



Regional Transportation Authority (RTA)

Program Management Plan

**Federal Transit Administration (FTA)
5316 Job Access Reverse Commute (JARC) and
5317 New Freedom Programs**

November 2014

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Exhibits

- Exhibit A-Coordinated Public Transit- Human Services Transportation Plan
- Exhibit B-Federal Fiscal Year 2008 Programs Guide and Application
- Exhibit C-Summary of Outreach Efforts
- Exhibit D-Compliance Review Report

1.0 INTRODUCTION

This Program Management Plan (PMP) describes the Regional Transportation Authority's (RTA) policies and procedures for administering the Federal Transit Administration (FTA) Section 5316 Job Access and Reverse Commute (JARC) and Section 5317 New Freedom programs. The PMP will be specifically incorporated by reference and made a part of every Technical Services Agreement (TSA) between the RTA and any subrecipient of JARC and New Freedom funds.

The Governor of Illinois designated the RTA to receive and dispense FTA Section 5316 and 5317 funds. RTA as the designated recipient is responsible for overseeing and administering the JARC/NF Programs in northeast Illinois that includes the seven counties of Cook, DuPage, Kane, Lake, McHenry, Will, and the urban portion of Kendall. RTA's responsibility with regard to Kendall County is limited to that of the designated recipient for the JARC and New Freedom Programs.

The PMP facilitates RTA's management and administration of the JARC and the New Freedom Programs in accordance with federal requirements, serves as a JARC/New Freedom Programs guide to the general public and prospective applicants and will assist FTA in its oversight responsibilities by documenting RTA's procedures and policies for administering these programs.

2.0 OVERVIEW OF THE REGIONAL TRANSPORTATION AUTHORITY

The Illinois State Legislature created the Regional Transportation Authority (RTA) in 1974 to provide public transportation in the six counties of Cook, DuPage, Kane, Lake, McHenry, and Will Counties. The RTA, governed by a 16 member Board, is responsible for fiscal planning and policy oversight of public transportation in the six county RTA region. The actual operation of transit services is the responsibility of the RTA's service boards; the Chicago Transit Authority (CTA), the Commuter Rail Division (Metra), and the Suburban Bus Division (Pace).

3.0 THE COORDINATED PUBLIC TRANSIT – HUMAN SERVICES TRANSPORTATION PLAN

The Safe, Accountable, Flexible, Efficient Transportation Act, a Legacy for Users (SAFETEA-LU) was enacted in August 2005 and provides funding for Federal surface transportation programs through FFY 2009. In accordance with the planning regulations of SAFETEA-LU the RTA developed The Coordinated Public Transit – Human Services Transportation Plan (HSTP) for the northeast Illinois region. It covers three specific funding programs; Section 5310 Elderly and Individual with Disabilities, Section 5316 JARC and Section 5317 New Freedom. The HSTP, adopted by the RTA Board in October 2007, is included as Exhibit A of this document.

To help guide the development of the HSTP a Project Advisory Committee (PAC) of regional stakeholders including the Chicago Metropolitan Agency for Planning (CMAP), the Illinois Department of Transportation (IDOT), the three RTA Service Boards, the counties and representatives of the elderly, low income, and persons with disabilities was formed and staffed by the RTA. For a listing of the PACs membership, please see page A-4 of the HSTP. The PAC provided considerable input into the HSTP including the policies that underlie the administration of the Programs. The contributions of the PAC were supplemented by the

input received through an extensive outreach program that included workshops, focus groups, and a project web site. The HSTP outreach activities are documented on pages A-38 through A-48 of the HSTP.

The HSTP builds upon the existing coordination plans in the region and those that are still under development. The HSTP identifies and recommends regional and local strategies that encourage the most effective use of available community service providers to enhance the mobility of the region's older adults, persons with disabilities, and individuals with lower incomes - the three segments of the population for whom these particular transportation programs serve.

The HSTP also delineates the competitive selection process utilized by the RTA and serves as the foundation for developing the annual JARC and New Freedom Program of Projects (POP). The competitive selection process is further described in Sections 4.6 and 4.7 of this document. The HSTP is also utilized by the Illinois Department of Transportation to help evaluate applications submitted by eligible private non-profit agencies of northeast Illinois who are seeking assistance from the Section 5310 Elderly and Individual with Disabilities Program.

4.0 PROGRAMS GUIDELINES

The Program Management Plan (PMP) is the document that describes the designated recipient's policies and procedures for administering FTA's JARC and New Freedom Programs. RTA will use its PMP to designate program objectives, policies, procedures and administrative requirements. FTA will review and approve the PMP. It will be kept on file with the FTA regional office and updated regularly to incorporate any changes in program guidelines or new requirements. The PMP will also be reviewed by the FTA as part of its triennial review of the RTA.

4.1 Programs Goals and Objectives

The RTA Programs goals are to:

- Meet the federal requirements associated with receiving FTA funding sections 5310, 5316 and 5317.
- Develop projects that encourage local coordination efforts.
- Facilitate an uninterrupted flow and appropriate level of JARC and New Freedom program funding to the region by ensuring that the HSTP fully complies with the SAFTEA-LU regulations and with the spirit and intent of the JARC and New Freedom Programs.
- Establish a framework by which proposed projects requesting JARC and/or New Freedom program funding can be solicited, evaluated and (within the constraints of the funding available for the region) funded through a competitive selection process that is fair and equitable.

In this context fair and equitable refers to "equitable distribution" as defined by FTA to mean "equal access to, and equal treatment by, a fair and open competitive process" and that the result of such a process "may not be an 'equal' allocation of resources among projects or communities". FTA guidance also states that it is possible that some areas may not receive any funding at the conclusion of the competitive selection process.

- Ensure that all components of the Plan/Programs have benefited from a comprehensive

public involvement effort that has effectively reached out to public, private, and non-profit transportation providers, human services providers and other stakeholders representing persons with disabilities, older adults, and persons with low income, and the general public.

- Encourage not only coordination among services supported by JARC and/or New Freedom program funding, but also coordination among the broad array of community transportation services in the seven-county region.

4.2 Roles and Responsibilities

4.2.1 Federal Transit Administration (FTA)

The FTA has, through its Region V Office in Chicago, federal oversight responsibilities over local public and specialized transportation assistance programs. Regional responsibilities include reviewing and approving grant applications, program management plans, and grant management activities.

4.2.2 Regional Transportation Authority (RTA)

The RTA is the designated recipient and is responsible for overseeing and administering the JARC/NF Programs in northeast Illinois including the development of an annual Program of Projects. In this capacity, the RTA also solicits applications, reviews and selects applications for funding, approves the POP, and submits the POP with the grant applications to FTA. In addition, the RTA distributes grant funds, conducts program planning, certifies the eligibility of applicants and project activities, monitors project activity for compliance with federal requirements, monitors usage of program assets by grantees, and oversees project audit and close-out. The RTA also provides ongoing technical assistance to subrecipients/subgrantees and prospective subrecipients.

RTA is responsible for developing the HSTP and for certifying that the Section 5316 and 5317 projects awarded funding were derived from the HSTP. The RTA also staffs the HSTP Project Advisory Committee (PAC) and the Selection Review Committee (SRC). The SRC is the committee responsible for conducting the technical evaluation of project submittals in accordance with the HSTP.

4.2.3 RTA Service Boards: CTA, Metra, and Pace

The three service boards: CTA, Metra, and Pace are responsible for public transit operations in the RTA six county northeast Illinois region.

Chicago Transit Authority (CTA) – CTA operates buses as well as subways and elevated rapid transit primarily within the City of Chicago and forty surrounding suburbs. The CTA operates 1,190 rail cars over eight routes and 222.6 miles of track, and has approximately 2,100 buses that provide service on 154 accessible fixed routes.

Metra – Metra is the commuter rail division of the RTA. It operates 11 fully-accessible rail lines that serve over 240 stations throughout the six-county area of Northeast Illinois.

Pace – Pace is the suburban bus division of the RTA. Pace is responsible for providing fixed route bus service in the RTA's six county region primarily outside of CTA's service area. Pace is also responsible for providing ADA paratransit services throughout the region and the Taxi Access Program (TAP) in Chicago.

The three Service Boards are eligible to be the direct recipient of awards from the Section 5316 and 5317 Programs. In addition, representatives from each Service Board serve on the HSTP PAC. The Service Boards have also made themselves available to partner with organizations, within the RTA region, that may not have the institutional capacity to meet the responsibilities of implementing a federally funded project on their own. Each Service Board has designated a staff person that interested parties may contact to explore partnering possibilities. Contact information is included in the RTA JARC/New Freedom Application.

The service boards have entered into supplemental agreements with the RTA to become fully responsible for specific subrecipient/subgrantees under the JARC and New Freedom Programs. These supplemental agreements will be amended as appropriate to accommodate subsequent awards to the service boards. These agreements release the RTA from any liability under the program grant agreements.

4.2.4 Illinois Department of Transportation (IDOT)

The Illinois Department of Transportation (IDOT) is the designated recipient of FTA Section 5310 funds and remains the agency responsible for that program. IDOT is also responsible for the JARC and New Freedom Programs in the rural portions of Kendall County. IDOT is a member of the HSTP PAC and a member of the SRC.

4.2.5 Urban Transportation and Land Use Planning Agencies

The Chicago Metropolitan Agency for Planning (CMAP) integrates planning for land use and transportation within the seven counties of northeast Illinois. Formed in 2005, CMAP combined the region's two previously separate transportation and land-use planning organizations – Chicago Area Transportation Study (CATS) and the Northeastern Illinois Planning Commission (NIPC) – into a single agency. CMAP is developing strategies to address this region's serious growth issues and its implications for transportation, housing, economic development, open space, the environment, and natural resources. CMAP also staffs the MPO Policy Committee, which is designated by the governor of Illinois and northeast Illinois local officials as the region's Metropolitan Planning Organization (MPO).

CMAP has established a four-level committee structure to help carry out the functions of the agency. Two of these committees, Human Services and Transportation, also have specific roles with regard to the JARC and New Freedom Programs within the framework of their respective missions. The Human Services Committee is made up of human service providers and advocates for older adults, persons with disabilities, and individuals with lower incomes. The Human Services committee is charged with providing advisory input to the CMAP board on proposed regional plans, projects, and policies from a human services based perspective. The RTA consults with this committee on the JARC and New Freedom Programs. The Human Services Committee played an integral role in the development of the HSTP.

The CMAP Transportation Committee is charged with promoting a regional transportation system that is safe, efficient, and accessible while sustaining the region's vision related to the natural environment, economic and community development, social equity, and public health. The Transportation Committee includes public and private transportation providers, IDOT, representatives of municipalities and the counties of northeast Illinois. The Transportation Committee is also responsible for recommending projects for inclusion in the region's long-range plan and the region's Transportation Improvement Program.

Once a recommended POP is developed, it is submitted to the CMAP Human Service Committee, CMAP Transportation Committee, and Policy Committee for endorsement. The endorsement is advisory in nature and is considered by the RTA Board when it makes a final decision on approving a POP. Two CMAP staff members also serve on the SRC. In addition, RTA has adopted the public participation requirements of the MPO in accordance with FTA C 9030.1C Chapter V, Section 6f; which states:

“Just as Federal transit law requires the grant applicant to include the public in development of the program of projects, so do Federal transit law and joint FHWA/FTA planning regulations governing the metropolitan planning process require a locality to include the public and solicit comment when the locality develops its metropolitan long-range (20-year) plan and its (3-year) metropolitan transportation improvement program. Accordingly, FHWA and FTA have decided that when a grant applicant follows the procedures of the public involvement process outlined in the FHWA/FTA planning regulations, the grant applicant satisfies the public participation requirements associated with development of the program of projects that grant applicants for Urbanized Area Formula Program funds must meet. See 23 C.F.R. Part 450 and 49 C.F.R. Part 613 (specifically Subpart B, "Statewide Transportation Planning," and Subpart C, "Metropolitan Transportation Planning and Programming"). The public involvement process is described at 23 C.F.R. Section 450.316(b).”

4.2.6 HSTP Project Advisory Committee

As noted previously, this committee of regional stakeholders was formulated with an initial mission to help formulate the HSTP; its members include the Chicago Metropolitan Agency for Planning (CMAP), the Illinois Department of Transportation (IDOT), the three RTA Service Boards, the northeast Illinois counties, and representatives of the elderly, low income, and persons with disabilities. Since the completion of the HSTP it has served as an advisory body focusing on the ongoing implementation of the JARC and New Freedom programs.

4.3 Coordination

The RTA, in addition to its ongoing consultations with its planning partners and its participation in the regional planning process described above, will use the HSTP as a fundamental tool to enhance coordination in the region. In accordance with the HSTP, IDOT, with the assistance of RTA, is now utilizing the HSTP to help select projects for FTA 5310 funding in northeast Illinois. Further, RTA's Community Planning program (formerly the Regional Technical Assistance Program) provides funding and technical assistance throughout the region for local planning initiatives that often center on the implementation of coordination strategies. Currently, there are several projects on the county and municipal level under development that will address coordination through the strategies suggested by the HSTP. In addition, project selection criteria for the JARC and New Freedom Programs evaluate and award points based on coordination.

4.4 Eligible Subrecipients

Entities considered eligible under federal guidelines for the JARC and New Freedom Programs are eligible for funding in northeast Illinois. Eligibility requirements are no more restrictive than the Federal eligibility requirements. The RTA, however, is continuing the practice of encouraging prospective applicants, which may not have the resources to assume the responsibilities of a subrecipient, to consider partnering with an RTA Service Board when the proposed project is within the RTA six-county area. A successful partnering approach

eases the administrative burden on the smaller or inexperienced agency, while allowing the public transit operator and partnering agency to pool their expertise to develop a successful project.

The RTA is also responsible for entering into supplemental agreements with the RTA Service Boards: Chicago Transit Authority, Metra, and Pace that are eligible to be direct recipients. As such these direct grantees will become directly responsible for their subgrantees.

4.5 Local Policy Requirements

4.5.1 Local Share and Local Funding Requirements

RTA has decided to be more restrictive than federal guidelines with regard to the use of non-cash or soft match for JARC and New Freedom projects. RTA is allowing non-cash or soft match only for volunteer transportation program activities, physical improvements, computer hardware, and computer software.

Restricting the use of non-cash match to certain activities is designed to be consistent with and supportive of the developing sustainable projects, a policy that has been strongly supported by the PAC. Obtaining the local cash match for a project in its initial stages, combined with other forms of local support is thought to be a strong indicator of the potential sustainability of the project and thereby is encouraged by this policy.

Non-cash match in accordance with federal guidelines may be provided either through donations, volunteer services and in-kind contributions or through the use of toll credits. The RTA has elected to permit the use of toll credits as a method to supply the local match because only minimal administrative requirements are associated with their use as compared to meeting the requirements of documenting in-kind services.

4.5.2 Policy on Vehicle Purchasing

Vehicle purchases are limited to mini-vans and light duty paratransit vehicles with lifts as defined by the Illinois Department of Transportation's CY 2008 Paratransit Vehicle Catalogue. Non-Service Board subrecipients that are not partnered with a Service Board will only be allowed to purchase vehicles through IDOT's Consolidated Vehicle Procurement Program (CVP).

4.6 Project Selection Criteria and Method of Distributing Funds

The HSTP focused on developing criteria and a process that met federal guidelines and the objectives of the HSTP. The project selection criteria and method of distributing funds were included and detailed in Exhibit A Section 4.4 of the HSTP.

The HSTP embodies the collective wisdom of the PAC and input received from all population segments including the target populations. The resulting approach is process orientated, providing equal access to all while taking into account minority populations, Limited English Proficiency (LEP) populations and the core target populations of the JARC and New Freedom Programs.

The HSTP was adopted by the RTA Board in October 2007 and lays out strategies for addressing the mobility needs of the programs' three target populations. Among the specific

products of the plan are broad based strategies designed to identify and assist current and potential service providers in the development of these specialized transportation services. Projects selected for the POP will draw upon the broad based strategies included in the HSTP.

Consistent with establishing and maintaining an open and transparent process, the RTA's policy is to disseminate information and provide technical assistance to the maximum extent possible. Prospective applicants and the public are provided information on goals, eligible projects and activities, eligible applicants, selection criteria, timetables, description of the SRC, available funding, local match guidelines, and the performance-monitoring program. This information is made available and disseminated through a variety means:

- General marketing through newspaper advertisements including those that primarily serve minority populations and populations of LEP.
- An extensive database compiled by CMAP and RTA is utilized to notify over 3,000 individuals and organizations of the Call for Projects. The database includes organizations and contacts compiled as part of the HSTP process and the development of the regions long range comprehensive Plan.
- An open house for prospective applicants is conducted as part of each call for projects where participants can meet with staff to address any relevant issues they may have or to arrange for additional consultations.
- The selection process utilizes evaluation criteria that were developed as a part of the HSTP process with significant input from the HSTP PAC.
- All applications received and the final approved POP are published on the program website rtachicago.com/jarcnf.
- The RTA invites each unsuccessful applicant to a separate debriefing session designed to assist the applicant in understanding why a particular project was not chosen and to help RTA gain insights on how the process may be improved.
- The application includes comprehensive background information on the program as well as detailed instructions to assist applicants with the process.

The criteria and methods for scoring the projects are designed to affirm project eligibility of the submitted projects and to gauge the relative strengths of the projects with respect to consistency with the HSTP, project readiness and ability to implement, sustainability, severity of need, and efficiency. The evaluation and scoring of the projects is conducted by the SRC. The projects are ranked from the highest to the lowest based on the average of scores received.

The most recent Application and Criteria Guide is included as Exhibit B. The application includes detailed background information and instructions for interested parties and the criteria guide relates the individual criterion to the specific questions relevant to that criterion in the application.

While this Application and Criteria Guide is subject to revision with each subsequent funding round and call for projects, it is expected to be a fair representation of any application that will be utilized in subsequent call for projects. In accordance with the HSTP, the RTA in consultation with the CMAP Human Services Committee and the HSTP PAC will review and revise the criteria based on lessons learned during the previous project selection process.

4.7 Annual Program of Projects Development and Approval Process

Once the recommended POP is developed by the SRC, it will be presented to CMAP for endorsement as described in Section 4.2.5. After that endorsement is received, the RTA Board will consider for approval the recommended POP. Finally, the application will be submitted to FTA for approval.

The tentative schedule for the current Call for Projects Follows:

<u>Date</u>	<u>Milestone</u>
June 27, 2008	Call for Projects Program Website rtachicago.com/jarcnf launched
July 10, 2008	Program Open House
August 8, 2008	Applications Due
September 15, 2008	Proposed POP released for Public Comment with consent of RTA Board
September 2008	CMAP Endorsements of Recommended POP
October 23, 2008	RTA Board Adoption of FFY 2008 POP

Upon the initiation of a call for projects all pertinent materials regarding the selection of projects will be published on the rtachicago.com/jarcnf web site. The FFY 2009 Call for Projects is anticipated to be conducted in the spring of 2009.

4.8 Administration, Planning and Technical Assistance

The RTA is limiting the use of the funding available for administration, planning and technical assistance to those funds required for the development of the HSTP and to address program compliance issues including the funding of required audits. The RTA is further limiting funding for these purposes to a maximum of 10% of the total fiscal year apportionment of Section 5316 and 5317 to this region. As noted in Section 4.4, the RTA's Community Planning program provides technical assistance to municipalities and other local governments throughout the region. Additionally, with respect to the JARC and New Freedom Programs the RTA will provide technical assistance to prospective applicants through the Programs' web site, in person at the Open Houses, through the Programs' web site, by phone and on-site as needed.

4.9 Transfer of Funds

The RTA does not have any plans for transfer of funds.

4.10 Private Sector Participation

The RTA, through the public outreach efforts specific to the HSTP planning process, has kept the private sector apprised of opportunities relative to the Programs. As noted previously, both the CMAP Human Services and Transportation Committees have representatives of both private for profit and private non-profit companies and agencies.

4.11 Civil Rights

The RTA agrees to comply with all applicable civil rights statutes and implementing regulations including, but not limited to, the following:

a. Nondiscrimination in Federal Transit Programs. The recipient agrees to comply, and assures the compliance of each third party contractor at any tier and each subrecipient at any tier under the Project, with the provisions of 49 U.S.C. 5332. These provisions prohibit discrimination on the basis of race, color, religion, national origin, sex, age, and disability, and prohibit discrimination in employment or business opportunity.

b. Nondiscrimination on the Basis of Disability. The recipient agrees to comply, and assures the compliance of each third party contractor and each subrecipient at any tier of the project, with the applicable laws and regulations, discussed below, for nondiscrimination on the basis of disability.

(1) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), prohibits discrimination on the basis of disability by recipients of Federal financial assistance.

(2) The ADA, as amended (42 U.S.C. 12101 et seq.), prohibits discrimination against qualified individuals with disabilities in all programs, activities, and services of public entities, as well as imposes specific requirements on public and private providers of public transportation.

(3) DOT regulations implementing Section 504 and the ADA include 49 CFR parts 27, 37, 38 and 39. Among other provisions, the regulations specify accessibility requirements for the design and construction of new transportation facilities and vehicles; require that vehicles acquired (with limited exceptions) be accessible to and usable by individuals with disabilities, including individuals using wheelchairs; require public entities (including private entities “standing in the shoes” of a public entity as a subrecipient or under a contract or other arrangement) providing fixed-route service to provide complementary paratransit service to individuals with disabilities who cannot use the fixed-route service; and include service requirements intended to ensure that individuals with disabilities are afforded equal opportunity to use transportation systems.

(4) Providers of demand responsive service must utilize accessible vehicles, as defined at 49 CFR 37.7 or meet the applicable equivalent service standard. For private and public entities, the service must be equivalent in regards to schedules, response times, geographic areas of service, hours and days of service, availability of information, reservations capability, constraints on capacity or service availability, and restrictions based on trip purpose.

(5) Providers of fixed route service must generally utilize accessible vehicles. Private entities may utilize non-accessible vehicles if they can provide equivalent service in terms of schedules and headways, in addition to the equivalent service requirements described above for demand responsive service. Public entities must also provide complementary paratransit service to fixed route service as defined in 49 CFR 37.121.

(6) In addition, recipients of any FTA funds should be aware that they also have responsibilities under Titles I, II, III, IV, and V of the ADA in the areas of employment, public services, public accommodations, telecommunications, and other provisions, many of which are subject to regulations issued by other Federal agencies.

c. Nondiscrimination—Title VI. The RTA agrees to comply, and assures the compliance of each third party contractor and each subrecipient at any tier of the Project, with all of the following requirements under Title VI of the Civil Rights Act of 1964 (1) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et seq.), provides that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance;

(1) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et seq.), provides that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance

(2) U.S. DOT regulations, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act,” 49 CFR part 21;

(3) FTA Circular 4702.1B “Title VI Requirements and Guidelines for Federal Transit Administration Recipients.” This document provides FTA recipients and subrecipients with guidance and instructions necessary to carry out DOT Title VI regulations (49 CFR part 21), and DOT Policy Guidance Concerning Recipient’s Responsibilities to Limited English Proficient (LEP) Persons (70 FR 74087, Dec. 14, 2005);

(4) U.S. DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons (December 14, 2005). This guidance clarifies the responsibilities of recipients of Federal financial assistance from DOT and assists them in fulfilling their responsibilities to LEP persons, pursuant to Title VI of the Civil Rights Act of 1964 and Executive Order 13166.

(5) FTA Circular 4703.1 “Environmental Justice Policy Guidance for Federal Transit Administration Recipients.” This document provides FTA recipients and subrecipients with guidance and instructions necessary to carry out U.S. DOT Order 5610.2 to Address Environmental Justice in Minority Populations and Low-Income Populations, and Executive Order 12898 on Environmental Justice that describes the process that the Office of the Secretary of Transportation and each operating administration will use to incorporate environmental justice principles into existing programs, policies, and activities.

(6) U.S. DOT Order to Address Environmental Justice in Minority Populations and Low-Income Populations. DOT Order 5610.2 describes the process that the Office of the Secretary of Transportation and each operating administration will use to incorporate environmental justice principles (as embodied in Executive Order 12898 on Environmental Justice) into existing programs, policies, and activities;

d. Equal Employment Opportunity. The RTA agrees to comply, and assures the compliance of each third party contractor and each subrecipient at any tier of the project, with all equal employment opportunity (EEO) requirements of Title VII of the Civil Rights Act of 1964, as amended, (42 U.S.C. 2000e), and with 49 U.S.C. 5332 and any implementing regulations DOT may issue.

e. Nondiscrimination on the Basis of Sex. The RTA agrees to comply with all applicable requirements of Title IX of the Education Amendments of 1972, as amended, (20 U.S.C. 1681 *et seq.*), with DOT implementing regulations, “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance,” 49 CFR part 25.

f. Nondiscrimination on the Basis of Age. The RTA agrees to comply with all applicable requirements of the Age Discrimination Act of 1975, as amended, (42 U.S.C. 6101 *et seq.*), and Department of Health and Human Services’ (DHHS’) implementing regulations, “Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance,” (45 CFR part 90), which prohibit discrimination against individuals on the basis of age. In addition, the recipient agrees to comply with all applicable requirements of the Age Discrimination in Employment Act (ADEA), 29 U.S.C. 621 through 634, and Equal Employment Opportunity Commission (EEOC) implementing regulations, “Age Discrimination in Employment Act” (29 CFR part 1625), which prohibit employment discrimination against individuals on the basis of age.

g. Disadvantaged Business Enterprise (DBE). To the extent required by Federal law, regulation, or directive, the RTA agrees to take the following measures to facilitate participation by DBEs:

(1) The RTA agrees and assures that it will comply with MAP-21 Section 1101(b) (23 U.S.C. 101 note), which directs the Secretary of Transportation to expend not less than 10 percent of authorized federal funds with DBE’s. This 10 percent national goal is aspirational and is used by the Department of Transportation to help monitor and evaluate DBE participation in DOT assisted contracting opportunities.

(2) The RTA agrees and assures that it will comply with DOT regulation, “Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs,” 49 CFR part 26. Among other provisions, this regulation requires certain recipients of DOT Federal financial assistance, namely State and local transportation agencies, to establish goals for the participation of disadvantaged entrepreneurs and certify the eligibility of DBE firms to participate in their DOT-assisted contracts.

(3) The RTA agrees and assures that it shall not discriminate on the basis of race, color, sex, or national origin, in the award and performance of any third party contract, or sub-agreement supported with Federal assistance derived from DOT, or in the administration of its DBE Program, and will comply with the requirements of 49 CFR part 26. The recipient agrees to take all necessary and reasonable steps set forth in 49 CFR part 26 to ensure nondiscrimination in the award and administration of all third party contracts and sub-agreements supported with Federal assistance derived from DOT. As required by 49 CFR part 26 and approved by DOT, the recipient’s DBE Program is incorporated by reference and made part of the Grant Agreement or Cooperative Agreement. The recipient agrees that implementation of this DBE Program is a legal obligation, and that failure to carry out its terms shall be treated as a violation of the Grant Agreement or Cooperative Agreement. Upon notification by DOT to the recipient of a failure to implement its approved DBE Program, DOT may impose sanctions as provided for under 49 CFR part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001, and/or the Program Fraud Civil Remedies Act, (31 U.S.C. 3801 *et seq.*).

4.11.1 Subrecipient and Subgrantee Monitoring

Any grantee under FTA programs is required to comply with all applicable Federal civil rights statutes and with the implementing regulations for the statutes. FTA implements the Civil Rights Act of 1964 by prohibiting discrimination under projects, programs or activities receiving financial assistance because of race, color, creed, national origin, sex or age. The laws include: Title VI of the Civil Rights Act of 1964, Equal Employment Opportunity, Disadvantaged Business Enterprise and Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA).

The requirements for Civil Rights compliance are extended to subrecipients. Subrecipient assurances under Title VI and the other civil rights requirements are included in the application for assistance, in the required Annual Certifications and Assurances and in the contract with RTA. Subrecipient grantees are also required to identify any lawsuits or complaints alleging discrimination in service filed with the grantee. Civil rights monitoring will concentrate on how the grantee is providing service. Title VI also assures that funds are passed through to subrecipients and their project without regard to race, color, or national origin.

Subrecipient grantees receiving more than \$1,000,000 in Federal funds in the previous Federal fiscal year or employing 50 or more employees are required to develop and submit an EEO program to the RTA. EEO programs are developed to ensure that FTA applicants, recipients, subrecipients, contactors, and/or subcontractors will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, or handicap. Actions covered include but are not limited to hiring, promotion or upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination, disciplinary actions, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

EEO signs need to be posted in conspicuous places, such as an employee break room, and made available to employees and applicants. Subrecipient grantees receiving less than the above amount and employing fewer people need only to post information in their offices.

Grantees receiving more than \$250,000 in Federal funds, exclusive of rolling stock, must have DBE plans on file with the RTA. Periodic reports on plan compliance are required. Grantees receiving less than the threshold level must still make good faith efforts to utilize DBEs and must submit periodic reports on these efforts. Subrecipients with an FTA approved DBE program shall be responsible for including all data relative to expenditures of FTA funds, no matter the intermediate source, in required DBE-related FTA submissions, including those funds utilized as a sub-recipient of an FTA grant to the RTA. This provision applies to subgrantees at any tier. The RTA shall receive copies of all such reports.

Prior to any site visits, the RTA provides subrecipients with a check list indicating the areas to be reviewed. This check list includes the DBE-related areas to be monitored and discussed during the visit, if applicable.

4.12 Section 504 and ADA Reporting

The RTA agrees to comply with the requirements of 49 U.S.C. § 5301 (d), which state the federal policy that elderly individuals and individuals with disabilities have the same right as

other individuals to use public transportation services and facilities, and that special efforts will be made in planning and designing those services and facilities to implement transportation accessibility rights for elderly individuals and individuals with disabilities. The RTA also agrees to comply with all applicable provisions of section 504 of the Rehabilitation Act of 1973, as amended, with 29 U.S.C. § 794 which prohibits discrimination on the basis of disability and with the Americans with Disabilities Act of 1990 (ADA), as amended, 42 U.S.C. §§ 12101 et seq., which requires that accessible facilities and services be made available to individuals with disabilities, and any subsequent amendments to these laws. Finally, the RTA agrees to comply with applicable laws in implementing federal regulations and directives and any subsequent amendments thereto.

The RTA has a number of persons on staff who are experts in the requirements of the ADA. The RTA provides eligibility determination for ADA paratransit service, issues reduced fare passes to qualified persons and offers travel training to persons with disabilities to assist them with using mainline transit provided by the transit agencies in the region. These staff persons work on a regular and consistent basis with the elderly and disabled community in the region as well as the current service provider of paratransit services. Their expertise will be utilized to assist with the required compliance and monitoring as needed.

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of handicap by recipients of Federal financial assistance. Recipients of FTA funds are required to make special efforts to provide transportation that is accessible to individuals with disabilities. The Americans with Disabilities Act of 1990 imposed specific requirements on both public and private providers of public transportation. ADA requires that equivalent services be provided to meet the needs of individual. The facility and vehicles of the grantee will be reviewed under the Maintenance and Continuing Control area. Under the civil rights area the review will concentrate on whether the grantee is providing accessible service to all persons with disabilities.

5.0 CONTRACTS AND FINANCIAL MANAGEMENT

5.1 Third Party Contracting

This section applies to all RTA grantees that contract with outside sources under the JARC and New Freedom Programs. If a grantee accepts operating assistance, the requirements of this manual apply to all third party purchase orders and contracts.

5.2 Grantees

The grantee is the entire legal entity even if only a particular component of the entity is designated in the grant agreement and other documents. For the purposes of this Third Party Contracting guidance, "grantee" also includes any subcontractor of the grantee. Furthermore, the grantee is responsible for assuring that its subcontractors comply with the requirements and standards of this manual, and that subcontractors are aware of requirements imposed upon them.

When procuring property and services a grantee will follow the same procurement policies and procedures that it uses for procurements using non-RTA awarded funds providing those procedures do not contradict or lower the minimum contracting requirements of this section.

Grantees must, as a minimum, comply with the requirements of this section and ensure that every purchase order and contract executed by it or a subcontractor using RTA provided funds includes all clauses required by federal statutes and executive orders and their implementing regulations.

5.3 Operators and Providers as Subcontractors

Subcontractors of grantees acting as either an operator or provider, which are institutions, hospitals or other nonprofit organizations, will administer contracts in accordance with these Third Party Contracting guidelines.

5.4 Policy

RTA's and FTA's role in grantee procurements is reflective of Executive Order 12612, Federalism, (provisions of Executive Order 12612 of Oct. 26, 1987, appear at 52 FR 41685, 3 CFR, 1987 Comp., p. 252) which directs federal agencies to refrain from substituting their judgment for that of their grantees unless the matter is primarily a federal concern and to defer, to the maximum extent feasible, to the grantees to establish standards rather than setting national standards. However, to ensure compliance with federal procurement requirements, RTA makes guidance and technical assistance accessible to its grantees consistent with oversight responsibilities delegated to RTA by agreements with FTA.

5.5 Procurement

The RTA is required to perform reviews of subrecipients in carrying out grant programs with specific reference to their compliance with statutory and administrative requirements. Accordingly, RTA will review subrecipient procurement policies when a subrecipient plans to pursue a procurement subject to its grant agreement with the RTA. The review shall establish whether the subrecipient's procurement procedures conform with federal regulations, if not, RTA will require the subrecipient to follow procedures as approved by RTA in accordance with federal regulations.

5.6 Contract Clauses and Provisions

The RTA's Technical Services Agreement, herein after referred to as the grant agreement, lists all RTA and other state and federal requirements applicable to RTA's grantees. The grant agreement will incorporate this document by reference. Many of these requirements are related to grantee procurements. Grantees are advised to consult the grant agreement for additional guidance and requirements.

5.7 Standards

The following minimum procurement standards to be attained in the conduct of an RTA assisted grant are provided so as to facilitate a grantee's cursory review of the required provisions and practices of Third Party Contracting as implemented by grantees. For a more thorough description of the contractual obligations applicable to grantees, applicants are advised to consult the specific terms of the grant agreement.

5.7.1 Contract Administration System

Grantees shall maintain a contract administration system that ensures that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

5.7.2 Written Standards of Conduct

Grantees shall maintain a written code of standards governing the conduct and performance of their employees engaged in the award and administration of contracts. No employee, officer, agent, immediate family member, or board member of the grantee shall participate in the selection, award, or administration of a contract supported by RTA funds if a conflict of interest real or apparent would be involved. Such a conflict would arise when an employee, officer, agent, or board member; any member of his/her immediate family, and/or partner, or an organization that employs, or is about to employ, any of the above has a financial or other interest in the firm selected for award. Moreover, the grantee's officers, employees, agents, or board members will neither solicit nor accept gifts, gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to subagreements.

Grantees may set minimum rules where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value. To the extent permitted by grantee or local law or regulations, such standards of conduct will provide for penalties, sanctions, or other disciplinary action for violation of such standards by the grantee's officers, employees, or agents, or by contractors or their agents.

5.7.3 Ensuring Most Efficient and Economic Purchase

Grantee procedures shall provide for a review of proposed procurements to avoid purchase of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach.

5.7.4 Intergovernmental Procurement Agreements

To foster greater economy and efficiency, grantees are encouraged to enter into intergovernmental agreements for procurement or use of common goods and services. The requirements and standards of this manual apply to procurements entered into under such agreements using RTA funds. An example of such an intergovernmental agreement is the State of Illinois' Consolidated Vehicle Procurement (CVP) program whereby local governments in addition to RTA grantees are eligible to purchase vehicles under a state contract administered by the Illinois Department of Central Management Services.

5.7.5 Use of Value Engineering in Construction Contracts

Grantees are encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lowest cost.

5.7.6 Awards to Lowest Responsive, Responsible Contractor

Grantees shall only consider bids and proposals from responsive contractors meeting the minimum submittal requirements of the Invitation for Bids. Of those submittals deemed

responsive, grantees shall only consider bids and proposals from responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. In determining responsibility, consideration shall be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

5.7.7 Written Record of Procurement History

Grantees shall maintain records detailing the history of a procurement. At a minimum, these records shall include the following:

The rationale for the method of procurement, selection of contract type, reasons for contractor selection or rejection, and the basis for the contract price.

5.7.8 Use of Time and Materials Type Contracts

Grantees will use time and material type contracts only in the following instances:

After a determination that no other type of contract is suitable; and

If the contract specifies a ceiling price that the contractor shall not exceed except at its own risk.

5.7.9 Responsibility for Settlement of Contract Issues/Disputes

Grantees alone will be responsible in accordance with good administrative practice and sound business judgment for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to source evaluation, protests, disputes, and claims. These standards do not relieve the grantee of any contractual responsibility under its contracts. RTA will not substitute its judgment for that of the grantee or subcontractor, unless the matter is primarily a RTA or federal concern. Violations of the law will be referred to the local, state, or federal authority having proper jurisdiction.

5.7.10 Written Protest Procedures

Grantees shall have written protest procedures to handle and resolve disputes relating to their procurements and shall in all instances disclose information regarding the protest to RTA. A protester must exhaust all administrative remedies with the grantee before pursuing a protest with RTA. Reviews of protests by RTA will be limited to a grantee's failure to have or follow the grantee's protest procedures, or its failure to review a complaint or protest. An appeal to RTA must be received by RTA within five (5) working days of the date the protester was notified of an adverse decision by the grantee. Violations of federal law or regulation will be handled by the complaint process stated within that law or regulation. Violations of grantee or local law or regulations will be under the jurisdiction of grantee or local authorities.

5.7.11 Contract Period of Performance Limitation

RTA concurrence will not be granted for any proposed third-party contract which includes a period of performance exceeding five (5) years inclusive of options.

5.7.12 Competition

All procurement transactions will be conducted in a manner providing full and open competition. Some of the situations considered to be restrictive of competition include, but

are not limited to:

- unreasonable requirements placed on firms in order for them to qualify to do business;
- unnecessary experience and excessive bonding requirements;
- noncompetitive pricing practices between firms or between affiliated companies; and
- noncompetitive awards to any person or firm on retainer contracts that are procured in a noncompetitive manner.

5.7.13 Organizational Conflicts of Interest

An organizational conflict of interest means that because of other activities, relationships, or contracts, a contractor is unable, or potentially unable, to render impartial assistance or advice to the grantee; a contractor's objectivity in performing the contract work is or might be otherwise impaired; or a contractor has an unfair competitive advantage.

5.7.14 Prohibition Against Geographic Preferences

Grantees shall conduct procurements in a manner that prohibits the use of statutorily or administratively imposed geographical preferences in the evaluation of bids or proposals. This does not preempt grantee licensing laws. However, geographic location may be a selection criterion in procurements for architectural and engineering (A&E) services provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

5.7.15 Written Procurement Selection Procedures

Grantees shall have written selection procedures for procurement transactions. All solicitations shall do the following:

- Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features that unduly restrict competition. The description may include a statement of the qualitative nature of the material, product, or service to be procured and when necessary, shall set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use.
- Avoid detailed product specifications if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equal" description may be used. A grantee shall use a "brand name or equal" description only when it cannot provide an adequate specification or more detailed description, without performing an inspection and analysis, in time for the acquisition under consideration.
- The grantee must carefully identify its minimum needs and clearly set forth those salient physical and functional characteristics of the brand name product in the solicitation when a "brand name or equal" is used,
- Identify all requirements that offerors must fulfill and all other factors to be used in evaluating bids or proposals.

5.7.16 Pre-qualification Criteria

Grantees shall ensure that all lists of pre-qualified persons, firms, or products that are used in acquiring goods and services are current and include enough qualified sources to ensure maximum full and open competition. Also, grantees shall not preclude potential bidders from qualifying during the solicitation period, which is from issuance of the solicitation to its

closing date.

5.8 Methods of Competitive Procurement

The following methods of procurement may be used as appropriate.

5.8.1 Procurement by Small Purchase Procedures

Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than \$5,000. Grantees are advised however that local small purchase procedures prevail. If a grantee does not have a minimum cost threshold governing small purchases, RTA staff should be consulted for guidance. In any event if small purchase procedures are used, price or rate quotations shall be obtained from an adequate number of qualified sources by use of telephone, facsimile, catalogs, or the Internet.

5.8.2 Procurement by Sealed Bids or Invitation for Bid

Commonly referred to as an IFB, bids are publicly solicited and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. This bid method is the preferred method for construction and procuring other equipment. In order for sealed bidding to be feasible, the following conditions should be present:

- A complete, adequate, and realistic specification or purchase description is available;
- Two or more responsible bidders are willing and able to compete effectively for the business;
- The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price; and
- No discussion with individual bidders.

5.8.2.1 Applicable Requirements

The following requirements apply to procurement by sealed bids or IFB:

- The IFB will be publicly advertised and bids shall be solicited from an adequate number of known suppliers, providing them sufficient time to prepare bids prior to the date set for opening the bids;
- The invitation for bids, which will include any specifications and pertinent attachments, shall define the items or services sought in order for the bidder to properly respond;
- All bids will be publicly opened at the time and place prescribed in the invitation for bids;
- A firm fixed-price contract award will be made in writing to the lowest responsive and responsible bidder. When specified in bidding documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of;
- Any or all bids may be rejected if there is a sound documented business reason; and
- Prior to award to the selected bidder, a price analysis should be conducted to verify that the price quoted is fair and reasonable.

5.9 Procurement by Competitive Request for Proposals

Commonly referred to as an RFP, the competitive proposal method of procurement is normally conducted with more than one source submitting a written proposal. Either a fixed price or cost reimbursement type contract is awarded. This method of procurement is generally used when conditions are not appropriate for the use of sealed bids such as in the selection of an operator. If this procurement method is used the following requirements apply:

- Requests for proposals will be publicized;
- All evaluation factors will be established along with their relative importance prior to the receipt of proposals;
- Proposals will be solicited from an adequate number of qualified sources;
- Grantees will have a method in place for conducting technical evaluations of the proposals received and for selecting awardees; and
- Awards will be made to the responsible firm whose proposal is most advantageous to the grantee's program with price and other factors considered.

5.10 Procurement of Architectural and Engineering (A&E) Services

Grantees shall use competitive proposal procedures based on the Brooks Act when contracting for A&E services as defined in 40 U.S.C. § 541. Other types of services considered A&E services include program management, construction management, feasibility studies, preliminary engineering, design, surveying, mapping, and services which require performance by a registered or licensed architect or engineer.

The Brooks Act requires that the following apply:

- An offeror's qualifications be evaluated;
- Price be excluded as an evaluation factor;
- Negotiations be conducted with only the most qualified offeror; and
- Failing agreement on price, negotiations with the next most qualified offeror be conducted until a contract award can be made to the most qualified offeror whose price is fair and reasonable to the grantee.

This "qualifications based procurement method" can only be used for the procurement of A&E services. This method of procurement cannot be used to obtain other types of services even though a firm that provides A&E services is also a potential source to perform other types of services. These requirements apply except to the extent any grantee adopts or has adopted by statute a formal procedure for the procurement of architectural and engineering services that is not in conflict with state or federal contracting requirements.

5.11 Procurement by Noncompetitive Proposals (Sole Source)

Sole source procurements are accomplished through solicitation or acceptance of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate. A contract amendment or change order that is not within the scope of the original contract is considered a sole source procurement that must comply with this subparagraph.

5.11.1 Application of Sole Source Method

Procurement by noncompetitive proposals may be used only when RTA authorizes noncompetitive negotiations and the award of a contract is infeasible under normal purchase procedures, sealed bids, or competitive proposals and at least one of the following circumstances applies:

- The item to be acquired has a total acquisition cost of less than \$5,000;
- The item is available only from a single source;
- The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- After solicitation of a number of sources, competition is determined inadequate;
- The item is an associated capital maintenance item that is procured directly from the original manufacturer or supplier of the item to be replaced.

Prior to the use of this method, the grantee must first certify the following items in writing to RTA:

- That such manufacturer or supplier is the only source for such item;
- That the price of such item is no higher than the price paid for such item by like customers.

A cost analysis, or the process of verifying the proposed cost data, the projections of the data, and the evaluation of the specific elements of costs and profit, must also be conducted.

5.12 Contract Options

Grantees may include options in contracts. An option is a unilateral right in a contract by which, for a specified time, a grantee may elect to purchase additional equipment, supplies, or services called for by the contract, or may elect to extend the term of the contract. When a grantee chooses to use options in a solicitation, the option quantities or periods contained in the contractor's bid or offer must be evaluated in order to determine contract award. When options have not been evaluated as part of the award, the exercise of such options will be considered a sole source procurement.

In order to use contract options, these conditions must be met:

- A grantee must ensure that the exercise of an option is in accordance with the terms.
- Conditions of the option is in the initial contract awarded.

An option may not be exercised unless the grantee has determined that the option price is better than prices available in the market or that the option is the more advantageous offer at the time the option is exercised.

5.13 Contract Cost and Price Analysis

Grantees must perform a cost or price analysis in connection with every procurement action, including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, grantees must make independent estimates before receiving bids or proposals.

5.13.1 Cost Analysis

A cost analysis must be performed when the offeror is required to submit the elements (e.g., labor hours, overhead, materials, etc.) of the estimated cost under professional consulting and architectural and engineering services contracts. A cost analysis will be necessary when adequate price competition is lacking and for sole source procurements, including contract modifications or change orders.

5.13.2 Price Analysis

A price analysis may be used in all other instances to determine the reasonableness of the proposed contract price. Price reasonableness can be established on the basis of a catalog or market price of a commercial product sold in substantial quantities to the general public or on the basis of prices set by law or regulation.

5.13.3 Profit

Grantees will negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration will be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of the contractor's record of past performance, and industry profit rates in the surrounding geographical area for similar work.

5.14 Federal Cost Principles

Costs or prices based on estimated costs for contracts under grants will be allowable only to the extent that costs incurred or cost estimates included in negotiated prices are consistent with federal cost principles. Grantees may reference their own cost principles that comply with applicable federal cost principles.

5.14.1 Cost Plus Percentage of Cost

The cost plus a percentage of cost and percentage of construction cost methods of contracting shall not be used.

5.15 Bonding Requirements

For those construction or facility improvement contracts or subcontracts not subject to the negotiated procurement threshold, grantees may request to use local bonding policy and requirements, provided that the minimum requirements for construction contracts are met as follows:

- A bid guarantee (*i.e.*, bid bond) from each bidder equivalent to five (5) percent of the bid price. The "bid guarantee" shall consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of his bid, execute such contractual documents as may be required within the time specified;
- A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract; and
- A payment bond on the part of the contractor. A payment bond is one executed in connection with a contract to assure payment, as required by law, of all persons

supplying labor and material in the execution of the work provided for in the contract. Payment bond amounts required from contractors are as follows:

- 50% of the contract price if the contract price is not more than \$1 million;
- 40% of the contract price if the contract price is more than \$1 million but not more than \$5 million; or
- \$2.5 million if the contract price is more than \$5 million.

A cash deposit, certified check or other negotiable instrument may be accepted by a grantee in lieu of performance and payment bonds, provided the grantee has established a procedure to assure that the interest of RTA is adequately protected.

5.16 Payment Provisions in Third Party Contracts

5.16.1 Advance Payments

RTA does not authorize and will not participate in funding payments to a contractor prior to the incurrence of costs by the contractor unless prior written concurrence is obtained from RTA.

5.16.2 Progress Payments

Grantees may use progress payments provided the following requirements are followed:

- Progress payments are only made to the contractor for costs incurred in the performance of the contract.
- When progress payments are used, the grantee must maintain evidence of ownership of property (materials, work in progress, and finished goods) for which progress payments are made.
- Alternative security for progress payments by irrevocable letter of credit or equivalent means to protect the grantee's interests in the progress payments may be used in lieu of obtaining title.

5.17 Liquidated Damages Provisions

A grantee may use liquidated damages if it may reasonably expect to suffer damages (increased costs on project involved) from late completion and the extent or amount of such damages can be reasonably determined. The assessment for damages shall be at a specific rate per day for each day of overrun in contract time, and the rate must be specified in the third party contract. Any liquidated damages recovered shall be credited to the project account involved unless RTA permits otherwise.

5.18 Contract Award Announcement

If a grantee announces contract awards with respect to any procurement for goods and services (including construction services) having an aggregate value of \$5,000 or more, the grantee shall:

- Specify the amount of RTA provided funds that will be used to finance the acquisition in any announcement of the contract award for such goods or services; and
- Express the said amount as a percentage of the total costs of the planned acquisition.

5.19 Contract Provisions

All contracts shall include provisions to define a sound and complete agreement. In addition, contracts and subcontracts shall contain contractual provisions or conditions that allow for:

- Administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, including sanctions and penalties as may be appropriate.
- Termination for cause and for convenience by the grantee or subcontractor including the manner by which it will be effected and the basis for settlement.

5.20 Statutory and Regulatory Requirements

A current and comprehensive list of statutory and regulatory requirements applicable to grantee procurements is contained in the RTA grant agreement. Grantees are responsible for evaluating these requirements for relevance and their applicability to each procurement. For example, procurements involving the purchase of iron, steel and manufactured goods will be subject to the "Buy America" requirements in 49 CFR Part 661. Further guidance concerning these requirements can be obtained by contacting RTA.

5.21 Special Provisions

Prospective applicants are advised to carefully review the requirements of participating in RTA funded programs. In addition to state and local contractual provisions, grantees must comply with the various federal requirements governing federal financial assistance programs. Accordingly, prospective applicants and grantees are advised to review the required federal provisions (and source documents) which at a minimum, include the following:

5.21.1 Title VI Nondiscrimination

Requires that no person because of race, color, creed, national origin, sex, age, or disability be excluded from participation in, or denied the benefits of any project funded in whole or in part with federal funds.

5.21.2 Equal Employment Opportunity (EEO)

Requires that any recipient of FTA funds shall not discriminate against any employee or applicant for employment based on race, color, religion, sex, or national origin.

5.21.3 Section 504 of the Federal Transit Act

Requires recipients of FTA funds to make special efforts to provide transportation that is accessible to individuals with disabilities.

5.21.4 Americans with Disabilities Act

Requires that equivalent services are provided to meet the needs of individuals with disabilities.

5.21.5 Bus Testing Regulations

Requires grantees to certify compliance with the federal bus testing requirements before accepting any new bus model.

5.21.6 Restrictions on Lobbying

Requires that no federal funds are used for lobbying and if other funds are used that specific reporting requirements are met.

5.22 Cost Principles and Cost Allocation

This section provides principles for determining costs applicable to service provision performed by operators or providers under third party contracts with an RTA funded grantee; and where applicable, under such grants when the grantee is a multi-purpose organization which provides funded transportation services directly.

These principles make no attempt to identify the circumstances or dictate the extent of agency and subcontractor participation in the financing of a particular project. The principles are designed to provide recognition of the full allocated costs of such an operating assistance project work under generally accepted accounting principles.

No provision for profit or other increment above cost is intended. In addition, wherever the term subcontractor is used in this section, it shall have the same meaning as provider, operator, and third party contractor.

5.22.1 Policy

The successful application of these principles requires development of mutual understanding between RTA, grantees and their third party contractors as to their scope, implementation, and interpretation. It is recognized that:

- The arrangements for participation in the financing of an operating assistance project are properly subject to negotiation between the subcontractor and the grantee in accordance with whichever state, federal, and local laws and regulations as may be applicable.
- Each grantee, possessing its own unique combination of staff, facilities, and experience, should be encouraged to provide services in a manner consistent with its approved service plan and objectives.
- Each grantee, in the fulfillment of its obligations, should employ sound management practices.
- The application of the principles established herein should require no significant changes in the generally accepted accounting practices of grantees. Where wide variations exist in the treatment of a given cost item, the reasonableness of such treatments will be fully considered during the rate negotiations and audit.

5.22.2 Application of Cost Principles in Grants Management

RTA will apply these principles and related policy guides in determining the costs incurred for such work under operating assistance projects funded in any part under an RTA grant agreement. These principles should also be used as a guide in the pricing of fixed-price contracts or lump sum agreements with subcontractors.

5.22.3 Allowability of Costs

These are the tests of allowability of costs under these principles:

- Be necessary and reasonable for proper and efficient performance and administration of Federal awards.
- Be allocable to Federal awards under the provisions of this Circular.

- Be authorized or not prohibited under State or local laws or regulations.
- Conform to any limitations or exclusions set forth in these principles, Federal laws, terms and conditions of the Federal award, or other governing regulations as to types or amounts of cost items.
- Be consistent with policies, regulations, and procedures that apply uniformly to both Federal awards and other activities of the governmental unit.
- Be accorded consistent treatment. A cost may not be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the Federal award as an indirect cost.
- Be determined in accordance with generally accepted accounting principles.
- Not be 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.
- Be the net of all applicable credits.
- Be adequately documented.

5.22.4 Direct Costs

Direct costs are those costs which can be identified specifically with a particular project objective or activity which can be directly assigned to the project, relatively easily and with a high degree of accuracy.

5.22.5 Indirect Costs

Indirect costs are those that have been incurred for common or joint objectives and therefore cannot be identified specifically (in whole or in part) with a particular program. Such costs are normally classified under the following functional categories:

- General administration and general expenses;
- Operating assistance and project administration expenses;
- Fixed facility operation and maintenance expenses; and
- Departmental administration expenses.

For additional detail regarding cost allocation principles, grantees should refer to either OMB Circular A-87, "Principles of Cost Accounting for State and Local Governments," as amended or OMB Circular A-122, "Cost Principles for Nonprofit Organizations," as amended.

5.23 Program Measures

The reporting and data collection measures by the JARC and New Freedom Programs will be prescribed in the grant agreements with subrecipients. Subrecipients will be required to collect the following specific data.

JARC:

- Actual or estimated number of jobs that can be accessed as a result of geographic or temporal coverage of JARC projects implemented in the current reporting year.
- Actual or estimated number of rides (as measured by one-way trips) provided as a result of the JARC projects implemented in the current reporting year.

New Freedom:

- Services provided that impact availability of transportation services for individuals with disabilities as a result of the New Freedom projects implemented in the current reporting year. Examples include geographic coverage, service quality and/or service times.
- Additions or changes to environmental infrastructure (e.g., transportation facilities, sidewalks, etc), technology, vehicles that impact availability of transportation services as a result of the New Freedom projects implemented in the current reporting year.
- Actual or estimated number of rides (as measured by one-way trips) provided for individuals with disabilities as a result of New Freedom projects implemented in the current reporting year.

5.24 Designated Recipient Program Management

The RTA has developed a monitoring program and compliance review process to assure compliance with Federal and state requirements and to assist grantees with their efforts to improve project management and administration.

In general, receipt of any Federal grant carries with it contractual requirements for reporting on the project's progress and for monitoring the use of grant monies. Grants made by the Federal Transit Administration (FTA) are additionally monitored through performance reviews, either yearly or triennially, program management plan oversight, and site visits. In many instances, under the JARC and New Freedom Programs, the RTA is directly responsible for monitoring a sub-recipient/grantee's ability to manage, control, and administer Federal funds.

5.24.1 The Review Process for Subrecipients

Prior to the initiation of a grant agreement with a new subrecipient an orientation meeting is held to review all federal program requirements so that the subrecipient has a clear expectation of what it must do to maintain compliance with federal requirements. Once a subrecipient has an executed grant agreement with the RTA periodic reviews are undertaken. A full review is required every three years. Its major components are a desk review of files stored at the RTA's office and an onsite visit of the grantee's offices and operating facilities. The reviews are customized in accordance with the subrecipient's project activities. For instance, a procurement review will only be undertaken if the subrecipient has a procurement activity or is expected to have a procurement project activity.

The overall compliance review consists of meetings and physically reviewing files, notices, facilities and equipment. The review splits some of the areas for compliance review between the desk review and the site visit depending upon where documentation is maintained or stored and if it is necessary to retain an item at a specific site or that it be posted at a site.

The need for site visits at other times also varies with the type of project involved. While they may coincide with a triennial review, these visits differ from those required every three years. They are generally made to review that the Federal and RTA interest is being maintained and in transit usage. For operating projects, the site visit would be conducted once over the term of the grant. For capital projects, the site would be visited once every two years for the entire term that RTA maintains an interest in the project.

Some compliance items are combined for review because of the interrelated nature of the source documents for an item or their location. A good example of this would be the on-site review of vehicle and equipment maintenance with ADA compliance and continuing control of grant funded property.

Steps in the Review Process:

- Contact with grantee by email or letter to schedule the review
- Desk Review
- Site Visit
- Compliance Report

For general site visits, the RTA has determined that the frequency will vary depending on the type of project involved. Every grantee will be visited before their project is initially implemented. For operating projects, the site will be visited one additional time during the term of the grant. For capital projects, the site will be visited once every two years for the entire term that RTA maintains an interest in the project. At final grant close-out RTA staff will visit the project site.

5.24.2 Letter to Grantee

The letter informs the grantee that a review of its project(s) will be conducted by the RTA's staff. It includes the date of the review and a simple agenda. It asks that certain staff be available during the site visit and lists the materials, vehicles and facilities that will be reviewed.

5.24.3 Decision matrix

The Matrix provides the listing of the areas that are subject to review as applicable.

Matrix with Review Areas as established by the 2014 Triennial Workbook

Review Area	Threshold levels if applicable	Program Type OP/Cap/MM	Location (Desk/On-Site)	Applicability (RTA/Grantee)
1. Financial Management & Financial Capacity		All	Both	All
2. Technical Capacity		All	Both	All
3. Maintenance		All	On-Site	All
4. Americans with Disabilities Act		All	Both	Grantees
5. Title VI		All	Both	Grantees
6. Procurement (including Third Party Contracts)	Concurrence required for over \$10,000 (RTA Requirement)	Capital or MM capital	Both	Grantees, procurements not covered by IDOT vehicle purchase
7. DBE**	Grantee over \$250,000 full program all others, good faith efforts(49 CFR26)	All	Both	Grantees, as required by limitations

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8. Legal**	Lobbying exceeding \$100,000, (49CFR Part 20, New restriction on Lobbying)	All	Both	All
9. Satisfactory Continuing Control		Capital	Both	All
10. Planning/ Program of Projects	Designated recipient (49 CFR Chapter 53, Federal Transit Laws)	All	N/A	RTA
11. Public Comment for Fare and Service Change	N/A	N/A	N/A	N/A
12. Half Fare	N/A	N/A	N/A	N/A
13. Charter Bus	Program purposes	Operating	Both	Public Transit Operators
14. School Bus		Operating	Both	As Appropriate
15. Safety & Security	Mandatory under MAP-21 (49 U.S.C 5329)	All	Both	All
16. Drug Free Workplace and Drug & Alcohol Program	Drug Free Workplace = All Drug & Alcohol Program - When safety duties or vehicles carry 16 or more passengers (49 CFR Part 32; and 49 CFR Part 655)	Operating	Both	None unless carry CDL
17. EEO		Operating	Both	As Appropriate
Program Measure	Application required	All	Both	Grantees
Environmental *	Application required	All	Desk review	Grantees
Labor	Construction Davis/Bacon (40U.S.C. 3141 et seq.).	Item Specific	Both	Does not apply to 5310

* Operating grants qualify for a Categorical Exclusions under environmental regulations.

** Unless otherwise noted, the threshold amounts are determined by federal requirements.

5.25 Desk Review

The desk review is performed in the RTA offices and reviews information required to be in the final grant application and ongoing reporting requirements, such as quarterly progress reports, yearly reports or requisitions.

5.25.1 Legal Documents

- Authorizing Ordinance
- Opinion of Attorney
- Annual List of Certifications and Assurances
- Pass through or operating agreements/subcontracts

5.25.2 Project Documents

- Application with signatures
- Signed contracts between RTA and grantee
- Quarterly reports
- Annual reports including program measures reporting

5.25.3 Financial and Technical Documents

- Requisitions
- Cost Allocation Plan
- Indirect cost plans
- Copy of Yearly Audit
- Documentation of actions to resolve any audit findings

5.25.4 Procurement, Buy America Documents

- State procurement of vehicles documentation
- RTA concurrence of procurements \$10,000 or over
- Third Party contracts and any requests for concurrence
- Grant self-certification of procurement process
- Review any lease agreements for equipment and/or facilities
- Review compliance with ITS Architecture requirements
- Buy America, waivers or certificates for FTA procurements

5.25.5 Maintenance and Satisfactory Continuing Control (Vehicle, Equipment and Real Property Documents)

- Vehicle fleet roster with funding source documentation
- Annual Certification of Use submitted to RTA
- Capital Asset Inventory, every two years

5.25.6 Civil Rights

5.25.6.1 Title VI Assurance

- Review copy of standard Title VI Assurance
- Materials that relate to pass through of funds without regard to race, color, or national origin and that minority populations are not being denied the benefits of or excluded from participation in programs

5.25.6.2 EEO

- If grantee receives more than \$1,000,000 and has more than 50 employees program required, review copy of EEO program
- Less than \$1,000,000, review file for EEO practices

5.25.6.3 DBE plan and report

- If grantee receives more than \$250,000, exclusive of vehicles, plan is required. If amount is less than \$250,000 only good faith efforts are required.
- Review any documents or reports submitted to RTA

5.25.7 Americans with Disabilities

- Review compliance plan

5.25.8 Safety and Security

- Encourage development of safety and security plan

5.25.9 Suspension and Debarment/Integrity/Restrictions on Lobbying

- For third party contracts and subcontracts over \$25,000, review copies of certifications on suspension and debarment
- For contracts over \$100,000 review certifications of Restrictions on Lobbying
- If a grantee uses non-federal funds for lobbying review copy of Standard Form LLL "Disclosure Form to Report Lobbying"

5.25.10 Charter and School Bus Service

- JARC grantees, review charters in compliance with new regulations, allowed for program purposes
- New Freedom and Section 5310 grantees, review school bus routes if applicable

5.25.11 Drug Free Workplace and Drug and Alcohol Testing

- Review copy of Drug-Free Workplace policy and program
- Review program for Compliance with Federal Motor Carrier's Safety Administration rule for Commercial Driver's Licenses or program for Drug and Alcohol Testing

5.25.12 Program Measures

- Review proposal in application
- Review reports

5.25.13 Environmental (A Grant application requirement)

- Review Categorical Exclusion documentation
- Review Environmental Review

5.25.14 Labor (A Grant application requirement)

- JARC grantee, review Section 5333(b) warranty

5.26 Site Visit

RTA staff will visit all JARC and New Freedom grantees. The administrative purpose of the actual site visit is to:

- Conduct a face to face review meeting with the grantee
- Review the compliance areas that pertain to a specific grantee
- Verify compliance with the regulations associated with the receipt of Federal funds
- Review financial records

- Review project records
- Review written policies
- Review preventative maintenance records and inspect vehicles, equipment and facilities

It also gives RTA and grantee staff members the opportunity to discuss technical issues.

The general structure for the on-site review day includes:

- Entrance conference
- Visit facilities
- Inspect vehicles
- On-site records review
- Exit interview and meeting.

Visiting the facility allows the reviewer to verify that the facility or the part of the facility supporting transit service is in transit usage. Additionally it allows a general observation on the facility's condition and whether required signs are properly posted. At some grantee properties it will be necessary to ride a route to review the service and ADA compliance.

The grantee can prepare for the on-site review by reviewing a check list that RTA will provide citing the areas being reviewed and the documents that will need to be made available. A finding of non-compliance in an area means that the grantee will need to focus on accumulating or preparing information to reach compliance. RTA staff will be available to provide assistance with reaching compliance. It is very important that appropriate staff members be available for the entire site visit. Appropriate staff members would include the general manager or executive director, the finance manager and the maintenance manager.

The following is the listing of the overall compliance areas that will be reviewed during the site visit. It includes information concerning the requirement as well as the basis for the requirement under law or statute.

5.27 Legal

Federal Transit law requires that grantees under all programs be eligible and authorized under state and local law to request, receive and dispense FTA funds and to execute and administer FTA funded projects. The authority can be in the form of an authorizing resolution or the by-laws of an organization. The grantee needs to be able to accept responsibility for the project under the laws of a state.

The attorney for the grantee must be able to affirm the legal authority of the grantee and indicate whether any pending legislation or litigation may affect the legal status of the grantee. Additionally the attorney will need, with the authorized official, to sign the certificates and assurances for the JARC and New Freedom Programs.

At the on-site review agency and/or grantee by-laws and board minutes will be reviewed.

5.28 Financial and Technical

Receipt of a grant under the JARC and New Freedom Programs obligates the grantee to use the funds it receives as specified in the project application and grant agreement. Execution

of the grant agreement establishes a partnership between RTA and the grantee. RTA assumes an oversight role in the use of grant funds and retains a vested interest in the funds applied to a project, unused grant balances, and the property and facilities constructed, purchased, or otherwise acquired under the grant.

Grantees, operators, and third party contractors are responsible for establishing and maintaining adequate internal controls over all the functions which relate to project administration and implementation. The control systems must comply with the applicable Federal (FTA Grant Management, Circular 5010.1D, proposed) and State of Illinois requirements.

The RTA must be assured that funds for the grant are correctly managed and that the project(s) are being implemented. The grantee needs to have financial management procedures in place. Accounting systems must be able to allocate revenues and expenses, in an acceptable manner.

For grants funding services it is important that the service be marketed to the target populations for each program. The grantee should be able to demonstrate that such a program is in place and in use.

The local share for grants must be from non-FTA sources and may include state funds as well as unrestricted Federal funds. Grantees are required to have an independent audit for operating grants. This must be prepared by an independent CPA and it must include a schedule of costs, revenues, and expenditures in comparison with the Approved Project Budget. All audits performed must meet the requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations.

The selection of the auditor is to be made directly by the grantee. The grantee auditor must be independent from the grantee or operator. They cannot now, or during the course of the project, have any relationship with the grantee, including but not limited to any of the following: an officer, employee (volunteer or paid), stockholder or bookkeeper. If the organization uses the services of a CPA or audit firm for general accounting needs, the audit must be performed by a separate, independent and outside, audit firm.

The FTA may opt to perform audits of projects. These can take place during the course of a project and/or up to three years beyond the end of a master agreement.

The scope of the audit must include an examination of the grantee and/or contractor records and test of transactions sufficient to enable the audit firm to express an opinion on the following items. That the records of receipts, disbursements, assets and liabilities and the presentation of those records in the financial statements of the grantee and/or contractor are in accordance with generally accepted accounting principles. The principles are consistently applied and present fairly the financial positions of the grantee and/or contractor and the results of its operations for the period covered by the audit. That the costs incurred are eligible under the contract. Finally the audit must review the degree of compliance with the terms and conditions of the contract, the approved program and with RTA guidance.

5.29 Purchasing, including Buy America and ITS Architecture

The “Common Rule “, U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 CFR part 18. and “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and other Non-Profit Organizations,” 49 CFR part 19, permits states to follow the same policies and procedures which they use for procurements funded with non-federal funds, to the extent permitted by Federal statutes and regulations.

The purchasing area includes all third party purchases and contracts entered into by the grantee with Federal funds. Grantees at a minimum must have established internal procurement procedures. Grantees must insure that every purchase order and contract issued by the grantee or a subcontractor using Federal funds includes all clauses required by Federal, state, RTA and local statutes, executive orders and implementing regulations.

Grantees must follow RTA procurement practices and include FTA required clauses in their procurement process for contracts in excess of \$10,000. RTA concurrence is required for each procurement or construction contract estimated to cost greater than \$10,000. This concurrence is to be written and acquired before the advertising or solicitation of bids. Both the desk review and the site visit will include file review for concurrence documentation.

The RTA permits grantees to follow their own procurement policies provided that the basic Federal Third Party Contracting Guidelines standards are included in the procurement action. Those standards are detailed in FTA Circular 4220.1F.

If a grantee enters into agreement to operate service with a third party contractor the contractor is obligated to follow FTA procurement guidelines, regardless of the organizational status of the contractor, private for-profit or private non-profit.

There is an instance wherein an agreement is not a third party contract, see Questions and Answers, Elderly Individuals & Individuals with Disabilities (Section 5310), JARC & New Freedom Programs, Last Updated March 25, 2008. Question 33 outlines the instance where assistance to a subrecipient flows through an intermediary subrecipient. If the ultimate subrecipient would otherwise be eligible to receive funds under the program then the agreement is not a third party contract and the third party procurement requirements do not have to be met. If the subrecipient is not otherwise eligible, the intermediary subrecipient would need to conduct procurement, consistent with FTA Circular 4220.1.

Most rolling stock acquisitions funded under the JARC and New Freedom Programs will participate in the Illinois Department of Transportation (IDOT) Consolidated Vehicle Procurement (CVP) process. The CVP ensures that Federal and state procurement requirements are met by the grantees. IDOT in conjunction with the Illinois Department of Central Management Services will procure all paratransit vehicles on behalf of the grantees. The following procurement activities are included in the program and relieve grantees from these requirements.

The procurement activities are:

- Vehicle specification development
- Competitive bidding

- Federal pre-award and post-delivery audit compliance
- Vehicle inspections during manufacturing
- Assistance to grantees with vehicle problems or fleet wide defects.

Grantees purchasing vehicles not covered by the consolidated process will have to comply with the requirements of FTA Circular 4220.1F (proposed), especially the rolling stock special requirements at Chapter IV.

FTA expects each recipient to self-certify that its procurement system complies with Federal requirements for any FTA assisted third party contracts the recipient undertakes and administers. Grantees and subgrantees are required to maintain a written code of standards of conduct governing the performance for their employees engaged in the award and administration of contracts supported by Federal funds. This code will preclude any conflict of interest in a purchase and provides integrity for the process.

The following table presents general guidelines for capital purchases, as detailed in Federal Circular 4220.1F, as revised.

Category	Funding Source	Limits	Procurement Procedures	Record Keeping
Very Small Capital	Capital Grant	Unit cost less than \$300	Local only	Local methods or 5 year minimum
Small Capital	Capital Grant	Unit cost between \$300 and \$5,000	Local with notification of RTA	Document inventory and certify continued use for useful life of asset
Regular Capital	Capital Grant	Unit cost greater than or equal to \$5,000 and useful life greater than or equal to 3 years	RTA specified	Document inventory and certify continued use for useful life of asset

During the on-site visit sample procurement files will be reviewed. This will help document that all procurement requirements are being met.

Buy America certification is required for all procurements of steel, iron, and manufactured products, including rolling stock, over \$100,000. Waivers may be requested when it is in the public interest, domestically produced goods are not available, or when there is a price differential of at least 25% between domestic and foreign bids. The review of procurement files will incorporate the review of this area.

For Intelligent Transportation System (ITS) projects there is a requirement for conformance with the ITS national architecture developed by FTA. This national architecture defines the framework for ensuring compatibility of information exchange and interface of applications. ITS projects include integrated traffic signal systems, automatic vehicle location systems,

traveler information systems or traffic management systems. Procurements for these types of systems need to require conformance with the architecture.

5.30 Maintenance, Satisfactory Continuing Control, and the Rehabilitation Act of 1973 (Section 504) and the Americans with Disabilities Act of 1990 (ADA)

A grantee is required by Federal and state laws and regulations to maintain and keep in good operating order all federally and state funded real property, facilities, equipment and vehicles. Real property is defined as land and buildings. Additionally a grantee must ensure that these items continue in transit service in conformance with the terms of the grant programs.

Section 504 of the Rehabilitation Act, which preceded the Americans with Disabilities Act (ADA), prohibits discrimination of individuals on the basis of handicap by recipients of Federal financial assistance. The ADA, in addition to requiring the provision for complementary paratransit service, requires that vehicles and facilities be accessible. ADA regulations require that public and private entities providing transportation services maintain in operative condition all accessibility features such as lifts, elevators, ramps, securement devices, signage and communication equipment. Review of the grantee's facilities, maintenance procedures and vehicles will include a review of facility accessibility and vehicle accessibility including lifts and other accessibility features. Training materials for operators will be reviewed. A bus route may be ridden to watch the system in operation.

Under State of Illinois guidelines all equipment must be utilized 100% for transit purposes. This is consistent with FTA circulars and their requirements for continuing control of project property (C5010.1D, proposed, Chapter IV – Project Management at Section 3 e (1) and C9045.1 and C9050.1 – Program Management at Section 5 Vehicle Use) The policy does allow some incidental use if the other program or project uses are currently or were previously supported with Federal funds. This is considered incidental as long as it does not interfere with the program use outlined in the application.

To assure compliance with the requirement to maintain items in good working order written maintenance plans and schedules should be developed. These can be as simple as implementing a manufacturer's scheduled maintenance plan.

Compliance under the continuing control requirement would include maintaining insurance for all real property, facilities, equipment, and vehicles. Good maintenance practices require that items be insured against theft, loss or damage and that warranty standards be followed. All grantees are required to submit an annual certificate of use for all vehicles and equipment funded under the programs until they are no longer used in service.

FTA maintains an interest in property and equipment purchased with federal funds for the useful life of an item or until it is removed from service. For that reason grantees are required to maintain records on items. Asset management means those systems used for recording purchases, for inventorying the purchased items and for maintaining items. FTA requires that physical inventories be taken at least every two years and that any differences are investigated.

When no longer needed or useful for their original purpose real property, facilities, equipment, and vehicles must be disposed of in accordance with Federal and state requirements. Disposition of real property and equipment with a fair market value of less than \$5,000 may occur with no further obligation to RTA. Disposition of equipment and real property with a fair market value in excess of \$5,000 requires a written disposition plan to be filed with RTA. In all cases of vehicle disposition, RTA must be notified regardless of fair market value. At the RTA's option these vehicles may be transferred to other operators.

5.31 Safety and Security

The development of formal safety and security plans is not mandated under the JARC and New Freedom Programs but grantees are strongly encouraged to develop plans for both of these areas. RTA's review of this area is intended to assist the grantee in recognizing the need for and benefit of even a simple safety and security plan. FTA's authority in the area of safety is set forth in 49 USC 5329. Under this section FTA may conduct investigations into safety hazards and security risks. FTA and RTA are both concerned with the safety and security of transit passengers and transit workers.

While conducting the on-site compliance part of the monitoring program RTA staff should be aware of any safety or security issues at the grantee's property.

In the event of a natural disaster or homeland security event all transportation vehicles in the region may be called into use. Preplanning for such events allow quick response. In any event organizations should develop contacts at the local emergency response agency. The concepts for this area were developed from the Security Planning Tools for Rural, Small Urban and Community-Based Public Transportation Operations, The Hazard and Security Plan (HSP), June 2005 and the Guide to Managing Your Public Transportation Grant, Washington State Department of Transportation, July 2007.

Generally an organization would go through a four part process to establish a safety and security plan. It includes preparation, prevention, response and recovery. Even simple steps such as having phone numbers readily available for all employees and local emergency services work to improve the preparedness of an organization.

A simple safety plan would include the following:

- Accident prevention program
- Violence in the workplace prevention program
- Safety training for operating personnel
- Response training for dispatch personnel
- Accident investigation and review program
- Vehicle inspection plan
- Preventative maintenance plan
- Emergency management plan

A simple security plan would include the following:

- Facility access restrictions
- Awareness training for personnel

- Natural disaster plan
- Crime prevention plan

Manufacturers of vehicles and equipment will have procedures available for the safe operation of their products and for the training of operators. Certain transit providers may be affected by Federal Motor Carrier Safety Regulations and state motor carrier regulations. Insurance carriers expect and may require that specific equipment and operational practices be followed and that workplace safety guidelines be developed. Emergency preparedness procedures should be coordinated with other local agencies and governments.

Grantees should develop screening and training programs for volunteer drivers. The Agency Council on Coordinated Transportation (ACCT) published a guide “Volunteer Drivers – A Guide to Practices” to assist agencies in developing such programs. It contains useful information about managing a volunteer driver program including safety measures.

5.32 Charter Bus and School Bus

The Charter Bus requirements, Title 49 U.S.C. 5323(d), generally limit the use by public transportation operators of federally funded equipment and facilities for charters unless there are no willing and able private operators available to operate the charter. FTA Circular 9050.1 had applied the charter bus requirements to grantees under the JARC program. New charter regulations (49 CFR Part 604), published in the Federal Register on January 14, 2008 (73 FR 2326) states, at §604.2 (e), “The requirements of this part shall not apply to a recipient that uses Federal financial assistance from FTA for program purposes only, under 49 U.S.C. 5310, 49 U.S.C. 5311, 49 U.S.C. 5316 or 49 U.S.C. 5317.” This relieves the operator of a JARC project from this requirement while operating service under this program.

Additionally at Sub-part B – Exceptions §604.7 provides an exception for recipients providing charter service to a Qualified Human Services Organization. This type of organization is defined as “...an organization that serves persons who qualify for human services or transportation - related programs or services due to disability, income or advanced age.” §604.3(q).

FTA Circular 9045.1 applies the school bus requirements to grantees under the New Freedom program. These requirements were not applied to the JARC program. The School Bus requirements, Title 49 U.S.C. 5323(f), prohibit the use of FTA funds for exclusive school bus transportation for school students and school personnel. The regulations do permit regular service to be modified to accommodate students along with the general public. This service is commonly referred to as “tripper service”.

The on-site review will focus on vehicle utilization reports, schedules and service description, including maps.

5.33 Drug-Free Workplace and Drug and Alcohol Testing

All recipients of FTA funding are required under 49 CFR part 32 to maintain a drug-free workplace for all employees and to have an anti-drug policy, awareness program and training program. Grantees must notify employees that the use, manufacture, distribution, or possession of a controlled substance is prohibited in the workplace. While these provisions

do not extend to grantees under C.9045.1 for the New Freedom program or C.9050.1 for the JARC program, Illinois state regulations at 30 ILCS 580/1 does require that all grantees certify that they provide a drug-free workplace.

Grantees that receive only JARC or New Freedom program assistance are not subject to FTA's Drug and Alcohol testing rules, but must comply with Federal Motor Carrier Safety Administration (FMCSA) rule for employees who hold Commercial Driver's Licenses (CDL)(49 CFR part 382). All drivers of vehicles designed to transport 16 or more passengers (including the driver) must have a CDL. Mechanics that drive the vehicles must also have a CDL.

The RTA's JARC and New Freedom Programs are only directly funding vehicles that do not require a CDL, but if the duties of any personnel meet the duties defined as safety sensitive they will have to comply with the FMCSA. If any operating projects will be using vehicles that require a CDL, under the Federal Motor Carrier Safety Administration's regulations the carrier will be required to implement the regulations.

The Federal Motor Carrier Safety Administration's regulation under 49 CFR Part 40 requires:

- Pre-employment testing for drivers who perform a safety sensitive function.
- Reasonable suspicion testing when there is reasonable suspicion of use of alcohol and/or controlled substances.
- Random testing using a scientifically valid method.
- Post-accident testing for fatal accidents and moving violations requiring vehicle towing or medical attention.

FTA defines safety sensitive duties as:

- Operating a passenger service vehicle, whether or not it is in service.
- Operating a vehicle that requires a Commercial Driver's License (CDL).
- Controlling dispatch or movement of a vehicle.
- Performing maintenance on a passenger service vehicle.
- Carrying a firearm for security purposes.

5.34 Labor Protections

The transit employee protections, 49 U.S.C. 5333(b), do apply to the JARC program but not the New Freedom program.

Title 49 U.S.C. 5333(b) requires that the interests of employees affected by assistance under most FTA programs be protected under arrangements the Secretary of Labor concludes are fair and equitable. FTA will submit all JARC applications to the Department of Labor for certification.

Section 5333(b) requires that the notice of Federal assistance and acceptance of special 13(c) warranty be posted for employees to view.

For FTA programs, 49 U.S.C. 5333(a) imposes Davis-Bacon Act prevailing wage requirements on construction projects. Section 5333(a) requires the Secretary ensure that all laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed with the assistance of loans or grants under Chapter 53 be paid wages at

rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended.

5.35 Compliance Review Report

Upon the conclusion of the review process a final report will be produced that includes a summary of findings, if any, and their disposition. The report will be based on the results of the on-site review(s) as included in the Compliance Review Report. The Compliance Review Report includes an itemized list of each subject area that may be reviewed as applicable (Exhibit D).

Once a subrecipient is notified of a deficiency, the subrecipient will be requested to respond with a plan to take the corrective action. In an instance where the compliance issue is not resolved to the satisfaction of the RTA, the RTA may:

- Suspend grant fund payments.
- Deem a subrecipient ineligible to receive additional grant funds either within the current program or future programs.
- Audit the subrecipient to determine compliance with contractual obligations.
- Terminate the grant contract(s).

The RTA may request that FTA assist it in instituting a variety of actions depending on the severity of the issue. FTA's Circular 5010.1D, as revised, Grant Management Requirements, outlines methods for Grant Close-Out and Suspension and Termination in Chapter III, Grant Administration. Section 5 b covers Close-Out by FTA and Section 6 covers Suspension and Termination. Among a variety of reasons a grant may be closed-out by FTA are either failure to comply with the terms or conditions of the Grant Agreement or other Federal requirement and/or failure by the grantee to make reasonable progress to complete approved grant activities. A grant may be suspended or terminated for a variety of reasons including the failure to comply with the conditions of a grant including failure to make reasonable progress. Additionally FTA can pursue a partial termination of a grant where funds are no longer needed to accomplish the grant purpose.

5.36 Other Provisions

The RTA makes appropriate certifications of compliance with Federal requirements. RTA cites language regarding these Federal requirements in its contracts with subrecipients and requires each subrecipient to execute a certification of compliance with the relevant Federal requirements. Subrecipient certifications are required of the subrecipient prior to the execution of a contract by RTA. In addition to monitoring subrecipient's adherence to Title VI requirements, all other applicable federal requirements and certifications will be monitored under the RTA compliance program.

5.36.1 Closeout Procedures

RTA will use a two-step process to a move a Federal grant to closeout.

5.36.1.1 Subrecipient Closeout

Subrecipients are responsible for writing “Final Invoice” on the last invoice the subrecipient submits. This process begins when all activities in the Technical Services Agreement (TSA) are completed or all funds in the agreement are fully expended.

A final status report should accompany the final invoice. The final status report should state whether all project goals have been accomplished.

Finance initiates closeout of the individual project once final payment is made.

5.36.1.2 RTA and FTA Closeout

The RTA is responsible for administering the Federal grant closeout through the FTA’s TEAM system. The RTA will make any necessary adjustments to the project budget and conduct a final grant project audit as required by A-133.

Grant closeout procedures are outlined in the following FTA Circulars: Section 5310, 9070.1G, page VI-15 and Grant Management Requirements, C. 5010.1D, as revised, page III-14.

“The grantee must initiate close-out of a grant when all approved activities are completed and/or applicable Federal funds expended. All close-out documentation must be submitted within 90 days of the completion of all activities in the grant. This requires notifying FTA by letter or e-mail that the grant is ready for close-out. The grantee should electronically submit the following in TEAM as part of the grant close-out process: 1) a final budget reflecting actual project costs by scope and activity; 2) a final Federal Financial Report; 3) a final narrative MPR indicating the actual completion date of each ALI; a discussion of each ALI contained in the final budget and list of project property purchased under the grant; 4) a request to deobligate any unexpended balance of Federal funds; and 5) any other reports required as part of the terms and conditions of the grant.”

The Milestone Report will include information on the completion of the individual projects as well as the total project.

All project records will be maintained by the RTA for three years.

COMPLIANCE REVIEW REPORT

Date of Review:

RTA Reviewer:

Project Title:

Subrecipient Name:

Subrecipient Representatives:

<u>JARC</u>	<u>Federal</u>	<u>Local</u>	<u>Total</u>
<u>NF</u>	<u>Federal</u>	<u>Local</u>	<u>Total</u>
<u>Section 5310</u>	<u>Federal</u>	<u>Local</u>	<u>Total</u>

Grant Program: JARC
 New Freedom
 Section 5310

Subrecipient Type: Government
 Private Non-Profit
 Private For-Profit

Grant Type: Operating
 Capital
 Mobility Management
 Other

I. FINANCIAL MANAGEMENT AND FINANCIAL CAPACITY

A. Financial: Management and Internal Controls	Yes	No	N/A	Findings	Deficiency	Corrective Action	Response	NOTES:
1. The subrecipient has written financial management procedures.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
3. Subrecipient procedures include at least two approvals prior to payment of invoices.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
4. Subrecipient procedures require two people to review requisitions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
5. Passenger counts are used to document contract-paid rides.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
7. Subrecipient staff trained on procedures, review training program.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
B. Financial: Cash Control								
1. The subrecipient has procedures to reduce the opportunity for mishandling cash and other revenues, tickets and passes (if applicable).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
3. Subrecipient procedures limit or prohibit the driver from handling cash.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
4. Driver-supervisor checks driver procedures (i.e., farebox and on-board reporting procedures) on a regular basis.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
5. Ride vehicle and monitor driver fare receipt procedures.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
C. Financial: Accounting Systems								
1. Review chart of accounts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Details sufficient to segregate, accumulate, and allocate revenues and expenses.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. System distinguishes between or has separate systems for: administrative, operating and capital costs, as necessary.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
3. Review method of accounting: cost or accrual	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
4. Review responsibility for general ledger transactions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Are transactions posted to appropriate account category? Examine several transactions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
5. Review sources of local match: cash, in-kind, state sources, non-DOT federal.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Document source and amounts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
6. Review method to allocate indirect funds, if applicable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Program consistent with 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Subpart E, Cost Principles?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
b. Is subrecipient using a prescribed indirect rate?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
c. Is the rate charge supported by approved indirect cost allocation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
d. Cognizant Agency or major funder approved for current fiscal year?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

COMPLIANCE REVIEW REPORT

D. Financial: Audit	Yes	No	N/A	Findings	Deficiency	Corrective Action	Response	NOTES:
1. Subrecipient conducting independent financial audits?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Audit in compliance with 2 CFR 200, Subpart F, if grant over \$500,000 (until new guidance provided by FTA and it will change to \$750,000 or 65 ILCS 5).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
3. Review last two years audits.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Review balance sheet for separate income and balance sheet for transit program.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
4. Review audit for a schedule sheet comparing expenditures against approved project budget.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
5. Audit conducted on federal or state fiscal year, if not scheduled needs to coincide with one or the other.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
6. Audit findings or recommendations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Response to findings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
b. Corrective or remedial action	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
7. Report on Federal Awards sent to Single Audit Clearinghouse and the RTA.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

II. TECHNICAL CAPACITY

E. Technical: Grant Management	Yes	No	N/A	Findings	Deficiency	Corrective Action	Response	NOTES:
1. Monthly Status Reports sent to RTA with back up information remaining in subrecipient files.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Monthly requisitions have matching back up information in files.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
3. Yearly Program Measures reporting back up information in subrecipient files.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
4. Subrecipient procedures for internal review of reports and requisitions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
5. Staff trained on grant & financial management procedures.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
6. Subrecipient Project management procedures, including oversight of capital projects, if applicable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
F. Technical: Pass-Through Agreements, IGA's, TSA's								
1. Does the subrecipient have operating or lease agreements with other organizations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Subrecipient maintains title to vehicles, equipment and facilities funded by the federal government. RTA maintains Lien to the title.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
3. Operating agreements must include statement that federally funded property can be used in transit service and/or other projects or programs as long as such use does not interfere with service for which it was acquired.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
4. For capital leases, performed lease/purchase calculations and has adequate financial resources to meet future obligations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
5. Property management records for all project funded equipment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
G. Technical: Marketing of Transit Services								
1. The Subrecipient markets transit services to program specific clients.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. JARC program materials, to low income persons providing access to employment or employment related services.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
3. New Freedom materials, to persons with special transportation needs.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
4. Section 5310 materials to seniors and individuals with disabilities.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
4. Locations, media and/or community partners for marketing materials.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Review sources and location lists	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
5. Vehicles have appropriate signage for program.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
6. Information in other languages.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. List languages	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

COMPLIANCE REVIEW REPORT

III. Maintenance

A. Maintenance: Plan	Yes	No	N/A	Findings	Deficiency	Corrective Action	Response	NOTES:
1. Subrecipient has written vehicle maintenance plan or follow PACE Suburban Bus' plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Date written	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
b. Maintenance manager in attendance at meeting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Written preventative maintenance plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
3. Overall asset management plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Real property	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
b. Vehicles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
C. Maintenance: Vehicle Record Inspection								
1. Subrecipient has maintenance records; they are easily retrieved and well organized or they follow PACE Suburban Bus' program.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Subrecipient has manner to track maintenance of each vehicle.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

IV. AMERICANS WITH DISABILITIES ACT (ADA)

A. Vehicle Visual Inspection	Yes	No	N/A	Findings	Deficiency	Corrective Action	Response	NOTES:
1. Random selection of vehicles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. List vehicle ID numbers for vehicles inspected	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Vehicles do not show signs of excessive wear or lack of care.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
3. Exterior and Interior are clean and free of damage.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
4. Doors, mirrors, and lights are in working condition.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
5. Emergency door/safety interlock system functional.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
6. Cycle lift and check tie-downs.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
7. The subrecipient has a written complaint process.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. No written complaints alleging discrimination in service provision, last 3 years	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
b. If yes, describe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
8. Vehicle starts easily and runs smoothly without excessive visible exhaust.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
9. Ride vehicle and monitor driver fare receipt procedures (if applicable).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
B. Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA)								
1. Subrecipient prohibits discrimination on the basis of handicap and complies with the specific requirements for accessibility by both public and private providers of public transportation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Subrecipient is reporting on compliance with Section 504 and ADA.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
3. Subrecipient is designing and constructing new facilities in compliance with regulations on accessibility, review any design or drawing.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
4. Vehicles specifications include accessibility features, review specification.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
5. Document compliance in service accessibility or complementary service provision.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Document service type: fixed route or demand responsive. Demand responsive includes route deviation and subscription route services.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
6. For demand responsive, list type of provider: public, private	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Persons with disabilities must be able to access.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
7. Fixed service.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. All vehicles equipped with ramps or lifts, securement devices and are ADA compliant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
b. Complementary service extending at least ¼ mile on both sides of fixed route must be provided	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
c. Announce stops	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
d. Policy for qualifying persons for complementary service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
8. Provider serves persons with disabilities.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Denials	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

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c. Designated priority seats	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
d. Any charges for wheel chair, attendants, service animals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
9. The subrecipient has a written complaint process.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
a. No written complaints alleging discrimination in service provision, last 3 years	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
b. If yes, describe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
10. Complaints filed.							
a. Complaint resolution.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
11. Review Fare Structure.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

V. TITLE VI, CIVIL RIGHTS ACT OF 1964, NONDISCRIMINATION IN FEDERAL PROGRAMS

A. Title VI, Civil Rights Act 1964 Nondiscrimination in Federal Programs	Yes	No	N/A	Findings	Deficiency	Corrective Action	Response	NOTES:
1. Subrecipient has an Approved Title VI program, in accordance with FTA C4702.1B.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Subrecipient has adopted RTA's complaint procedures and notification process.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
3. The subrecipient has a written complaint process.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. No written complaints alleging discrimination in service provision, last 3 years	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
b. If yes, describe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
4. The Subrecipient has a public information system, concerning Title VI.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Review locations, media and/or community partners for marketing materials.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
b. Review sources and location lists	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
5. Vehicles have appropriate signage for program.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
6. Subrecipient has developed a Language Implementation Plan for persons with limited English. Information provided in other languages.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. List languages	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

VI. Procurement, including Buy America

A. Procurement Policies, all	Yes	No	N/A	Findings	Deficiency	Corrective Action	Response	NOTES:
1. Subrecipient has written purchasing procedures, review copy.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Covers purchase policy authority (staff positions) at various values (i.e. small purchases for vehicles/facilities).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
b. Appeal process (for formal bids only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Code of conduct for procurement decisions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
3. Level for competitive process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Telephone quote	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
b. Written quote	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
c. Bid process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
4. Utilizes available state and local intergovernmental agreements for procurement or use of common goods and services.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
5. Written procurement history.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
B. Procurement: Code of Conduct 49 CFR 18.36 (b)(3) and FTA C 4220.1F								
1. Subrecipient has a written policy addressing standards of conduct in the award and administration of a contract which precludes conflicts of interest. Code include penalties and disciplinary actions for violations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

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C. Procurement Procedures, Federal Funds	Yes	No	N/A	Findings	Deficiency	Corrective Action	Response	NOTES:
1. Subrecipient issues formal contracts in amount of \$100,000 or more for goods and services purchased with Federal funds.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Uses FTA Circular 4220.1F.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
3. Filed Self-Certification that procurement system complies with Federal requirements for any third party contracts.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
4. Uses FTA Circular 5010.1D (proposed) requirements for purchase of real property.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
5. How does the subrecipient ensure that applicable clauses and certifications are included in FTA funded procurements exceeding the micro-purchase limit and construction contracts over \$2,000? In intergovernmental agreements and subrecipient agreements, if applicable?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
6. How does the subrecipient ensure compliance with Buy America provisions except for products with a waiver or purchases under the simplified acquisition threshold (currently \$100,000)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
7. Is aware of applicable DBE requirements in 49 CFR Part 26.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
8. Has reviewed procurements for DBE opportunities and set goals accordingly.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
9. How does the subrecipient ensure that it performs an Independent Cost Estimate (ICE) before receiving bids or proposals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
D. Purchasing, Procurements, Capital								
1. Subrecipient								
a. Participates in Illinois consolidated bids for vehicles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
b. Conducts procurements for non vehicle purchase	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
c. Piggyback procurements with other subrecipients	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Review procurement file for all required procurement documentation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
3. Subrecipient has documentation of RTA approval of procurement process and bid documents for purchases over \$10,0000	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
4. Real property (land, including affixed land and improvements; structures and appurtenances).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Real property acquisition process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
b. If yes describe property and current use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
5. Small capital items, acquisition cost \$300 to \$5,000, process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
E. Purchasing, Competitive								
1. Advertisement process: how and where	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Evaluation process, including factors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
3. Geographic preferences	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
4. Sole source or non-competitive	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Cost analysis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
b. RTA approval	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
c. Contract value less than \$10,000, set by RTA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
5. For all procurements in excess of \$5,000 where not to low bidder, approval from RTA prior to conduct of procurement. FTA Micro purchase <\$3,000, no process necessary.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
.G Suspension and Disbarment								
1. As part of its evaluation of bids and proposals prior to award, does the subrecipient search the System for Award Management (SAM) to identify debarred or suspended bidders?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Subsequent to awarding a contract, has the subrecipient discovered that a contactor was listed in SAM as an excluded party? If yes, did the subrecipient inform RTA in writing of this information?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

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VII. Civil Rights: Disadvantaged Business Enterprise (DBE)

Civil Rights: Disadvantaged Business Enterprise (DBE)	Yes	No	N/A	Findings	Deficiency	Corrective Action	Response	NOTES:
1. Subrecipient who receives more than \$250,000 in contracting opportunities, excluding vehicles, is required to develop DBE program, establish goals for the program and submit periodic reports of compliance. Subrecipient who does not meet threshold must still make good faith efforts to utilize DBEs and submit reports. Plan required?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Review contracts and third party documents for required language re DBEs.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
3. If plan required does the subrecipient have a DBE Officer?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
4. If plan required has the subrecipient developed a process to ensure all contractors pay subcontractors within a reasonable time?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
5. If plan required does the subrecipient maintain and make available a directory of DBE certified firms?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
6. If Plan required and Subrecipient has an FTA approved DBE program, has Subrecipient timely submitted required reports to FTA with a copy to RTA?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
7. If Plan required and Subrecipient has an FTA approved DBE program, has Subrecipient included these grant funds in reports to FTA?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

VIII. LEGAL

VIII. LEGAL								
A. Legal								
1. The grantee is a legally formed entity operating under the laws of the State of Illinois	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. If a County or municipal government note State statute or if corporation, provide written by-laws	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
b. Board structure, members and meeting schedule	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
c. Written board minutes are taken and maintained	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Subrecipient had written code of ethics, provide copy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Approved by Board	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
b. Covers all employees, officers, board members and agents.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
3. Are supplemental agreements executed by an authorized official. Provide executed copies of the agreements.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
B. Litigation								
Since the last review, describe any changes in local or state laws and/or litigation that have affected or will affect the subrecipient's FTA program. For any of these changes, provide information on when and how RTA was advised.								
C. Lobbying								
1. Provide detailed information on any lobbying activities funded with non-federal funds, and documentation that proper OMB Standard Form LLL disclosures have been made and filed with RTA and are updated quarterly.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. If subrecipients used non-federal funds for lobbying activities, provide documentation that proper disclosures have been made and filed with the grantee on OMB Standard Form LLL.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

IX. SATISFACTORY CONTINUING CONTROL

IX. SATISFACTORY CONTINUING CONTROL								
A. Satisfactory Continuing Control: Real Property								
1. Does the subrecipient own any real property	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Title in subrecipient name	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
3. Realization of any revenue from incidental use of FTA financed real property	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. How uses revenue	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
4. Facility maintenance plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Record keeping system	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

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5. Real property disposition a. Provisions of disposition in compliance with FTA Circular 5010.1D	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
6. Visual walk through of facility a. Clean facility b. Accessible facility i. New facility ii. Modified	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>					
B. Satisfactory Continuing Control: Equipment	Yes	No	N/A	Findings	Deficiency	Corrective Action	Response	NOTES:
1. Subrecipient operates equipment purchased with Federal funds.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Subrecipient holds title to vehicles and equipment, even when operated by others.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
3. Primary use of equipment is consistent with original purpose, from grant.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
4. Equipment is tagged or otherwise identified as property purchased with Federal funds.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
5. Subrecipient conducted a physical inventory of equipment including vehicles within last two years.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
6. Equipment records include: circle any or all: description, id number, title information, procurement source, acquisition date, cost, percentage of federal share, the grant number/contract number from which procured, location of use, condition, and disposition data including, date, sale price, method of determining fair market value.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
7. Subrecipient procedures for protecting equipment from misuse, misappropriation, waste, unwarranted deterioration or destruction.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
8. Subrecipient conducts physical inventory of equipment on a regular basis a. Frequency	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
9. Equipment disposition (in compliance with 5010.1D (Proposed)). a. Determination of fair market value	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
C. Satisfactory Continuing Control: Employee, Driver and Volunteer Driver Training								
1. Subrecipient has written employee, driver and/or volunteer driver training program or follow PACE Suburban Bus' program. a. Training includes: circle any or all, defensive driving, passenger assistance, ADA requirements, passenger relations, customer relations, customer service, evacuation and emergency procedures , behind the wheel orientation, drug and alcohol program policy and prevention , list any others	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>					
b. Subrecipient maintains current training records	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Subrecipient has written job descriptions for employees and volunteers. a. Performs regular job performance evaluations, frequency	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>					
D. Satisfactory Continuing Control: Insurance								
1. Over all insurance plan and policy or self insurance information.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Facilities. a. Fire, accident, vandalism, other coverage including exclusions and riders	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>					
3. Vehicles, comprehensive. a. Collision insurance on all vehicles with remaining useful life	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
b. Document limits on coverage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
c. Replacement value coverage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
d. Casualty losses over last two years, document proceeds used for transit purposes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
4. Equipment. a. Accidental loss, vandalism and/or loss	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>					

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X. PLANNING/PROGRAM OF PROJECTS (not applicable to subrecipients)

XI. PUBLIC COMMENT FOR FARE AND SERVICE CHANGE (not applicable to subrecipients)

XII. HALF FARE (not applicable to subrecipients)

XIII. CHARTER BUS (JARC only)

	Yes	No	N/A	Findings	Deficiency	Corrective Action	Response	NOTES:
<p>New charter regulations (49 CFR Part 604), published in the Federal Register on January 14, 2008 (73 FR 2326) states, at §604.2 (e), "The requirements of this part shall not apply to a recipient that uses Federal financial assistance from FTA for program purposes only, under 49 U.S.C. 5310, 49 U.S.C. 5311, 49 U.S.C. 5316 or 49 U.S.C. 5317." This relieves the operator of a JARC project from this requirement while operating service under this program.</p> <p>Additionally at Sub-part B – Exceptions §604.7 provides an exception for recipients providing charter service to a Qualified Human Services Organization. This type of organization is defined as "...an organization that serves persons who qualify for human services or transportation- related programs or services due to disability, income or advanced age." §604.3(q).</p> <p>1. JARC subrecipient meets the above requirements and is only providing charters under this program or to QHSO's,</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

XIV. SCHOOL BUS (New Freedom and Section 5310)

<p>The School Bus requirements, Title 49 U.S.C. 5323(f), prohibit the use of FTA funds for exclusive school bus transportation for school students and school personnel. The regulations do permit regular service to be modified to accommodate students along with the general public. This service is commonly referred to as "tripper service".</p> <p>1. The subrecipient is only providing service in compliance with this requirement.</p> <p>a. Review vehicle utilization reports, schedules and service description, including maps.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
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XV. Safety and Security (As applicable per MAP-21)

A. Safety and Security	Yes	No	N/A	Findings	Deficiency	Corrective Action	Response	NOTES:
<p>1. Subrecipient has written plan for both system safety and security or a combined plan.</p> <p>a. Date written</p> <p>b. Safety/Security Officer</p> <p>c. Plans coordinated with local public safety agencies</p> <p>d. Disseminated to employees</p> <p>e. Training provided</p> <p>2. The subrecipient pre-qualifies employees/volunteers prior to employment.</p> <p>a. If yes, circle types: criminal background, driver's license, physical, aptitude test, reference check, prior employer check, other.</p> <p>3. Subrecipient has "hours in service" standard for drivers, i.e. 4 hours work and 1 hour break.</p> <p>4. Plan covers: circle all that apply: accident prevention and investigation, crime prevention, violence in the workplace prevention, facility protection, emergency management including terrorism, and safety and security awareness training.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

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f. OSHA, sign and location	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
g. Employee Rights for Workers with Disabilities/Special Minimum Wage Poster, sign and location	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
h. (Employers of over 50 persons) Family Medical Leave Act, sign and location	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
5. Environmental justice programs for minority and low income populations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

OTHER - Program Performance Measures

A. JARC Program	Yes	No	N/A	Findings	Deficiency	Corrective Action	Response	NOTES:
1. Project type: circle all that apply operating, capital, other.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Subrecipient goal: jobs, rides, both.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
3. Subrecipient is maintaining records and statistics on actual and/or estimated number of jobs.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Accessed by geographic coverage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
b. Accessed by timed coverage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
c. Method of data accumulation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
4. Subrecipient is maintaining records and statistics on actual and/or estimated number of rides, measured by one-way trips.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Method of data accumulation: driver counts, supervisor counts, farebox.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
5. Is subrecipient meeting its own criteria for success.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
B. New Freedom Program								
1. Project type: circle all that apply, operating, capital, other.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Subrecipient goal: increases or enhancements, additions or changes, rides.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
3. Subrecipient is maintaining records and statistics on leases or enhancements to:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Geographic coverage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
b. Service quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
c. Service time	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
4. Subrecipient is maintaining records and statistics on additions or changes to:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Environmental infrastructure (facilities, sidewalks, stations, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
b. Technology	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
c. Vehicles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
5. Subrecipient is maintaining records and statistics on actual and/or estimated number of rides, measured by one-way trips.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Method of data accumulation: driver counts, supervisor counts, farebox	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
6. Is subrecipient meeting its own criteria for success.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
C. Section 5310 Program								
1. Project type: circle all that apply, operating, capital, other.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
2. Subrecipient goal: increases or enhancements, additions or changes, rides.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
3. Subrecipient is maintaining records and statistics on leases or enhancements to:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Geographic coverage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
b. Service quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
c. Service time	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
4. Subrecipient is maintaining records and statistics on additions or changes to:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
a. Environmental infrastructure (facilities, sidewalks, stations, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
b. Technology	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
c. Vehicles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
5. Subrecipient is maintaining records and statistics on actual and/or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					

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estimated number of rides, measured by one-way trips. a. Method of data accumulation: driver counts, supervisor counts, farebox 6. Is subrecipient meeting its own criteria for success.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

OTHER - Labor Protection

A. Labor Protection: transit employee protections 49 USC 5333(b) JARC only	Yes	No	N/A	Findings	Deficiency	Corrective Action	Response	NOTES:
1. Notice of Federal Assistance and acceptance of Special Warranty posted for employees to view.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					
B. Labor Protection: Davis-Bacon Act 49 USC 5333(a) Construction projects only								
1. Contract review for required clauses and signage at job site	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>					