

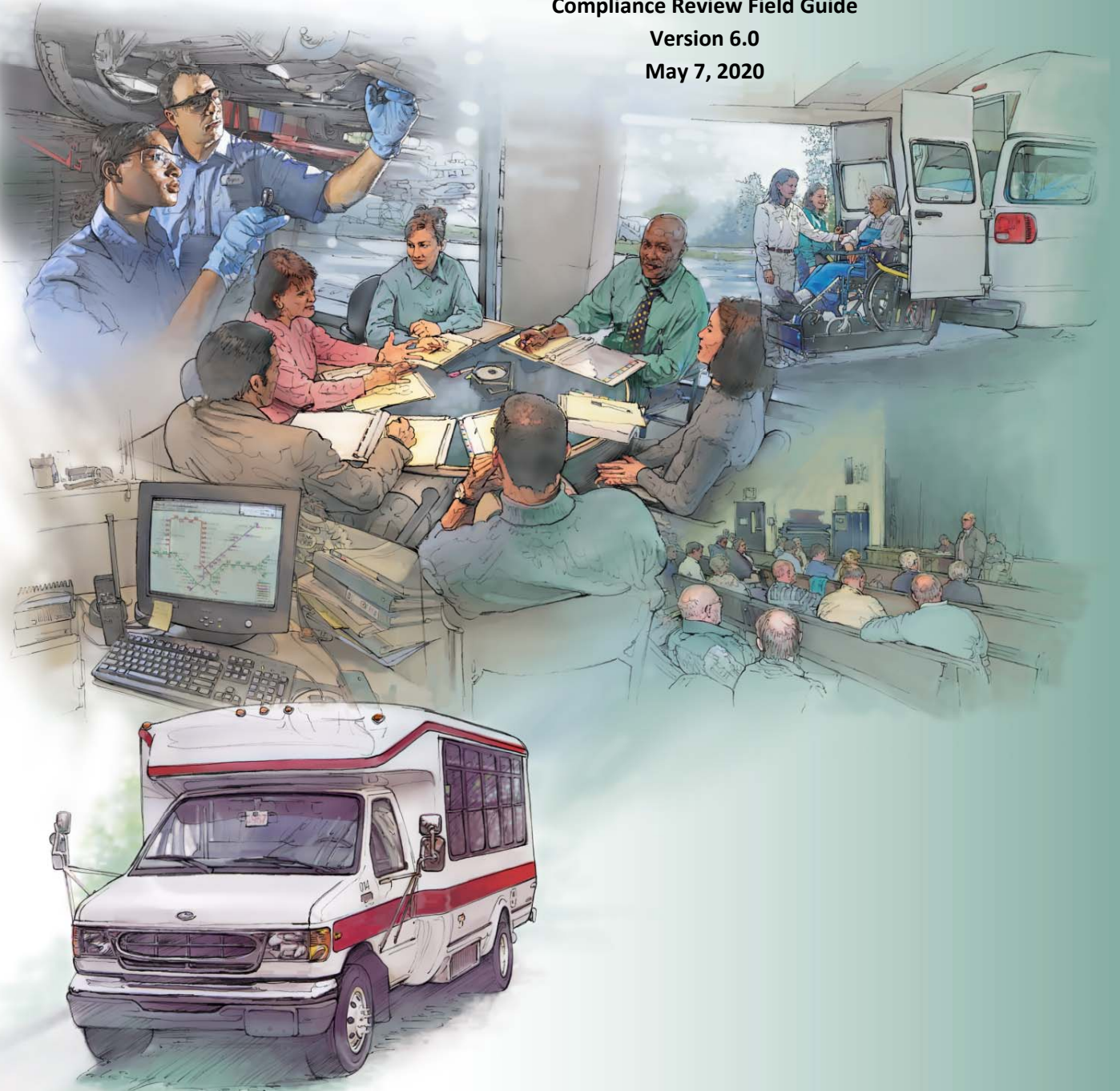


Oregon Department of Transportation
Rail and Public Transit Division

Compliance Review Field Guide

Version 6.0

May 7, 2020



**Oregon Department of Transportation
Rail and Public Transit Division
Compliance Review Field Guide**

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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

Yes	No	Document to be Uploaded in Advance of Site Visit
-----	----	--

Program Management

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Copies of any subcontracts with lower tier operators |
|--------------------------|--------------------------|--|

Financial Management

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Subrecipient's chart of accounts |
| <input type="checkbox"/> | <input type="checkbox"/> | Indirect cost allocation plans and cognizant agency approval letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Written financial management policies and procedures |

Procurement

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Copies of written procurement policies |
| <input type="checkbox"/> | <input type="checkbox"/> | Copies of code of conduct governing personnel involved in procurement (if not included in written procurement policy) |
| <input type="checkbox"/> | <input type="checkbox"/> | Non-accessible vehicle acquisition certification |
| <input type="checkbox"/> | <input type="checkbox"/> | 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) |
| <input type="checkbox"/> | <input type="checkbox"/> | 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

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Copy of vehicle preventive maintenance plan and schedules |
| <input type="checkbox"/> | <input type="checkbox"/> | Copy of facility maintenance plan (if federally-funded or state-funded facilities are owned by the system) |
| <input type="checkbox"/> | <input type="checkbox"/> | Certificate of insurance documenting coverage levels, additional insured, etc. |
| <input type="checkbox"/> | <input type="checkbox"/> | Vehicle fleet roster with funding source designation, date of acquisition, accessibility status, and "designed to transport" capacity |
| <input type="checkbox"/> | <input type="checkbox"/> | Transit equipment inventory |
| <input type="checkbox"/> | <input type="checkbox"/> | Blank pre-trip vehicle inspection form |
| <input type="checkbox"/> | <input type="checkbox"/> | Vehicle lease agreements (if any) |
| <input type="checkbox"/> | <input type="checkbox"/> | Equipment/vehicle disposition procedures |
| <input type="checkbox"/> | <input type="checkbox"/> | Buy America certifications, if applicable |
| <input type="checkbox"/> | <input type="checkbox"/> | Pre-award and post-delivery audits (if applicable) |

Yes	No	Document to be Uploaded in Advance of Site Visit
-----	----	--

<input type="checkbox"/>	<input type="checkbox"/>	Copies of vendor provided Bus Testing certifications (approval page only)
--------------------------	--------------------------	---

Civil Rights

<input type="checkbox"/>	<input type="checkbox"/>	Copy of most recent Title VI program
<input type="checkbox"/>	<input type="checkbox"/>	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
<input type="checkbox"/>	<input type="checkbox"/>	Summary listing of all civil rights complaints since the last review
<input type="checkbox"/>	<input type="checkbox"/>	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)

<input type="checkbox"/>	<input type="checkbox"/>	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
<input type="checkbox"/>	<input type="checkbox"/>	Service brochures and other system information made available to the public
<input type="checkbox"/>	<input type="checkbox"/>	Complementary paratransit application and guidelines (if applicable)
<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

Charter and School Bus

<input type="checkbox"/>	<input type="checkbox"/>	Charter reports, last year
<input type="checkbox"/>	<input type="checkbox"/>	Contracts with all entities that purchase contracted service from the subrecipient (if available)

Statewide Transportation Improvement Fund (STIF)

<input type="checkbox"/>	<input type="checkbox"/>	List of STIF advisory committee members
<input type="checkbox"/>	<input type="checkbox"/>	STIF advisory committee by-laws
<input type="checkbox"/>	<input type="checkbox"/>	Most recent STIF Plan
<input type="checkbox"/>	<input type="checkbox"/>	STIF-financed capital inventory
<input type="checkbox"/>	<input type="checkbox"/>	Chart of account for STIF funds, including evidence that the entity manages STIF moneys in separate governmental accounts

Special Transportation Fund (STF)

<input type="checkbox"/>	<input type="checkbox"/>	List of STF advisory committee members
--------------------------	--------------------------	--

Yes	No	Document to be Uploaded in Advance of Site Visit
-----	----	--

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | STF advisory committee by-laws |
| <input type="checkbox"/> | <input type="checkbox"/> | Copy of most recent public transit/human services coordinated plan |

Monitoring of Lower Tier Subrecipients

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Copy of lower tier subrecipient monitoring review checklist (if used) |
|--------------------------|--------------------------|---|

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)

- | | | | | | | | |
|--------------------------|----------------|--------------------------|-----------------|--------------------------|--------------|--------------------------|-------|
| <input type="checkbox"/> | Section 5311 | <input type="checkbox"/> | Section 5311(f) | <input type="checkbox"/> | Section 5310 | <input type="checkbox"/> | SGR |
| <input type="checkbox"/> | Section 5339 | <input type="checkbox"/> | STF | <input type="checkbox"/> | STIF | <input type="checkbox"/> | Other |
| <input type="checkbox"/> | 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?

Yes	No	Governing Body Oversight Action
<input type="checkbox"/>	<input type="checkbox"/>	Conducts annual appraisal and performance review of transit program executive
<input type="checkbox"/>	<input type="checkbox"/>	Reviews periodic financial and service reports
<input type="checkbox"/>	<input type="checkbox"/>	Approves annual budget
<input type="checkbox"/>	<input type="checkbox"/>	Approves purchases over a governing body specified threshold
<input type="checkbox"/>	<input type="checkbox"/>	Other (describe):

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:

Yes	No	Topical Content of Governing Body Reports
<input type="checkbox"/>	<input type="checkbox"/>	Ridership and performance data summarizing the period
<input type="checkbox"/>	<input type="checkbox"/>	Comparative data regarding performance as compared to a prior period
<input type="checkbox"/>	<input type="checkbox"/>	Management's narrative summary of activities during the report period
<input type="checkbox"/>	<input type="checkbox"/>	Financial reports

Yes	No	Type of Financial Report
<input type="checkbox"/>	<input type="checkbox"/>	Profit and loss statement
<input type="checkbox"/>	<input type="checkbox"/>	Variance report (income/revenues)
<input type="checkbox"/>	<input type="checkbox"/>	General ledger/register transactions
<input type="checkbox"/>	<input type="checkbox"/>	Other (describe):
<input type="checkbox"/>	<input type="checkbox"/>	Accident/incident reports
<input type="checkbox"/>	<input type="checkbox"/>	Customer service commendations/complaints report
<input type="checkbox"/>	<input type="checkbox"/>	Title Equal Employment Opportunity (EEO) complaints report
<input type="checkbox"/>	<input type="checkbox"/>	Reasonable modification requests/complaints reports

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

Yes No

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

Yes No

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:

Yes	No	Requirement
<input type="checkbox"/>	<input type="checkbox"/>	Match and manage FTA grant funds.
<input type="checkbox"/>	<input type="checkbox"/>	Cover grant cost overruns.
<input type="checkbox"/>	<input type="checkbox"/>	Cover operating deficits through long-term, stable, revenue sources.
<input type="checkbox"/>	<input type="checkbox"/>	Maintain and operate grant-funded equipment.
<input type="checkbox"/>	<input type="checkbox"/>	Conduct annual A-133 audits (if applicable).

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?

Yes	No	Requirement
<input type="checkbox"/>	<input type="checkbox"/>	Does the subrecipient have written grant administration policies that govern organizational control of its activities?
<input type="checkbox"/>	<input type="checkbox"/>	Does the subrecipient's formal organizational structure clearly define, assign, and delegate appropriate authority for all duties?
<input type="checkbox"/>	<input type="checkbox"/>	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?
<input type="checkbox"/>	<input type="checkbox"/>	Does the subrecipient have a system of organizational planning to determine financial, property, and personnel resource needs?
<input type="checkbox"/>	<input type="checkbox"/>	Are there sufficient checks and balances in place to prevent illegal or unauthorized transactions or acts?
<input type="checkbox"/>	<input type="checkbox"/>	Do the subrecipient's information systems reliably provide needed operating and financial data for decision-making and performance review?
<input type="checkbox"/>	<input type="checkbox"/>	Does the subrecipient have any type of internal audit functions to ensure that grant funds are expended properly?
<input type="checkbox"/>	<input type="checkbox"/>	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?
<input type="checkbox"/>	<input type="checkbox"/>	Are the subrecipient's expenditures controlled so that construction, equipment, goods, and services are acquired and received as contracted for (as to quality,

Yes	No	Requirement
<input type="checkbox"/>	<input type="checkbox"/>	quantity, price, and time of delivery)?
<input type="checkbox"/>	<input type="checkbox"/>	Does the subrecipient exercise sufficient control over real property, equipment, expendables, and funds to prevent misuse, misappropriation, waste, or unwarranted deterioration or destruction?
<input type="checkbox"/>	<input type="checkbox"/>	Does the subrecipient require pre-authorization for all reimbursable expenses to employees?

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?

Documentation of Costs

Normally, supporting documentation consists of receipts, invoices, vouchers, contracts, leases, etc. There are special requirements for the documentation of personnel expenses, particularly for those employees whose time is split between (a) more than one federal award; (b) a federal award and a non-federal award; (c) an indirect cost activity and a direct cost activity; (d) two or more indirect activities which are allocated using different allocation bases; or (e) an unallowable activity and a direct or indirect cost activity.

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?

Yes No Personnel Activity Report or Equivalent Document Must:

 Be supported by a system of internal control which provides reasonable assurance that the charges are accurate, allowable, and properly allocated

Yes	No	Personnel Activity Report or Equivalent Document Must:
<input type="checkbox"/>	<input type="checkbox"/>	Be incorporated into the official records of the non-federal entity
<input type="checkbox"/>	<input type="checkbox"/>	Reasonably reflect the total activity for which the employee is compensated by the non-federal entity, not exceeding 100 percent of compensated activities
<input type="checkbox"/>	<input type="checkbox"/>	Encompass both federally-assisted and all other activities compensated by the non-federal entity
<input type="checkbox"/>	<input type="checkbox"/>	Comply with the established accounting policies and practices of the non-federal entity
<input type="checkbox"/>	<input type="checkbox"/>	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:

Financial Task	Performer Job Title	Approver Job Title	Frequency
----------------	------------------------	-----------------------	-----------

Mail processing
Documentation/record-keeping

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:

Financial Task	Performer Job Title	Approver Job Title	Frequency
Initiate expenditures			
Writes checks			
Receive cash/issue receipts			
G/L entry			
Reconcile bank statements			

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 be 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 g 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>.

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?

Fixed Route		Demand Response	
FTEs	Function	FTEs	Function
_____	Administration	_____	Administration
_____	Operations	_____	Operations
_____	Maintenance	_____	Maintenance
_____	Non-Vehicle Maintenance	_____	Non-Vehicle Maintenance

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?

Operations – Fixed Route

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

Yes **No** **Check all that apply:**

- Non-commuter bus (traditional fixed route)
 Commuter bus
 Intercity bus
 Route/point deviation with deviations limited to certain riders

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?

Hours	Training Component
_____	Classroom Training
_____	Behind the Wheel Training

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

Yes	No	Check all that apply:
<input type="checkbox"/>	<input type="checkbox"/>	Agency policies and procedures
<input type="checkbox"/>	<input type="checkbox"/>	Defensive driving
<input type="checkbox"/>	<input type="checkbox"/>	Passenger relations
<input type="checkbox"/>	<input type="checkbox"/>	Accident procedures
<input type="checkbox"/>	<input type="checkbox"/>	Evacuation and emergency procedures
<input type="checkbox"/>	<input type="checkbox"/>	Behind the wheel orientation
<input type="checkbox"/>	<input type="checkbox"/>	ADA requirements
<input type="checkbox"/>	<input type="checkbox"/>	Customer service
<input type="checkbox"/>	<input type="checkbox"/>	Other (specify)_____
<input type="checkbox"/>	<input type="checkbox"/>	Other (specify)_____
<input type="checkbox"/>	<input type="checkbox"/>	Other (specify)_____

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?

Yes	No	Check all that apply:
<input type="checkbox"/>	<input type="checkbox"/>	ADA complementary paratransit
<input type="checkbox"/>	<input type="checkbox"/>	Route/point deviation with deviations for the general public
<input type="checkbox"/>	<input type="checkbox"/>	Other demand responsive service

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?

Hours	Training Component
_____	Classroom Training
_____	Behind the Wheel Training

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

Yes	No	Check all that apply:
<input type="checkbox"/>	<input type="checkbox"/>	Agency policies and procedures
<input type="checkbox"/>	<input type="checkbox"/>	Defensive driving
<input type="checkbox"/>	<input type="checkbox"/>	Passenger relations
<input type="checkbox"/>	<input type="checkbox"/>	Accident procedures
<input type="checkbox"/>	<input type="checkbox"/>	Evacuation and emergency procedures
<input type="checkbox"/>	<input type="checkbox"/>	Behind the wheel orientation
<input type="checkbox"/>	<input type="checkbox"/>	ADA requirements
<input type="checkbox"/>	<input type="checkbox"/>	Customer service
<input type="checkbox"/>	<input type="checkbox"/>	Other (specify)_____
<input type="checkbox"/>	<input type="checkbox"/>	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?

Start Time	End Time	Day
_____	_____	Weekdays
_____	_____	Saturday
_____	_____	Sunday

29. What is the capacity of the phone system?

Number	Element
_____	Number of reservation phone lines
_____	Number (in FTEs) of dedicated reservationists

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?

Check	Reservation Method
<input type="checkbox"/>	Reservations are written on slips of paper and given to the scheduler
<input type="checkbox"/>	Reservations are recorded on a board (blackboard, whiteboard, etc.)
<input type="checkbox"/>	Reservations are entered into an Office Suite application
<input type="checkbox"/>	Reservations are entered into an automated scheduling and dispatch software system
<input type="checkbox"/>	Other (describe): _____

32. When are schedules developed?

Who develops the schedules?

33. How are schedules developed?

Yes	No	Check all that apply:
<input type="checkbox"/>	<input type="checkbox"/>	Manually developed
<input type="checkbox"/>	<input type="checkbox"/>	Computer assisted
<input type="checkbox"/>	<input type="checkbox"/>	Fully automated (name software and version): _____
<input type="checkbox"/>	<input type="checkbox"/>	Fully automated with manual manipulation
<input type="checkbox"/>	<input type="checkbox"/>	Other (specify) _____

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?

Yes No Check all that apply:

- Cell phones
- Two-way mobile communication using 12.5 kHz efficiency technology
- Two-way mobile communication using 150-512 MHz radio bands
- Mobile data terminals/computers (MDTs/MDCs)
- Other (specify) _____

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?

Yes	No	Covered Individuals
<input type="checkbox"/>	<input type="checkbox"/>	(a) Employees
<input type="checkbox"/>	<input type="checkbox"/>	(b) Officers of the organization
<input type="checkbox"/>	<input type="checkbox"/>	(c) Governing body members
<input type="checkbox"/>	<input type="checkbox"/>	(d) Immediate family members of (a), (b), (c) above
<input type="checkbox"/>	<input type="checkbox"/>	(e) Agents/contractors of the organization
<input type="checkbox"/>	<input type="checkbox"/>	(f) Prospective employees

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 would 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?

Yes	No	Requirement
<input type="checkbox"/>	<input type="checkbox"/>	Documentation for basis of the procurement method used.
<input type="checkbox"/>	<input type="checkbox"/>	Documentation for the contract type used.
<input type="checkbox"/>	<input type="checkbox"/>	Documentation of the basis for vendor selection.
<input type="checkbox"/>	<input type="checkbox"/>	Justification for the contract cost or price.
<input type="checkbox"/>	<input type="checkbox"/>	Other documents as necessary, commensurate with the size and complexity of the procurement itself, so that compliance with applicable standards can be documented.

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?

Yes	No	Requirement
<input type="checkbox"/>	<input type="checkbox"/>	Contractor integrity
<input type="checkbox"/>	<input type="checkbox"/>	Compliance with public policy
<input type="checkbox"/>	<input type="checkbox"/>	Record of past performance
<input type="checkbox"/>	<input type="checkbox"/>	Financial and technical resources to conduct the required work or provide the good or service

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 \$150,00 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:

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

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

by the federal Acquisition Regulation at 48 CFR Subpart 2.1 in accordance with 41 U.S.C. 1908, and more recently changed in the National Defense Authorization Acts (NDAA).

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:

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

Purchase Methods – Formal Purchases

The formal purchase method of procurement includes purchase through use of sealed bids and purchase through competitive proposals.

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

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?

Yes	No	Condition
<input type="checkbox"/>	<input type="checkbox"/>	A complete, adequate, precise, and realistic specification or purchase description is available
<input type="checkbox"/>	<input type="checkbox"/>	Two or more responsible bidders are willing and able to compete effectively for the business
<input type="checkbox"/>	<input type="checkbox"/>	The procurement was concluded with a firm, fixed price contract
<input type="checkbox"/>	<input type="checkbox"/>	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
<input type="checkbox"/>	<input type="checkbox"/>	No discussions with bidders were held after bids were received as award was based on price and price-related factors alone

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

Yes	No	Procurement Specification
<input type="checkbox"/>	<input type="checkbox"/>	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
<input type="checkbox"/>	<input type="checkbox"/>	A functional specification rather than designation of specific brands
<input type="checkbox"/>	<input type="checkbox"/>	Specific quantities predicated on the subrecipient's needs

- 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:

Yes	No	Action
<input type="checkbox"/>	<input type="checkbox"/>	Imposition of unreasonable business requirements for bidders or offerors.
<input type="checkbox"/>	<input type="checkbox"/>	Imposition of unnecessary experience requirements for bidders and offerors.
<input type="checkbox"/>	<input type="checkbox"/>	Utilization of prequalification procedures that conflict with the prequalification standards described in FTA Circular 4220.1, Chapter VI, paragraph 1.c.
<input type="checkbox"/>	<input type="checkbox"/>	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.
<input type="checkbox"/>	<input type="checkbox"/>	Imposition of excessive bonding requirements.
<input type="checkbox"/>	<input type="checkbox"/>	Utilization of brand-name only specifications without permitting or equal substitutions.
<input type="checkbox"/>	<input type="checkbox"/>	Improper imposition of in-state and/or geographic preferences.
<input type="checkbox"/>	<input type="checkbox"/>	Allowance of a procurement action where there was an organizational conflict of interest.
<input type="checkbox"/>	<input type="checkbox"/>	Incorporation of questionable practices or other restraint of trade provisions.
<input type="checkbox"/>	<input type="checkbox"/>	Any other arbitrary action that is contrary to the FTA Circular requirements.

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

- Yes No

If No, sip to the next section.

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

Yes	No	Prerequisite
<input type="checkbox"/>	<input type="checkbox"/>	The property, good, or service can be described in a technical specification.

- 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*)?

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

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?

- Yes No

If Yes, what method of solicitation was used?

Check	Method
<input type="checkbox"/>	Direct appointment procedure (OAR 137-048-0200)
<input type="checkbox"/>	Informal selection procedure (OAR 137-048-0210)
<input type="checkbox"/>	Formal selection procedure (OAR 137-048-0220)

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?

Yes	No	Requirement
<input type="checkbox"/>	<input type="checkbox"/>	The offeror demonstrated a unique or innovative concept or capability not available from another source
<input type="checkbox"/>	<input type="checkbox"/>	There were patent or data rights restrictions that precluded competition
<input type="checkbox"/>	<input type="checkbox"/>	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
<input type="checkbox"/>	<input type="checkbox"/>	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

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?

Yes	No	Element
<input type="checkbox"/>	<input type="checkbox"/>	Federal cost principles that define the allowability or allocability of costs
<input type="checkbox"/>	<input type="checkbox"/>	The wage rates and fringe benefits paid to the respective job classifications offered in the bid or proposal
<input type="checkbox"/>	<input type="checkbox"/>	The proposed indirect cost rate to be charged by the firm
<input type="checkbox"/>	<input type="checkbox"/>	The proposed profit rate

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?

Yes	No	Requirement
<input type="checkbox"/>	<input type="checkbox"/>	Buy America certification
<input type="checkbox"/>	<input type="checkbox"/>	Pre-award purchaser's certification

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?

Yes	No	Requirement
<input type="checkbox"/>	<input type="checkbox"/>	Buy America certification
<input type="checkbox"/>	<input type="checkbox"/>	Pre-award purchaser's certification
<input type="checkbox"/>	<input type="checkbox"/>	FMVSS certification from the manufacturer

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

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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:

No.	Total fleet size
_____	Number of vehicles operated in maximum revenue service
_____	Number of spare vehicles
_____	Spare vehicle ratio

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 deflection 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

Equipment – Insurance

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

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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?

Yes	No	Required List Elements
<input type="checkbox"/>	<input type="checkbox"/>	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.
<input type="checkbox"/>	<input type="checkbox"/>	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.
<input type="checkbox"/>	<input type="checkbox"/>	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.
<input type="checkbox"/>	<input type="checkbox"/>	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.
<input type="checkbox"/>	<input type="checkbox"/>	A copy of the subrecipient’s plan for providing language assistance to persons with limited English proficiency, based on the DOT LEP Guidance.
<input type="checkbox"/>	<input type="checkbox"/>	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.
<input type="checkbox"/>	<input type="checkbox"/>	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.

3. Does the notice include the following items?

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

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”?

Yes	No	Best Practices
<input type="checkbox"/>	<input type="checkbox"/>	Scheduling meetings at times and locations that are convenient and accessible for minority and LEP communities.
<input type="checkbox"/>	<input type="checkbox"/>	Employing different meeting sizes and formats.

Yes	No	Best Practices
<input type="checkbox"/>	<input type="checkbox"/>	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.
<input type="checkbox"/>	<input type="checkbox"/>	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.
<input type="checkbox"/>	<input type="checkbox"/>	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.

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:

Yes	No	Best Practices Service Standards
<input type="checkbox"/>	<input type="checkbox"/>	Vehicle load, by fixed mode, by peak and off-peak periods
<input type="checkbox"/>	<input type="checkbox"/>	Vehicle headway
<input type="checkbox"/>	<input type="checkbox"/>	On-time performance
<input type="checkbox"/>	<input type="checkbox"/>	Service availability for each mode

10. Do the subrecipient's policies include:

Yes	No	Best Practices Policies
<input type="checkbox"/>	<input type="checkbox"/>	Distribution of transit amenities, by mode
<input type="checkbox"/>	<input type="checkbox"/>	Vehicle assignment, by mode

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?

Yes	No	Best Practices Service Standards
		Does not need to prepare an EEO program:
<input type="checkbox"/>	<input type="checkbox"/>	Employs fewer than 50 transit related employees AND requests or receives capital or operating assistance less than \$1 million
		Must prepare a limited EEO program:
<input type="checkbox"/>	<input type="checkbox"/>	Employs between 50 and 99 transit related employees AND requests or receives capital or operating assistance more than \$1 million

Yes	No	Best Practices Service Standards
Must prepare a full EEO program:		
<input type="checkbox"/>	<input type="checkbox"/>	Employs 100 or more transit related employees AND requests or receives capital or operating assistance more than \$1 million

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?

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

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 non-profit 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:

Yes	No	Requirement
<input type="checkbox"/>	<input type="checkbox"/>	Does the entity have policies that impose any special charges for individuals with disabilities, including wheelchair users?
<input type="checkbox"/>	<input type="checkbox"/>	Does the entity deny service to any individual because its insurance company conditions coverage or rates?
<input type="checkbox"/>	<input type="checkbox"/>	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.")
<input type="checkbox"/>	<input type="checkbox"/>	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?
<input type="checkbox"/>	<input type="checkbox"/>	Does the entity require individuals with disabilities to use designated priority seats?
<input type="checkbox"/>	<input type="checkbox"/>	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?
<input type="checkbox"/>	<input type="checkbox"/>	Does the entity require wheelchair users to wear a body belt when traveling up and down on the lift?
<input type="checkbox"/>	<input type="checkbox"/>	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.)
<input type="checkbox"/>	<input type="checkbox"/>	Does the entity have any other policy that could discriminate against persons with disabilities?

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.

Information	Response
Number of routes observed	_____
Total number of stops required to be made	_____
Total number of stops actually made	_____
Total number audible	_____

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
Number of routes observed	_____
Total number of bus pull-ins observed	_____
Total number of drivers who identified vehicles	_____
Total number audible	_____

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?

Time Frame	Response
Percent Fewer than 21 Days	_____
Percent Greater than 21 Days	_____

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.

Element	ODOT Requirement	QE Policy
All Financial Records	At least six years following RPTD’s final disbursement	
Capital	Three 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 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:

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	ODOT 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 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)?

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

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.

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 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?

Yes	No	STIF Plan Project Description Elements
<input type="checkbox"/>	<input type="checkbox"/>	Proposed funding level and specific expenditures for each individual Project
<input type="checkbox"/>	<input type="checkbox"/>	A determination as to whether the Project will improve/expand or maintain existing Public Transportation Services
<input type="checkbox"/>	<input type="checkbox"/>	Documentation of the rationale for selection for all Projects designated as maintenance of an existing service
<input type="checkbox"/>	<input type="checkbox"/>	Anticipated benefits and measurable outcomes for each Project
<input type="checkbox"/>	<input type="checkbox"/>	If part of a multi-phased Project, the phasing plan, 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 above
- Identification of the extent the Project is consistent with Oregon Public Transportation Plan goals, policies, and plans.

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?

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

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 QEs appoint a joint STIF Advisory Committee
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	30 days after execution	Written agreement with Sub-Recipients
<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 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 the first and third quarters of each Fiscal Year
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	60 days after end of Fiscal Year	Fourth quarter annual report

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?

Yes No

If Yes, what is the date of submission?

Discretionary STIF Funds

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?

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

Yes	No	Requirements of Use of Reduced Match Rate
<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 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.

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

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:

Yes	No	Recipient Qualifications
<input type="checkbox"/>	<input type="checkbox"/>	Is a PTSP
<input type="checkbox"/>	<input type="checkbox"/>	Is an entity eligible to enter into agreements
<input type="checkbox"/>	<input type="checkbox"/>	Has the legal, managerial and operational capacity to perform the Project within the agreed-upon schedule
<input type="checkbox"/>	<input type="checkbox"/>	Is not debarred or otherwise suspended from receiving federal grants

Yes	No	Recipient Qualifications
<input type="checkbox"/>	<input type="checkbox"/>	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
<input type="checkbox"/>	<input type="checkbox"/>	Complies with applicable laws, these rules, and the policies of the applicable fund
<input type="checkbox"/>	<input type="checkbox"/>	Properly use STIF funds
<input type="checkbox"/>	<input type="checkbox"/>	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?

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

Yes	No	STIF Asset Inventory Elements
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- 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?

Yes No STIF Vehicle Replacement Prerequisites

- QE or the Public Transportation Service Provider held clear title to the vehicle.
- The vehicle has met or exceeded the useful life.
- The vehicle has not previously been replaced by other funding sources.

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:

Name of Subrecipient	Site Visit Conducted?		Date of Site Visit
	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 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?

Yes	No	Required List Elements
<input type="checkbox"/>	<input type="checkbox"/>	Procurements using grant funds undertaken consistent with FTA requirements
<input type="checkbox"/>	<input type="checkbox"/>	Claims for reimbursement based on documented payrolls and other verifiable source documentation
<input type="checkbox"/>	<input type="checkbox"/>	Prompt payments 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 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?

Yes	No	Required List Elements
<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 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?

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. 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.