to budgeted amounts for each subrecipient agreement or subagreement. Financial information must be related to performance or productivity data, including the development of unit cost information whenever appropriate or specifically required in the subrecipient agreement or subagreement. If unit cost data are required, estimates based on available documentation will be accepted whenever possible.

Applicable cost principles, as stated in 2 CFR part 200.401 - 475, agency program regulations, and the terms of subrecipient agreements and subagreements will be followed in determining the allowability and allocability of costs.

Accounting records must be supported by such source documentation as cancelled checks, paid bills, payrolls, time and attendance records, contracts, and subgrant award documents.

15. How is the budget developed? Who is responsible for developing the budget?

__________________________________________________________________________________  
__________________________________________________________________________________  

16. Who is responsible for approving the budget?

__________________________________________________________________________________

17. Who is responsible for ensuring that costs are consistent with the project budget and the limitations set forth in the subrecipient agreement?

__________________________________________________________________________________

18. How is the budget managed throughout the fiscal year? Does the accounting system generate periodic reports regarding revenues, expenses, budget variances, etc.? Who receives these reports? How are the reports used by subrecipient management?

__________________________________________________________________________________

__________________________________________________________________________________

19. What role does the governing body play in review and/or approval of necessary changes and/or modifications to the budget during the fiscal year?

__________________________________________________________________________________

__________________________________________________________________________________

20. Does the governing board have a threshold for budget revisions and/or amendments that would require a board action for approval?

☐ Yes ☐ No

If Yes, what are the threshold amounts where the governing body’s action is necessary?

__________________________________________________________________________________
21. Is the governing body informed of all major changes in financial condition in a timely manner?
__________________________________________________________________________________

22. Who is responsible for determining cost allowability? Are budget officials knowledgeable about federal cost principles governing cost allowability?
__________________________________________________________________________________
__________________________________________________________________________________

23. What role does the governing body play in monitoring the subrecipient’s budget?
__________________________________________________________________________________
__________________________________________________________________________________

24. What is the subrecipient’s fiscal year?
Start date (current year) ____________ End date (current year) ________________

25. What is the subrecipient’s basis of accounting?

☐ Cash
☐ Modified Cash
☐ Accrual
☐ Other (Describe) ________________________________________________

26. If the subrecipient provides service under contract to human service agencies, what is the frequency for issuing invoices to the contracting organizations? What is the typical aging cycle on such receivables?
__________________________________________________________________________________
27. What procedures does the subrecipient have in place to track and collect aged receivables?

__________________________________________________________________________________
__________________________________________________________________________________

28. Does the subrecipient maintain proper supporting documentation for routine purchases?

☐ Yes    ☐ No

29. Are personnel charges based on actual, after-the-fact work activity (i.e., not based on estimates)?

☐ Yes    ☐ No

30. What supporting documentation does the subrecipient maintain to document that personnel charges made to federal grants are based on actual, after-the-fact work activity?

__________________________________________________________________________________
__________________________________________________________________________________

For any employee who meets the conditions described (a) through (d) in the introduction of this section, does the non-federal entity maintain records that meet the following requirements?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Personnel Activity Report or Equivalent Document Must:</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>Be supported by a system of internal control which provides reasonable assurance that the charges are accurate, allowable, and properly allocated</td>
</tr>
</tbody>
</table>
Personnel Activity Report or Equivalent Document Must:

- [ ] Yes  [ ] No

- Be incorporated into the official records of the non-federal entity
- Reasonably reflect the total activity for which the employee is compensated by the non-federal entity, not exceeding 100 percent of compensated activities
- Encompass both federally-assisted and all other activities compensated by the non-federal entity
- Comply with the established accounting policies and practices of the non-federal entity
- Support the distribution of the employee’s salary or wages among specific activities or cost objectives if the employee works on more than one federal award; a federal award and non-federal award; an indirect cost activity and a direct cost activity; two or more indirect activities which are allocated using different allocation bases; or an unallowable activity and a direct or indirect cost activity.

**Cash Management**

Subrecipients must periodically reconcile grant accounts and bank records with financial system records, ensure the timely deposit of cash receipts to prevent fraud or loss, and ensure sufficient separation of functions to provide adequate checks and balances in the cash handling process.

31. Describe the process in which the subrecipient receives cash and checks from RPTD and or other entities that purchase service. Include cash donations in this description.

__________________________________________________________________________________
__________________________________________________________________________________

Is there sufficient segregation of functions in processing activities such as: mail opening, recording, general ledger entry, deposit preparation, and bank deposits?

- [ ] Yes  [ ] No

Describe roles and responsibilities:

<table>
<thead>
<tr>
<th>Financial Task</th>
<th>Performer Job Title</th>
<th>Approver Job Title</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mail processing</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Documentation/record-keeping</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
G/L entry
Deposit preparation
Deposit
Bank statement reconciliation

32. Does a person other than the individual who conducts the accounting function verify the cash receipts listing against the deposit slips?

☐ Yes ☐ No

33. Document the following elements associated with fare collection. Are there written procedures governing turn-in, counting, reconciliation, recording, and storage?

☐ Yes ☐ No

Are vehicles equipped with fareboxes?

☐ Yes ☐ No

If No, describe the procedures in place to protect fare collections from theft or loss.

__________________________________________________________________________________

How often are revenues pulled from system vehicles/fareboxes?

__________________________________________________________________________________

__________________________________________________________________________________

Where are farebox revenue counts conducted?

__________________________________________________________________________________

Is this location secure? Who has access?

__________________________________________________________________________________
How are the counts posted to the agency’s general ledger?

__________________________________________________________________________________
__________________________________________________________________________________

Are farebox counts for demand response services reconciled against driver logs?

☐ Yes ☐ No

34. What steps has the subrecipient taken to protect itself from theft, fraud, or loss? Are employees who handle cash bonded? Is there insurance to cover loss or theft?

__________________________________________________________________________________

35. Does the subrecipient sell passes, pass books, or paper tickets?

☐ Yes ☐ No

If Yes, what controls are in-place to prevent theft, fraud or misuse of the passes?

__________________________________________________________________________________

__________________________________________________________________________________

If Yes, what steps are taken to secure storage or unsold media?

__________________________________________________________________________________

36. Is there a petty cash fund?

☐ Yes ☐ No
If Yes, are there written policies and procedures in place for petty cash expenditures which include how it may be used and who is eligible to withdraw funds?

☐ Yes  ☐ No

37. Is there sufficient segregation of job duties related to expenditures?

Describe roles and responsibilities:

<table>
<thead>
<tr>
<th>Financial Task</th>
<th>Performer Job Title</th>
<th>Approver Job Title</th>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initiate expenditures</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Writes checks</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Receive cash/issue receipts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>G/L entry</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reconcile bank statements</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

38. Are two original signatures required on all checks?

☐ Yes  ☐ No  ☐ Other

If Other, please explain:

____________________________________________________________________________

____________________________________________________________________________

39. Are check signers authorized by the governing body?

☐ Yes  ☐ No

40. Does the subrecipient maintain all issued checks and other information necessary to permit audit of grant-related transactions?

☐ Yes  ☐ No
41. Does the subrecipient provide credit cards to its employees?

☐ Yes ☐ No

If Yes, are there written policies in place governing the use of such cards?

☐ Yes ☐ No

If Yes, are the policies sufficient to protect the organization from employee fraud and abuse?

Is there sufficient segregation of functions in review of credit card statements (e.g., an individual other than an authorized user reviews and reconciles the statements)?

☐ Yes ☐ No

42. Does the subrecipient have written policies regarding the payment of travel expenses incurred by employees who travel away from their duty station on agency business?

☐ Yes ☐ No

---

**Financial and Program Reporting**

RPTD requires that requests for reimbursement be supported by a statement of revenues and expenditures for each quarter, including documentation of local match contributions.

43. What is the frequency of report submission to RPTD?

______________________________________________________________________________

______________________________________________________________________________

Does the RPTD RTC indicate that reports are submitted on a timely basis?

☐ Yes ☐ No
44. Does the subrecipient utilize monthly financial reports and/or variance reports to monitor budget adherence?

☐ Yes  ☐ No

45. In reporting service data, what methods are used to collect and validate the accuracy of reported data?

________________________________________________________________________________________

Local Match

Federal and state grants awarded by RPTD may require match or local participation in the share of project costs. The amount of local match is specified in the subrecipient agreement.

Examples of local sources that may be used for the local share include state or local funds; dedicated tax revenues; private donations; and net income generated from advertising and concessions. Additionally, revenues derived from a service agreement with a state or local social service agency or a private social service organization may be used to meet the local matching share, even if the source of those funds was another federal program.

Subrecipients may count non-cash shares such as donations, volunteered services, or in-kind contributions toward the local match only if the recipient formally documents the value of each non-cash share, and if this value represents a cost that would otherwise be eligible under the project. The net project cost must include the value of any in-kind contributions included in net project cost to the extent it is used as local match.

46. What are the sources of funds being used to generate the local match? Are these sources non-federal as defined above? Do these sources meet FTA requirements for local match as defined below?

Yes  No  Check all that apply:

Statutorily defined sources:

☐ ☐ State or local appropriations
☐ ☐ Dedicated tax revenue
☐ ☐ Other cash
Private donations
Net income derived from advertising and/or concessions

Other federal funds that are unrestricted for use as match:
Funds received from a service agreement with a state or local social service agency or a private social service organization
Federal Lands Highway Program
Other¹

Donated or contributed services:
Donated²
Volunteer²

¹ Verify there are no restrictions on use as match.
² See next section to verify allowability as in-kind or volunteer service.

47. Are the funds cited above verified as not being included as a cost or used to meet cost sharing or matching requirements of any other federal award in either the current or a prior period, except as specifically provided by federal law or regulation?

☐ Yes ☐ No

48. Is the subrecipient generating sufficient local match to meet the applicable percentage as defined in the subrecipient agreement?

☐ Yes ☐ No

In-Kind or Contributed Services

Non-cash shares such as donations, volunteered services, or in-kind contributions are eligible to be counted toward the local match only if the value of each is formally documented and supported at the time of donation. Additionally, any donation or volunteer service must represent a cost which would otherwise be eligible under the project.
RPTD allows donated or volunteer services to be furnished to a nonprofit organization by professional and technical personnel, consultants, and other skilled and unskilled labor. The value of the donations may be used to meet the local match requirements but may not be claimed for reimbursement. There are conditions governing the use of donations and/or volunteer services. Such items and services: (a) must be verifiable from the recipient's records; (b) must not be included as contributions for any other federally-assisted project or program; (c) must be necessary and reasonable for proper and efficient accomplishment of project or program objectives; (d) must be allowable under the applicable cost principles; (e) must not paid by the federal government under another award, except where authorized by federal statute to be used for cost sharing or matching; and (f) must be provided for in the approved budget when required by the federal awarding agency; and (g) must conform to other provisions of 2 CFR part 200, as applicable.

Fair market value of contributed or volunteer labor must be computed based on the regular rates paid for similar work in other activities of the organization or, in cases where the kinds of skills involved are not found in other activities of the organization, the rates used must be consistent with those paid for similar work in the labor market in which the organization competes for such skills.

Under any circumstance, the value of these services is not reimbursable either as a direct or indirect cost under federal grant awards; rather this value may only be used as local match.

49. Does the subrecipient utilize contributions or donations to meet part of the match share of RPTD grant awards?

☐ Yes ☐ No

50. How did the subrecipient assign fair market value to the donated or contributed service?

__________________________________________________________________________________

__________________________________________________________________________________

51. Are the services or items donated necessary and reasonable for proper and efficient accomplishment of project or program objectives?

☐ Yes ☐ No
52. Did the subrecipient use the value of the donation only as local match (i.e., the subrecipient did not seek reimbursement from grant funds for the donation)?

☐ Yes ☐ No

**Program Income**

Program Income is gross income received by a subrecipient that is directly generated by an activity, or earned only as a result of the grant funded project during the grant period (the time between the effective date of the grant and the ending date of the grant reflected in the final financial report).

Program income includes: (a) income from fees for services performed; (b) income from the use or rental of real or personal property acquired with grant funds; (c) income from payments of principal and interest on loans made with grant funds; and (d) tax credits. Program income may not be used to reduce the local share of the grant in the year in which it was earned but may be used in future grants. Net income from advertising and revenues from a contract with a state or local social service agency or a private social service agency represent a special case and may be used in the year in which it was earned. The income from contract services may not be used as match if the original source of payment for the contract is another subrecipient agreement.

Fares are not considered program income and must be deducted from total operating costs to determine the net cost of service.

53. Does the subrecipient generate program income?

☐ Yes ☐ No

If Yes, what is the source of this program income?

__________________________________________________________________________________

__________________________________________________________________________________

If Yes, has the subrecipient retained the revenues for use in the transit program?

☐ Yes ☐ No
If other than advertising and contract income, has the subrecipient used the program income for the local share in a year other than the year in which the income was earned?

☐ Yes ☐ No

54. Did the subrecipient report program income and its use to RPTD as appropriate?

☐ Yes ☐ No

---

**Single Audit**

Subrecipients expending $750,000 or more in federal financial assistance from all sources in the subrecipient’s fiscal year must prepare a single audit pursuant to 2 CFR part 200.500. (Note: this threshold is applicable to fiscal years beginning after December 26, 2014; fiscal years with an earlier ending date must be audited in accordance with the previous threshold of $500,000). RPTD will conduct the required oversight of the single audits of their subrecipients. Therefore, this topic is not covered in the compliance report.

Additionally, RPTD stipulates that subrecipients entering into lower tier subcontracts require those lower tier contractors to also adhere to the requirements of a single audit. Subrecipients are obligated to ensure that these terms are contractually stipulated in the lower tier agreement and that the lower tier contractor provides RPTD a copy of the single audit.

The review team will download the three most recent audit reports from the Secretary of State’s office: [https://secure.sos.state.or.us/muni/public.do](https://secure.sos.state.or.us/muni/public.do).

55. Did the subrecipient receive more than $750,000 in federal funds (from all sources) during any one of the last three fiscal years?

☐ Yes ☐ No

If Yes, did the subrecipient prepare a single audit?

☐ Yes ☐ No
56. Does the audit contain any findings relative to the subrecipient’s use of RPTD/FTA funds?

☐ Yes ☐ No

If Yes, has the subrecipient submitted a remedial action plan to RPTD and/or resolved the findings?

☐ Yes ☐ No

57. Does the subrecipient pass through funds to lower tier recipients?

☐ Yes ☐ No

If Yes, does the subrecipient provide all required grant information to facilitate the lower-tier subrecipient’s preparation of the audit?

☐ Yes ☐ No

If Yes, does the subrecipient review and assist in the resolution of audit findings?

☐ Yes ☐ No
Section 3. Operations Management

Overview

Many questions in this section do not relate to a specific compliance topic; rather, the questions relate to the operational efficiencies and effectiveness in the subrecipient’s various operational policies. This section addresses organization and staffing, transit operations, scheduling, dispatching, customer service, safety, and security.

Organization and Staffing

The subrecipient is responsible for ensuring it has the managerial and technical capacity to carry out the RPTD grant. The subrecipient is responsible for ensuring that it has sufficient personnel assigned to the various transit functions (administration, operations, and maintenance) to ensure successful delivery of public and coordinated human services transportation.

1. What are the subrecipient’s direct staff commitments to the various transit functions?

<table>
<thead>
<tr>
<th>Fixed Route</th>
<th>Demand Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>FTEs</td>
<td>Function</td>
</tr>
<tr>
<td>1</td>
<td>Administration</td>
</tr>
<tr>
<td>1</td>
<td>Operations</td>
</tr>
<tr>
<td>1</td>
<td>Maintenance</td>
</tr>
<tr>
<td>1</td>
<td>Non-Vehicle Maintenance</td>
</tr>
</tbody>
</table>

2. Examine the organizational chart. Has the subrecipient and/or operator dedicated sufficient human resources to carry out all responsibilities for the agency?

[ ] Yes  [ ] No

3. Are there written job descriptions for all positions?

[ ] Yes  [ ] No
4. Are there any commitments of other agency or organizational personnel who perform functions on behalf of the subrecipient indirectly (i.e., they also perform functions other than transit)?

☐ Yes    ☐ No

If Yes, describe these individuals and what functions they provide?
__________________________________________________________________________________
__________________________________________________________________________________

5. If the subrecipient operates fixed route services, what types of services are offered?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Check all that apply:</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☑</td>
<td>Non-commuter bus (traditional fixed route)</td>
</tr>
<tr>
<td>☐</td>
<td>☑</td>
<td>Commuter bus</td>
</tr>
<tr>
<td>☐</td>
<td>☑</td>
<td>Intercity bus</td>
</tr>
<tr>
<td>☐</td>
<td>☑</td>
<td>Route/point deviation with deviations limited to certain riders</td>
</tr>
</tbody>
</table>

6. What is the maximum number of vehicles used in revenue fixed route service?

______ Vehicles

7. How are operators assigned to vehicle runs?
__________________________________________________________________________________
__________________________________________________________________________________
8. Is there an extraboard or another additional staff person who must report for duty to ensure that all routes depart the garage on time at pull-out?

☐ Yes ☐ No

If No, how does the subrecipient ensure that there are a sufficient number of operators to run scheduled services?

________________________________________________________________________________

________________________________________________________________________________

9. How does the subrecipient measure on-time performance?

________________________________________________________________________________

Does the subrecipient have any service standards for on-time fixed route operations?

________________________________________________________________________________

________________________________________________________________________________

10. Does the system have a system of on-street supervision?

☐ Yes ☐ No

11. Does the subrecipient have a system of regular on-board ride checks?

☐ Yes ☐ No

If Yes, how frequently are such checks conducted?

________________________________________________________________________________

________________________________________________________________________________
12. What is the extent of operating training prior to being permitted to drive independently on a fixed route?

<table>
<thead>
<tr>
<th>Hours</th>
<th>Training Component</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Classroom Training</td>
</tr>
<tr>
<td></td>
<td>Behind the Wheel Training</td>
</tr>
</tbody>
</table>

13. What components make up the operator’s training?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Check all that apply:</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>Agency policies and procedures</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Defensive driving</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Passenger relations</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Accident procedures</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Evacuation and emergency procedures</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Behind the wheel orientation</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>ADA requirements</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Customer service</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Other (specify)</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Other (specify)</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Other (specify)</td>
</tr>
</tbody>
</table>

14. Does the subrecipient keep training records and documentation of each employee’s training history?

☐ Yes ☐ No

__________________________________________________________________________________

__________________________________________________________________________________

__________________________________________________________________________________
15. What are the maximum time limits on work hours (spread time) for bus operators imposed by the subrecipient?

__________________________________________________________________________________

Operations – Demand Response

16. What modes of demand response services are operated?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Check all that apply:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>ADA complementary paratransit</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Route/point deviation with deviations for the general public</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Other demand responsive service</td>
</tr>
</tbody>
</table>

17. What is the maximum number of vehicles used in paratransit revenue service?

______ Vehicles

18. How are operators assigned to vehicle runs?

__________________________________________________________________________________

__________________________________________________________________________________

19. How does the subrecipient ensure that there are a sufficient number of drivers available to handle all runs?

__________________________________________________________________________________

__________________________________________________________________________________
20. What are the subrecipient’s maximum time limits on work hours (spread time) for paratransit operators?
__________________________________________________________________________________

21. If both modes are operated, is the work force divided between fixed route and demand response operations?
   □ Yes  □ No

   If Yes, answer the following questions for demand response operators as well, otherwise move on to the next section.

22. What is the extent of operating training prior to being permitted to drive independently on a fixed route?

<table>
<thead>
<tr>
<th>Hours</th>
<th>Training Component</th>
</tr>
</thead>
<tbody>
<tr>
<td>______</td>
<td>Classroom Training</td>
</tr>
<tr>
<td>______</td>
<td>Behind the Wheel Training</td>
</tr>
</tbody>
</table>

23. What components make up the operator’s training?

   Yes  No  Check all that apply:

   □ □  Agency policies and procedures
   □ □  Defensive driving
   □ □  Passenger relations
   □ □  Accident procedures
   □ □  Evacuation and emergency procedures
   □ □  Behind the wheel orientation
   □ □  ADA requirements
   □ □  Customer service
   □ □  Other (specify)________________________________________________________
   □ □  Other (specify)________________________________________________________
24. Does the subrecipient keep training records and documentation of each employee’s training history?

☐ Yes  ☐ No

Operations – Volunteers

25. Does the subrecipient rely on volunteers to deliver public transit and/or coordinated human services transportation?

☐ Yes  ☐ No

If Yes, does the subrecipient describe any training program for volunteers?

__________________________________________________________________________________
__________________________________________________________________________________

Scheduling

Scheduling is the process of taking trip reservations and assigning the trip to vehicle tours in an efficient fashion. Scheduling can be manual, computer-assisted, or fully-automated.

26. Does the subrecipient have a dedicated phone line for transportation reservations?

☐ Yes  ☐ No

Is there a standard script for greeting callers?

☐ Yes  ☐ No

Does the greeting connote public transportation (rather than an agency) service?

☐ Yes  ☐ No
27. Does the system record all requests for service (even if the trip request is not scheduled)?

☐ Yes ☐ No

Are the reasons for the denial (if the trips is denied) recorded?

☐ Yes ☐ No

28. What are the hours and days in which the subrecipient accepts telephone reservations?

<table>
<thead>
<tr>
<th>Start Time</th>
<th>End Time</th>
<th>Day</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Weekdays</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Saturday</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sunday</td>
</tr>
</tbody>
</table>

29. What is the capacity of the phone system?

<table>
<thead>
<tr>
<th>Number</th>
<th>Element</th>
</tr>
</thead>
<tbody>
<tr>
<td>_____</td>
<td>Number of reservation phone lines</td>
</tr>
<tr>
<td>_____</td>
<td>Number (in FTEs) of dedicated reservationists</td>
</tr>
</tbody>
</table>

What happens if existing phone lines are busy?

__________________________________________________________________________________

__________________________________________________________________________________

Based on observation, does the subrecipient have sufficient telephone capacity?

☐ Yes ☐ No

30. Does the system accept subscriptions?

☐ Yes ☐ No
If Yes, are there any limitations on subscription reservations?

__________________________________________________________________________________

__________________________________________________________________________________

31. How are reservations accepted?

<table>
<thead>
<tr>
<th>Check</th>
<th>Reservation Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>Reservations are written on slips of paper and given to the scheduler</td>
</tr>
<tr>
<td>☐</td>
<td>Reservations are recorded on a board (blackboard, whiteboard, etc.)</td>
</tr>
<tr>
<td>☐</td>
<td>Reservations are entered into an Office Suite application</td>
</tr>
<tr>
<td>☐</td>
<td>Reservations are entered into an automated scheduling and dispatch software system</td>
</tr>
<tr>
<td>☐</td>
<td>Other (describe): __________________________________________________________</td>
</tr>
</tbody>
</table>

32. When are schedules developed?

__________________________________________________________________________________

Who develops the schedules?

__________________________________________________________________________________

33. How are schedules developed?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Check all that apply:</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>Manually developed</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Computer assisted</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Fully automated (name software and version): __________________________</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Fully automated with manual manipulation</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Other (specify)______________________________</td>
</tr>
</tbody>
</table>
34. Are base schedules ever re-optimized?

☐ Yes ☐ No

If Yes, when was the last time this occurred?
__________________________________________________________________________________

35. How are schedules communicated to drivers?
__________________________________________________________________________________

36. Has the scheduler undergone any special training appropriate to duties?

☐ Yes ☐ No

If Yes, what was this training?
__________________________________________________________________________________
__________________________________________________________________________________

Dispatching

Dispatching is the process of controlling the movement of revenue vehicles. This includes ongoing communication with vehicles in revenue service, ensuring that schedules are being operated on time, responding to real-time conditions such as traffic delays and vehicle break-downs, and providing guidance to revenue vehicles in emergency situations.

37. Does the subrecipient have a dedicated dispatch function?

☐ Yes ☐ No

If Yes, what are the hours of operation for system dispatching?

Start: ___________ End: ___________
38. Does dispatch operate during all hours when vehicles are in revenue service?

☐ Yes  ☐ No

39. What method of communication is used between dispatch and drivers?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Check all that apply:</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>Cell phones</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Two-way mobile communication using 12.5 kHz efficiency technology</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Two-way mobile communication using 150-512 MHz radio bands</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Mobile data terminals/computers (MDTs/MDCs)</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Other (specify)________________________________________________________</td>
</tr>
</tbody>
</table>

40. Does the subrecipient have written procedures for various operating scenarios (breakdowns, accidents, etc.) to be used by dispatch personnel to handle emergency situations?

☐ Yes  ☐ No

41. Have dispatch personnel undergone any special training appropriate to their duties?

☐ Yes  ☐ No

If Yes, what was this training?

__________________________________________________________________________________

Safety and Security

RPTD and FTA have authority to withhold financial assistance from a subrecipient failing to correct a condition which RPTD believes “creates a serious hazard of death or injury.” Certain transit providers may be subject to Federal Motor Carrier Safety Administration (FMCSA) Regulations and State Motor Carrier Regulations. RPTD expects equipment to be adequately maintained and operated in a safe manner.
42. Does the subrecipient perform an annual safety inspection for all grant acquired vehicles?

☐ Yes  ☐ No

43. Has the subrecipient had any accidents since the last review?

☐ Yes  ☐ No

If Yes, have all accidents been reported to the RTC/RPTD as outlined in the State Management Plan?

☐ Yes  ☐ No

44. Does the subrecipient have a program and procedures in place to report all vehicle accidents to RPTD?

☐ Yes  ☐ No

If Yes, does this system specify that all accidents involving a fatality are reported within one business day and that follow-up documentation is submitted within three business days?

☐ Yes  ☐ No

45. If required, do the operator and subrecipient file an Oregon Traffic Accident and Insurance Report (Form 735-32) with DMV within 72 hours?

☐ Yes  ☐ No

46. For organizations that are covered by FMCSA (not FTA) drug and alcohol regulations, does the subrecipient conduct the requisite post-accident testing?

☐ Yes  ☐ No
Section 4. Procurement

Overview

Subrecipients must comply with all federal, state and local laws; ordinances; regulations; and policies regarding procurement and contracting. Circular 4220.1F documents the FTA’s procurement requirements.

When procuring property and services under a federal award, a state must follow the same policies and procedures it uses for procurements from its non-federal funds. The state will comply with §200.322 (procurement of recovered materials) and ensure that every purchase order or other contract includes any clauses required by 2 CFR part 200.326 (contract provisions). All other non-federal entities, including subrecipients of a state, must follow 2 CFR part 200.318 (general procurement standards) through 2 CFR part 200.326 (contract provisions).

Subrecipients that are private nonprofit organizations must comply with FTA procurement requirements contained in FTA Circular 4220.1F for procurements conducted with federal funds.

Capital equipment is defined as a tangible item or items with an aggregated purchase price of $5,000 or more and with a useful life of at least one year. For all equipment, subrecipients are responsible for maintaining appropriate equipment records, including a method of assigning a property tag number to each item; performing a periodic inventory (at least every two years); safeguarding the equipment from misuse and abuse; maintaining the equipment in useful, safe condition; and following appropriate disposal procedures when the item is no longer needed or has exceeded its useful life.

Standards of Conduct

Federal regulations (2 CFR part 200.318(c)(1)) require each recipient and subrecipient to maintain written standards of conduct governing the performance of its employees engaged in the award and administration of contracts.

1. Does the subrecipient maintain written standards of conduct governing the performance of its employees that are engaged in the award and administration of contracts?

☐ Yes ☐ No
If Yes, describe the key elements of this policy.

__________________________________________________________________________________

__________________________________________________________________________________

Who is covered by this policy?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Covered Individuals</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>(a) Employees</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(b) Officers of the organization</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(c) Governing body members</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(d) Immediate family members of (a), (b), (c) above</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(e) Agents/contractors of the organization</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(f) Prospective employees</td>
</tr>
</tbody>
</table>

2. Do the standards of conduct preclude such persons from participating in the selection, award, or administration of a subrecipient agreement supported with FTA financial assistance if there is a conflict of interest, real or apparent?

☐ Yes ☐ No

3. Does the written policy deal with the acceptance of gifts?

☐ Yes ☐ No

4. Does the written policy address penalties, sanctions, or other disciplinary action for violation of such standards by the recipient’s officers, employees, agents, governing body members, or by contractors or subrecipients or their agents?

☐ Yes ☐ No
Third Party Contracting Capacity

As part of the subrecipient’s obligation to maintain adequate technical capacity to carry out its project, the subrecipient’s third party contracting capability must be adequate to undertake its procurements effectively and efficiently in compliance with applicable federal, state, and local requirements. Subrecipients must maintain a contract administration system to ensure that they and their third-party contractors comply with the terms, conditions, and specifications of their contracts or purchase orders as well as applicable federal, state, and local requirements. If the subrecipient lacks qualified personnel within its organization to undertake the various procurement tasks, such as drafting specifications, evaluating contracts, or performing internal audits for the recipient, RPTD expects the subrecipient to acquire the necessary services from sources outside the subrecipient’s organization. When using outside sources, the subrecipient should take appropriate steps to prevent or mitigate organizational conflicts of interest that would result in conflicting roles that might bias a contractor’s judgment or result in an unfair competitive advantage.

For most purchases over the micro-purchase threshold (currently set at $10,000), subrecipients must ensure that any contracts arising from their purchasing activities include the federally-required third party contract terms and conditions, as applicable.

5. Does the subrecipient have written procurement policies?
   - [ ] Yes
   - [ ] No

6. If the subrecipient or operator is a public entity, does the subrecipient follow a locally-adopted procurement policy that has been approved by the governing body?
   - [ ] Yes
   - [ ] No

   Are the approved procedures used on all publicly sponsored procurements by the governmental agency or are the procedures uniquely applied to subrecipient procurements?
   - [ ] The subrecipient uses its own procurement policies.
   - [ ] The subrecipient uses local government procurement policies.

   Is the procurement policy up-to-date with the current FTA Circular?
   - [ ] Yes
   - [ ] No
7. Does the subrecipient incorporate required federal terms and conditions in procurement specifications and contracts?

☐ Yes  ☐ No

8. Has the subrecipient signed its annual certification of compliance pertaining to lobbying activities?

☐ Yes  ☐ No

9. Has the subrecipient obtained a signed certification of compliance from contractors where third-party contractors are involved if the contract value was in excess of $100,000?

☐ Yes  ☐ No

If Yes, has the subrecipient submitted Standard Form – LLL for each calendar quarter that non-federal funds have been used to support lobbying activities in connection with a grant from RPTD and subrecipient receives federal grants exceeding $100,000?

☐ Yes  ☐ No

10. Does the subrecipient maintain a written history of every procurement?

☐ Yes  ☐ No

Does this history include the following elements?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>Documentation for basis of the procurement method used.</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Documentation for the contract type used.</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Documentation of the basis for vendor selection.</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Justification for the contract cost or price.</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Other documents as necessary, commensurate with the size and complexity of the procurement itself, so that compliance with applicable standards can be documented.</td>
</tr>
</tbody>
</table>
11. Does subrecipient’s procurement policy permit access to records by RPTD and appropriate federal representatives (or any of their representatives), including the right to examine and inspect all records, documents, and papers, including contracts, related to any project financed with federal assistance authorized by 49 U.S.C. Chapter 53?

☐ Yes  ☐ No

12. Has the subrecipient undertaken any procurement since the last review where it split the quantities to take advantage of small purchase procedures?

☐ Yes  ☐ No

If Yes, was the purpose of breaking the purchase into smaller quantities to permit DBEs greater opportunity to participate?

☐ Yes  ☐ No

13. What steps does the subrecipient use to ensure that awards are only made to “responsible” contractors?

__________________________________________________________________________________
__________________________________________________________________________________

14. Does the subrecipient consider the following elements in the determination that the contractor is responsible?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>Contractor integrity</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Compliance with public policy</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Record of past performance</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Financial and technical resources to conduct the required work or provide the good or service</td>
</tr>
</tbody>
</table>
15. Does the subrecipient apply U.S. DOT’s debarment and suspension requirements to itself and each third-party contractor at every tier if the estimated cost of the contract is $25,000 or greater?

☐ Yes  ☐ No

If Yes, does the subrecipient routinely check the System for Award Management (SAM) maintained by the General Services Administration (GSA) and available at the web site it maintains: http://www.SAM.gov/ before awarding a third-party contract?

☐ Yes  ☐ No

16. If the third party contract will exceed $100,000, does the subrecipient obtain a lobbying certification, and if applicable, a lobbying disclosure from a prospective third party contractor?

☐ Yes  ☐ No

17. Does the subrecipient use sound business judgment in establishing and extending a contract’s period of performance?

☐ Yes  ☐ No

If Yes, does the subrecipient adhere to FTA limitations in the five year limitation in the period of performance on rolling stock and replacement part contracts?

☐ Yes  ☐ No

**Purchase Methods**

Most subrecipient purchases will be micro purchases or purchases under $10,000. Micro-purchases are relatively simple in terms of required procedures and may be made without obtaining competitive quotes. These purchases are exempt from FTA’s Buy America requirements. Davis-Bacon prevailing wage requirements, however, will apply to construction contracts exceeding $2,000, even though the subrecipient uses micro-purchase procurement procedures. The subrecipient’s governing body may set lower thresholds for micro-purchases in compliance with local law or otherwise as it considers appropriate.
RPTD expects that subrecipients will distribute micro-purchases equitably among qualified suppliers. Subrecipients, however, are not permitted to divide or reduce the size of their procurement merely to come within the micro-purchase limit. The only documentation requirement for micro-purchases is a determination that the price is fair and reasonable and a description of how the recipient made its determination. In a micro-purchase, the subrecipient is not required to provide its rationale for the procurement method used, selection of contract type, or reasons for contractor selection or rejection.

Above $10,000, subrecipient may use “small purchase” procedures. Small purchase procedures may be used to acquire services, supplies, or other property valued at more than the micro-purchase threshold but less than the federal simplified acquisition threshold ($250,000). The governing body may set a lower threshold. When a subrecipient is subject to a lesser threshold, such as the $150,000 imposed by Oregon statute on counties, municipalities, and transit districts, this threshold must be used in lieu of the higher, federal threshold.

When using small purchase procedures, the subrecipient must obtain price or rate quotes from an adequate number of qualified sources and, like micro-purchases, may not divide or reduce the size of its procurement to avoid the additional procurement requirements applicable to larger acquisitions.

In formal purchases, the subrecipient is responsible for preparing the bid contract and specification, advertising and soliciting bids, receiving and reviewing bids, and awarding the contract to the lowest responsible and responsive bidder.

A Request for Proposals (RFP) is the method generally used when conditions are not appropriate for the use of sealed bids. If the RFP method is used, the following requirements apply:

- The request must identify all evaluation factors and their relative importance, including cost as a factor. Please note that cost may not be used as an evaluation factor for architectural and engineering services, in accordance with the Brooks’ Act;
- Any bonding requirements or other evidence of financial responsibility must be stipulated;
- Solicitation of an adequate number of qualified vendors must occur;
- The subrecipient must have a written method for conducting technical evaluation for the proposals; and
- Contract award must be made to the responsible vendor whose proposal is determined in writing to be the most advantageous to the program.

**Purchase Methods – Micro-Purchases**

Micro-purchase means a purchase of supplies or services using simplified acquisition procedures, the aggregate amount of which does not exceed the micro-purchase threshold. Micro-purchase procedures
comprise a subset of a non-federal entity’s small purchase procedures. The subrecipient may use such procedures in order to expedite the completion of its lowest-dollar small purchase transactions and minimize the associated administrative burden and cost. The micro-purchase threshold is set by the federal Acquisition Regulation at 48 CFR Subpart 2.1 and more recently, in the National Defense Authorization Acts (NDAA).

18. Do the subrecipient’s written purchase policies recognize micro-purchases?

[ ] Yes [ ] No

If Yes, what is the micro purchase threshold?

__________________________________________________________________________________

19. If the subrecipient undertakes micro-purchases, does it:

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Distribute micro-purchases equitably among qualified suppliers?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Break the purchase into smaller quantities or reduce the size of its procurement merely to come within the micro-purchase limit?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Maintain documentation on the procurement to FTA standards?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Make a determination that the price is fair and reasonable and a description of how the recipient made its determination?</td>
</tr>
</tbody>
</table>

20. What documentation does the subrecipient maintain for micro-purchases?

__________________________________________________________________________________

__________________________________________________________________________________

**Purchase Methods – Small Purchases**

Small purchases are those purchases under the federal simplified acquisition threshold, currently set at $250,000. Non-federal entities may adopt small purchase procedures in order to expedite the purchase of items costing less than the simplified acquisition threshold. The simplified acquisition threshold is set

21. Do the subrecipient’s written purchase policies recognize small purchases?

☐ Yes ☐ No

If Yes, what is the small purchase threshold?

__________________________________________________________________________________

22. If the subrecipient undertakes small purchases, does it:

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>Solicit quotes from a minimum of three suppliers?</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Document the quotes in writing and attach the written quote to the purchase requisition/order?</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Maintain documentation on the procurement?</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Break the purchase into smaller quantities or reduce the size of its procurement merely to come within the small purchase limit?</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Make awards to the low responsive and responsible vendor?</td>
</tr>
</tbody>
</table>

23. Do the subrecipient’s written purchase policies recognize formal purchases that require competitive bids/proposals?

☐ Yes ☐ No

If Yes, do the policies set a threshold for use of formal procedures at levels less than that set by Oregon code ($150,000)?

☐ Yes ☐ No

**Purchase Methods – Formal Purchases**

The formal purchase method of procurement includes purchase through use of sealed bids and purchase through competitive proposals.
If Yes, what is the formal purchase threshold used by the subrecipient?

__________________________________________________________________________________

24. Has the subrecipient undertaken any formal procurements during since the last review?

☐ Yes ☐ No

If Yes, what was the procurement used?

☐ Sealed bid (Invitation for Bid)
☐ Competitive proposals (Request for Proposal)

25. If sealed bids were used, did the subrecipient’s procurement meet the following prerequisites necessary for use of this procurement method?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>A complete, adequate, precise, and realistic specification or purchase description is available</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Two or more responsible bidders are willing and able to compete effectively for the business</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>The procurement was concluded with a firm, fixed price contract</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>The successful bidder was selected on the basis of price and those price-related factors listed in the solicitation including, but not limited to, transportation costs, life cycle costs, and discounts expected to be taken</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>No discussions with bidders were held after bids were received as award was based on price and price-related factors alone</td>
</tr>
</tbody>
</table>

26. If sealed bids were solicited, did the subrecipient procurement documents include the following?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Procurement Specification</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>A clear and accurate description of the subrecipient’s technical requirements for the property or services to be acquired in a manner that provides for full and open competition</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>A functional specification rather than designation of specific brands</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Specific quantities predicated on the subrecipient’s needs</td>
</tr>
</tbody>
</table>
If alternatives to use of brand names could not be avoided, did the subrecipient include “or equal” language in the specifications to ensure competition was not hindered?

27. Examine the most recent bid documents (formal procurements undertaken since the last review) to determine if the subrecipient engaged in any of the following prohibited actions:

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>☐ Imposition of unreasonable business requirements for bidders or offerors.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>☐ Imposition of unnecessary experience requirements for bidders and offerors.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>☐ Utilization of prequalification procedures that conflict with the prequalification standards described in FTA Circular 4220.1, Chapter VI, paragraph 1.c.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>☐ Utilizing a noncompetitive award to any person or firm on a retainer contract with the subrecipient if that award is not for the property or services specified for delivery under the retainer contract.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>☐ Imposition of excessive bonding requirements.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>☐ Utilization of brand-name only specifications without permitting or equal substitutions.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>☐ Improper imposition of in-state and/or geographic preferences.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>☐ Allowance of a procurement action where there was an organizational conflict of interest.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>☐ Incorporation of questionable practices or other restraint of trade provisions.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>☐ Any other arbitrary action that is contrary to the FTA Circular requirements.</td>
</tr>
</tbody>
</table>

28. Has the subrecipient conducted any formal purchases by competitive negotiation since the last review?

☐ Yes  ☐ No

If No, skip to the next section.

If Yes, did the solicitation meet the following conditions for the use of this procurement method?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Prerequisite</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>☐ The property, good, or service can be described in a technical specification.</td>
</tr>
</tbody>
</table>
There was uncertainty over the number of potential qualified suppliers.

Price alone was not the determinative factor in vendor selection.

There was a need for discussion with prospective offerors in order to determine the final scope of work.

29. Did the competitive negotiation meet the following requirements (check all that apply)?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Was the RFP publicly advertised?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Were all evaluation factors and their relative importance specified in the RFP?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Were proposals solicited from an adequate number of qualified sources?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Did the subrecipient use a specific evaluation methodology to conduct the technical review of proposals received?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Was award made to the responsible offeror whose proposal was deemed most advantageous to the subrecipients program with price and other factors considered?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Were any negotiations conducted as part of the evaluation process?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>If negotiations were conducted, did the subrecipient keep price information of competitors confidential?</td>
</tr>
</tbody>
</table>

**Purchase Methods – Special Purchases**

FTA’s enabling legislation at 49 U.S.C. Section 5325(b)(1) requires the use of the qualifications-based procurement procedures contained in the “Brooks Act,” 40 U.S.C. Sections 1101 through 1104, to acquire architectural and engineering (A/E) services. In Oregon the provisions of OAR 137-048-0100 address state procedures for screening and selecting persons to perform architectural, engineering or land surveying services or related services contracts.

The subrecipient must use qualifications-based procurement procedures not only when contracting for A/E services, but also for other services listed in 49 U.S.C. Section 5325(b)(1) and/or OAR.

30. Has the subrecipient conducted any formal purchases to acquire architectural/engineering services or related services since the last review?

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th></th>
<th>No</th>
</tr>
</thead>
</table>
If Yes, what method of solicitation was used?

<table>
<thead>
<tr>
<th>Check</th>
<th>Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>Direct appointment procedure (OAR 137-048-0200)</td>
</tr>
<tr>
<td>☐</td>
<td>Informal selection procedure (OAR 137-048-0210)</td>
</tr>
<tr>
<td>☐</td>
<td>Formal selection procedure (OAR 137-048-0220)</td>
</tr>
</tbody>
</table>

**Other Than Full and Open Competition**

Normally, the subrecipient must provide for full and open competition when soliciting bids or proposals. Federal rules for governmental recipients, however, acknowledge that under certain circumstances, a subrecipient may conduct procurements without providing for full and open competition.

31. Has the subrecipient undertaken any “sole source” procurements during since the last review?

☐ Yes  ☐ No

If Yes, did the subrecipient evaluate the procurement prior to making a sole source purchase to determine unique capability or availability?

☐ Yes  ☐ No

If Yes, were the following factors present?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>The offeror demonstrated a unique or innovative concept or capability not available from another source</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>There were patent or data rights restrictions that precluded competition</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>A follow-on contract was used for the continued development or production of highly specialized equipment and major components thereof, when it was likely that award to another contractor would result in substantial duplication of costs that are not expected to be recovered through competition</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>A follow-on contract was used for the continued development or production of a highly specialized equipment and major components thereof, when it was likely that award to another contractor would have resulted in unacceptable delays in fulfilling the subrecipient’s needs</td>
</tr>
</tbody>
</table>
32. Has the subrecipient undertaken any procurement (bid or proposal) where there was only a single offer?

☐ Yes  ☐ No

If Yes, did the subrecipient undertake a post procurement investigation that revealed:

☐ The single bid was caused by conditions beyond the subrecipient’s control?
☐ The single bid was caused by conditions within the subrecipient’s control?

### Cost and Price Analysis

Federal rules (2 CFR part 200.323(a)) require the subrecipient to perform a cost or price analysis in connection with every procurement above the small acquisition threshold of $250,000, including contract modifications. The method and degree of analysis depends on the facts and circumstances surrounding each procurement, but as a starting point, the subrecipient must make independent estimates before receiving bids or proposals.

The subrecipient must obtain a cost analysis when a price analysis will not provide sufficient information to determine the reasonableness of the contract cost.

33. Is there evidence in the procurement files that the subrecipient developed an independent cost estimate for every procurement?

☐ Yes  ☐ No

34. In procurements of goods and services where competition was deemed adequate, has the subrecipient conducted a price analysis wherein the entity checks catalog or market prices for the good or service?

☐ Yes  ☐ No

If Yes, is the level of effort and documentation commensurate with the scale of the procurement (i.e., micro-purchases and small purchases require only simple or abbreviated analysis)?

☐ Yes  ☐ No
35. In the procurement of professional services, A/E firms, etc., where the offeror submits cost elements that included labor hours, overhead, materials, and related costs, the subrecipient is expected to conduct a cost analysis. Has the subrecipient conducted any type of procurement where a cost analysis would be required?

☐ Yes ☐ No

If Yes, has the subrecipient analyzed the following elements in its cost analysis?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Element</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>Federal cost principles that define the allowability or allocability of costs</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>The wage rates and fringe benefits paid to the respective job classifications offered in the bid or proposal</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>The proposed indirect cost rate to be charged by the firm</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>The proposed profit rate</td>
</tr>
</tbody>
</table>

Protests and Disputes

Federal rules (2 CFR part 200.318(k)) state that all subrecipients have the sole responsibility to resolve protests of third-party contract awards. Apart from other methods, when the subrecipient may have to resolve third party contract issues, using such methods as mediation or arbitration, the Super Circular Rule for non-federal entities requires the subrecipient to have protest procedures.

36. Does the subrecipient have written protest procedures?

☐ Yes ☐ No

37. Has the subrecipient had any protests during the last three (3) years?

☐ Yes ☐ No

If Yes, did the subrecipient notify RPTD immediately upon notification of a vendor protest?

☐ Yes ☐ No
38. Does the subrecipient have procedures to resolve disputes that arise in the administration of third party contracts?

☐ Yes  ☐ No

39. Has the subrecipient been engaged in any formal contract disputes with third party contractors since the last review?

☐ Yes  ☐ No

---

**Pre-Award and Post-Delivery Audits**

Procurements for vehicles, other than sedans or unmodified vans, must be audited in accordance with 49 CFR part 663, “Pre-Award and Post-Delivery Audits of Rolling Stock Purchases.” The regulation requires any recipient or subrecipient that purchases rolling stock for use in revenue service with funds obligated after October 24, 1991, to conduct a pre-award and post-delivery review to assure compliance with its bid specifications, Buy America requirements, and federal motor vehicle safety requirements, and to complete specific certifications.

The subrecipient is required to keep records, including pre-award and post-delivery certifications, which show that the regulations have been followed. The audits require the subrecipient to complete two certifications (Buy America and purchaser’s requirements) at the pre-award stage and three certifications (Buy America, purchaser’s requirements, and FMVSS) at the post-delivery stage.

The purchaser’s requirements certification at the pre-award stage must verify that the manufacturer’s bid specifications comply with the subrecipient’s solicitation requirements and that the proposed manufacturer is responsible for and capable of building the bus to the solicitation specifications. The purchaser’s requirements certification at the post-award stage must be completed by the subrecipient and certify that the buses delivered meet the contract specifications, based on the recipient’s visual inspections and road tests and, if required, the resident inspector’s monitoring of the final assembly process and final report of manufacturing activities.

Recipients are required to have a resident inspector during final assembly process if they meet the following criteria: (a) the subrecipient is in an urbanized area with a population of more than 200,000 and is purchasing more than 10 buses; or (b) the subrecipient is in an area with a population of 200,000 or less and is purchasing more than 20 buses.

FTA requires only a visual inspection and road test after delivery for such procurements.
In the case of consolidated procurements on behalf of multiple subrecipients, the in-plant inspection requirement is triggered only if any single subrecipient will receive more than 20 vehicles (and is a nonurbanized or small urbanized recipient/subrecipient). FTA does not require in-plant inspectors for unmodified vans manufactured by automobile companies.

The subrecipient must complete, at the post-delivery stage, a certification that the recipient has received from the vehicle manufacturer at both the pre-award and post-delivery stages a copy of the manufacturer’s self-certification information that the vehicle complies with the FMVSS issued by the National Highway Traffic Safety Administration (49 CFR part 571). The requirement to conduct an audit for compliance with FMVSS and complete a certification applies to all purchases of revenue rolling stock, even those below the federal simplified acquisition threshold.

40. Since the last review, has the subrecipient acquired new rolling stock?

☐ Yes  ☐ No

If Yes, how many new vehicles have been acquired using federal funds?

__________________________________________________________________________________

If No, skip all remaining questions in this section and proceed to the Use and Maintenance of Project Equipment and Facilities section.

41. For all vehicles acquired with federal funds, did the subrecipient acquire from the manufacturer or, for consolidated procurements from state contract, from the purchasing agency, the following documents necessary to complete the **pre-award** audit?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>Buy America certification</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Pre-award purchaser’s certification</td>
</tr>
</tbody>
</table>
42. For all vehicles acquired with federal funds, did the subrecipient acquire from the manufacturer or, for consolidated procurements from state contract, from the purchasing agency, the following documents necessary to complete the post-delivery audit?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Buy America certification</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pre-award purchaser’s certification</td>
</tr>
<tr>
<td></td>
<td></td>
<td>FMVSS certification from the manufacturer</td>
</tr>
</tbody>
</table>

43. Since the last review has the nonurbanized area or small urbanized area subrecipient engaged in any single procurement of 20 vehicles or more?

☐ Yes ☐ No

If Yes, did the subrecipient conduct the required in-plant inspection during the final assembly process?

☐ Yes ☐ No

New Model Bus Testing

All new modified bus models must be tested at the FTA-sponsored test facility in Altoona, PA, before FTA funds can be expended for their purchase (49 CFR part 665). This requirement applies to all buses and modified vans procured with FTA funds. It does not apply to unmodified vans, including vans with raised roofs or lifts installed in strict conformance with the original equipment manufacturer modification guidelines. A “new bus model” is defined as a model that has not been used in public transportation service in the United States before October 1, 1988, or a model that has been used in such service but which, after September 30, 1988, is being produced with a major change in configuration or components.

44. Has the subrecipient certified that for any vehicle purchased using its own procurement procedures (other than unmodified vans) that it has obtained a copy the official bus testing reports from the Altoona, PA bus testing facility?

☐ Yes ☐ No
If Yes, did the subrecipient submit all documentation and certifications to RRPTD?

☐ Yes  ☐ No
Section 5. Use and Maintenance of Project Equipment

Overview

RPTD follows procedures outlined in its State Management Plan to govern use, management, maintenance and disposition of equipment acquired under an RPTD subrecipient agreement.

All property acquired using federal funds shall be utilized and disposed of in accordance with the State Management Plan and applicable FTA program circulars, FTA Circular 5010.1E (as amended), and 49 CFR part 1201. Title to all property purchased with federal funds shall be vested in the name of the subrecipient.

The subrecipient and/or designated operator shall have the requisite financial and technical capacity to carry out the project, maintain required insurance coverage and property records, conduct physical inventories, implement adequate property control systems, and maintain the equipment in proper working condition. Documentation must be made available upon request.

Federally-funded equipment and facilities must be kept in good operating order. RPTD and subrecipients are responsible for shop vehicles and other equipment financed by state or federal grants. Vehicles must be maintained in good or better condition and must be used for the purposes described in the grant agreement.

Meal delivery or other incidental services provided by the subrecipient cannot conflict with the provision of public transit service or result in a reduction of service to transit passengers.

Land/BUILDINGS, STRUCTURES, OR APPURTENANCES (REAL PROPERTY)

1. Does the subrecipient own any real property, defined as land, buildings, structures, or appurtenances on land (e.g., bus stop shelters) that has been acquired under any FTA grant program?
   [ ] Yes  [ ] No

   If Yes, does the subrecipient have title to the real property?
   [ ] Yes  [ ] No
2. Is the real property being used for transit purposes or purposes otherwise stated in the grant application?

☐ Yes  ☐ No

If No, what is the property being used for?
__________________________________________________________________________________
__________________________________________________________________________________

If Yes, does the subrecipient report asset condition of this facility in the National Transit Database (NTD)?

☐ Yes  ☐ No

3. Has the subrecipient disposed of real property in the since the last review?

☐ Yes  ☐ No

If Yes, did the subrecipient notify RPTD regarding the disposition?

☐ Yes  ☐ No

4. If the property was sold, did the subrecipient notify RPTD?

☐ Yes  ☐ No

If Yes, what steps did the subrecipient use to ensure that it received fair market value for the real property?
__________________________________________________________________________________

5. Has the subrecipient transferred title of real property since the last review?

☐ Yes  ☐ No
If Yes, did the subrecipient transfer real property to another entity eligible to receive assistance under 49 U.S.C. Chapter 53?

☐ Yes ☐ No

Did RPTD approve of the transfer?

☐ Yes ☐ No

6. Does the subrecipient use real property for any incidental uses?

☐ Yes ☐ No

If Yes, describe these incidental uses and determine if these uses generate any program income.

__________________________________________________________________________________
__________________________________________________________________________________

Does the incidental use compromise the use of the real property for transit purposes?

☐ Yes ☐ No

---

**Equipment - General**

Any property (equipment, furniture and fixtures, vehicles, buildings, and land) purchased with federal funds valued at $5,000 or more must be accounted for in the subrecipient’s fixed asset listing. The asset listing is to contain the federally-required information outlined in 2 CFR part 200.313(d) and generally accepted accounting principles, as appropriate.

7. Does the subrecipient use all equipment acquired with FTA funds in a manner consistent with the original project application or purpose?

☐ Yes ☐ No
8. Describe the revenue vehicle fleet size and peak utilization requirements:

<table>
<thead>
<tr>
<th>No.</th>
<th>Total fleet size</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number of vehicles operated in maximum revenue service</td>
</tr>
<tr>
<td></td>
<td>Number of spare vehicles</td>
</tr>
<tr>
<td></td>
<td>Spare vehicle ratio</td>
</tr>
</tbody>
</table>

9. Does the subrecipient have any project equipment that is no longer needed for transportation purposes?

☐ Yes ☐ No

If Yes, has the subrecipient notified RPTD that the equipment is no longer needed for program purposes?

☐ Yes ☐ No

10. Has the subrecipient disposed of any project equipment since the last review?

☐ Yes ☐ No

11. If the subrecipient disposed of any project equipment prior to the end of useful life via a transfer to another project, what methods were used to establish fair market value?

__________________________________________________________________________________

__________________________________________________________________________________

12. Has the subrecipient suffered any casualty loss of project equipment since the last review?

☐ Yes ☐ No

If Yes, did the subrecipient receive an insurance settlement?

☐ Yes ☐ No
Did the subrecipient request guidance from RPTD on the procedures for re-investing the settlement proceeds in an equipment replacement project?

☐ Yes  ☐ No

13. Has any equipment been out-of-service for a period of 90 days or longer?

☐ Yes  ☐ No

If Yes, did the subrecipient notify RPTD?

☐ Yes  ☐ No

14. Does the subrecipient maintain property/asset records in RPTD’s Oregon Public Transit Information System (OPTIS) for all equipment acquired with FTA funds?

☐ Yes  ☐ No

**Note:** OPTIS requires entry of all required fields, but the printed report does not contain every field. A subrecipient is not deficient if the online OPTIS record is current.

15. Does the subrecipient lease any project equipment to lower tier contractors?

☐ Yes  ☐ No

If Yes, what measures does the subrecipient use to ensure that it exhibits satisfactory continuing control over project equipment?

__________________________________________________________________________________

---

**Maintenance of Equipment and Facilities**

Vehicle equipment condition is assessed as new, excellent, good, fair, poor, or out of service. Indicators of vehicle condition can include, but are not limited to, age, mileage, readily visible exterior vehicle condition (visible body damage or deterioration) and interior condition (torn seats, broken fixtures),
condition of lights, mirrors and windows, and presence of fluid leaks. RPTD expects subrecipients to make necessary repairs to vehicles in a timely manner.

RPTD’s goal is for vehicles and equipment to be used as long as the equipment remains in good, safe condition. RPTD has the option to take a security interest in tangible assets and, if necessary, foreclose on the assets if they are not properly maintained.

The site review ensures the subrecipient has a vehicle maintenance and facility maintenance plan in place and that the entity is performing to its own maintenance plans. Vehicle maintenance plans are reviewed to ensure they include a PM interval for each type of vehicle funded that at least meets the OEM recommendations. Plans are also reviewed for inclusion of lift equipment maintenance and pre-trip inspection procedures. While on-site, a sampling of vehicle maintenance records is analyzed to calculate the subrecipients “on-time” performance of scheduled maintenance events to the interval defined in their plan. RPTD uses a standard of +/- 10% of the PM interval stated in their plan and uses a threshold of a minimum 80% on-time to determine sufficient performance.

During on-site compliance reviews, facilities maintenance plans are also examined. A review of completed facilities maintenance inspection forms is conducted and a determination of on time facility preventive maintenance (PM) performance is also made.

16. Does the subrecipient conduct daily pre-trip inspections prior to placing a vehicle in service?

☐ Yes ☐ No

If Yes, how does the system utilize pre-trip defection reports to make repairs to system vehicles?

__________________________________________________________________________________
__________________________________________________________________________________

If Yes, does the pre-trip inspection include a cycling of the vehicle’s wheelchair lift?

☐ Yes ☐ No

17. How are vehicle maintenance services performed?

☐ In-house
☐ Contractors
☐ Combination of in-house and contractors
If a combination of methods is used, are there specific functions that are contracted out?

☐ Yes  ☐ No

If Yes, describe:

__________________________________________________________________________________

__________________________________________________________________________________

18. Does the subrecipient have written vehicle maintenance policies and plans that at least meet the minimum inspection schedules and PM procedures recommended by the vehicle manufacturer to keep vehicles and components in good condition?

☐ Yes  ☐ No

19. Does the subrecipient’s preventive maintenance program also include specific action to ensure that a vehicle’s accessibility features, e.g., lifts, ramps, public announcement systems, tie-downs, are maintained in good working order?

☐ Yes  ☐ No

20. What procedures does the subrecipient use to track all maintenance activities?

__________________________________________________________________________________

__________________________________________________________________________________

21. What is the subrecipient’s schedule for vehicle PM inspections?

__________________________________________________________________________________

__________________________________________________________________________________

__________________________________________________________________________________
22. Are vehicle inspections confirmed to be completed on time through a review of the maintenance records indicating that at least 80 percent of the sampled inspections are performed on time?

☐ Yes ☐ No

23. Does the subrecipient monitor vehicle warranties?

☐ Yes ☐ No

If Yes, how are warranty claims monitored?

__________________________________________________________________________________

24. Does the subrecipient complete and periodically report warranty work on RPTD’s Warranty Tracker Report?

☐ Yes ☐ No

25. Does the subrecipient operate facilities that were financed by RPTD agreements?

☐ Yes ☐ No

If Yes, is there a written facility maintenance plan?

☐ Yes ☐ No

26. Are facility PM inspections completed on time?

☐ Yes ☐ No

Does the review of facility maintenance records indicate that at least 80 percent of the inspections are performed on time?

☐ Yes ☐ No
Federal regulations (2 CFR part 200.310) states that each subrecipient must, at a minimum, provide the equivalent insurance coverage for real property and equipment acquired or improved with federal funds as provided to property owned by the non-federal entity. Insurance coverage must be adequate to protect the federal interest in the vehicle within the useful life determined by RPTD.

RPTD currently requires the following levels of insurance: (1) Property damage, $50,000; (2) Bodily injury per person, $200,000; and (3) $500,000 bodily injury per occasion for maintenance and shop vehicles; (4) $1,000,000 bodily injury per occasion for vehicles providing passenger transportation, uninsured motorist protection, and personal injury protection as required by ORS Chapter 806. The subrecipient is responsible for all costs, deductibles or self-insured retention. The subrecipient must include the “Oregon Department of Transportation, Rail and Public Transit Division” as “Additional Insured” and provide a certificate of insurance documenting RPTD as an additional insured.

27. How are FTA- and state-funded (STIF) facilities and equipment insured?

__________________________________________________________________________________
__________________________________________________________________________________

28. Are the coverage levels sufficient to meet RPTD requirements?

☐ Yes  ☐ No

29. Are all vehicles covered?

☐ Yes  ☐ No

If Yes, are there any exceptions or riders attached to the policies that would impact use of project equipment in the manner described in the grant application?

☐ Yes  ☐ No
30. Does the subrecipient maintain comprehensive and collision insurance on all vehicles with remaining useful life at sufficient levels to protect the remaining federal interest in the equipment?

☐ Yes  ☐ No

If No, does the subrecipient have a self-insurance reserve fund sufficient to cover the federal interest of the vehicle that was subject to the casualty loss?

☐ Yes  ☐ No

31. Does subrecipient management periodically review insurance coverage?

☐ Yes  ☐ No

---

**Equipment – Incidental Use**

One purpose of FTA financial assistance is to improve the mobility of rural residents. FTA encourages maximum feasible coordination with other rural transportation services. FTA policy and the federal Interagency Coordinating Council on Access and Mobility (CCAM) policy on vehicle resource sharing allow vehicles to be used on an incidental basis for purposes other than those specified in the original award.

A rural transit provider may use an FTA-funded vehicle for non-passenger transportation on an occasional or regular basis, such as package delivery, if this incidental use does not result in a reduction of service quality or availability of public transportation service.

A subrecipient may design its FTA-funded services to maximize use by members of the general public who are transportation-disadvantaged. Transportation disadvantaged people include seniors, people with disabilities, and low-income individuals. Transit service providers receiving FTA financial assistance may coordinate and assist in providing meal delivery service for homebound people on a regular basis, if the meal delivery services do not conflict with the provision of transit services or result in a reduction of service to transit passengers. FTA expects that the nutrition program will pay the operating costs attributable to meal delivery. FTA capital assistance may not be used to purchase vehicles used solely for meal delivery or to purchase specialized equipment such as racks or heating or refrigeration units related to meal delivery.
32. Does the subrecipient utilize project equipment for use on other projects or programs supported directly or indirectly by the federal government?

☐ Yes  ☐ No

33. Does the subrecipient use FTA-funded equipment to engage in homebound meal delivery or any other use that is incidental to the provision of public transit service?

☐ Yes  ☐ No

If Yes, does the subrecipient have a cost allocation/costing methodology in place to assess the fully allocated cost of service of the incidental service?

☐ Yes  ☐ No

If Yes, has the subrecipient received permission from RPTD on these incidental uses?

☐ Yes  ☐ No

34. Does the subrecipient transport passengers for compensation (either directly or indirectly) across state lines?

☐ Yes  ☐ No

If Yes, has the subrecipient obtain authority and/or registered with FMCSA as required?

☐ Yes  ☐ No
(This page intentionally left blank.)
Section 6. Civil Rights

Overview

Federal civil rights requirements are encompassed in laws, regulations, and Executive Orders. The objective of FTA's oversight in this area is to:

- Ensure that the level and quality of transportation service is provided without regard to race, color, or national origin;
- Identify and address, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of programs and activities on minority populations and low-income populations;
- Promote the full and fair participation of all affected populations in transportation decision making;
- Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations; and
- Ensure meaningful access to programs and activities by persons with limited English proficiency.

Title VI Requirements Applicable to all Recipients/Subrecipients

Some Title VI elements are the responsibility of RPTD and are addressed in the project application and/or subrecipient agreement process.

1. Has the subrecipient developed a Title VI Program?
   - Yes □  No □

   If Yes, has it been adopted by the subrecipient’s governing body?
   - Yes □  No □

2. Has the program been submitted to ODOT Office of Civil Rights (OCR)?
   - Yes □  No □
If Yes, does the list include the following items?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Required List Elements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>A notice to the public that indicates the subrecipient complies with Title VI and informs members of the public of the protections against discrimination afforded to them by Title VI.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A copy of the subrecipient’s instructions to the public regarding how to file a Title VI discrimination complaint, including a copy of the complaint form.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A list of any public transportation-related Title VI investigations, complaints, or lawsuits filed with the recipient since the time of the last submission to RPTD.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A public participation plan that includes an outreach plan to engage minority and limited English proficient populations, as well as a summary of outreach efforts made since the last Title VI Program submission.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A copy of the subrecipient’s plan for providing language assistance to persons with limited English proficiency, based on the DOT LEP Guidance.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A table depicting the racial breakdown of the membership of advisory bodies or non-elected planning boards and a description of efforts made to encourage the participation of minorities on such committees or councils.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A narrative or description of efforts the primary recipient uses to ensure subrecipients are complying with Title VI, as well as a schedule of subrecipient Title VI program submissions.</td>
</tr>
</tbody>
</table>

3. Does the notice include the following items?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>A statement that the subrecipient operates programs without regard to race, color, and national origin.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A description of the procedures that members of the public should follow in order to request additional information on the subrecipient’s nondiscrimination obligations.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A description of the procedures that members of the public should follow in order to file a discrimination complaint against the subrecipient.</td>
</tr>
</tbody>
</table>

4. How has the subrecipient disseminated this notice?

__________________________________________________________________________________
__________________________________________________________________________________
5. Has the subrecipient translated this notice into languages other than English consistent with the subrecipient’s LEP program?

☐ Yes ☐ No

6. Does the subrecipient have procedures for investigating and tracking Title VI complaints and for making such complaints available to the public?

☐ Yes ☐ No

If Yes, does the subrecipient have a specific complaint form?

☐ Yes ☐ No

7. Has the subrecipient integrated into its established public participation and outreach processes procedures that ensure involvement and participation by minority and LEP populations?

☐ Yes ☐ No

If Yes, describe these activities.

__________________________________________________________________________________

__________________________________________________________________________________

8. Are these efforts effective?

☐ Yes ☐ No

Do these effective practices include the following elements that FTA considers “best practice”?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Best Practices</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>Scheduling meetings at times and locations that are convenient and accessible for minority and LEP communities.</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Employing different meeting sizes and formats.</td>
</tr>
<tr>
<td>Yes</td>
<td>No</td>
<td>Best Practices</td>
</tr>
<tr>
<td>-----</td>
<td>----</td>
<td>----------------</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Coordinating with community- and faith-based organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities.</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Considering radio, television, or newspaper advertisements on stations and in publications that serve LEP populations. Outreach to LEP populations could also include audio programming available on podcasts.</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.</td>
</tr>
</tbody>
</table>

**Title VI Requirements Applicable to Small Fixed Route Providers**

There are significant additional elements that must be included in a Title VI program if the subrecipient operates fixed route services. However, if the subrecipient operates fewer than 50 vehicles in fixed route peak service and is located in a small urbanized area (less than 200,000 in population), the requirements in Chapter IV of the FTA Circular 4702.1B are considerably less in scope, limited to development of system-wide standards and policies apply to all providers of fixed route service.

All fixed route transit providers shall set service standards and policies for each specific fixed route mode of service they provide. Fixed route modes of service include, but are not limited to, local bus, express bus, and commuter bus.

9. Do the subrecipient’s service standards include:

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Best Practices Service Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>Vehicle load, by fixed mode, by peak and off-peak periods</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Vehicle headway</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>On-time performance</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Service availability for each mode</td>
</tr>
</tbody>
</table>
10. Do the subrecipient’s policies include:

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Best Practices Policies</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>Distribution of transit amenities, by mode</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Vehicle assignment, by mode</td>
</tr>
</tbody>
</table>

**Limited English Proficiency (LEP)/Language Assistance Programs**

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be considered to be limited English proficient, or "LEP." These individuals may be entitled to language assistance with respect to a particular type of service, benefit, or encounter. RPTD subrecipients are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.

Subrecipients should apply the following four factors to the various kinds of contacts they have with the public to assess language needs and decide what reasonable steps they should take to ensure meaningful access for LEP persons:

- The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service.
- The frequency with which LEP individuals come in contact with the program.
- The nature and importance to people’s lives of the program, activity, or service provided by the subrecipient.
- The resources available to the recipient and costs.

After completing the above four-factor analysis, subrecipients can determine the appropriate “mix” of LEP services required. Subrecipients have two main ways to provide language services: oral interpretation, either in person or via telephone interpretation service, and written translation. The correct mix should be based on what is both necessary and reasonable in light of the four-factor analysis.

11. Has the subrecipient assessed and addressed the ability of LEP persons to use transit services?

☐ Yes ☐ No
12. Describe the subrecipient’s efforts to provide access to information and services by LEP persons.

__________________________________________________________________________________

__________________________________________________________________________________

Equal Employment Opportunity

FTA requires all applicants, recipients, subrecipients, and contractors receiving FTA funding to comply with applicable federal civil rights laws and regulations and to follow applicable federal guidance. Any FTA applicant, recipient, subrecipient, lower-tier subrecipient, and contractor who meet both of the following threshold requirements must implement all of the EEO Program elements:

- Employs 100 or more transit-related employees; and
- Requests or receives capital or operating assistance in excess of $1 million in the previous federal fiscal year, or requests or receives planning assistance in excess of $250,000 in the previous federal fiscal year.

Agencies between 50–99 transit-related employees are required to prepare and maintain an EEO program that includes a statement of policy, a dissemination plan, a designation of personnel, an assessment of employment practices, and a monitoring and reporting system. These smaller agencies are not required to conduct a utilization analysis with goals and timetables or to submit the EEO Program to FTA every four years. Instead, these agencies are required to provide the EEO program to FTA if requested by the Office of Civil Rights or for any State Management Review or Triennial Review.

FTA requires each applicant, recipient, subrecipient, or contractor that meets the EEO Program threshold requirements outlined above to submit an updated EEO Program every four years or as major changes occur in the workforce or employment conditions, whichever comes first.

13. What is the category threshold for this subrecipient?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Best Practices Service Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Does not need to prepare an EEO program:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Employs fewer than 50 transit related employees AND requests or receives capital or operating assistance less than $1 million</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Must prepare a limited EEO program:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Employs between 50 and 99 transit related employees AND requests or receives capital or operating assistance more than $1 million</td>
</tr>
</tbody>
</table>
14. Does the subrecipient have any contractors who meet the requirements specified in Question 13?

☐ Yes  ☐ No

Has the subrecipient obtained the EEO program from the contractor?

☐ Yes  ☐ No

### EEO Questions for All Subrecipients

15. Who is responsible for ensuring that EEO obligations are fulfilled on behalf of the subrecipient?

__________________________________________________________________________________

16. Has the subrecipient posted an EEO statement in a conspicuous and accessible place in the workplace?

☐ Yes  ☐ No

17. Is the subrecipient’s EEO policy included in personnel policies and/or employee handbook?

☐ Yes  ☐ No

18. Are EEO statements included on the subrecipient’s job applications and employment notices/job postings?

☐ Yes  ☐ No
19. How does the subrecipient ensure non-discrimination for ADA-eligible persons in terms of employment?

__________________________________________________________________________________
__________________________________________________________________________________

Were reasonable accommodations made for hiring a person with disabilities in accordance with Title I of the ADA?

☐ Yes  ☐ No

If Yes, describe the accommodation.

__________________________________________________________________________________

20. Were any EEO complaints or lawsuits received since the last review?

☐ Yes  ☐ No

If Yes, describe the nature of the complaint or lawsuit.

__________________________________________________________________________________
__________________________________________________________________________________

Did the subrecipient report the complaint or lawsuit to RPTD?

☐ Yes  ☐ No

---

**EEO Questions for Subrecipients That Must Submit EEO Programs**

These questions are designed for subrecipients and contractors that meet the thresholds in Question 13.

21. Has the EEO program been submitted to RPTD?

☐ Yes  ☐ No
22. Does the EEO program contain the required elements?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Required List Elements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Required for all submitters:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Statement of policy</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Plan for internal and external dissemination of the program</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Designation of appropriate personnel responsible for carrying out the EEO program, including the designation of an EEO Officer</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Assessment of the subrecipient’s employment practices</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Plan for monitoring and reporting on the EEO program</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Required for fixed route entities</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Utilization analysis</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Goals and timetables to correct identified areas of underutilization or concentration</td>
</tr>
</tbody>
</table>

**Disadvantaged Business Enterprises (DBE)**

ODOT is committed to a civil rights program that includes participation of Disadvantaged Business Enterprises (DBEs) in ODOT contracting opportunities. ODOT’s Office of Civil Rights has established a DBE program in accordance with U.S. DOT regulations 49 CFR part 26.

Recipients receiving planning, capital, and/or operating assistance who will award prime contracts (excluding transit vehicle purchases) exceeding $250,000 in FTA funds in a federal fiscal year must submit a DBE program.

Subrecipients do not need their own, independent DBE programs or overall goals, since the primary recipient’s DBE program and overall goals cover the FTA-assisted contracting activities of the subrecipients. ODOT has assumed responsibility for subrecipient procurement activity in establishing its own DBE goals; therefore, subrecipients need not submit their own DBE program to ODOT.

If the subrecipient does not meet the DBE threshold, other requirements still apply, such as the submission of periodic reports to ODOT.
23. Did the subrecipient exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by this part on the basis of race, color, sex, or national origin?

☐ Yes  ☐ No

24. If the subrecipient utilizes a DBE, has the subrecipient properly counted and reported the expenditure to ODOT?

☐ Yes  ☐ No

25. How does the subrecipient ensure that the DBE hired is certified to do the work?

__________________________________________________________________________________
__________________________________________________________________________________

26. What type of monitoring of DBE work is done?

__________________________________________________________________________________
__________________________________________________________________________________

27. Does the subrecipient submit DBE reports to ODOT in a timely manner?

☐ Yes  ☐ No

28. Does the subrecipient include the requisite contract language defined in 49 CFR part 26.13(b) as directed by RPTD in all subcontracts?

☐ Yes  ☐ No
29. Has the subrecipient purchased any vehicles using local procurement procedures (i.e., not through a state contract)?

☐ Yes ☐ No

If Yes, did the subrecipient verify that the vehicle manufacturer has made the requisite certification to FTA regarding DBE commitment?

☐ Yes ☐ No
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Section 7. Americans with Disabilities Act (ADA)

Overview

Under U.S. Department of Transportation (USDOT) Americans with Disabilities Act of 1990 (ADA) regulations, public and private transportation providers are required to operate services in a way that does not discriminate against persons with disabilities. The regulations include general nondiscrimination provisions that apply to all types of agencies and services. There are also provisions that apply to only certain types of agencies and services. For example, public fixed route operators are required to make on-board stop announcements to keep riders oriented to their location. They are also required to have a system in place at stops served by multiple routes that allows riders to identify the bus they need to catch, or drivers to identify which riders are waiting to catch their bus. Public fixed route operators also must provide ADA complementary paratransit service to individuals who cannot use the fixed route due to a disability.

Commuter bus service is exempted from this requirement. As defined in 49 CFR part 37.3, commuter bus service is “characterized by service predominantly in one direction during peak periods, limited stops, use of multi-ride tickets, and routes of extended length, usually between the central business district and outlying suburbs. Commuter bus service may also include other service, characterized by a limited route structure, limited stops, and a coordinated relationship to another mode of transportation.” Similarly, intercity bus service may resemble commuter bus service in that there is no attempt to comprehensively cover a service area, it has a limited route structure, limited origins and destinations, and limited purposes of travel, and therefore, the obligation to provide ADA complementary paratransit may not apply. However, other relevant requirements of 49 CFR parts 27, 37, and 38 do apply to intercity bus service.

When a public entity enters into a contract or other arrangement or relationship (including grants or subgrants) with a private entity to operate fixed route or demand-responsive service, the public entity shall ensure that the ADA obligations are met, including any ADA complementary paratransit requirements (49 CFR part 37.23). The nature of the arrangement between the public entity and the private intercity operator would determine whether 49 CFR part 37.37 or 49 CFR part 37.23 applies.

Service Classification

Compliance responsibilities will vary depending upon the type of entity providing the service. The regulations recognize three types of entities:
Public entities which include cities, towns, counties, state governments, or special authorities created under public law such as transit districts.

Private, primarily engaged entities which include private companies whose primary business is transportation. This includes private taxi companies, van or bus companies, or private intercity bus companies. This category includes private, nonprofit agencies whose main business is transportation.

Private, not primarily engaged entities which are private companies or organizations, including nonprofit organizations, whose primary business is something other than transportation, but who provide transportation as a secondary or support service. This includes human service agencies that operate transportation services as a secondary or support service.

Compliance responsibilities will also vary depending on the type of transportation service provided by the subrecipient. Several types of service that are particularly relevant to these reviews are:

Fixed route service which means a system of transporting individuals (other than by aircraft), including the provision of designated public transportation service by public entities and the provision of transportation service by private entities, including, but not limited to, specified public transportation service, where a vehicle is operated along a prescribed route according to a fixed schedule.

Commuter bus service which means fixed route bus service, characterized by service predominantly in one direction during peak periods, limited stops, use of multi-ride tickets, and routes of extended length, usually between the central business district and outlying suburbs. Commuter bus service may also include other service, characterized by a limited route structure, limited stops, and a coordinated relationship to another mode of transportation.

Demand responsive service means any system of transporting individuals, including the provision of designated public transportation service by public entities and the provision of transportation service by private entities, including but not limited to specified public transportation service, which is not a fixed route system.

Route deviation, point deviation, or flex-bus service, which does not have prescribed route, or which allows for on-request deviations off of prescribed routes. This service type is considered a type of demand responsive service if the on-request, off-route deviations are available to all riders. If off-route deviations are made only for certain individuals, such as persons with disabilities, the service is considered fixed route.

ADA complementary paratransit which is a specific type of demand responsive service that is required of public entities that provide non-commuter fixed route service.
Entity Classification and Service Mode

To determine compliance responsibilities, the review will determine the type of entity and service modes delivered.

1. Based on the articles of incorporation or enabling legislation, identify the type of subrecipient under review:

- [ ] Public entity
- [ ] Private entity, primarily engaged in transportation
- [ ] Private entity, not primarily engaged in transportation

2. Evaluate the scope of services and determine all modes of service operated by the subrecipient. For each subrecipient, check all the primary and sub-modes that apply:

- [ ] Fixed route
- [ ] Non-commuter bus
- [ ] Commuter bus
- [ ] Inter-city bus
- [ ] Route/point deviation with deviations limited to certain riders
- [ ] Demand Response
- [ ] ADA complementary paratransit
- [ ] Route/point deviation with deviations for the general public
- [ ] Other demand responsive service

Nondiscrimination - All Providers

No entity shall discriminate against an individual with a disability in connection with the provision of transportation service. Except for very specific circumstances, service policies cannot keep individuals with disabilities from benefiting equally from the transportation services provided. Possible exceptions are if providing the service would fundamentally change the nature of the service provided (e.g., exclusive ride versus shared-ride), or if providing the service would present a “direct threat” (i.e., a safety threat to others, not the person with the disability). Examine all public information related to the transportation services provided, including rider guides, operating policies and procedures, service bulletins, employee training materials, etc. for any policies or requirements that could discriminate against or limit service to persons with disabilities.
Denying Service

It is not discrimination under this part for an entity to refuse to provide service to an individual with disabilities because that individual engages in violent, seriously disruptive, or illegal conduct, or represents a direct threat to the health or safety of others. However, an entity shall not refuse to provide service to an individual with disabilities solely because the individual's disability results in appearance or involuntary behavior that may offend, annoy, or inconvenience employees of the entity or other persons.

3. Following are examples of common policies that discriminate against persons with disabilities. Determine if the entity engages in any of these actions, or has any other policies that discriminate:

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Does the entity have policies that impose any special charges for individuals with disabilities, including wheelchair users?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Does the entity deny service to any individual because its insurance company conditions coverage or rates?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Does the entity require that wheelchairs have working brakes, be “in good working condition,” or place any other restrictions on mobility devices? (Exception: situation that poses a “direct threat to others.”)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Does the entity have policies that suggest a denial of service for rude behavior, swearing, or other behaviors that do not rise to illegal or seriously disruptive?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Does the entity require individuals with disabilities to use designated priority seats?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Does the entity require persons traveling in securement areas to wear seat belts or shoulder straps when all other passengers do not have the same requirement?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Does the entity require wheelchair users to wear a body belt when traveling up and down on the lift?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Does the entity policy prohibit respirators or portable oxygen supplies (Exception: items that are prohibited under applicable DOT rules on the transportation of hazardous materials—49 CFR subtitle B, chapter 1, subchapter C.)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Does the entity have any other policy that could discriminate against persons with disabilities?</td>
</tr>
</tbody>
</table>

4. Does the entity have a policy for dealing with individuals who engage in violent, seriously disruptive, or illegal conduct, or for persons who present a direct safety threat to others?

   □ Yes  □ No

   If “Yes,” are supervisors, dispatchers, and vehicle operators trained on this policy?

   □ Yes  □ No
Is there an appropriate appeal policy for any service refusals?

☐ Yes ☐ No

**Attendant Policies**

Individuals with disabilities must be allowed to travel with attendants. Attendants cannot be required except if service could otherwise be refused for illegal, violent, or seriously disruptive behavior.

5. **Does the entity allow persons with disabilities to travel with attendants?**

☐ Yes ☐ No

If “Yes,” does definition of attendant extend beyond assistance during travel to also include assistance at the destination?

☐ Yes ☐ No

Are any claimed attendants allowed (i.e., no registration of only certain persons who can be attendants)?

☐ Yes ☐ No

6. **Are persons with disabilities allowed to travel without attendants, even if they indicate they sometimes use attendants?**

*(Exception: Caregiver or guardian requests that attendant always be present, or documented past behavior allows refusal and person/caregiver agree to use attendant to mitigate issues)*

☐ Yes ☐ No

---

**Demand Response Systems**

If entities operating demand response services plan to purchase vehicles that are not accessible, they must first make a determination that the services they will be providing (after the purchase of the inaccessible vehicle or vehicles) are “equivalent.” Therefore, if entities have inaccessible vehicles as part of their fleet that were purchased since the issuance of the regulations, the services they provide must be “equivalent.” Equivalency is defined by specific criteria (noted below). If inaccessible vehicles are purchased, certification of equivalency must also be provided to RPTD.
If all the vehicles in a demand responsive vehicle fleet are fully accessible, the equivalent service standards (summarized in Questions 7 – 14) do not apply.

7. **Service Area:** Consider the service area and how accessible and inaccessible vehicles are distributed throughout the area. Are persons with disabilities who need an accessible vehicle able to travel throughout the area on an equivalent basis to all other riders?

   ☐ Yes ☐ No

8. **Response Time:** Consider the advance notice requirement to use the service. If accessible vehicles are operated separate from or different from inaccessible vehicles, consider the advance notice required for use of each type of vehicle. Is the same (or lesser) advance notice required of riders with disabilities who need and use accessible vehicles?

   ☐ Yes ☐ No

9. **Fares:** Consider the fares charged for the service. Note if there are different costs to riders who need and use accessible vehicles versus those who can use inaccessible vehicles. Is the fare the same (or lower) for riders with disabilities who need to use accessible vehicles?

   ☐ Yes ☐ No

10. **Days and Hours:** Consider the days and hours of service operation. Note if there are any differences in days and hours based on the accessibility of the vehicles. Are the days and hours the same (or more) for riders with disabilities who need and use accessible vehicles?

    ☐ Yes ☐ No

11. **Trip Purpose:** Consider the types of trips that are provided by the entity. Note if there are any differences in policy about trip purpose for service provided with accessible versus inaccessible vehicles. Are riders with disabilities able to travel for the same purposes (or more) than riders who do not need accessible vehicles?

    ☐ Yes ☐ No

12. **Capacity Constraints (Part 1):** Consider if trip requests are sometimes denied for lack of capacity, or if waiting lists or trip caps are employed due to capacity limitations. Examine trip denial records,
waiting lists, or other documentation to determine if riders with disabilities who need to use accessible vehicles are denied or wait-listed more frequently than other riders.

Are there any trip denials, or are wait lists or trip caps used?

☐ Yes, Trip Denials
☐ Yes, Wait Lists
☐ Yes, Trip Caps
☐ No

If there are denials, wait lists, or trip caps, are riders with disabilities who need to use accessible vehicles denied/wait-listed, capped at the same (or lower) rate than other riders?

☐ Yes ☐ No

Note what information or data the system develops and uses to compare the level of trip denials, wait lists, or trip caps for riders with disabilities and for other riders to allow for this type of comparison and analysis.

_________________________________________________________________________
_________________________________________________________________________

**Capacity Constraints (Part 2):** Examine records of service quality (on-time performance, on-board ride times). Consider if there are differences in service quality for trips provided to riders who need to use accessible vehicles versus other riders. Consider if the number and percentage of accessible vehicles in the system suggests that there could likely be problems responding to late trips in an equivalent way throughout the service area. Do riders with disabilities, including riders who need to use accessible vehicles receive the same (or better) level of service?

☐ Yes ☐ No

Note what information or data the system develops and uses to compare the level of service (on-time performance, on-board ride times) for riders with disabilities and for other riders to allow for this type of comparison and analysis.

_________________________________________________________________________
_________________________________________________________________________
13. **Information and Reservations Capacity:** Consider the service information that is provided and the trip reservations capacity (hours of call-taking, accessibility of information and phone services). If information and reservations are different for those using accessible versus inaccessible vehicles, note the differences. Is information and communication provided in accessible formats, and are riders with disabilities who need an accessible vehicle able to get information and reservations assistance in an equivalent way?

☐ Yes  ☐ No

14. Has the entity acquired vehicles since the last review?

☐ Yes  ☐ No

If Yes, were the vehicles accessible pursuant to 49 CFR part 38 standards?

☐ Yes  ☐ No

If No, did the entity, before any procurement of an inaccessible vehicle, file with RPTD the required certificate that it provides equivalent service meeting the equivalent service of 49 CFR part 37.77(c)?

☐ Yes  ☐ No

---

**Route/Point Deviation Systems – Demand Response**

15. Are off-route deviations provided for all riders?

☐ Yes  ☐ No

If Yes, answer Questions 16-20 below. If No, the system does not qualify as demand responsive and must be evaluated as a fixed route system. The fixed route section of the field guide should be completed. ADA complementary paratransit service must also be provided and that section of the checklist must be completed.

16. Are off-route deviations provided throughout the defined service area all along the route?

☐ Yes  ☐ No
17. Do riders who request deviations pay the same fare as riders who walk to stops to use the service?

☐ Yes  ☐ No

18. Do riders who request deviations experience the same “response time” as riders who walk to stops to use the service (i.e., advance reservation for deviations equal to the route headway)?

☐ Yes  ☐ No

19. Are off-route deviations accepted during all days and hours that the service is operated?

☐ Yes  ☐ No

20. Do riders who request deviations experience the same “capacity constraints” as riders who walk to stops to use the system (i.e., no trip denials, the same on-time performance, and on-board ride time)?

☐ Yes  ☐ No

21. In the opinion of the reviewer, based on the description of services and responses to the questions above, are deviation services well designed and do they result in customer-centric services with few or no trip denials?

☐ Yes  ☐ No

---

**Fixed Route Systems – Fixed Route Services**

22. Examine policies and training materials related to on-board stop announcements. Also examine lists that identify which stops are to be announced by route. Does the material indicate that stops are to be announced at transfer points with other fixed routes, other major intersections and destination points, and intervals along a route sufficient to permit individuals with visual impairments or other disabilities to be oriented to their location?

☐ Yes  ☐ No
If Yes, does the material indicate that stops are to be announced anytime at the request of a passenger with a disability?

☐ Yes  ☐ No

**On-Board Stop Announcement Observations:** Ride a random sample of fixed routes. For each route observed, identify the stops that are supposed to be announced and record how many are announced. Also record if the announcements are audible throughout the vehicle. Make the observations as discretely as possible (unannounced and before doing driver interviews). Record results below.

<table>
<thead>
<tr>
<th>Information</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of routes observed</td>
<td></td>
</tr>
<tr>
<td>Total number of stops required to be made</td>
<td></td>
</tr>
<tr>
<td>Total number of stops actually made</td>
<td></td>
</tr>
<tr>
<td>Total number audible</td>
<td></td>
</tr>
</tbody>
</table>

23. Does the entity provide a means by which an individual with a visual impairment or other disability can identify the proper vehicle to enter or be identified to the vehicle operator as a person seeking a ride on a particular route?

☐ Yes  ☐ No

**Vehicle Identification System Information:** Examine policies and training materials related to vehicle identification (e.g., external vehicle/route announcements). Does the material require that drivers make external announcements at all stops served by more than one route?

☐ Yes  ☐ No

Are these announcements to be made any time there are waiting passengers and not just when there is a passenger that the driver feels has a vision disability (e.g., white cane or service animal)?

☐ Yes  ☐ No

**Vehicle Identification System Observations:** Identify a random sample of stops served by more than one route (transfer centers). Observe buses arriving at these locations and record how many vehicle identification announcements are made. Also record if the announcements are audible to passengers waiting throughout the stop area. Record results below.
### Information - Response

<table>
<thead>
<tr>
<th>Number of routes observed</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total number of bus pull-ins observed</td>
<td></td>
</tr>
<tr>
<td>Total number of drivers who identified vehicles</td>
<td></td>
</tr>
<tr>
<td>Total number audible</td>
<td></td>
</tr>
</tbody>
</table>

### Fixed Route Systems – Complementary Paratransit

This portion of the field guide should be completed if the entity operates any non-commuter fixed route services, or if route/point deviation services are operated where off-route deviations are made only for some riders (not all riders).

24. When an entity makes major changes to its fixed route services, are corresponding changes made to the complementary paratransit service?

☐ Yes ☐ No

If Yes, did the entity utilize its outreach and consultation process prior to implementing these changes?

☐ Yes ☐ No

25. Does the entity have a process for certifying the eligibility of persons for complementary paratransit services?

☐ Yes ☐ No

Is this function performed in-house or contracted to a third party?

☐ In-House ☐ Third-Party Contractor

Describe the method used to determine eligibility.

__________________________________________________________________________________
__________________________________________________________________________________
26. Is information concerning the application process available in alternative formats upon request?

☐ Yes ☐ No

27. Are ADA complementary paratransit eligibility decisions made within 21 days of receipt of a complete application? Examine the log of recent determinations (or a sample of files). What percent of determinations take longer than 21 days from receipt of a complete application?

<table>
<thead>
<tr>
<th>Time Frame</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent Fewer than 21 Days</td>
<td></td>
</tr>
<tr>
<td>Percent Greater than 21 Days</td>
<td></td>
</tr>
</tbody>
</table>

Does public and/or application information indicate that if determinations are not made within 21 days that service will be provided until a determination is made?

☐ Yes ☐ No

If some determinations take longer than 21 days, is presumptive eligibility granted and service provided until a determination is made?

☐ Yes ☐ No

28. Are persons whose eligibility is limited (denied, conditioned, only temporary) given a written statement with specific reasons for the denial (not a standard statement or statement that person “can use fixed route”) and a notice of their right of appeal?

☐ Yes ☐ No

29. Does the appeals process adhere to DOT ADA regulations (opportunity to be heard, separation of function, decision within 30 days, and written notification of decision, with a reason for it)? Note: Concerning “opportunity to be heard,” a request for appeal can be required to be in writing, but appellants cannot be required to submit in writing the reasons for their appeal or why they feel the decision was not correct. This type of information can be provided if appellant chooses, but can’t be required.

☐ Yes ☐ No
If appeals are not decided within 30 days of being heard, is presumptive eligibility granted and service provided until a decision is made?

☐ Yes  ☐ No

Are appeals heard and decided by an individual or individuals who have not been involved in the initial decision, and who do not have a direct line of authority to those who made the initial decision (i.e., separation of authority)?

☐ Yes  ☐ No

30. **Service Area:** Examine public information describing the ADA paratransit service. Compare any service area maps to maps of fixed routes. Is ADA paratransit service provided, at a minimum, to all areas within three-quarters of a mile of non-commuter fixed routes?

☐ Yes  ☐ No

Are small areas surrounded by service corridors also served?

☐ Yes  ☐ No

Does the ADA paratransit service area cross all boundaries unless there is a specific legal bar prohibiting agency vehicles from crossing a boundary?

☐ Yes  ☐ No

31. **Response Time:** Examine public information describing the ADA paratransit service. Note the advance notice requirements and the days and hours of trip reservations. Can trip requests be made up on a “next day” basis on all days that precede a day of service (including Sundays and holidays)?

☐ Yes  ☐ No

Are trip reservations taken during typical administrative business hours?

☐ Yes  ☐ No
32. **Fares:** Examine public information describing the ADA paratransit service. Compare ADA paratransit fares to base, non-discounted adult fares on the fixed route service. Are ADA paratransit fares no more than twice the base adult fixed route fares? Note: consider all fixed routes, including any free shuttle or circulators that may exist.

☐ Yes  ☐ No

33. **Days and Hours of Service:** Examine public information describing the ADA paratransit service. Compare the days and hours of operation to the earliest pickup times and latest drop-off times on all fixed route schedules. Is ADA paratransit service provided, at a minimum, during all the days and hours that fixed route service is provided?

☐ Yes  ☐ No

34. **Trip Purposes:** Examine public information describing the ADA paratransit service. Does it indicate that all trip purposes are served?

☐ Yes  ☐ No

Are all trip requests taken and scheduled the same, without trip purpose priorities?

☐ Yes  ☐ No

35. **Capacity Constraints:** Examine recent service delivery data, particularly trip denials, missed trips, on-time pickup and drop-off performance, on-board ride times, and telephone hold times. Also examine how each of these measures of performance is defined and the goal or standard for each. Does the entity have a goal to have zero trip denials?

☐ Yes  ☐ No

Are trips with pickups more than one hour from the time requested counted as trip denials?

☐ Yes  ☐ No

36. Does the service operate without a substantial number of trip denials?

☐ Yes  ☐ No

Number of denials in last year: ________________
37. Is the service operated without a waiting list and without trip caps?

☐ Yes  ☐ No

What is the goal/standard for missed trips? ___________

38. Are missed trips defined correctly? Missed trips include those where:
   a. the driver arrives and leaves before the beginning of the pick-up window without picking up the passenger and without any indication from the passenger that he or she no longer wants to make the trip;
   b. The vehicle does not wait the required time within the pickup window, there is no contact with the rider, and the vehicle departs without the rider;
   c. The vehicle arrives after the end of the pickup window and departs without picking up the rider (either because the rider is not there or declines to take the trip because it is now late); or
   d. The vehicle never arrives at the pickup location.

☐ Yes  ☐ No

Does the service operate without a substantial number of missed trips?

☐ Yes  ☐ No

What percentage of scheduled trips were missed in the last year? ___________

39. What is the on-time pickup window and the goal/standard for on-time pickups? ___________

Does the service operate without a substantial number of significantly late pickups?

☐ Yes  ☐ No

What percentage of pickups were late in the last year? ___________

40. What is the on-time drop-off window and the goal/standard for on-time pickups?

___________________________________________________________
Does the service operate without a substantial number of significantly late drop-offs?

☐ Yes  ☐ No

What percentage of drop-offs were late in the last year? ________________

41. How are excessively long trips defined, and what is the goal/standard for on-board travel times?

_________________________________________________________________________________

Is this standard consistent with FTA guidance (i.e., comparable to similar trips by fixed route)?

☐ Yes  ☐ No

Does the service operate without a substantial number of excessively long rides?

☐ Yes  ☐ No

What percentage of trips were provided with excessively long ride times? ________________

42. What is the goal/standard for telephone hold times for reservations and dispatch (if separate)?

_________________________________________________________________________________

Is this standard reasonable (e.g., average hold times less than one minute, or 95 percent of all calls answered within three minutes)?

☐ Yes  ☐ No

Does the service operate without excessive telephone hold times?

☐ Yes  ☐ No

**Personal Care Attendants, Companions, and Visitors**

A Personal Care Attendant (PCA) is someone designated or employed specifically to help the eligible individual meet his or her personal needs. A PCA typically assists with one or more daily life activities such as providing personal care, performing manual tasks, or providing assistance with mobility or communication. PCA assistance is not always needed during a complementary paratransit trip itself;
because of the nature of typical PCA functions, it is most likely the services provided by a PCA would be required throughout the day at the passenger’s destination.

PCAs are sometimes family members or friends. In some instances, PCAs are other individuals with a disability. This might be an individual with a physical disability who assists someone with a vision disability or who accompanies an individual with an intellectual disability who cannot travel independently.

Entities are not required to provide a PCA or PCA services to meet the needs of passengers with disabilities on demand response, complementary paratransit, or fixed route trips; it is the responsibility of the passenger to arrange for the services of a PCA. The transit agency can request that the PCA board at the same pick-up and drop-off points as the passenger.

The requirement for agencies to transport PCAs without charging a fare only applies to complementary paratransit and not to fixed route or general public demand responsive services; however, since travel with a PCA assists the transit systems, it is a best practice for all entities not to charge the PCA a fare.

It is permissible for transit agencies to require riders making trip reservations to indicate that they will be traveling with a PCA or companion.

Entities must provide complementary paratransit service to individuals with disabilities visiting their area. Visitors are defined as individuals who reside outside an agency’s jurisdiction FTA notes that granting visitor eligibility should be a simple process enabling individuals to contact the entity to learn what is required and then being able to easily meet the requirements. This also means that upon receipt of any required documentation, the entity must immediately enter necessary information into any databases or systems to permit visitors to place trip requests. FTA envisions this as a process that can often be completed the same day or no more than one day later.

43. Does the entity provide free complementary paratransit service to Personal Care Attendants (PCAs)?

☐ Yes ☐ No

44. Does the entity provide complementary paratransit service to companions (always one, and others on a space available basis)?

☐ Yes ☐ No
45. Does the entity provide complementary paratransit to visitors who either: (1) present documentation that they are ADA paratransit eligible from another jurisdiction; or (2) present documentation of a disability (if the individual’s disability is not apparent)?

☐ Yes  ☐ No

For individuals who do not have ADA paratransit eligibility from another transit system, is documentation of disability only required when the disability is not “apparent?”

☐ Yes  ☐ No

46. Does the entity provide service to visitors for up to 21 days in a 365-day period?

☐ Yes  ☐ No

Suspensions

An entity may establish an administrative process to suspend, for a reasonable period of time, the provision of complementary paratransit service to ADA eligible individuals who establish a pattern or practice of missing scheduled trips. FTA defines missed trips and the suspension process in FTA Circular 4710.1, as follows:

- Trips missed by the individual for reasons beyond his or her control (including, but not limited to, trips which are missed due to operator error) shall not be a basis for determining that such a pattern or practice exists.
- Before suspending service, the entity shall take the following steps:
  - Notify the individual in writing that the entity proposes to suspend service, citing with specificity the basis of the proposed suspension and setting forth the proposed sanction.
  - Provide the individual an opportunity to be heard and to present information and arguments;
  - Provide the individual with written notification of the decision and the reasons for it.
- The appeals process is available to any individual on whom sanctions have been imposed under the entity’s suspension policy. The period of suspension is stayed pending the outcome of the appeal (§ 37.125(h)).

47. Does the entity have a process in place to suspend eligibility for eligible users who establish a pattern or practice of missing scheduled trips?

☐ Yes  ☐ No
48. Does the process consider both the absolute number of no-shows, as well as the frequency of no-shows when determining if there is a “pattern and practice” of abuse of the service?

☐ Yes  ☐ No

If late cancellations are counted along with no-shows, are late cancellations the “operational equivalent” of no-shows (i.e., cancels within 1-2 hours of scheduled pick-ups, but not further in advance)?

☐ Yes  ☐ No

49. Does the public information describing the policy note that no-shows and late cancellations beyond the rider’s control will not be counted and explain how to provide this information if charged with a no-show or late cancellation?

☐ Yes  ☐ No

If Yes, are riders first notified of the no-shows and late cancellations recorded against them, and given a chance to explain or dispute them before a decision is made to suspend?

☐ Yes  ☐ No

50. If a suspension is issued, is the rider notified of his or her right to an appeal, and does this appeal process conform to the requirements that apply to eligibility appeals?

☐ Yes  ☐ No

**Passenger Assistance**

51. Does the entity provide origin-to-destination service in its complementary paratransit program? (Note: Curb-to-curb service does not meet this requirement.)

☐ Yes  ☐ No

**Subscription Caps**

52. Does the entity provide subscription services?

☐ Yes  ☐ No
If Yes, does the entity ensure that subscription service does not absorb more than 50 percent of the number of trips available at a given time of the day?

☐ Yes  ☐ No

**General Requirements**

In addition to specific requirements imposed on public and private entities, there are additional service requirements that may be applicable under the ADA.

53. How does the entity keep lifts and other accessibility features on system vehicles in working order?

__________________________________________________________________________________
__________________________________________________________________________________

When a vehicle is removed from revenue service, does the entity take reasonable steps to accommodate individuals with disabilities who were scheduled on that vehicle?

☐ Yes  ☐ No

54. Are vehicle operators trained to immediately report that a lift is not in working order?

☐ Yes  ☐ No

55. Are vehicles removed from revenue service when it is reported that a lift is not in working order?

☐ Yes  ☐ No

Are vehicles repaired promptly and within the five-day period for nonurbanized areas?

☐ Yes  ☐ No

56. Does the entity transport all wheelchairs and occupants if the lift and vehicle can physically accommodate them, unless doing so is inconsistent with legitimate safety requirements?

☐ Yes  ☐ No
57. Does the entity “do the best it can” to secure mobility devices, but not deny riders because the mobility devices they are using cannot be secured to the satisfaction of the driver or agency?

☐ Yes  ☐ No

58. Does the entity permit standees to use the lift?

☐ Yes  ☐ No

59. Does the entity require scooter users or wheelchair passengers to transfer to another seat?

☐ Yes  ☐ No

60. Do the entity's operators assist individuals with disabilities with the use of securement systems, ramps, and lifts?

☐ Yes  ☐ No

61. Does the entity permit service animals on system vehicles?

☐ Yes  ☐ No

Is the entity’s service animal policy consistent with U.S. DOT regulatory requirements? (The policy should not require certification of training and should not inappropriately limit type of animal—except emotional support or comfort animals, or animals that cannot be trained to assist.)

☐ Yes  ☐ No

62. Does the entity make adequate information concerning transportation services available to individuals with disabilities?

☐ Yes  ☐ No
63. Does the entity permit a passenger who uses a lift to disembark from a vehicle at any designated stop, unless the lift cannot be deployed, the lift will be damaged if it is deployed, or temporary conditions at the stop, not under the control of the entity, preclude the safe use of the stop by all passengers?

☐ Yes  ☐ No

64. Does the entity ensure that personnel are trained to proficiency, as appropriate to their duties, so that they operate vehicles and equipment safely and properly assist and treat individuals with disabilities who use the service in a respectful and courteous way, with appropriate attention to the differences among individuals with disabilities?

☐ Yes  ☐ No

__________________________________________________________________________________
__________________________________________________________________________________

Reasonable Modification

Amendments to the ADA regulations at 49 CFR part 37.169(a)(1) require transit agencies to respond to requests for reasonable modification of policies and practices, and 49 CFR part 37.169(a)(2) requires agencies to make information about the process for requesting reasonable modifications readily available to the public. When making this information available to the public, a transit agency must use the same means it uses to inform the general public about its policies and procedures. For example, if an agency uses printed media and a website to inform customers about bus and complementary paratransit services, then it must use these means to inform people about the reasonable modification process. As stated in the preamble, “like all communications, this information must be provided by means accessible to individuals with disabilities.”

Further, 49 CFR part 37.169(b) requires transit agencies to provide an accessible means by which individuals with disabilities can request a reasonable modification. This element of the rule explains that individuals requesting modifications only need to describe what they need in order to use the service and do not need to use the term “reasonable modification” to request such a modification.

Additionally, a new section (49 CFR § 37.17) was added requiring covered entities to implement a formal complaint procedure, similar to those required for Title VI. This section stipulates that:
“A covered entity must adopt procedures that incorporate appropriate due process standards and provide for the prompt and equitable resolution of complaints alleging any action prohibited by this part and 49 CFR parts 27, 38 and 39. The procedures shall meet the following requirements:

- The process for filing a complaint, including the name, address, telephone number, and email address of the employee designated under paragraph (a) of this section, must be sufficiently advertised to the public, such as on the entity’s Web site;
- The procedures must be accessible to and usable by individuals with disabilities;
- The entity must promptly communicate its response to the complaint allegations, including its reasons for the response, to the complainant and must ensure that it has documented its response.”

65. Is the entity’s process for making reasonable accommodation requests readily available to the public and in an accessible format?

☐ Yes  ☐ No

If Yes, how is this information communicated to the public?

__________________________________________________________________________________

66. Does the request process for reasonable accommodation require advanced notice?

☐ Yes  ☐ No

If Yes, is there adequate flexibility to accommodate requests that would reasonably occur spontaneously?

☐ Yes  ☐ No

67. Does the request process require the use of the term “reasonable modification” by the requestor?

☐ Yes  ☐ No

68. Does the entity sufficiently advertise the process for filing an FTA complaint?

☐ Yes  ☐ No
Describe these advertisement methods.

__________________________________________________________________________________
__________________________________________________________________________________

69. Does the entity have a process in place to ensure a prompt response to ADA-related complaints?

☐ Yes ☐ No

Describe this process, including any timeframes imposed on filing and complaint requests.

__________________________________________________________________________________
__________________________________________________________________________________

70. Does the entity have a process in place to ensure all responses to ADA complaints are documented internally?

☐ Yes ☐ No

If Yes, did the entity notify ODOT of these actions?

☐ Yes ☐ No

71. Does the entity retain a file copy of all ADA related complaints for at least 1 year and a summary of all ADA-related complaints for at least five years?

☐ Yes ☐ No

**Transportation Facilities**

Under the ADA, the U.S. Architectural and Transportation Barriers Compliance Board (Access Board) is responsible for creating design guidelines for the accessibility of facilities and vehicles subject to ADA requirements. These guidelines form the basis for enforceable standards incorporated by other federal agencies, including U.S. DOT, into their ADA regulations.
The Access Board issued its original ADA Accessibility Guidelines (ADAAG) in 1991 and, on the same day, U.S. DOT met its obligation to implement the ADA regulations through verbatim incorporation of ADAAG in Appendix A to 49 CFR part 37. In 2004, the Access Board issued a major revision to ADAAG after an extensive notice and comment period. In addition, the Access Board issued technical amendments to the revised guidelines.

72. Has the entity constructed any new facility to be used in providing designated public transportation services so that the facility is readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs?

☐ Yes ☐ No

73. Has the entity undertaken any alterations of an existing facility or a part of an existing facility used in providing designated public transportation services in a way that affects or could affect the usability of the facility or part of the facility?

☐ Yes ☐ No

If Yes, did the entity make the alterations (or ensure that the alterations are made) in such a manner, to the maximum extent feasible, that the altered portions of the facility are readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs, upon the completion of such alterations?

☐ Yes ☐ No
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Section 8. Charter and School Bus

Overview

The FTA was established by the Federal Transit Act, as amended. The Act provided funds for “mass transportation” purposes, defined as: “transportation by bus or rail or other conveyance, either publicly or privately owned, serving the general public (but not including school buses or charter or sightseeing service) and moving over prescribed routes.” This provision illustrates the balance Congress sought to strike between the public and private sectors of the economy. Congress acted to provide federal funding for the continued existence of urban fixed route providers by enacting a capital program to acquire private transit companies and establish new public transportation agencies. The charter services provided by private companies were still profitable; accordingly, Congress excluded charter service from the definition of “mass transportation.”

"Charter service" does not include demand response service to individuals and means:

(1) Transportation provided by a recipient at the request of a third party for the exclusive use of a bus or van for a negotiated price. The following features may be characteristic of charter service:
   (a) A third party pays the transit provider a negotiated price for the group;
   (b) Any fares charged to individual members of the group are collected by a third party;
   (c) The service is not part of the transit provider’s regularly scheduled service, or is offered for a limited period of time; or
   (d) A third party determines the origin and destination of the trip as well as scheduling

(2) Transportation provided by a recipient to the public for events or functions that occur on an irregular basis or for a limited duration and:
   (a) A premium fare is charged that is greater than the usual or customary fixed route fare;
   or
   (b) The service is paid for in whole or in part by a third party.

Regulations provide for both exemptions and exceptions to the regulations. FTA excludes recipients of four funding programs (Section 5310, Section 5311, Section 5316, and Section 5317) from charter regulation coverage if the service is for “program purposes.” FTA defines this term as: “transportation that serves the needs of either human service agencies or targeted populations (elderly, individuals with disabilities, and or low income individuals).”

No FTA subrecipient or subcontractor of project equipment is permitted to engage in exclusive school bus operations using buses, facilities or equipment funded under the Act. Note: FTA considers Head
Start to be human service agency transportation (not school bus transportation for purposes of 49 CFR part 605).

**Charter Service**

1. Does the subrecipient provide charter service?

   □ Yes   □ No

2. Can all of the subrecipient’s services be called "program" transportation?

   □ Yes   □ No

3. Does the subrecipient operate any services that are defined in the federal regulations as exempt service as defined in 49 CFR part 604.2?

   □ Yes   □ No

   If Yes, describe the charter service provide.

   __________________________________________________________
   __________________________________________________________

4. Does the subrecipient operate any services that are defined in the federal regulations as exceptions as defined in 49 CFR part 604.5 - 604.11?

   □ Yes   □ No

   If Yes, describe the charter service provided.

   __________________________________________________________
   __________________________________________________________
If Yes, does the subrecipient prepare and submit the requisite charter reports to RPTD?

☐ Yes  ☐ No

Does the subrecipient have a policy on the retention of charter records?

☐ Yes  ☐ No

5. Has the subrecipient ever requested a charter exception from FTA?

☐ Yes  ☐ No

6. How does the subrecipient price charter services? Does the agency have a cost allocation methodology to estimate the actual cost of charter service?

☐ Yes  ☐ No

7. Does the subrecipient file with RPTD the requisite information and reports about charter services provided under an exception to the regulations?

☐ Yes  ☐ No

8. Does the subrecipient provide charter services using non-FTA funded vehicles?

☐ Yes  ☐ No

**School Bus Service**

9. Does the subrecipient provide transportation to/from school for school children?

☐ Yes  ☐ No
Is the transport of school children to/from school done on an exclusive basis (e.g., in demand response mode or built entirely on school children)?

☐ Yes  ☐ No

10. Does the subrecipient provide any tripper services?

☐ Yes  ☐ No

11. If the subrecipient provides exclusive school bus service does it meet any of exemptions specified in the regulations?

☐ Yes  ☐ No
Section 9. Statewide Transportation Improvement Fund (STIF)

Overview

The Statewide Transportation Improvement Fund (STIF) provides financial support to eligible Public Transportation Service Providers (PTSPs), defined as a “Qualified Entity” (QE) or a city, county, Special District, Intergovernmental Entity or any other political subdivision or municipal or Public Corporation that provides Public Transportation Services. A QE is a county in which no part of a Mass Transit District or Transportation District exists, a Mass Transit District, a Transportation District, or an Indian Tribe. STIF funds may be used for public transportation purposes that support the effective planning, deployment, operation, and administration of STIF-funded public transportation programs, including, but not limited to:

- Creation of new systems and services with origins, destinations or stops in Oregon;
- Maintenance or continuation of systems and services; and
- Planning for and development of a Local Plan or future STIF Plan to improve Public Transportation Service.

STIF funds may be used for light rail operations expenses. Additionally, STIF funds may be used as the local match for state- and federally-funded projects that also provide Public Transportation Services, as defined in OAR 732-040-0005.

The majority of STIF funds (90 percent) are allocated based on a formula; the formula is structured to ensure that no QE receives less than $100,000 per year. The remaining funds are distributed as follows:

- Five percent distributed under the Discretionary Fund via a competitive statewide process;
- Four percent distributed to be used to improve public transportation between two or more communities based on a competitive grant program; and
- One percent used to support a statewide technical resource center to: (a) assist PTSPs in rural areas with training, planning, and information technology; and (b) to fund RPTD administration of STIF.

RPTD shall conduct activities necessary to manage the STIF funds and recipient agreements, including, but not limited to, developing policies; distributing funds; developing and implementing application and review processes and agreement and protest procedures; conducting program oversight, statewide planning, research, training, and technical assistance; and reporting to the legislature.
Qualified Entity Identification

1. List the name of the entity that is the QE receiving STIF funds,

__________________________________________________________________________________

2. List the name(s) of the entities of any lower-tier (pass-through) Sub-Recipients that have entered into an agreement with a Recipient in order to complete one or more tasks specified in the STIF Plan or agreement between RPTD and the STIF PTSP/QE.

__________________________________________________________________________________
__________________________________________________________________________________

3. Has the QE voluntarily withdrawn from eligibility?

☐ Yes  ☐ No

If Yes, did the QE notify RPTD of its decision and the time period during which it wishes to withdraw?

☐ Yes  ☐ No

Budget and Accounting Requirements

Receipt of STIF funds requires the QE to institute adequate internal controls and accounting practices sufficient to meet generally accepted accounting principles. The QE must account for the use of funds, report revenues and expenses to RPTD, and retain records for a period (six years following final disbursement/three years after capital asset disposition) that exceeds retention requirements imposed by FTA (three years following grant close-out).

4. Has the QE’s adopted annual budget for the upcoming Fiscal Year been submitted to RPTD no later than 30 days after adoption?

☐ Yes  ☐ No
If Yes, what is the date of submission?

__________________________________________________________________________________

5. Has the QE, in its accounting records, established separate accounts for STIF Formula Funds, Discretionary Funds, and Intercommunity Discretionary Funds?

☐ Yes  ☐ No

If No, why not?

__________________________________________________________________________________

6. Has the QE deposited STIF funds into an interest-bearing account?

☐ Yes  ☐ No

If Yes, has the QE identified the interest revenue in its accounting records and reported such revenues at the end of the fiscal year to RPTD?

☐ Yes  ☐ No

7. Has the QE established a record retention policy concerning records associated with its use and expenditure of STIF funds?

☐ Yes  ☐ No

If Yes, do these records meet minimum RPTD requirements such as maintaining financial records for at least six years after final disbursement under the STIF Plan or grant agreement and maintaining all records relating to Capital Assets for three years following disposition?

☐ Yes  ☐ No
Document the QE’s retention requirements.

<table>
<thead>
<tr>
<th>Element</th>
<th>ODOT Requirement</th>
<th>QE Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Financial</td>
<td>At least six years following RPTD’s final disbursement</td>
<td></td>
</tr>
<tr>
<td>Records</td>
<td>Three years following asset disposition</td>
<td></td>
</tr>
</tbody>
</table>

**STIF Advisory Committee**

The Governing Body of each QE shall appoint an Advisory Committee for the purpose of advising and assisting the QE in carrying out the purposes of the STIF and prioritizing Projects to be funded by STIF monies received by the QE.

Two or more Governing Bodies may appoint a joint Advisory Committee for the purpose of advising and assisting their respective Qualified Entities in carrying out the purposes of the STIF for the QEs’ areas of responsibility.

8. Has the Governing Body of the QE established a STIF Advisory Committee?

☐ Yes  ☐ No

If “Yes,” is the Advisory Committee governed by bylaws that address the following requirements:

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>STIF Advisory Committee By-Law Requirements:</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>Name and purpose</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Number of members</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Membership criteria</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Description of the appointment process</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Terms of office</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Frequency of meetings</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Public notice procedures for all meetings</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Process for evaluating PTSP proposals</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Decision-making criteria for evaluating proposals</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Definition of “high percentage of low-income households”</td>
</tr>
</tbody>
</table>
9. Does the QE and/or Advisory Committee make all records associated with the committee available for public review?

☐ Yes ☐ No

10. Complete the table below on Advisory Committee composition:

<table>
<thead>
<tr>
<th>QE Organization Type</th>
<th>ODOT Requirement</th>
<th>No. of Committee Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tribal Organizations</td>
<td>Three members</td>
<td></td>
</tr>
<tr>
<td>Transportation District or County</td>
<td>Five members</td>
<td></td>
</tr>
<tr>
<td>Mass Transit District</td>
<td>Seven members</td>
<td></td>
</tr>
<tr>
<td>Joint Committee of two or more QEs</td>
<td>Based on type of entity (must be equal to the highest minimum that would be required for each type)</td>
<td></td>
</tr>
</tbody>
</table>

Is the composition and number of STIF Advisory Committee members consistent with minimum STIF requirements?

☐ Yes ☐ No

11. Does the QE maintain a breakdown of committee membership that demonstrates individuals on the committee are a member of, or represents one or more of the communities of interest designations (see 732-040-0035, § (5)). (Note: this requirement does not apply to tribal organizations)?

☐ Yes ☐ No

12. Does the QE ensure that at least one member of the STIF Advisory Committee represents one of the following demographic or organizational categories? (Note: this requirement does not apply to tribal organizations)?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>STIF Advisory Committee Representation</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>Low income individuals</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Individuals age 65 or older/individuals with disabilities</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>PTSP/nonprofit organizations that provide Public Transportation Services</td>
</tr>
</tbody>
</table>
Yes  No  STIF Advisory Committee Representation

☐  ☐  If the QE is a Mass Transit District or Transportation District (or a Mass Transit District that is a party to a joint Advisory Committee), is at least one member from outside the district boundaries?

---

**STIF Formula Funds Allocation**

The STIF Formula Fund is distributed to QEs on a biennial basis. No later than December 31 of each year, RPTD shall provide written notice to each QE of the estimated allocation of STIF Formula Funds for which it is eligible in the coming year.

QEs must submit to RPTD a STIF Plan; plans may address one or two biennia. Plans must be approved by the Oregon Transportation Commission (OTC). RPTD shall be responsible for notifying a QE if OTC has rejected a STIF Plan. The QE has the right to appeal a rejection decision made by OTC pursuant to OAR 732-040-0050.

13. Describe the process the QE uses to work collaboratively with PTSPs to develop a method for sub-allocating STIF Formula Funds in the service area.

__________________________________________________________________________________
__________________________________________________________________________________

14. To the extent possible, using best available data, is the sub-allocation process proportionate to the amount of employee payroll tax revenue generated within the geographic territory of each PTSP?

☐  Yes  ☐  No

If No, what is the sub-allocation method?

__________________________________________________________________________________
If No, why was a different method used and how does the alternative method incorporate best available data to make the allocation?

__________________________________________________________________________________

__________________________________________________________________________________

**STIF Plan**

A QE must adopt a written STIF Plan as a prerequisite to the use of STIF funds for transportation projects. The plan must meet certain requirements, detailed in this section.

QE's eligible for no more than the minimum STIF Formula Fund allocation under OAR 732-042-0010(2) or rural PTSPs that are unable to meet the Local Plan requirements during the first STIF Formula Fund solicitation cycle may use a portion of their first STIF Formula Fund allocation or sub-allocation to improve Public Transportation Services if they have a current approved Coordinated Human Services Public Transportation Plan and if they also use a portion of the first allocation or sub-allocation to develop a Local Plan that is consistent with STIF Local Plan requirements.

PTSPs seeking STIF funding from a QE through the QE’s STIF Plan must submit a Project proposal to the QE’s STIF Advisory Committee for review and approval. The Project proposal must include the contents described in OAR 732-042-0015(3).

15. Each Project proposed for funding must be described in the STIF Plan. The description must include the following elements to constitute a complete description. Does the STIF Plan include, for each Project, the following descriptive items?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>STIF Plan Project Description Elements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Proposed funding level and specific expenditures for each individual Project</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A determination as to whether the Project will improve/expand or maintain existing Public Transportation Services</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Documentation of the rationale for selection for all Projects designated as maintenance of an existing service</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Anticipated benefits and measurable outcomes for each Project</td>
</tr>
<tr>
<td></td>
<td></td>
<td>If part of a multi-phased Project, the phasing plan, including schedule and budget with both known and potential funding sources identified</td>
</tr>
<tr>
<td>Yes</td>
<td>No</td>
<td>STIF Plan Project Description Elements</td>
</tr>
<tr>
<td>-----</td>
<td>----</td>
<td>---------------------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Amounts allocated to each of the benefits identified above</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Identification of the extent the Project is consistent with Oregon Public Transportation Plan goals, policies, and plans.</td>
</tr>
</tbody>
</table>

16. Does the plan include at least one Project that implements a program(s) to provide transportation services for students in grades 9 through 12?
   
   ☐  Yes ☐  No

   If Yes, is at least one percent of the QE’s estimated STIF Formula funds programmed for each Fiscal Year?
   
   ☐  Yes ☐  No

17. Is there evidence that the Governing Body of the QE consulted the Advisory Committee regarding proposed Projects in the STIF Plan and sought the committee’s recommendation on the prioritization of Projects for formula funds?
   
   ☐  Yes ☐  No

18. Does the STIF Plan indicate that the QE consulted with the STIF Advisory Committee?
   
   ☐  Yes ☐  No

   If applicable, is there an explanation in the STIF Plan as to why the Advisory Committee’s recommendation(s) was not adopted?
   
   ☐  Yes ☐  No

   If a Governing Body has not accepted a recommendation of the STIF Advisory Committee, has the Governing Body informed any affected PTSP of all modifications and the explanation for such changes?
   
   ☐  Yes ☐  No
Does the documentation support the fact that the Committee’s determination was made consistent with the bylaws?

☐ Yes ☐ No

19. Has the STIF Advisory Committee held public meetings, as applicable, in the review of all Project applications?

☐ Yes ☐ No

### STIF Reporting

The QE must prepare quarterly progress reports and submit these reports to RPTD no later than 45 days following the end of each quarter.

STIF requires the QE to submit an annual report to RPTD within sixty (60) days following the end of each Fiscal Year in which the QE receives STIF funds. The report must document any actions taken by any PTSP located within the area of the QE to mitigate the impact of the STIF tax on passengers who reside in low-income communities. The report must explain how it defines and identifies passengers in low-income communities.

Additionally, the QE must report:

- Adopted annual budget for the upcoming Fiscal Year;
- Results of any relevant financial audits of the QE or any PTSP located within the area of the QE.

RPTD reserves the right to withhold future distributions of STIF funds to entities that fail to meet the annual reporting requirement.

20. Does the QE’s required annual report to RPTD include all required elements?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
</tr>
</tbody>
</table>

**Elements of the STIF Annual Report:**

- ☐ ☐ A description of how the QE or STIF Advisory Committee defines and quantifies low-income passengers
- ☐ ☐ A narrative description of any action taken by the QE or PTSP to mitigate the impact of the STIF tax on passengers who reside in low-income communities
21. Have report(s) been submitted within the required reporting deadlines?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
<th>Days</th>
<th>Reporting Element Due</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>30 days after receipt</td>
<td>Financial audits</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>30 days after adoption</td>
<td>QE’s adopted budget</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>30 days after execution</td>
<td>Written agreement when two or more QEs appoint a joint STIF Advisory Committee</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>30 days after execution</td>
<td>Written agreement with Sub-Recipients</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>30 days after notice of rejection</td>
<td>Provision of additional information to RPTD in the event the PTAC rejects all or part of a STIF Plan</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>30 days after end of Fiscal Year</td>
<td>Capital Asset reports</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>45 days after end of each quarter</td>
<td>Quarterly reports for the first and third quarters of each Fiscal Year</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>60 days after end of Fiscal Year</td>
<td>Fourth quarter annual report</td>
</tr>
</tbody>
</table>

If No, determine the reasons why the QE has been late (e.g., lack of human resources, lack of technical capacity).

__________________________________________________________________________________
__________________________________________________________________________________

22. If the QE has used STIF funds to acquire, purchase, or lease Capital Assets, has a Capital Asset inventory report been submitted to RPTD at least annually within 30 days of the end of each Fiscal Year?

<table>
<thead>
<tr>
<th></th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If Yes, what is the date of submission?

__________________________________________________________________________________
__________________________________________________________________________________
The Discretionary Fund is intended to provide a flexible funding source to improve public transportation in Oregon. It is not a source of ongoing operations funding.

Projects that can be funded under the Discretionary Fund include, but are not limited to: capital projects such as vehicles, facilities, equipment, and technology; as well as projects for mobility management, planning, and research. Pilot operations projects may be considered for funding if the application includes a feasible financial plan for ongoing operations beyond the initial pilot period.

The Intercommunity Discretionary Fund is for improving connections between communities and between communities and other key destinations important for a connected Statewide Transit Network. As a competitive funding source, ongoing operations projects may not be selected each year, thus are may not subject to continuous funding.

Projects that can be funded under the Intercommunity Discretionary Fund include, but are not limited to: capital projects such as vehicles, facilities, equipment, and technology; as well as projects for mobility management, planning, research, and operations. Pilot and ongoing operations projects may be considered for funding under the Intercommunity Discretionary Fund if the application includes a feasible financial plan for ongoing operations beyond the initial pilot period.

Only PTSPs are eligible to receive Discretionary Funds and Intercommunity Discretionary Funds. These entities must meet, or demonstrate the capacity to meet, the qualifications, as applicable, to the type of Project being funded. An applicant shall demonstrate the ability to provide a match of either 10 percent or 20 percent of the total Project’s cost, depending on the Project characteristics.

23. Was discretionary or intercommunity discretionary Project undertaken at the ten percent reduced match rate?

☐ Yes  ☐ No

If Yes, did the Project meet one of the conditions for reduced match?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Requirements of Use of Reduced Match Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>The Project predominantly serves or provides access to and from rural communities (communities outside of urbanized areas with populations of 50,000 people or less)</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>The Project serves an area located outside of a PTSP’s geographic jurisdiction</td>
</tr>
</tbody>
</table>
**Requirements of Use of Reduced Match Rate**

- [ ] Yes  [ ] No  The Project will fill a significant gap in the Statewide Transit Network
- [ ] Yes  [ ] No  The Project provides statewide benefits to multiple PTSPs

24. Was the match for Discretionary Funds provided from an eligible source?

- [ ] Yes  [ ] No

If Yes, identify the source used to match discretionary or intercommunity discretionary Project funds.

**Eligible Sources of STIF Discretionary Match**

- [ ] Yes  [ ] No  Federal funds
- [ ] Yes  [ ] No  STIF Formula or STF funds
- [ ] Yes  [ ] No  Local funds
- [ ] Yes  [ ] No  Private contributions
- [ ] Yes  [ ] No  In-kind labor or contributions

25. Does the entity receiving discretionary or intercommunity discretionary Project funds meet or demonstrate the capacity to meet, RPTD recipient qualifications?

- [ ] Yes  [ ] No

If Yes, document these qualifications:

**Recipient Qualifications**

- [ ] Yes  [ ] No  Is a PTSP
- [ ] Yes  [ ] No  Is an entity eligible to enter into agreements
- [ ] Yes  [ ] No  Has the legal, managerial and operational capacity to perform the Project within the agreed-upon schedule
- [ ] Yes  [ ] No  Is not debarred or otherwise suspended from receiving federal grants
Yes  No  

Recipient Qualifications

☐ ☐ Maintains compliance with federal, state and local laws and regulations including, and not limited to, those pertaining to passenger transportation, civil rights, labor, insurance, safety, and health, as applicable

☐ ☐ Complies with applicable laws, these rules, and the policies of the applicable fund

☐ ☐ Properly use STIF funds

☐ ☐ Performs the Project in a safe, prudent, and timely manner

26. Is there evidence that the STIF Advisory Committee evaluated each Project application?

☐  Yes  ☐  No

If Yes, is there evidence that the Advisory Committee evaluated the application in compliance with its written bylaws?

☐  Yes  ☐  No

27. Has the QE entered into written agreement(s) with subrecipients of Discretionary Funds or Intercommunity Discretionary Funds?

☐  Yes  ☐  No

If Yes, has the QE submitted a copy of the agreement(s) to RPTD within 30 days following execution?

☐  Yes  ☐  No

28. Describe steps and procedures used by the QE to confirm STIF eligibility of a Sub-Recipient prior to entering into an agreement and distributing STIF funds, e.g., has it reviewed any open audit or compliance findings or completed a risk assessment process?

__________________________________________________________________________________

__________________________________________________________________________________
29. Describe the steps and procedures used by the QE to monitor the performance of Sub-Recipients and/or contractors and monitor compliance with the legal and regulatory requirement stipulated in the grant agreement. Some examples include a compliance review process including schedule and scope of review and reporting requirements of Sub-Recipients.

__________________________________________________________________________________

__________________________________________________________________________________

30. Has the QE determined that any of its Sub-Recipients who received STIF funds were ineligible during any period while receiving STIF funds?

☐ Yes ☐ No

If Yes, has RPTD been notified?

☐ Yes ☐ No

Discretionary STIF Reporting Requirements

Recipient shall prepare a quarterly report to RPTD which details Project progress, outcomes achieved, and expenditures of discretionary STIF funds by itself and its Sub-Recipients

31. Has the PTSP submitted its quarterly reports to RPTD no later than 45 days following the end of each quarter?

☐ Yes ☐ No

32. Have the PTSP or any Sub-Recipients acquired Capital Assets, either through lease or purchase, with Discretionary Funds?

☐ Yes ☐ No
If Yes, has the PTSP submitted the required asset management report to RPTD consistent with STIF requirements?

☐  Yes  ☐  No

**Capital Asset Requirements**

QEs and PTSPs that acquire, purchase, or lease Capital Assets with STIF funds must ensure Satisfactory Continuing Control of a Capital Asset purchased in whole or part with STIF funding during the period of the asset’s useful life.

QEs and PTSPs must inventory Capital Assets purchased in whole or part with STIF funds. The inventory will include a description of the Capital Asset, date of purchase, purchase price, amount of STIF funds contributed to the purchase, the source of other funds, the authorized use, the entity using the Capital Asset, and the condition of the Capital Asset.

Inventory requirements vary depending upon the nature of the asset. RPTD has additional requirements for vehicles assets and real property assets.

The requirements apply to assets acquired with STIF Formula Funds, Discretionary Funds, and Intercommunity Discretionary Funds.

33. Does the QE or the PTSP maintain asset inventories consistent with RPTD requirements?

☐  Yes  ☐  No

If Yes, does the inventory contain the following elements?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>STIF Asset Inventory Elements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>All Capital Assets</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Description</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Date of purchase</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Purchase price</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Amount of STIF funds used in the purchase</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Source of other funds</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Authorized use of the asset</td>
</tr>
</tbody>
</table>

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### STIF Asset Inventory Elements

- [ ] Name of PTSP using the asset
- [ ] Condition of the asset

#### Additional Items for Rolling Stock

- [ ] Size of vehicle (length, in feet)
- [ ] Total number of passenger seats
- [ ] Total number of ADA stations
- [ ] Total number of seats when all ADA stations are deployed
- [ ] Current mileage

#### Additional Items for Real Property

- [ ] Current location of the asset
- [ ] Current condition of the asset

34. Has the PTSP demonstrated that it, or its Sub-Recipient who will acquire the Capital Asset, has committed to continual use of the vehicle for the approved purpose for the useful life of the vehicle?

- [ ] Yes
- [ ] No

35. Does the QE or the PTSP have policies on the useful life for vehicles?

- [ ] Yes
- [ ] No

36. Has the QE or the Public Transportation Service Provider replaced any vehicle using STIF funds?

- [ ] Yes
- [ ] No

If Yes, did the QE or the PTSP meet the following prerequisites on the use of STIF funds for vehicle replacement?
37. Has the QE or the PTSP disposed of any Capital Asset acquired, in whole or in part, with STIF funds?

☐     Yes ☐     No

If Yes, did the QE or the PTSP retain the net proceeds from a sale or other disposition of a Capital Asset to reinvest in a future STIF Plan capital Project or return the net proceeds to RPTD?

☐     Yes ☐     No

38. Does the QE or the PTSP have written vehicle or asset maintenance policies that, at a minimum, meet the minimum inspection schedules and preventive maintenance procedures recommended by the original equipment manufacturer to keep assets and components in good condition?

☐     Yes ☐     No

39. What procedures does the QE or the PTSP use to track all maintenance activities?

__________________________________________________________________________________

__________________________________________________________________________________

40. Are vehicle preventive maintenance inspections completed on time (e.g., at least 80 percent of the inspections are performed on time)?

☐     Yes ☐     No

41. How are STIF-funded facilities and equipment insured?

__________________________________________________________________________________
42. Is RPTD listed as an additional insured on the policies for all assets acquired with STIF funds?

☐ Yes  ☐ No

43. If someone other than the QE or the PTSP is the registered title holder for STIF-funded equipment, is either the QE or the PTSP listed on the vehicle title as the primary security interest holder?

☐ Yes  ☐ No
Section 10. Special Transportation Fund

Overview

The state’s Special Transportation Fund Program provides financial support to designated counties, transit districts, and Indian tribal governments for special transportation services benefiting seniors and people with disabilities. The majority of the STF money (75 percent) is allocated on a population-based formula. The remaining funds are distributed by a discretionary grant program.

STF Administration

1. Is the STF Agency up-to-date in applications for current formula funding allocation?

☐ Yes ☐ No

If No, why not?

__________________________________________________________________________________

__________________________________________________________________________________

2. Is the STF Agency up-to-date in quarterly reports from all agencies receiving funds?

☐ Yes ☐ No

If No, why not?

__________________________________________________________________________________

__________________________________________________________________________________

3. Does the STF Agency have written agreements with pass-through entities?

☐ Yes ☐ No
If Yes, does the contract contain all necessary clauses?

__________________________________________________________________________________
__________________________________________________________________________________

4. Does the STF Agency have procedures in place that specify the level of monitoring that will be conducted of lower tier subrecipients?
   □ Yes □ No

5. Does the STF Agency separately account for STF funds in its accounts?
   □ Yes □ No

6. Does the STF Agency retain all financial records for at least three years after the RPTD’s final disbursement for the fiscal year?
   □ Yes □ No

7. Does the STF Agency delegate authority for program management to another organization?
   □ Yes □ No

   If Yes, list the duties of the administrative entity:

   ________________________________________________________________________________
   ________________________________________________________________________________

8. Does the STF Agency, individual providers, or the administrative entity maintain an inventory of capital items purchased in whole or part with STF funds?
   □ Yes □ No
9. Does the STF Agency utilize any of its allotment of $2,000 for project management?

☐ Yes ☐ No

**STF Committee**

10. Has the STF Agency appointed an advisory committee of at least five members, and does the membership have a minority of individuals representing agencies receiving STF funds? (For tribes, the committee is composed of three individuals.)

☐ Yes ☐ No

11. Has the STF Agency adopted bylaws for the committee?

☐ Yes ☐ No

12. Does the STF Advisory Committee meet at least two times per year?

☐ Yes ☐ No

13. Does the STF Agency adhere to open meeting laws: publishes meeting notices and keeps records of all meetings?

☐ Yes ☐ No

**Coordinated Plan**

14. Does the STF Agency use the adopted Coordinated Plan to assist in making funding decisions?

☐ Yes ☐ No
15. Is the Coordinated Plan up-to-date?

☐ Yes  ☐ No
Section 11. Monitoring of Lower-Tier Subrecipients

Overview

This section should be completed if the entity under review both operates and passes federal funds through to a lower tier subrecipient. If the entity under review does not pass funds through to a lower tier entity, skip this section.

Federal rules require that pass-through entities monitor a lower-tier subrecipient’s compliance with federal grant administrative requirements stipulated in 2 CFR § 200.300 through § 200.513. These requirements span:

- Administrative requirements
- Compliance and programmatic requirements
- Cost eligibility controls
- Indirect costs

This section provides both a guide and a compliance checklist of items any entity is required to perform when passing federal funds through to a lower-tier entity.

Identification of Pass-Through Subrecipients

In this section, the reviewer will determine if the entity under review passes funds through to a lower-tier subrecipient. The reviewer must first determine the nature of the lower-tier relationship: subrecipient or subcontractor.

1. Does the entity under review pass through funds to a lower-tier subrecipient?

   [ ] Yes   [ ] No

   If Yes, list these entities and identify if the entity conducts on-site reviews of these entities:

<table>
<thead>
<tr>
<th>Name of Subrecipient</th>
<th>Site Visit Conducted?</th>
<th>Date of Site Visit</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>[ ] Yes   [ ] No</td>
<td></td>
</tr>
<tr>
<td></td>
<td>[ ] Yes   [ ] No</td>
<td></td>
</tr>
</tbody>
</table>

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The lower-tier subrecipient must establish and maintain effective internal controls over its federal awards that provide reasonable assurance that awards are being managed in compliance with federal statutes, regulations, terms, and conditions of the grant agreement.

2. Does the pass-through entity conduct any evaluation of the lower tier subrecipient’s internal controls? (Actions could include review of audits, collection of written policies of the subrecipient, participation in the compliance monitoring reviews conducted by RPTD of the lower-tier entity, etc.)

☐ Yes ☐ No

If Yes, describe what steps the pass-through entity uses to meet this requirement.

__________________________________________________________________________________

__________________________________________________________________________________

3. Are members of the lower-tier subrecipient’s governing body actively involved in the acceptance of the grant award and oversight of its personnel in the execution of grant activities?

☐ Yes ☐ No

4. Does the pass-through entity demonstrate compliance with federal requirements with respect to the following activities?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Required List Elements</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>Procurements using grant funds undertaken consistent with FTA requirements</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Claims for reimbursement based on documented payrolls and other verifiable source documentation</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Prompt payments to its vendors</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Adequate cash management procedures</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Written record retention requirements consistent with RPTD requirements</td>
</tr>
</tbody>
</table>
The lower-tier subrecipient must have the technical and financial capacity to prepare reports necessary to seek reimbursement of eligible project costs and trace funds to a level of expenditures adequate to establish funds have been used in accordance with federal requirements.

5. Does the staff of the lower-tier entity demonstrate understanding of federal grant administration requirements and FTA grant procedures (e.g., knowledge and understanding of FTA Circular 5010.1E or FTA Circular 9040.1G)?

☐ Yes  ☐ No

If Yes, what gives the pass-through entity confidence to make this determination?

__________________________________________________________________________________
__________________________________________________________________________________

6. Does the lower-tier entity demonstrate competence in accurately identifying the following?

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>Required List Elements</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐</td>
<td>☐</td>
<td>Obligations</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Funds received</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Fares</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Program income</td>
</tr>
<tr>
<td>☐</td>
<td>☐</td>
<td>Unobligated balances</td>
</tr>
</tbody>
</table>

7. Are the lower-tier entity’s bank statements reviewed and reconciled by someone other than the individual who disburses funds from the transit account?

☐ Yes  ☐ No
Administrative Requirements – Audit

Lower-tier subrecipient that expend more than $750,000 or more in federal grant awards from all sources (not just FTA) during the entity’s fiscal years must have a single or program specific audit conducted for that fiscal year.

8. Is the lower-tier subrecipient required to obtain a single audit?

☐ Yes ☐ No

If Yes, did the lower-tier subrecipient obtain the required audit?

☐ Yes ☐ No

If Yes, did the pass-through entity obtain a copy of the lower-tier subrecipient’s audit?

☐ Yes ☐ No

9. Was the lower-tier subrecipient free of any audit findings?

☐ Yes ☐ No

If No, has the lower-tier subrecipient assign responsibility to individuals or appropriate office to resolve the audit finding?

☐ Yes ☐ No

If Yes, has the lower-tier subrecipient informed the pass-through entity of its plans for correcting any conditions reported in the audit findings?

☐ Yes ☐ No

Program Compliance – Matching Funds

Either the pass-through entity or the lower-tier subrecipient may provide the local match necessary for the RPTD award.
10. Which entity is responsible for providing the local match to RPTD awards?

<table>
<thead>
<tr>
<th>Yes</th>
<th>Required List Elements</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Pass-through entity</td>
</tr>
<tr>
<td></td>
<td>Lower-tier subrecipient</td>
</tr>
<tr>
<td></td>
<td>Combination of pass-through entity and lower-tier subrecipient</td>
</tr>
</tbody>
</table>

11. If the lower-tier subrecipient is responsible for providing the program match, has the pass-through entity verified the availability?

☐ Yes  ☐ No

Program Compliance – Cost Principles

Regardless of the tier, any recipient or subrecipient must adhere to the cost principles detailed in 2 CFR § 200.400 through 200.475. Importantly, all costs claimed under federal grant awards must be properly documented.

12. Does the pass-through entity review costs claimed by the lower-tier subrecipient in terms of eligibility or whether appropriate documentation is maintained?

☐ Yes  ☐ No

Program Compliance – Property Management

If the lower-tier subrecipient owns or operates equipment or facilities acquired with federal funds, the entity is responsible for ensuring that property or equipment is used for project purposes, is appropriately reflected in an asset inventory, is properly maintained in a state of good repair, and follows appropriate disposition procedures.

13. Does the lower-tier subrecipient operate or use real property or equipment owned by the pass-through entity?

☐ Yes  ☐ No
If Yes, are there arrangements in place to ensure that the pass-through entity demonstrates satisfactory continuing control over project assets?

☐ Yes  ☐ No

14. If Yes to Question 13, does the pass-through entity review or approve the lower-tier subrecipient’s equipment or facility maintenance plans?

☐ Yes  ☐ No

15. If Yes to Question 13, do asset inventories reflect all equipment and real property acquired with federal funds?

☐ Yes  ☐ No
Section 12. Other Elements of the Review

Overview

This section describes the physical inspection of vehicles and facilities, examination of records, and verification of required posting that will be conducted during the compliance review.

Verification of Cost Documentation

At or near the close of day one of the review, the lead reviewer will ask the finance director to generate a report for a randomly selected quarter in the current fiscal year. The report should include all non-personnel transactions recorded in the general ledger during the selected quarter. From this list of transactions, the lead reviewer will randomly select about 10 transactions and ask the subrecipient to pull the documentation maintained to support the transaction.

In reviewing the transaction, the reviewer will determine the following:

- Does the payee on the check stub match the entry in the general ledger?
- Does the check amount match the general ledger posting?
- If the purchase is allocated among departments:
  - What is the basis for allocation?
  - Does the agency consistently use the same allocation basis?
  - Does the allocated amount match the posting to the transit department in the general ledger?
- What is the date when the subrecipient incurred the costs?
- What is the date of payment?
- Has the vendor been paid within 30 days?
- What evidence exists in the file that the expenditure was properly authorized (purchase order or other authorization)?
- What documentation exists to support the charge?
  - Contracts
  - Invoices
  - Bills
  - Statements
Vehicle and Facility Inspections

Following review of the field guide, members of the review team will inspect randomly-selected vehicles and maintenance records to determine:

- Preventive maintenance checks are being conducted in accordance with the written vehicle maintenance plan;
- Federally-financed facilities are being maintained in accordance with the written facility maintenance program;
- Vehicles are equipped with the proper safety equipment;
- Inspections are up-to-date;
- What the general condition of the vehicles is; and
- What the general cleanliness of the vehicle is.

Vehicular preventive maintenance events will be classified as on-time, early, or late based on whether the event was conducted within +/- 10 percent of the subrecipient’s vehicle maintenance plan’s intervals. RPTD follows FTA guidance in this area and requires subrecipient to conduct 80 percent of all preventive maintenance events on-time.

Civil Rights Postings

Various civil rights components require that certain postings be placed in the workplace where affected employees may view them. The review will verify the following postings:

- Title VI public notice
- Equal Employment Opportunity notice and/or federal labor law posters

Labor Protection Postings

The terms and conditions of the Special Warranty (Section 5333(b)) require that the Warranty be posted in the workplace where affected employees may view the Warranty. The reviewer will verify this posting.