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Triennial Review

5310 Subrecipients

FLORIDA DEPARTMENT OF TRANSPORTATION
OFFICE OF FREIGHT, LOGISTICS AND PASSENGER OPERATIONS



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TABLE OF CONTENTS

TRIENNIAL REVIEW PROCESS	1
TRIENNIAL REVIEW GUIDE	9
INTRODUCTION.....	11
FDOT COMPLIANCE MONITORING PROGRAM.....	11
TECHNICAL ASSISTANCE	12
COMPLIANCE REPORTS	13
SECTION 1. SELECTION AND ELIGIBILITY/ELIGIBLE SERVICES.....	17
FTA FUNDS RECEIVED BY SUBRECIPIENT.....	17
ORGANIZATIONAL STATUS OF THE SUBRECIPIENT	17
LOCAL MATCH/FINANCIAL CAPABILITY	19
COORDINATED PUBLIC TRANSIT/HUMAN SERVICES TRANSPORTATION PLAN.....	21
SECTION 2. EQUIPMENT MANAGEMENT.....	23
EQUIPMENT – GENERAL (NON-VEHICLE OR FACILITY).....	23
PROPERTY MANAGEMENT AND CONTROL (VEHICLE AND FACILITY)	25
EQUIPMENT MAINTENANCE	27
INCIDENTAL USE OF PROJECT EQUIPMENT.....	28
SECTION 3. PROJECT AND FINANCIAL MANAGEMENT	31
CTC & CTC AGREEMENTS (5310 RECIPIENTS).....	31
TRANSPORTATION OPERATIONS PROCEDURE (5310 ONLY RECIPIENTS).....	31
AUDIT.....	32
DBE	32
SECTION 4. PROCUREMENT	33
ACQUISITION METHODS.....	33
PURCHASE OF SERVICE CONTRACTS	34
SECTION 5. OTHER PROVISIONS.....	37
TITLE VI	37
AMERICANS WITH DISABILITIES ACT (ADA).....	41
CHARTER SERVICE.....	49
SCHOOL BUS SERVICE	49
DRUG AND ALCOHOL TESTING	50

CONTRACTING AND INVOICING RELATED QUESTIONS.....	51
MAINTENANCE REVIEW COMPLIANCE WORKBOOK FOR 5310 AGENCIES.....	53
TOP OPERATIONAL REVIEW	78



TRIENNIAL REVIEW PROCESS

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PURPOSE

The Triennial Review Process outlines the areas to be covered when District Project Managers conduct triennial onsite reviews of federal/state program grantees. The required areas for review include:

- Maintenance activities
- Single Audit compliance
- ADA compliance
- DBE Program compliance
- Title VI Program compliance
- Procurement compliance
- Charter and School Bus Program compliance
- Reporting (Progress/Quarterly and NTD)
- Safety/Security
- Drug and Alcohol
- Financial Compliance

DISTRICT RESPONSIBILITIES

Triennial oversight visits are conducted in conjunction with other required activities such as Bus System Safety Reviews and Triennial Maintenance Audits. It is recommended that District Project Managers use the **Triennial Review Guide** when conducting their Triennial oversight visits. If the Triennial Review Guide is not used or modified, then the District will submit the proposed review materials to the Central Office for review prior to conducting the Triennial Reviews.

District Project Managers will contact, in writing, sub-recipient agencies to schedule the activities associated with the Triennial oversight visit, regardless of whether the reviews are being done by Department or Consultant staff. At a minimum, a District Project Manager must participate in the entrance and exit interviews associated with the review.

If the review is conducted by a Consultant Team, the Team will provide a draft report, including any identified findings or recommendations, to the District. The draft report must include all attachments related to or documenting any of the findings and/or recommendations. The report will include three sections: General Grant Requirements, Maintenance Audit and System Safety Review. The District must accept the draft report. It is acceptable to ask for clarifications or changes prior to accepting the report. The District accepted final report will be sent to the sub-recipient agency with a cover letter,

on Department letterhead, outlining the timeframe in which the sub-recipient agency needs to provide a plan to the District which resolves findings identified in the final report. The sub-recipient agency response to the District must include a timeline in which the agency plans to have all of the identified findings resolved and closed.

The District can accept the sub-recipient corrective action plan or identify in writing what is not acceptable in the sub-recipient corrective action plan. District Project Managers are encouraged to request assistance from their Consultant Teams or Central Office staff at any point in the process. It is not acceptable to have unresolved findings continually show up on the same sub-recipient's Triennial Review.

The Central Office has also provided the ***Maintenance Oversight Review Process***; the ***Third-Party Procurement Review Process***; the ***Single Audit Compliance Process***; the ***Title VI Program Compliance Process***; and the ***Charter Service Technical Assistance, Monitoring, and Reporting Process*** to assist in determining if a Grantee is in compliance.

District Project staff will complete the ***Grantee Compliance Report*** by April 1 annually. The ***Grantee Compliance Report*** allows the District to record areas of concern with Grantees, identify areas where additional technical assistance is needed and keep a record of Grantee compliance with all program requirements. The ***Grantee Compliance Report*** will be sent to the Central Office by April 1 annually for inclusion in our Federal Transit Administration reporting.

Finding Prioritization

The following is an overview of how the Department desires to have findings categorized. Each consulting firm will prioritize the findings identified in the report. Anything that is considered a clear and present danger to the public and/or agency employees, or is clearly an illegal use of public funds, must be reported immediately to the District Office Project Manager. All other findings will be placed into the following ranking system. Time limits on corrective actions can vary depending on the type of finding. Agencies understand local limitations better than anyone so they should propose the time needed to complete the corrective actions. Each District has the right to reject those proposals based on legitimate concerns.

- **Priority 1 Finding:** Corrective actions that require immediate action from the agency and requires district site monitoring until complete. These type of findings typically consist of safety related findings that have the potential of becoming a danger to the public and/or agency employees. Priority 1 findings are top priority and should be the initial main focus of any corrective action plan.
- **Priority 2 Finding:** Corrective actions that require action taken in a reasonable amount of time (typically 30 to 90 days) requiring multiple and/or sequential actions. For example, if a subrecipient is not following its own procedure they may

need to do employee training that spans over a 30-90 day time period. They will need time to develop the curriculum, implement the training, and monitor its success before clearing the finding. Districts will monitor each step to verify that the agency is making progress.

- **Priority 3 Finding:** Category three findings usually require a change in policy and/or operational actions taken. An example is an incomplete, or nonexistent, plan such as a System Safety Plan, Maintenance Plan, etc. The subrecipient will need to write the plan and then submit for approval. The District will then need to verify that the subrecipient implemented and practices the requirements. These are usually findings that require long term corrective actions. No corrective action should exceed beyond a twelve month period without concurrence from both the Central and District Offices.
- **Priority 4 Findings:** Corrective actions that involve minimal effort and are not time sensitive. An example is missing documents that are easily obtainable.

Note: Consulting firms performing reviews for the department. - *The Department is responsible for oversight compliance therefore each district has the right to accept or reject a review, remove findings, add findings, or modify the report. The Department owns the report. All communications with the agencies must have district concurrence. All approvals or rejections are made by the Department, but consulting services must be available to answer questions on any review they performed until all findings are closed.*

CENTRAL OFFICE RESPONSIBILITIES

The Central Office Subject Matter Experts (SMEs) will develop tools, technical assistance and training for District Project Managers and Grantees based on District identification of areas of concern. Central Office SMEs will coordinate and provide training in each oversight area for District Project Managers. The training will focus on spotting “red flags” during oversight reviews. Program specific training will be provided to Grantees as requested. The Central Office will provide a statewide contract that Districts may purchase services from that ensures qualified consultants are available for the District Triennial Reviews. The Central Office Federal Grant Programs Manager will file the annual **Grantee Compliance Reports** with FTA annually.

RESOURCES

Maintenance Compliance: The Central Office created a contract that provides the technical resources for the District to complete Triennial Maintenance Reviews. To access these services the District needs to contact the Transit Operations Administrator to request services and schedule reviews. The Central Office covers the cost of these services. The Central Office also provide technical resources to grantees for the

development of Maintenance Plans, Best Practices and training. To request technical assistance or training on Maintenance Compliance, please contact the Transit Operations Administrator. *References: SMP Process MRP 100; [49 CFR 18.32\(a\)](#), [18.32\(b\)](#); [FTA C 9040.1F](#), Ch. VI; [FTA C 9070.1G](#), Ch. VI; [FTA C 9050.1](#), Ch. VI; [FTA C 9045.1](#), Ch. VI; and [FTA C 5010.1D](#), Ch. II*

Single Audit Compliance: The Single Audit Process outlines how the Department does oversight of its grantees in regards to Single Audit requirements. Additional assistance is provided by the Single Audit Specialist. *References: SMP Process SAP 100; [49 CFR Part 18](#); [Single Audit Act Amendment of 1996](#); [OMB Circular A-133](#); [FTA C 9040.1F](#); [FTA C 9070.1G](#); [FTA C 9050.1](#); and [FTA C 9045.1](#)*

ADA Compliance: ADA Compliance responsibilities fall under several different program areas. The Central Office has contracted for ADA issue assistance. Technical assistance in ADA issues can be requested by contacting the Transit Operations Administrator. *References: [Titles II and III of the Americans with Disabilities Act of 1990](#); [49 CFR Part 27](#); [49 CFR Part 37](#); [49 CFR Part 38\(b\)](#); [FTA C 9040.1F](#); [FTA C 9070.1G](#); [FTA C 9050.1](#); and [FTA C 9045.1](#)*

DBE Program Compliance: The Federal Grants Manager heads up the Transit Office team dealing with DBE Compliance. If you have DBE Program Compliance questions please contact the Federal Grants Manager. If you want to request grantee training, please contact the Grant Programs Administrator. *References: SMP Process DBE 100; [FTA Master Agreement](#); [49 CFR Part 26](#); [Executive Order 11988](#); [FTA C 9040.1F](#); [FTA C 9070.1G](#); [FTA C 9050.1](#); and [FTA C 9045.1](#)*

Title VI Program Compliance: The Central Office and District 2, under contracts with CUTR and HDR, have developed several tools to assist with Title VI Compliance. There is an instructional power point available that explains the Title VI program and what is required in a Title VI Plan. There is also a Title VI Plan Template available for use by grantees. If you wish to request Title VI training, please contact the Grant Programs Administrator. *References: SMP Process T6P 100; [Title VI of the Civil Rights Act of 1964](#); [49 CFR Part 21](#); [FTA C4702.1B](#); [Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency](#); [FTA C 9040.1F](#); [FTA C 9070.1G](#); [FTA C 9050.1](#); and [FTA C 9045.1](#)*

Procurement Compliance: The Central Office has developed several tools to assist grantees in complying with State and Federal purchasing requirements. The Procurement Process and checklist are a part of the State Management Plan. There is a Procurement Handbook and a Procurement Policy template available for use by grantees. To request Procurement Compliance technical assistance or training, please contact the Florida TRIPS Manager. *References: SMP Process PP 100; [29 CFR Parts 4 and 5](#); [41 CFR Parts 50-201](#)*

[and 50-206](#); [49 CFR Part 18.36](#); [FTA C 4220.1F](#); [FTA C 9040.1F](#); [FTA C 9070.1G](#); [FTA C 9050.1](#); [FTA C 9045.1](#); [FTA C 9300.1B](#); and [FTA C 8100.1C](#)

Charter and School Bus Program Compliance: The Central Office has developed several tools for District staff and grantees to assist with compliance issues associated with Charter and School Bus Program requirements. These resources are a part of the State Management Plan. To request technical assistance and/or training on the Charter or School Bus Program Compliance issues, please contact the Grant Programs Administrator. *References:* [SMP Process CSP 100](#); [49 CFR Part 604, Charter Service Final Rule](#); [49 CFR Part 605, School Bus Operations](#); [FTA Master Agreement](#); [FTA C 9040.1F](#); [FTA C 9070.1G](#); [FTA C 9050.1](#); and [FTA C 9045.1](#)

Reporting: For assistance with issues on grantee compliance reporting, please contact the Transit Operations Administrator or the Section 5310 contact person. For assistance with Rural NTD reporting issues, please contact the Florida RTAP Manager. For assistance with Urban NTD issues, please contact the Urban NTD Program Specialist Transit Planner. *References:* [FTA C 9070.1G](#); [FTA C 9030.1E](#); [FTA C 5010.1D](#); [FTA C 9040.1G](#); [FTA C 8100.1C](#); [FTA Master Agreement](#); [49 CFR Part 18](#); [Public Law 109-282, Federal Funding Accountability and Transparency Act of 2006](#); [49 CFR Part 20](#); [OMB Standard Form LLL](#); [49 CFR Part 633](#); [Executive Order 11988](#); [49 CFR Part 26](#); and [49 CFR Part 604, Charter Service Final Rule](#)

Safety/Security: The Central Office provides several resources in the areas of Safety and Security Compliance. A System Safety Plan template is available for use by grantees. To request technical and oversight monitoring assistance, please contact the Transit Safety Programs Manager. *References:* [SMP Process SSP 100](#); [F.S. 341.061\(2\)](#); [Rule 14-90, F.A.C.](#); and [Transit Office Procedure 725-030-009](#)

Drug and Alcohol Program Compliance: The Central Office contracts with the Center for Urban Transportation Research to provide Drug and Alcohol Program Compliance. For technical assistance and training, please contact the Transit Safety Programs Manager or Diana Byrnes at 813-426-6980. *References:* [49 CFR Part 655](#); and [49 CFR Part 40](#)

Financial Compliance: Triennial Reviews will be conducted in a manner to verify that the grantee is financially sound. A review of subrecipient records should be conducted to ensure federal requirements are being met and expenses are being supported and reported in an appropriate manner. *References:* [FTA C 9070.1G](#); [FTA C 9030.1E](#); [FTA C 5010.1D](#); [FTA C 9040.1G](#); [FTA C 8100.1C](#); [FTA Master Agreement](#)

The Central Office Subject Matter Experts (SMEs) Contact List

Title:	Contact Information:
Federal Grants Manager	Jon Ausman 850-414-4519 jon.ausman@dot.state.fl.us
Florida TRIPS Manager	Erin Schepers 850-414-4526 erin.schepers@dot.state.fl.us
Grant Programs Administrator	Liz Stutts 850-414-4530 Elizabeth.Stutts@dot.state.fl.us
Section 5310	Kristin Gladwin 850-414-4239 kristin.gladwin@dot.state.fl.us
Single Audit Specialist	Sandy Watson 850-414-4325 Sandy.Watson@dot.state.fl.us
Statewide CAP & Florida RTAP Manager	Mike Wright 850-414-4529 michael.wright1@dot.state.fl.us
Transit Operations Administrator	Bobby Westbrook 850-414-4533 Robert.Westbrook@dot.state.fl.us
Transit Safety Programs Manager	Victor Wiley 850-414-4525 Victor.Wiley@dot.state.fl.us
Urban NTD Program Specialist	Chris Wiglesworth 850-414-4532 chris.wiglesworth@dot.state.fl.us



TRIENNIAL REVIEW GUIDE

5310 SUBRECIPIENTS

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INTRODUCTION

FDOT COMPLIANCE MONITORING PROGRAM

Goal

The goal of the Florida Department of Transportation Compliance Monitoring Program (CMP) is to provide a consistent and thorough review of the compliance practices of FDOT subrecipients that receive Federal funding under 49 U.S.C. § 5305 (d), 5310, and 5311. All parties completing Triennial Reviews for the Department must perform them in a manner compliant with the Triennial Review Process and each subsequent process listed in the State Management Plan (SMP).

General Approach

FDOT will adopt a risk-based approach in conducting on-site periodic compliance reviews of its federally funded subrecipients. In this approach, FDOT will conduct compliance reviews of **all** subrecipients in the Section 5305(d), 5310, and 5311, programs once every three years (100 percent sample coverage). The FDOT will also conduct compliance reviews of state funded public transit systems subject to the requirements of F.A.C., Rule 14-90 once every three years.

FDOT District offices may employ the services of its technical assistance consultant to conduct the reviews. This will ensure impartiality in the conduct of the reviews and ensure that the reviewers possess the technical competence to conduct the reviews. FDOT will accompany the consultants on each review.

A principle tenant of the FDOT approach to the Compliance Monitoring Program is the provision of technical assistance. The consultant team will be required to assist each subrecipient under review to understand the requirements of any particular circular, rule, regulation or law, to provide copies of relevant regulatory citations and technical assistance materials, and to render additional assistance in subrecipient remedy of findings, as necessary.

The process will consist of both a desk review and an on-site visit by the review team and FDOT. Following each site visit, the consultant review team will issue a report outlining the areas reviewed, compliance deficiencies, actions necessary by the subrecipient to remedy the deficiency, and the timeframe for corrective action.

The subrecipient must be **notified by the FDOT District Office, in writing, at least 45 days prior to a triennial review (formal email notification, with a FDOT District Office signed document attachment is acceptable)**. The district office should coordinate scheduling of the onsite review with the subrecipient prior to written notification.

Written notification to the subrecipient should also include a request for pre-audit materials for the desk review. The review team will complete the desk review and then, with the District's assistance, coordinate the on-site review with the subrecipient. Documentation requested will allow the reviewers to maximize its familiarity with the subrecipient and to create onsite review checklists and review agenda prior to beginning on-site review activities. This process will ensure maximum utilization of on-site review time. Additional materials and/or follow up materials to those provided by the subrecipient may be required during the on-site review, including more detailed records and documents. Please note that some documents, materials, and other items requested in the pre-audit request may not have the exact name at the subrecipient, so subrecipient personnel should feel free to state, or to suggest an alternate item/document that contains the information requested.

Subrecipient materials for the desk review will include, for traditional Section 5310 only subrecipients (capital only), may include:

- ◆ Written vehicle maintenance policies;
- ◆ Asset inventories
- ◆ Transportation service policies (if any)
- ◆ Title VI program
- ◆ Driver training programs
- ◆ 5310 TOP
- ◆ Coordinated Human services plan

Both FDOT and the subrecipients will be provided 30 days to compile and upload desk review items. The review consultants will have a minimum of 14 days desk review time prior to conducting the site visit.

Standardized Review Guide

To ensure equitable treatment and consistency among the various review teams that will be used by the compliance consultant, FDOT or its consultant will use a standard Triennial Review guide that will explain the review process and provide the subrecipient with all questions and subject areas that will be part of the compliance review.

TECHNICAL ASSISTANCE

The focus of the Compliance Monitoring Program will be both compliance *and* technical assistance. Technical assistance will be provided:

- ◆ As necessary during the data compilation period (assistance with data uploads);
- ◆ On-site while explaining preliminary compliance findings during an exit conference;

- ◆ After release of the draft report, assisting the subrecipient understand the nature of the deficiency;
- ◆ In the development of subrecipient remedial action to the deficiency; and
- ◆ To FDOT as systemic compliance problems arise in the course of the reviews.

COMPLIANCE REPORTS

Draft and final reports will be issued.

Draft Report

The draft Triennial Review report will be organized by subject matter, consistent with the organization of the Triennial Review Guide. Some subject areas may be consolidated for efficiency in the on-site review process.

Within 30 days after the site review, the review consultant will issue the draft compliance report for review by the District Office. The report will provide narrative on the following subject areas:

- ◆ Overview of the process
- ◆ Participants in the process
- ◆ An overview of the general compliance elements of each subject
- ◆ The results of the review in each subject area
- ◆ Identification of deficiencies in the subject area
- ◆ Recommended remedial actions
- ◆ Timeframe for subrecipient remedy.

At the end of each report, all compliance findings will be summarized in tabular form.

The District Office will have 15 days to complete its review of the draft report and provide it to the subrecipient.

Subrecipient Review and Response

The subrecipient will have 30 days to review the draft final report.

During this review period, the subrecipient may present additional information regarding compliance actions in the event the subrecipient disagrees with a review finding. Any such rebuttals will be mutually reviewed by FDOT and the review consultants so that a final determination may be made.

During the review period, the subrecipient will have opportunity to begin remedy of the finding. To the extent possible, FDOT will encourage subrecipient to utilize the review period to prepare remedies for identified compliance deficiencies.

The subrecipient's response, along with all proposed remedial actions that may have been accomplished during the review period, will be submitted to the review consultant for determination of potential closure of the finding.

Final Report

Following receipt of the subrecipient's response, the District will issue the Final Report.

The final report will document which findings have been satisfactorily addressed and closed during the review period. For all remaining open findings, the subrecipient will have agreed to the proposed timeframe for remedy and will initiate work on corrective actions pursuant to that schedule.

The District will be responsible for monitoring subsequent corrective actions and findings closure after issuance of the final report. The District will report to the Central Office any subrecipient who fails to remediate any finding within the specified timeline for further action.

In the sections that follow, the subject areas and questions that may be asked during the review are detailed.

1. The formal review report shall contain the following:

- a. Name and address of the subrecipient, the dates the review was conducted, and the name of each reviewer.
- b. Specific items reviewed and a description of any deficiencies, unsafe conditions, or areas of concern.
- c. A requirement for the subrecipient to develop and submit a corrective action plan (CAP) and implementation schedule for each deficiency and /or area of concern within 30-calendar days from the date of the final report.
- d. A requirement that the bus transit system verify in writing, completion of required corrective action(s).
- e. A description of any Department planned follow-up activities
- f. The district must notify the Subrecipient of its approval or rejection of each corrective action and implementation schedule within 15-calendar days of receiving the plan. In the event the district office rejects a CAP, the district office shall state its reasons in writing and recommend revisions. The district shall require the bus transit system to submit a revised CAP and implementation schedule, for each CAP not approved, no later than 15-calendar days following receipt of the notification.
- g. (Rule 14-90.012, F.A.C.) – If the District determine during the review that the Subrecipient that a deficiency or unsafe condition exist, to the extent

that the continued operation of the system, or a portion thereof, poses an immediate danger or threat to public safety, they are required to:

- Immediately notify the Subrecipient of the unsafe condition, followed by a certified letter describing the deficiency or unsafe condition. The notification shall include the following. (The normal 30-day window is not required)
 - The immediate required corrective action for the deficiency or unsafe condition.
 - The requirement for the bus transit system to certify, in writing to the Department, the completion of the required corrective action in accordance with an established implementation schedule
 - Conduct an on-site review of the Subrecipient to verify the correction of the deficiency in accordance with this rule and the established implementation schedule.
 - Suspend affected passenger service operations if the Subrecipient fails to correct the deficiency in accordance with this rule and the established implementation schedule.
- 2.** If a deficiency or unsafe condition is immediately corrected prior to the final report, a complete description of the deficiency, unsafe condition, or threat and completed corrective action will be documented in the final report. For other deficiencies, a detailed Corrective Action Plan (CAP) and implementation schedule for each item is required to be developed by the Subrecipient within 30-calendar days of the date of the final report and submitted to the District for approval. (Please allow time for delivery of the final report).
- 3.** The District Office must reserve the right to conduct a follow-up review to verify completion of corrective action(s) that resulted from the safety and security review. The District Office should conduct a follow-up review to verify completion of a corrective action that resulted from a deficiency or unsafe condition that existed to the extent that continued operation of system or a portion thereof, posed an immediate danger or threat to public safety.

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SECTION 1. SELECTION AND ELIGIBILITY/ELIGIBLE SERVICES

FTA FUNDS RECEIVED BY SUBRECIPIENT

States and subrecipients must be eligible under the specific requirements of the FTA programs and have the legal, financial, and technical capacity to carry out the proposed program of projects.

1. What are the Federal funds received by this subrecipient during the last three years (check all that apply)?

Section 5311 Section 5310 Section 5305(d) New Freedom
 Section 5307 Transit Corridor Service Development JARC
 Other _____

2. What best describes this project? Please provide a short description (For example, for 5310 public transportation projects that improve access to fixed-route service and decrease reliance on complementary paratransit etc.)

3. Does the subrecipient receive any state funds from the Block Grant, Commuter Assistance, Park and Ride Lot, Service Development or Transit Corridor programs?

ORGANIZATIONAL STATUS OF THE SUBRECIPIENT

4. What is the organizational status of the subrecipient and does this agency qualify as an eligible subrecipient the Federal funds received by this subrecipient? Provide a short description. (For example, for 5310 is the subrecipient a private nonprofit organization, local government etc.)

5. What type of activities were funded under:

a. Section 5311:

b. Section 5310:

c. Section 5305(d):

d. Section 5307:

e. New Freedom:

f. JARC:

g. Transit Corridor:

h. Service Development:

i. Other:

LOCAL MATCH/FINANCIAL CAPABILITY

Funds may be used to finance capital and operating expenses. The federal share of eligible capital costs shall be in an amount equal to 80 percent of the net cost of the activity. The federal share of the eligible operating costs may not exceed 50 percent of the net operating costs of the activity.

The local share may be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, a service agreement with a state or local service agency or private social service organization. Some examples of these sources of local match include: state or local appropriations; dedicated tax revenues; private donations; revenue from service contracts; transportation development credits; and net income generated from advertising and concessions. Non-cash share such as donations, volunteered services, or in-kind contributions is eligible to be counted toward the local match as long as the value of each is documented and supported, represents a cost which would otherwise be eligible under the program, and is included in the net project costs in the project budget.

Income from contracts to provide human service transportation may be used either to reduce the net project cost (treated as revenue) or to provide local match for operating assistance. In either case, the cost of providing the contract service is included in the total project cost. No FTA program funds can be used as a source of local match for other FTA programs, even when used to contract for service. All sources of local match must be identified and described in the grant application at the time of grant award.

In addition, the local share may be derived from federal programs that are eligible to be expended for transportation, other than DOT programs, or from DOT's Federal Lands Highway program. Examples of types of programs that are potential sources of local match include: employment, training, aging, medical, community services, and rehabilitation services. Specific program information for other types of federal funding is available at www.unitedweride.gov.

It is also imperative to determine if the subrecipient has the financial capability to accept and manage the federal funds.

1. What are the sources funds being used to generate the local match? Are these sources non-Federal as defined above?

2. Is the subrecipient generating sufficient local match for the grant?

3. Does the subrecipient appear financial sound?

4. Do subrecipient financial records appear to be maintained using Generally Accepted Accounting Principles? Can funds be traced to level of expenditures?

5. Is the subrecipient charging indirect costs? If so, has the District approved their indirect cost rates/plan?

6. Sample invoice to ensure reported expenditures are supported by the proper documentation?

7. Project Management:

a) Is recipient implementing a capital grant with its own workforce? If so, does the subrecipient meet the requirements of needing a force account plan?

b) If recipient is doing facility construction or rehabilitation, review their monitoring and oversight process for the construction project.

Coordinated Public Transit/Human Services Transportation Plan

Federal transit law, as amended by SAFETEA-LU, required that projects funded from the Section 5310, program be derived from a locally developed, coordinated public transit-human service transportation plan (“coordinated plan”). A coordinated plan should maximize the programs’ collective coverage by minimizing duplication of services. A coordinated plan may incorporate activities offered under other programs sponsored by federal, state, and local agencies to greatly strengthen its impact. FTA also encourages participation in coordinated service delivery as long as the coordinated services will continue to meet the purposes of all programs.

Under MAP-21, Section 5310 is the only program that still has this coordinated plan requirement. However, recipients with unobligated JARC and New Freedom funds must continue to certify that projects are included in a coordinated plan. Therefore, FTA encourages recipients with unobligated JARC and New Freedom funds to include/continue to include the Section 5310 program funds when developing the coordinated plan.

1. Obtain a copy of the coordinated plan. What is the date of the most recent plan?
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SECTION 2. EQUIPMENT MANAGEMENT

EQUIPMENT – GENERAL (NON-VEHICLE OR FACILITY)

Any property (equipment, furniture and fixtures, vehicles, buildings, and land) purchased with Federal or state funds administered by the FDOT and valued at \$5,000 or more must be accounted for in the subrecipient fixed asset listing. The asset listing is to contain the federally required information outlined in the Common Rule and generally accepted accounting principles, as appropriate.

Each capital items shall be assigned a unique identification number throughout its life; the identification number should not be reused. Equipment purchased as an integral part of the vehicle does not need to be separately inventoried; for example, a lift or destination sign that is purchased as part of a vehicle does not need to be inventoried. Capital items are to be depreciated in accordance with generally accepted accounting principles. However, depreciation expense is not an allowable reimbursable cost to Federal programs if purchased, in part or in whole, with federal funds.

Guidance Regarding Useful Life of Equipment

FTA provides a useful life policy for rolling stock, trolleys, ferries, facilities, and some equipment. Where a useful life policy has not been defined by FTA, the grantee, in consultation with the FTA regional or metropolitan office shall “make the case” by identifying a useful life period for all equipment and facilities with an acquisition value greater than \$5,000 to be procured with Federal funds. Because the FDOT is the grantee, our subrecipients must propose and identify a useful life for the capital asset to be purchased with Federal funds. The subrecipient should identify the method used to determine the useful life. Acceptable methods to determine useful life include but are not limited to:

- *Generally accepted accounting principles.*
- *Independent evaluation.*
- *Manufacturer’s estimated useful life.*
- [Internal Revenue Service guidelines](#)
- *Industry standards.*
- *Grantee experience.*
- *The grantee’s independent auditor who needs to concur that the useful life is reasonable for depreciation purposes.*
- *Proven useful life developed at a Federal test facility.*

FTA approval of the Department’s grant and the execution of the subrecipient joint participation agreement represents FTA concurrence of the final determination of useful life for the purpose of project property acquisition. This in turn will identify the useful life of the Federal interest for the disposition of the project property in later years.

Determining Useful Life for Project Property

For all State administered programs the State is responsible for approving the useful life proposed by the subrecipient. In the grant application, the grantee shall propose and identify a useful life for the capital asset to be purchased with Federal funds. The department recommends using [Internal Revenue Service guidelines](#) when determining useful life for project property/equipment. The grantee should make sure to check these guidelines for changes on a regular basis.

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

Yes No

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

Yes No

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

Yes No

3. How does the subrecipient document inventory of non-vehicle assets with a federal or state interest?

4. Has the subrecipient disposed of any project equipment during the last three years?

Yes No

If “Yes,” had the equipment exceeded its useful life as determined by FDOT?

Yes No

If “No,” did the subrecipient notify FDOT for transfer to another transit program?

Yes No

5. Does the subrecipient maintain property/asset records for all equipment acquired with FTA funds?

Yes No

If “Yes,” are all the required data elements contained in the inventory record?

Yes	No	Requirement
<input type="checkbox"/>	<input type="checkbox"/>	Description of the property
<input type="checkbox"/>	<input type="checkbox"/>	Serial number or other identification numbers
<input type="checkbox"/>	<input type="checkbox"/>	Source of the property (grant source, program number)
<input type="checkbox"/>	<input type="checkbox"/>	Name of the title holder
<input type="checkbox"/>	<input type="checkbox"/>	Acquisition date
<input type="checkbox"/>	<input type="checkbox"/>	Cost
<input type="checkbox"/>	<input type="checkbox"/>	Percentage of Federal participation in the cost of the property
<input type="checkbox"/>	<input type="checkbox"/>	Location of the equipment
<input type="checkbox"/>	<input type="checkbox"/>	Use and current condition
<input type="checkbox"/>	<input type="checkbox"/>	Disposition information (if applicable), including date of disposal and sales price

6. 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?

7. Has the subrecipient transferred any project equipment with remaining useful life to another entity?

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

If “Yes,” Did FDOT approve of the transfer?

Yes No

PROPERTY MANAGEMENT AND CONTROL (VEHICLE AND FACILITY)

The Common Rule requires all recipients and subrecipients adopt property management standards for all equipment acquired under any program. Property management records must adhere to the elements specified in this section.

A control system shall be in effect to insure adequate safeguards to prevent loss, damage, or theft of the equipment. Any loss, damage, or theft of equipment shall be investigated and fully documented; if the equipment was purchased with FDOT administered federal or at least 50% state funds, and had not passed the end of its useful life, the subrecipient shall promptly notify FDOT.

Subrecipients shall, at a minimum, provide the equivalent insurance coverage for real property and equipment acquired with Federal funds or 50% state funds as provided to property owned by the recipient.

Subrecipients must carry insurance on vehicles, equipment, and facilities to cover the federal interest and state interest in the asset.

If a vehicle is out of service more than 30 days, transit providers must provide written notification to the appropriate FDOT Program Manager. For the period of time the vehicle is out of service, the transit provider must ensure that the time does not count toward the minimum useful life; accounting must stop the depreciation calculation. Additionally, incidental service mileage does not count toward the minimum useful life mileage.

1. Does the subrecipient maintain satisfactory continuing control over all FDOT administered federally funded assets (e.g., maintains direct control over the asset)?

Yes No

If "No," has the subrecipient leased equipment to another entity?

Yes No

If "Yes," is there a formal agreement between the parties?

Yes No

If "Yes," does the lease:

Yes	No	Lease Requirement
<input type="checkbox"/>	<input type="checkbox"/>	Specify FDOT interest in the vehicle?
<input type="checkbox"/>	<input type="checkbox"/>	Specifies permissible/non-permissible incidental use of the vehicle?
<input type="checkbox"/>	<input type="checkbox"/>	Require lessee to perform vehicle maintenance in accordance with OEM recommendations?
<input type="checkbox"/>	<input type="checkbox"/>	Assign insurance responsibility and all appropriate hold-harmless/indemnification provisions?
<input type="checkbox"/>	<input type="checkbox"/>	Have a finite period of performance?
<input type="checkbox"/>	<input type="checkbox"/>	Notification protocols in the event the vehicle is involved in an accident?

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

Yes No

If "Yes," did the subrecipient receive an insurance settlement?

Yes No

Did the subrecipient request guidance from FDOT on the procedures for re-investing the settlement proceeds in a replacement vehicle?

Yes No

3. Does the subrecipient utilize project equipment for use on other projects or programs supported directly or indirectly by the Federal government?

Yes No

EQUIPMENT MAINTENANCE

Subrecipients are required to certify that any property purchased under the project shall be used for the provision of specialized transportation services within the subrecipient's service area or other areas as described in the grant application, and for the life of the equipment or facility in compliance with the property management standards of 49 CFR part 19.30 through 19.37.

FDOT requires all subrecipients who utilize assets purchased with federal and/or state funds to submit a comprehensive maintenance plan that will include, at a minimum, procedure for maintaining vehicles, facilities and ADA accessibility features.

Subrecipients must maintain an up-to-date vehicle file for each vehicle containing key identification information and all information about maintenance events.

The subrecipient must insure that all vehicles under its control and all required accessories on the vehicles, are regularly checked and inspected, maintained, and lubricated to ensure that they are in safe operating condition. The subrecipient must have a means of indicating the types on inspection, maintenance, and lubrication operation to be performed on each vehicle and the date or mileage that these operations are due. The Triennial Maintenance Audit will review all areas associated with vehicle maintenance for both state and federally funded vehicles.

1. Does the subrecipient preventative maintenance plan include the required elements?

Yes No

2. Does the subrecipient have a facility maintenance plan for federally or state funded facilities?

Yes No

INCIDENTAL USE OF PROJECT EQUIPMENT

FTA and FDOT encourage maximum use of vehicles funded under the Section 5310 and 5311 programs. Consistent with the requirements of 49 CFR parts 18 and 19, vehicles are to be used first for program-related needs for which a Section 5310 or 5311 grant is made and then to meet other federal programs or project needs, providing these uses do not interfere with the project activities originally funded. If the vehicle is no longer needed for the original program or project, the vehicle may be used in other activities currently or previously supported by a federal agency.

The program must provide for maximum feasible coordination with transportation services assisted by other federal sources. Subrecipients should be encouraged to the extent feasible to also provide service to seniors and people with disabilities not affiliated with their agency, as well as to the general public, on an incidental basis if such service does not interfere with transportation services for seniors and people with disabilities in 5310 and with the delivery of public transportation in 5311. In some situations it may be appropriate to provide Section 5310 assistance to an agency to provide transportation exclusively to its own clients, but even in situations in which it is not feasible for the subrecipient to provide services to those in the community beyond its own clients, that subrecipient must, when practicable, make the vehicle itself available to provide transportation service to other seniors and people with disabilities at times the subrecipient is not using the vehicle for grant-related purposes.

Transit service providers receiving assistance under this section may coordinate and assist in providing meal delivery services 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. The number and size of vehicles applied for under Section 5310 must be determined only by the number of passengers to be transported, not meal delivery capacity. Section 5310 funds may not be used to purchase special vehicles to be used solely for meal delivery or to purchase specialized equipment such as racks or heating or refrigeration units related to meal delivery.

FDOT does allow incidental use of assets provided that the incidental use does not interfere with the public transit services for which it was originally obtained. Incidental use is addressed as part of FDOT's on-site compliance reviews.

Certain additional services (such as meal delivery) are permitted within program funding restrictions as long as they are incidental and do not disrupt the general public service normally provided. However, the cost of these incidental services must be fully allocated and mileage associated with the incidental service must not count towards the useful life

of the vehicle. If FTA-funded vehicles are used occasionally to deliver meals, FDOT requires nutrition programs to pay the operating costs attributable to meal delivery.

1. Does the subrecipient use FTA funded equipment to engage in homebound meal delivery?

Yes No

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

Yes No

2. Does the subrecipient use FTA funded equipment to engage in any other incidental uses for other than service to elderly persons and individuals with disabilities?

Yes No

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

Yes No

3. Does the subrecipient have a means to track mileage for incidental use (FDOT does not permit incidental mileage towards useful life calculation)?

Yes No

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SECTION 3. PROJECT AND FINANCIAL MANAGEMENT

CTC & CTC AGREEMENTS (5310 RECIPIENTS)

1. If the review of the recipient's files revealed any problems, discuss each of those problems with the recipient. Make discussion notes as part of the documentation for the site visit.

2. Does a recipient who is not a CTC maintain coordination or a transportation operator contract with the CTC? (Unless the recipient is a local government providing fixed route/fixed schedule service.)

TRANSPORTATION OPERATIONS PROCEDURE (5310 ONLY RECIPIENTS)

1. Has the recipient submitted a Transportation Operations Procedure? Is driver training provided? (Did District approve the plan using the checklist?).

2. If the pre-monitoring review of the recipient's files revealed any problems, discuss each problem with the recipient. Make discussion notes a part of the documentation for the site visit. If no problems were found, this check is not applicable.

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-
3. Make sure you have a signed standard lobbying certification form for any sub-recipient agreement at \$100,000 or more. Make sure you have a valid EPLS search in your file for the subrecipient.
-
-
-

AUDIT

1. Review the subrecipient's most recent A-133 audit performed in accordance with the Single Audit Act. Ask the subrecipient if there are any audit exceptions included in the audit, and discuss these with the subrecipient to determine the nature and severity of the exceptions. Review the Recipient/Subrecipient Single Audit Procedure No. 450-010-001. Contact the Statewide Grant Coordinators at 850-414-4391 to determine if there are additional single audit issues that need to be resolved. *(An A-133 audit is required for any entity that exceeds \$750,000 or more in Federal awards in a single year. If the entity expends less than \$750,000 in Federal awards in a year they are exempt from the Federal audit requirements for that year.)*
-
-

DBE

1. Is the recipient undertaking and documenting the necessary and reasonable steps required by FTA for compliance with the Federal DBE Program requirements?
-
-
2. How does the subrecipient monitor third-party contractors to ensure compliance with DBE program requirements?
-

SECTION 4. PROCUREMENT

ACQUISITION METHODS

Subrecipients must comply with FTA procurement requirements contained in the current FTA Circular 4220.1. States and designated recipients are responsible for ensuring that subrecipients are aware of and comply with these additional requirements.

1. Does the subrecipient have an agency purchasing policy?

Yes No

If “Yes”, does the subrecipient’s purchasing policy incorporate Federal purchasing rules?

Yes No

2. Has the subrecipient purchased vehicles through a state contract administered either by the Florida Department of Transportation (TRIPS Program) or the Department of Management Services (DMS)?

Yes No

3. If vehicles were purchased through the DMS state contract, has the subrecipient ensured that all Federal provisions have been met?

Yes No

4. If the subrecipient has purchased vehicles through the DMS state contract, did the vehicles meet Buy America standards?

Yes No

5. Has the subrecipient made any other purchases?

Yes No

If “Yes”, review a sampling of procurements to determine if the subrecipient followed their purchasing policy and utilized the Third Party Checklist found in the Procurement Guidance for Transit Agencies.

Yes No

6. Did the subrecipient complete and document the EPLS check for contractors at sam.gov?

Yes No

Did the subrecipient complete and document the e-verify process?

Yes No

PURCHASE OF SERVICE CONTRACTS

Subrecipients may purchase service from private sector transportation providers as well as public providers. Under such arrangements, certain special conditions apply to the purchase of service agreement.

The purchase of service contracts must be either a cost reimbursement or fixed price contract.

- Fixed price contracts should have the cost calculated on a service or route specific basis, either vehicle or passenger miles, or a combination of both. It is not subject to any adjustment on the basis of a contractor's cost experience in performing the contract.
- Cost reimbursement contracts should allow for a periodic evaluation of the fixed rate in order to accommodate changes in transportation costs. These contracts establish an estimate of total cost for obligating funds and establishing a ceiling that the contractor may not exceed (except at its own risk) without approval.

Profit is an eligible cost in the contract. The amount of profit must be established as a fixed fee, not as a percentage figure.

Depreciation of vehicles is an eligible expense in private sector purchase of service agreements and must be based on acquisition, not replacement costs, and is not eligible if the vehicles were originally purchased with Federal funds.

Management or administrative costs incurred by the contract provider should be prorated for only that portion of the operator's service being purchased.

Division of Multimodal Transportation Resources shall approve the proposed purchase of service contracts prior to execution by the subrecipient.

1. Has the subrecipient entered into any purchase of service contracts?

Yes No

If "Yes," what type of contract did the subrecipient use with the service provider?

- Fixed price contract
 Cost reimbursement contract

2. Has the subrecipient used "capital cost of contracting" in any service contract entered into with a private sector provider?

Yes No

If “Yes,” has the subrecipient correctly classified the type of contract and corresponding capital participation rate in the contract?

Yes No

If “No,” has the subrecipient adhered to FDOT guidelines in structuring the respective types of contracts?

Yes No

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SECTION 5. OTHER PROVISIONS

TITLE VI

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.

1. Has the subrecipient developed a Title VI Program?

Yes No

If "Yes," has it been adopted by the subrecipient's governing board?

Yes No

2. Has the program been submitted to FDOT?

Yes No

If "Yes," did the District review it using the Title VI checklist? If they approved it using the checklist they can skip this section?

Yes	No	Required List Elements
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<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.
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<input type="checkbox"/>	<input type="checkbox"/>	A copy of the recipient's instructions to the public regarding how to file a Title VI discrimination complaint, including a copy of the complaint form.
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Yes	No	Required List Elements
<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 FDOT.
<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 recipient’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 boards 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	Required List Elements
<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 elements that FTA considers “best practice:”

Yes	No	Required List Elements
<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
<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 ads 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.

Limited English Proficiency (LEP)

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 limited English proficient, or "LEP." These individuals may be entitled to language assistance with respect to a particular type of service, benefit, or encounter. DOT recipients are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.

Subrecipients should apply four (4) 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 of the recipient or grantee.
- The frequency with which LEP individuals come in contact with the program.
- The nature and importance of the program, activity, or service provided by the recipient to people's lives.
- 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.

9. Has the subrecipient assessed and addressed the ability of persons with limited English proficiency (LEP) to use transit services?

Yes No

10. Describe the subrecipient's efforts to provide access to information and services by LEP persons.

AMERICANS WITH DISABILITIES ACT (ADA)

Compliance responsibilities will vary depending upon the type of entity providing the service. The regulations recognize three types of entities as follows:

Public entities include city, town, county, or state governments, or special authorities created under public law such as transit authorities.

Private, primarily engaged entities 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, non-profit agencies whose main business is transportation.

Private, not primarily engaged entities 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 system 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, on which a vehicle is operated along a prescribed route according to a fixed schedule.

Commuter bus service 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 system 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 systems, which do not have prescribed routes, or which allow for on-request deviations off of prescribed routes, are considered types of demand responsive systems 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, these types of services are considered fixed route.

ADA complementary paratransit is a specific type of demand responsive service that is required of public entities that provide non-commuter fixed route service.

To determine compliance responsibilities, the review must 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

3. If the subrecipient offers route deviation service, how does it advertise the deviation request process? Does the subrecipient schedule deviations for all riders, not just those with disabilities?

4. If the subrecipient provides fixed route service, does the subrecipient have an ADA Complementary Paratransit Plan? Does the plan include the subrecipient's

procedures for eligibility determinations, service criteria, service capacity, origin-to-destination service, visitors' service, and no-show policies? Is the complaint and/or appeal process readily available?

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

- | Yes | No | Requirement |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Does the subrecipient have policies that impose any special charges for individuals with disabilities, including wheelchair users? |
| <input type="checkbox"/> | <input type="checkbox"/> | Does the subrecipient deny service to any individual because its insurance company conditions coverage or rates? |
| <input type="checkbox"/> | <input type="checkbox"/> | Does the subrecipient 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 subrecipient 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 subrecipient require individuals with disabilities to use designated priority seats? |
| <input type="checkbox"/> | <input type="checkbox"/> | Does the subrecipient 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 subrecipient require wheelchair users to wear a body belt when traveling up and down on the lift? |
| <input type="checkbox"/> | <input type="checkbox"/> | Does the subrecipient policy prohibit respirators or portable oxygen supplies (Exception: items that are prohibited under applicable Department of Transportation rules on the transportation of hazardous materials—49 CFR subtitle B, chapter 1, subchapter C.) |

Does the subrecipient have any other policy that could discriminate against persons with disabilities?

6. Does the subrecipient have a policy for dealing with individuals who engage in violent, seriously disruptive, or illegal conduct?

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

7. Does the subrecipient have an established process for making decisions and providing reasonable modifications under the ADA?

Yes No

If "Yes," is information about the process, and how to use it, readily available to the public, including individuals with disabilities? (For example included in printed media and/or available on the subrecipient's website).

Yes No

Attendant Policies

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

8. Does the subrecipient 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 destination?

Yes No

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

Yes No

10. 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

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 FDOT.

Service Equivalency

11. **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

12. **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

13. **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

14. **Days and Hours:** Consider the days and hours of operation of the service. 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 greater) for persons with disabilities who need and use accessible vehicles?

Yes No

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

Yes No

16. **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 denials records, waiting lists, or other documentation to determine if persons 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 persons 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 persons with disabilities and for other riders to allow for this type of comparison and analysis.

17. 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 persons with disabilities, including persons 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 persons with disabilities and for other riders to allow for this type of comparison and analysis.

18. 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 using accessible versus inaccessible vehicles, note the differences. Is information and communications provided in accessible formats, and are persons with disabilities who

need an accessible vehicle able to get information and reservations assistance in an equivalent way?

Yes No

19. Has the subrecipient acquired vehicles in the last three (3) years?

Yes No

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

Yes No

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

Yes No

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

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

Yes No

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

Yes No

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

Yes No

23. Are vehicles repaired promptly and within the five day period for non-urbanized areas?

Yes No

24. Does the subrecipient 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

25. Does the subrecipient “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 subrecipient?

Yes No

26. Does the subrecipient permit standees to use the lift?

Yes No

27. Does the subrecipient require scooter users or wheelchair passengers to transfer to another seat?

Yes No

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

Yes No

29. Does the subrecipient permit service animals on system vehicles?

Yes No

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

Yes No

30. Does the subrecipient make available to individuals with disabilities adequate information concerning transportation services?

Yes No

31. Does the subrecipient 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

32. Does the subrecipient 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 difference among individuals with disabilities?

Yes No

CHARTER SERVICE

Title 49 U.S.C. 5323(d) limits charter service provided by federally assisted public transportation operators. FTA regulations specify these limitations in 49 CFR part 604— Charter Service, amended effective April 30, 2008 (73 FR 2326, Jan.14, 2008). Each recipient must enter into an agreement with FTA that the recipient will not engage in charter service unless permitted by FTA charter service regulations. FTA includes that agreement in its annual publication of certifications and assurances. Charter service is defined based on whether a third party requests the service or whether the transit agency initiates the service. If a third party requests service, FTA will utilize four characteristics of charter service to determine whether the proposed service meets the definition of charter. If a transit agency initiates the service, FTA will look at whether the transit agency also charges a premium fare or accepts a subsidy from a third party.

1. Does the subrecipient provide charter service?

Yes No

If yes, does the subrecipient provide the quarterly charter report to the Department?

Yes No

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

Yes No

If yes, has the subrecipient documented the process and provision of charter service on the required forms?

Yes No

SCHOOL BUS SERVICE

1. 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 is the run built entirely on school children)?

Yes No

DRUG AND ALCOHOL TESTING

Recipients or subrecipients that receive only Section 5310 program assistance are not subject to FTA's drug and alcohol testing rules, but must comply with the Federal Motor Carrier Safety Administration (FMCSA) rule for all employees who hold commercial driver's licenses (49 CFR part 382). Section 5310 recipients and subrecipients that also receive funding under one of the covered FTA programs (Section 5307, 5309, or 5311) should include any employees funded under Section 5310 projects in their testing program.

1. Does the subrecipient operate vehicles that require the driver to hold a Commercial Driver's License?

Yes No

If "Yes," has the subrecipient initiated a drug and alcohol testing program that meets the requirements of 49 CFR part 382?

Yes No

2. Does the subrecipient have a Drug-Free Workplace Policy?

Yes No

CONTRACTING AND INVOICING RELATED QUESTIONS

1. List the types of funds subrecipient receives

2. Fill out the following matrix for each funding program or contract (as applicable)

Funding Program:		Contract/s:	
Review Item	Status	Comments	Action Item
Missing Documents in files			
Invoice issues			
Time extension/SJPA needs			
Work Program discussion			
Any other relevant topics (specify_____)			

Funding Program:		Contract/s:	
Review Item	Status	Comments	Action Item
Missing Documents in files			
Invoice issues			
Time extension/SJPA needs			
Work Program discussion			
Any other relevant topics (specify_____)			

Funding Program:		Contract/s:	
Review Item	Status	Comments	Action Item
Missing Documents in files			
Invoice issues			
Time extension/SJPA needs			
Work Program discussion			
Any other relevant topics (specify _____)			

At the end of the visit, ask the recipient if they have any questions about or problems with DOT policies and procedures that they need to discuss further. If questions arise that you are unable to answer immediately, make the commitment to follow up quickly.

<<<<<The following 5310-Only Maintenance Compliance Workbook will be used to evaluate the maintenance department during a maintenance review>>>>>

MAINTENANCE REVIEW COMPLIANCE WORKBOOK FOR 5310 AGENCIES

2014-2015

Preventative Maintenance Planning, Training, and Technical Assistance Program



FLORIDA STATE UNIVERSITY
COLLEGE OF BUSINESS
Institute for Applied Business Research



This document was developed as a tool for compliance reviews pertaining to bus maintenance using state and federal requirements as outlined in the *FDOT Preventative Maintenance Standards Manual* and *Chapter 14-90 of State of Florida Statutes*. This workbook contains general standards against which these compliance reviews will be held.

Subrecipient/Agency Being Reviewed:	
Date(s) of Review:	
Reviewer(s)	

The following individuals were interviewed during the course of this review.

Person	Title/Position	Date of Interview

The following maintenance documents will be reviewed as part of the Bus System, Safety, and Security Review. Whenever possible, these documents will be reviewed prior to the site visit.

Document	Does the Agency have one?		Has a copy been obtained?	
	Yes	No	Yes	No
<i>Transportation Operation Procedure</i>				
<i>Fleet Roster</i>				
<i>Inspection Form(s)</i>				
<i>Driver's Pre-Trip Form</i>				
<i>Accident/Incident Form(s)</i>				
<i>Most Current Maintenance Review</i>				
<i>Additional Forms Used (Specify Below)</i>				
Number of Operational Buses:				

Review Questions

1. Who is primarily responsible for the maintenance oversight of the fleet?

2. How many locations do the buses operate out of?

Please identify the locations from which buses operate in the table below:

Primary Location	
Location 2 (if applicable)	
Location 3 (if applicable)	
Location 4 (if applicable)	

Chapter 14-90, Florida Statutes stipulates:

(a) That all buses operated, and all parts and accessories on such buses, including those specified in Rule 14-90.007, F.A.C., and any additional parts and accessories which may affect safety of operation, including frame and frame assemblies, suspension systems, axles and attaching parts, wheels and rims, and steering systems, are regularly and systematically inspected, maintained, and lubricated in accordance with the standards developed and established, at a minimum, according to the bus manufacturer's recommendations and requirements.

3. Is any maintenance performed in-house? If so, please explain?

CH. 14-90.004 (h)(4)(b) stipulates:

(b) That a recording and tracking system is established for the types of inspections, maintenance, and lubrication intervals, including the date or mileage when these services are due. Required maintenance inspections shall be more comprehensive than daily inspections performed by the driver.

4. How is it determined when the buses are due for service? Computerized system or calculated manually?

CH. 14-90.004 (h)(4)(c) stipulates:

(c) That proper preventive maintenance is performed when a bus is assigned away from the system's regular maintenance facility, or when maintenance services are performed under contract.

5. Is any maintenance outsourced? YES or NO

If "YES," please explain and record additional information in Question 6?

15. What is the procedure for cleaning the interior of the vehicle fleet?

15a. Who is responsible?

15b. How often does this occur?

16. When incidents occur during service that include bodily fluids, are there policies in place to ensure the vehicle is sanitized before returning to service? Please explain.

CH. 14-90.006(7) stipulates that:

(7) Bus transit systems shall require preoperational or daily inspection and reporting of all defects and deficiencies likely to affect safe operation or cause mechanical malfunctions.

17. During the driver's pre-trip inspection, is there a procedure in place if a safety defect is found?

CH. 14-90.006 (7)(a)(1-12) stipulates that:

(a) An inspection or test shall be made of the following parts and devices to ascertain that they are in safe condition and in good working order:

22. At a minimum, the driver’s Pre-trip Inspection Form must ensure that specific vehicle components are safe for operation. Does the form identify and record the condition of the following items?

Vehicle Component(s)	Yes	No
Service Brakes		
Parking Brakes		
Tires & Wheels		
Steering		
Horn		
Lighting Devices		
Windshield Wipers		
Rear Vision Mirrors		
Passenger Doors		
Exhaust System		
Equipment for Transporting Wheelchairs		
Safety, Security, and Emergency Equipment		

CH. 14-90.006 (7)(b) stipulates that:

(b) Bus transit systems shall review daily inspection reports and document corrective actions taken as a result of any deficiencies identified by daily inspections.

23. If a safety defect was found on a driver's Pre/post-trip Inspection Form during the review of the form, what is the procedure to ensure the defect is repaired before the bus returns to service?
24. After the defect is repaired, how is the repair verified on the Pre-trip Inspection Form? Check which of the following applies.
- Pre-Trip Inspection Form is signed and dated by the person conducting the repair.***
 - Repair Order is attached to the pre-trip inspection form***

Please provide any additional notes as necessary.

CH. 14-90.006 (7)(c) stipulates that:

(c) Bus transit systems shall retain records of daily bus inspections and any corrective action documentation a minimum of two weeks.

25. How long are the driver's Pre/post-trip Inspection Forms kept on file?

VEHICLE and FILE REVIEW

26. How are files stored?

Files are located in: File folders _____ Binders _____ Other _____

27. What are the date ranges of files?

Date range of files reviewed: _____

28. Where are archived files kept?

Archived files are kept _____ for _____ years.

Notes on files:

Notes on vehicle condition:

EXIT INTERVIEW

Date(s) of Exit Interview:	
Interviewer(s)	

The following individuals participated in the exit interview.

Interviewee	Title/Position	Date if different than above

TOP OPERATIONAL REVIEW

1. Does the plan include a description of the subrecipient's procedures for ensuring drivers have valid drivers' licenses? Does the plan include a description of how they complete background checks on drivers? Is the subrecipient following their adopted plan/procedures?

2. Does the plan include a description on how the subrecipient provides driver training? Does the plan describe any refresher training provided? How to handle emergency situations?

3. Does the plan include the subrecipient's Drug Free Workplace statement? Is the Drug Free Workplace statement posted at the facility?

4. Does the plan include a description of how the subrecipient monitors drivers' hours so the hours don't exceed the maximum work hour periods? Are driver hours being monitored according to the plan?

5. Does the plan include a description of how the subrecipient tracks vehicle accidents? Does it describe the accident investigative process? Review vehicle accident files to determine there are any trends related to driver training?

END OF GUIDE

