



**Oregon Department of Transportation  
Rail and Public Transit Division**

**Compliance Review Field Guide for  
Urban Recipients of State Funds  
February 21, 2020**





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# Introduction

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## 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) for state-administered programs and various state funds appropriated by the Oregon legislature to support public and specialized transportation. Although the division is given authority in Oregon Administrative Rule (732-040-0015) to review a variety of federal requirement topics, RPTD has chosen not to duplicate current FTA oversight conducted in FTA triennial reviews.

This Field Guide provides guidance to recipients of state funds who are subject to FTA triennial reviews. RPTD recognizes the thorough nature of the triennial review process and will not replicate that process. Rather, the recipient's most recent copy of its triennial review will be used to focus, where appropriate, RPTD's statutory role in oversight of state programs. Thus, compliance with applicable guidance in an FTA-reviewed area will bring presumptive compliance with respect to comparable requirements for RPTD programs. This policy applies to:

- Financial Management and Capacity
- Procurement
- Americans with Disabilities Act

Similarly, open deficiencies in any of these areas may impact the recipient's ability to effectively manage state funds or state-funded assets and, therefore, is appropriate for RPTD investigation. While this review will primarily cover requirements of state funds, RPTD reserves the right to review all compliance topics listed in the rule should it determine that doing so would benefit compliance in relation to state programs.

The purpose of the on-site review is to assess how the recipient is complying with state laws, rules, requirements, and regulations. The overall goal of this program is to improve recipient's compliance with applicable regulations while strengthening managerial abilities in the following areas:

1. Statewide Transportation Improvement Fund
2. Special Transportation Fund
3. Use and Maintenance of State-Funded Equipment
4. Americans with Disabilities Act/Special Transportation Fund recipients
5. Monitoring of Lower-Tier Subrecipients

## 6. Other (Optional) Elements of the Review

- a. Financial Management
- b. Procurement

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

The review process begins with a notification letter from RPTD to the recipient 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 must participate in the review.

### **Desk Review**

Recipients 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 recipient 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
- Maintenance manger
- Fiscal director
- Procurement manager

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 recipient to ask questions.

Depending upon the complexity of the recipient’s transit system, the site review will take between four to eight 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, 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 recipient under review.
- Advisory recommendations – These represent best practices in urbanized area management and operations. The recipient is not obligated to implement advisory recommendations.

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

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 which may assist in achieving greater recipient efficiency.

The draft report will be organized by topic and will correspond 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 recipient 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 help the RTC monitor the recipient's progress in closure of these 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 in remedying and closing findings; providing examples of policies, procedures, and best practices; and reviewing system proposals for remedy. It will be the primary responsibility of the RTC to determine if the recipient's actions are satisfactory to close findings.

The review consultants will also be available, as needed, for consultation via email and/or by telephone to provide further assistance.

## Requested Document Upload Checklist

Yes	No	Document to be Uploaded in Advance of Site Visit
<b>Overall</b>		
<input type="checkbox"/>	<input type="checkbox"/>	Copy of most recent triennial review
<input type="checkbox"/>	<input type="checkbox"/>	Financial management and capacity findings - Information submitted to FTA to support closure of the deficiency.
<input type="checkbox"/>	<input type="checkbox"/>	Procurement findings - Information submitted to FTA to support closure of the deficiency.
<b>Program Management</b>		
<input type="checkbox"/>	<input type="checkbox"/>	Copies of any subcontracts with lower- tier operators
<b>Americans with Disabilities Act (ADA)</b>		
<input type="checkbox"/>	<input type="checkbox"/>	Copies of any complaints filed against the recipient alleging discrimination on the basis of disability in service delivery (filed within last year) along with statement of resolution/outcome
<input type="checkbox"/>	<input type="checkbox"/>	Service brochures and other system information made available to the public
<input type="checkbox"/>	<input type="checkbox"/>	Copy and description of fare structure employed by the subrecipient
<input type="checkbox"/>	<input type="checkbox"/>	ADA related service and operating policies
<b>Use and Maintenance of Project Equipment</b>		
<input type="checkbox"/>	<input type="checkbox"/>	Vehicle lease agreements, if any
<input type="checkbox"/>	<input type="checkbox"/>	Preventive maintenance plans and schedules
<b>Statewide Transportation Improvement Fund (STIF)</b>		
<input type="checkbox"/>	<input type="checkbox"/>	List of STIF advisory committee members
<input type="checkbox"/>	<input type="checkbox"/>	Copy of most recent STIF Plan
<input type="checkbox"/>	<input type="checkbox"/>	STIF-financed capital inventory
<input type="checkbox"/>	<input type="checkbox"/>	Copy of the chart of accounts that demonstrates separate accounts for STIF and STP expenses
<b>Special Transportation Fund (STF)</b>		
<input type="checkbox"/>	<input type="checkbox"/>	List of STF advisory committee members
<input type="checkbox"/>	<input type="checkbox"/>	Copy of STF advisory committee by-laws
<input type="checkbox"/>	<input type="checkbox"/>	Copy of the most recent coordinated public transit/human services transportation plan



Yes	No	Document to be Uploaded in Advance of Site Visit
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**Monitoring of Lower Tier Subrecipients**

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | List of STF/STIF subrecipients                            |
| <input type="checkbox"/> | <input type="checkbox"/> | Copy of subrecipient monitoring review checklist, if used |

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# Section 1. Statewide Transportation Improvement Fund (STIF)

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## 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, municipality, 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 federal funds that also provide public transportation service, as defined in OAR 732-040-0005.

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

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

RPTD shall conduct activities necessary to manage the STIF funds and grants, 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 QE receiving STIF funds.

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

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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 agreement 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 was the date of submission?

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5. Has the QE established separate accounts for formula funds, discretionary funds, and intercommunity discretionary funds in its accounting records?

Yes  No

If No, why not?

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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 (i.e., do they maintain financial records for at least six years after RPTD's final disbursement under the STIF Plan or grant agreement and maintain all records relating to capital assets for three years following disposition)?

Yes  No

Document the QE’s retention requirements.

Element	RPTD Requirement	Qualified Entity Policy
All Financial Records	At least six (6) years following RPTD’s final disbursement	
Capital	Three (3) years following asset disposition	

## 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 projects in the STIF plan and prioritizing projects to be funded by STIF funds received by the QE.

Two or more Governing Bodies may appoint a joint Advisory Committee for the purpose of advising and assisting their respective QE 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?

Yes	No	STIF Advisory Committee By-Law Requirements:
<input type="checkbox"/>	<input type="checkbox"/>	Name and purpose
<input type="checkbox"/>	<input type="checkbox"/>	Number of members
<input type="checkbox"/>	<input type="checkbox"/>	Membership criteria
<input type="checkbox"/>	<input type="checkbox"/>	Description of the appointment process
<input type="checkbox"/>	<input type="checkbox"/>	Terms of office
<input type="checkbox"/>	<input type="checkbox"/>	Frequency of meetings
<input type="checkbox"/>	<input type="checkbox"/>	Public notice procedures for all meetings
<input type="checkbox"/>	<input type="checkbox"/>	Process for evaluating PTSP proposals
<input type="checkbox"/>	<input type="checkbox"/>	Decision-making criteria for evaluating proposals
<input type="checkbox"/>	<input type="checkbox"/>	Definition of “high percentage of low-income households”

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:

QE Organization Type	RPTD Requirement	No. of Committee Members
Tribal organizations	Three members	
Transportation district or county	Five members	
Mass transit district	Seven members	
Joint committee of two or more QEs	Based on type of entity (must be equal to the highest minimum that would be required for each type)	

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

Yes  No

11. Does the QE maintain a breakdown of committee membership that demonstrates individuals on the committee are a member of, or represent, 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 each of the following characteristics? (Note: this requirement does not apply to tribal organizations)?

Yes	No	STIF Advisory Committee Representation
<input type="checkbox"/>	<input type="checkbox"/>	Low income individuals
<input type="checkbox"/>	<input type="checkbox"/>	Individuals age 65 or older/individuals with disabilities
<input type="checkbox"/>	<input type="checkbox"/>	PTSP/nonprofit organizations that provide public transportation services

**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

STIF formula funds are 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 fund funds for which it is eligible in the coming year.

QEs must submit a STIF Plan to RPTD which 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 the OTC has rejected the STIF Plan. The QE has the right to appeal a rejection decision made by the OTC pursuant to OAR 732-040-0050.

13. Describe the process the QE uses to work collaboratively with PTSP listed in Question #2 to develop a method for sub-allocating STIF formula funds in the service area.

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14. To the extent possible and, 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?

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

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## 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.

QEs 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 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 shall submit a project proposal to its 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 plan must include the following elements to constitute a complete description. Does the plan include the following descriptive items for each project?

Yes	No	STIF Plan Project Description Elements
<input type="checkbox"/>	<input type="checkbox"/>	Proposed funding level and specific expenditures
<input type="checkbox"/>	<input type="checkbox"/>	A determination as to whether the project will improve/expand or maintain an existing public transportation service
<input type="checkbox"/>	<input type="checkbox"/>	Documentation of the rationale for project selection for those designated as a maintenance of an existing service
<input type="checkbox"/>	<input type="checkbox"/>	Anticipated benefits and measurable outcomes
<input type="checkbox"/>	<input type="checkbox"/>	The phasing plan (if part of a multi-phased project), including schedule and budget with both known and potential funding sources identified

Yes	No	STIF Plan Project Description Elements
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- Amounts allocated to each of the benefits identified in the STIF plan
- The extent to which the project is consistent with Oregon Public Transportation Plan (OPTP) goals, policies, and plans

16. Does the plan include at least one project that implements a program(s) to provide student transit 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

If No, 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 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

18. 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 60 days following the end of each fiscal year in which the QE receives STIF funds.

This report must:

- Document any actions taken by a PTSP located within the area of the QE to mitigate the impact of the STIF tax on passengers who reside in low-income communities;
- Explain how it defines and identifies passengers in low-income communities;
- Report the annual budget for the upcoming fiscal year; and
- Detail 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.

19. Does the QE's required annual report to RPTD include all required elements?

Yes	No	Elements of the STIF Annual Report:
<input type="checkbox"/>	<input type="checkbox"/>	A description of how the QE or STIF Committee defines and quantifies low income passengers
<input type="checkbox"/>	<input type="checkbox"/>	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

20. Have report(s) been submitted within the required reporting deadlines?

Yes	No	N/A	Days	Reporting Element Due
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	30 days after receipt	Financial audits
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	30 days after adoption	QE's adopted budget
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	30 days after execution	Written agreement when two or more QE appoint a joint STIF Advisory Committee
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	30 days after execution	Written agreement with subrecipients
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	30 days after notice of rejection	Provision of additional information to RPTD in the event the Public Transportation Advisory Committee (PTAC) rejects all or part of a STIF Plan
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	30 days after end of fiscal year	Capital asset reports
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	45 days after end of each quarter	Quarterly reports for 1 <sup>st</sup> -3 <sup>rd</sup> quarters of each fiscal year
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	60 days after end of fiscal year	4 <sup>th</sup> annual report

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

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21. 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?

Yes  No

If Yes, what was the date of submission?

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## Discretionary STIF Funds

The STIF 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 eligible to receive grants under the discretionary fund and intercommunity discretionary fund include, but are not limited to: capital projects such as vehicles, facilities, equipment, and technology, as well as projects that involve planning and research or implement mobility management strategies. Projects for operations are eligible for intercommunity discretionary funds. Pilot operations projects for both the discretionary fund and intercommunity fund 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 other key destinations crucial for establishing a connected statewide transit network. As a competitive funding source, ongoing operations projects are at risk of not receiving continuous funding.

Only PTSPs are eligible to be recipients of discretionary funds and intercommunity discretionary funds. These entities must meet, or demonstrate the capacity to meet, a requirement to provide a match of at either 10 or 20 percent of the total project's cost, depending on the project characteristics.

22. Was a 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?

Yes	No	Requirements of Use of Reduced Match Rate
<input type="checkbox"/>	<input type="checkbox"/>	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)
<input type="checkbox"/>	<input type="checkbox"/>	The project serves an area located outside of a PTSP's geographic jurisdiction
<input type="checkbox"/>	<input type="checkbox"/>	The project will fill a significant gap in the statewide transit network
<input type="checkbox"/>	<input type="checkbox"/>	The project provides statewide benefits to multiple PTSP

23. Was the match for STIF discretionary funds provided from an eligible source?

Yes  No

If Yes, identify the fund source used as match for the discretionary or intercommunity discretionary fund project.

Yes	No	Eligible Sources of STIF Discretionary Match
<input type="checkbox"/>	<input type="checkbox"/>	Federal funds
<input type="checkbox"/>	<input type="checkbox"/>	STIF formula or STF funds
<input type="checkbox"/>	<input type="checkbox"/>	Local funds
<input type="checkbox"/>	<input type="checkbox"/>	Private contributions
<input type="checkbox"/>	<input type="checkbox"/>	In-kind labor or contributions

24. Does the entity receiving discretionary or Intercommunity discretionary funds meet or demonstrate the capacity to meet, RPTD recipient qualifications?

Yes  No

If Yes document these qualifications:

Yes	No	Recipient Qualifications
<input type="checkbox"/>	<input type="checkbox"/>	Is the entity a PTSP?
<input type="checkbox"/>	<input type="checkbox"/>	Is the entity eligible to enter into agreements?
<input type="checkbox"/>	<input type="checkbox"/>	Does the entity have the legal, managerial, and operational capacity to perform the project within the agreed schedule?
<input type="checkbox"/>	<input type="checkbox"/>	Is the entity debarred or otherwise suspended from receiving federal grants?
<input type="checkbox"/>	<input type="checkbox"/>	Does the entity maintain compliance with federal, state and local laws and regulations including, but not limited to, those pertaining to passenger transportation, civil rights, labor, insurance, safety and health (as applicable)?
<input type="checkbox"/>	<input type="checkbox"/>	Does the entity comply with applicable laws, STIF rules, and the policies of the applicable grant fund?
<input type="checkbox"/>	<input type="checkbox"/>	Does the entity properly use STIF funds?

**Yes    No    Recipient Qualifications**

       Performs the project in a safe, prudent, and timely manner

25. 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

26. Has the QE entered into written agreements with subrecipients of discretionary funds or intercommunity discretionary funds?

   Yes        No

If Yes has the Qualified Entity submitted to a copy of the agreement to RPTD within thirty (30) days following execution?

   Yes        No

27. Describe the steps and procedures used by the QE to confirm STIF eligibility of a subrecipient prior to entering into an agreement and distributing STIF funds, (e.g., has the QE reviewed any open audit or compliance findings, completed a risk assessment process).

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28. Describe the steps and procedures used by the QE to monitor the performance of subrecipients and/or contractors and monitor compliance with the legal and regulatory requirement as stipulated in the grant agreement. (Some examples of this include a compliance review process including schedule and scope of review and reporting requirements of subrecipients.)

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29. Has the QE determined that any of its subrecipients 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 submit an agency periodic report (APR) to RPTD which details project progress, outcomes achieved, and expenditures of discretionary STIF funds (both their own and those of any subrecipients).

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

Yes  No

31. Have the PTSP or any subrecipients 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 the STIF requirements?

Yes  No

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## Section 2. Requirements for STIF-Funded Assets

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### Overview

QEs and PTSPs that acquire, purchase, or lease capital assets with STIF funds must ensure satisfactory continuing control of a capital asset during the period of its 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, the 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 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.

1. Does the QE or the PTSP maintain asset inventories of STIF-funded equipment consistent with RPTD requirements?

Yes  No

If Yes, does the inventory contain the following elements?

Yes	No	STIF Asset Inventory Elements
-----	----	-------------------------------

**All Capital Assets**

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Description                               |
| <input type="checkbox"/> | <input type="checkbox"/> | Date of purchase                          |
| <input type="checkbox"/> | <input type="checkbox"/> | Purchase price                            |
| <input type="checkbox"/> | <input type="checkbox"/> | Amount of STIF funds used in the purchase |
| <input type="checkbox"/> | <input type="checkbox"/> | Source of other funds                     |
| <input type="checkbox"/> | <input type="checkbox"/> | Authorized use of the asset               |
| <input type="checkbox"/> | <input type="checkbox"/> | Name of PTSP using the asset              |

Yes	No	STIF Asset Inventory Elements
-----	----	-------------------------------

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

2. Has the PTSP demonstrated that they or their subrecipients are committed to continual use of the vehicle for the approved purpose for the useful life of the vehicle?

Yes  No

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

Yes  No

4. Has the QE or the PTSP 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?

**Yes No STIF Vehicle Replacement Prerequisites**

- QE or the PTSP held clear title to the vehicle.
  
- The vehicle had met or exceeded the useful life.
  
- The vehicle had not previously been replaced by other funding sources.

5. Has the QE or the PTSP disposed of any capital asset acquired, in whole or in part, with STIF funds?

- Yes  No

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

- Yes  No

6. If someone other than the QE or 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

7. 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

## Maintenance of Equipment and Facilities

Vehicle equipment condition is assessed as 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,

etc.), condition of lights, mirrors and windows, and presence of fluid leaks. RPTD expects recipients to make all 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. If RPTD determines that an asset is not being used for the purpose prescribed in the STIF Plan or that the asset is not being maintained in a state of good operational repair, RPTD may exercise all of the rights provided the secured lien holder under Oregon law.

The site review ensures the recipient has a vehicle maintenance and facility maintenance plan in place. Vehicle maintenance plans are reviewed to ensure that they include a preventive maintenance (PM) interval for each vehicle, and that the plan 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 recipient's "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 percent on time to determine sufficient performance.

During on-site compliance reviews, facilities maintenance plans are also examined. The reviewer will inspect completed facilities maintenance forms and make a determination of on-time facility PM performance.

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

Yes  No

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

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

Yes  No

9. How are vehicle maintenance services performed?

In-house  
 Contractors  
 Combination of in-house and contractors

10. Does the recipient 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

11. Does the recipient's PM 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

12. What procedures does the recipient use to track all maintenance activities?

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13. What is the recipient's schedule for vehicle PM inspections?

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

Yes  No

## Equipment – Insurance

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 recipient is responsible for all costs, deductibles, or self-insured retention. The recipient must include the "Oregon

Department of Transportation, Rail and Public Transit Division” as “Additional Insured” and provide a certificate of insurance as documentation.

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

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

Yes  No

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

Yes  No

18. 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

19. Does the recipient maintain comprehensive and collision insurance on all vehicles with remaining useful life at sufficient levels to protect the remaining RPTD’s interest in the equipment?

Yes  No

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

Yes  No



20. Has the subrecipient suffered any casualty loss of project equipment during the last three years?

Yes  No

If Yes, did the subrecipient receive an insurance settlement?

Yes  No

Did the subrecipient request guidance from RPTD on the procedures for reinvesting the settlement proceeds in a replacement vehicle?

Yes  No

21. Does management periodically review insurance coverage?

Yes  No

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## Section 3. Special Transportation Fund

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### Overview

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

### STF Administration

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

Yes  No

If No, why not?

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

Yes  No

If No, why not?

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

Yes  No

If Yes, does the agreement contain all necessary clauses?

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4. Does the STF recipient have procedures in place that specify the level of monitoring that will be conducted of subrecipients?

Yes  No

5. Does the STF recipient have a system for maintaining STF funds in its own account?

Yes  No

6. Does the STF recipient 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 recipient delegate authority for program management to another organization?

Yes  No

If Yes, list the duties of the administrative entity:

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8. Does the STF recipient, individual providers, or administrative entity maintain an inventory of capital items purchased in whole or part with STF funds?

Yes  No

9. Does the STF recipient utilize any of its allotment of \$2,000 allotment for project management?

Yes  No

## STF Committee

10. Has the STF recipient appointed an advisory committee of at least five members, and does the membership have a minority of individuals representing agencies receiving STF funds? (Note: for tribes, the committee must be composed of three individuals.)

Yes  No

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

Yes  No

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

Yes  No

13. Does the STF recipient adhere to open meeting laws by publishing meeting notices and keeping records of all meetings?

Yes  No

## Coordinated Plan

14. Does the STF recipient use the adopted coordinated plan to assist in making funding decisions?

Yes  No

15. Is the coordinated plan up-to-date?

Yes  No

## Section 4. Financial Management

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### Overview

This section of the review is designed to ensure that RPTD’s oversight efforts complement, not duplicate, statutory oversight reviews conducted by the FTA.

Consistent with this objective, this section will examine two primary types of documents:

1. The urbanized area recipient’s most recent triennial review; specifically, the review examines results regarding “Financial Management and Capacity.”
2. The urbanized area recipient’s three most recent independent financial audits prepared pursuant to 2 CFR § 500.

If the urbanized area recipient had no deficiencies in the triennial review **and** the three most recent audits contained no findings (material weaknesses or deficiencies in internal controls) that could impact the recipient’s use of STIF or STF funds, the reviewer can document this fact and **skip this section**.

If, however, there were triennial review and/or audit findings in the financial management area, the reviewer will document the finding, verify that the review finding has been addressed by management, and that the finding is now considered closed.

If findings remain open, the reviewer will note the open status of the finding and elaborate, as appropriate, on remedial actions necessary to be undertaken by management to ensure proper treatment of STIF or STF funds.

### Triennial Review Results

The most recent triennial review report, along with all necessary correspondence concerning recipient response and FTA close-out, must be uploaded and reviewed as part of the desk review process.

1. What was the date of the final Comprehensive Report?
-

2. Did the triennial review contain any deficiencies in the Financial Management and Capacity section?

Yes  No

If No, skip this section and proceed to Question 6 under the Single Audit subsection.

If Yes, document the triennial review findings in Exhibit 3-1, and verify that the finding has been closed by FTA.

3. Are there any open findings?

Yes  No

If No, skip to Question 6.

If Yes, identify actions taken by management to close the finding.

4. Is the delay in finding closure due to FTA or subrecipient delay in submitting a response?

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5. In the reviewer's opinion, does the open triennial review finding potentially impact the recipient's management of STIF and/or STF funds?

Yes  No

Reviewer's comments:

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**Table 4-1. Triennial Review Financial Management and Capacity Deficiencies**

Area	Requirement	FTA Deficiency Code Description	Deficiency (Y or N)?	Status
F1	Does the recipient have policies and procedures in place for managing federal awards, establishing internal controls, ensuring timely distribution of funds, and determining allowability of costs?	Missing, insufficient, or out of date financial operating procedures	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Lacking internal financial controls	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
F2	Does the recipient’s organizational structure clearly define, assign, and delegate appropriate authority for all financial duties and require that those duties are 1) carried out by properly qualified personnel 2) segregated within the organization and 3) subject to review to ensure that adequate internal checks and balances exist?	No segregation of financial duties and functions	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Missing financial qualifications	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		ECHO draws not properly approved	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Lacking supervision for financial personnel	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Inadequate internal checks and balances	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
F3	Does the recipient’s financial management system allow it to prepare reports and trace funds adequately to establish compliance with award terms and conditions?	Financial management systems deficiencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
F4	Does the recipient correctly draw down and track the use of Federal funds for eligible expenses and disburse advance payment funds within three business days?	ECHO documentation deficient	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Funds not disbursed timely	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Federal funds not returned	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
F5	Has the recipient complied with requirements for charging indirect costs to FTA awards?	Ineligible indirect costs charged to awards	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open

F6	Has the recipient conducted the required Single Audits, submitted the required documentation to the FAC and FTA, and resolved any identified issues?	Annual audit not conducted	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Outstanding annual audit deficiencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
F7	Does the recipient have financial resources to provide local share for active awards and to adequately maintain and operate FTA-funded assets?	Recipient lacks financial capacity to carry out program	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Ineligible local match	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
F8	For recipients receiving operating assistance, is the amount eligible for operating assistance calculated in compliance with FTA guidance?	Ineligible operating expense calculation	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
F9	Does the recipient adequately ensure financial oversight of its subrecipients?	Insufficient financial oversight of subrecipient financial capacity	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Insufficient oversight of subrecipient match funds	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Insufficient oversight of subrecipient financial management systems	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Insufficient oversight of subrecipient indirect costs	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open

Source: FTA Comprehensive Review Guide, Section 2.

## Single Audit Results

Since triennial reviews are only done once every three years, RPTD will also review the recipient's annual single audit to gain additional insights on financial capacity.

6. Review the single audits for the last three years. Examine the auditor's report to management and determine the type of audit opinion rendered in the recipient's preparation of financial statements.

Auditor's Opinion		Year 1	Year 2	Year 3
List Audit Year Ended				
Type of Opinion Issued on Financial Statements		<i>(Check one)</i>	<i>(Check one)</i>	<i>(Check one)</i>
<input type="checkbox"/>	Unmodified Opinion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Qualified Opinion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adverse Opinion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Disclaimer of Opinion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7. Did the auditor issue an opinion on recipient's preparation of the Schedule of Expenditures of Federal Awards (SEFA)?

Yes  No

If Yes, did the auditor issue a statement that the SEFA is fairly stated in all material respects in relation to the financial statements as a whole?

Yes  No

If No, what was the issue?

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8. Did the auditor issue an opinion on the recipient's internal controls for financial reporting and compliance with certain provisions of laws, regulations, agreement contracts, and other matters (e.g., the compliance supplement)?

Yes  No

If Yes, did the auditor determine that their review disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards?

Yes  No

9. Did the auditor issue any findings in any of the audit reports issued during the three-year period under examination?

Yes  No

If Yes document the findings in Exhibit 4-2.

10. If Yes to Question 9, does the audit finding potentially impact the recipient's management of STIF and/or STF funds?

Yes  No

Reviewer's comments:

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**Exhibit 4-2. Summary of Single Audit Findings, for the Last Three Years**

Audit Firm & Year (If Not Indicated in Finding ID)	Finding ID	Is This a Repeat Finding? (Y or N)	Matter	Department (If applicable)	Management Response? (Y or N)	Corrective Action	Potential Impact on RPTD STIF Grants Management? (Y or N)

(Expand table as necessary).

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## Section 5. Americans with Disabilities Act (ADA)

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### Overview

Oregon Administrative Rules (see 732-005-0016: Purpose and Use of the STF and STO Moneys) requires that STF-funded projects must comply with the requirements of the U.S.DOT/FTA, 49 CFR § 37, “Transportation Services for Individuals with Disabilities,” as applicable to the specific project and provider.

Like Section 4, this section of the review is designed to ensure that RPTD’s oversight efforts complement, not duplicate, statutory oversight reviews conducted by the FTA.

Consistent with that objective, this section will examine the urban recipient’s most recent triennial review; specifically, the review should examine Section 12 results regarding “Americans with Disabilities Act (ADA) - General” and Section 13, “Americans with Disabilities Act (ADA) – Complementary Paratransit.”

### Triennial Review Results

The most recent triennial review report, along with all necessary correspondence concerning the recipient response and FTA close-out, must be uploaded and reviewed as part of the desk review process.

1. Did the triennial review contain any deficiencies in Americans with Disabilities Act (ADA) – General or in Americans with Disabilities Act (ADA) – Complementary Paratransit?

Yes     No

If No, skip this section and proceed to Section 6 of this review guide.

**If Yes, document the triennial review findings in Exhibit 5-1 and Exhibit 5-2, and verify that the finding has been closed by FTA.**

**Exhibit 5-1. Triennial Review American with Disabilities Act – General Deficiencies**

Area	Description	FTA Deficiency Code Description	Deficiency (Y or N)?	Status
ADA-GEN1	Does the recipient track, resolve, and respond to ADA-related complaints?	Insufficient ADA complaint process	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Insufficient ADA complaint record retention	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
ADA-GEN2	Do all bus and rail vehicles acquired for use in fixed-route service by public entities since the last Triennial Review meet the accessibility requirements of 49 CFR part 38?	New vehicle accessibility standards deficiency	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Used vehicle accessibility standards deficiency	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Remanufactured vehicle accessibility standards deficiency	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
ADA-GEN3	Are vehicles used in contracted fixed-route service, including microtransit and commuter bus service, accessible?	Contracted service vehicle accessibility standards deficiency	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
ADA-GEN4	Since the last Triennial Review, if vehicles were purchased for demand-response service, other than for ADA complementary paratransit service, were the requirements of 49 CFR part 37 met?	Demand-response vehicle accessibility standards deficiency	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
ADA-GEN5	Since the last Triennial Review, if the recipient has engaged the services of a taxi company, transportation network company, or other private entity to operate demand-response service, including microtransit,	Demand-response service deficiency	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open



Area	Description	FTA Deficiency Code Description	Deficiency (Y or N)?	Status
	on its behalf or in conjunction with its services, is equivalent service provided?			
ADA-GEN6	Are facilities for providing public transportation that were constructed since the last Triennial Review readily accessible to and usable by individuals with disabilities?	New facility accessibility standards deficiency	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
ADA-GEN7	Are facilities for providing public transportation that were altered since the last Triennial Review readily accessible to and usable by individuals with disabilities?	Facility accessibility standards deficiency	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
ADA-GEN8	Does the recipient follow ADA provision of service requirements?	Stop announcement/vehicle ID mechanisms deficiency	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Imposition of improper service animal restrictions	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Priority seating deficiency	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Weight/size limitations on wheelchairs	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Inappropriate conditions required for transportation of wheelchairs	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Lift/ramp deployment deficiency	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Portable oxygen and respirators deficiency	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open

Area	Description	FTA Deficiency Code Description	Deficiency (Y or N)?	Status
		Alternative accessible formats not provided	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Reasonable modification deficiency	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		ADA training not adequate	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Insufficient monitoring of operations for ADA service provisions	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
ADA-GEN9	Does the recipient accommodate individuals who rely on accessible equipment when that equipment is inoperative?	Elevator service deficiency	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Vehicles with inoperative lift/ramp placed in service	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Lift/ramp failures not reported immediately	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Vehicles with inoperative lift/ramp not removed from service	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Alternative accessible service not provided	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Usability of accessible paths not maintained	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
ADA-GEN10	Is general route-deviation service open to the general public?	Route-deviation service not provided/promoted to the general public	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open

Area	Description	FTA Deficiency Code Description	Deficiency (Y or N)?	Status
		Equivalent route-deviation service not provided	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
ADA-GEN11	Is rail service accessible to and usable by persons with disabilities?	One-car-per-train rule deficiency	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Accessible boarding not provided	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Lacking between-car barriers	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Commuter rail level boarding deficiency	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
ADA-GEN12	Is ferry service accessible to and usable by persons with disabilities?	CRO missing or lacking authority	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Reasonable modification not provided for ferry service	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Limits on passengers with disabilities on ferry service	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Excessive requirements placed on passenger with disabilities on ferry service	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Non-accessible transportation to/from vessel	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Assistance not provided to passengers with disabilities	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open

Area	Description	FTA Deficiency Code Description	Deficiency (Y or N)?	Status
		Ferry service safety information provision deficiencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Restrictions on passengers with wheelchairs or mobility aids	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
ADA-GEN13	Does the recipient monitor service provided under contract or other arrangement or relationship, or service provided by another public entity on the recipient's behalf for compliance with the US DOT ADA regulations?	Insufficient oversight of contracted service for ADA requirements	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
ADA-GEN14	Does the recipient monitor service provided by subrecipients for compliance with the US DOT ADA regulations?	Insufficient oversight of subrecipients for ADA requirements	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Insufficient oversight of ADA vehicle accessibility requirements	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open

Source: FTA Comprehensive Review Guide, Section 12.

**Exhibit 5-2. Triennial Review American with Disabilities Act – Complementary Paratransit Deficiencies**

Area	Description	FTA Deficiency Code Description	Deficiency (Y or N)?	Status
ADA-CPT1	If the recipient is a public operator of a fixed-route service, does it provide ADA complementary paratransit?	Failure to provide complementary paratransit	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
ADA-CPT2	Does the recipient’s paratransit eligibility determination process meet ADA complementary paratransit service requirements?	Presumptive eligibility deficiencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Eligibility letter deficiencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Eligibility appeals process not properly implemented	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Eligibility criteria deficiencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Personal care attendant deficiencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
ADA-CPT3	Does the recipient provide ADA complementary paratransit service to out-of-town visitors?	Home jurisdiction eligibility documentation not accepted or not accepted directly from the visitor	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Service not provided to visitors with apparent or documented disabilities	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Service to visitors not provided for at least 21 days	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Service to visitors not provided under same conditions as	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open

Area	Description	FTA Deficiency Code Description	Deficiency (Y or N)?	Status
		eligible riders		
ADA-CPT4	Does the recipient's paratransit service meet the ADA complementary paratransit service requirements?	Origin-to-destination service deficiency	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Service area deficiency	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Next-day service deficiency	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Paratransit fare deficiency	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Trip purpose restrictions or prioritization	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Paratransit service hours and days do not match those of fixed-route service.	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Restrictions on companions	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
ADA-CPT5	If the recipient has a no-show/late cancellation policy for ADA complementary paratransit service, does it meet the ADA complementary paratransit service requirements?	Unreasonable no-show suspension	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Financial penalty imposed for no-shows	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Suspension based on no-shows not under rider control	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Insufficient no-show suspension procedures	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open

Area	Description	FTA Deficiency Code Description	Deficiency (Y or N)?	Status
ADA-CPT6	Does the recipient place limits on the availability of service to ADA paratransit eligible individuals?	ADA complementary paratransit scheduling deficiencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		ADA complementary paratransit service denial tracking deficiencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		ADA complementary paratransit service restricted for eligible individuals	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		ADA complementary paratransit service waiting lists	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
		Limits or capacity constraints on ADA complementary paratransit service	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
ADA-CPT7	Does the recipient monitor contracted service or service provided by another entity on the recipient's behalf for compliance with the US DOT ADA paratransit regulations?	Insufficient oversight of contracted ADA complementary paratransit	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open
ADA-CPT8	Does the recipient monitor ADA complementary paratransit service provided by subrecipients for compliance with the US DOT ADA regulations?	Insufficient oversight of subrecipients for ADA complementary paratransit	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Closed <input type="checkbox"/> Open

Source: FTA Comprehensive Review Guide, Section 13.

2. Are there any open findings?

Yes  No

If No, skip this section and move to Section 6 of this Review Guide.

If Yes, identify management's actions to close the finding.

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3. Is the delay in the closure of a finding due to FTA delay or recipient delay in submitting a response?

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4. In the Reviewer's opinion, does the open triennial review finding potentially impact the recipient's management of STIF and/or STF funds?

Yes  No

Reviewer's comments:

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## Section 6. Monitoring of Lower-Tier Subrecipients

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### 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 such “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 allowability 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 contractor.

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:

Name of Subrecipient	Site Visited Conducted?		Date of Site Review
	Yes	No	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

## Administrative Requirements – Internal Controls

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

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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?

Yes	No	Activity
<input type="checkbox"/>	<input type="checkbox"/>	Procurements using grant funds are undertaken consistent with FTA requirements
<input type="checkbox"/>	<input type="checkbox"/>	Claims for reimbursement are based on documented payrolls and other verifiable source documentation

Yes	No	Activity
<input type="checkbox"/>	<input type="checkbox"/>	Payments are made promptly to its vendors
<input type="checkbox"/>	<input type="checkbox"/>	Adequate cash management procedures
<input type="checkbox"/>	<input type="checkbox"/>	Written record retention requirements consistent with RPTD requirements

## Administrative Requirements – Accounting

The lower-tier subrecipient must have the technical and financial capacity to prepare reports necessary to seek reimbursement of eligible project costs. They must also have the capacity to 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?

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

Yes	No	Function
<input type="checkbox"/>	<input type="checkbox"/>	Obligations
<input type="checkbox"/>	<input type="checkbox"/>	Funds received
<input type="checkbox"/>	<input type="checkbox"/>	Fares
<input type="checkbox"/>	<input type="checkbox"/>	Program income
<input type="checkbox"/>	<input type="checkbox"/>	Unobligated balances

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 assigned responsibility to individuals or the 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?

- | Yes                      | Required List Elements   |
|--------------------------|--|
| <input type="checkbox"/> | Pass-through entity  |
| <input type="checkbox"/> | Lower-tier subrecipient  |
| <input type="checkbox"/> | Combination of pass-through entity and lower-tier subrecipient |

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. Most 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 allowability or whether appropriate documentation is maintained?

- Yes  No

## Program Compliance – Property Management

If the lower-tier subrecipient owns or operates equipment and 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 follow 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