



MONTANA

Department of Transportation

TRANSIT STATE MANAGEMENT PLAN

For the following federal programs:

49 U.S.C. § 5303 – Metropolitan Planning

49 U.S.C. § 5304 – Statewide Planning

49 U.S.C. § 5310 – Enhanced Mobility of Seniors and Individuals with
Disabilities 49 U.S.C. § 5311 – Formula Grants for Rural Areas

49 U.S.C. § 5339 – Bus and Bus Facilities

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Foreword

The purpose of this State Management Plan (SMP) is to present the Montana Department of Transportation's (MDT) policies regarding administration of the Federal Transit Administration (FTA) and state transit programs. MDT developed this plan to be a policy document, much like an FTA circular. The purpose is not to restate FTA policy; thus, the SMP does not restate FTA policy in instances where we have not adopted an additional policy. Procedures relating to the administration of these programs are presented in separate documents.

The MDT SMP covers each of the federal programs, as follows:

- [49 USC 5303: Metropolitan planning \(house.gov\)](#)– Metropolitan Planning provides funding for metropolitan transit planning studies.
- [49 USC 5304: Transportation improvement program \(house.gov\)](#)– Statewide Planning provides funding for local and regional transit planning studies.
- [49 USC 5310: Grants and loans for special needs of elderly individuals and individuals with disabilities \(house.gov\)](#)– Enhanced Mobility of Seniors and Individuals with Disabilities provides funding to states to assist non-profits and others in meeting the transportation needs of seniors and individuals with disabilities. The 5310 program also incorporates the former “New Freedom” program (49 U.S.C. § 5317) and provides funding to address transportation challenges faced by individuals with disabilities seeking integration into the workforce and society.
- [49 USC 5311: Formula grants for other than urbanized areas \(house.gov\)](#)– Formula grants for Rural Areas provides funding to states to support transportation in rural areas with a population of less than 50,000. The 5311 program has also incorporated the former “Job Access and Reverse Commute” program (49 U.S.C. § 5316) and addresses transportation challenges faced by welfare recipients and persons with low-income seeking to obtain and maintain employment.
- [49 USC 5339: Bus and bus facilities formula grants \(house.gov\)](#)– Formula grants for Bus and Bus Facilities provides capital funding to replace, rehabilitate, and purchase buses and related equipment, and to construct bus-related facilities.

Alternative accessible formats for this document will be provided on request. Persons who need an alternative format should contact the Office of Civil Rights, Department of Transportation, 2701 Prospect Avenue, PO Box 201001, Helena, MT 59620. Telephone 406-444-5416 or Montana Relay Service at 711.

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I. INTRODUCTION

The Highway Department was created in 1913. In 1991, the Highway Department was reorganized and became the Montana Department of Transportation. Prior to 1991, the Montana Department of Commerce administered the transit programs. After reorganization, the Governor designated MDT as the agency responsible for administering FTA programs.

The Rail, Transit & Planning Division, through the Transit Section and Statewide & Urban Planning Section, administers the FTA transit programs. The primary objective of the transit programs is to assist in the establishment and maintenance of public, private, and non-profit passenger transportation systems. MDT provides this assistance through a cooperative effort involving FTA and state, local, private, and tribal agencies.

The abbreviated MDT Organization Chart, which includes the Department Outline, Rail, Transit and Planning Division, Office of Civil rights, and the Professional Services Division is attached to this SMP as Appendix A.

II. DEFINITIONS AND ACRONYMS

Common definitions, acronyms, and abbreviations.

Definitions

ADA Accessible Vehicles. Public transportation revenue vehicles which, in compliance with ADA requirements, do not restrict access, are usable, and provide allocated space and/or priority seating for individuals who use wheelchairs, and which are accessible using lifts or ramps.

Capital Asset. Capital assets include land, improvements to land, easements, buildings, building improvements, vehicles, machinery, equipment, works of art and historical treasures, infrastructure, and all other tangible or intangible assets that have useful lives over one year.

Capital Project. The acquisition, construction, reconstruction, and improvement of facilities, vehicles, and equipment of a transit system.

Capital Expenses. The expenses related to the purchase of equipment. Equipment means an article of non-expendable tangible personal property having a useful life of more than one year and an acquisition cost which equals the lesser of: The Capitalization level established by the government unit for financial statement purposes, or \$5,000.

Capital expenses do not include operating expenses that are eligible to use capital funds.

Charter Service. A vehicle hired for exclusive use that does not operate over a regular route, on a regular schedule and is not available to the general public.

Condition Assessment. A scale used to determine the physical state of capital assets. Conditions levels include Excellent (5), Good (4), Adequate (3), Marginal (2), and Poor (1), with assets being considered in good repair with a score of 3 or greater.

Cost Allocation Model. A cost allocation model is a model chosen and developed by the

transit agencies to be used in allocating shared operating costs to the appropriate modes. The cost allocation model consists of the method, cost pools, and variables that the transit agencies would use to allocate their shared costs.

Grant. An award of financial assistance, including Cooperative Agreements, in the form of money, or property in lieu of money, by the Federal Government to an eligible grantee or recipient.

Group Plan Sponsor. An agency who reports performance targets and other Transit Asset Management data on behalf of Tier II agencies, who choose to participate in a group plan.

In-Kind Services. A type of contributed service reported only if there is no obligation to pay for the service.

Incidental Service. The provision of transit rides when existing public transportation services cannot meet demand. This is often done through a Guaranteed Ride Home program or policy. There are three common cases:

1. Transit agency works with employers to ensure employees who took transit to work and who must leave work for a personal emergency (illness, family crisis) or have unscheduled overtime, have a ride home;
2. Transit vehicle breakdowns or other service interruptions; and
3. Demand response mode when reserved passenger trips cannot be met.

Local Operating Funds. Financial assistance from local entities that support the operation of the transit system. They include, but are not limited to:

1. Tax levies - A specified amount from local levies that is dedicated to supporting public transit system operating costs;
2. General funds - Transfers from the general fund of local governments to cover the Local Share portion of the transit system budget;
3. Specified contributions - Contributions from city, county or other municipal government towards the Local Share portion of the transit system budget;
4. Donations - Donations from individuals or organizations to help cover the costs of providing transit service but which are not related to specific passengers or trips; and
5. Other - Other revenues such as advertising.

Non-Revenue Facility. A facility or an area that is not used to enable individuals to board or alight transit vehicles, and that is primarily staffed by transit employees.

Operating Expenses. The expenses associated with the operation of the transit agency, and classified by function or activity, and the goods and services purchased. These are consumable items with a useful life of less than one year or an acquisition cost which equals the lesser of: The capitalization level established by the government unit for financial statement purposes, or \$5,000.

Operating Project. The transit system expenses relating to labor, fringe benefits, materials and supplies, utilities, insurance, purchased transportation services, license fees, and lease expenses.

Paratransit. Types of passenger transportation which are more flexible than conventional

fixed-route transit but more structured than the use of private automobiles. Paratransit includes demand response (DR) transportation services, shared-ride taxis, car-pooling and vanpooling (VP), and jitney (JT) services. Most often refers to wheelchair-accessible, demand response (DR) service.

Passenger. An individual on board, boarding, or alighting from a revenue transit vehicle. Excludes operators, transit employees and contractors.

Planning. Component activities include providing supervision and clerical support for planning activities and conducting long range and regional transit planning and analysis.

Preventative Maintenance Costs. All the activities, supplies, materials, labor, services, and associated costs required to preserve or extend the functionality and serviceability of the asset in a cost-effective manner, up to and including the current state of the art for maintaining such asset. These capital maintenance expenses are eligible to use FTA formula funding programs for these functions: vehicle maintenance function and non-vehicle maintenance function.

Program of Projects. The program of projects identifies the Subrecipients and projects for which the state is applying for financial assistance. The Section 5311 annual program of projects the state submit(s) to FTA for approval must indicate the total number of Subrecipients; identify each Subrecipient and indicate whether they are governmental authorities, private nonprofit agencies, or private providers of transportation services; and identify any that are Indian tribal governments or tribal transit agencies (including both federally recognized and other tribal governments). The program of projects must show, for each project, a brief description of counties, or tribal needs served, total project cost, and the federal share. (FTA C 9040.1)

Public Transportation. As defined in the Federal Transit Act, "transportation by a conveyance that provides regular and continuing general or special transportation to the public, but does not include school bus, charter, or intercity bus transportation or intercity passenger rail transportation provided by the entity described in chapter 243 (or a successor to such entity)."

Revenue Vehicle. The floating and rolling stock used to provide revenue service for passengers.

Revenue Service (Miles, Hours, and Trips). The time when a vehicle is available to the general public and there is an expectation of carrying passengers. These passengers either: directly pay fares, are subsidized by public policy, or provide payment through some contractual arrangement.

Vehicles operated in fare free service are considered in revenue service. Revenue service includes layover / recovery time.

Revenue service excludes deadhead, vehicle maintenance testing, school bus service, and charter service.

Rolling Stock. Transit vehicles such as buses, vans, cars, railcars, locomotives, trolley cars and buses, and ferry boats, as well as vehicles used for support services.

Safety and Security Chief Executive Officer Certification. An attestation by the CEO of a

transit agency certifying the accuracy of safety and security data submitted to the NTD in the past calendar year.

School Bus Service. The exclusive use of buses to carry children and school personnel to and from their schools or school-related activities. It includes county school buses, private school buses, and buses chartered from private companies for the express purposes of carrying students to or from school and / or school-related activities.

Service Area. A measure of access to transit service in terms of population served and area coverage (square miles). The reporting transit agency determines the service area boundaries and population for most transit services using the definitions contained in the Americans with Disabilities Act of 1990 (ADA), i.e.: a corridor surrounding the routes $\frac{3}{4}$ of a mile on either side, or for rail, a series of circles of radius $\frac{3}{4}$ mile centered on each station.

Service Vehicles. Vehicles used to indirectly deliver transit service, maintain revenue vehicles, and perform transit-oriented administrative activities. These vehicles include automobiles, trucks and other rubber tire vehicles, and steel wheel vehicles.

Spare Vehicles. The revenue vehicles maintained by the transit agency to meet routine and heavy maintenance requirements, meet unexpected vehicle breakdowns or accidents, thereby preserve scheduled service operations.

Sponsored Service. Public transportation services that are paid, in whole or in part, directly to the transit provider by a third party. These services may be offered by transit providers as part of a Coordinated Human Services Transportation Plan. Common sponsors include the Veterans Administration, Medicare, sheltered workshops, ARC, Assisted Living Centers, and Head Start programs.

State of Good Repair. A condition sufficient for capital assets to operate at a full level of performance. This means the asset:

1. Is able to perform its design;
2. Does not pose a known unacceptable safety risk; and
3. Has met or recovered lifecycle investments.

Subrecipient. Subrecipient means an entity eligible to receive federal or state transit funds through the Montana Department of Transportation.

TransADE. State special revenue fund for providing operating funds or matching funds for senior citizen and persons with disabilities transportation services.

Transit. Synonymous term with public transportation.

Acronyms

ACB - Accounting Control Bureau
 ADA - Americans with Disabilities Act of 1990
 BABA - Build America, Buy America Act
 BIL - Bipartisan Infrastructure Law
 CAA - Clean Air Act
 CAR - Capital Assistance Review

CARES - Cost Accounting Record Entry System
 CFR - Code of Federal Regulation
 CMAQ - Congestion Mitigation and Air Quality Improvement Program.
 DBE - Disadvantaged Business Enterprise
 DFWA - Drug-Free Workplace Act
 DPHHS - Department of Public Health and Human Service
 EAP - Employee Assistance Program
 ECHO - Electronic Clearing House Operation
 EEO - Equal Employment Opportunity
 FAST Act - Fixing America's Surface Transportation Act
 FFATA - Federal Funding Accountability and Transparency Act
 FHWA - Federal Highway Administration
 FMCSA - Federal Motor Carrier Safety Administration
 FSRS - FFATA Subaward Reporting System
 FTA - Federal Transit Administration
 GAAP - Generally Accepted Accounting Principles
 ICB - Intercity Bus
 LRTP – Long Range Transportation Plan
 MAP-21 - Moving Ahead for Progress in the 21st Century
 MCA - Montana Code Annotated
 MCS - Motor Carrier Service Division
 MDT - Montana Department of Transportation
 MPO - Metropolitan Planning Organization
 MTA - Montana Transit Association
 NEPA - National Environmental Policy Act
 NTD - National Transit Database
 NWADA - Northwest ADA Center
 OCR - Office of Civil Rights
 OMB - Office of Management and Budget
 POP - Program of Projects
 PM - Preventive Maintenance
 PT – Purchased Transportation
 PTASP - Public Transportation Agency Safety Plan
 RFP - Request for Proposal
 RTAP - Rural Transportation Assistance Program
 SABHRS - Statewide Accounting, Budgeting, and Human Resource System
 CEO - Safety and Security Chief Executive Officer
 SPR-PL – State Planning and Research Program
 SMP - State Management Plan
 SSO - State Safety Oversight
 STIP - State Transportation Improvement Program
 TAC - Transportation Advisory Committee
 TAM - Transit Asset Management
 TDP - Transit Development Plan
 TIP - Transportation Improvement Program
 TrAMS - Transportation Award Management System
 RIM - Records and Information Management
 UPWP - Unified Planning Work Program
 U.S.C. - United States Code

USDOT - United States Department of Transportation
 UZA - Urban Area

Additional definitions can be found on the NTD Glossary webpage:
<https://www.transit.dot.gov/ntd/national-transit-database-ntd-glossary>.

III. LEGAL AUTHORITY

The Montana Governor designated MDT as the authorized agency for administering any issue relating to any mode of public transportation in any judicial or administrative forum of this state. The Transportation Commission, a quasi-judicial board appointed by the Governor, is allocated to the MDT for the administrative purpose of allocating FTA funds. The Rail, Transit & Planning Division is responsible for administering the federal Section 5303, 5304, 5310, 5311, and 5339 programs.

MCA references authorizing the MDT to represent the state on public transportation as well as the roles and responsibility of the transportation commission are as follows:

1. [60-21-101. Department of transportation authorized to represent the state on public transportation issues, MCA \(mt.gov\)](#)
2. [2-15-2502. Transportation commission, MCA \(mt.gov\)](#)
3. [2-15-121. Allocation for administrative purposes only, MCA \(mt.gov\)](#)
4. [60-2-110. Setting priorities and selecting projects, MCA \(mt.gov\)](#)
5. [60-2-129. Allocation of funds, MCA \(mt.gov\)](#)

FTA is responsible for national implementation of these grant programs and provides program guidance in circulars:

1. [Program Guidance for Metropolitan Planning and State Planning and Research Program Grants | FTA \(dot.gov\)](#)
2. [FTA Circular 9070.1G - Enhanced Mobility of Seniors and Individuals With Disabilities Program Guidance and Application Instructions | FTA \(dot.gov\)](#)
3. [Formula Grants for Rural Areas: Program Guidance and Application Instructions | FTA \(dot.gov\)](#)
4. [Bus and Bus Facilities Program: Guidance and Application Instructions | FTA \(dot.gov\)](#)
5. [Award Management Requirements Circular \(5010.1E\) | FTA \(dot.gov\)](#)

Circulars describe the intent of the grant programs and explain funding requirements. These requirements include program management and development of the State Management Plan. This plan must comply with the circulars and with other state requirements that aren't in conflict with the circulars.

IV. FEDERAL PROGRAM INFORMATION

Metropolitan Planning Program and Statewide Planning and Research Program - Sections 5303 & 5304

MDT ensures that 5303 & 5304 program goals are consistent with [49 USC §5303](#) and [49 USC §5304](#).

Goals and Objectives

Section 5303 and 5304 programs provide funds to local public agencies for the planning, engineering, designing, and evaluating of transit projects for the development of regional transportation plans; and for various other transit-related technical studies. MDT's objective for the programs is to encourage the development of innovative approaches to planning, design, and evaluation of transit services and facilities.

Significant Section 5304 projects are updated annually in the MDT SPR-PL Work Plan.

Roles and Responsibilities

The Statewide & Urban Planning Section within the Rail, Transit & Planning Division applies for and provides Section 5303 funding to small urban area (> 50,000 and < 200,000) areas for planning and technical support.

Section 5304 funds are applied for and provided to either Subrecipients in rural areas (< 50,000) or for statewide planning projects let by the Transit Section within the Rail, Transit & Planning Division.

Eligible Subrecipients

Eligible Subrecipients include state or local government authorities, federally recognized Indian Tribes, nonprofit organizations, and operators of public transportation or intercity bus service.

These three metropolitan planning organizations are eligible for Section 5303 funds: Yellowstone County Planning Board (Billings), Great Falls Metropolitan Planning Organization, and Missoula Metropolitan Planning Organization. MPOs are required to develop UPWPs to govern work programs for the expenditure of FHWA and FTA planning funds.

The MDT and Rural area operating Subrecipients are eligible for Section 5304 funds.

Local Share and Funding Requirements

The federal share is 80 percent, and the local match is 20 percent of the project cost.

Enhanced Mobility of Seniors and Individuals with Disabilities Program - Section 5310

MDT ensures that 5310 program goals are consistent with [Circular 9070.1](#) and [49 U.S. Code § 5310](#).

Goals and Objectives

Primary program goals are as follows:

1. assisting in the planning, engineering, design, construction, evaluation, and maintenance of public transportation projects, equipment, and facilities;
2. facilitating cooperation between public transportation companies and private companies engaged in public transportation to encourage the planning and establishment of areawide public transportation systems needed for economical

- and desirable urban development;
- 3. encouraging mobility management, employment-related transportation alternatives, joint development practices, and transit-oriented development;
- 4. providing financial assistance to states and local governments to help carry out national goals related to mobility for all, including elderly individuals, individuals with disabilities, and economically disadvantaged individuals;
- 5. investing in bus and bus-related activities such as replacement, overhaul, and rebuilding of buses; and
- 6. investing in crime prevention, public transportation safety, and security equipment.

Secondary program goals are to:

- 1. increasing accessibility and availability of transportation options;
- 2. ensure that seniors and individuals with disabilities have the same rights as all people to use transportation facilities and services;
- 3. continue to provide for the special needs of seniors and individuals with disabilities for whom transportation services are unavailable, insufficient or inappropriate; and
- 4. use incentives to encourage the consolidation and require the coordination of existing transportation services and human service transportation.

Roles and Responsibilities

The Transit Section administers the Section 5310 program. Transit Section responsibilities include:

- 1. documenting procedures in the SMP;
- 2. planning for future transportation needs and ensuring integration and coordination among diverse transportation modes;
- 3. developing program criteria and project eligibility;
- 4. announcing the availability of funds;
- 5. soliciting and reviewing applications for completeness and need;
- 6. verifying the eligibility of project applicants and project activities;
- 7. selecting projects;
- 8. developing and submitting applications to FTA;
- 9. administering FTA awards;
- 10. monitoring projects;
- 11. ensuring timely implementation, program audit, and closeout; and
- 12. ensuring adherence to FTA and State requirements by Subrecipients.

Eligible Subrecipients

Eligible Subrecipients include state or local government authorities, federally recognized Indian Tribes, nonprofit organizations, and operators of public transportation or intercity bus service.

Rural area operating Subrecipients are eligible for Section 5310 funds.

Eligible Projects and Local Share Requirements

MDT allows funds to be used for the purchase of vehicles only. The federal share is 80 percent, and the local share is 20 percent. The federal share for buses and vans is 85 percent if the project complies with the ADA or the CAA.

Formula Program for Rural Area - Section 5311

MDT ensures that 5311 program goals are consistent with [Circular 9040.1](#) and [49 U.S. Code § 5311](#).

Goals and Objectives

Primary program goals are as follows:

1. enhancing access in rural areas to health care, shopping, education, employment, public services, and recreation;
2. assisting in the maintenance, development, improvement, and use of public transportation systems in rural areas;
3. encouraging and facilitating the most efficient use of all transportation funds used to provide passenger transportation in rural areas through the coordination of programs and services;
4. providing financial assistance to help carry out national goals related to mobility for all, including seniors, individuals with disabilities, and low-income individuals;
5. increasing accessibility and availability of transportation options;
6. assisting in the development and support of ICB transportation;
7. encouraging mobility management, employment-related transportation alternatives, joint development practices, and transit-oriented development; and
8. providing for the participation of private transportation providers in rural public transportation.

Roles and Responsibilities

The Transit Section is responsible for administering FTA Section 5311 programs.

Responsibilities include:

1. coordinating with the MTA on issues and concerns related to FTA funding;
2. encouraging local coordination of transportation services;
3. encouraging Subgrantees with projects funded through Section 5311 to coordinate locally;
4. developing and implementing a program of training and technical assistance under Section 5311(b)(3), the Rural Transit Assistance Program;
5. developing and implementing the Intercity Bus Program under Section 5311(f); and
6. providing annual goals and objectives updates to the MDT LRTP.

Eligible Subrecipients

Eligible Subrecipients include state or local government authorities, federally recognized Indian Tribes, nonprofit organizations, and operators of public transportation or intercity bus service.

Rural area operating Subrecipients are eligible for Section 5311 funds. Indian Tribes may request a suballocation of operating funds. Suballocations require a request from each Subrecipient with MDT director approval. The Transit Section will send a request to suballocate to FTA identifying the federal fiscal year and amount of transfer.

Eligible Services and Service Areas

The Transit Section uses Section 5311 funds for capital, and operating assistance for

public transportation projects in rural areas.

Sliding Scale, Local Share, and Funding Requirements

[23 USC 120: Federal share payable \(house.gov\)](#) and (b) authorize an upward adjustment (the “sliding scale”) to the Federal share for a State containing Federal and nontaxable Indian lands. Montana is eligible for higher federal share rates for capital and operating expenses based on the share of public lands in the state.

Montana’s Sliding Scale Rates for FTA Section 5311 Grants:

FTA Grant Type	Max Federal Share of Project	Local Match
Admin Grants	80.00%	20.00%
Capital Grants	86.58%	13.42%
Operating Grants	54.11%	45.89%
Preventive Maintenance	80.00%	20.00%

The sliding scale must be approved for use annually by the State of Montana, MDT, and the FHWA.

Capital.

The federal share shall not exceed 86.58 percent of the project cost. The local match is 13.42 percent.

Operating.

The federal share is 54.11 percent for operating. The local match is 46.89 percent.

Project Administration.

The federal share is 80 percent. The local match is 20 percent.

PM as an Operating Expense.

The federal share is 80 percent. The local match is 20 percent.

Intercity Bus - Section 5311(f)

Goals and Objectives

The goal of the program is to provide meaningful connections in rural areas to the national intercity bus network. MDT expects to meet 15 percent or more of its annual Section 5311 apportionment to support connections between rural areas and the national intercity bus network. If the MDT does not expect to meet the 15 percent, then it will conduct outreach to intercity bus providers to ensure that all intercity bus needs are met. MDT identifies intercity needs through statewide intercity and rural needs planning studies.

Roles and Responsibilities

To identify intercity bus needs statewide, the Transit Section conducts outreach to various stakeholders through the coordinated planning process, public comment process, statewide needs studies, and meetings with the MTA.

Planning may involve an annual consultation and network plan update, as well as a statewide intercity bus plan update. To conduct the annual consultation process, MDT

staff contact intercity providers and analyze their current service to determine if they are meeting intercity needs. MDT consults intercity providers regarding the long- and short-term needs of the intercity network and their assessment of meeting those needs.

To identify intercity bus needs statewide, MDT conducts outreach to various stakeholders through the coordinated public transit-human services transportation planning process and regional planning organization meetings. The planning phase includes a consultation process before MDT distributes funds.

Eligible Subrecipients

Eligible Subrecipients include state or local government authorities, federally recognized Indian Tribes, nonprofit organizations, and operators of public transportation or ICB service.

Eligible Services and Service Areas

MDT Section 5311(f) funds to support meaningful connections between rural areas and the national ICB network. Capital and operating funds are awarded.

Sliding Scale, Local Share, In-Kind Match for ICB, and Funding Requirements

The sliding scale can be applied to the 5311(f) program if approved for use by the State of Montana, MDT, and FHWA.

MDT allows the use of unsubsidized miles as matching funds in accordance with [9040.1, Chapter VIII](#). A request for the use of match must be provided by the Subrecipient with documentation. Documentation must identify the unsubsidized segment and the pledged miles with cost per mile calculation.

Allowable match shall not exceed the direct net operating deficit [C9040.1G, Sec. 8, Part 5(f)] and the in-kind contribution does not exceed the total local match [C9040.1G, Sec. 3, Part 4(h)].

Capital.

The federal share shall not exceed 86.58 percent of the project cost. The local match is 13.42 percent.

Operating.

The federal share is 54.11 percent for operating. The local match is 46.89 percent.

Project Administration.

The federal share is 80 percent. The local match is 20 percent.

PM as an Operating Expense.

The federal share is 80 percent. The local match is 20 percent.

V. Rural Transportation Assistance Program - 5311(b)(3)

Provides funding to states for developing training, technical assistance, research, and related support services in rural areas. The program also includes a national program that provides information and materials for use by local operators and state administering agencies and supports research and technical assistance projects of

national interest.

MDT does permit participation by small urban providers in RTAP sponsored activities so long as the activities are primarily designed and delivered to benefit rural transit providers. See FTA C 9040.1G, Chapter IX, 4(e).

Additional guidance found in [FTA C 9040.1G, Chapter II-1](#).

Goals and Objectives

MDT ensures that the RTAP program goals are consistent with Circular 9040.1. In addition to the circular, MDT's goals are to:

1. to promote the safe and effective delivery of public transportation in rural areas and to make more efficient use of public and private resources;
2. to foster the development of state and local capacity for addressing the training and technical assistance needs of the rural transportation community;
3. increase accessibility and availability of transportation options;
4. to improve the quality of information and technical assistance available through the development of training, technology, and technical assistance resource materials;
5. to facilitate peer-to-peer self-help through the development of local networks of transit professionals;
6. to support the coordination of public, private, specialized, and human service transportation services; and
7. to build a national database on the rural segment of the public transportation industry.

Roles and Responsibilities

To identify statewide needs and make funds readily available for technical assistance, training, and related services which support rural public transit. Transit Section Responsibilities Include:

1. Promoting technical assistance and training opportunities to Subrecipients
2. Providing program guidance and distribution of funds.
3. Making funds available to eligible transportation providers to receive reimbursement throughout the year.
4. Make use of funds to provide technical assistance, training, and related services.
5. Provide funds for technical assistance, training, and related services to the MTA.
6. Develop, implement, and maintain a State RTAP Activities Plan through a process that provides maximum opportunity for the participation of rural transit operators, both public and private, in identifying and establishing priority areas of need for transportation research, technical assistance, training, and related support services.
7. Support a state RTAP Coordinator.

The Transit RTAP Reimbursement Form and RTAP Supporting Documents are attached to this SMP as Appendix B and C.

Eligible Subrecipients

Eligible Subrecipients include states, local governments, and providers of rural transit services.

Local Share and Funding Requirements

MDT does not require local match.

Urban Area Formula Program - Section 5307

Roles and Responsibilities

The Governor designated the Cities of Billings and Helena, and the Bozeman, Great Falls, and Missoula Transit Districts as recipients of Section 5307 funds. Annually, the Transit Section provides the FTA with a split letter to request approval to allocate Section 5307 apportionment to each MPO.

Montana does not transfer Section 5307 funds to the Section 5311 program.

Bus and Bus Facilities Formula Program - Section 5339

Provides funding to states and transit agencies through a statutory formula to replace, rehabilitate and purchase buses and related equipment and to construct bus-related facilities. In addition to the formula allocation, the Grants for Buses and Bus Facilities program ([49 U.S.C. 5339](#)) includes two competitive components: the Bus and Bus Facilities Competitive Program and the Low or No Emissions Bus Vehicle Program. Goals and Objectives

MDT ensures that 5339 program goals are consistent with [Circular 5100.1](#), [U.S. Code § 5339](#), and [FAST Act Section 3017](#).

In addition to the FTA goals for the program, MDT's goals are to:

1. assist transit systems with capital such as passenger shelters, buses, and replacing buses as they meet their useful life;
2. increasing accessibility; and
3. assist in bus-related facility upgrades and/or new construction.

Roles and Responsibilities

The Transit Section administers the program in accordance with [Circular 9040.1](#), which is currently undergoing FTA update.

Responsibilities include:

1. Determining Section 5339 Urban allocation amounts
2. Suballocating Section 5339 Urban allocations to direct Section 5307 recipients. See Capital - Small Urban Areas, Distribution of Funds, Program Management for details.
3. Awarding Section 5339 Rural capital projects. See Capital - Rural Areas, Distribution of Funds, Program Management for details.

Eligible Subrecipients

Eligible Recipients include designated recipients that operate fixed route bus service or that allocate funding to fixed route bus operators; and State or local governmental entities that operate fixed route bus service that are eligible to receive direct grants under Sections 5307 and 5311. Local Share and Funding Requirements

Funds can be used for the purchase of vehicles and related capital equipment, and bus facilities.

The federal share for revenue service vehicles is 80 percent and the local share is 20 percent. For projects that comply with the ADA or the CAA the federal share for revenue service vehicles is 85 percent and the local share is 15 percent and for facility projects is 90 percent and the local share is 10 percent for eligible projects.

VI. STATE PROGRAM INFORMATION

TransADE - MCA 7-14-112

TransADE is the state gas tax revenue account for providing transportation assistance to seniors and individuals with disabilities. MDT is the authorized agency for administering TransADE. The TransADE statute is found here: [7-14-112. Senior citizen and persons with disabilities transportation services account -- use, MCA \(mt.gov\)](#).

Goals and Objectives

TransADE provides operating matching funds to help local or operating assistance to transportation providers that serve seniors and individuals with disabilities to maximize federal funds. The program also provides matching funds for capital cost increases influenced by pandemic related market changes.

MDT's goals and objects for TransADE are to:

1. enhance the access of elderly and persons with disabilities to health care, shopping, education, employment, public services, and recreation;
2. assist in maintenance, development, improvement, and use of specialized transportation systems areas; and
3. assist transportation providers in the expansion of their services to meet the unmet needs of elderly and persons with disabilities within their service area who are dependent upon specialized transportation.

Roles and Responsibilities

The Transit Section administers the program.

Eligible Recipients

Eligible Subrecipients include state or local government authorities, urban areas, federally recognized Indian Tribes, nonprofit organizations, and operators of public transportation for transportation services for persons 60 years of age or older and persons with disabilities. They include Section 5310 Subrecipients, Section 5311 Subrecipients, and public transit providers in urban areas.

Distribution of Funds

MDT uses TransADE as matching funds to help local communities maximize their federal funds. Funding is distributed through a formula based on [MCA 7-14-112\(3\)\(a\)\(b\)](#). MDT designated lead agencies in each community receive the funding and based on discussions with their local TAC, determine the greatest needs to enhance the transportation services to seniors and individuals within their community.

Requirements for Eligible Recipients

Subrecipients must submit an annual application for funds to MDT, submit quarterly reports through MDT's Transit grant system within 30-days of quarter end, provide access and retention of records, and follow all other terms and conditions listed in the Agreement with MDT.

VII. GENERAL INFORMATION

At the state level, it is the responsibility of the Transit Section and Office of Civil Rights (OCR) to monitor the requirements and participation of TACs, private sector participation, program complaint procedures, and charter services.

Transportation Advisory Committee

Each Subrecipient must have a local TAC. There can be only one TAC per local service area. These committees are made up of transportation providers and interested community residents. The TAC is an advisory group or forum to assist local transportation providers rather than a governing body. MDT often attends local TAC meetings to provide technical support.

Because passenger transportation issues differ from one area to another, each community or service area must customize its TAC to address local transportation issues in a way that best meets those needs with the resources at hand.

The Transit Section recommends that all TACs include representatives from the following groups or agencies: elderly, persons with disabilities, hospitals, nursing homes, retirement facilities, mental health centers, local elected public officials, citizens interested in community transportation, and general public transportation provider.

TAC responsibilities include: promote and encourage passenger transportation communication and coordination of service within the service area; serve as the local planning group that reviews and discusses transportation needs and resources for their service areas, identify operating and planning needs, discuss community transportation issues including unmet passenger transportation needs; how to improve transportation with the service area; resources that exist with the service area, including hours of service; use of resources; schedules; and how to use existing resources within the community to their fullest potential, and review and approve all capital application funding requests prior to submittal to MDT.

Each TAC should elect a chairperson who will be responsible for calling meetings and keeping the minutes. MDT recommends that TACs meet quarterly.

The Transit Section's 2024 Montana Public Transit Systems Map, which illustrates the geographic locations of public transit systems, is attached to this SMP as Appendix D.

Private Sector Participation

It is the policy of the OCR and the Transit Section to encourage the use of the capabilities and resources of the private sector to meet the demand for transportation service in Montana; and to provide the opportunity for the private sector to participate in the planning process.

Private operators are given an opportunity to participate through membership on local TAC committees and capital project bid solicitations. They are encouraged to participate

in the development of transportation plans. Private operators are informed of the planning and preparation of projects and notified of scheduled public meetings.

During the planning process public transit service providers are encouraged to coordinate with public, private, and nonprofit local entities in the provision of coordinated transportation services to enhance opportunities for private sector participation.

Public notification is required for all proposed new and/or expanded transit related services associated with local planning efforts. This notification process consists of the following steps:

1. Notice to the public regarding proposed service changes.
2. Reasonable time for comment.
3. Opportunity for a public hearing.
4. Record comments and views expressed during the public hearing.
5. The results of the hearing are made available to the public.

At the program development level private operators are given the opportunity to offer service proposals for consideration.

Public transit service providers are required to consider contracting service where it is determined that private transportation operators can provide efficient transit service. Comparison of transit service proposals includes an evaluation of all fully allocated costs of public and private transit services and proposals, including any operating subsidies, capital grants and the use of public facilities.

Public and private nonprofit agencies are required to maintain documentation of the participatory planning process and rationale used in making public/private service decisions.

Agencies are responsible for identifying and documenting impediments to private sector participation. If the impediments are local, the agency is encouraged to resolve the problems at the local level. In the event the impediment is at the State or Federal level, the agency reports the impediment to the Transit Section.

Existing transit services are reviewed annually or during review of TDPs to determine if services can be provided more efficiently by the private sector.

Private sector representatives wishing to express a grievance should do so through an established complaint procedure process at the local level. In the absence of established procedures at the local level, state complaint procedures shall apply as described in the following Program Complaint Procedure Section.

See Civil Rights, Program Management, for information on public participation monitoring and DBE reporting.

Program Complaint Procedures

OCR oversees, addresses, and maintains program complaint procedures, whereas the Transit Section is responsible for ensuring that all local transportation providers have complaint procedures in place for resolving local disputes. If someone feels they have been discriminated against, they may file a complaint with MDT, the transit provider, or FTA. MDT's ADA, Title VI, and Title VII Complaint form may be accessed electronically at:

<https://www.mdt.mt.gov/other/webdata/external/civilrights/FORMS/CIVIL-RIGHTS-DISCRIMINATION-COMPLAINT-FORM.PDF>

OCR encourages individuals to first file a complaint directly with their transit provider to give the transit provider an opportunity to resolve the situation.

The OCR FTA Title VI Plan lists the following complaint procedures, processing of complaints, and complaint tracking:

Procedures. Procedures cover complaints filed under [Title VI of the Civil Rights Act of 1964](#) and the [Civil Rights Restoration Act of 1987](#).

Any person who believes they, or any specific class of persons, were subjected to prohibited discrimination based on race, color or national origin may file a written complaint individually or through a representative. A complaint must be filed no later than 180 days after the date of the alleged discrimination, unless the discrimination is ongoing, or the time for filing is extended by the FTA.

When MDT receives a complaint that relates to transit facilities, funding, or services, MDT coordinates with the transit provider to have them investigate and/or enter into mediation to provide an opportunity to resolve the situation. MDT will provide assistance to the transit provider throughout the process and will summarize and track complaints as noted below.

Complaints alleging violations of Title VI by MDT or its subrecipients may be filed in writing with the following agencies:

Montana Department of Transportation
Office of Civil Rights
2701 Prospect Ave
PO Box 201001
Helena, Montana 59601
Phone: 406-444-6334
TTY: 800-335-7592
Fax: 406-444-7243
Email: mdtcrform@mt.gov

Office of Civil Rights
US Department of Transportation
Federal Transit Administration
1200 New Jersey Ave SE
Washington DC 20590

Processing Complaints. OCR has the primary responsibility for processing Title VI external discrimination complaints received by MDT. All discrimination complaints received by staff and management must be referred to OCR for review and action. OCR processes complaints consistent with FTA's Title VI Requirements and Guidelines for Federal Transit Administration Recipients.

Complaints shall set forth, as fully as possible, the facts and circumstances surrounding the alleged discrimination. If a person makes a verbal complaint to an MDT employee,

that person shall be interviewed by OCR. If necessary, OCR will assist the person in documenting the complaint in writing and submitting the written version to the person for signature. Within ten (10) days of receipt of the complaint, OCR will acknowledge receipt, inform the complainant of action proposed or taken, and forward the complaint to the appropriate regulatory agency if necessary.

See Attachment 7 for MDT's Complaint Form. The Complaint form may be accessed electronically at:

[Search | Montana Department of Transportation \(MDT\) \(mt.gov\)](#)

Tracking Complaints. All complaints of discrimination are tracked and monitored in the Civil Rights Complaint Tracking Database. They include the following information:

- Name and contact information of the person filing the complaint
- Basis of complaint
- Authority of the complaint (Title VI, Title VII, ADA, Affirmative Action)
- Membership in protected class
- Name and contact information of person alleged to have engaged in discriminatory behavior or conduct
- Name of the investigator
- Date of complaint filing and case number
- Investigative notes and outcome of investigation
- Origin of complaint (MDT, State of Montana Department of Justice, contractor, subrecipient, Montana Human Rights, EEOC, or United States Department of Justice (USDOJ))

The OCR FTA Title VI Plan can be found here:

[Nondiscrimination | Montana Department of Transportation \(MDT\) \(mt.gov\)](#)

Charter Service

MDT does not condone or promote charter services by publicly funded transit operators in the State of Montana unless all requirements or exceptions have been met. All exceptions to charter service must be in accordance with 49 CFR Part 604 Subpart B-Exceptions. All exceptions must adhere to the provisions in 49 CFR 604.2.

The Charter Service Flow Chart is attached to this SMP as Appendix E.

VIII. PROGRAM MANAGEMENT

Selection of Projects

Subrecipients are required to apply for planning, operating, technical assistance, and capital funds through the annual grant process. Funding opportunities post on the first business of each new year. Capital applications are due to MDT on the first business day in March.

The Transit Section notifies the public by multiple means including a post on the MDT website, Transit Newsletter, email distribution lists, and tabling, training and workshop opportunities.

Distribution of Funds

Planning

Section 5303. Funds are distributed to each MPO using a formula that includes each state's urbanized area population in proportion to the total urbanized area population for the nation, as well as other factors.

Section 5304. Funds are distributed at the discretion of the Transit Section. Subrecipients provide a planning project proposal or work plan that is reviewed and approved by the MDT.

Operating

Section 5310. The Transit Section does not provide Section 5310 funds for operating.

Section 5311. For existing Subrecipients, operating assistance is formula-based, weighing data which includes cost per mile, ridership, mileage, and past expenditures. Assistance for expansion and new services is determined through an application and review process.

Operating funds may be suballocated to eligible tribal governments by Subrecipient request and FTA approval.

Section 5311(f). For existing Subrecipients, operating assistance is formula-based, weighing data which includes cost per mile, ridership, mileage, and past expenditures. Assistance for expansion and new services is determined through an application and review process. The Transit Section does not suballocate Section 5311(f) funds to ICB service providers.

Technical Assistance

5311(b)(3). MDT solicits requests for technical assistance and training, including consulting with the MTA. In addition to funding training and technical assistance activities directly, MDT passes funds to Section 5311 Subrecipients for training, technical assistance, research, annual meetings, scholarships, and related support services. Subrecipients may submit a request for RTAP funding to the Transit Section.

Capital - Small Urban Areas

Section 5310. Capital projects from human service organizations located in small urban areas are selected through the small urban selection process and procured by MDT. The Transit Section does not suballocate 5310 funds.

Section 5339. The Transit Section suballocates Section 5339 funds annually to direct Section 5307 recipients. Recipients select projects through a local selection process and apply for the use of funds directly to FTA.

The annual suballocation process begins with notification to each MPO of the respective suballocation amount. MPOs request in writing funds to be suballocated with MDT formally requesting approval from FTA. Suballocations are formula based as follows:

MDT suballocates the full annual amount apportioned to State for Small Urbanized Areas to the Billings MPO, with proportional suballocations to all other Montana MPOs from the annual amount apportioned to the State. The proportional amounts are based on the following weighing factors used by FTA when allocating 5307 formula funds to each Montana-based Small Urbanized Area:

- 50% apportioned based on population
- 50% apportioned based on population x population density

Capital - Rural Areas

Sections 5310, 5311, and 5339. The Transit Section, local TACs, and the CAR committee participate in the selection of capital projects.

Applicants identify capital from rolling-stock list provided within the capital application for funding posted by the Transit Section. For each capital item, the applicant will provide a capital needs statement and identify if the capital application is intended for replacement or expansion. TACs review each capital request prior to submittal to MDT. Applicants The TAC prioritizes the capital needs if there are two or more requests or applicants within a service area. Applications are then submitted to MDT. The Transit Section Regional Planner reviews the capital application for completeness, completed the Needs Justification worksheet by providing scores for timeliness of quarterly reporting, training attendance, and the TAC priority number (if applicable), and completes the Synopsis form for each capital request. After each Regional Planner has completed each packet, packets are combined to create one statewide packet which is then sent to each CAR committee member for review and scoring.

The CAR committee is made up of the following members: small urban provider, general public provider, consumer who uses transit daily, Montana DPHHS transportation coordinator, DPHHS aging representative, DPHHS developmental disability representative, and MTA board member.

Annually the CAR committee meets to discuss the statewide applications. Each Regional Planner will present each application to the committee. The committee may ask questions about each agency and application and adjust scores accordingly. After each application has been reviewed and scored, scores are sorted from high to low. A meeting is scheduled with the MDT Director for final review and approval.

Section 5310, 5311, and 5339 funding for capital projects is identified by the MDT by reviewing account balances and apportionments. Projects are awarded by priority score and available funding amounts.

The Transit Section's CAR Committee Scoring and Selection Guidance is attached to this SMP as Appendix F.

Program of Projects Development and Approval Process

MDT administers an annual application process. Section 5311 operating applications are reviewed and approved by the Transit Section, then presented to the Rail, Transit, and Planning Division administrator for final approval.

MDT Fiscal Section staff create a program of projects when applying for new funds based on Sections 5304, 5310, 5311, and 5339 awards. MDT reviews the program of projects periodically throughout the year to monitor spending and funding adjustments as necessary. During the first month of each federal fiscal year, MDT submits an updated program of projects along with annual reporting required by FTA. If no updates are necessary, MDT will confirm that the program of projects is current.

Capital projects that have been selected by the CAR committee are reviewed by the Transit Section Supervisor to assure equity of distribution of benefits among groups within the state, as required by Title VI of the Civil Rights Act of 1964 and presented to

the MDT director for approval.

Once operating and capital projects have been awarded, the Transit Section provides the list of awards to the Rail, Transit, and Planning Division, Administrative Section. The Administrative Section develops the POP for awarded projects, then the Transit Section reviews and approves the POP prior to grant submit by the Administrative Section. Obligated funds are executed by the Rail, Transit, and Planning Division program officer.

The Budget & Federal Award Development Timeline is attached to this SMP as Appendix G.

Program and Coordination

The MDT coordinates with other agencies at the state level and encourages and enhances coordination at the project level. The MDT may coordinate with the Department of Administration for purchasing and contracting services, the DPHHS for providing technical support, and the MTA for legislation.

The Transit Section's General Guidance for Coordination Plan Development provides reference for recipients of FTA grants to coordinate and cooperate with other programs operating or planning to establish a transportation system in their service areas.

On the state level, the Transit Section, in conjunction with DPHHS and the Indian Affairs Office, coordinates activities that encourage coordination and consolidation. For example, representatives from each of these State agencies as well as a provider and/or consumer are included on the CAR Committee, which is responsible for the review, screening, and ranking of applications for capital assistance.

Coordination is required and continues at the local project level. In order to reduce expenditures, increase service, use resources more efficiently and improve service, applicants for FTA funding must coordinate their proposed service plans. This is accomplished through their respective TACs in nonurban areas and MPOs in urban areas.

In addition to TAC and MPO coordination, State transportation programs require local agencies, particularly those submitting applications, to provide reasonable notice to transportation providers (includes private for profit, private nonprofit, and public agencies) regarding proposed and/or changes in transit services. Private transportation providers are encouraged, to participate in order that they may present their views concerning the development of local plans and programs. This coordination effort is examined during the Section 5310 and Section 5311 application review process.

With respect to Sections 5303 and 5304, the Statewide & Urban Planning Section, in its role as coordinator with the nonurban areas and MPOs, develops a single FTA application and work program each year. The Statewide & Urban Planning Section also participates in MPO program reviews related to the Section 5303 Program.

Coordinated Public Transit Human Services Transportation Plan

Federal law requires a recipient of Section 5310 funds to certify that projects selected for funding under this program are included in a locally developed, coordinated public transit-human service transportation plan and that the plan was developed and approved through

a process that included participation by seniors; individuals with disabilities; representatives of public, private, nonprofit transportation, and human service providers; and other members of the public. (Ref: Title 49 U.S.C. 5310 as amended by MAP-21, Chapter V of FTA C 9070.1G)

The Transit Section's Application Guidance Manual, which provides coordination plan guidance, is attached to this SMP as Appendix H.

Long-Range Transportation Plan

Originally adopted in 1995 as TranPlan 21, the 2017 updated TranPlanMT is Montana's policy based long-range transportation planning effort and partnership between MDT, transportation stakeholders, and the public to effectively and efficiently plan Montana's transportation future in a world with ever shifting needs and priorities. This is accomplished through input from the public, gathering and analyzing data, and identifying emerging trends.

The long-range planning process gives MDT an opportunity to work with the public and stakeholders to identify and achieve transportation goals to keep Montana moving forward on a safe and efficient transportation system.

Goals and strategies are intended to provide broad policy guidance to inform and direct MDT decision making during the 20-year planning horizon set forth in TranPlanMT.

Additional information about MDT's TransPlanMT can be found here:
<https://www.mdt.mt.gov/tranplan/>

Statewide Transportation Improvement Program

MDT's STIP is a four-year program of highway and transit projects for the State of Montana. Published every year, and amended as changes to projects occur, the plan is a compilation of all highways (state or local) and transit (capital or operating) projects in urban and rural areas. The STIP adopts the TIP prepared by the state's 3 MPOs reference. The STIP is approved by the FHWA and FTA.

All annual STIP documents are subject to a 30-day public comment period (15 days for amendments). The public can submit comments about the STIP to MDT via email, phone, or mail.

State Planning and Research Program Work Plan

The Rail, Transit and Planning Division of the Montana Department of Transportation is responsible for administering the SPR-PL annual work program.

Risk Assessment

Per 2 CFR 200.332 the MDT evaluates each Subrecipient's risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward for purposes of determining the appropriate Subrecipient monitoring.

Risk Assessments are conducted by the Transit Section and prior to Subrecipient application approvals. The Risk Assessment Form is attached to this SMP as Appendix

I.

Factors for consideration include:

1. The Subrecipient's prior experience with the same or similar subawards;
2. The results of previous audits including whether or not the Subrecipient receives a Single Audit in accordance with Subpart F of this part, and the extent to which the same or similar subaward has been audited as a major program;
3. Whether the Subrecipient has new personnel or new or substantially changed systems; and
4. The extent and results of Federal awarding agency monitoring (e.g., if the Subrecipient also receives Federal awards directly from a Federal awarding agency).

Items for review may include:

1. List of owners, managers and/or board members and titles;
2. Percent of ownership;
3. Resumes for the owners, managers and/or board members;
4. Business references;
5. Operating contingencies (back-up bus, fleet size, etc.);
6. Expected subsidies (i.e.: grants other than 5311 funds, etc.);
7. Pro Forma balance sheet, income and cash flow statements for the next 2 years;
8. Two most recent audits;
9. Source(s) of capital used for startup operations;
10. Proof of at least 3-months cash reserves and sources;
11. Financial reference (i.e.: bank officer, major creditor or lawyer);
12. List of owned fixed assets (i.e.: buses and building); and
13. Financial contingencies (i.e.: bus accident, unexpected major repairs).

[Per 200.339, Remedies for Noncompliance](#), if a non-Federal entity fails to comply with the U.S. Constitution, Federal statutes, regulations or the terms and conditions of a Federal award, the Federal awarding agency or pass-through entity may impose additional conditions, as described in [§ 200.208](#).

If MDT determines that noncompliance cannot be remedied by imposing additional conditions, the MDT may take one or more of the following actions, as appropriate in the circumstances:

1. Temporarily withhold cash payments pending correction of the deficiency by the non-Federal entity or more severe enforcement action by the Federal awarding agency or pass-through entity.
2. Disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance.
3. Wholly or partly suspend or terminate the Federal award.
4. Initiate suspension or debarment proceedings as authorized under 2 CFR part 180 and Federal awarding agency regulations (or in the case of a pass-through entity, recommend such a proceeding be initiated by a federal awarding agency).
5. Withhold further Federal awards for the project or program.
6. Take other remedies that may be legally available.

The Transit Section's 5310 and 5311 Compliance Review Packets are attached to this SMP as Appendix J and K. See the table of contents for a complete list of the categories covered by the compliance reviews.

Internal Audit Requests and Reviews

[2 CFR Part 200.500](#) sets forth standards for obtaining consistency and uniformity among Federal agencies for the audit of non-Federal entities expending Federal awards.

Selection process for annual internal audit requests and reviews:

Audit Services develops an audit plan for each calendar year. Information or ideas are provided by the Transit Section in the form of a questionnaire. The following is addressed in the questionnaire:

1. Specific audit needs
2. High risk Subrecipient
3. Difficulties, concerns, or problems with Subrecipients
4. Problems in desk reviews, reporting, or other reviews/monitoring processes
5. New Subrecipients
6. Other considerations

Request and review process for Subrecipients for single audit:

Single Audit Procedures for Subrecipient Monitoring is attached to this SMP as Appendix L.

Financial Management

The Rail, Transit & Planning Division in conjunction with the Administration Division maintains a system of accounting and internal controls to assure an accurate and timely cash flow to local projects.

Reports

Uniform reporting is required of all Section 5303 & 5304, 5310, 5311, and 5339 projects with a separate project-agreement code established for each award. The project codes are established per MDT standard accounting and record keeping procedures immediately upon notification of grant approval. Reconciliation is performed monthly by the ACB with a comparison of expenditures made between Montana SABHRS, and CARES. MDT's Accounting Controls Bureau uses CARES to compile the ECHO billing submitted to FTA monthly.

Subrecipient Direct and Indirect Costs

MDT follows [2 CFR Part 200.412-414](#) for administering direct and indirect (F&A) costs. Direct and indirect costs are charged quarterly to the Subrecipient quarterly financial reports and reviewed by the Transit Section for eligibility and reimbursement of the Federal share.

Reimbursements

Each agency is responsible for accurate and complete disclosure of eligible expenditures and revenues within 60 days of the end of each quarter. Eligible costs

must be allowable, reasonable, allocable, and consistent costs. Guidance can be found at [2 CFR 200.403-405](#).

Appropriate reimbursement of eligible expenses for each Section 5311 operating agency is made quarterly by MDT within 30 days of receipt of properly executed reimbursement request. Invoices for goods and services are reimbursed within thirty days of receiving a properly executed invoice.

Agencies receive reimbursement for no more than the amount of the award total specified in their contract. Unspent funds or “carry forward” will be recalculated for redistribution the following year. Extensions on any contract are only provided in cases of documented extreme hardship.

The Transit Section applies a capitalization level of \$5,000 or more to capital assets. Costs cannot be capitalized for individual items costing less than \$5,000, even if the total purchase (invoice) exceeds \$5,000.

Sources of Local Match and In-kind

For all Federal awards, any shared costs or matching funds and all contributions, including cash and third-party in-kind contributions, must be accepted as part of the non-Federal entity's cost sharing or matching when such contributions meet all the following criteria:

- Are verifiable from the non-Federal entity's records;
- Are not included as contributions for any other Federal award;
- Are necessary and reasonable for accomplishment of project or program objectives;
- Are allowable under subpart E of this part;
- Are not paid by the Federal Government under another Federal award, except where the Federal statute authorizing a program specifically provides that Federal funds made available for such program can be applied to matching or cost sharing requirements of other Federal programs;
- Are provided for in the approved budget when required by the Federal awarding agency; and
- Conform to other provisions of this part, as applicable.

State Administrative Costs

MDT may use up to 10 percent of its apportioned Section 5311 funds to administer the Section 5311 program.

Allowable administrative costs include salaries, overhead expenses, supplies, and office equipment used to administer the program. Allowable technical assistance costs may include program planning, program development, development of vehicle and equipment specifications, management development, coordination of public transportation programs (public and private for-profit and nonprofit), and such research as the state may deem appropriate to promote effective means of delivering public transportation service in rural areas. No local share is required for these expenses.

Assigning Funding to Capital Projects

MDT uses Section 5310, 5311, and 5339 funding, when available for Capital Projects. Assigning funding types to individual capital projects is determined by the fiscal planner based on award allowability and approved by the Transit Supervisor. MDT funds capital projects awarded to new service startups \with Section 5310 funding to reduce risk of having to return capital in case Subrecipient may desire to transition from a Section 5311 to a Section 5310 provider.

Project Review and Monitoring

Quarterly Subrecipient Reports

MPOs submit a quarterly Section 5303 planning status report describing work performed and a unified work program expenditure summary. In addition, each MPO, based on its quarterly report, submits a request for reimbursement.

All Section 5310, 5311, and 5339 Subrecipients and TransADE recipients are required to submit quarterly reports relative to operations, ridership, performance, and financial costs. In addition, Section 5311 and TransADE operators are required to conduct a reimbursement calculation. Section 5311 and Section 5339 (if not buying buses) operators must *document vendors used during the quarter so MDT can report DBE goal achievement*.

Triennial Compliance and Good Practices Reviews

The purpose of the Compliance and Good Practices Review is to identify the strengths and weaknesses of a transit system and to ensure compliance with State and Federal rules and regulations.

The review is designed to be used as one part of a technical assistance effort. That is, after completion of a review, technical assistance is provided to improve deficient areas and to document exemplary performance to share with other transit systems.

Three primary functional areas of a transit system are investigated during a review: administration and management, operations and service provision, and service planning and marketing.

Unscheduled Maintenance Reviews

MDT conducts unscheduled PM monitoring to ensure compliance with timely PM requirements in accordance with the compliance and good practices review. When traveling to or near Subrecipient locations, MDT randomly reviews vehicle PM records for compliance.

Construction Management and Environmental Protection

MDT provides pass through funds for construction projects. The Subrecipient agency is responsible for environmental analysis activities required under NEPA. The Rail, Transit & Planning Division, Environmental Services Bureau assists Subrecipient agencies with preparation of environmental documentation.

Most projects and activities do not involve significant environmental impacts. Typically, projects are considered categorical exclusions because they are types of projects that have been “categorically” (i.e., previously) excluded in regulations from the

requirements to conduct environmental reviews prepare environmental documentation.

To receive a documented categorical exclusion, a Subrecipient must complete a checklist, including an environmental justice analysis. MDT will first review the completed checklist before sending it to FTA, who has final authority to grant the categorical exclusion.

Construction project management is most often part of a 3rd party contract and is the responsibility of the Subrecipient. MDT participates in the project by assisting with and reviewing the requests for proposal and invitations for bid, providing insight at selection and screening of architectural and engineering (A&E) applicants and/or contracted A&E services, and reviewing third party contract language.

[MCA 18-2-114](#), Seal and Signature of Architect on Plans, requires that all architectural plans and specifications for public buildings of the state of Montana or any agency thereof or of any county, city, or school district of the state shall bear the seal and signature of the architect responsible therefor. MDT will review stamped A&E plans to ensure ADA accessibility.

MDT will receive periodic progress reports from the Subrecipient throughout the project period and will conduct a final inspection with closeout.

Biennially, MDT inspects and conducts a physical inventory reconciliation of all FTA pass through funded facilities.

MCS Inspections

The MCS Division conducts vehicle inspections biennially for every Subrecipient that has vehicles under lien with MDT.

Facility Inspections

The Transit Section conducts facility inspections biennially for every Subrecipient that has a facility or facility improvement with a secured interest with MDT.

The Transit Section's Facility Condition Assessment form is attached to this SMP as Appendix M.

MPO Certifications

With each TIP submittal to FHWA and FTA, the MPO and state certifies that the transportation planning process is addressing the major issues in the transportation planning area and is being conducted in accordance with the requirements of [23 CFR § 450.336](#), Self-certifications and Federal certifications. In addition, the Statewide & Urban Planning Section participates in the planning process and Title VI reviews of the State's three MPOs every three years. Planning process reviews are conducted by FHWA with the participation of the FTA Community Planner and the Title VI reviews are conducted by MDT Civil Rights Bureau staff. Review of the MPO planning process considers MPO designation; geographic scope; MPO responsibilities; elements of its urban transportation planning process; use of Section 5303 funding support for the development and implementation of a transportation plan and TIP/annual or biennial element; Title VI requirements; private sector participation; and involvement of minority business enterprises in FTA funded projects.

Civil Rights

MDT is committed to complying with non-discrimination statutes, regulations, and authorities to deliver its federally assisted programs, services, and activities in a fair and nondiscriminatory manner.

MDT Office of Civil Rights has the primary responsibility for administering the DBE, Title VI, and ADA programs. OCR works in conjunction with the FTA and Transit Section in assuring Federal program compliance, training, investigating complaints, reporting, conducting equity analysis, monitoring subrecipients, disseminating information, and the developing guidance and plans.

MDT Transit Staff conduct Subrecipient compliance reviews, which include several Civil Rights topics, every three years. If any compliance review deficiencies are identified, MDT will work with the subrecipient to correct the deficiencies, including developing a corrective action plan and providing technical assistance.

DBE Program

MDT's DBE goal for FTA funded contracts can be found on MDT's website: <https://www.mdt.mt.gov/business/contracting/civil/programinfo.aspx>.

Each provider is encouraged to make all reasonable efforts to utilize MDT's currently certified DBE firms for subcontracting services. The MDT DBE Directory is located at [DBE/SBE Directory \(mt.gov\)](#)

Grantees must report purchases made to all vendors with their quarterly reports. Transit providers receiving grants for facility construction contracts must report contract and subcontract awards and payments to OCR. OCR utilizes the information to prepare the DBE Uniform Report on a semi-annual basis.

Title VI Program

Grantees must submit all required certifications and assurances with their grant application. This includes FTA's certifications and assurances and the Title VI Assurance ([USDOT Order 1050.2a](#)). Appendix A and E from USDOT Order 1050.2a is included in all contracts.

Grantees also must submit an updated Title VI Plan to OCR at least every 3 years. If a new grantee is awarded funding, OCR will coordinate with the grantee to submit a Title VI Plan and ensure they publish their public notice as specified in their Plan.

MDT compiles demographic information about the State of Montana, the locations of minority populations, and the distribution of funding. Based on this information, MDT analyzes the impacts of the funding distribution and identifies if there were disparate impacts based on any protected status.

If someone feels they have been discriminated against, they may file a complaint with MDT, the transit provider, or FTA. The Complaint form may be accessed electronically at: [Nondiscrimination | Montana Department of Transportation \(MDT\) \(mt.gov\)](#).

OCR processes complaints in accordance with the FTA Title VI complaint process:

[File a Complaint with FTA | FTA \(dot.gov\)](#).

For more information, including MDT's Title VI Plan and Language Assistance Plan, visit our website: [Nondiscrimination | Montana Department of Transportation \(MDT\) \(mt.gov\)](#).

Section 5304 and the Americans with Disabilities Act (ADA) MDT ensures that all Federally funded vehicles and acquired equipment are maintained, and operated in accordance with ADA regulations, unless a certification of equivalent service ([49 CFR Section 37.77](#)) has been provided, and that service does not discriminate against individuals with disabilities. Modifications and/or alterations to existing facilities and newly constructed facilities must comply with ADA accessibility standards.

OCR uses the following checklist to ensure compliance: [Transportation | ADANW \(nwadacenter.org\)](#)

Procurement

Procurement procedures used by the Transit Section and its Subrecipients comply with applicable Montana Procurement Laws, Rules, Policies & Executive Orders and Federal requirements contained in [FTA Procurement Circular 4220.1](#). Every January, MDT Transit Section and the Purchasing Section obtain the most recent Federal certifications and assurances from FTA to include applicable certifications and assurances in bid packets and purchase orders files.

Rolling-Stock

The Purchasing Section provides the majority of the vehicle purchasing activities for the Subrecipients. If a Subrecipient has the capacity and reason to conduct their own vehicle purchases the Transit Section provides 3rd party procurement oversight and technical assistance. FMCSA requirements are referenced and required in the scope or technical specifications of every vehicle solicitation. The Transit Section reviews and retains copies of all purchasing documents.

Required internal pre-award certifications include:

- Buy America Compliance
- Buy America Exemption
- Purchaser's Requirements
- FMVSS Compliance
- FMVSS Exemption

The Purchasing Section ensures all pre-award conditions are met prior to award. The Purchasing Section completes pre-award certifications and retains a copy in the master contract electronic folder.

FTA required internal post-delivery certifications include:

- Buy America Compliance
- Buy America Exemption
- Purchaser's Requirements (More than 20 Buses or Modified Vans, or any Number of Unmodified Vans)
- Purchaser's Requirements (20 or Fewer Buses or Modified Vans, or any Number of Unmodified Vans)

- FMVSS Compliance
- FMVSS Exemption

The Transit Section ensures all post-delivery conditions are met at post-delivery and completes the certifications. A member or representative of the Transit Section will conduct the manufacturer's inspection to meet the Purchaser's Requirements if required. Post-delivery inspections are completed to ensure contract compliance including FMVSS and Buy America. A Buy America cost content spreadsheet with final assembly location is requested from the manufacturer for each procurement.

MDT holds lien on all Federally funded vehicles until disposition.

The Pre-Award & Post-Delivery Certs document is attached to this SMP as Appendix N.

Planning Studies

Subrecipients are responsible for conducting localized planning contracting with the technical support and 3rd. party procurement support of the Transit Section. Section 5303 MPO planning studies are contracted directly by the MPO and Section 5304 statewide plans are contracted directly by the Transit Section. Section 5311 Subrecipients' purchasing activities are during triennial compliance and good practices reviews.

The Transit Section is responsible for conducting statewide planning studies. Common statewide planning studies include Transit Asset Management, Rural Needs, RTAP Workplan, and Intercity Bus Needs.

Facilities

The Transit Section administers FTA funded facility projects. Detailed administration activities are found in the Facility Construction Guidance.

Requirements for construction materials include compliance with Buy America and BABA. On August 23, 2023, the U.S. Office of Management and Budget published new [2 CFR Part 184](#), guidance to Federal agencies implementing the Build America, Buy America Act (BABA).

MDT holds a secured interest on the deed of all federally funded facilities until disposition.

The MDT Facility Construction Guidance and MDT Facility Construction Checklist are attached to this SMP as Appendix O and P.

Maintenance

Adequate maintenance procedures must be developed and implemented to keep the federally assisted property in good condition. Recipients must maintain federally assisted property in good operating order and in compliance with any applicable federal regulations that may be issued and follow applicable guidance that may be issued, except to the extent that FTA determines otherwise in writing. Recipients must have a written vehicle maintenance plan and a facility/equipment maintenance plan. These plans should

describe a system of periodic inspections and preventive maintenance to be performed at certain defined intervals.

Vehicle Maintenance

MDT requires all Subrecipients to have a written PM plan. This maintenance plan lists the agencies goals and objectives and at a minimum addresses all areas of the vehicle (chassis, body, wheelchair lift, securement stations, and all other ADA areas) through the form of daily, monthly, and annual checklists. Preventive maintenance requirements must meet or exceed the manufacturers' minimum requirements.

Facility Maintenance

MDT inspects each facility and conducts a physical inventory reconciliation biennially. MDT prepares an on-site facility inspection report for each facility and requires each Subrecipient to submit a written maintenance plan. The inspection covers all facility moving parts (room doors, garage doors, lifts), restrooms, ADA feature compliance, carpeting, paint, walls, flooring, and wash bays.

The main purpose of the inspection is to determine if the facility has been properly maintained and is in a safe operating condition.

MDT reviews PM plans during the triennial compliance and good practices reviews and/or during unscheduled PM monitoring. The Transit Section's Preventative Maintenance Plan is attached to this SMP as Appendix Q.

Insurance

MDT requires Subrecipients to have sufficient insurance to cover federally assisted rolling stock, equipment, and buildings. Insurance is required at the time the Subrecipient takes possession of the asset and thereafter until vehicle disposition.

Subrecipients must have sufficient property damage and liability insurance to cover the vehicle, equipment, and passengers and sufficient commercial building property insurance, including special flood hazard insurance if applicable. Subrecipients are responsible for determining sufficient levels of insurance and to periodically re-evaluate to determine if federally assisted buildings and assets have been moved into a special hazard area by FEMA.

The Transit Section's Flood Insurance Procedure is attached to this SMP as Appendix R.

MDT reviews verification of insurance during onsite reviews. Verification of current insurance is required annually and prior to financial reimbursement.

In the event of loss due to casualty, fire, or theft, the insurance settlement will go toward the replacement of lost items.

Program Measures

Project Monitoring and Reporting Requirements

Project monitoring is an ongoing process undertaken by the Transit Section.

Subrecipients are required to report expenses, revenues, and operating statistics through quarterly reports.

The project managers use the information contained in the quarterly reports to monitor Subrecipients' fiscal and operational activities. Requests for reimbursement are approved by the Transit Staff before processing payment.

MDT informs Subrecipients of record retention requirements through the triennial compliance review. In most cases, Subrecipients are instructed to keep records for at least three years after the last payment on a project or the disposed of a federally funded vehicle.

Federal Grant Programs

The Transit Section uses Subrecipient quarterly reports to monitor and evaluate performance. The Transit Section uses these reports to monitor Subrecipient fiscal and administrative management, project timelines, technical ability, service performance, and to satisfy federal reporting requirements.

The Transit Section monitors the purchase, maintenance, and disposal of assets purchased by rural Subrecipients through documentation requests, site visits, compliance reviews, and the application process.

Transit Asset Management Plan

MDT sponsors a group TAM plan. Small UZAs, Subrecipients, and Tribes may opt in or out of the MDT sponsored plan.

The Transit Section maintains the TAM plan annually with a comprehensive update every four years.

Useful Life

[FTA Grant Management Circular 5010.1, Chapter IV](#), contains guidelines for determining the minimum useful life of fixed assets, rolling stock, and equipment. MDT meets or exceeds these guidelines.

The useful life of fixed assets begins on the date it is placed in service and continues until disposition. The Transit Section has set the useful life of buildings and most other facilities (concrete, steel, and frame construction) at 40 years.

The useful life of rolling stock begins on the date the vehicle is placed in revenue service and continues until it is removed from revenue service. The minimum useful life in years refers to total time in transit revenue service, not time spent stockpiled or otherwise unavailable for regular transit use. Minimum useful life is determined by years of service or accumulation of miles whichever comes first.

On rare occasions, a Subrecipient may have a vehicle that needs replacement prior to reaching its designated year or mileage. With written request including justification, MDT will consider these exceptions on a case-by-case basis.

The Transit Section has developed the following useful life chart for rolling stock:

Category	MDT - Vehicle Description	Length	MDT - Seats	Approx. GVW	Mileage	Yrs
Van	Non-ADA Minivan	16 to 28 ft	7 to 13	6,000 to 14,000	100,000	4
Light-Duty Small Bus, Cutaway, and Van	Mini-conversion Van, Modified Van, and Small Cutaway Bus	16 to 28 ft	5 to 19	6,000 to 14,000	150,000	5
Light-Duty Mid-Sized Bus	Medium and Large Cutaway Bus	25 to 35 ft	12 to 19	10,000 to 16,000	150,000	5
Medium-Duty and Purpose-Built Bus	Medium-Duty and Purpose-Built Buses	30 ft +	26 to 36	16,000 to 26,000	200,000	7
Heavy-Duty Small Bus	Fixed Route Low-Floor Transit Bus	30 ft +	26 +	26,000 to 33,000	350,000	10
Heavy-Duty Large Bus	Fixed Route Low-Floor Transit Bus Motor Coach	35 to 48 ft	26 +	33,000 to 40,000	500,000	12

The Transit Section may also assist with repowering or rebuilding existing rolling stock. Repowering involves replacing a vehicle's propulsion system, including replacing a propulsion system with a propulsion system of a different type and is allowable when the vehicle has met at least 40 percent of their useful life. Rebuilding is a capital activity associated with rolling stock that occurs at, or near, the end of a unit of rolling stock's useful life. Repowering and rebuilding results in extending the useful life by at least 4 years.

MDT will consider the purchase of previously owned and remanufactured vehicles if all the following requirements are met:

1. Procurement. Procurement identifies the intent to purchase previously owned and/or remanufactured vehicles. As part of the bid or proposal the recipient must obtain certification and documentation ascertaining that applicable Bus Testing and Buy America requirements have been met by the original owner or remanufacturer.
2. Useful Life. The grant application and procurement of a previously owned vehicle must identify the applicable useful life for the vehicle.

Transit Section complies with all capital lease requirements in FTA Circular 5010.1E: Grant Management Requirements, Chapter 4. Capital leasing is a contractual agreement in which a grantee acquires the right to use a capital asset for a specified period without obtaining full ownership, in exchange for a periodic payment regardless of the tax status of the transaction. Leasing is allowable when it is more efficient to leverage limited funds than it is to purchase or construct capital assets and the following conditions are met:

1. an evaluation of the overall costs and benefits of leasing rolling stock; and
2. a comparison of the expected short-term and long-term maintenance costs under a lease versus maintenance costs when buying rolling stock.

Disposition

After end of useful life

MDT requires the Subrecipient to request the disposition of capital assets of any value. IIJA changed the provisions for asset disposition [\[49 USC § 5334\(h\)\(4\)\(B\)\]](#).

For rolling stock, equipment and aggregate supplies that have met their minimum useful life and were:

- purchased with federal assistance;

- with a fair market value of more than \$5,000; and
- sold after November 15, 2021.

Vehicles purchased by the Transit Section as a representative and administering agent of the Federal Government are not subject to State of Montana property disposal laws since State funds were not involved in the purchase.

The preferred method of disposition is the transfer of the capital asset to another eligible Subrecipient. Under a transfer arrangement, the Subrecipient disposing of a capital asset shall receive payment for the pro-rata share of the local investment based on the fair market value of the capital asset. If the capital asset cannot be transferred, then MDT will seek concurrence to dispose of the asset from FTA. Disposition of a fixed asset may require an MDT review appraisal and the pro-rata share may be based upon the fair market or straight-line value.

MDT returns the federal share percent greater than \$5,000 of the total net proceeds back to FTA.

Before end of useful Life

Any disposition of federally assisted property before the end of its useful life requires prior FTA approval. FTA is entitled to its share of the remaining federal interest. MDT complies with Sections O, Disposition of Equipment and Supplies, of [FTA Circular 5010.1E](#).

MDT returns the federal share percentage of total net proceeds back to FTA.

MDT will not seek approval to dispose of assets that are no longer needed and has not yet served its useful life. Rather, MDT will seek approval from FTA to transfer that asset.

MDT will seek approval to dispose of assets that have been lost or damaged by fire, casualty, or natural disaster before the end of useful life.

Insurance Claims

Insurance proceeds when federally assisted property has been lost or damaged by fire, casualty, or natural disaster are returned to MDT. MDT complies with Sections O, Disposition of Equipment and Supplies, and P, Insurance, of [FTA Circular 5010.1E](#).

MDT returns to FTA the amount equal to the remaining federal interest in the federally assisted property that is lost, damaged, or destroyed.

- The federal interest does not depend on the extent of insurance coverage or on the insurance adjustment received.

The Transit Section's Application for Insurance Claim Replacement is attached to this SMP as Appendix S.

Emergency Rehabilitation Program

MDT reserves 2 percent for the annual 5311 apportionment for small capital repair grants. Funding is to help refurbish/rehab eligible rolling-stock. Conditions/requirements include:

1. must have been originally funded through FTA Section 5311;
2. asset will be operated within the original contract scope;
3. refurbish/rehab service costs must exceed \$5,000; and
4. a minimum of one-year will be added to the useful life.

Repair work must be conducted post application approval. MDT will provide 86.58% federal funding upon receipt of the final invoice.

The Transit Section's Application for Capital Repair Funding is attached to this SMP as Appendix T.

Surplus Capital

When capital assets are no longer needed for the original project or program and the useful life has not been met the Subrecipient may request to transfer the asset.

MDT will not seek approval to dispose of assets that are no longer needed and has not yet served its useful life. Rather, MDT will locate a nearby eligible grantee, with similar service and capital project needs, and seek approval from FTA to transfer the asset.

The federal interest in the rolling stock will be transferred with the rolling stock, and therefore, there is no obligation to reimburse FTA.

Records Retention

MDT requires Subrecipients to follow record retention in accordance with [2 CFR 200.334](#) and [MCA 2-6-1002](#).

2 CFR 200.334 - Retention requirements for records. Financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a Subrecipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-Federal entities. The only exceptions are the following:

- If any litigation, claim, or audit is started before the expiration of the 3-year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken.
- When the non-Federal entity is notified in writing by the Federal awarding agency, cognizant agency for audit, oversight agency for audit, cognizant agency for indirect costs, or pass-through entity to extend the retention period.
- Records for real property and equipment acquired with Federal funds must be retained for 3 years after final disposition.
- When records are transferred to or maintained by the Federal awarding agency or pass-through entity, the 3-year retention requirement is not applicable to the non-Federal entity.
- Records for program income transactions after the period of performance. In some cases, recipients must report program income after the period of performance. Where there is such a requirement, the retention period for the records pertaining to the earning of the program income starts from the end of the non-Federal entity's fiscal year in which the program income is earned.

- Indirect cost rate proposals and cost allocations plans. This paragraph applies to the following types of documents and their supporting records: Indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates).
 - If submitted for negotiation. If the proposal, plan, or other computation is required to be submitted to the Federal Government (or to the pass-through entity) to form the basis for negotiation of the rate, then the 3-year retention period for its supporting records starts from the date of such submission.
 - If not submitted for negotiation. If the proposal, plan, or other computation is not required to be submitted to the Federal Government (or to the pass-through entity) for negotiation purposes, then the 3-year retention period for the proposal, plan, or computation and its supporting records starts from the end of the fiscal year (or other accounting period) covered by the proposal, plan, or other computation.

MCA 2-6-1002 - Purchasing/Procurement. MCA 2-6-1002 defines a public record as being “public information that is fixed in any medium and is retrievable in usable form for future reference”. This includes both physical records and electronic records, because a record is a record, no matter what medium it resides on or within.

Purchase Orders / Sole Source Adjustments, Contracts (Term/Vendor/Sole Source-Amendments), and all supporting documentation must be retained for a period of eight years from the date of asset disposition. For additional related schedules see [MCA 2-6-1002](#), RIM, General Records Retention Schedule.

National Transit Database Reporting

The NTD is the nation's primary database for statistics on the transit industry. Transit agencies report data for all public transportation services they provide, including complementary paratransit services required by the Americans with Disabilities Act (ADA) of 1990. In addition, all Subrecipients of Chapter 53 funds that own, operate, or manage public transportation capital assets are required to develop and implement Transit Asset Management (TAM) plans. Transit providers are required to set performance targets for their capital assets based on the state of good repair measures and report their targets and information related to the condition of their capital assets to the NTD.

In general, the Transit Section completes NTD reports on behalf of their rural Section 5311 Subrecipients. Urban Section 5307 Recipients complete their own NTD reports. Reporting requirements begin the year after a transit agency applies for rural funding or in the year the transit agency benefits from Federal funding, whichever is sooner.

The Transit Section collects data elements for NTD reporting through multiple means. Data is collected through the BlackCat NTD report module and MDT developed reporting spreadsheet. The Transit Section general inputs data for each Subrecipient into the NTD reporting system. Data is reviewed and submitted to NTD by the Transit Section.

If verification issues are identified by NTD the Transit Section works in conjunction with the Subrecipient to resolve all issues.

IX. TECHNICAL ASSISTANCE AND TRAINING

MDT and MTA provide technical assistance and training to small urban and rural private

and public transit providers. This assistance is geared toward developing competent transit management, improving the effectiveness of transit operations, and adhering to Federal program rules and regulations.

Technical Assistance

Rail, Transit and Planning Division and the Transit Section

The Transit Section coordinates within the Rail, Transit and Planning Division with the Multimodal Planning, Program & Policy Analysis, Environmental Services Bureaus for coordination on local and statewide planning projects and requirements and construction projects. The Transit Section works closely with the Administrative Section within the division for financial support and closely with many other offices and divisions within the department for administrative services.

In accordance with [FTA Circular 9040.1G, Chapter II section 3\(b\)](#), State Administration of Projects, the Rail, Transit and Planning Division and the Transit Section:

- provide for appropriate technical assistance for rural areas;
- ensure that there is a fair and equitable distribution of program funds within the state, including funds to Indian Tribes;
- ensure a process whereby private transit operators are provided an opportunity to participate, including private providers of public transportation services, through service agreements with operators of public transportation services or as Subrecipients;
- expend funds for the support of intercity bus transportation to the extent required by law; and
- provide for maximum feasible coordination of public transportation services assisted by FTA with transportation services assisted by other federal programs.

Additional Transit Section responsibilities include:

- **Planning and Project Development.** MDT provides planning and project development technical assistance on request from a community or local agency. When the use of a consultant is necessary the MDT aids with the development of a scope and RFP, vendor list, 3rd party procurement oversight, and project technical assistance. MDT develops and maintains several statewide plans as well as plans for future transportation needs. MDT is also responsible for the development of program criteria, announcements of funding opportunities, review of applications, and program administration.
- **Vehicle and Equipment Procurement.** The Transit Section assists MDT's Purchasing Services Bureau with the procurement of grant-related equipment through specification writing and vehicle design, maintaining a vendor file, maintaining the Federal requirements list, contacting vendors, capital equipment procurement, and performing vehicle inspections.
- **General Project Management.** In addition to support provided through telephone conversations, email communication, and onsite meetings, MDT has developed several statewide plans, guides, and templates to assist Subrecipients with transportation project management.
- **Compliance and Good Practices Reviews.** MDT conducts compliance and good practices reviews of Subrecipients. The reviews are part of a technical assistance effort. After completion of a review, MDT provides technical assistance to improve a Subrecipient's deficient areas and to document exemplary performance to share with

other transit systems.

The abbreviated MDT Organization Chart, which includes the Department Outline, Rail, Transit and Planning Division, Office of Civil rights, and the Professional Services Division is attached to this SMP as Appendix A.

Montana Transit Association

MDT provides RTAP funding and support to the MTA. MTA delivers technical assistance to Subrecipients by providing program information, acting as a legislative voice, hosting annual conferences, coordinating the State Bus “Rodeo”, posting quarterly newsletters, and maintaining a directory resource. The MTA mission statement is:

- To encourage cooperation among members in dealing with public transportation issues;
- to provide a medium for the exchange of ideas, information, and experiences;
- to collect, compile, and make available to members, comparative data and information relative to public transportation in Montana;
- to promote training for members through joint development, sponsorship, and implementation of workshops, seminars, courses, employee exchanges, etc.;
- to provide a forum for the voluntary discussion of mutual and individual members' problems;
- to represent to the people of Montana the importance of public transportation;
- to encourage the use and improvement of public transportation systems in Montana;
- to keep the citizens of Montana informed on project plans and progress;
- to solicit public input on select issues affecting public transportation in Montana;
- to advise and counsel both executive and legislative branches of local, state, and federal governments on public transportation issues;
- to study and make recommendations on the design and improvement of legislation, regulatory, training and education provisions under which public transportation systems operate with a view of assuring the efficiency and effectiveness of operations;
- to keep elected and appointed representatives informed on the importance of public transportation in Montana, its problems and its progress; and
- to formally represent the collective interests and goals of Association members.

Training

MDT along with the MTA conducts training for drivers, dispatchers, and management. This training is performed by State staff, MTA members, vendors supplying vehicles, or contracted outside individuals or organizations. The Transit Section has a training specialist on staff who researches, coordinates, and presents training programs. This training is conducted statewide, regionally, or individually.

The training consists of seminars and workshops on rural transit management operations, Federal program changes, grant management, development of budgets, identification of transit needs, etc. MDT works directly with Subrecipients to identify training needs and develop an annual training program. MDT encourages Subrecipients to attend these training sessions and provides RTAP scholarships.

MDT provides the following training programs for Subrecipients: passenger service and safety certification, advanced defensive driving, transit orientation, annual fall workshop, new manager training, and life cycle grant management system training.

The MTA, in conjunction with MDT, sponsors an annual spring conference which includes transit-related topics and training sessions for rural and urban transit providers. Conference topics are often determined by the MTA.

X. OTHER PROVISIONS

Recovery or Stimulus Funding

In cases where additional funding similar to recovery or stimulus funding is made available, MDT may issue additional call for projects using a competitive grants process.

State Management Plan Approval

Once management plans are developed, the MDT must submit the plan to the FTA Region 8 office for approval. The FTA Regional office will provide the designated recipient with an approval letter, which must be maintained on file with the MDT.

MDT updates the SMP annually to incorporate any changes in program management or new requirements. The development of the SMP is done in the context of local and statewide planning processes.

When the MDT develops a new plan or significantly revises an existing plan it allows 30 days for stakeholders and the public to review and make comments.

XI. APPENDICES

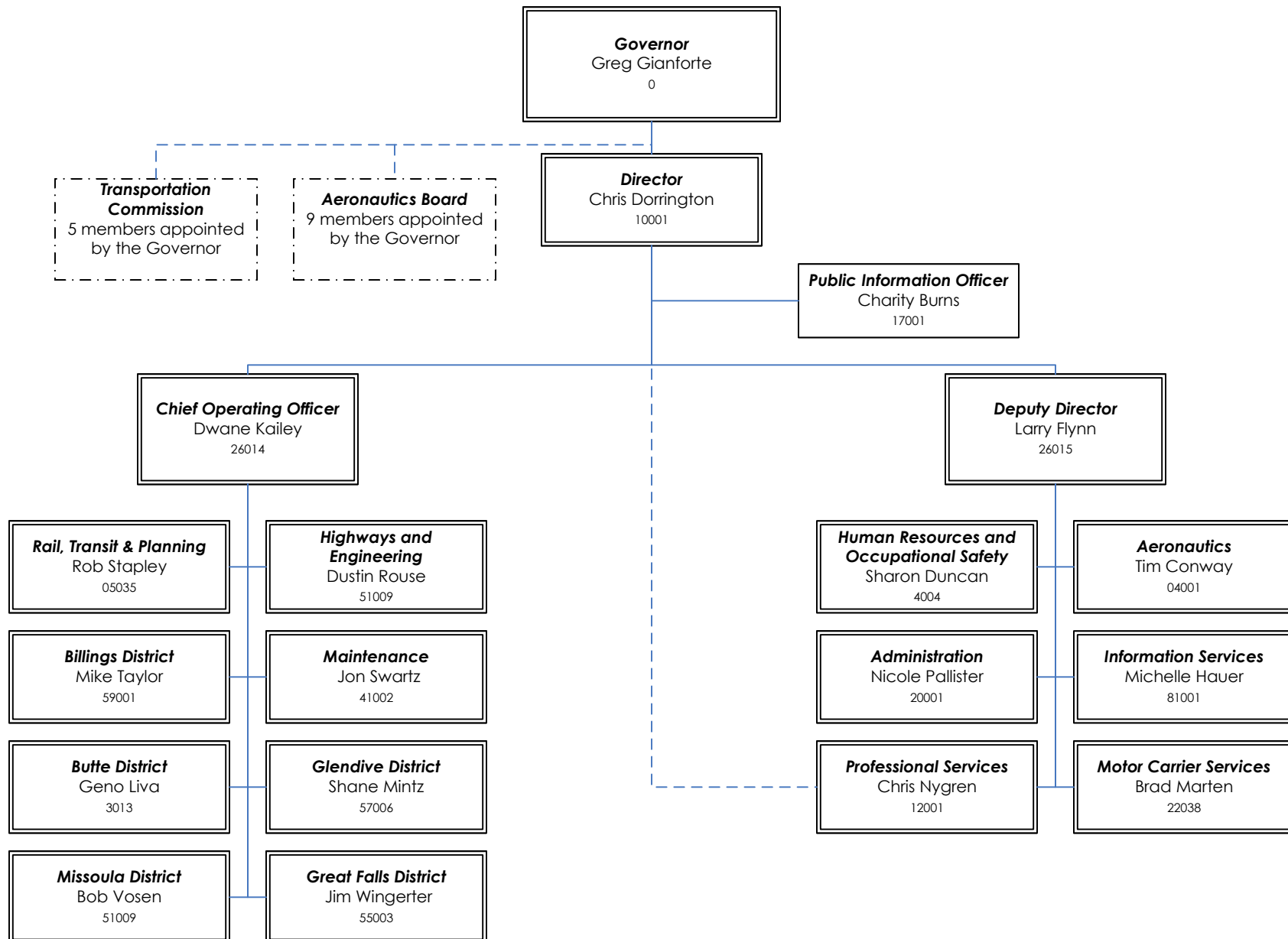
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- B. RTAP Reimbursement Form
- C. RTAP Supporting Documents
- D. 2024 Montana Public Transit Systems Map
- E. Charter Service Flow Chart
- F. CAR Committee Scoring and Selection Guidance
- G. Budget & Federal Award Development Timeline
- H. Application Guidance Manual
- I. Risk Assessment Form
- J. 5310 Compliance Review Packet
- K. 5311 Compliance Review Packet
- L. Single Audit Procedures for Subrecipient Monitoring
- M. Facility Condition Assessment Form
- N. Pre-Award & Post-Delivery Certs
- O. MDT Facility Construction Guidance
- P. MDT Facility Construction Checklist

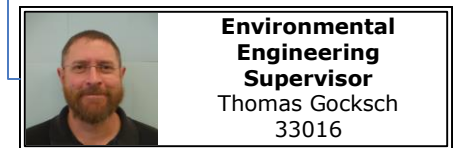
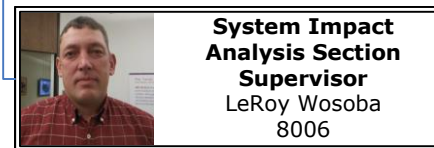
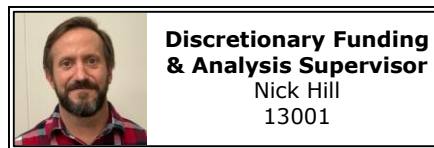
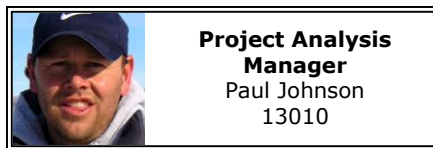
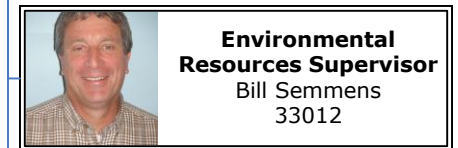
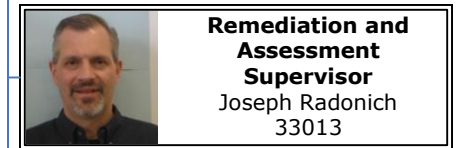
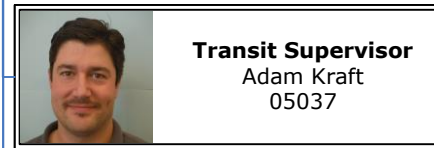
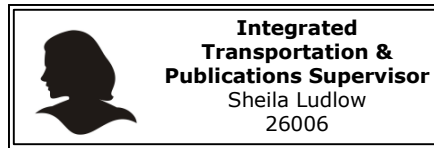
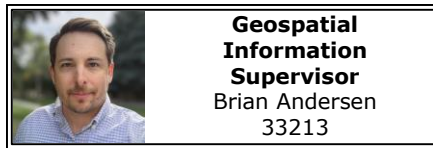
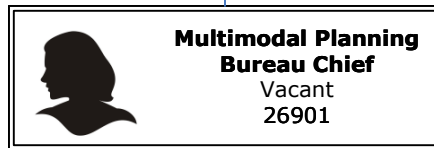
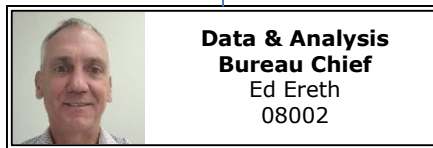
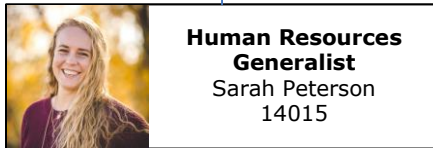
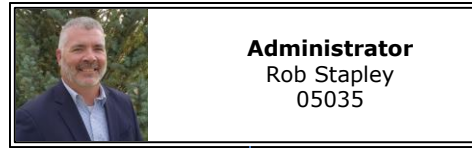
- Q. Preventative Maintenance Plan
- R. Flood Insurance Procedure
- S. Insurance Claim Application
- T. Application for Capital Repair Funding

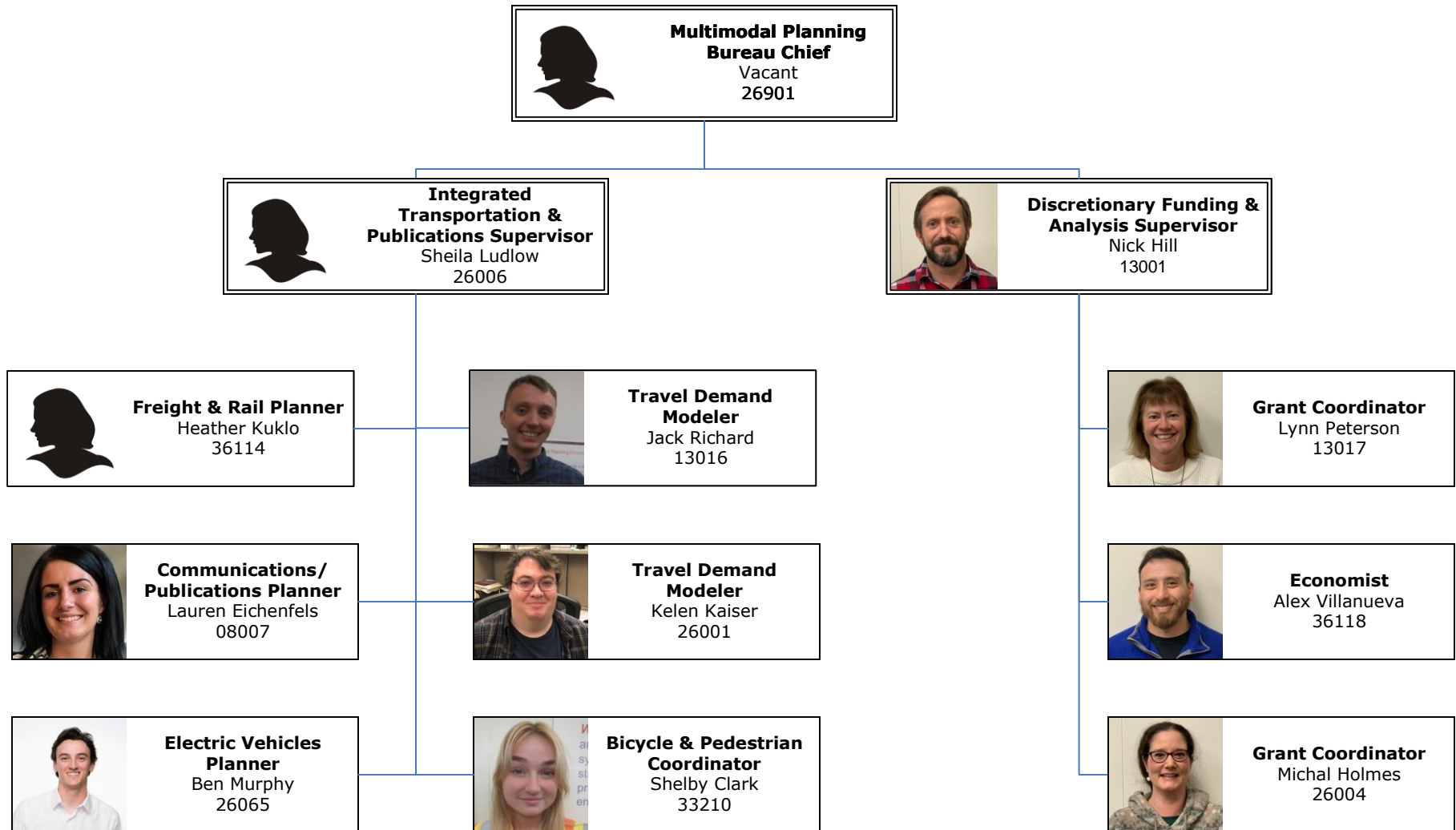


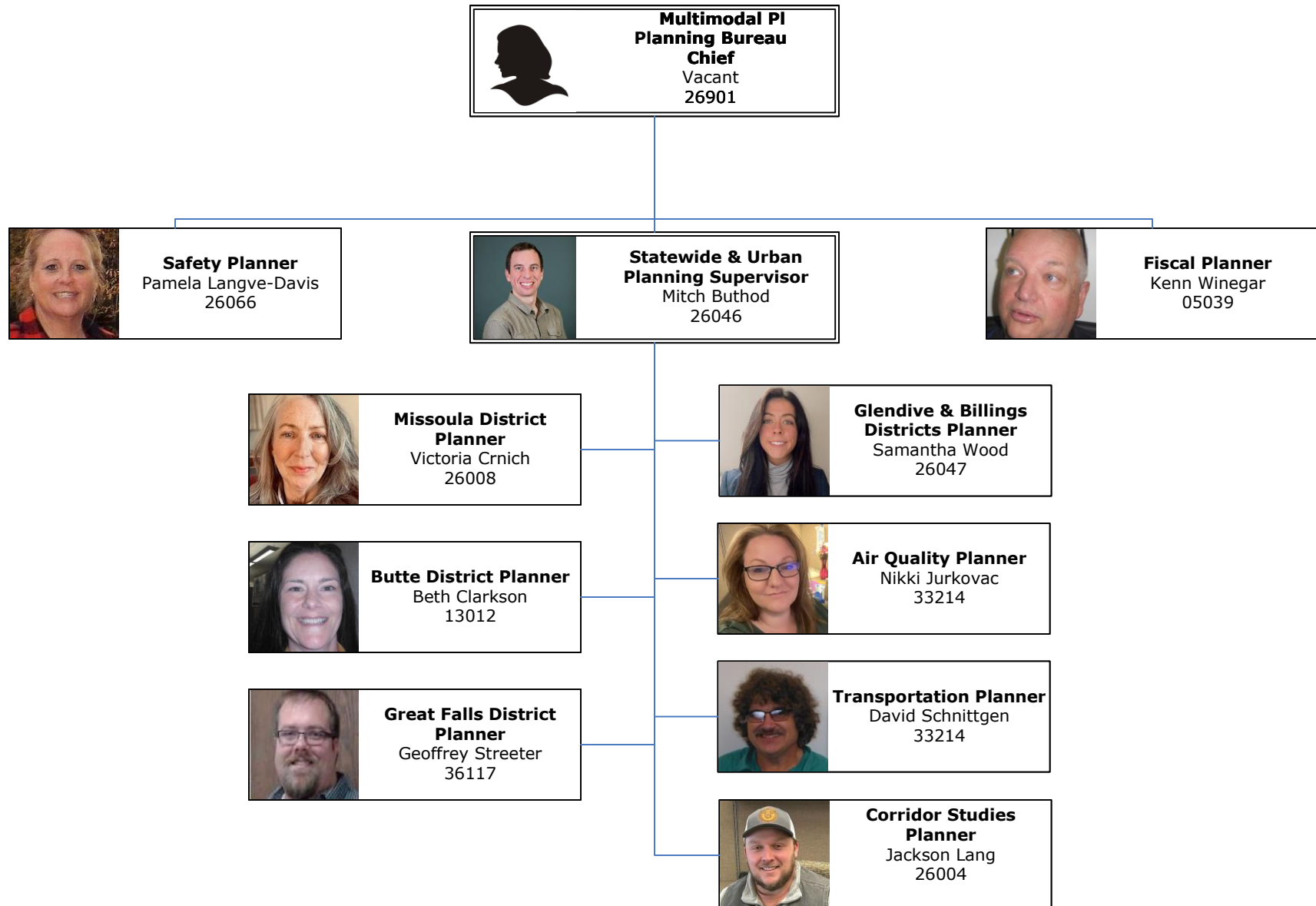
Montana Department of Transportation

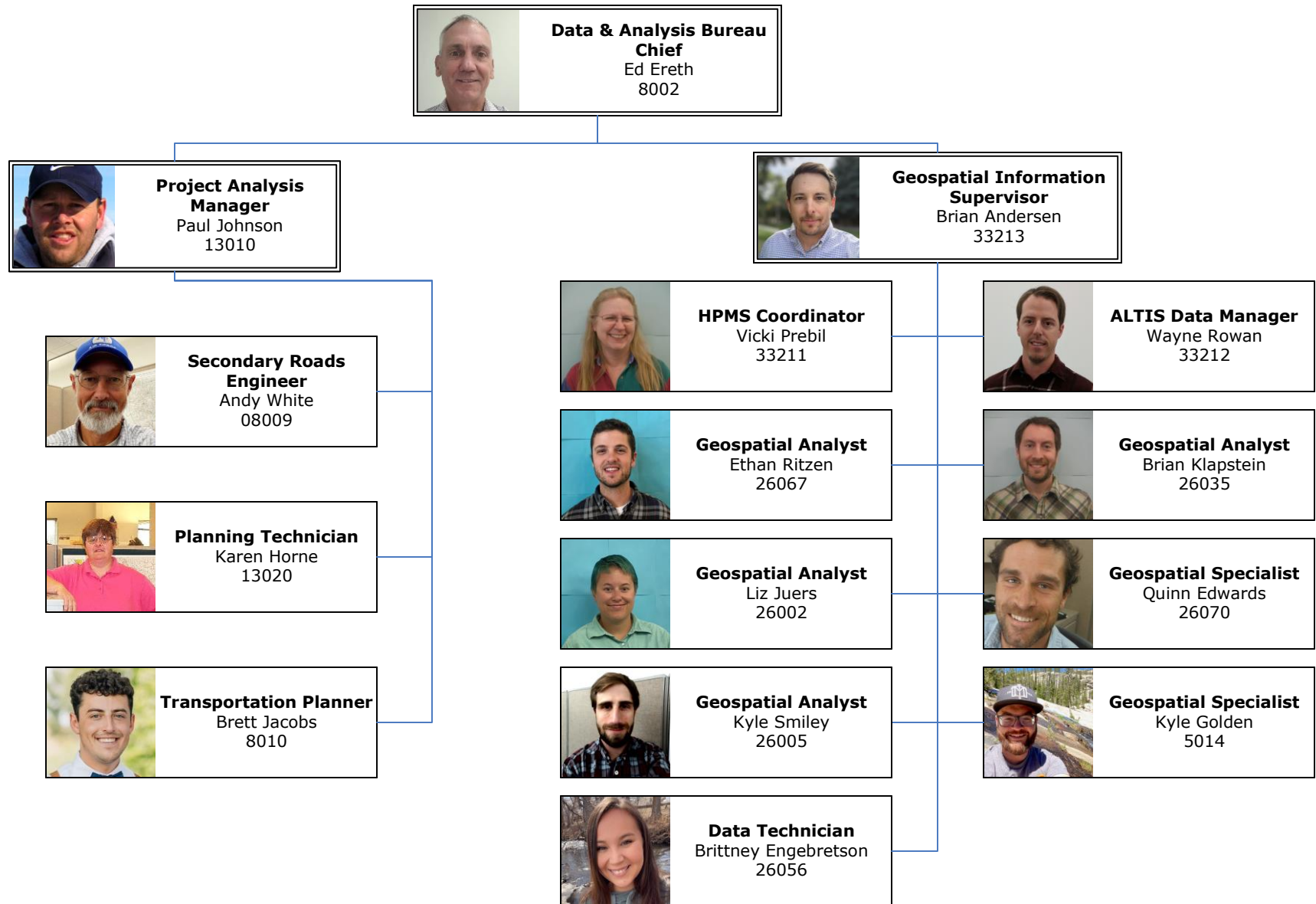
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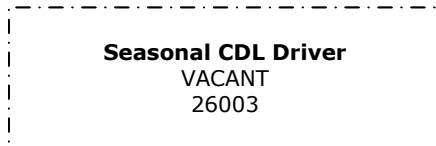
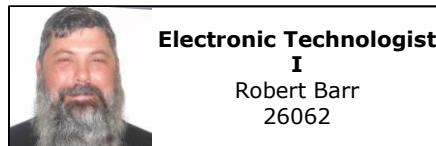
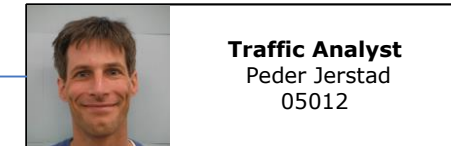
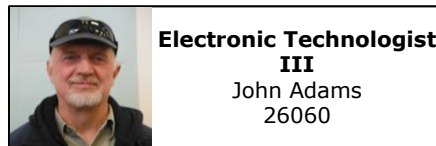
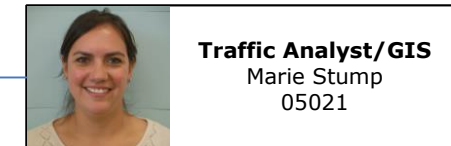
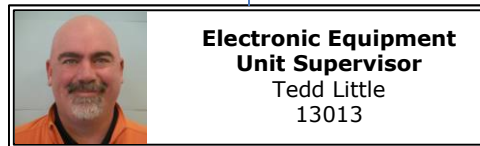
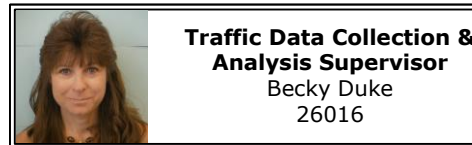
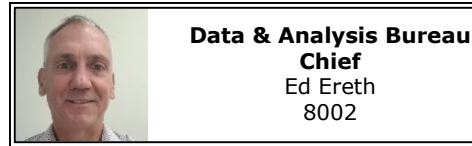













Rail, Transit & Planning


Transit, Safety & Planning Bureau



Transit, Safety & Planning Bureau Chief
Tammy Ross
26026



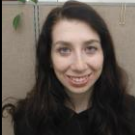
Transit Supervisor
Adam Kraft
05037



State Highway Traffic Safety Supervisor
Kevin Dusko
36101



System Impact Analysis Section Supervisor
LeRoy Wosoba
8006




Transit Planner
Jackie RedEagle
5032



Impaired Driving Planner
Alison Malensek
36104



SIAP Planner
Michael Tierney
13018




Transit Planner
Nancy Lightner
26064



Law Enforcement Liaison/Transportation Planner
Spencer Harris
36111



SIAP Planner
Brittany Cotton
13015




Transit Planner
Erin Root
05038



Cultural Liaison/Transportation Planner
Sheila Cozzie
26069



SIAP Planner
Reid Rowsey
26021



Transit Planner
Barb Sheridan
13011

Occupant Protection Planner
VACANT
36102



SIAP Planner
Kira Axline
13005




FARS Analyst
Brooklyn Johns-Blassic
36108



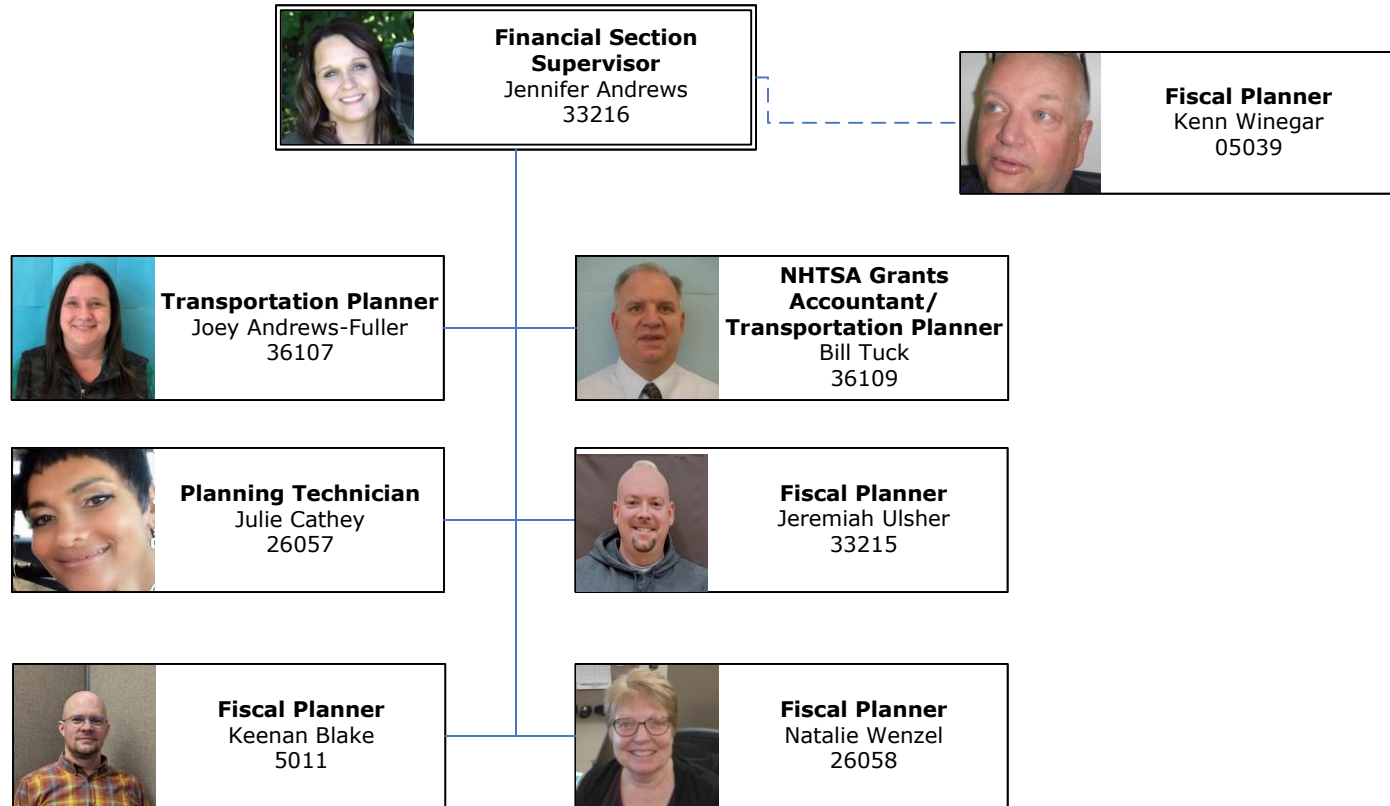
Transportation Planning Engineer
Jean Riley
32009



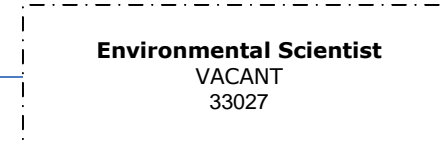
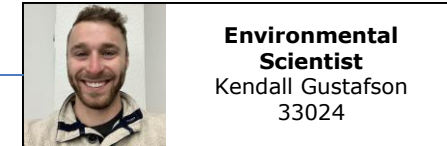
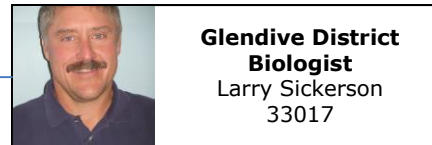
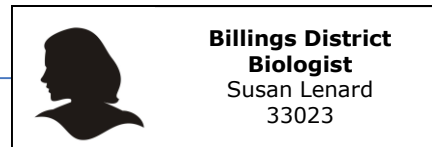
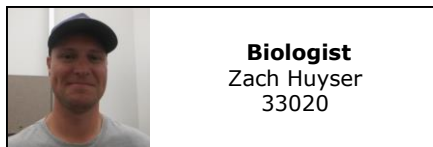
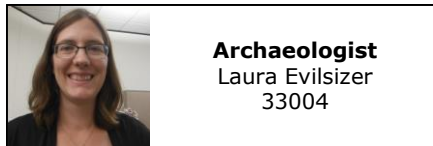
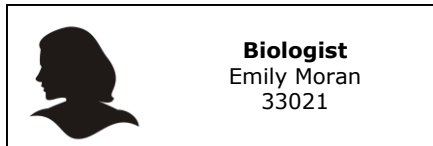
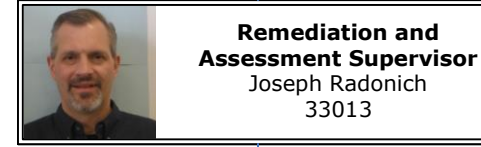
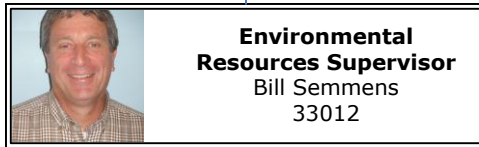
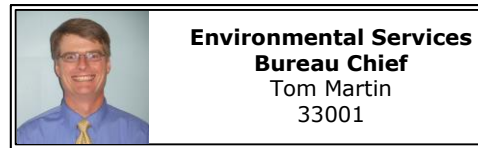
Traffic Safety Data Analyst
Sai Patapati
36103



SIAP Planner
Erin Watt
26021



Rail, Transit & Planning Environmental Services Bureau



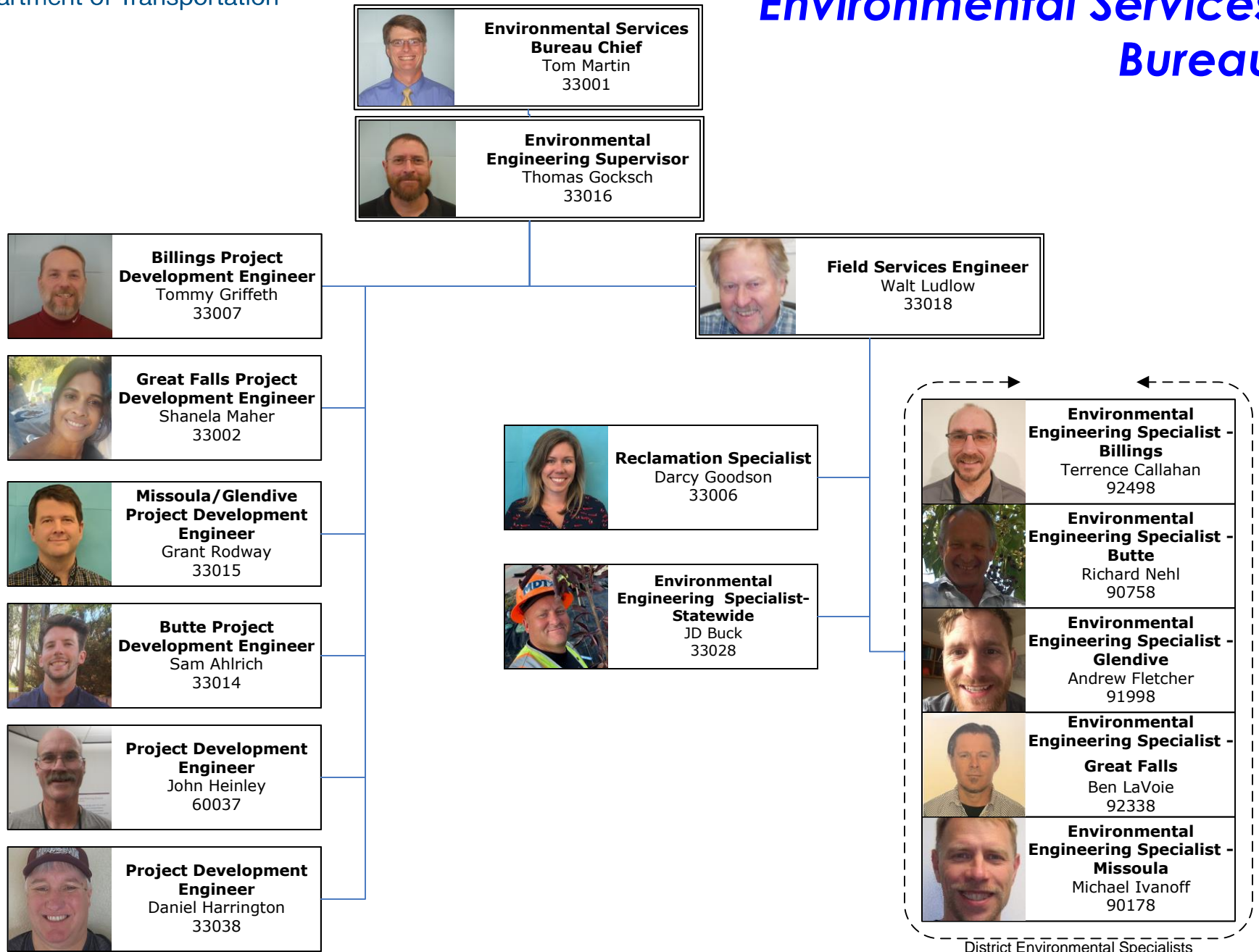


MONTANA

Department of Transportation

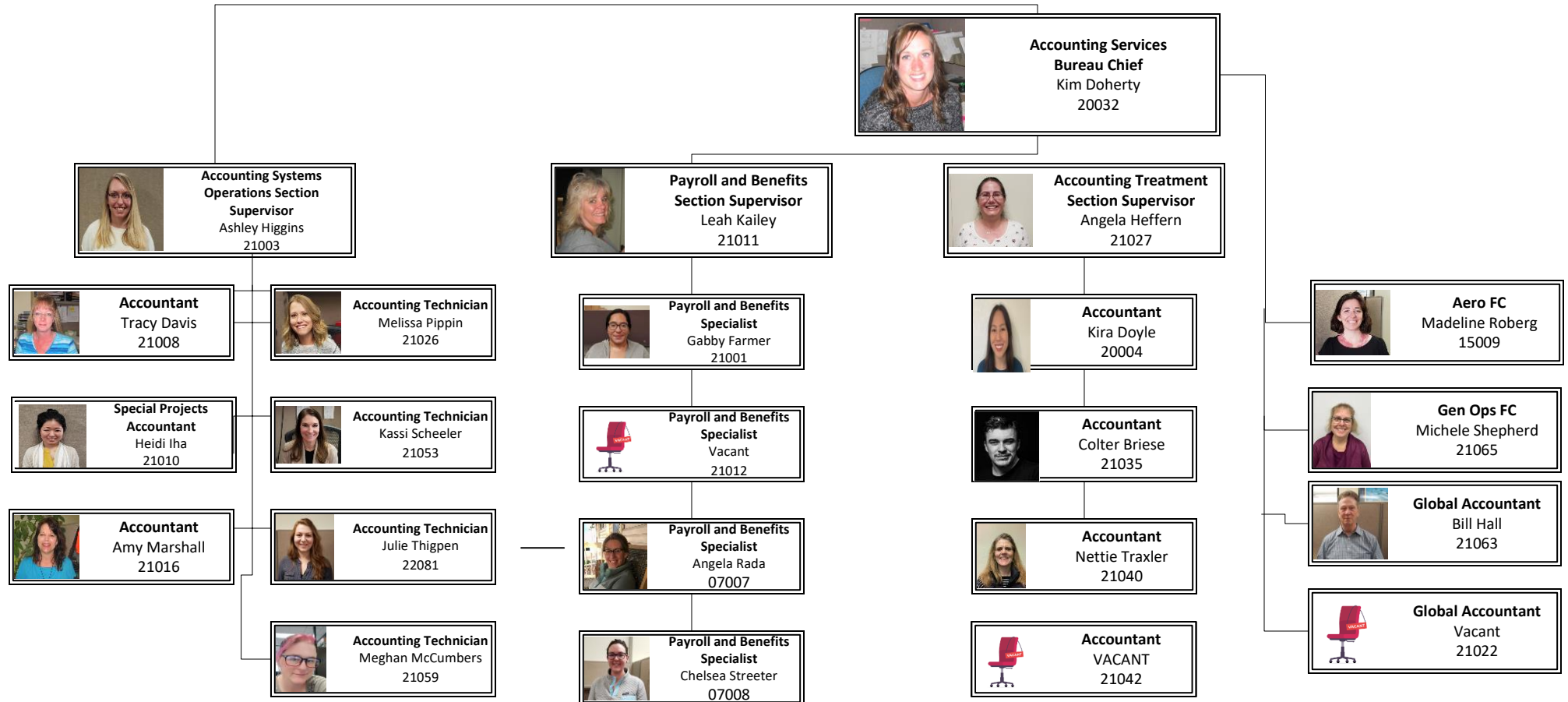
Rail, Transit & Planning

Environmental Services Bureau

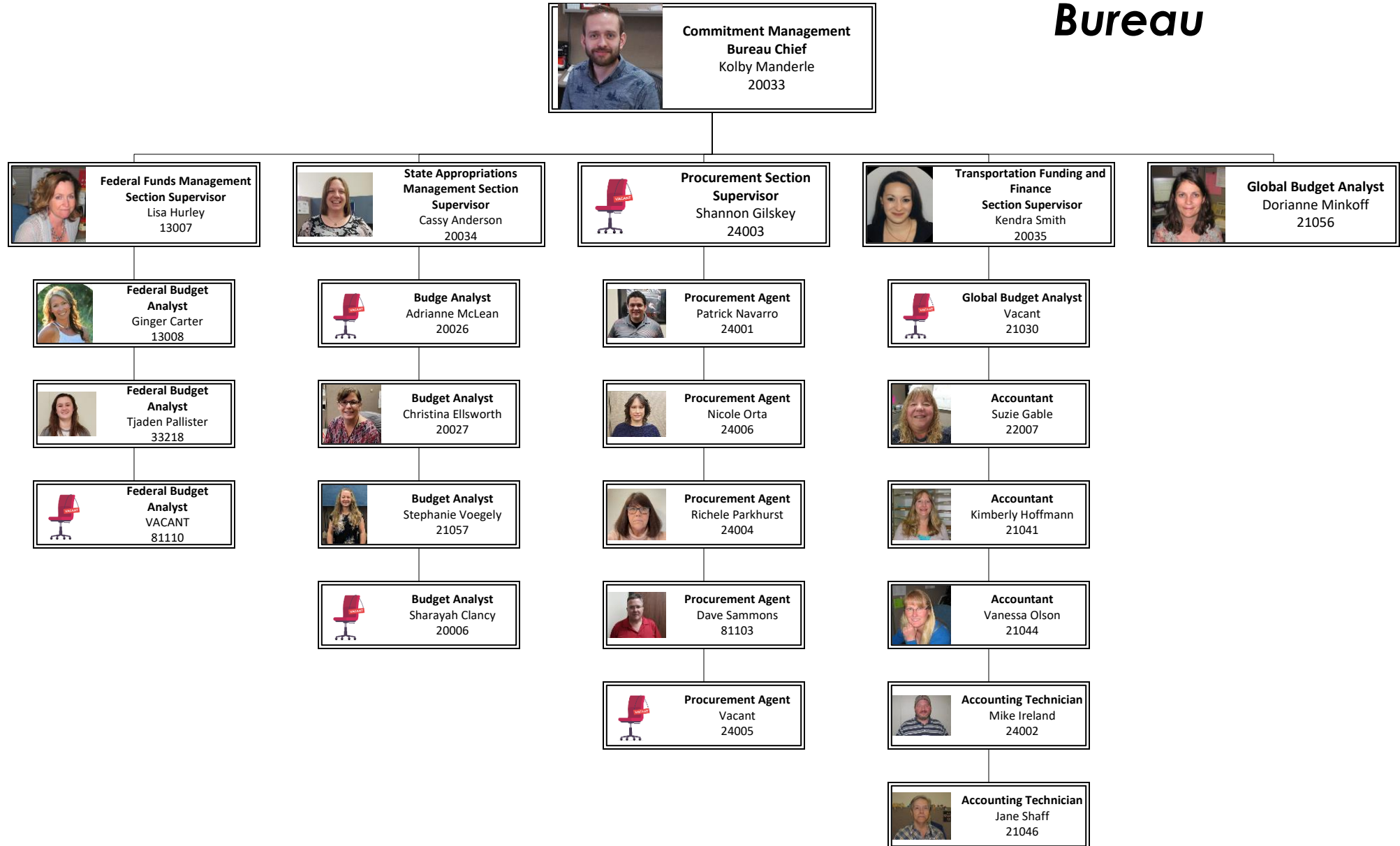


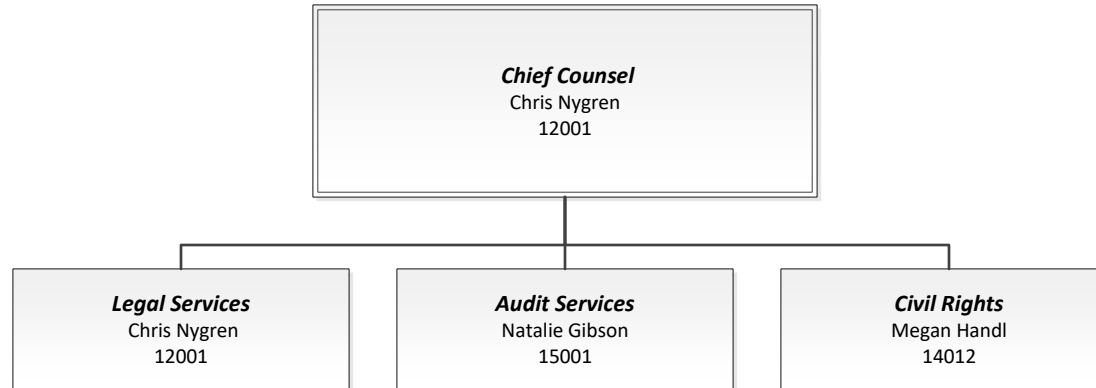


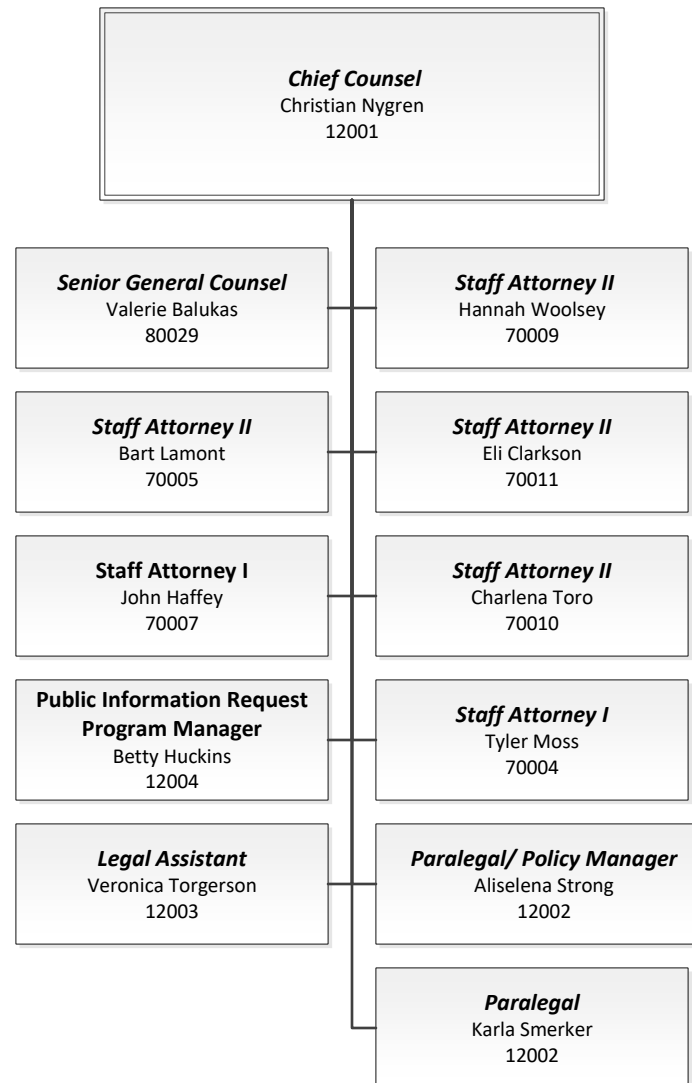
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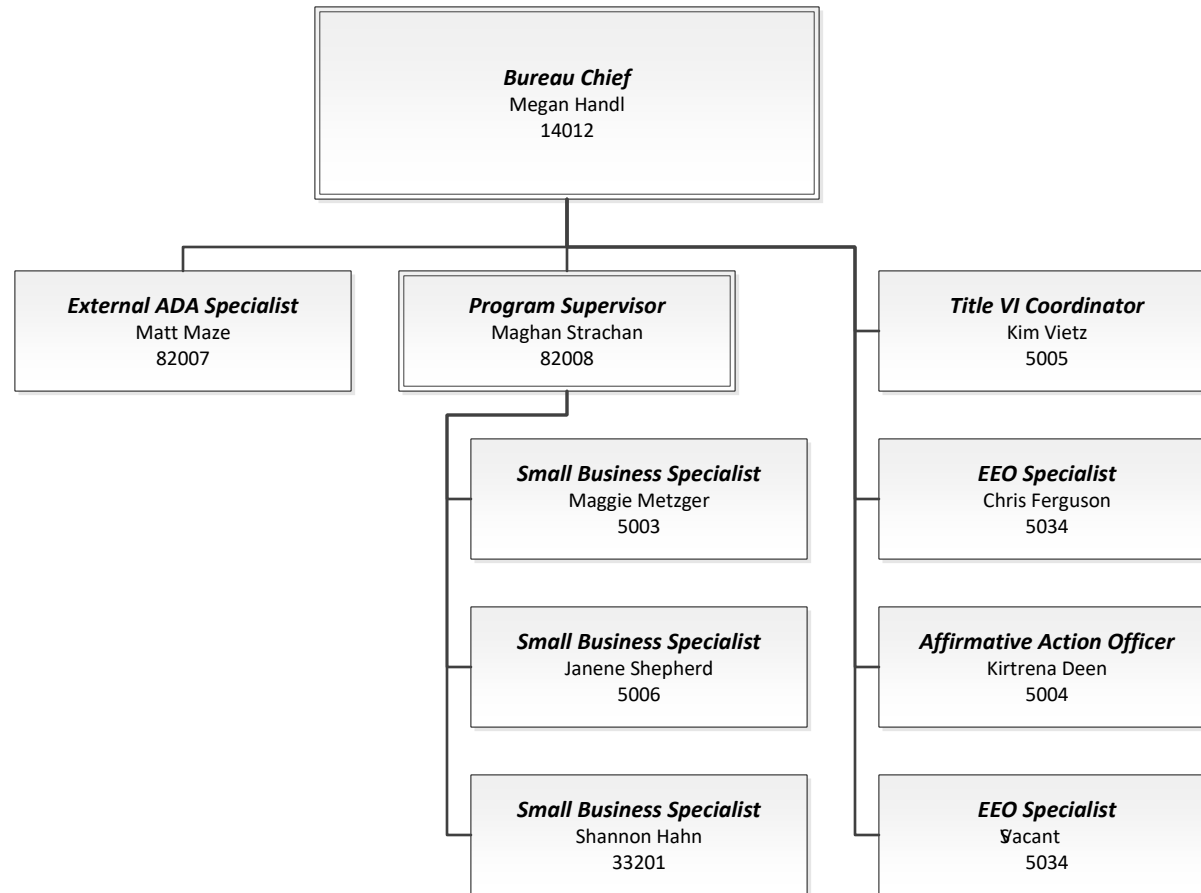


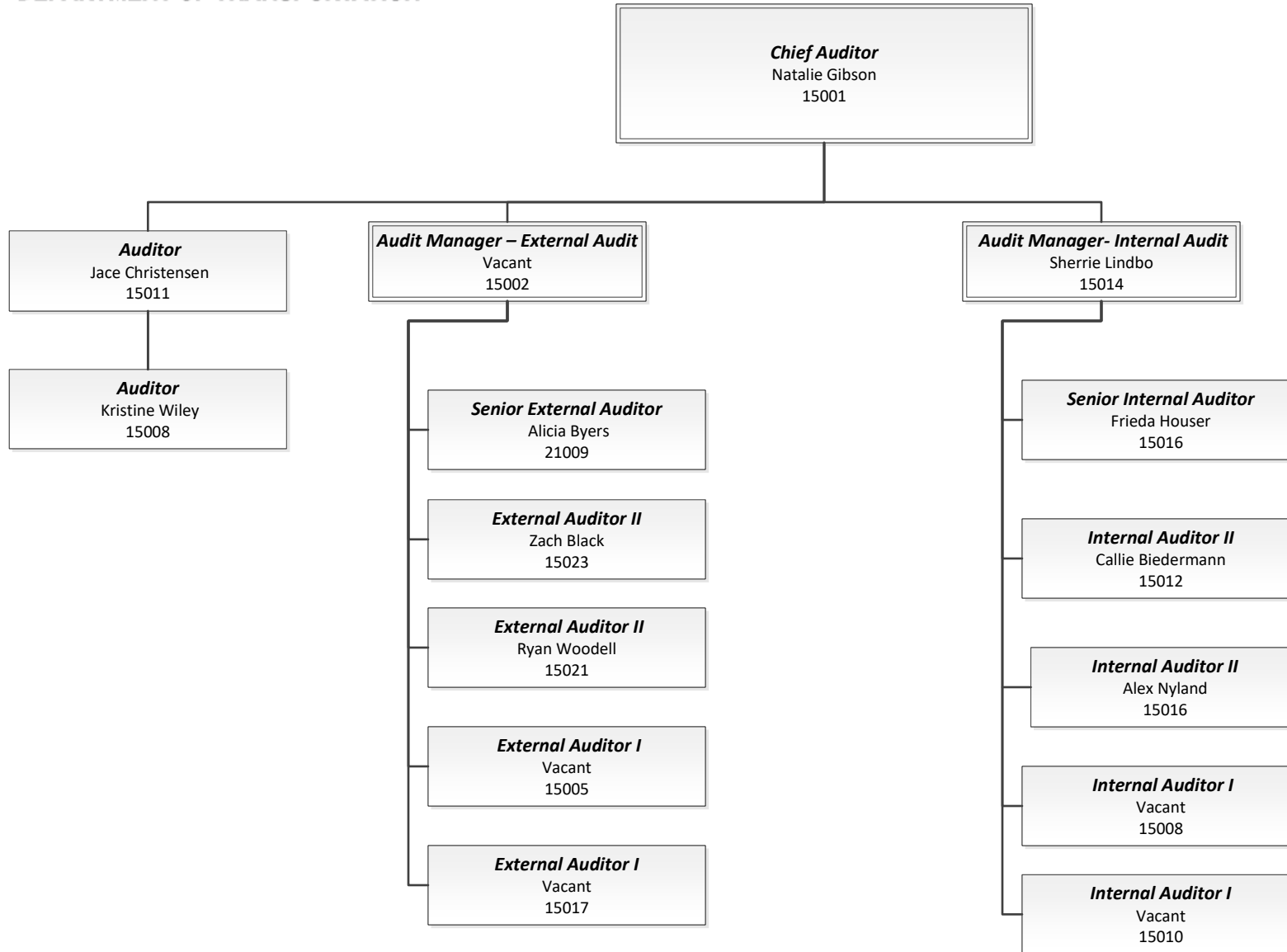
Commitment Management Bureau













MDT-TPL-004

07/19

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Montana Department of Transportation

Rural Transit Assistance Program

Request For Funds

Please fill out one for per person and please print.

PO Box 201001
2701 Prospect Avenue
Helena, MT 59620-1001
406-444-9192

Email the completed form and supporting documentation to MDTtransitcontact@mt.gov

Name

Your Position/Title

Transit Address

City

State

Zip Code

Activity Attended

Location

Date

Expense Category (See attached schedule of travel rates for reimbursement)								Total
1. Registration Fees or Tuition								
2. Accommodations	Cost/Night		# of Nights					
3. Meals not covered by registration fees	Mon	Tues	Wed	Thur	Fri	Sat	Sun	
Breakfast								
Lunch								
Dinner								
Total Meals								
4. Travel								
Airfare								
Car	# of Miles		Cents /Mile					
Transit to/from Airport								
TOTAL EXPENSES								

All receipts must be attached to this form in order to process reimbursement requests. Reimbursement requests must be submitted to Montana Department of Transportation, Transit Section, at the address above, no more than 30 days after the event attended. The Transit Section reserves the right to deny reimbursement requests submitted after the 30-day period. Please allow 30 days to process reimbursement requests.

FOR STATE USE ONLY. This request is approved in the amount of

Certification

I certify that the expenses described in this request for funds were incurred as part of the attendance and participation at the program identified above.

Signed By

Date

MDT/Transit Section Authorized Signature

Date



Montana Department of Transportation
Rural Transit Assistance Program
Request For Funds

PO Box 201001
2701 Prospect Avenue
Helena, MT 59620-1001
406-444-9192

Page of

Please fill out one for per person and please print.

Program Summary/Evaluation Report

Note: This evaluation is required! Reimbursement cannot be processed until Expense and Evaluation Forms are complete.

1) Briefly describe the topic or theme, the content of the program and the specific workshops, panel discussions, conference sessions, etc. that you attended. A copy of the program agenda must be included with your reimbursement request.

2) What portion or portions of this event did you find to be most beneficial to you and what was least beneficial? Please provide a detailed response.

3) What percentage of your job will you use the information you obtained?

- ☐ 100%
- ☐ 75%
- ☐ 50%
- ☐ 25%
- ☐ 0%

4) Would you recommend this program to others, and why or why not?

5) Additional comments you would like to add to make this experience more valuable is appreciated.

Send to: Montana Department of Transportation, Transit Section
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001
Phone: (406) 444-9192



MDT-TPL-004

Page 1 of 2

Montana Department of Transportation **Rural Transit Assistance Program** **Request for Funds**

Please fill out one for per person and please print.

PO Box 201001
 2701 Prospect Avenue
 Helena, MT 59620-1001
 406-444-9192

If you are requesting mileage reimbursement, please complete this page

Mileage was claimed on the RTAP reimbursement form. *Mark one answer that best fits from options below.*

- ☐ A personal vehicle was used due to all Transit vehicles being in use or as the backup transit vehicle during the necessary travel period.
- ☐ A personal vehicle was used due to the Transit Agency following their written policy that Transit vehicles are only used for transportation of the public.
- ☐ A personal vehicle was used due to the Transit Agency following their written policy that Transit vehicles may not be used outside of a set radius from the Transit Agency unless specifically for transportation of the public.
- ☐ A Transit Agency vehicle was used and the vehicle was not purchased with Federal funds nor are any operating/maintenance/fuel/other costs associated with the vehicle reimbursed with Federal funds.

VIN #

An FTA funded Transit Agency vehicle was used in accordance with FTA Circular 9040.1G page III.6, please do not reimburse mileage. The instructions provided were not clear, please do not reimburse mileage.

More than one staff member from the Transit Agency is requesting mileage on the RTAP reimbursement form. *Mark one answer that best fits from options below.*

- ☐ Due to differing job duties, the travel timing of the staff members varied and required more than one vehicle to travel to meet Transit Agency needs.
- ☐ Due to differing training needs, the travel timing of the staff members varied and required more than one vehicle to travel to meet Transit Agency needs.
- ☐ The instructions provided were not clear, please do not reimburse mileage.

Other Explanation/Details:

Montana Department of Transportation Rural Transit Assistance Program Request for Funds

Please fill out one for per person and please print.

PO Box 201001
2701 Prospect Avenue
Helena, MT 59620-1001
406-444-9192

If hotel rate was above government rate, please complete this page.

1) Itinerary Destination:

Travel Dates:

Hotel:

Details/Purpose:

See Travel Policy at doa.mt.gov/employee-travel and the Federal government rates at gsa.gov/travel/plan-book/per-diem-rates

2) In-State Lodging <input type="checkbox"/> In-State Room Rate Offered \$ <input style="width: 100px;" type="text"/> Lodging per diem Rate per State policy \$ <input style="width: 100px;" type="text"/>	Out-of-State Lodging <input type="checkbox"/> Out-of-State Room Rate Offered \$ <input style="width: 100px;" type="text"/> Lodging per diem Rate per Federal policy \$ <input style="width: 100px;" type="text"/>
--	---

3) Justification for Hotel Selection (Please check appropriate box below.)

- ☐ Lodging rates provided by State Lodging Rates Policy are unavailable within a reasonable distance from the travel destination. Employee inquired with multiple lodging facilities searching for acceptable State or GSA Federal rates.
- ☐ There is reasonable cause to believe personal safety could be at risk in the available lodging facilities that comply with State or GSA Federal rates.
- ☐ It is necessary to stay at a specific hotel for a conference, meeting, or for purposes of accessibility, security, or other logistical reasons relating to the employee's travel or Federal rates are not available at another lodging facility within a reasonable distance from the site where business activities are to occur.
- ☐ Lodging at or below federal rates is temporarily unavailable due to special functions such as fairs, sporting events, conventions, or seasonal demand.

4) Submitted By	Title	Date
<input style="width: 100%; height: 100%;" type="text"/>	<input style="width: 100%; height: 100%;" type="text"/>	<input style="width: 100%; height: 100%;" type="text"/>

Approval of Lodging Reimbursement at Actual Cost by MDT Transit Staff

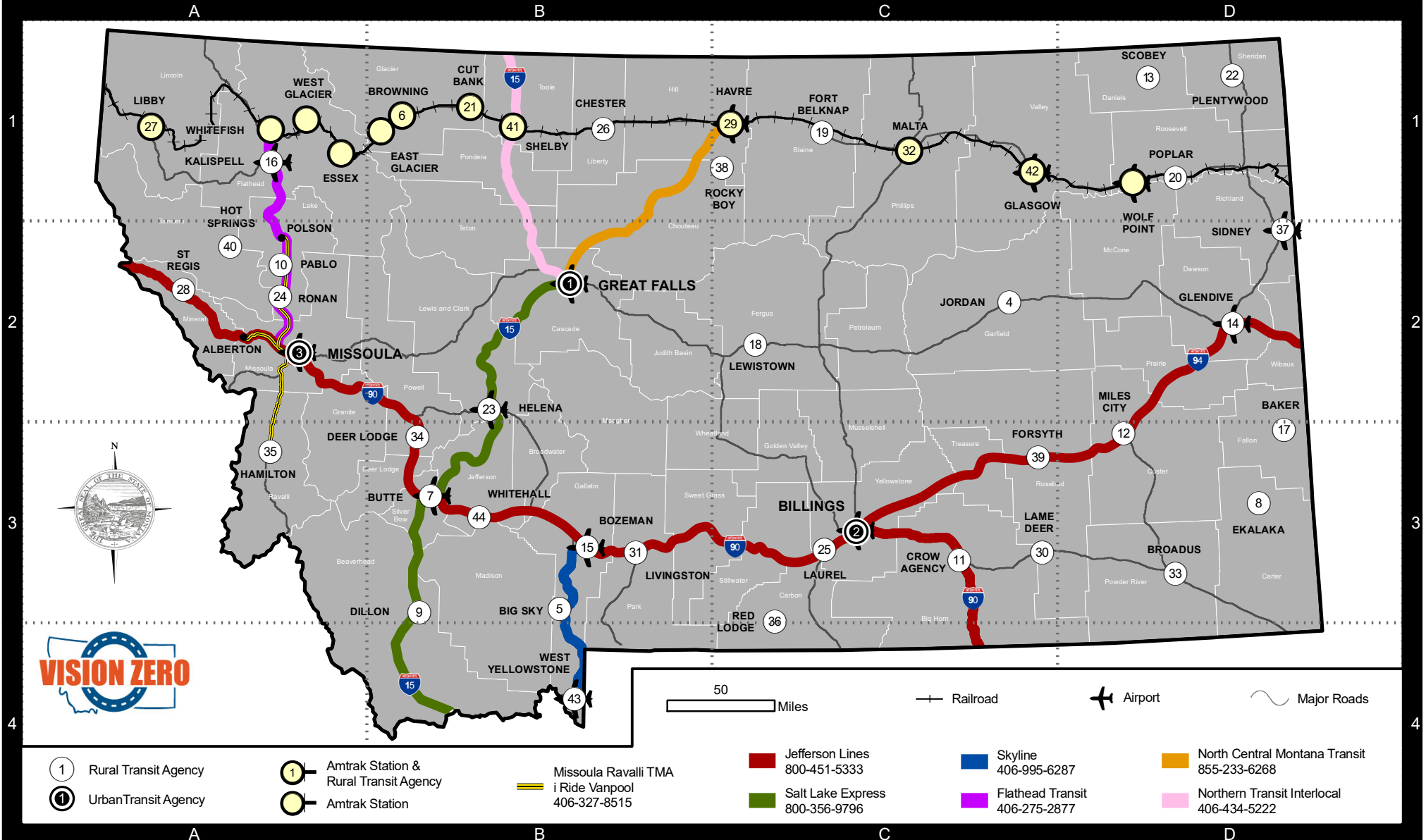
Signature	Date	Printed Name & Title
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NOTE: Lodging expenses should be kept as low as possible, while also being practical, and the agency/employee must attempt to receive the lowest available lodging rate at commercial lodging facilities. The agency/employee should request the lodging facility's best rate. In Montana, the best lodging rate offered may be the state rate, and for out-of-state lodging, the best rate may be a government rate.

MONTANA PUBLIC TRANSIT SYSTEMS

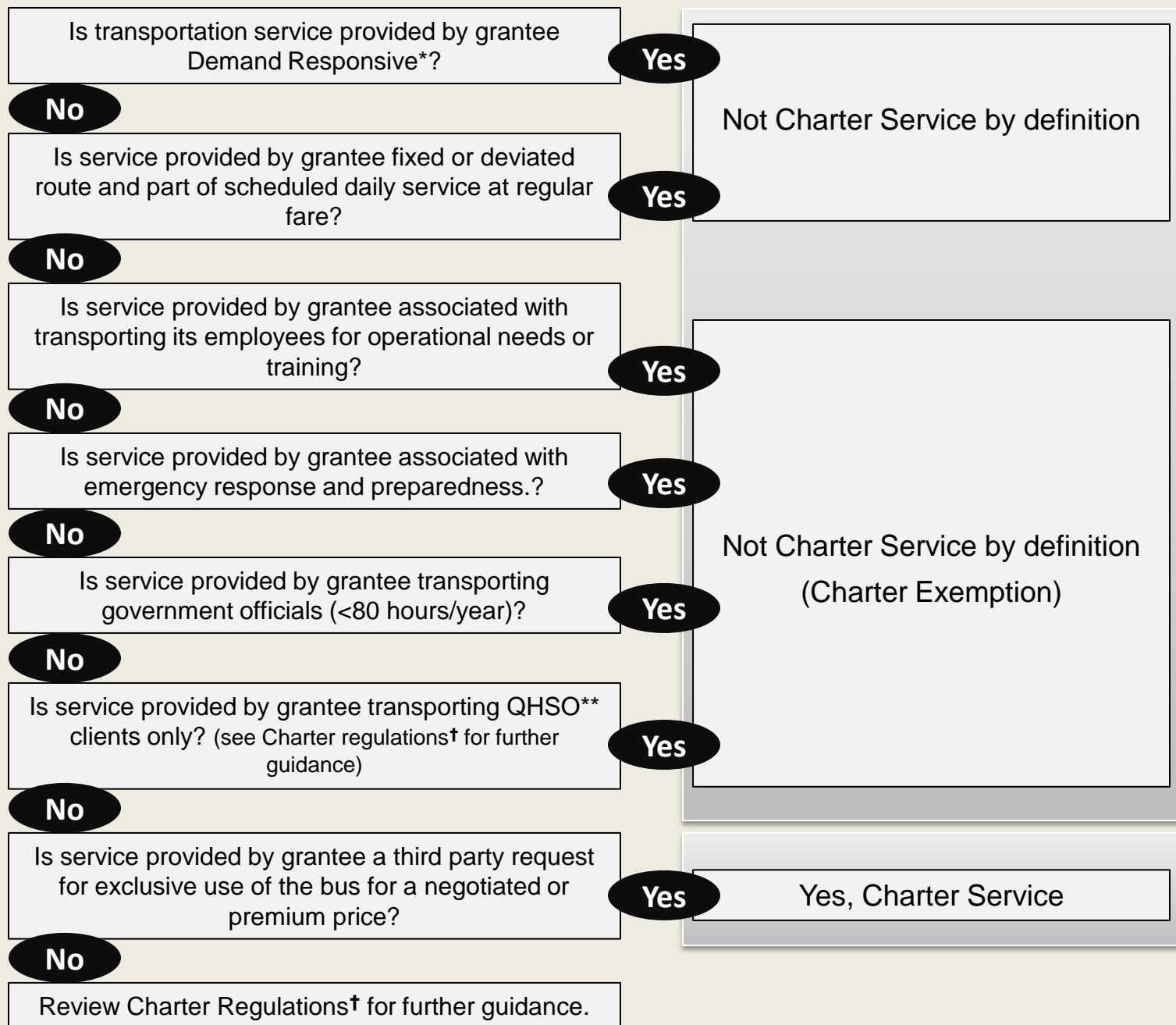
2024

1 Great Falls Transit District (B2) 727-0382	6 Blackfeet Transit System (B1) 338-5007	11 Crow Nation Transit (C3) 638-2430	16 Mountain Climber (A1) 758-2427	21 Glacier County Transit (B1) 873-5063	26 Liberty County COA (B1) 759-5244	31 Park County Transit (B3) 922-5683	36 Carbon Co. Area Ride & Transit (C4) 446-2820	41 Toole Co & Northern Transit Interlocal (B1) 470-0727
2 MET Transit (C3) 657-8218	7 Butte-Silver Bow Transit System (B3) 497-6521	12 Custer County Transit (D3) 874-2222	17 Fallon County COA (D3) 778-3595	22 Glen-Wood, Inc. (D1) 765-1018	27 Lincoln County Transit Service (A1) 293-8024	32 Phillips Transit Authority (C1) 654-5301	37 Richland County Trans. (D2) 433-7433	42 Valley County Transit (C1) 228-8744
3 Missoula UTD (A2) 543-8386	8 Carter Charter (D3) 775-8751	13 Daniels County Trans. (D1) 783-7029	18 Fergus County COA (C2) 535-7486	23 Capital Transit (B2) 447-1580	28 Mineral County Pioneer Council (A2) 649-2019	33 Powder River Trans. (D3) 436-2243	38 Rocky Boy's Transit Service (C1) 395-4490	43 West Yellowstone Found. (B4) 640-2030
4 Big Dry Transit (C2) 557-2501	9 City of Dillon (B3) 683-4245	14 Dawson County Transit Authority (D2) 377-1364	19 Fort Belknap Transit (C1) 353-2447	24 Lake County COA (A2) 676-2367	29 North Central Montana Transit (C1) 265-3699	34 Powell County Public Trans. (B3) 846-9789	39 Rosebud Transportation (C3) 346-4223	44 Whitehall Public Trans. (B3) 287-2300
5 Big Sky Transit District (B3) 995-6287	10 CSKT (A2) 675-2700	15 District IX HRDC/ Galavan (B3) 587-2434	20 Fort Peck Transit (D1) 768-3909	25 Laurel Transit Authority (C3) 628-4796	30 Northern Cheyenne Transit (D3) 637-6253	35 Ravalli County COA (A3) 363-7484	40 Sanders County Trans. (A2) 741-2346	



SECTION 5311 CHARTER SERVICE IDENTIFICATION FLOW CHART

May 2010



This chart was prepared by DPIT to guide your organization with basic scenarios. Please, rely on the FTA Charter Regulations† for final determination of service if your scenario in review does not meet any of the exceptions above.

***Demand Responsive:**

Any Non-fixed route service to individuals that require advanced scheduling by the customer

****Qualifying Human Sources Organization:**

Any organization providing service to persons with disabilities, low income, or to the elderly.

† Charter Regulations:

Can be found on the FTA website at: <http://edocket.access.gpo.gov/2008/pdf/08-86.pdf>

Committee Member Instructions for Scoring

No two agencies operate identical programs nor share exact management styles, therefore capital needs vary. MDT has attempted to address these needs as equitably as possible. Each capital request is allotted a maximum of 100 points, of which 10 points are generated by the Regional Planner and 10 points are generated using the TAC prioritization ranking. You the committee are responsible for generating scores for capital need and program administration for 80 points. Use your best judgement to score appropriately.

1.0. Capital Need (60 total points – Committee Member):

Capital need statements shall clearly define the need and circumstances or logic in which each capital request is necessary to continue adequate transportation services. Need is defined equitably amongst expansion and replacement. *Need statements must include the following application characteristics for each capital item: expansion or replacement, service type (IE: fixed route, demand response, etc.), and trip purpose (health care, employment, nutrition, recreation, etc.).*

For the purpose of scoring, capital need is generalized into three categories: consumer demand, cost savings and capital management. Each category is allotted a maximum of 20 points for a total of 60 points.

1. Consumer Demand (20 pts)

Consumer demand refers to an increase to or continued demand of transportation services. This includes new transportation agencies or an increase to current hours, days, service areas, or vehicle capacities of existing transportation agencies. The applicant shall provide evidence of a consumer need by means of new or adjusted coordinated agreements, public input, meeting minutes, surveys or studies which document an increase of consumer demand.

2. Cost Savings (20 pts)

Cost savings refers to the benefits of new rolling stock, technology and fixed structures. IE: Routing software may optimize scheduling, a new vehicle may increase fuel efficiencies and/or decrease maintenance costs, and a new facility may extend the average fleet useful-life. For intended replacement vehicle, the applicant shall provide evidence of a cost savings by means of a brief narrative stating specific mechanical problems or other issues and the associated costs. Statements shall be supported by documentation such as repair and/or maintenance invoices.

3. Capital Management (20 pts)

Capital management refers to general fleet characteristics and the management of existing and new capital. Fleet characteristics may explain:

- Average fleet age – current years and miles compared to useful-life;
- Spare ratio - service vehicles to backup vehicles;
- Safety concerns - breakdowns, major mechanical issues, underperforming capital and other risk factors

The applicant may provide a brief narrative explaining the strong points of their agency's fleet maintenance plan (attention to manufacturer's suggested maintenance, negotiated agreements, in-kind mechanics, staff mechanics, etc.).

Applicants requesting technology must explain the applicability / cohesion of the software / hardware with their current transportation program. Facility improvements and other construction activity requests require a narrative explaining facility maintenance and a timeline for construction. All non-rolling stock requests require quotes.

Capital management statements may include supporting documents such as: coordinated agreements, excellent detailed service records, updated maintenance plans, meeting minutes, quotes, etc.

Scoring:

Committee members shall score capital need based on the applicant's responses to the above three categories: (1) consumer demand, (2) cost savings, and (3) capital maintenance. Each category is worth a total of 20 points for a total of 60 points, combined. The committee member is responsible for scoring each category based upon the completeness and importance of each explanation. Strong statements provide excellent details and explain a significant application of the capital; moderate statements provide some details and some significance; and weak statements provide minimum details and minimum significance. Committee members are expected to use their best judgment to determine the applied importance of each capital item (IE: health-care services are more important than recreational services or vice versa; a new bus for a location without bus service is more important than replacing a bus used by an existing service or vice versa).

For your reference MDT has created a scoring point scale from Strong to Moderate to Weak for each category:

- Strong: 14-20 pts
- Moderate: 7-13 pts
- Weak: 1-6 pts

Needs Statement Example:

"The request for a 13-passenger bus is to replace a similar, 13-passenger bus currently operating as a demand response vehicle. Most trips are healthcare related. The service area of this vehicle covers 100 miles daily across rough, rural terrain. The vehicle currently has 144,000 miles and is 8 years old. The useful-life for the aging vehicle is 100,000 miles / 7-years. I have provided maintenance documents which illustrate a more recent increase in servicing. We have one spare vehicle for a fleet of six demand response vehicles. Our main concern regarding this aging vehicle is the potential for a breakdown in a hazardous location with limited services and a loss of service along that route."

2.0. Program Management (30 total points: 20 pts – Committee Member / 10 pts - Planner):

Program management refers to the administration of the transportation program which has applied for the capital item(s). Program management scoring is two-part. 10 of the 30 total available points are awarded by the Regional Planner and the remaining 20 points are awarded by the committee member.

The Regional Planner scores the applicant's reporting timeliness and MDT Fall Workshop participation for a total of 10 possible points. The applicant's reporting timeliness accounts for 5 total points and MDT Fall Workshop participation accounts for 5 total points.

The committee member will score the applicant's level of local coordination and capital maintenance program management.

The applicant will provide a brief program management narrative describing their transportation service, current and prospective level of coordination, a brief description of their capital maintenance program, and any other pertinent supporting information they find relevant. Capital maintenance refers to the mechanical and physical upkeep of an agency's vehicle fleet and facilities. Strong coordination and maintenance statements may include the following information:

Coordination:

- Annual petitioning and participation of local stakeholders
- General summary of the cooperative agreements
- Future anticipated cooperative agreements
- Frequency of TAC meetings

Maintenance:

- Basic maintenance policies and practices structure
- Staff and/or contractor duties related to maintenance
- Cooperative maintenance agreements with local service providers
- Fleet replacement forecasting
- Fleet and facility conditions (MDT will provide fleet and facility average condition per request)

Statement example:

"The transit agency provides 150,000 rides annually within Lewis & Clark County. Service runs 6 days, 48 hours weekly. Our transit agency has cooperative agreements with two developmentally disabled group homes, one nursing home, the public hospital, Walmart, and the local food share. In the near future we expect to establish an agreement with the local college. To the greatest extent possible, the DD center attempts to coordinate with the lead agency (the applicant) during normal business hours. After hours, they provide their own transportation services. Our TAC meets monthly and has an average of 6 attendees. Our agency has a part-time, trained mechanic which maintains our fleet according to our maintenance plan which is based upon manufacturers suggested maintenance intervals. We have established service agreements with the local tire, lube and repair shops for a prorated rate. This replacement vehicle has been scheduled to be replaced this year according to our fleet replacement plan."

3.0. TAC Prioritization (10 total pts - Planner):

MDT automatically scores the TAC prioritization section and the logic is explained as follows:

If an agency has applied for multiple vehicles, their local TAC has prioritized each capital item. MDT has allotted 10 total points for TAC prioritization. Scoring is determined by the priority number divided by 10 points. If an agency only requests one vehicle then that vehicle is given a priority of one and 10 points.

TAC SCORING KEY	
Priority No.	Points
1	10.0
2	5.0
3	3.3
4	2.5
5	2.0
6	1.7
7	1.4
8	1.3
9	1.1
10	1.0



STATE OF MONTANA
Rail, Transit & Planning Division
DEPARTMENT OF TRANSPORTATION

Procedure No. PRO #-##-###	Subject: Budget and Federal Award Development
	Effective Date: 04/01/2023

1 PURPOSE

The purpose of this timeline is to ensure that grant applications are submitted in a timely manner.

2 TIMELINE

2.1 Mid-December

2.1.1 The Annual Apportionment amount is received and entered in the Apportionment Tracking Sheet.

2.2 Late-December to January

2.2.1 Calculations for allocation of 5311 rural formula grants are completed by the MDT Transit Program.

2.3 January & February

2.3.1 Capital Assistance Review process takes place for 5311, 5310, and 5339 rural capital grants to rank priority among the rural transit providers.

2.3.2 Small-urbanized area transit providers assess their capital needs for the 5310 urban capital grants.

2.4 February

2.4.1 Application for 5311 operating and capital grants open for subrecipients.

2.5 March

2.5.1 Part A: Applications are submitted by subrecipients for 5311 operating and capital rural formula grants.

2.5.2 Part B: Suballocate 5311 tribal and 5339 urban and rural awards. Adjust the Apportionment Tracking Sheet.

2.6 April

2.6.1 Applications are reviewed by MDT Transit Program.

2.7 May

2.7.1 Start putting together the Program of Projects for the initial federal award application for 5311 operating grants. Create contracts and send them off to the subrecipients. Adjust the Apportionment Tracking Sheet.

2.8 June

2.8.1 Submit the initial federal award application for 5311 operating grants.

2.9 June thru July

2.9.1 Start putting together the Program of Projects for the initial federal award application for 5311, 5310, and 5339 capital grants. Adjust the Apportionment Tracking Sheet.

2.10 July

2.10.1 Director signs the capital awards approval letter.

2.10.2 Continue to work on the initial federal award application for 5311, 5310, and 5339 capital grants. Adjust the Apportionment Tracking Sheet.

2.11 August

2.11.1 Submit the initial federal award application for 5311, 5310, and 5339 capital grants.

3 ADDITIONAL INFORMATION: Questions concerning this procedure should be directed to the Planning Fiscal Officer (Jennifer Andrews).

4 KEYWORDS

REVISION HISTORY

DATE	REVISION(S)	POLICY OWNER/AUTHOR
July 2, 2023	Formatting and condensed § 2.3 and 2.10	Heidi Iha

Dec 2021

**Instructions for
Financial Assistance Application
& Coordination Plan
49 USC § 5311 & 5310**



Montana Department of Transportation



Guidance Manual

General Information

This guide provides instructions on the proper completion of the grant application to the Montana Department of Transportation (MDT) utilizing the BlackCat grant system. This document will provide guidance, explanations and examples that may prove helpful. Be succinct with your application but provide enough information for staff to make an appropriate funding recommendation regarding your project. This is a competitive application process.

If awarded, your objectives and budget will be part of the contract acting as the scope of work for your project. It is, therefore, important that you carefully consider the objectives, budget, and expectations of your project. You are responsible for appropriate use of federal funds.

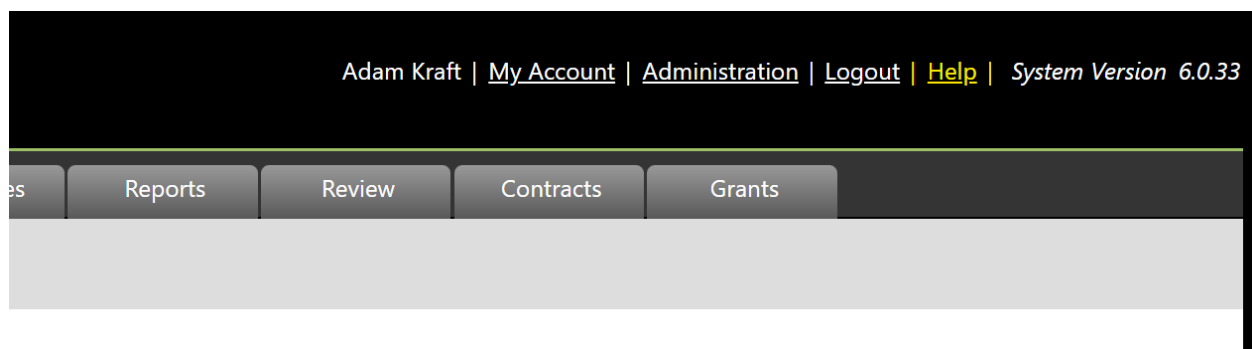
Accessing the Application Materials

The application materials are accessible through the BlackCat grant management system located at this web address:

<https://secure.blackcattransit.com/Login.aspx?site=mtdot>.

If you do have not registered and do not have a username, then you will need to contact your regional or urban area planner. The planner will assist with setting up your new registration. Once logged in the system will direct you to the dashboard.

For instructions on how to create and complete an application you may reference with User Guide. To access the guide select “Help” on the top of the webpage. Section 6.7, Creating and Completing an Application, pages 50-53, provides said guidance. Section 6.7 is also attached to this guide as **Attachment 1**.



Lead Agency Summary Sheet

Agency Legal name.

This can be the city, county, transit district, transportation improvement area, or non-profit organization.

Doing Business As (DBA) Name.

Many of the transit programs have a name that is different from the name of the applicant agency.

Employer Identification Number (EIN).

[https://www.irs.gov/Businesses/Small-Businesses-&-Self-Employed/Apply-for-an-Employer-Identification-Number-\(EIN\)-Online](https://www.irs.gov/Businesses/Small-Businesses-&-Self-Employed/Apply-for-an-Employer-Identification-Number-(EIN)-Online)

Dun & Bradstreet (DUNS)

<https://www.dnb.com/duns-number.html>

5310 Capital

See **Attachment 2** for a list of Capital application requirements for 5310 agencies.

Transit Coordinator

MDT is requesting that each transit operation have a full-time Transit Coordinator who is responsible for the day-to-day activities of the transit operation.

Agency Sponsor

Please check the appropriate agency type. The agency sponsor is the entity/organization and the grant applicant that will be operating the system.

Board of Directors

This will include the names of members of the applicant agency board members and their term of office. Some boards of directors are required to have agency representation or be appointed by city or county officials. If they have such affiliation, please list. The system requires at least three members listed in the board of directors section. This is a multi-list field and will need to be edited in save mode.

Structure of the Lead Agency

This will include an accounting of the total number of employees who receive all or part of their salary from this grant. Indicate the number of employees in each employment category and identify if this is a full- or part-time employee. For example, some programs have both full- and part-time drivers. Include the number of employees in each category. The field must be populated with a numerical value (*the default value is zero*).

Union Affiliation

Some transit agencies have employees who are represented by unions. If you have union employees, please list the name of the unions and their contact information.

System Description

Type of service (See definitions section to reference the service you operate).

If your service is **fixed route**, you are required to have a complementary para-transit service that meets the requirements of the Americans with Disabilities Act. Please describe who provides this service. *(Upon request a template can be provided, please contact your regional planner)*

If your service provides regularly scheduled **intercity** bus service for the general public that is outside your service area, please describe the areas served and the frequency of this service.

If you provide a **demand/response** service, explain if reservations are required and how much in advance the reservation must be made?

Service Area.

Describe the service area that your agency provides rides for.

Population.

This is an estimation of your population in your defined service area.

Connectivity.

Reference the definition for meaningful connections

Level and Use of Service

If an existing agency, please reference previous years data to complete the following section.

Ridership.

Estimated annual number of rides

Mileage.

Estimated annual number of miles

Passenger type.

Estimate the number of passengers you will carry who are elderly (60 and over), disabled, and under age 60. If a passenger is elderly and disabled, the ride is classified as disabled. This must total 100%.

Days/hours of service.

First, explain the days each week you are in service. Next, explain your operating hours.

Attached to the back of this guidance is a form called Community Hours of Operation (**Attachment 3**). You may use this to describe days and hours of service. If you provide exclusive rides during certain parts of the day, such as for Head Start or for individuals with disabilities, you may list those under the agency column.

Marketing or Advertising

Describe how a customer goes about getting a ride. Do you have a schedule, map, or brochure to hand out? Are your services posted in locations with easy access? Are your hours and schedules of operation in the newspaper, advertised on TV or radio, or on the Internet? Does it contain information about how to obtain a ride?

TransADE Funding

Legislation has enabled MDT to re-structure how it will distribute Transit Assistance for the Disabled and Elderly (TransADE) funds. Future funding will be allocated equitably statewide instead of being divided up equally between each of the five MDT financial districts. The new legislation now includes urban and tribal governments as well as rural transit providers, therefore match funds will be divided up to all lead agencies in each community based on the number of elderly and disabled rides provided as compared to the population of elderly and disabled within the service area. Lead agencies are required to coordinate with the TAC's to decide how these matching funds can support the increased mobility of the disabled and elderly in your service area.

Please provide a brief narrative explaining the proposed use of your agency's TransADE funds and the methodology used to increase service to the elderly and disabled. Be sure to include details established at TAC meetings and/or other public involvement activities which support your proposal.

MONTANA COORDINATION PLAN OUTLINE

Title 49 U.S.C. 5310, as amended by MAP-21, requires a recipient of Section 5310 funds to certify that projects selected for funding under this program are included in a locally developed, coordinated public transit-human service transportation plan and that the plan was developed and approved through a process that included participation by seniors; individuals with disabilities; representatives of public, private, nonprofit transportation and human service providers; and other members of the public. (See Chapter V of FTA C 9070.1G or **Attachment 4** of this guide for further information.)

The State of Montana requires that all FTA grant sub-recipients are included in a locally developed, coordinated public transit-human service transportation plan and that the plan was developed and approved through a process that included participation by seniors; individuals with disabilities; representatives of public, private, nonprofit transportation and human service providers; and other members of the public.

General Guidance for Coordination Plan Development.

A Coordination Plan should maximize the programs' collective coverage by minimizing duplication of services. Further, a Coordination Plan should be developed through a process that includes representatives of public, private, and non-profit transportation and human-services providers, and other programs sponsored by federal, state, and local agencies to greatly strengthen its impact.

Coordination with other federal programs.

The Federal Interagency Coordinating Council on Access and Mobility (CCAM) is composed of 11 federal departments and agencies and was established by an Executive Order on Human Service Transportation Coordination signed by President Bush on February 24, 2004. The members consist of the U.S. Departments of Transportation, Health and Human Services, Labor, Education, Agriculture, Housing and Urban Development, Interior, and Commission on Social Security, Veterans Affairs, Attorney General, and the National Council on Disabilities. CCAM coordinates 62 federal programs providing transportation funding for older Americans, persons with disabilities, and low-income populations that do not have access to or cannot use automobile transportation options.

The Executive Order requires that CCAM members work together to provide the most appropriate, cost-effective services within existing resources, and reduce duplication to make funds available for more services. CCAM seeks to simplify access to transportation services for persons with disabilities, persons with low incomes, and older adults.

Date adopted by board of directors.

The board of directors of the applicant agency must formally adopt the Coordination Plan.

1. Include the date the plan was adopted by the Transportation Advisory Committee (TAC).
2. Attach to the back of your plan a copy of the minutes showing the action by the board.

Agencies involved.

The elderly, persons with disabilities, low income and minority populations, and the general public must be involved in the development of your plan. Many different agencies are involved with delivering a multitude of services to these target populations. They must be invited to participate in the development of your plan.

1. Identify the cooperating agencies and describe the level of cooperation. Describe if they receive services and/or are financial contributors. Those agencies that agree to participate must acknowledge their level of participation in writing. This may take the form of letters of cooperation or a formal cooperative service agreement that details negotiated levels of service and/or financial arrangements.

MDT recommends reviewing such agreements for federal compliance. Templates are available upon request.

2. Attach cooperative letters and agreements/contracts.

Agencies not involved.

Some agencies may not agree to participate in the coordination plan at this time. Keep records of the agencies which are not participating. Be sure to include the rationale for not participating. Attach the non-cooperative letters to the application.

Needs assessment.

Transportation needs are uniquely identifiable. Smaller communities may be able to identify the transportation needs of the service area through public meetings. Some communities may distribute forms to human service providers, medical providers, the area businesses, or companies with employees who may need rides to work. Larger communities will probably have more formalized tools for identifying needs.

Describe how you determine the needs of your service area.

Public involvement.

The users of your service, including the elderly, disabled, low income people, minorities and the general population within your service area, must be consulted and invited to participate in the development of your plan. The process must be proactive and provide complete information, timely Public Notice with full public access to key decisions, and opportunities for involvement. A sample Public Notice is included to this guide as

Attachment 5.

1. Describe how you solicited participation in the development of your plan.
2. Attach copies of fliers, letters, newspaper articles, etc. that show a good-faith effort on your part to include the public.

Private Sector.

Private providers of transportation, including taxicab companies, must be consulted and invited to participate in the development of your plan. They must be afforded the opportunity for early and continuing involvement throughout the planning process.

Describe any private providers, including taxicab companies, in your service area and explain how they were solicited and participated in the development of your plan.

Plan for growth and/or increase ridership.

Describe any changes in your current plan that would increase ridership including, additional vehicles, additional routes, coordination with other agencies, marketing, innovative programs, etc.

Transportation Advisory Committee (TAC).

MDT recommends your TAC meet monthly but at a minimum of once each quarter. Meeting information, date, place, and time should be available to the public via newspaper, radio, Internet, or by other means.

1. Please describe how often your TAC meets.
2. Please attach meeting minutes where your Coordination Plan was approved.
3. Attach meeting minutes where capital projects were approved and prioritize agency by vehicle or item (*if applicable*)

Transportation Advisory Committee Members

Transportation Advisory Committees should be made up of representatives of local planning agencies; governments; public transportation providers; human-service agencies providing services to the elderly, individuals with disabilities, low-income individuals, and minority groups; as well as existing or potential riders from the general public and targeted population passengers.

Please complete the roster of persons serviced on your TAC, and who they represent.

Operating Budget

The definitions and descriptions can be found on MDT-Transit's website.

<http://www.mdt.mt.gov/publications/docs/manuals/mdt-financial-mgmt-guide.pdf>

Operating expenses.

These costs typically are variable costs and will fluctuate with the programs volume of ridership.

Administrative Expenses.

These costs tend to be fixed in nature and are incurred regardless of the operational level of the program.

Maintenance Expenses.

These costs are used to maintain the useful life of vehicles.

Reimbursement Calculations

Reimbursements are distributed on a quarterly basis. Direct deposits are available upon request. Reimbursement rates vary depending on the type of expense. The three expense types are as follows: Operating (54/46), Administrative (80/20), and Maintenance (80/20). Fare revenue is deducted from operating expenses prior to calculating the operating expense reimbursement.

Local Match

Local match sources and amounts must be identified. Local match must meet or exceed that required of the requested funding.

Match Revenue Sources

Must be non-federal source, only Federal source that can be used is US Department of Health and Human Services.

Itemized Expenses and In-kind

Identify and list those expenses as requested including the service and amount.

List In-kind

In-kind is eligible to be used as match up to 15% of the total operating grant request amount (federal and local match combined).

DBE (Disadvantaged Business Enterprise)

Through September 30, 2017, MDT's agency-wide FTA approved DBE race-neutral goal is 0.38%. While no project-specific goal applies, each provider is encouraged to make all reasonable efforts to utilize MDT's currently certified DBE firms for subcontracting services. The "MDT DBE Directory" is located on MDT's DBE web page at http://www3.mdt.mt.gov:7782/mtwtrn/mtwtrn.wtrk0002.contractor_init

Authorization, Certs and Assurance, Nondiscriminatory, labor warranty

Authorizing official with the authority to sign the documents is one that has been granted the authority through approval of Governing board through formal process and this will need to be document. If requested this information must be provided to MDT. The individual with the authority will need to be registered separately to ensure compliance with the terms and conditions. This information will be date and user stamped and regional planners will verify this information before approval of application. The user that fills out the application cannot be the authorizing official.

Capital

List of Suggested Vehicles (Vans, Light Duty Bus, Medium Duty Bus, Heavy Duty Bus). MDT has developed a list of suggested vehicles. This list includes all commonly procured vehicles. These vehicles have been designed for optimal functionality. MDT allows for special vehicle requests if your agency has determined that none of the suggested vehicles meet the specific needs of your service. Special vehicles can be applied for in the Special Vehicle Request section below.

Special Vehicle Requests.

When applying for a special vehicle be sure to explain the special need and include the make/model and other pertinent info used to identify the vehicle type.

Other Equipment.

This section allows for other equipment requests. Other equipment includes passenger shelters, routing software, etc.

Other Equipment.

This section allows for new facility and facility upgrade requests. Such requests require preemptive work including a general project scope and quote.

Sources of Capital Matching Funds.

Local match sources and amounts must be identified. Local match must meet or exceed that required of the requested capital.

Needs Justification.

Capital awards are reviewed and scored by the Capital Assistance Review (CAR) committee and the Transit Section. Scoring is based on 100 total points (**Attachment 6**). The CAR, which is made up of members whom represent all facets of transit systems in the state, scores a total of 80 points and the Transit Section scores a total of 20 points. Of the 80 points, the CAR scores a total of 60 points for “Capital Need” and a total of 20 points for “Program Management.” Of the 20 points, the Transit Section scores a total of 10 points for “Program Management” and a total of 10 points for “TAC Prioritization.” These 20 points are formula generated and represent required meetings attendance, timeliness of quarterly report submittals, and TAC prioritization. A detailed description of the scoring process is available per request.

It is the applicant’s responsibility to state their program’s capital need and provide a general statement of their program administration. Capital need statements shall clearly define the need and circumstances or logic in which each capital request is necessary to continue adequate transportation services. Excellent statements may include supporting documents such as: planning studies, surveys, meeting minutes, public input, detailed vehicle service records, facility improvement quotes, etc. Need is defined equitably amongst expansion and replacement. Need statements shall include application characteristics for each capital item such as: expansion or replacement, service type (IE: fixed route, demand response, etc.), and trip purpose (health care, employment, nutrition, recreation, etc.). Strong expansion and replacement statements may include the following information:

Expansion:

- Consumer demand vs. vehicle availability/capacity
- Expansion of service hours and/or service area
- Benefits of new technology or bus/passenger shelter(s)

Replacement:

- Maintenance history of the replacement item
- Useful-life and current miles and years (only years for some items) of the replacement item
- Spare ratio - service vehicles to backup vehicles (limited number of service vehicles)
- Safety concerns (IE: breakdowns, risky service area, etc.)

Statement Example:

“The request for a 13-passenger bus is to replace a similar, 13-passenger bus currently operating as a demand response vehicle. Most trips are health care related. The service area of this vehicle covers 100 miles daily across rough, rural terrain. The vehicle currently has 144,000 miles and is 8 years old. The useful-life for the aging vehicle is 100,000 miles / 7-years. I have provided maintenance documents which illustrate a more recent increase in servicing. We have one spare vehicle for a fleet of six demand response vehicles. Our main concern regarding this aging vehicle is the potential for a breakdown in a hazardous location with limited services and a loss of service along that route.”

Program management refers to the administration of the transportation program which has applied for the capital item(s). The applicant shall clearly explain their level of local coordination and capital maintenance program management. The applicant will provide a brief program management narrative describing their transportation service, current and prospective level of coordination, a brief description of their capital maintenance program, and any other pertinent supporting information they find relevant. Capital maintenance refers to the mechanical and physical upkeep of an agency's vehicle fleet and facilities. Strong coordination and maintenance statements may include the following information:

Coordination:

- Annual petitioning and participation of local interest groups
- General summary of the cooperative agreements
- Future anticipated cooperative agreements
- Frequency of TAC meetings

Maintenance:

- Basic maintenance policies and practices structure
- Staff and/or contractor duties related to maintenance
- Cooperative maintenance agreements with local service providers
- Fleet replacement forecasting
- Fleet and facility conditions (MDT will provide fleet and facility average condition per request)

Statement Example:

“The transit agency provides 150,000 rides annually within Lewis & Clark County. Service runs 6 days, 48 hours weekly. Our transit agency has cooperative agreements with two developmentally disabled group homes, one nursing home, the public hospital, Walmart, and the local food share. Soon we expect to establish an agreement with the local college. To the greatest extent possible, the DD center attempts to coordinate with the lead agency (the applicant) during normal business hours. After hours, they provide their own transportation services. Our TAC meets monthly and has an average of 6

attendees. Our agency has a part-time, trained mechanic which maintains our fleet according to our maintenance plan which is based upon manufacturers suggested maintenance intervals. We have established service agreements with the local tire, lube and repair shops for a prorated rate. This replacement vehicle has been scheduled to be replaced this year according to our fleet replacement plan.”

After the committee has evaluated all capital items the scores are averaged and prioritized into a spreadsheet. Based on the available amounts of funding and the MDT management approval process, agencies are funded from the highest priority down until the available funding is completely spent.

Attachments

BlackCat[®]

TRANSIT DATA MANAGEMENT SYSTEM



STATE USER GUIDE

2) Select the **Publish Grant** button on the Grant Detail page.

Application Profile

Publish

Status: In Development

Application Name:* CY 2020 Section 531

Year:* 2020

Open Date/Time:* 11/1/2019 12:00 AM

Deadline Date/Time:* 3/6/2020 11:00 PM

Hard/Soft Deadline:* ☐ Hard ☒ Soft

Group Review:* ☐ Yes ☒ No

Lead Reviewers: Select One [Add](#)

Brian Jones ✖

Larry Buckel ✖

Public URL:

Save Cancel Delete

Helpful Hint: Once an application is published and the Open Date/Time has commenced, Agency Users has access to apply until the deadline date.

6.7 Creating and Completing an Application

Creating and completing an application is typically completed by an Agency User but State Users may assist in creating an application for an organization.

1) Select the **Applications** tab

Dashboard Projects **Applications** Organizations Resources Reports Review Contracts Grants

2) Select **Grant Opportunities**

Applications

Grant Opportunities

Application Development

3) Select the **Organization**

New Opportunities

New Opportunities

Organization: Select One

Application: 5311 Application Year: 2022 Application Deadline: 8/31/2021 03:00 PM CST [Details](#)

4) Select **Apply** (if an opportunity doesn't appear for the selected organization, see the previous Section on Application Access).

New Opportunities

New Opportunities

Organization: Chariton Valley Planning & Development

Application: 5311 Application Year: 2022 Application Deadline: 8/31/2021 03:00 PM CST [Details](#) [Apply](#)

5) The created application will then be available in the Applications table

Applications

Applications

Year	Organization	Application	Status
2022	10-15 Regional Transit Agency		
2022	City of Cedar Rapids		
2022	City of Davenport	5311 Application	Review Complete
2022	City of Fort Dodge	Scorecard Scenario	Submitted Late
2022	Ames Area Metropolitan Planning Organization	5311 Application	Not Submitted
2022	Chariton Valley Planning & Development	5311 Application	Not Submitted

Helpful Hint: State Users will see all applications in the application list. Agency Users will only have access to their organization's application list.

Select the view link next to the application to open.

The following steps are completed by Agency Users.

There are three sections of the application that must be completed before an application can be submitted:

3. **Applications Forms** section (all must be green or blue, indicating completion)
4. **Project Attachment** section (all projects to be included must be attached)
5. The **Funding Request** for each attached project must be completed.

The submit button is *not active* until all these conditions are met.

1) To complete the **Application Forms** section:

a. Select **Attach Upload** next to the first required document and complete upload process

Helpful Hint: All forms added to the Application forms section during Application Development will be available in this section.

			Action
<input checked="" type="checkbox"/>	Download - Application Document 1		Attach
Requires Upload	Optional	Upload Complete	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	

2) The Upload window will display. Select **Choose File** or **Browse** and then **Save**

Attach Form

Document 1 -

Upload or replace uploaded document by choosing a file below.

Choose File No file chosen

Save

Helpful Hint: The files being upload must be saved only using alphanumeric characters, underscores _ , hyphens – and periods. The a length limited to 75 characters.

Helpful Hint: Upon uploading and selecting Save, the Attach Form box will close and the “Attach” will be replaced with “Re-Upload”. For required documents, the check indicator will change from grey to green.

4) To complete the **Projects** section:

a. Select Attach in the Projects Section and complete the project attachment process

Project(s)

Attach

Description	Line Item	Year	Description	Net Project Cost
No records to display.				

- b. Select the **Projects** and Select **Attach Project(s)**

Line Item	Year	Description	Net Project Cost
<input checked="" type="checkbox"/> 111304	2020	Buy Expansion - Bus < 30 FT	\$300,000.00
<input checked="" type="checkbox"/> 111215	2020	Buy Replacement - Vans	
<input type="checkbox"/> 111204	2020	Buy Replacement - Bus < 30 FT	
<input type="checkbox"/> 111304	2020	Buy Expansion - Bus < 30 FT	

Attach Project(s)

- c. The Projects will now be attached and information will populate the **Budget Request Summary** section located below the Project(s) table.

Project(s)

Description	Line Item	Year	Description	Net Project Cost
Remove	111304	2020	Buy Expansion - Bus < 30 FT	\$300,000.00
Remove	111215	2020	Buy Replacement - Vans	

Budget Request Summary

Budget Category	Net Project Cost	Total Federal Amount Requested	Total Budgeted Match	Total State Amount Requested For Match
Capital	\$300,000.00			
Less 20% Local Match				
Total	\$300,000.00	\$0.00	\$0.00	\$0.00

- 6) Once all sections are complete, the **Submit** button must be selected

Application

Application: 5311 Operating/5339 Capital CY2020 Application Application Deadline: 6/14/2019 12:00:00 AM Status: Not Submitted

Organization: Adams County Council on Aging, Inc. Year: 2020

Submit

Application Form(s)

Before you can submit this application, you must

Helpful Hint: The status section of the application will indicate to Agency and State Users where in the process the application is.

Please note, no changes to the application can be made once an application is in "submitted" status.

Attachment 2

List of application requirements for “sub-agencies” that are only applying for 5310 Capital:

1. Coordination Plan:

- a. Sub-agency's level of coordination to be included in with the Lead Agency's Coordination Plan document
- b. Public notice is required to be provided unless it is already included in with the Lead Agency's notice. Copy of the public hearing transcript is required if requested.

2. Forms, plans, and procedures to be kept on-file:

- a. A copy of your private non-profit IRS 501(c) or 501(a) exemption, from private non-profit providers only. Agencies working through city, county, or tribal governments are exempt.
- b. A copy of the most current maintenance plan approved by your governing board.
- c. A copy of your local program complaint procedures.
- d. A copy of your FTA Title VI nondiscrimination complaint procedures signed by appropriate staff.

3. Sections of the grant application that must be completed:

- a. Section A: Organization
- b. Section B: System Description
- c. Section C: Level of Use of Service
- d. SKIP Sections D-K
- e. Section L: Capital

4. Documents which require signatures:

- a. Authorization to Make Application
- b. Certifications and Assurances
- c. Non-Discrimination Assurance
- d. Labor Warranty

Attachment 3

Agency Name

	6:00A	7:00A	8:00A	9:00A	10:00 A	11:00 A	12:00	1:00P	2:00P	3:00P	4:00P	5:00P	6:00P
Sunday													
Monday													
Tuesday													
Wednesday													
Thursday													
Friday													
Saturday													

Community Hours of Operation

1. Show the hours of service.
2. How many vehicles are used for passenger transportation?
3. What is their capacity (e.g., 10 passengers plus 2 wheelchairs?)
4. List types of specialty equipment. (e.g., wheelchair lifts mobile two-way radio, etc.)
5. What type of service is provided? (e.g., demand/response, medical appointments, work/school, etc.)
6. Identify the riders. (e.g., elderly, disabled, Head Start, or general public)
7. Are there unmet transportation needs for this organization?

CHAPTER V**COORDINATED PLANNING**

1. **THE COORDINATED PUBLIC TRANSIT-HUMAN SERVICES TRANSPORTATION PLAN.** Federal transit law, as amended by MAP-21, requires that projects selected for funding under the Section 5310 program be “included in a locally developed, coordinated public transit-human services transportation plan” and that the plan be “developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, and nonprofit transportation and human services providers and other members of the public.” The experiences gained from the efforts of the Federal Interagency Coordinating Council on Access and Mobility (CCAM), and specifically the United We Ride (UWR) initiative, provide a useful starting point for the development and implementation of the local public transit-human services transportation plan required under the Section 5310 program.

Many states have established UWR plans that may form a foundation for a coordinated plan that includes the required elements outlined in this chapter and meets the requirements of 49 U.S.C. 5310. In addition, many states and designated recipients may have coordinated plans established under SAFETEA-LU, and those plans may be updated to account for new stakeholders, eligibility, and MAP-21 requirements. FTA maintains flexibility in how projects appear in the coordination plan. Projects may be identified as strategies, activities, and/or specific projects addressing an identified service gap or transportation coordination objective articulated and prioritized within the plan.

2. **DEVELOPMENT OF THE COORDINATED PUBLIC TRANSIT-HUMAN SERVICES TRANSPORTATION PLAN.**
 - a. **Overview.** A locally developed, coordinated public transit-human services transportation plan (“coordinated plan”) identifies the transportation needs of individuals with disabilities, seniors, and people with low incomes; provides strategies for meeting those local needs; and prioritizes transportation services and projects for funding and implementation. Local plans may be developed on a local, regional, or statewide level. The decision as to the boundaries of the local planning areas should be made in consultation with the state, designated recipient, and the MPO, where applicable. The agency leading the planning process is decided locally and does not have to be the state or designated recipient.

In UZAs where there are multiple designated recipients, there may be multiple plans and each designated recipient will be responsible for the selection of projects in the designated recipient’s area. A coordinated plan should maximize the programs’ collective coverage by minimizing duplication of services. Further, a coordinated plan must be developed through a process that includes participation by seniors, individuals with

disabilities, representatives of public, private and nonprofit transportation and human service transportation providers, and other members of the public. While the plan is only required in communities seeking funding under the Section 5310 program, a coordinated plan should incorporate activities offered under other programs sponsored by federal, state, and local agencies to greatly strengthen its impact.

- b. Required Elements. Projects selected for funding shall be included in a coordinated plan that minimally includes the following elements at a level consistent with available resources and the complexity of the local institutional environment:
 - (1) An assessment of available services that identifies current transportation providers (public, private, and nonprofit);
 - (2) An assessment of transportation needs for individuals with disabilities and seniors. This assessment can be based on the experiences and perceptions of the planning partners or on more sophisticated data collection efforts, and gaps in service;
 - (3) Strategies, activities, and/or projects to address the identified gaps between current services and needs, as well as opportunities to achieve efficiencies in service delivery; and
 - (4) Priorities for implementation based on resources (from multiple program sources), time, and feasibility for implementing specific strategies and/or activities identified.
- c. Local Flexibility in the Development of a Local Coordinated Public Transit-Human Services Transportation Plan. The decision for determining which agency has the lead for the development and coordination of the planning process should be made at the state, regional, and local levels. FTA recognizes the importance of local flexibility in developing plans for human service transportation. Therefore, the lead agency for the coordinated planning process may be different from the state or the agency that will serve as the designated recipient for the Section 5310 program. Further, FTA recognizes that many communities have conducted assessments of transportation needs and resources regarding individuals with disabilities and seniors. FTA also recognizes that some communities have taken steps to develop a comprehensive, coordinated human service transportation plan either independently or through United We Ride efforts. FTA supports communities building on existing assessments, plans, and action items. As new federal requirements must be met, communities may need to modify their plans or processes as necessary to meet these requirements. FTA encourages communities to consider inclusion of new partners, new outreach strategies, and new activities related to the targeted programs and populations.

Plans will vary based on the availability of resources and the existence of populations served under these programs. A rural community may develop its plans based on

perceived needs emerging from the collaboration of the planning partners, whereas a large urbanized community may use existing data sources to conduct a more formal analysis to define service gaps and identify strategies for addressing the gaps.

This type of planning is also an eligible activity under four other FTA programs—the Metropolitan Planning (Section 5303), Statewide Planning (Section 5304), Formula Grants for Rural Areas (Section 5311), and Urbanized Area Formula (Section 5307) programs—all of which may be used to supplement the limited (10 percent) planning and administration funding under this program. Other resources may also be available from other entities to fund coordinated planning activities. All “planning” activities undertaken in urbanized areas, regardless of the funding source, must be included in the Unified Planning Work Program of the applicable MPO.

- d. Tools and Strategies for Developing a Coordinated Plan. States and communities may approach the development of a coordinated plan in different ways. The amount of available time, staff, funding, and other resources should be considered when deciding on specific approaches. Regardless of the method chosen, seniors; individuals with disabilities; representatives of public, private, and nonprofit transportation and human service providers; and other members of the public must be involved in the development and approval of the coordinated plan. The following is a list of potential strategies for consideration:
 - (1) Community planning session. A community may choose to conduct a local planning session with a diverse group of stakeholders in the community. This session would be intended to identify needs based on personal and professional experiences, identify strategies to address the needs, and set priorities based on time, resources, and feasibility for implementation. This process can be done in one meeting or over several sessions with the same group. It is often helpful to identify a facilitator to lead this process. Also, as a means to leverage limited resources and to ensure broad exposure, this could be conducted in cooperation, or coordination, with the applicable metropolitan or statewide planning process.
 - (2) Self-assessment tool. *The Framework for Action: Building the Fully Coordinated Transportation System*, developed by FTA and available at www.unitedweride.gov, helps stakeholders realize a shared perspective and build a roadmap for moving forward together. The self-assessment tool focuses on a series of core elements that are represented in categories of simple diagnostic questions to help groups in states and communities assess their progress toward transportation coordination based on standards of excellence. There is also a *Facilitator’s Guide* that offers detailed advice on how to choose an existing group or construct an ad hoc group. In addition, it describes how to develop elements of a plan, such as identifying the needs of targeted populations, assessing gaps and duplication in services, and developing strategies to meet needs and coordinate services.

- (3) Focus groups. A community could choose to conduct a series of focus groups within communities that provides opportunity for greater input from a greater number of representatives, including transportation agencies, human service providers, and passengers. This information can be used to inform the needs analysis in the community. Focus groups also create an opportunity to begin an ongoing dialogue with community representatives on key issues, strategies, and plans for implementation.
 - (4) Survey. The community may choose to conduct a survey to evaluate the unmet transportation needs within a community and/or available resources. Surveys can be conducted through mail, e-mail, or in-person interviews. Survey design should consider sampling, data collection strategies, analysis, and projected return rates. Surveys should be designed taking accessibility considerations into account, including alternative formats, access to the Internet, literacy levels, and limited English proficiency.
 - (5) Detailed study and analysis. A community may decide to conduct a complex analysis using inventories, interviews, Geographic Information Systems (GIS) mapping, and other types of research strategies. A decision to conduct this type of analysis should take into account the amount of time and funding resources available, and communities should consider leveraging state and MPO resources for these undertakings.
3. PARTICIPATION IN THE COORDINATED PUBLIC TRANSIT-HUMAN SERVICES TRANSPORTATION PLANNING PROCESS. Recipients shall certify that the coordinated plan was developed and approved through a process that included participation by seniors; individuals with disabilities; representatives of public, private, and nonprofit transportation and human services providers; and other members of the public. Note that the required participants include not only transportation providers but also providers of human services, and members of the public who can provide insights into local transportation needs. It is important that stakeholders be included in the development, approval, and implementation of the local coordinated public transit-human service transportation plan. A planning process in which stakeholders provide their opinions but have no assurance that those opinions will be considered in the outcome does not meet the requirement of “participation.” Explicit consideration and response should be provided to public input received during the development of the coordinated plan. Stakeholders should have reasonable opportunities to be actively involved in the decision-making process at key decision points, including, but not limited to, development and approval of the proposed coordinated plan document. The following possible strategies facilitate appropriate inclusion:
 - a. Adequate Outreach to Allow for Participation. Outreach strategies and potential participants will vary from area to area. Potential outreach strategies could include notices or flyers in centers of community activity, newspaper or radio announcements, e-mail lists, website postings, and invitation letters to other government agencies,

transportation providers, human services providers, and advocacy groups. Conveners should note that not all potential participants have access to the Internet and they should not rely exclusively on electronic communications. It is useful to allow many ways to participate, including in-person testimony, mail, e-mail, and teleconference. Any public meetings regarding the plan should be held in a location and time where accessible transportation services can be made available and adequately advertised to the general public using techniques such as those listed above. Additionally, interpreters for individuals with hearing impairments and English as a second language and accessible formats (e.g., large print, Braille, electronic versions) should be provided as required by law.

- b. Participants in the Planning Process. Metropolitan and statewide planning under 49 U.S.C. 5303 and 5304 require consultation with an expansive list of stakeholders. There is significant overlap between the lists of stakeholders identified under those provisions (e.g., private providers of transportation, representatives of transit users, and representatives of individuals with disabilities) and the organizations that should be involved in preparation of the coordinated plan.

The projects selected for funding under the Section 5310 program must be “included in a locally developed, coordinated public transit-human services transportation plan” that was “developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, and non-profit transportation and human services providers and participation by other members of the public.” The requirement for developing the local public transit-human services transportation plan is intended to improve services for people with disabilities and seniors. Therefore, individuals, groups, and organizations representing these target populations should be invited to participate in the coordinated planning process. Consideration should be given to including groups and organizations such as the following in the coordinated planning process if present in the community:

- (1) Transportation partners:
 - (a) Area transportation planning agencies, including MPOs, councils of government (COGs), rural planning organizations (RPOs), regional councils, associations of governments, state departments of transportation, and local governments;
 - (b) Public transportation providers, including ADA paratransit providers and agencies administering the projects funded under FTA urbanized and rural programs;
 - (c) Private transportation providers, including private transportation brokers, taxi operators, vanpool providers, school transportation operators, and intercity bus operators;
 - (d) Nonprofit transportation providers, including volunteer programs;

- (e) Past or current organizations funded under the Section 5310, JARC, and/or the New Freedom programs; and
 - (f) Human service agencies funding, operating, and/or providing access to transportation services.
- (2) Passengers and advocates:
- (a) Existing and potential riders, including both general and targeted population passengers (individuals with disabilities and seniors);
 - (b) Protection and advocacy organizations;
 - (c) Representatives from independent living centers; and
 - (d) Advocacy organizations working on behalf of targeted populations.
- (3) Human service partners:
- (a) Agencies that administer health, employment, or other support programs for targeted populations. Examples of such agencies include but are not limited to departments of social/human services, employment one-stop services, vocational rehabilitation, workforce investment boards, Medicaid, community action programs (CAP), Agency on Aging (AoA), Developmental Disability Council, community services board;
 - (b) Nonprofit human service provider organizations that serve the targeted populations;
 - (c) Job training and placement agencies;
 - (d) Housing agencies;
 - (e) Healthcare facilities; and
 - (f) Mental health agencies.
- (4) Other:
- (a) Security and emergency management agencies;
 - (b) Tribes and tribal representatives;
 - (c) Economic development organizations;
 - (d) Faith-based and community-based organizations;

- (e) Representatives of the business community (e.g., employers);
- (f) Appropriate local or state officials and elected officials;
- (g) School districts; and
- (h) Policy analysts or experts.

Note: Participation in the planning process will not bar providers (public or private) from bidding to provide services identified in the coordinated planning process. This planning process differs from the project selection process, and it differs from the development and issuance of a request for proposal (RFP) as described in the common grant rule (49 CFR part 18 and part 19).

- c. Levels of Participation. The suggested list of participants above does not limit participation by other groups, nor require participation by every group listed. Communities will have different types of participants depending on population and size of community, geographic location, and services provided at the local level. FTA expects that planning participants will have an active role in the development, approval, adoption, and implementation of the plan. Participation may remain low even though a good faith effort is made by the lead agency to involve passengers; representatives of public, private, and nonprofit transportation and human services providers; and others. The lead agency convening the coordinated planning process should document the efforts it utilized, such as those suggested above, to solicit involvement.

In addition, federal, state, regional, and local policy makers, providers, and advocates should consistently engage in outreach efforts that enhance the coordinated process because it is important that all stakeholders identify the opportunities that are available in building a coordinated system. To increase participation at the local levels from human service partners, state department of transportation offices are encouraged to work with their partner agencies at the state level to provide information to their constituencies about the importance of partnering with human service transportation programs and the opportunities that are available through building a coordinated system.

- d. Adoption of a Plan. As a part of the local coordinated planning process, the lead agency in consultation with participants should identify the process for approving and adopting the plan, and this process must include participation by stakeholders identified in the law: seniors; individuals with disabilities; representatives of public, private, and nonprofit transportation and human service providers; and other members of the public. A strategy for adopting the plan could also be included in the state's SMP and the designated recipient's PMP, further described in Chapter VII.

FTA will not formally review and approve coordinated plans. The recipient's grant application (see Appendix A) will document the plan from which each project listed is included, including the lead agency, the date of adoption of the plan, or other appropriate

identifying information. This may be done by citing the section of the plan or page references from which the project is included.

4. RELATIONSHIP TO OTHER TRANSPORTATION PLANNING PROCESSES.

- a. Relationship Between the Coordinated Planning Process and the Metropolitan and Statewide Transportation Planning Processes. The coordinated plan may either be developed separately from the metropolitan and statewide transportation planning processes and then incorporated into the broader plans, or be developed as a part of the metropolitan and statewide transportation planning processes. If the coordinated plan is not prepared within the broader process, the lead agency for the coordinated plan should ensure coordination and consistency between the coordinated planning process and metropolitan or statewide planning processes. For example, planning assumptions should not be inconsistent.

Projects identified in the coordinated planning process and selected for FTA funding must be incorporated into both the TIP and STIP in UZAs with populations of 50,000 or more; and incorporated into the STIP for rural areas under 50,000 in population.

Depending on the projects resulting from the coordinated planning and selection process, a single line item on the TIP/STIP for capital or operating projects may be sufficient.

However, given the expanded project and subrecipient eligibility under MAP-21, a designated recipient and state may need to consider more detailed programming, such as categorizing the projects based on the types of projects (capital or operating) and/or types of subrecipients, e.g., nonprofit, public entity, etc.

In some areas, where the coordinated plan or project selection is not completed in a time frame that coincides with the development of the TIP/STIP, the TIP/STIP amendment processes will need to be utilized to include selected projects in the TIP/STIP before FTA grant award.

The lead agency developing the coordinated plan should communicate with the relevant MPOs, state departments of transportation or regional planning agencies at an early stage in plan development. States with coordination programs may wish to incorporate the needs and strategies identified in local coordinated plans into statewide coordination plans.

Depending upon the structure established by local decision makers, the coordinated planning process may or may not become an integral part of the metropolitan or statewide transportation planning processes. State and local officials should consider the fundamental differences in scope, time horizon, and level of detail between the coordinated planning process and the metropolitan and statewide transportation planning processes. However, there are important areas of overlap between the planning processes, as well. Areas of overlap represent opportunities for sharing and leveraging resources between the planning processes for such activities as: (1) needs assessments based on the distribution of targeted populations and locations of employment centers, employment-

related activities, community services and activities, medical centers, housing, and other destinations; (2) inventories of transportation providers/resources, levels of utilization, duplication of service, and unused capacity; (3) gap analysis; (4) any eligibility restrictions; and (5) opportunities for increased coordination of transportation services. Local communities may choose the method for developing plans that best fits their needs and circumstances.

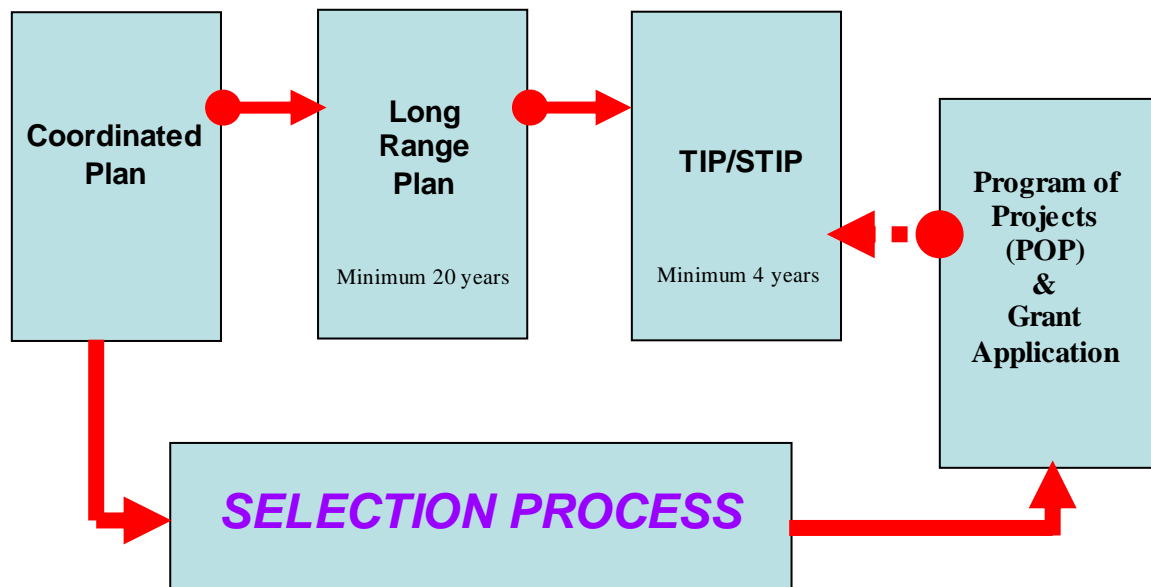
- b. Relationship Between the Requirement for Public Participation in the Coordinated Plan and the Requirement for Public Participation in Metropolitan and Statewide Transportation Planning. Title 49 U.S.C. 5303(i)(6) and 5304(f)(3), as amended by MAP-21, require MPOs and states to engage interested parties in preparing transportation plans, TIPs, and STIPs. “Interested parties” include, among others, affected public agencies, private providers of transportation, representatives of users of public transportation, and representatives of individuals with disabilities.

MPOs and/or states may work with the lead agency developing the coordinated plan to coordinate schedules, agendas, and strategies of the coordinated planning process with metropolitan and statewide planning in order to minimize additional costs and avoid duplication of efforts. MPOs and states must still provide opportunities for participation when planning for transportation related activities beyond the coordinated public transit-human services transportation plan.

- c. Cycle and Duration of the Coordinated Plan. At a minimum, the coordinated plan should follow the update cycles for metropolitan transportation plans (MTPs) (i.e., four years in air quality nonattainment and maintenance areas and five years in air quality attainment areas). States, MPOs, designated recipients, and public agencies that administer or operate major modes of transportation should set up a cycle that is conducive to and coordinated with the metropolitan and statewide planning processes to ensure that selected projects are included in the TIP and STIP and to receive funds in a timely manner.
- d. Role of Transportation Providers that Receive FTA Funding Under the Urbanized and Rural Area Formula Grant Programs in the Coordinated Planning Process. Recipients of Section 5307 and Section 5311 assistance are the “public transit” in the public transit-human services transportation plan and their participation is assumed and expected. Further, 49 U.S.C. 5307(b)(5), as amended by MAP-21, requires that, “Each recipient of a grant shall ensure that the proposed program of projects (POP) provides for the coordination of public transportation services ... with transportation services assisted from other United States Government sources.” In addition, 49 U.S.C. 5311(b)(2)(C)(ii) requires the Secretary of DOT to determine that a state’s Section 5311 projects “provide the maximum feasible coordination of public transportation service ... with transportation service assisted by other federal sources.” Finally, under the Section 5311 program, states are required to expend 15 percent of the amount available to support intercity bus service.

FTA expects the coordinated planning process in rural areas to take into account human service needs that require intercity transportation.

The schematic here illustrates the relationship between the coordinated plan and the metropolitan and statewide planning processes.



Attachment 5

SAMPLE PUBLIC NOTICES FOR CAPITAL AND OPERATING NOTICE FOR COMMENT BY PRIVATE SECTOR

Feel free to combine these notices to form one notice for the paper!

Public notice for capital assistance

This is to notify all interested parties that (Applicant Name) is applying for (dollar amount) through the capital assistance grant. The capital assistance grant is funded by the Federal Transit Administration (FTA) and administered by the Montana Department of Transportation. FTA funds will be used to purchase (type of vehicle or equipment) for providing transportation services to (Client Group - e.g., Senior Citizens, D.D. Group Home, D.D. Activity Centers).

The application is on file at (Agency Address). If requested, a public hearing will be held and public notice indicating the location, date, and time of the hearing will be provided. For more information or for those who require accommodations for disabilities, contact (Applicant Name, Transit Coordinator, Address, Telephone Number) or Department of Transportation, Helena at 444-9192 (voice), or 444-7696

(TTY).

The (Applicant Name) will be requesting financial assistance from the Montana Department of Transportation and the Federal Transit Administration.

Public Notice for Operating Assistance

This is to notify all interested parties that the _____ is
(Name of agency)

Applying for _____ under the Montana Department of
Transportation's *(amount of funds)*

Operating Grant Program. Funding will be used for operating expenses associated with providing transportation services to the general public, elderly, and persons with disabilities within

_____.
(The area of service)

The application is on file at _____. If requested, a public
(Address)

Hearing will be held and public notice indicating the location, date, and time of the hearing will be provided.

The Montana Department of Transportation attempts to provide accommodations for any known disability that may interfere with a person participating in any service, program or activity of the Department. Alternative accessible formats of this information will be provided upon request. For further information, call (406)444-3423 or TTY (800)335-7592 or call the Montana Relay at 711.

Attachment 6

Committee Member Instructions for Scoring

No two agencies operate identical programs nor share exact management styles, therefore capital needs vary. MDT has attempted to address these needs as equitably as possible. Each capital request is allotted a maximum of 100 points, of which 10 points are generated by the Regional Planner and 10 points are generated using the TAC prioritization ranking. You the committee are responsible for generating scores for capital need and program administration for 80 points. Use your best judgement to score appropriately.

1.0. Capital Need (60 total points – Committee Member):

Capital need statements shall clearly define the need and circumstances or logic in which each capital request is necessary to continue adequate transportation services. Need is defined equitably amongst expansion and replacement. *Need statements must include the following application characteristics for each capital item: expansion or replacement, service type (IE: fixed route, demand response, etc.), and trip purpose (health care, employment, nutrition, recreation, etc.).*

For the purpose of scoring, capital need is generalized into three categories: consumer demand, cost savings and capital management. Each category is allotted a maximum of 20 points for a total of 60 points.

- Consumer Demand (20 pts)
Consumer demand refers to an increase to or continued demand of transportation services. This includes new transportation agencies or an increase to current hours, days, service areas, or vehicle capacities of existing transportation agencies. The applicant shall provide evidence of a consumer need by means of new or adjusted coordinated agreements, public input, meeting minutes, surveys or studies which document an increase of consumer demand.
- Cost Savings (20 pts)
Cost savings refers to the benefits of new rolling stock, technology and fixed structures. IE: Routing software may optimize scheduling, a new vehicle may increase fuel efficiencies and/or decrease maintenance costs, and a new facility may extend the average fleet useful-life. For intended replacement vehicle, the applicant shall provide evidence of a cost savings by means of a brief narrative stating specific mechanical problems or other issues and the associated costs. Statements shall be supported by documentation such as repair and/or maintenance invoices.
- Capital Management (20 pts)
Capital management refers to general fleet characteristics and the management of existing and new capital. Fleet characteristics may explain:

- Average fleet age – current years and miles compared to useful-life;
- Spare ratio - service vehicles to backup vehicles;
- Safety concerns - breakdowns, major mechanical issues, underperforming capital and other risk factors

The applicant may provide a brief narrative explaining the strong points of their agency's fleet maintenance plan (attention to manufacturer's suggested maintenance, negotiated agreements, in-kind mechanics, staff mechanics, etc.).

Applicants requesting technology must explain the applicability / cohesion of the software / hardware with their current transportation program.

Facility improvements and other construction activity requests require a narrative explaining facility maintenance and a timeline for construction.

All non-rolling stock requests require quotes.

Capital management statements may include supporting documents such as: coordinated agreements, excellent detailed service records, updated maintenance plans, meeting minutes, quotes, etc.

Scoring:

Committee members shall score capital need based on the applicant's responses to the above three categories: (1) consumer demand, (2) cost savings, and (3) capital maintenance. Each category is worth a total of 20 points for a total of 60 points, combined. The committee member is responsible for scoring each category based upon the completeness and importance of each explanation. Strong statements provide excellent details and explain a significant application of the capital; moderate statements provide some details and some significance; and weak statements provide minimum details and minimum significance. Committee members are expected to use their best judgment to determine the applied importance of each capital item (IE: health-care services are more important than recreational services or vice versa; a new bus for a location without bus service is more important than replacing a bus used by an existing service or vice versa).

For your reference MDT has created a scoring point scale from Strong to Moderate to Weak for each category:

- Strong: 14-20 pts
- Moderate: 7-13 pts
- Weak: 0-6 pts

Needs Statement Example:

"The request for a 13-passenger bus is to replace a similar, 13-passenger bus currently operating as a demand response vehicle. Most trips are healthcare related. The service area of this vehicle covers 100 miles daily across rough, rural terrain. The vehicle currently has 144,000 miles and is 8 years old. The useful-life for the aging vehicle is 100,000 miles / 7-years. I have provided

maintenance documents which illustrate a more recent increase in servicing. We have one spare vehicle for a fleet of six demand response vehicles. Our main concern regarding this aging vehicle is the potential for a breakdown in a hazardous location with limited services and a loss of service along that route.”

2.0. Program Management (30 total points: 20 pts – Committee Member / 10 pts - Planner):

Program management refers to the administration of the transportation program which has applied for the capital item(s). Program management scoring is two-part. 10 of the 30 total available points are awarded by the Regional Planner and the remaining 20 points are awarded by the committee member.

The Regional Planner scores the applicant's reporting timeliness and MDT Fall Workshop participation for a total of 10 possible points. The applicant's reporting timeliness accounts for 5 total points and MDT Fall Workshop participation accounts for 5 total points.

The committee member will score the applicant's level of local coordination and capital maintenance program management.

The applicant will provide a brief program management narrative describing their transportation service, current and prospective level of coordination, a brief description of their capital maintenance program, and any other pertinent supporting information they find relevant. Capital maintenance refers to the mechanical and physical upkeep of an agency's vehicle fleet and facilities. Strong coordination and maintenance statements may include the following information:

Coordination:

- Annual petitioning and participation of local stakeholders
- General summary of the cooperative agreements
- Future anticipated cooperative agreements
- Frequency of TAC meetings

Maintenance:

- Basic maintenance policies and practices structure
- Staff and/or contractor duties related to maintenance
- Cooperative maintenance agreements with local service providers
- Fleet replacement forecasting
- Fleet and facility conditions (MDT will provide fleet and facility average condition per request)

Statement example:

“The transit agency provides 150,000 rides annually within Lewis & Clark County. Service runs 6 days, 48 hours weekly. Our transit agency has cooperative agreements with two developmentally disabled group homes, one nursing home, the public hospital, Walmart, and the local food share. In the near future we expect to establish an agreement with the local college. To the greatest extent possible, the DD center attempts to coordinate with the lead agency (the applicant) during normal business hours. After hours, they provide their own transportation services. Our TAC meets monthly and has an average of 6 attendees. Our agency has a part-time, trained mechanic which maintains our fleet according to our maintenance plan which is based upon manufacturers suggested maintenance intervals. We have established service agreements with the local tire, lube and repair shops for a prorated rate. This replacement vehicle has been scheduled to be replaced this year according to our fleet replacement plan.”

3.0. TAC Prioritization (10 total pts - Planner):

MDT automatically scores the TAC prioritization section and the logic is explained as follows:

If an agency has applied for multiple vehicles, their local TAC has prioritized each capital item. MDT has allotted 10 total points for TAC prioritization. Scoring is determined by the priority number divided by 10 points. If an agency only requests one vehicle then that vehicle is given a priority of one and 10 points.

TAC SCORING KEY	
Priority No.	Points
1	10.0
2	5.0
3	3.3
4	2.5
5	2.0
6	1.7
7	1.4
8	1.3
9	1.1
10	1.0

Montana Department of Transportation – Transit, Safety and Planning Bureau
Pre-Award Risk Assessment Form

Subrecipient: Review Date: Subrecipient UEI#: Sub-award Description: Sub-award Period: Monitor Period:

Risk Matrix Rating			
Yes	No		
0	1	2	3
None	Low	Medium	High

Line	Type of Risk	Risk Description	Citation	Line	Rating	If No, Provide Explanation:
1	Internal Control - Prior federal grant experience	Has the subrecipient administered a similar federal award?		0-1		
2	Internal Control - Prior federal grant experience	Has the subrecipient had a minimum of 3 years' experience with federal grants?		0-1		
3	Internal Control - Personnel and subrecipient financial management system	Have transit personnel remained unchanged during the previous year? <i>If no, are the personnel qualified and has training been provided?</i>	FTA C 5010.1E Chapter VI, 2, f, (1)	0-3		
4	Internal Control - Personnel and subrecipient financial management system	Are transit personnel properly qualified for their assigned responsibilities, duties, and functions (education, training, experience, competence, and integrity should be considered in assigning work)?	FTA C 5010.1E Chapter VI, 2, f, (1)	0-3		
5	Internal Control - Personnel and subrecipient financial management system	Have personnel attended formal MDT training (i.e.: New and Refresher Management Training, Fall Conference, etc.)?		0-2		
6	Internal Control - Personnel and subrecipient financial management system	Has the subrecipients' financial management system remained unchanged? <i>If no, can the system reliably provide needed operating and financial data for decision-making and performance review?</i>	2 CFR Part § 200.302	0-2		
7	Internal Control - On time and accurate report submittals	Has the subrecipient submitted an on time and complete application for funds?		0-2		
8	Internal Control - On time and accurate report submittals	Did the subrecipient submit an NDT report on time and without a data waiver in the prior report year?		0-2		
9	Audits, Reviews, and Assessments - Results	If the subrecipient received a Risk Assessment in the last year, was the risk rating low?		0-3		
10	Audits, Reviews, and Assessments - Results	If the subrecipient received a Single Audit in the last two years was the report clear of deficiencies?	2 CFR Subpart F Part § 200.500	0-3		
11	Audits, Reviews, and Assessments - Results	If the subrecipient received an Internal MDT Audit in the last two years was the report clear of deficiencies?		0-3		
12	Audits, Reviews, and Assessments - Results	If the subrecipient received a Compliance Review in the last three years was the review clear of deficiencies?		0-3		
13	Audits, Reviews, and Assessments - Results	<i>Does the subrecipient have delinquent or expired and open single audit? If yes, the subrecipient is in noncompliance with Federal statutes, regulations or the terms and conditions of a federal award. The subrecipient shall receive a notice of warning letter from MDT.</i>		Hold Award		

Other risks to be considered: RISK RATING: RISK SCORE:

FINAL RATING SCALE

# of No	Risk Level
0 – 8	LOW
9 – 20	MEDIUM
21 – 28	HIGH

Actions to take based on the risk rating scale category:

Low

- Provide standard monitoring, training, and technical assistance.

Medium

- Provide standard monitoring, training, and technical assistance.
- Perform on-site reviews of financial and performance with the subrecipient.

High

- Provide standard monitoring, training, and technical assistance.
- Conduct annual compliance review.
- Request a review by MDT Audit Services.
- Arrange agreed-upon-procedures engagements (Review by MDT Audit Services)
- Review the corrective actions and conduct spot reviews of those actions.
- Consider issuing a Notice of Warning letter.

Noncompliance

- **Subrecipients in noncompliance with federal statutes, regulations or the terms and conditions of a federal award are ineligible for awards.[1]**
- **Issue a Notice of Warning letter and remedy the issue.**

[\[1\] 2 CFR Subpart F Part § 200.339](#)



MONTANA DEPARTMENT OF TRANSPORTATION

SECTION 5310 COMPLIANCE AND GOOD PRACTICES REVIEW

Subrecipient: _____

Reviewer(s): _____

Desk Review Date: _____

Site Visit Date: _____

**MONTANA DEPARTMENT OF TRANSPORTATION
SECTION 5310 COMPLIANCE AND GOOD PRACTICES REVIEW**

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PURPOSE AND DIRECTIONS

The Montana Department of Transportation (MDT) conducts compliance and good practices reviews of Section 5310 subrecipients to ensure that they meet the conditions of receipt of Federal Transit Administration (FTA) assistance, promote good practices, and identify training and technical assistance needs.

MDT conducts the reviews as follows:

1. MDT reviews materials and reports on file in its office and completes several sections of the review package. MDT notes findings, agreed upon corrective actions, and recommendations from the last review. MDT emails the partially completed package to the subrecipient.
2. The subrecipient reviews the information entered by MDT, updates the material listed, and answers as many questions as possible. After completing the review package, the subrecipient emails it to MDT.
3. MDT reviews the subrecipient's responses and follows up on the responses during the site visit, which will last no more than a half day. The site visit presents an opportunity for MDT to observe your service and operations first-hand and provides you with an opportunity to have any questions that you may have answered. During the site visit, MDT follows up on corrective actions taken for findings from the last review.

Please email the completed questionnaire to Tom Stuber at tstuber@mt.gov.

Thank you for your cooperation and we look forward to a productive site visit.

MDT

ATTENDANCE SHEET

Name	Title	Phone	Email

ADMINISTRATION AND MANAGEMENT

LEGAL AND FINANCIAL CAPACITY

Subrecipients must have the legal capacity to receive federal and State grants. They must have sufficient local resources to provide the required match and carry out the proposed project.

Subrecipients must disclose use of local funds for federal lobbying activities, pending litigation where the State or federal government is named or FTA-funded assets could be affected, and instances of false claims or fraudulent activity.

1. What are the sources of funding for operating the buses? Are they sufficient to implement the project and maintain project equipment?	
2. Are FTA funds used for lobbying for federal funds? The use of federal funds for lobbying is prohibited.	
3. Have you used nonfederal funds for lobbying? If yes, have you filed with the Division the Standard Form-LLL, "Disclosure Form to Report Lobbying" and any necessary updates? If lobbying services are procured with non-federal funds, the subrecipient is required to submit the disclosure form, OMB Standard Form LLL (Rev.7-97) to MDT for filing with FTA.	
4. Is there any pending litigation (disputes, breaches, defaults or other litigation) where the State or Federal government is named or FTA-funded assets could be affected? If yes, was MDT notified?	

<p>5. Have there been any instances of a member of the governing body, employee, agent or third-party contractor submitted a false claim or engaged in fraudulent activity?</p> <p>If yes, was MDT notified?</p> <p><i>If the subrecipient has credible evidence that a principal, official, employee, agent, or third party participant of the recipient, or other person has submitted a false claim under the False Claims Act, 31 U.S.C. §3729 et seq., or has committed a criminal or civil violation of law pertaining to such matters as fraud, conflict of interest, bribery, gratuity, or similar misconduct involving federal assistance, the subrecipient must promptly notify MDT so that it can notify the U.S. DOT Inspector General, in addition to the FTA Chief Counsel or Regional Counsel.</i></p>	
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SATISFACTORY CONTINUING CONTROL

Subrecipients must use FTA-funded equipment and facilities to provide transportation to individuals. Subrecipients must maintain comprehensive and collision insurance on FTA-funded equipment and must submit certifications of insurance annually. Subrecipients must submit reports of vehicle use on each FTA-funded vehicle quarterly. Subrecipients must obtain prior written approval from MDT before selling, leasing, or disposing of vehicles.

<p>1. Have you sold or disposed of any FTA-funded vehicles in the past year? If yes:</p> <p>Please list the vehicles.</p> <p>Did you obtain approval from MDT?</p> <p><i>MDT requires that subrecipients obtain approval before selling or disposing of vehicles on which it holds a lien.</i></p> <p>[Reviewers, please list the vehicles for which the subrecipient requested approval for disposition since the last site visit.]</p>	
<p>2. Are leases attached to FTA-funded assets?</p> <p>If yes, did MDT approve the leases in writing?</p> <p><i>MDT must approve all leases of FTA-funded vehicles in writing.</i></p> <p>[Reviewers, please list the vehicles for which the subrecipient asked for approval since the last site visit.]</p>	
<p>3. What procedures and practices are used to prevent loss, damage, or theft of FTA-funded vehicles and equipment?</p> <p>Examples of procedures include insurance, locks on doors, fencing, lighting, inventory and tagging of all equipment, and annual inventories that are reconciled to inventory lists.</p>	

4. Enter the ridership data from the last 4 quarterly reports in the table below. Do the ridership data indicate that the subrecipient is using the vehicles to their full capacity?									
Category	Contracted				Non-Contracted				Total
60 +									
< 60									
Disabled									
Total									

EQUAL EMPLOYMENT OPPORTUNITY (EEO)

Subrecipients may not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, or disability. Subrecipients must post in conspicuous places and make available to employees and applicants for employment notices setting forth an EEO policy.

1. Who is responsible for ensuring that EEO obligations are fulfilled? To whom does this individual report for EEO matters?	
2. Have you posted an EEO statement in a conspicuous place? <i>An EEO statement must be posted in a conspicuous place where employers and applicants will see it.</i>	
3. Is an EEO policy included in your personnel policies and/or employee handbook? <i>An EEO policy should be included in personnel policies and/or employee handbook.</i>	
4. Are EEO statements included on your job applications and employment notices? <i>Job applications and employment notices should include an EEO statement.</i>	
5. Were any EEO complaints received since the last site visit? If yes: Describe the complaint and how it was resolved. What is the process for handling and resolving such complaints?	

OPERATIONS AND SERVICE PROVISION

TRANSPORTATION MANAGEMENT

Subrecipients must be able have the managerial capability to implement the project and comply with federal and state requirements. To demonstrate managerial capability, subrecipients must have adequate number of staff to implement the project; management staff with the requisite skills, education, training, and experience; adequate documentation of key policies; and the ability to submit timely, complete, and accurate quarterly reports. Subrecipients must monitor service to ensure that drivers follow policy and procedures and provide quality service. Subrecipients must have a training program for drivers and must track training that drivers have received. Subrecipients should have a written operators' policy and procedures manual.

1. Who is responsible for the day-to-day management of the transportation program?	
2. Please describe the qualifications and experience of transportation program management and supervisory staff. Is the staff qualified by reason of training, education, and experience? <i>Qualifications of management and supervisory staff are a key indicator of management and technical capability.</i>	
3. Please describe your staffing and the responsibilities of key staff. Does the number of staff appear appropriate for the number and complexity of tasks and the size of the program? <i>MDT requires that subrecipients have sufficient staff to implement the program.</i>	
4. Are program staff or dedicated drivers used to drive the vehicles?	
5. How does the agency formally document its transportation policies? <i>Subrecipients should have written transportation policies.</i>	
6. Have transportation policies been distributed to all transportation employees and signatures obtained for receipt of the policies? <i>Employees should receive a copy of the transportation policies.</i>	

<p>7. Who is responsible for purchasing buses and vans?</p> <p>What is the process for determining the number and size of vehicles for the fleet?</p> <p>Are decisions for expanding the fleet based on ridership projections? If yes, how are the projections developed?</p>		
<p>8. Reviewer, please enter the subrecipient's rating for the submission of quarterly reports.</p> <p><i>MDT requires that subrecipients submit complete, accurate, and timely quarterly reports.</i></p>		
<p>9. Please enter the following information for the past 4 quarterly reports.</p>		
Quarter	Date Received	Comments/Issues
<p>10. Who is responsible for preparing and submitting the quarterly reports?</p>		
<p>11. Are reports submitted on time? If no, what are the reasons for the delay?</p>		
<p>12. Reviewer, discuss any comments or issues with the reports.</p> <p>Subrecipient, please respond to the reviewer's comments.</p>		
<p>13. How are daily operations monitored to ensure that drivers follow policy and procedures and provide quality and courteous service?</p> <p><i>Subrecipients should monitor service to ensure that drivers follow policy and procedures and provide quality service.</i></p>		
<p>14. Does the training provided to operators/drivers address:</p> <p>a) defensive driving</p>		
<p>b) passenger assistance and safety</p>		

c) operation of lifts or other accessibility features	
d) correct use of securement devices	
e) agency policies	
f) how to complete driver paperwork	
g) substance abuse policy (if operate vehicles that require a CDL)	
<p>15. Are files maintained that document when training was received and when refresher training is needed?</p> <p><i>Subrecipients must track training received by operator.</i></p>	

MAINTENANCE

Subrecipients must maintain FTA-funded equipment. They must have a written maintenance plan and maintain project equipment and facilities at a high level of cleanliness, safety, and mechanical soundness. They must maintain all accessibility features and equipment in operating condition. They must have procedures to track when preventive maintenance inspections are due and to schedule preventive maintenance inspections in a timely manner.

Subrecipients must have a pre-trip inspection program that addresses vehicle condition, appearance, cleanliness, safety, and ADA accessibility equipment. Deficiencies noted in a pre-trip inspection must be repaired in a timely manner and properly reviewed by management.

Subrecipients must maintain a file on each FTA-funded vehicle that contains daily logs, pre-trip inspection checklists, and repair records. They must follow MDT's preventive maintenance program unless MDT has approved an alternative program. They must use MDT provided forms unless MDT has approved alternative forms. They that lease FTA-funded vehicles must require the lessee to adhere to MDT's maintenance standards.

1. Please use MDT's inspection sheet to inspect all vehicles. Note deficiencies on the sheet. Compare the completed sheet to the sheets that the subrecipient has on file. Note whether the subrecipient has noted the same items.	
2. Review the files for 2 vehicles. Note deficiencies for each file inspected.	
3. Who is responsible for maintenance? Is the person by reason of education, training, and experience qualified for the responsibility?	
4. Please describe the preventive maintenance program. Note whether the subrecipient follows the MDT program or follows a program it developed. Is the maintenance plan written? <i>MDT requires a written fleet maintenance plan.</i> [Reviewer, refer to the copy of the maintenance plan submitted with the application.]	
5. Do preventive maintenance schedules for each type of vehicle in the fleet meet or exceed the manufacturer's minimum requirements? <i>Preventive maintenance schedules must meet manufacturers' minimum requirements.</i>	
6. Where are the owner's manuals and manufacturer specifications filed?	

<p>7. Is a preventive maintenance program in place for lifts and other accessibility features such as ramps, public announcement systems, and annunciators?</p> <p><i>Subrecipients must maintain all accessibility features and equipment in operating condition.</i></p>	
<p>8. Is a preventive maintenance program or system of checks in place for on-board security systems? Please describe.</p>	
<p>9. What procedures are used to track when preventive maintenance inspections are due and to schedule preventive maintenance inspections?</p> <p><i>Subrecipients must have procedures to track when preventive maintenance inspections are due and to schedule preventive maintenance in a timely manner.</i></p>	
<p>10. Review the files for the 2 vehicles reviewed in question 2. Note the date and mileage of all preventive maintenance inspections since the last site visit using the attached form.</p> <p>Does the review of the maintenance records indicate that at least 80 percent of the inspections are performed on time? Please allow a 10 percent or 500-mile variance, whichever is greater, when deciding whether an inspection was performed on time.</p> <p><i>MDT requires that at least 80 percent of preventative maintenance inspections must be performed at the intervals required by the plan.</i></p>	
<p>11. Does the review of the maintenance file indicate that the files are complete and document maintenance performed?</p>	
<p>12. Are emergency exits and pop-up roof hatches tested periodically to ensure that they are in working order?</p> <p>How often?</p> <p>How is the check documented?</p>	
<p>13. Are pre-trip inspections conducted prior to placing a vehicle in service?</p> <p><i>Pre-trip inspections must be conducted prior to placing a vehicle in service.</i></p>	
<p>Is the MDT pre-trip inspection form used? If no:</p>	

<p>a. Does the pre-trip inspection address safety; vehicle operation, appearance, and cleanliness; and passenger comfort?</p> <p><i>The pre-trip inspection must address safety; vehicle operation, appearance, and cleanliness; and passenger comfort.</i></p>	
<p>b. Does the pre-trip inspection ensure that all items, such as boxes with bi-directional reflective triangles and gallons of washer fluid, are secured to the vehicle?</p> <p><i>Safety and other equipment must be secured so that they do not become projectiles that injure a passenger or damage the vehicle.</i></p>	
<p>c. Does the pre-trip inspection program address lifts and other accessibility features, such as ramps, public announcement systems, and tie-downs?</p> <p><i>Subrecipients must ensure that accessibility features are maintained in operative condition.</i></p>	
<p>14. Are deficiencies noted in pre-trip inspections repaired in a timely manner and properly reviewed by management?</p> <p><i>Deficiencies noted in pre-trip inspection must be repaired in a timely manner and properly reviewed by management.</i></p>	
<p>15. How does the agency document maintenance activity performed to correct the reported defect?</p> <p><i>The good practice is for the mechanic to sign and date the pre-trip inspection form noting that the reported defect has been repaired and to include the signed pre-trip form in the maintenance file with the work order.</i></p>	
<p>16. Are FTA-funded vehicles leased to providers?</p> <p>If yes, does the lease agreement require the lessee to adhere to MDT's maintenance standards?</p> <p><i>MDT requires subrecipients that lease FTA-funded vehicles to providers to require the lessee to adhere to MDT's maintenance standards.</i></p>	
<p>17. Who is responsible for washing and cleaning the buses?</p> <p>How often are buses washed?</p> <p>What quality assurance or inspection procedures are in place to ensure buses are kept clean?</p>	

18. Do the vehicles meet an acceptable level of cleanliness (exterior and interior)? <i>Reviewer will answer.</i>	
19. Has a maintenance quality control or assurance program been implemented to verify the execution and quality of repairs, examine the quality of new and used parts used in repairs, and ensure that repairs are fully documented?	
20. Is there a system for identifying and pursuing warranty claims effectively and promptly to conclusion?	
21. Is there a system for responding to recalls?	

VEHICLE FILE REVIEW SHEET

Subrecipient:

Vehicle:

Date File Inspected

Reviewer:

Question	Yes	No
Are the files in chronological order?		
Do the files contain the MDT daily log?		
Do the files contain the MDT-provided or an MDT-approved pre-trip inspection checklist?		
Are the pre-trip checklists signed and dated?		
Do the files contain the MDT-provided vehicle maintenance record?		
For lift-equipped vehicles, do the files contain the daily pre-trip wheelchair lift safety check?		
Are preventive maintenance checklists:		
Completed?		
Signed?		
Dated?		
Do the work orders fully document vehicle maintenance?		
Are work orders signed and dated?		
Is the date and mileage noted on each work order?		

Reviewer comments:

PREVENTIVE MAINTENANCE REVIEW SHEET

Subrecipient:

Vehicle:

Date file inspected:

Reviewer:

Percentage of inspections completed on time (within an allowable variance of 10 percent or 500 miles, whichever is greater):

Type of Inspection	Date	Mileage	Mileage Since Last Inspection

SAFETY

Subrecipients must document that drivers have a valid operator's license, have a safe driving record, and have been trained in first aid. All safety devices must be maintained in operating condition. All vehicles must be outfitted with a blood-borne pathogens kit, first-aid kit, fire extinguisher, bi-directional reflective triangles, and web cutters. Drivers and passengers must wear seat belts. Drivers must focus on driving and limit distractions when vehicles are in motion.

1. Is documentation maintained which verifies that all drivers of vehicles (owned, leased, loaned):	
a) Have a valid, appropriate vehicle operator's license (and current US DOT physical if driver is a CDL holder)	
b) Have a safe driving record acceptable for insurance coverage	
c) Received training in agency policies and procedures?	
d) Completed an American Red Cross, or equivalent, first aid program to handle emergency health situations and accidental injuries	
e) Received training in defensive driving techniques	
f) Received training in passenger assistance and safety	
g) Received training in operation of lifts and other accessibility equipment	
<p>2. If the agency does not use the MDT pre-trip form, does the pre-trip inspection address the following required safety equipment:</p> <ul style="list-style-type: none"> ▪ blood-borne pathogen kit ▪ first aid kit ▪ fire extinguisher (charge and inspection date) ▪ bi-directional reflective triangles ▪ web cutters <p><i>All vehicles must be outfitted with a blood-borne pathogens kit, first-aid kit, fire extinguisher, bi-directional reflective triangles, and web cutters.</i></p>	

<p>3. Are all required safety devices or systems installed and functioning properly on vehicles?</p> <p>Are fire extinguishers secure, accessible, of the correct type, and in date? (Sample)</p> <p><i>All safety devices must be maintained in operative condition. Fire extinguishers must be secure, accessible, and in date.</i></p>	
<p>4. Is there a written procedure to handle accidents and medical emergencies?</p> <p>If yes, are these procedures in each vehicle?</p> <p><i>Subrecipients must have a written procedure for handling accidents and medical emergencies.</i></p>	
<p>5. Are passengers required to wear a seat belt?</p> <p><i>All passengers must wear seat belts.</i></p>	
<p>6. Are drivers allowed to bring food or drinks on board vehicles?</p> <p>If yes, are drivers allowed to eat or drink while the bus is in motion?</p> <p><i>MDT prohibits operation of a vehicle while eating or drinking.</i></p>	
<p>7. Are drivers allowed to use a cell phone while the bus is in motion?</p> <p><i>MDT prohibits operation of a vehicle while using a cell phone unless the call is work-related. Sending and receiving text messages is prohibited. The National Safety Council has a model policy available at http://safety.nsc.org/cellphonekit.</i></p>	
<p>8. Are all carryon items properly stowed before moving vehicle?</p> <p><i>MDT requires that all carry-on items be properly stowed before moving a vehicle.</i></p>	
<p>9. Is there a methodology for identifying severe weather or other hazards that could affect agency operations and potentially trigger transit service shutdown?</p> <p><i>Good practice</i></p>	

FLEET AND VEHICLE CHARACTERISTICS

The fleet should be appropriate for the type of service, ridership volumes, and scheduling patterns. The vehicle spare ratio must be reasonable for the type of service, the size and age of the fleet, service demand, and current and projected ridership. Subrecipients should have a fleet replacement plan.

1. Are the vehicles used appropriate for the type of service, ridership volumes, and scheduling patterns?	
2. Calculate the fleet spare ratio.	
a) What is the number of vehicles in passenger service?	
b) What is the number of vehicles required for maximum service?	
c) What is the number of spare vehicles (a-b)?	
d) What is the spare ratio (c/b)?	
3. How often is the maximum number of vehicles required?	
4. Do you anticipate additional ridership in the next 3 years? If yes, by how much?	
5. Does the spare ratio appear reasonable given the size and age of the fleet, the frequency of peak service demand, and the projected ridership growth?	
6. Have other arrangements been made such as a contract with a taxi company or another agency to deliver service when breakdowns occur or during peak service times?	
7. What is the average age of the fleet?	
8. What is the average mileage of fleet?	
9. Is there a fleet replacement plan? If yes, how often is it updated?	

AMERICANS WITH DISABILITIES ACT

Titles II and III of the Americans with Disabilities Act of 1990 provide that no entity shall discriminate against an individual with a disability in connection with the provision of transportation service. The law sets forth specific requirements for vehicle and facility accessibility and service provision.

<p>1. Who is responsible for and what is the process for resolving ADA complaints?</p> <p>How are your clients informed on how to file an ADA complaint?</p> <p>Have any complaints of discrimination due to disability been received from riders? If yes:</p> <p>Please describe the complaints.</p> <p>What is the process to resolve the complaints?</p> <p>How long to you maintain the complaints on file?</p> <p><i>MDT requires that it be notified of complaints. USDOT regulations ((9 CFR 27.13 and 37.17) require procedures for addressing ADA complaints that incorporate appropriate due process standards and provide for prompt and equitable resolution. ADA complaints to be maintained on file for at least a year and a log of ADA complaints at least five years.</i></p>	
<p>2. Are facilities accessible?</p>	<p>.</p>
<p>3. If you have non-accessible vehicles in your fleet, how do you ensure that equivalent service is provided?</p> <p>Have you denied service due to unavailability of accessible equipment?</p> <p><i>MDT requires that it be notified of service denials due to unavailability of accessible equipment. USDOT ADA regulations (49 CFR 37.105) require that service to individuals with disabilities be equivalent to the service provided other individuals with respect to response time, fares, geographic service area, hours and days of service, and capacity.</i></p>	
<p>4. What is your policy for providing service if a wheelchair cannot be secured?</p> <p><i>USDOT ADA regulations (49 CFR 37.165(d)) require that service must be provided even when a wheelchair cannot be secured.</i></p>	

<p>5. Do you require wheelchair users to transfer to a seat?</p> <p><i>USDOT ADA regulations (49 CFR 37.165(e)) stipulate that operators may request but not require that wheelchair users transfer to a seat.</i></p>	
<p>6. Do drivers provide assistance to passengers as necessary and upon request with ramps, lifts, and securement devices?</p> <p><i>USDOT ADA regulations (49 CFR 37.165(f)) require drivers and other personnel to provide this assistance as necessary and upon request.</i></p>	
<p>7. Do you require drivers to make use of all available accessibility equipment?</p> <p><i>USDOT ADA regulations (49 CFR 37.167(e)) require operators to make use of all available accessibility equipment when needed.</i></p>	
<p>8. Are operators required to report lift failures immediately?</p> <p><i>USDOT ADA regulations (49 CFR 37.163(c)) require bus operators to report immediately any in-service lift and ramp failures.</i></p>	
<p>9. How are policies governing providing service to passengers covered under the ADA conveyed to drivers?</p>	
<p>10. Are drivers trained in passenger assistance and sensitivity?</p> <p>How soon after being hired does the training occur?</p> <p><i>USDOT ADA regulations (49 CFR 37.173) require that drivers receive training in passenger assistance and sensitivity?</i></p>	
<p>11. Are drivers trained in use of accessibility equipment?</p> <p>How soon after being hired does the training occur?</p> <p><i>USDOT ADA regulations (49 CFR 37.173) require that drivers receive training in the use of the accessibility equipment.</i></p>	
<p>12. How do you monitor drivers to ensure that they comply with ADA requirements?</p> <p><i>Examples: Follow-up on complaints, ghost riders, road supervision, ADA advisory committee</i></p>	

CHARTER BUS

Subrecipients are prohibited from using federally funded equipment and facilities to provide charter service except in accordance with allowable exemptions or exceptions.

<p>1. Do you operate charter service?</p> <p><i>Charter service is defined as:</i></p> <p><i>Transportation provided at the request of a third party for the exclusive use of a bus or van for a negotiated price; or</i></p> <p><i>Transportation provided to the public for events or functions that occur on an irregular basis or for a limited duration and:</i></p> <ul style="list-style-type: none"> ▪ <i>A premium fare is charged that is greater than the usual or customary fixed route fare; or</i> ▪ <i>The service is paid for in whole or in part by a third party.</i> 	
<p>2. Under what exception is the charter service operated? (Please refer to the Charter Bus Exceptions and Requirements table.)</p> <p>Did you follow the procedures required by the exception?</p> <p>Please have the paperwork ready for the site visit documenting that you have complied with the procedures.</p>	
<p>3. Have you reported charter service quarterly?</p> <p><i>Required for service provided under the GO, QS, LE and WN exceptions. Please refer to the Charter Bus Exceptions and Requirements table.</i></p>	
<p>4. Do you maintain charter records for at least three years?</p> <p>Are these procedures documented?</p> <p><i>Charter records must be maintained for at least 3 years.</i></p>	

CHARTER BUS EXCEPTIONS AND REQUIREMENTS

Exception	Procedure
<p>Exception 604.6 – Government officials on official government business (GO)</p> <p>(1) Is restricted to its geographic service area</p> <p>(2) Must not generate revenue, except as required by law</p> <p>(3) Is limited to 80 hours annually. May petition for additional charter hours.</p>	<p>Record the following information:</p> <ol style="list-style-type: none"> 1. Government organization's name, address, phone number, and email address 2. Date and time of service 3. Number of government officials and other passengers 4. Origin, destination, and trip length (miles and hours) 5. The fee collected, if any 6. Vehicle number (example, bus 102) <p>Retain the record for three years.</p>
<p>Exception 604.7 – Qualified human service organizations (QH)</p> <p>Service to persons:</p> <p>(1) With mobility limitations related to advanced age,</p> <p>(2) With disabilities, or</p> <p>(3) With low income.</p> <p>Organization must register if it does not receive funds from programs listed in Appendix A of the charter regulation.</p>	<p>Ensure that the human service agency is qualified, that is, it receives funds from programs listed in Appendix A of the charter regulation or has registered on the FTA charter website at least 60 days before the charter request.</p> <p>Record the following information:</p> <ol style="list-style-type: none"> 1. Qualified human service organization's name, address, phone number, and email address 2. Date and time of service 3. Number of passengers 4. Origin, destination, and trip length (miles and hours) 5. The fee collected, if any 6. Vehicle number (example, bus 102) <p>Retain the record for three years.</p>
<p>Exception 604.8 – Leasing FTA funded equipment and drivers to a charter service operator (LE) only if the following conditions exist:</p> <ol style="list-style-type: none"> 1. The operator is registered on the FTA charter registration web site 2. The operator owns and operates buses or vans in a charter service business 3. The operator received a request for charter service that exceeds its capacity either of the number of vehicles operated or the number of accessible vehicles 4. The operator has exhausted all of the available vehicles for all registered charter providers in your geographic service area. 	<p>Record the following information:</p> <ol style="list-style-type: none"> 1. Registered charter provider's name, address, telephone number, and email address 2. Number of vehicles leased, types of vehicles leased, and vehicle identification numbers 3. Documentation presented by the registered charter provider that the four conditions are satisfied. <p>Retain the record for three years.</p>

Exception	Procedure
<p>Exception 604.9 – When no registered charter provider responds to a notice posted on the FTA charter website (WN):</p> <ol style="list-style-type: none"> 1. Within 72 hours for charter service requested to be provided in less than 30 days, or 2. Within 14 calendar days for charter service requested to be provided in 30 days or more. 	<p>Include the in the e-mail notice sent to the list of registered charter providers:</p> <ol style="list-style-type: none"> 1. Customer name, address, phone number, and e-mail address (if available); 2. Requested date of service; 3. Approximate number of passengers 4. Type of equipment requested, bus(es) or van(s); 5. Trip itinerary and approximate duration; and 6. The intended fare to be charged for the service. <p>If an “undeliverable” notice is received in response to its e-mail notice, fax the notice.</p> <p>If service is provided, record the following information:</p> <ol style="list-style-type: none"> 1. The group’s name, address, phone number, and email address 2. Date and time of service 3. Number of passengers 4. Origin, destination, and trip length (miles and hours) 5. Fee collected, if any 6. Vehicle number (example, bus 102) <p>Retain all records (email sent, undeliverable notice, facsimile, record of charter) for three years.</p>
<p>▪ Exception 604.10 – Agreement with registered charter providers</p> <p>If a new charter provider registers in the geographic service area, may continue to provide charter service for 90 days without an agreement with the newly registered charter provider.</p> <p>Any parties to an agreement may cancel at any time after providing a 90-day notice.</p>	<p>Retain records of the agreements for three years.</p>
<p>▪ Exception 604.11 – Petitions to the Administrator for:</p> <ol style="list-style-type: none"> 1. Events of regional or national significance 2. Hardship (<200,000 population only) 3. Unique and time sensitive events that are in the public interest 	<p>For an event of regional or national significance, the petition shall describe how registered charter providers were consulted and will be utilized, include a certification that the recipient has exhausted all the registered charter providers in its service area, and submit the petition at least 90 days before the first day of the event.</p> <p>For a hardship request, the exception must be for deadhead time that exceeds total trip time from initial pick-up to final drop-off, including wait time and shall describe how the minimum duration would create a hardship on the group requesting the charter.</p> <p>For a unique and time sensitive event, the petition shall describe why the event is unique and time sensitive and would be in the public’s interest.</p> <p>Maintain records of the charters for three years.</p>
<p>Note: Charter service hours include: time spent transporting passengers, time spent waiting for passengers and “deadhead” hours.</p>	

SCHOOL BUS

Subrecipients are prohibited from providing exclusive school bus service unless the service qualifies under an allowable exemption and is approved by the FTA Administrator. In no case can federally-funded equipment or facilities be used to provide exclusive school bus service. Head Start transportation is considered human service transportation, not school bus service.

<p>1. Is exclusive school bus service operated?</p> <p><i>Subrecipients are prohibited from providing exclusive school bus service unless the service qualifies under an allowable exemption and is approved by the FTA administrator. In no case can federally funded equipment or facilities be used to provide exclusive school bus service.</i></p>	
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PLANNING AND COORDINATION

TITLE VI--NONDISCRIMINATION IN THE DELIVERY OF SERVICE

FTA and Montana prohibit discrimination on the grounds of race, color, national origin, sex, age, physical or mental disability, or religion in the delivery of public transit services. FTA also prohibits discrimination on the grounds of low income status. Montana also prohibits discrimination on the basis of marital status. The governing body must adopt Title VI complaint procedures. Title VI complaints must be reported to MDT within 24 hours of receipt of the complaint.

<p>1. Have any complaints concerning discrimination in the delivery of service been received since the last review?</p> <p>If yes, how were the complaints identified and resolved?</p> <p>Did you report the complaints to MDT within 24 hours of receipt of the complaint?</p> <p><i>Title VI complaints must be reported to MDT within 24 hours of receipt of the complaint.</i></p>	
<p>2. The reviewer will ensure that the Title VI notice is posted as discussed in the Title VI plan on file with MDT.</p> <p><i>At a minimum, subrecipients shall disseminate this information to the public by posting a Title VI notice on the agency's website and in the public areas of the agency's office(s), including the reception desk, meeting rooms, etc. Subrecipients should also post Title VI notices at stations or stops, and/or on transit vehicles.</i></p>	
<p>3. Have employees received the training in providing timely and reasonable language assistance to LEP populations?</p> <p><i>FTA requires subrecipients to train employees in providing timely and reasonable language assistance to LEP populations.</i></p>	

COORDINATION

Subrecipients must coordinate to the maximum extent feasible with transportation assisted from other federal sources. Subrecipients located in the planning area of a metropolitan planning organization (MPO) must ensure that their projects are included in a transportation improvement program (TIP) for the area.

<p>1. Reviewer, please refer to the explanation in the application and describe how the subrecipient coordinates with other transportation providers in the area.</p> <p>Subrecipient, since submitting your application, have any additional efforts been made to coordinate service? If yes, please describe.</p>	
<p>2. Which of the following coordination activities occur?</p> <ul style="list-style-type: none"> a) Consolidated purchase of service b) Central information center c) Centralized dispatch d) Planning e) Maintenance f) Purchasing (vehicles, parts, fuel) g) Training h) Management (marketing, information system, billing) i) Other (please describe) 	
<p>3. Are there more opportunities for coordination?</p>	
<p>4. Are you participating in the in public coordination human services coordination plan effort?</p> <p>What initiatives have resulted from the meetings?</p>	

SUMMARY OF CORRECTIVE ACTIONS

[illegible]



MONTANA DEPARTMENT OF TRANSPORTATION

SECTION 5311 COMPLIANCE AND GOOD PRACTICES REVIEW

Subrecipient: _____

Reviewer(s): _____

Desk Review Date: _____

Site Visit Date: _____

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PURPOSE AND DIRECTIONS

The Montana Department of Transportation (MDT) conducts compliance and good practices reviews of Section 5311 subrecipients to ensure that they meet the conditions of receipt of Federal Transit Administration (FTA) assistance, promote good management practices, and identify training and technical assistance needs.

MDT conducts the reviews as follows:

1. MDT reviews materials and reports on file in its office and completes several sections of the review package. MDT notes findings, agreed upon corrective actions, and recommendations from the last review. MDT emails the partially completed package to the subrecipient.
2. The subrecipient reviews the information entered by MDT, updates the material listed, and answers as many questions as possible. After completing the review package, the subrecipient emails it to MDT.
3. MDT reviews the subrecipient's responses and follows up on the responses during the site visit, which lasts no more than one day. The site visit presents an opportunity for MDT to observe your service and operations first-hand and provides you with an opportunity to have any questions that you may have answered. During the site visit, MDT follows up on corrective actions taken for findings from the last review.

Please email the completed questionnaire to Tom Stuber at tstuber@mt.gov.

Thank you for your cooperation and we look forward to a productive site visit.

MDT

ATTENDANCE SHEET

Name	Title	Phone	Email

ADMINISTRATION AND MANAGEMENT

LEGAL AND GOVERNANCE

Subrecipients must have the legal capacity to receive federal and State grants. They must have a designated body legally responsible for the overall organization, management, and operation of the transportation system. The governing body should be both representative of the community to provide management with community advice and bring management and other expertise from which transit management can draw. It should meet regularly, conduct business in an open and transparent manner, set policy and goals and objectives for the system, and not involve itself in day-to-day operations.

Subrecipients must disclose use of local funds for federal lobbying activities, pending litigation where the State or federal government is named or FTA-funded assets could be affected, and instances of false claims or fraudulent activity.

1. What is the name of the designated body legally responsible for the overall organization, management, and operation of the transit system? If you are part of a tribe, city, or county, please skip to question 19.	
2. Do the articles of incorporation specifically mention public transportation, coordination of transportation or other passenger transportation functions? <i>Good practice</i>	
3. Does the governing body have written bylaws for its governance which include:	
a. Duties and responsibilities	
b. Method of member selection	
c. Terms of office	
d. Frequency and notification of meetings	
e. Remote attendance (video, phone)	
f. Procedure for hiring manager	
g. Avoiding conflict of interest in:	
i) Selection of governing body members	
ii) Purchasing and doing business with service	
iii) Employment	

<p>4. What is the size of the governing body?</p> <p>Are there any vacancies?</p> <p>If yes, how long have the positions been vacant?</p>	
<p>5. How are members selected for the governing body?</p>	
<p>6. Is the governing body representative of the communities it serves?</p> <p><i>Good practice</i></p>	
<p>a) # Members total</p>	
<p>b) # Members: Private sector</p>	
<p>c) # Members : Public sector</p>	
<p>d) # Members: Elected officials</p>	
<p>e) # Members: Consumers</p>	
<p>f) # Members: Minorities</p>	
<p>g) # Members: Male</p>	
<p>h) # Members: Female</p>	
<p>i) # Members: Disabled</p>	
<p>j) # Members by key geographic areas or political subdivisions</p>	
<p>7. What key skills or knowledge do governing body members bring that can be leveraged by transit management (finance, legal, management, human services) at no cost to the agency?</p> <p><i>Good practice</i></p>	
<p>8. Are governing body members given orientation and ongoing information? How is this accomplished?</p> <p><i>Good practice</i></p>	
<p>9. Are governing body members provided a handbook or policy manual? If yes, what does it contain?</p> <p><i>Good practice</i></p>	
<p>10. Are governing body members provided an agency email address with which to conduct agency business and receive agency communications?</p> <p><i>Good practice</i></p>	

11. Are governing body members encouraged to ride the service? <i>Good practice</i>	
12. Does a majority of governing body members regularly attend meetings? <i>Good practice</i>	
13. Does the sample of governing body records indicate that minutes are adopted at the next meeting? <i>Required</i>	
14. Are financial reports submitted to the board for its review and action? How often? <i>Good practice</i>	
15. Are periodic reports provided to funders providing information on cost, revenue, service and ridership? <i>Good practice</i>	
16. How is program policy determined?	
17. Does the governing body involve itself in day-to-day operations? <i>The governing body should not involve itself in day-to-day operations.</i>	
18. Does the governing body formally review the performance of the chief executive officer, manager, or executive director at least annually? <i>Good practice</i>	
19. Does the transit agency maintain a narrative history of the organization or a list of key milestones? <i>Good practice</i>	
20. If you are a private non-profit agency that administers several programs or part of a city or county, is there a transit committee to advise the governing body on transit policy? <i>Good practice</i>	
21. Are FTA funds used for lobbying for federal funds? <i>The use of federal funds for lobbying is prohibited.</i>	

<p>22. Have you used nonfederal funds for lobbying?</p> <p>If yes, have you filed with the Division the Standard Form-LLL, "Disclosure Form to Report Lobbying" and any necessary updates?</p> <p><i>If lobbying services are procured with non-federal funds, the subrecipient is required to submit the disclosure form, OMB Standard Form LLL (Rev. 7-97) to MDT for filing with FTA.</i></p>	
<p>23. Is there any pending litigation (disputes, breaches, defaults or other litigation) where the State or Federal government is named or FTA-funded assets could be affected?</p> <p>If yes, was MDT notified?</p>	
<p>24. Have there been any instances of a member of the governing board, employee, agent or third-party contractor submitted a false claim or engaged in fraudulent activity?</p> <p>If yes, was MDT notified?</p> <p><i>If the subrecipient has credible evidence that a principal, official, employee, agent, or third party participant of the subrecipient, or other person has submitted a false claim under the False Claims Act, 31 U.S.C. §3729 et seq., or has committed a criminal or civil violation of law pertaining to such matters as fraud, conflict of interest, bribery, gratuity, or similar misconduct involving federal assistance, the subrecipient must promptly notify MDT so that is can notify the U.S. DOT Inspector General, in addition to the FTA Chief Counsel or Regional Counsel.</i></p>	

CONTROL ENVIRONMENT

Office of Management and Budget 2 CFR Part 200 states, “consideration should be given to the control environment over Federal programs and such factors as the expectation of management’s adherence to Federal statutes, regulations, and the terms and conditions of Federal awards and the competence and experience of personnel who administer the Federal programs.” Factors that influence an agency’s control environment include: corporate culture, transparency, code of ethics, documentation and adherence to agency policies, segregation of duties, physical controls, and a system of approvals.

1. Does agency management adequately convey the message that integrity cannot be compromised? How is this communicated to employees?	
2. How does management promulgate internal controls and enforce those controls-throughout the agency (e.g., checks and balances, authorizations and approvals, segregation of duties, etc.), and a positive "tone at the top"?	
3. Is there a formal (written) conflict of interest policy or code of conduct in effect? How is it communicated to employees? <i>Good practice</i>	
4. How does management remain abreast of the requirements of laws and regulations pertinent to its business?	
5. Who conducts background and reference checks of applicants? <i>Good practice</i>	
6. Are employees who handle cash, securities, and other valuable assets bonded or otherwise covered under an insurance policy? <i>Good practice</i>	
7. Has management established procedures to prevent unauthorized access to, or destruction of, documents, records, and assets? If yes, please describe. <i>Good practice</i>	

<p>8. Has management established policies for controlling access to computer programs and data files?</p> <p>If yes, please describe.</p> <p><i>Good practice</i></p>	
<p>9. Is access to data restricted to only those who require the data to perform their job?</p> <p><i>Good practice</i></p>	
<p>10. Are the procedures for information security adequate to protect the integrity of the data?</p> <p><i>Good practice</i></p>	
<p>11. Are procedures in place to ensure that terminated employees do not have access to documents, records, and assets?</p> <p>If yes, please describe.</p> <p><i>Good practice</i></p>	
<p>12. Do you inform the governing body in a timely manner of sensitive information, investigation, and improper acts (e.g., significant litigation, investigations by regulatory agencies, embezzlement, misuses of corporate assets)?</p> <p><i>Good practice</i></p>	

TECHNICAL CAPACITY

Subrecipients must have the technical capacity to implement the project, manage grants, and comply with federal and state requirements. To demonstrate technical capacity, subrecipients must have an appropriate organizational structure; have an adequate number of staff; maintain adequate documentation of key policies; have a systematic process for determining the number and size of vehicles for the fleet; submit timely, accurate, and complete quarterly reports; and collect and analyze key performance data.

<p>1. Is there an organization chart?</p> <p>Does the current organization chart clearly show lines of authority and responsibility for all staff, administration, and the governing body?</p> <p><i>Good practice</i></p>	
<p>2. Is the organization chart reviewed annually and revised when necessary?</p> <p><i>Good practice</i></p>	
<p>3. Who is responsible for the day-to-day management of the transit program?</p>	
<p>4. Has the manager completed the initial training to receive the Montana transit manager certification and has the manager completed the continuing education requirements to maintain the certification?</p> <p><i>MDT requires that transit managers complete the MDT transit manager training and meet continuing education requirements.</i></p>	
<p>5. Do the answers to the questions for the compliance and good practices review indicate the manager is qualified for the position by reason of training, education, and experience?</p>	
<p>6. Please describe your staffing and the responsibilities of key staff.</p> <p>Does the number of staff appear appropriate for the number and complexity of tasks and the size of the program?</p> <p><i>MDT requires that subrecipients have sufficient staff to implement the program.</i></p>	

<p>7. Is decision-making performed at the correct organizational level?</p> <p>Has the manager delegated smaller decisions to line supervisors and staff and do staff bring to line supervisors and to the manager decisions that have larger (policy, legal) ramifications for the organization?</p> <p><i>Good practice</i></p>	
<p>8. Does the organization have a written business continuity plan that addresses maintaining operations after a catastrophic event such as a tornado, flood or fire?</p> <p><i>Good practice</i></p>	
<p>9. Do you have document control and retention procedures? If yes, do they address:</p> <p><i>Good practice</i></p>	
a. Records filing and storage	
b. Naming, storing, and backing up electronic files	
c. Security	
d. Retention	
e. Destruction	
<p>10. Who is responsible for purchasing vehicles?</p> <p>What is the process for determining the number and size of vehicles for the fleet?</p> <p>Are decisions for expanding the fleet based on ridership projections and included in the TDP?</p> <p><i>MDT considers the ability of the subrecipient to determine the appropriate number and type of vehicles when determining whether a subrecipient has the technical capability to receive grants to buy buses.</i></p>	
<p>11. Who is responsible for preparing and submitting the quarterly reports?</p>	
<p>12. Are reports submitted on time?</p> <p>If no, what are the reasons for the delay?</p>	
<p>13. Reviewer, discuss any comments or issues with the reports.</p> <p>Please respond to the reviewer's comments.</p>	

<p>14. Have any special labor protection warranty complaints been received?</p> <p>If yes, were they reported to MDT?</p> <p>How were the complaints resolved?</p> <p><i>Subrecipients must report any special labor warranty complaints and how they were resolved to MDT.</i></p>	
<p>15. Do you contract with private operators or other agencies? If yes, please identify.</p> <p>Who is responsible for managing the contract?</p> <p>What procedures are used to ensure that quality service is provided?</p> <p><i>Subrecipients must have procedures for managing service contractors to ensure that quality service is provided.</i></p>	

FINANCIAL MANAGEMENT

Subrecipients must have sufficient local resources to provide the required match and carry out the proposed project. They must also have the financial management systems to account for and report on federal and state assistance. They must practice sound financial management practices.

FINANCIAL CAPACITY	
1. Does the agency have an adequate cash flow? If not, what steps are being taken to ensure this?	
2. Do you have reserves? If yes: What is the amount? How many months of operations will it cover? <i>MDT requires subrecipients to have one month's operating expenses in reserve. MDT strongly recommends that subrecipients have at least three month's operating expenses in reserve.</i>	
3. Since the last review, how many of your transit program vendors were paid within 30 days? [Sample]	
4. Are you able to make payroll?	
ACCOUNTING SYSTEMS AND POLICIES	
5. What accounting software is used? Which modules?	
6. Is information generated from the program sufficient to support expenditures to awards?	
7. Does the agency maintain an up-to-date accounting policies and procedures manual that covers accounting for fixed assets, the budget process, accounts payable process, procurement, payroll, record retention, reporting requirements, and requirements and schedules for audits? <i>Subrecipients must maintain an up-to-date accounting policies and procedures manual.</i>	
8. Are there written travel policies for staff and governing body members which detail at a minimum: a) Use of per diem rate or actual expenses, basis of reimbursement and reasonable dollar limits	

b) Requirements for receipts for lodging and meals when reimbursement is made for actual cost		
c) Requirement for approval of travel requests		
d) Requirement for travel expense vouchers to show purpose of trip		
9. Are the financial records being kept in accordance with Generally Accepted Accounting principles (GAAP)? <i>Subrecipients must maintain financial records in accordance with GAAP principles. GAAP principles are the basis of financial accounting and reflect federal financial accounting standards which include consistency, relevance, reliability, and comparability. AccountingPrinciples.org provides information on GAAP.</i>		
10. Are financial records retained for at least 3 years after close of the project? <i>Subrecipients must maintain financial records for at least 3 years from the close of the project.</i>		
11. Are timesheets approved by an official who is not responsible for their preparation and is outside the payroll department? <i>Good practice</i>		
AUDITS		
12. Was a single audit conducted in accordance with Office of Management and Budget (OMB) requirements? <i>The U.S. Office of Management and Budget (OMB) requires that any recipient that expends more than \$750,000 in federal funds in a year must have an independent single audit conducted.</i>		
13. Since the last site visit, have audit findings been submitted that relate to the transit program? If not, why not? <i>Subrecipients must submit audit findings that relate to the transit program to MDT.</i>		
14. What is the status of the following findings from the audit? <i>Subrecipients must resolve audit findings in a timely manner.</i>		
Finding*	Response*	Status

*To be completed by reviewer prior to sending the workbook to the subrecipient.		
INDIRECT COSTS		
<p>15. Are indirect costs charged to grants? If yes:</p> <p><i>Per OMB 2 CFR Part 200, indirect costs are costs that are incurred for a common or joint purpose that benefits more than one cost objective and are not readily assignable to the cost objectives specifically benefited without effort disproportionate to the results achieved. Examples of indirect costs are accounting and personnel services.</i></p> <p><i>Subrecipients that charge indirect costs to awards must do so in accordance with an approved cost allocation plan or indirect cost rate proposal. Or use in the de minimis rate per 2 CFR Part 200.414.</i></p>		
a. Is there a cost allocation plan or indirect cost rate proposal to support indirect administrative costs related to an award program?		
b. Was the plan developed in accordance with 2 CFR Part 200?		
c. Who approved the plan? When was it last approved?		
d. Has the auditor reviewed the plan?		
e. Has the plan been submitted to the state? <i>The plan must be submitted to MDT.</i>		
f. Have procedures been established to ensure that costs are classified as either direct or indirect (but not both)?		
g. Has the plan been followed?		
h. Has the rate been updated annually? <i>The indirect cost rate must be updated annually unless the de minimis rate is being used.</i>		

i. Has the methodology changed used to calculate changed since the plan was approved?	
BUDGETING	
16. Please describe the process used to develop the budget. Is the process documented? Who is responsible for developing the budget?	
17. Are the goals, objectives, and targets approved by the governing body used to guide the development of the budget?	
18. Does the governing body approve the budget?	
19. Is the budget prepared in sufficient time to allow full review and interaction by the governing body?	
20. Is the governing body provided a budget with sufficient detail to make decisions about the allocation of program resources?	
21. Are long-range financial needs defined during the annual budget process and alternatives reviewed?	
22. Are anticipated farebox revenue, contributions, grants, contracts, and other program income projected in the budget?	
23. Are actual expenditures compared with budgeted expenditures periodically to prevent budget overruns? How often? Who performs this comparison? <i>49 CFR Part 200.302 requires subrecipients to perform a budgeted versus actual analysis.</i>	
24. Are revenues from federal, state, and local government sources, service contracts, and fares compared with the projections in the budget periodically? How often? Who performs this comparison? <i>49 CFR Part 200.302 requires subrecipients to perform a budgeted versus actual analysis.</i>	
25. How are budget changes documented?	

26. Does the governing body review and approve budget revisions? What is the threshold for governing body approval?	
RISK MANAGEMENT	
27. Do you carry risk, liability, workman's compensation, and fire insurance?	
28. Do you analyze alternative insurance programs including self-insurance and excess liability coverage for property damage and liability at least every 3 years?	
29. If self-insured, is there a self-insurance reserve account?	
30. Is there a workers' compensation management system which provides for verification of accident/injury, administration of benefits, vocational rehabilitation?	

TECHNOLOGY AND INFORMATION SYSTEMS

Subrecipients should use information technology to improve productivity and provide needed financial and performance information. Procedures should be in place to protect hardware and software. Policies should be in place governing personal use of public computers. FTA-funded computers must be used to support the transit program.

1. Are computer applications current with respect to needs and appropriate to the hardware environment? <i>Good practice</i>	
2. Who maintains the software? Does this person/entity possess the necessary training, education, and experience to provide adequate technical support?	
3. Is software regularly updated with patches and security updates? How frequently? Are all security/patches current? <i>Good practices</i>	
4. How often are the servers/computers backed up? Where is the back-up data stored?	
5. How frequently are virus definitions updated? Are virus definitions current? How frequently do you scan for viruses? <i>Good practices</i>	
6. Do you use a local area network?	
7. Does the system administrator have access to the hard drives of all computers? <i>Good practice</i>	
8. Who maintains the hardware and network? Does this person/entity have the necessary training, education, and experience to provide adequate technical support?	

<p>9. Do the servers have an uninterruptible power supply (UPS)?</p> <p><i>A UPS allows a computer to run on battery power during short power interruptions and allows the user to shut down a computer properly during a power interruption. A UPS has a built-in surge protector.</i></p>	
<p>10. Are all computer equipment items protected from power surges?</p> <p><i>Good practice</i></p>	
<p>11. Which employees have access to the Internet?</p>	
<p>12. Is access to data restricted to only those who require the data to perform their job?</p>	
<p>13. Do you have a written policy regarding personal use of the computer, including use of the Internet?</p> <p><i>Good practice</i></p>	
<p>14. Do employees have agency email addresses?</p>	
<p>15. Do you have a website? If yes:</p> <p>What is the address?</p> <p>Who maintains it?</p>	
<p>16. Are computers purchased with FTA funds being used to support the transit program?</p> <p>Are they used to support other programs as well?</p> <p><i>Computer equipment purchased with FTA must be used primarily to support the FTA programs.</i></p>	
<p>17. Do you provide general computer/ application training? If yes, when was the last time that the training took place?</p> <p><i>Good practice</i></p>	

SATISFACTORY CONTINUING CONTROL

Subrecipients must maintain control of FTA-funded equipment and facilities and use them to provide public transportation. The number of spare vehicles must be appropriate to the size and age of the fleet, the amount of peak demand, and the projected ridership growth. Subrecipients must submit proof of insurance annually; carry enough insurance to replace any FTA-funded facility or equipment, such as bus washers, bus lifts, etc.; and obtain prior written approval from DPT before selling, leasing, or disposing of vehicles, equipment or facilities that have remaining federal interest. Subrecipients must have procedures to prevent loss, damage, or theft of FTA-funded property and inventory.

FLEET AND VEHICLE CHARACTERISTICS	
1. Calculate the fleet spare ratio. a) What is the number of revenue vehicles?	
b) What is the number of vehicles required for maximum service?	
c) What is the number of spare vehicles (a minus b)?	
d) What is the spare ratio (c divided by b)?	
2. How often is the maximum number of vehicles required?	
3. Does the spare ratio appear reasonable given the size and age of the fleet, the frequency of peak service demand, and the projected ridership growth? Does the spare ratio indicate a need for additional vehicles? <i>MDT considers a spare ratio of approximately 20 percent reasonable.</i>	
4. Are the vehicles used appropriate for the type of service, ridership volumes, and scheduling patterns?	
5. Have "back-up" arrangements been made, such as a contract with a taxi company or another agency, to deliver service when breakdowns occur or during peak service times?	

<p>6. Have you sold or disposed of any FTA-funded vehicles in the past year? If yes:</p> <p>Please list the vehicles.</p> <p>Did you obtain approval from MDT?</p> <p><i>MDT requires that subrecipients obtain approval before selling or disposing of vehicles on which it holds a lien.</i></p> <p>[Reviewer, please list the vehicles for which the subrecipient requested approval for disposition since the last site visit.]</p>	
<p>7. Are leases attached to FTA-funded vehicles?</p> <p>If yes, did MDT approve the leases in writing?</p> <p><i>MDT requires that subrecipients obtain written approval for leases of vehicles on which it holds a lien.</i></p> <p>[Reviewer, please list the vehicles for which the subrecipient asked for approval since the last site visit.]</p>	
<p>INSURANCE</p>	
<p>8. Has an updated proof of insurance on each vehicle been provided to MDT?</p> <p><i>MDT requires that subrecipients provide annual proof of insurance on FTA-funded equipment.</i></p>	
<p>9. Do you have a combined single limit of coverage of at least \$1 million on vehicles?</p> <p>What insurance coverage do you have on FTA-funded facilities?</p> <p>If self-insured, how is the self-insurance funded?</p> <p><i>MDT requires subrecipients to maintain a minimum of a combined single limit of coverage of \$1 million on vehicles.</i></p>	
<p>INVENTORY AND CONTROLS</p>	
<p>10. What procedures and practices are used to prevent loss, damage, or theft of property and inventory?</p> <p><i>Subrecipients must have procedures to prevent loss, damage, or theft of property and inventory.</i></p> <p>Examples of procedures include insurance, locks on doors, controlled access to supplies, fencing, lighting, inventory and tagging of all equipment, and annual physical inventories that are reconciled to inventory lists.</p>	

11. Is all equipment permanently tagged or stamped with an identification number?	
12. Is there a current, complete inventory of all equipment?	
13. What is the dollar threshold for inclusion in the asset inventory?	
14. Is a physical inventory of equipment taken at least annually that is reconciled to the inventory records?	
15. Are inventory item statistics maintained such as inventory level policy, consumption record, reorder points, economic order quantities, recent bidders and prices, and acquisition times?	
16. Are facility use or lease agreements current for all facilities?	

PROCUREMENT

Subrecipients must: comply with the relevant sections of FTA C 4220.1F. Subrecipients must obtain prior state approval for purchases of equipment and transportation service contracts.

<p>1. Who is responsible for purchasing/ leasing? Is the person by reason of education, training, and experience qualified for the responsibility?</p>	
<p>2. Do you have a written code of conduct that governs the performance of officers, employees, or agents engaged in procurement exists describing avoidance of conflict of interest?</p> <p><i>Subrecipients that are private nonprofit agencies must have a written code of conduct that:</i></p> <ul style="list-style-type: none"> • <i>Precludes any employee, officer, agent, or governing body member or his or her immediate family member, partner, or organization that employs or is about to employ any of the foregoing from participating in the selection, award, or administration of a contract supported with FTA assistance.</i> • <i>Includes information that the subrecipient's officers, employees, agents, or governing body members may neither solicit nor accept gifts, gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub agreements. The policy may set minimum rules for when the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.</i> • <i>Provides for penalties, sanctions, or other disciplinary action for violation of such standards to the extent permitted by state or local law or regulations.</i> <p><i>Subrecipients that are public entities are covered by the Montana Code of Ethics in Title 2, Chapter 2, Part 1 of the Montana Code Annotated 2019.</i></p>	
<p>3. Do any potential conflicts of interest exist between policy governing body members/ employees and consultants/vendors/ suppliers or between a management contractor and consultants/vendors/ suppliers?</p>	
<p>4. Are procurement procedures written and approved by the governing body?</p> <p><i>Subrecipients must have written procurement procedures.</i></p>	
<p>5. Do policies and procedures adequately address such matters as:</p>	

a) Independent cost estimates <i>Procurements > the federal simplified acquisition threshold, currently \$250,000</i>	
b) Need and use of formal advertising	
c) Procurement method <i>Micro-purchases, small purchases, invitations for bids (IFBs), requests for proposals (RFPs)</i>	
d) Negotiating	
e) Use of sole source	
f) Selection procedures	
g) Required approvals/signatures	
h) Evaluation of procurements for potential organizational conflicts of interest	
i) Review of procurement requests to avoid duplicative or unnecessary purchases	
j) Cost/price analysis <i>Procurements > the federal simplified acquisition threshold, currently \$250,000</i>	
k) Award to responsible bidders/proposers	
l) Protest procedures	
m) Contract administration	
n) Settlement of contract issues and disputes	
o) Documentation of procurement history	
6. Are the quantity and quality of supplies, equipment, services verified against the purchase order or other system upon receipt? <i>Required</i>	
7. Are technical specifications prepared at the appropriate level of detail to accommodate competitive bidding and user requirements? <i>Required</i>	
8. What is the dollar threshold for sealed bids?	

9. What are the procedures for purchases for which sealed bids are not required?	
10. Who reviews and approves purchases? What are the dollar thresholds?	
11. Do the above procedures provide for full and open competition? <i>Procurement procedures must provide for full and open competition.</i>	
12. Please list all procurements for which the subrecipient requested state approval since the last site visit.	
Item	Amount
13. What purchases did you make with FTA funds since the last site visit? (Examples: fuel, maintenance services, vehicles, construction, professional services)	
a. What procedures were followed for each of the purchases?	
b. Did the procedures followed provide for full and open competition?	
c. Who administers the contracts?	
d. Do the files document the procurement history?	
e. Was state approval obtained for all equipment purchased directly? <i>MDT must approve all equipment purchases.</i>	
f. Was state approval obtained for all contracts for transportation services? <i>MDT must approve all transportation service contracts.</i>	

<p>g. Are FTA-required clauses included in all contracts exceeding \$10,000 (\$2,000 for construction contracts)??</p> <p><i>Subrecipients must include federally required clauses in all FTA-funded procurements exceeding the federal micro-purchase threshold.</i></p> <p>[Reviewer, please review the procurements for the past year using the clause checklist in the appendix.]</p>	
<p>h. Are there any clauses that unduly restrict competition, such as in-state or local preference clauses?</p> <p><i>Use of in-state or local preference clauses is prohibited.</i></p>	
<p>14. Are there any bus procurement contracts that exceed 5 years in total length, including base and options? If yes, identify.</p> <p><i>The length of bus procurements using FTA funds may not exceed 5 years.</i></p>	
<p>15. For procurements greater than \$25,000, was the System for Award Management (www.sam.gov) searched to see if the vendor was debarred or suspended?</p> <p><i>Recipients must search SAM before awarding contracts > \$25,000 and document the results of the search for the file.</i></p>	
<p>What proof of the search do you maintain in the procurement file?</p>	
<p>Have you become aware of any new information, following the award of a contract or subcontract, that an excluded party is involved in any covered transaction? If yes, did you promptly inform MDT in writing?</p> <p><i>Subrecipients must provide immediate written notice to MDT for reporting to FTA if they learn that their certification or the certification of any contractors is no longer valid.</i></p>	
<p>16. Have you obtained signed lobbying certifications with procurement solicitations exceeding \$100,000?</p> <p><i>Subrecipient must obtain signed lobbying certifications with bids or proposals exceeding \$100,000 for FTA-funded procurements.</i></p>	

17. Have you obtained signed Buy America certifications for purchases of steel, iron, or manufactured products exceeding \$150,000?

Subrecipient must obtain signed Buy America certifications with bids or proposals for steel, iron, or manufactured products, including buses, exceeding \$150,000 for FTA-funded procurements.

PROCUREMENT FILE REVIEW SHEET

Contract number:			
Award date:			
Awarded to:			
Amount:			
Purpose:			
Number of bids received:			
Date file inspected:			
Item	Yes	No	NA
Does the file contain an index or checklist of items that it should contain? (<i>Good practice</i>)			
Are materials filed in chronological order?			
Does the file contain an independent cost estimate (ICE)? (procurements > \$250,000 and all change orders)			
Does the file contain the rationale for the method of procurement and contract type?			
Does the file contain the invitation for bids or the request for proposals?			
Does the file contain the notices and advertisements?			
If a pre-bidders' conference was held, does the file document the bidders notified of the conference, the date and time of the conference, and the list of the attendees?			
Does the file include all bids received?			
Does the file document the evaluation and the results of the evaluation?			
Does the file document the responsibility determination of the selected vendor?			
If the procurement was a sole source, single bid, brand name, or award to other than low bidder, does the procurement file contain a justification for the award?			
Does the file contain a cost or price analysis (procurements > \$250,000 and all change orders)?			
Does the file contain a signed contract?			
Were all federally-required clauses included in the contract and required signed certifications (Buy America, lobbying) obtained?			

Contract number:			
Award date:			
Awarded to:			
Amount:			
Purpose:			
Number of bids received:			
Date file inspected:			
Item	Yes	No	NA
Does the file contain documentation that the System for Award Management was searched before award for all procurements exceeding \$25,000?			
Do the files indicate that the subrecipient ensured that goods and services were received?			
Does the file include all contract modifications and amendments?			
Does the file contain copies of all correspondence with the vendor?			
If there were changes orders, were an ICE developed and a cost/price analysis conducted?			

DISADVANTAGED BUSINESS ENTERPRISE (DBE)

Subrecipients must not discriminate on the basis of race, color, creed, national origin, or sex in the award and performance of FTA-assisted contracts. They must provide DBEs the maximum opportunity to compete for and perform contracts and subcontracts financed in whole or in part with federal funds. Subrecipients must submit quarterly DBE reports to MDT.

<p>1. Did the subrecipients report on DBE activity in the quarterly reports? If not, please list the quarters the subrecipient did not submit the information.</p> <p><i>Subrecipients must submit quarterly DBE activity reports.</i></p>	
<p>2. Do the reports indicate that the subrecipients has been successful in contracting with DBEs?</p>	
<p>3. What efforts have been taken to ensure that DBEs and small businesses have the maximum opportunity to compete for and perform contracts and subcontracts financed in whole or in part with FTA funds?</p> <p><i>Subrecipients must ensure that DBEs have the maximum opportunity to compete for and perform contracts and subcontracts financed in whole or in part with FTA funds. Examples include advertising in newspapers that serve minority communities, maintaining a list of minority vendors, and contacting other agencies for potential DBE contractors.</i></p>	
<p>4. Do you have a current MDT listing of certified DBE firms?</p> <p><i>MDT maintains an on-line DBE directory.</i></p>	
<p>5. Were any DBE complaints received since the last review? If yes:</p> <p>Describe the complaint and how it was resolved.</p> <p>What is the process for handling and resolving such complaints?</p> <p>Were they forwarded to MDT?</p>	

PERSONNEL

Subrecipients should have governing body-approved, comprehensive personnel policies. Current job descriptions should be on file for every position. Time and attendance records must be kept on every employee.

1. Who is responsible for personnel management? Is the person by reason of education, training, and experience qualified for the responsibility?	
2. Are personnel policies written and approved by the governing body? <i>Good practice</i>	
3. Do the policies address: <i>Good practice</i>	
a) Personnel selection and appointment	
b) Required probationary period before permanent appointment	
c) Grounds for dismissal/appeals	
d) Grievance procedures	
e) Hours of work	
f) Annual and sick leave	
g) Holidays	
h) Promotion and/or salary increases	
i) Insurance benefits	
j) Retirement plans	
4. Are there written job descriptions on file for all positions in the transportation program? <i>Good practice</i>	
5. Do the job descriptions identify:	
a) Job title	
b) Primary responsibilities	
c) Performance standards	
d) Wage rate or salary range	

e) Physical requirements	
f) Safety-sensitive position subject to drug and alcohol testing	
6. Are time and attendance records kept for and signed by all employees, including part-time, and in-kind (or volunteer)? [Sample] <i>Required</i>	
7. Is each employee appraised on performance at least annually <i>Good practice</i>	
8. Does the agency provide documented coaching, counseling, re-training, and discipline based on unsatisfactory employee performance? <i>Good practice</i>	
9. How do you protect personal identifying information (PII)? <i>The Department of Homeland Security defines PII as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual, regardless of whether the individual is a U.S. citizen, legal permanent resident, visitor to the U.S. PII, which if lost, compromised, or disclosed without authorization, could result in substantial harm, embarrassment, inconvenience, or unfairness to an individual.</i>	

EQUAL EMPLOYMENT OPPORTUNITY (EEO)

Subrecipients may not discriminate against any employee or applicant for employment because of race, color, religion, national origin, sex, age, or physical or mental disability. Subrecipients must post in conspicuous and accessible places and make available to employees and applicants for employment notices setting forth an EEO policy.

<p>1. Does the agency meet the threshold for submitting an EEO program plan to the state?</p> <p><i>Unless a program is submitted directly to FTA, a subrecipient must submit an EEO program plan to MDT every four years if it has 50 or more transit-related employees and receives \$1 million or more in FTA capital and/or operating funds or \$250,000 in planning funds in a year.</i></p>	
<p>2. Who is responsible for ensuring that EEO obligations are fulfilled?</p> <p>To whom does this individual report for EEO matters?</p>	
<p>3. Have you posted an EEO statement in a conspicuous place?</p> <p><i>An EEO statement must be posted in a conspicuous place where employers and applicants will see it.</i></p>	
<p>4. Is an EEO policy included in your personnel policies and/or employee handbook?</p> <p><i>An EEO policy should be included in personnel policies and/or employee handbook.</i></p>	
<p>5. Are EEO statements included on your job applications and employment notices? [Sample]</p> <p><i>Job applications and employment notices should include an EEO statement.</i></p>	
<p>6. Were any EEO complaints received since the last site visit? If yes:</p> <p>Describe the complaint and how it was resolved.</p> <p>What is the process for handling and resolving such complaints?</p>	

OPERATIONS AND SERVICE PROVISION

SERVICE PROVISION

Subrecipients should have effective procedures for ensuring quality service is delivered to the public. A comprehensive training program is a key component of a quality assurance program. Subrecipients should collect and use financial and operating data to monitor the effectiveness and efficiency of operations. Key financial and operating data should be reported to the governing body.

1. Who is responsible for the day-to-day supervision of transit operations?	
2. How are daily operations monitored to ensure that the schedule is adhered to, dispatchers and operators follow policy and procedures, and quality and courteous service is provided? <i>Good practice</i>	
3. Is there a written service policy or operators' manual? Please note the topics the manual addresses. When was it last updated? Does the policy/manual accurately and completely document current policies governing the delivery of service? <i>Good practice</i>	
4. When was the last time routes and schedules were revised for fixed route services? Do schedules need to be evaluated?	
5. Is schedule making coordinated with public information, dispatching and operations supervision? <i>Good practice</i>	
6. For demand-response service, what are the procedures for scheduling and dispatching trips? Are denials tracked and periodically reviewed by management? <i>Good practice</i>	
7. If service is scheduled in advance, have you made arrangements to have an answering machine take calls after business hours to schedule or cancel a ride?	

8. Please describe the pickup window for general public demand response service, route deviations, and ADA complementary paratransit service.	
How long do drivers wait for the passenger after having arrived within the pickup window?	
Do drivers note arrival and departure times on the manifest?	
9. Please describe your fare structure.	
10. What is your policy regarding transfers? Do you charge a fare for transfers? If yes, what is the transfer charge?	
11. When was the last fare increase?	
12. For fixed-route and route-deviation services, do you track boarding and/or alighting by stop?	
13. How are financial reports, service reports and statistical data used in day-to-day management of transit service? <i>Good practice</i>	
14. To whom do you report these data and what key management decisions have been made with the above data? What data are reported to the governing body and how often? Does the reporting system contribute to each level of management in terms of timely, accurate, appropriately detailed information required to support management action? <i>Good practice</i>	
15. Do the data reported to MDT for National Transit Database (NTD) cover all operations, including those not supported with Section 5311 assistance? <i>Required</i>	
16. List the annual ridership figures for the past 5 years below. Please explain why ridership is increasing, decreasing, or staying the same.	
Year	Ridership

<p>17. Do you have a written rider guide?</p> <p>If no, how is the public informed of agency policies?</p> <p><i>Good practice</i></p>	
<p>18. Do you have a governing body-approved policy governing standards of behavior by passengers on buses and transit property?</p> <p><i>Good practice</i></p>	
<p>19. How do you handle violations of the passenger behavior policy?</p>	
<p>20. Do you have a no-show policy?</p> <p>If yes, has it been approved by the governing body?</p> <p><i>Good practice</i></p>	
<p>21. If you suspend riders for unruly behavior or no-shows:</p> <p>Who makes the decision?</p> <p>What is your appeals process for suspensions?</p> <p><i>Good practice</i></p>	
<p>22. Who receives complaints and how are they processed?</p> <p>How do you follow up with the complainant?</p> <p>Do you keep a record of complaints?</p>	
<p>23. Are the complaint/ comment resolution procedures written?</p> <p><i>Good practice</i></p>	

MAINTENANCE

Subrecipients must maintain FTA-funded equipment and facilities. They must have a written maintenance plan and maintain project equipment and facilities at a high level of cleanliness, safety, and mechanical soundness. They must maintain all accessibility features and equipment in operating condition. They must have procedures to track when preventive maintenance inspections are due and to schedule preventive maintenance inspections in a timely manner.

Subrecipients must have a pre-trip inspection program that addresses vehicle condition, appearance, cleanliness, safety, and ADA accessibility equipment. Deficiencies noted in a pre-trip inspection must be repaired in a timely manner and properly reviewed by management.

Subrecipients must repair accessibility features promptly and take reasonable steps to continue service to persons with disabilities while repairs are being made.

VEHICLE MAINTENANCE	
1. Review the files for the 2 vehicles using the vehicle file review sheet. Note deficiencies for each file inspected.	
2. Who is responsible for maintenance? Is the person by reason of education, training, and experience qualified for the responsibility?	
3. Are maintenance personnel trained in the operation of specialized equipment (special tools, wrecker, others)?	
4. Please describe the preventive maintenance program. Note whether the subrecipient follows the MDT program or follows a program it developed. Is the maintenance plan written? <i>Subrecipients must have a written vehicle maintenance program.</i>	
5. Do preventive maintenance schedules for each type of vehicle in the fleet meet or exceed the manufacturer's minimum requirements? <i>Preventive maintenance schedules must meet or exceed the manufacturers' minimum requirements.</i>	
6. Where are the owner's manuals and manufacturer specifications filed?	

<p>7. Is a preventive maintenance program in place for lifts and other accessibility features such as ramps, public announcement systems, and annunciators?</p> <p><i>Subrecipients must maintain all accessibility features and equipment in operating condition.</i></p>	
<p>8. Is a preventive maintenance program or system of checks in place for on-board security systems? Please describe.</p>	
<p>9. What procedures are used to track when preventive maintenance inspections are due and to schedule preventive maintenance inspections?</p> <p><i>Subrecipients must have procedures to track when preventive maintenance inspections are due and to schedule preventive maintenance timely.</i></p>	
<p>10. Review the files for the same 2 vehicles reviewed in question 1. Note the date and mileage of all preventive maintenance inspections since the last site visit using the preventive maintenance review sheet.</p> <p>Does the review of the maintenance records indicate that at least 80 percent of the inspections are performed on time? Please allow a 10 percent or 500-mile variance, whichever is greater, when deciding whether an inspection was performed on time.</p> <p><i>MDT requires that at least 80 percent of preventative maintenance inspections must be performed at the intervals required by the plan.</i></p>	
<p>11. Does the review of the maintenance files indicate that the files are complete and document maintenance performed?</p>	
<p>12. Are emergency exits and pop-up roof hatches tested periodically to ensure that they are in working order? If yes:</p> <p>How often?</p> <p>How is the check documented?</p>	
<p>13. Are pre-trip inspections conducted prior to placing a vehicle in service?</p> <p><i>Pre-trip inspections must be conducted prior to placing a vehicle in service.</i></p>	
<p>14. Is the MDT pre-trip inspection form used? If no:</p>	

<p>a. Does the pre-trip inspection address safety; vehicle operation, appearance, and cleanliness; and passenger comfort?</p> <p><i>The pre-trip inspection must address safety; vehicle operation, appearance, and cleanliness; and passenger comfort.</i></p>	
<p>b. Does the pre-trip inspection ensure that all items, such as boxes with bi-directional reflective triangles and gallons of washer fluid, are secured to the vehicle?</p> <p><i>Safety and other equipment must be secured so that they do not become projectiles that injure a passenger or damage the vehicle.</i></p>	
<p>c. Does the pre-trip inspection program address lifts and other accessibility features, such as ramps, public announcement systems, and tie-downs?</p> <p><i>Subrecipients must have a regular system of checks and inspections for lifts and ensure that accessibility features are maintained in operative condition.</i></p>	
<p>15. Are deficiencies noted in pre-trip inspections repaired in a timely manner and properly reviewed by management?</p> <p><i>Deficiencies noted in pre-trip inspection must be repaired in a timely manner and properly reviewed by management.</i></p>	
<p>16. How does the agency document maintenance activity performed to correct the reported defect?</p> <p><i>The good practice is for the mechanic to sign and date the pre-trip inspection form noting that the reported defect has been repaired and to include the signed pre-trip form in the maintenance file with the work order.</i></p>	
<p>17. When a lift or ramp is found to be inoperative:</p> <p>a. Is the vehicle taken out of service by the beginning of the next service day and repaired before returning it to service?</p> <p><i>USDOT ADA regulations (49 CFR 37.163(d)) requires subrecipients to remove vehicles with inoperative lifts from service before the next day unless no spare is available and taking the vehicle out of service would reduce the level of service.</i></p>	

<p>b. If a vehicle with an inoperable lift or ramp is kept in service, is it repaired within 5 days from the day which the lift is found to be inoperable?</p> <p><i>USDOT ADA regulations (49 CFR 37.163(e)) requires subrecipients in areas of less than 50,000 to repair the lift or ramp within 5 days.</i></p>	
<p>18. Are FTA-funded vehicles leased to providers?</p> <p>If yes, does the lease agreement require the lessee to adhere to MDT's maintenance standards?</p> <p><i>MDT requires subrecipients that lease FTA-funded vehicles to providers to require the lessee to adhere to MDT's maintenance standards.</i></p>	
<p>19. Are work orders or histories maintained that document the work performed, parts used, time spent, mileage, and date?</p>	
<p>20. Has a maintenance quality control or assurance program been implemented to verify the execution and quality of repairs, examine the quality of new and used parts used in repairs, and ensure that repairs are fully documented?</p>	
<p>21. Who is responsible for washing and cleaning the buses?</p> <p>How often are buses washed?</p> <p>What quality assurance or inspection procedures are in place to ensure buses are kept clean?</p>	
<p>22. Do the vehicles meet an acceptable level of cleanliness (exterior and interior)?</p> <p><i>Reviewer will answer.</i></p>	
<p>23. Is there a system for identifying and pursuing warranty claims effectively and promptly to conclusion?</p>	
<p>24. Is there a system for responding to recalls?</p>	
<p>25. Is the preventive maintenance program reviewed for costs and effectiveness?</p>	
<p>26. Are maintenance histories for the fleet reviewed to uncover trends or problems?</p>	
<p>27. Are there indicators of repetitive occurrences of a particular type of problem in any one make of rolling stock?</p>	

28. Are there repetitive occurrences (parts failures, road calls, others) of a particular type of failure fleetwide?	
29. Is there a system to monitor and evaluate vehicle energy consumption?	
FACILITY MAINTENANCE <i>The following questions are for subrecipients that operate out of an FTA-funded facility.</i>	
30. Is there a written facility maintenance plan and inspection checklist? <i>Subrecipients must have a written facility maintenance program for FTA-funded facilities and facility-related equipment.</i>	
31. Are the facilities inspected at least once a year to determine what repairs and/or maintenance are needed to the equipment or building? What was the date of the last inspection?	
32. Does the written plan or inspection checklist address equipment such as hydraulic lifts, bus washers, roofing systems, HVAC systems, emergency generators, and security systems?	
33. Does the written plan or inspection checklist address maintenance of ADA accessibility features, such as power-assist doors, as required by ADA? <i>USDOT ADA regulations (49 CFR 37.161) require maintenance of accessibility features.</i>	
34. Do preventive maintenance checklists follow the minimum requirements determined by the manufacturer, supplier or builder?	
35. What are the procedures for inspecting, cleaning, and maintaining bus shelters and benches?	
36. Are files maintained on maintenance of facilities and related equipment?	
37. Do the files indicate that preventive maintenance inspections of facilities and related equipment are conducted at the intervals required by the plan? [Reviewer, sample maintenance records.]	

<p>38. Are any features of facilities or related equipment under warranty? If yes, please list.</p> <p>Are warranty claims pursued?</p>	
<p>39. Reviewer, are the facilities clean and well maintained? Are there any visible defects? Does the facility need to be painted? If yes, when is this scheduled?</p>	
<p>40. What documentation does the service maintain to ensure compliance with applicable safety and environmental regulations (OSHA, fire prevention, insurance standards, etc.)?</p>	

VEHICLE FILE REVIEW SHEET

Subrecipient:

Vehicle:

Date File Inspected:

Reviewer:

Question	Yes	No
Are the files in chronological order?		
Do the files contain a log that summarizes maintenance provided?		
Do the files contain the MDT-provided or an MDT-approved pre-trip inspection checklist?		
Are the pre-trip inspection checklists signed and dated?		
For lift-equipped vehicles, do the files contain the daily pre-trip wheelchair lift safety check?		
Are preventive maintenance checklists:		
Completed?		
Signed?		
Dated?		
Do the work orders fully document vehicle maintenance?		
Are work orders signed and dated?		
Is the date and mileage noted on each work order?		

Reviewer comments:

VEHICLE PREVENTIVE MAINTENANCE REVIEW SHEET

Subrecipient:

Vehicle:

Date file inspected:

Reviewer:

Percentage of inspections completed on time (within a 10 percent or 500-mile variance, whichever is greater):

Type of Inspection	Date	Mileage	Mileage Since Last Inspection

SAFETY AND SECURITY

Subrecipients must document that drivers have a valid operator's license, have a safe driving record, and have been trained in first aid. All safety devices must be maintained in operative condition. All vehicles must be outfitted with a blood-borne pathogens kit, first-aid kit, fire extinguisher, bi-directional reflective triangles, and web cutters. Drivers and passengers must wear seat belts. Drivers must focus on driving and limit distractions when vehicles are in motion.

1. Who is responsible for system safety? Security?	
2. Do you have a written safety plan? Security plan? Emergency preparedness plan? <i>Good practice</i>	
3. Do you have a call down list for use in an emergency? If yes, is it up-to-date? <i>Good practice</i>	
4. Is documentation maintained which verifies that all drivers of vehicles (owned, leased, loaned): <i>Good practice</i>	
a) Have a valid, appropriate vehicle operator's license (and current USDOT physical if driver is a CDL holder)	
b) Have a safe driving record acceptable for insurance coverage	
c) Received training in agency policies and procedures?	
d) Have completed an American Red Cross, or equivalent, first aid program to handle emergency health situations and accidental injuries	
e) Received training in defensive driving techniques	
f) Received training in passenger assistance and safety	
g) Received training in operation of lifts and other accessibility equipment	

h) Received substance abuse training	
5. What additional training do you provide operators/ drivers?	
6. What training do you provide schedulers/ dispatchers?	
7. Is a record of who attended training, including names, sign-in sheet, content retained? <i>Good practice</i>	
8. Are training records kept by driver and dispatcher documenting the training received? <i>Good practice</i> [Reviewer, examine training files.]	
9. Have written procedures have been established to assure that project sponsored volunteers, whether reimbursed for expenses or not, driving privately-owned vehicles have: <i>Required</i>	
a) A valid appropriate vehicle operator's license (and current DOT physical if driver is a CDL holder)	
b) A safe driving record	
c) Personal automobile liability coverage that is appropriate for type of use	
10. If the agency does not use the MDT pre-trip form, does the inspection address the following required safety equipment: <ul style="list-style-type: none"> ▪ blood-borne pathogen kit ▪ first aid kit (full) ▪ fire extinguisher (charge and inspection date) ▪ bi-directional reflective triangles ▪ belt cutters <i>All vehicles must be outfitted with a blood-borne pathogens kit, first-aid kit, fire extinguisher, bi-directional reflective triangles, and belt cutters.</i>	

<p>11. Are all required safety devices or systems installed and functioning properly on vehicles?</p> <p>Are fire extinguishers secure, accessible, of the correct type, and in date? (Sample)</p> <p><i>All safety devices must be maintained in operative condition. Fire extinguishers must be secure, accessible, and in date.</i></p>	
12. Who is responsible for investigating accidents?	
13. What are the procedures for investigating accidents?	
<p>14. Are written reports made? If yes:</p> <p>To whom do the reports go?</p>	
<p>15. Are written procedures for handling accidents and medical emergencies kept on board the vehicles?</p> <p><i>Subrecipients must have a written procedure for handling accidents and medical emergencies.</i></p>	
<p>16. Have fatal accidents been reported to MDT?</p> <p><i>MDT requires subrecipients to report fatality accidents as soon as possible.</i></p>	
17. What traffic accident analysis and prevention activities are undertaken?	
<p>18. Are passengers required to wear a seat belt?</p> <p><i>All passengers must wear seat belts.</i></p>	
<p>19. Are drivers allowed to bring food or drinks on board vehicles?</p> <p>If yes, are drivers allowed to eat or drink while the bus is in motion?</p> <p><i>MDT prohibits operation of a vehicle while eating or drinking.</i></p>	
<p>20. Are drivers allowed to use a cell phone while the bus is in motion?</p> <p><i>MDT prohibits operation of a vehicle while using a cell phone unless the call is work-related. Sending and receiving text messages is prohibited. The National Safety Council has a model cell phone policy available at http://safety.nsc.org/cellphonekit.</i></p>	

<p>21. Are all carry-on items properly stowed before moving vehicle?</p> <p><i>MDT requires that all carry-on items be properly stowed before moving a vehicle.</i></p>	
<p>22. Is there a methodology for identifying severe weather or other hazards that could affect agency operations and potentially trigger transit service shutdown?</p> <p><i>Good practice</i></p>	
<p>23. How are passengers notified of service disruptions, including those due to inclement weather?</p>	
<p>24. Does the agency have specific procedures and guidelines for drivers to follow when operating in inclement weather conditions in the service area, and have these procedures been formally communicated to drivers? Passengers?</p> <p><i>Good practice</i></p>	
<p>25. Do operations personnel receive training and retraining in crime prevention?</p> <p>What on-vehicle and at-facility crime prevention activities does the service employ? Examples include video cameras, locks, fencing, lighting, and silent codes.</p>	
<p>26. Has the agency familiarized local law enforcement and fire personnel on all aspects of transit vehicle operation including emergency exits, engine shut off, and wheelchair lifts?</p>	
<p>27. Have you worked with law enforcement, fire departments, medical services and emergency management agencies on emergency response efforts?</p> <p>What is your role in the plan?</p>	

AMERICANS WITH DISABILITIES ACT (ADA)

Titles II and III of the Americans with Disabilities Act of 1990 (ADA) provide that no entity shall discriminate against an individual with a disability in connection with the provision of transportation service. The law sets forth specific requirements for vehicle and facility accessibility and service provision.

1. What types of services (fixed route, route deviation, commuter, university, and/or demand response) do you provide?	
2. Who is responsible for and what is the process for resolving ADA complaints? How is the public informed on how to file an ADA complaint? Have any complaints of discrimination due to disability been received from riders? If yes: Please describe the complaints. Did you report the complaints to MDT? How long to you maintain the complaints on file? <i>USDOT regulations (49 CFR 27.13 and 37.17) require procedures for addressing ADA complaints that incorporate appropriate due process standards and provide for prompt and equitable resolution. Subrecipients must sufficiently advertise the process for filing an ADA-related complaint and communicate a response promptly to any individual filing a complaint. The subrecipient is not required to respond to all complaints in writing, but rather must ensure the response can be documented internally. Subrecipients must retain copies of ADA-related complaints for at least one year and a summary of all ADA-related complaints for at least five years.</i> <i>MDT requires that it be notified of complaints.</i>	
3. Are facilities accessible?	

<p>4. If you have non-accessible vehicles in your fleet, how do you ensure that equivalent service is provided?</p> <p>Have you denied service due to unavailability of accessible equipment?</p> <p><i>MDT requires that it be notified of service denials due to unavailability of accessible equipment. USDOT ADA regulations require that service to individuals with disabilities be equivalent to the service provided other individuals with respect to response time, fares, geographic service area, hours and days of service, and capacity.</i></p>	
<p>5. Are system brochures, application forms, rider handbooks, and occasional bulletins available in alternative accessible formats upon request?</p> <p>What formats?</p> <p><i>USDOT ADA regulations (49 CFR 37.167(f)) require public information to be made available in alternative accessible formats upon request. Examples of alternative formats include websites, large type, audio-tapes, and Braille.</i></p>	
<p>6. Is your system's TDD number printed on all public materials where your voice telephone number appears?</p> <p><i>The TDD number should be listed wherever the voice telephone number appears.</i></p>	
<p>7. What is the process to request a reasonable modification?</p> <p>How is the public informed on how to make requests for reasonable modifications?</p> <p><i>USDOT ADA regulations (49 CFR 37.169) require a process for requesting reasonable modification to policies and practices to accommodate a person with a disability. Information on the reasonable modification process must be readily available to the public, and must be accessible. Advance notice can be required, but flexibility is also needed to handle requests that are only practicable on the spot. Individuals requesting modifications are not required to use the term "reasonable modification"</i></p>	
<p>8. Do you require wheelchairs to be secured?</p> <p>If yes, how is the public informed on the policy?</p> <p><i>USDOT ADA regulations (49 CFR 37.165(c)(3)) allow providers to require all wheelchairs to be secured.</i></p>	

<p>9. What is your policy for providing service if a mobility device cannot be secured?</p> <p><i>USDOT ADA regulations (49 CFR 37.165(d)) require that service must be provided even when a wheelchair device cannot be secured.</i></p>	
<p>10. Do you require wheelchair users to transfer to a seat?</p> <p><i>USDOT ADA regulations (49 CFR 37.165(e)) stipulate that operators may request but not require that wheelchair users transfer to a seat.</i></p>	
<p>11. Do you place size or weight limitations on wheelchairs?</p> <p>Did you experience problems with lifts or ramps not being able to accommodate an individual in a wheelchair?</p> <p>How did you address the problem?</p> <p><i>The USDOT ADA regulations (49 CFR 37.165(b)) prohibit entities from setting weight or size limitations on wheelchairs it will transport that understate the weight capacity that the vehicle fleet can accommodate.</i></p>	
<p>12. Do drivers provide assistance to passengers as necessary and upon request with ramps, lifts, and securement devices?</p> <p><i>USDOT ADA regulations (49 CFR 37.165(f)) require drivers and other personnel to provide assistance as necessary and upon request.</i></p>	
<p>13. Do you permit individuals that do not use wheelchairs to use lifts?</p> <p><i>USDOT ADA regulations (49 CFR 37.165(g)) require operators to deploy lifts for standees upon request.</i></p>	
<p>14. Regarding service animals:</p>	
<p>a. Are service animals allowed on the buses?</p> <p><i>USDOT ADA regulations (49 CFR 37.167(d)) require operators to permit service animals to travel with riders.</i></p>	
<p>b. Do you require service animals to be certified?</p> <p><i>The USDOT prohibits requiring service animals to be certified.</i></p>	

<p>c. Do you require service animals to be under the control of the passenger?</p> <p>Where is this policy documented?</p> <p>How is the public informed of the policy?</p> <p><i>US DOT allows providers to require that service animals be under the control of the passenger.</i></p>	
<p>d. Have you had problems with passengers bringing animals that do not appear to be service animals?</p> <p>How did you address the problem?</p>	
<p>15. Do you provide service to persons using respirators or portable oxygen?</p> <p><i>USDOT ADA regulations (49 CFR 37.167(h)) require operators to provide service to persons using respirators or portable oxygen.</i></p>	
<p>16. What is your policy regarding the time allowed for boarding and alighting?</p> <p><i>USDOT ADA regulations (49 CFR 37.167(i)) require operators to allow adequate time for passengers with disabilities to board and alight vehicles.</i></p>	
<p>17. Do you require drivers to make use of all available accessibility equipment?</p> <p><i>USDOT ADA regulations (49 CFR 37.167(e)) require operators to make use of all available accessibility equipment when needed.</i></p>	
<p>18. Are operators required to report lift failures immediately?</p> <p><i>USDOT ADA regulations (49 CFR 37.163(c)) require bus operators to report immediately any in-service lift and ramp failures.</i></p>	
<p>19. Are persons sitting in priority seats requested to vacate those seats when a person with a disability needs to use them?</p> <p><i>When an individual with a disability needs to sit in a seat or occupy a wheelchair securement location, the subrecipient shall ask the passenger to move in order to allow the individual with a disability to occupy the seat or securement location.</i></p>	
<p>20. How are policies governing providing service to passengers covered under the ADA conveyed to drivers?</p>	

<p>21. Are drivers trained in passenger assistance and sensitivity?</p> <p>How soon after being hired does the training occur?</p> <p><i>USDOT ADA regulations require that drivers receive training in passenger assistance and sensitivity.</i></p>	
<p>22. Are drivers trained in use of accessibility equipment?</p> <p>How soon after being hired does the training occur?</p> <p><i>USDOT ADA regulations require that drivers receive training in the use of the accessibility equipment.</i></p>	
<p>23. How do you monitor drivers to ensure that they comply with ADA requirements?</p> <p><i>Examples: Follow-up on complaints, ghost riders, road supervision, ADA advisory committee</i></p>	
<p>24. Do you provide route deviation service? If yes:</p> <p>Do public materials and bus schedules clearly state that buses will deviate for anyone?</p> <p>Do public materials include the procedures for requesting deviations?</p>	
<p>25. Do you provide fixed route service: If yes:</p>	
<p>a. Do drivers announce stops?</p> <p><i>USDOT ADA regulations (49 CFR 37.167(b)) require drivers to announce stops at transfer points with other fixed routes, major intersections and destination points, upon request, and at intervals along a route sufficient to permit individuals with visual impairments or other disabilities to be oriented to their location. MDT requires providers operating route deviation service to comply with the USDOT ADA regulations regarding stop announcements.</i></p>	
<p>b. When multiple routes serve the same stop, what mechanism is in place to alert individuals with visual impairments or other disabilities to the route number and destination?</p> <p><i>UDOT ADA regulations 49 CFR 37.167(c) require operators to have such a mechanism.</i></p>	

<p>c. Are lifts/ramps deployed at any stop?</p> <p><i>USDOT ADA regulations (49 CFR 37.167(g)) require operators to permit a passenger who uses a lift or ramp to board or disembark from a vehicle at any designated stop, unless the lift or ramp cannot be deployed, the lift will be damaged if it is deployed or temporary conditions preclude the safe use of the stop by all passengers (i.e., the stop is “closed” for the duration of such conditions).</i></p>	
<p>d. Is alternative service provided to persons stranded for more than 30 minutes due to failures?</p> <p><i>If a lift or ramp failure occurs on a route where the headway is greater than 30 minutes and the passenger cannot be served, the subrecipient is required to provide alternative service within 30 minutes (49 CFR 37.163(f)).</i></p>	

ADA COMPLEMENTARY PARATRANSIT SERVICE

Providers of fixed-route service must provide service that is comparable to individuals whose disability prevents them riding fixed-route service. Service provided in accordance with [49 CFR Part 37 Subpart F](#) is considered comparable.

<p>1. Describe the eligibility process.</p> <p>How do you ensure that only those who are unable to use the fixed route system are certified as eligible?</p> <p>Are architectural and environmental barriers or conditions considered when determining eligibility?</p> <p><i>The USDOT ADA regulations (49 CFR 37.123) restrict eligibility to certain categories of individuals:</i></p> <ul style="list-style-type: none"> • Any person with a disability who is unable to board, ride, or disembark from an accessible vehicle without the assistance of another person (except for the operator of a lift or other boarding device) • Any person with a disability who could ride an accessible vehicle but the route is not accessible or the lift does not meet ADA standards • Any person with a disability who has a specific impairment related condition that prevents the person from traveling to or from a boarding/disembarking location 	
<p>2. Is place of residence an eligibility criterion?</p> <p><i>Place of residence is not an eligibility criterion.</i></p>	
<p>3. Is paratransit service provided to others, such as seniors? If yes:</p> <p>Is ADA eligibility determined for these individuals?</p> <p>Are these riders counted as ADA trips?</p> <p><i>Providers must determine ADA eligibility for all applicants, even if those applicants are eligibility under other criteria.</i></p>	
<p>4. Are ADA complementary paratransit eligibility decisions made within 21 days of receipt of a complete application?</p> <p>If no, is presumptive eligibility granted?</p> <p><i>The USDOT ADA regulations (49 CFR 37.125(c)) require eligibility decisions must be made within 21 days of receipt of an application; if not then presumptive eligibility must be granted until an eligibility decision is made.</i></p>	

<p>5. Are applicants who are awarded eligibility given a written documentation of the decision?</p> <p>Are they provided documentation that includes the required information?</p> <p><i>The USDOT ADA regulations (49 CFR 37.125(d)) require eligibility decisions to be made in writing. 49 CFR 37.125(e) requires the documentation of eligibility to include at least the following information:</i></p> <ul style="list-style-type: none"> • <i>The individual's name</i> • <i>The name of the transit provider</i> • <i>The telephone number of the entity's paratransit coordinator</i> • <i>An expiration date for eligibility, if applicable</i> • <i>Any conditions or limitations on the individual's eligibility</i> <p>Reviewer: sample application files.</p>	
<p>6. Are applicants who are denied eligibility or given conditional or temporary eligibility:</p> <p>Given a written notice with specific reasons for the decision?</p> <p>Given notice of their right of appeal?</p> <p><i>For persons awarded less than unconditional eligibility, the USDOT ADA regulations (49 CFR 37.125(d) and (g)) require the notification to state the specific reason for the decision and notify the applicant of the right to appeal.</i></p>	
<p>7. Is presumptive eligibility granted if the appeal is not decided within 30 days of completion of the appeals process?</p> <p><i>If the appeal is not decided within 30 days of completion of the appeals process, presumptive eligibility must be awarded until the appeal is decided (49 CFR 37.125(g)).</i></p>	

<p>8. For visitors who wish to use the ADA complementary paratransit service:</p> <p>a. What documentation is required for service?</p> <p><i>The USDOT ADA regulations (49 CFR 37.127) require that ADA service be provided to visitors. A visitor can become eligible in one of two ways:</i></p> <ol style="list-style-type: none"> <i>1. The visitor can present documentation from his or her "home" jurisdiction's ADA complementary paratransit system that he or she is eligible. The local provider will give "full faith and credit" to the identification card or other documentation from the other entity.</i> <i>2. The visitor can present, if the individual's disability is not apparent, proof of the disability (e.g., a letter from a doctor or rehabilitation professional) and, if required by the local provider, proof of visitor status (i.e., proof of residence somewhere else). Once the documentation is presented and is satisfactory, the local provider will make service available on the basis of the individual's statement that he or she is unable to use the fixed-route transit system, that is, the local provider cannot require functional testing.</i> 	
<p>b. How long does the eligibility determination usually take?</p> <p><i>Per FTA Circular 4710.1 Americans with Disabilities Act (ADA): Guidance, (Chapter 9, Section 9.9 Service for Visitors), awarding visitor eligibility is a fairly simple and quick process enabling individuals to contact the host agency to learn what is required and then being able to easily meet the requirements. This also means that upon receipt of any required documentation described above, transit agencies are to quickly enter necessary information into any databases or systems to permit visitors to place trip requests. FTA envisions this as a process that can often be completed the same day or no more than one day later.</i></p>	
<p>c. Is service provided to ADA-eligible visitors for up to 21 days in a 365-day period?</p> <p><i>Per the USDOT ADA regulations (49 CFR 37.127(e)), the entity is not required to provide more than 21 days of service within a 365-day period. It may request that the visitor apply for eligibility in order to receive additional service beyond this number of days.</i></p>	

<p>d. How is the public informed of visitor eligibility?</p> <p><i>Public information regarding visitor eligibility and the application process should be readily available.</i></p>	
<p>9. Do you provide complementary paratransit service to ADA eligible individuals and their personal care attendants (PCA)?</p> <p>Do you charge the PCA a fare?</p> <p>Do you require the passenger to travel with a PCA?</p> <p><i>The USDOT ADA regulations (49 CFR 37.123(f)) require the provision of service to PCAs. PCAs are not charged a fare. (49 CFR 37.131(c)(3)).</i></p> <p><i>The USDOT ADA regulations (49 CFR 37.5(e)) consider it discriminatory to require a rider to travel with a PCA.</i></p>	
<p>10. Do you provide complementary paratransit service to ADA eligible individuals and at least one companion?</p> <p>Additional companions if space permits?</p> <p>What is the fare for a companion?</p> <p><i>The USDOT ADA regulations (49 CFR 37.123(f)) require the provision of service to at least one companion and additional companions if space permits. A PCA is not considered a companion. Companions are charged the same fare as the ADA eligible rider. (49 CFR 37.131(c)(2)).</i></p>	
<p>11. Do you provide service within $\frac{3}{4}$ miles of fixed routes and the core service area?</p> <p><i>The USDOT ADA regulations (49 CFR 37.131(a)) require complementary paratransit service must be provided within $\frac{3}{4}$ miles of fixed routes and the core service area.</i></p>	
<p>12. At a minimum, do you provide curb-to-curb service? Origin-to-destination when necessary?</p> <p><i>The USDOT ADA regulations (49 CFR 37.129(a)) allow the base mode of complementary paratransit service to be curb-to-curb service but must be origin-to-destination when needed.</i></p>	
<p>13. Is service provided the same days and hours as fixed-route service?</p> <p><i>The USDOT ADA regulations (40 CFR 37.131(e)) require complementary paratransit to be provided the same days and hours as fixed-route service.</i></p>	

<p>14. Are the fares no more than twice the fares for fixed-route service?</p> <p><i>The USDOT ADA regulations (49 CFR 37.131(c)) cap fares for complementary paratransit service at twice the fares for fixed-route service..</i></p>	
<p>15. Is service restricted or trips ranked by trip purpose?</p> <p><i>The USDOT ADA regulations (49 CFR 37.131(d)) prohibit restrictions or priorities based on trip purpose.</i></p>	
<p>16. Is next-day service provided?</p> <p><i>The USDOT ADA regulations (49 CFR 37.131(b)) require, at a minimum, next day service to be provided.</i></p>	
<p>17. Are requests for reservations accepted during normal business hours on all days prior to days of service?</p> <p>For next-day service, at what time of day are reservations cut off?</p> <p>How are reservations accepted when the administrative office is closed?</p> <p><i>The USDOT ADA regulations (49 CFR 37.131(b)) require requests for reservations to be accepted during normal business hours on all days prior to days of service, even if the administrative office is closed. Answering machines can be used to take reservations.</i></p>	
<p>18. Are pickups that cannot be accommodated at the time the passenger requests negotiated with the passenger and scheduled within one hour of requested time?</p> <p><i>The USDOT ADA regulations (49 CFR 37.131(b)) require trips to be negotiated with the passenger and scheduled within one hour of the requested trip time.</i></p>	

<p>19. Are rides that are not scheduled in a one-hour window tracked as denials even if the rider accepts an alternative time?</p> <p>When one leg of a trip cannot be reserved, is it tracked as two denials when the rider declines the roundtrip?</p> <p><i>Per FTA Circular 4710.1 Americans with Disabilities Act (ADA): Guidance, (Chapter 8, paragraph 8.5.4 Trip Denials and Missed Trips – Prohibited Operational Practices), rides not scheduled in a one-hour window must be tracked as denials even if the rider accepts an alternative time. When one leg of a trip cannot be reserved and the rider declines to take both trips, it must be tracked as two denials.</i></p>	
<p>20. Is a no-show suspension/late cancellation suspension policy used? If yes:</p> <p><i>The USDOT ADA regulations (49 CFR 37.125(h)) allow providers to temporarily suspend service for a pattern or practice of no-shows.</i></p>	
<p>a. What is the suspension policy for no-shows?</p>	
<p>b. How is it determined whether or not no-shows are under the rider's control?</p> <p><i>Only no-shows that are under the rider's normal control should be counted against the rider.</i></p>	
<p>c. Are no-shows caused by operator error counted against the rider?</p> <p><i>No-shows caused by reasons beyond the rider's control (e.g., scheduling problems, late pickups, and operational problems on the part of the transit provider or a family emergency or sudden turn for the worse in a variable medical condition) or operator error must not be counted against the rider.</i></p>	
<p>d. What are the thresholds for a cancellation before it is considered a no-show?</p> <p><i>FTA permits transit providers to include late cancellations in their suspension policy, but only trips cancelled within two hours of the scheduled pickup.</i></p>	
<p>e. Are only riders who have demonstrated a true pattern or practice of no-shows suspended?</p> <p><i>A no-show policy must be narrowly tailored to ensure that suspension is only imposed for a true pattern or practice of missing scheduled trips.</i></p>	

<p>f. Does the policy take into account frequency of rides?</p> <p><i>The no-show policy must take into account frequency of rides.</i></p>	
<p>g. Are financial penalties assessed for no-shows?</p> <p><i>Systems may not impose a financial penalty as part of a no-show policy, including charging the fare for the no-show trip. With the rider's consent, systems may charge patrons the fares for missed trips in lieu of a suspension.</i></p>	
<p>h. Are riders allowed to contest no-shows?</p> <p><i>Riders must be allowed to contest no-shows.</i></p>	
<p>i. Is there an appeals process for suspensions?</p> <p><i>The policy must allow riders to contest no-shows and there must be an appeals process for suspensions.</i></p>	
<p>j. Do you provide service during the appeal process?</p> <p><i>The USDOT ADA regulations require the sanction to be stayed pending the outcome of the appeal.</i></p>	
<p>The purpose of the following questions is to determine if there is a pattern or practice of capacity constraints.</p> <p><i>The USDOT ADA Regulations (40 CFR 37.131(f)) prohibit subrecipients from limiting the availability of ADA complementary paratransit capacity.</i></p>	
<p>21. When someone calls for a reservation, how many times does the phone ring before the schedule answers the phone?</p> <p>When one line is busy, do calls roll over to another line? If yes, how many lines do you have?</p> <p>Are callers put on hold?</p> <p>Do callers receive busy signals?</p>	
<p>22. What percent of requests are denied?</p> <p>How do you monitor trip denials?</p>	
<p>23. What do you consider an on-time trip?</p> <p>How do you monitor on-time performance?</p> <p>What is your on-time performance rate?</p>	
<p>24. How do you monitor missed trips?</p> <p>What percent of trips are missed?</p>	

25. Do the answers to the above questions indicate that a capacity constraint exists?	
26. If you provide paratransit to other than ADA eligible riders are denials tracked separately for ADA and non-ADA trips?	

ADA INTERCITY BUS

Titles II and III of the Americans with Disabilities Act of 1990 (ADA) provide that no entity shall discriminate against an individual with a disability in connection with the provision of transportation service. The law sets forth specific requirements for vehicle accessibility and the provision of service for the private intercity bus industry.

<p>1. Who is responsible for and what is the process for resolving ADA complaints?</p> <ul style="list-style-type: none"> a. How is the public informed on how to file an ADA complaint? b. Have any complaints of discrimination due to disability been received from riders? If yes, please describe the complaints. c. Did you report the complaints to MDT? d. How long to you maintain the complaints on file? <p><i>USDOT regulations (49 CFR 27.13 and 37.17) require procedures for addressing ADA complaints that incorporate appropriate due process standards and provide for prompt and equitable resolution. Subrecipients must sufficiently advertise the process for filing an ADA-related complaint and communicate a response promptly to any individual filing a complaint. The subrecipient is not required to respond to all complaints in writing, but rather must ensure the response can be documented internally. Subrecipients must retain copies of ADA-related complaints for at least one year and a summary of all ADA-related complaints for at least five years.</i></p>	
<p>2. Is the fleet 100 percent accessible? If not:</p>	
<ul style="list-style-type: none"> a) How does a passenger arrange for an accessible vehicle? <p><i>49 CFR 37.193 (a)(1)(i) allows over-the-road bus operators to require up to 48 hours advance notice. Per clause 2.4 of the joint service agreement, the carrier shall provide accessible services when requested. A vehicle on-demand is acceptable.</i></p>	
<ul style="list-style-type: none"> b) If an individual with a disability does not provide advance notice, what efforts are made to provide the trip? <p><i>If an individual with a disability does not provide the advance notice the over-the-road bus operator requires, 49 CFR 37.193 (a)(1)(ii) requires the operator to make a reasonable effort to provide the service.</i></p>	

<p>3. Is interline service provided? If yes, how does the carrier arrange for an accessible bus or equivalent service at each stage of the trip?</p> <p><i>49 CFR 37.187 requires the over-the-road bus operator with which the reservation is made to arrange for an accessible bus or equivalent service.</i></p>	
<p>4. Are intermediate or rest stops served? If yes:</p> <p><i>49 CFR 37.201 requires the over-the-road bus operator to allow individuals with disabilities, including individuals using a wheelchair, to leave and return to the bus and to assist with boarding and alighting.</i></p>	
<p>a. Are individuals with disabilities, including individuals using a wheelchair, allowed to leave and return to the bus?</p>	
<p>b. Do operators assist individuals with disabilities with boarding and alighting, as needed?</p>	
<p>5. Are system brochures, application forms, rider handbooks, and occasional bulletins available in alternative accessible formats upon request?</p> <p>If yes, what formats?</p> <p>How is the public informed on the availability of alternative accessible formats?</p> <p><i>USDOT ADA regulations (49 CFR 37.167(f) and 49 CFR 37.209) require public information to be made available in alternative accessible formats upon request. Examples of alternative formats include large type, audio tapes, Braille, and information posted on the Internet.</i></p>	
<p>6. Do you require all wheelchairs to be secured?</p> <p><i>USDOT ADA regulations (49 CFR 37.165(c)(3) and 49 CFR 37.209) allow providers to require all wheelchairs to be secured to the driver's satisfaction. A wheelchair is a mobility aid belonging to any class of three- or more-wheeled devices, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered.</i></p>	
<p>7. What is your policy for providing service if a wheelchair cannot be secured?</p> <p><i>The USDOT ADA regulations (49 CFR 37.165(d) and 49 CFR 37.209) require that service must be provided even when a wheelchair cannot be secured.</i></p>	

<p>8. Do you require wheelchair users to transfer to a seat?</p> <p><i>The USDOT ADA regulations (49 CFR 37.165(e) and 49 CFR 37.209) stipulate that operators may request but not require that wheelchair users transfer to a seat.</i></p>	
<p>9. Do you place size or weight limitations on wheelchairs?</p> <p><i>The USDOT ADA regulations (49 CFR 37.165(b) and 49 CFR 37.209) prohibit public entities from setting weight or size limitations on wheelchairs it will transport that understate the weight capacity that the vehicle fleet can accommodate.</i></p>	
<p>10. Do drivers provide assistance to passengers as necessary and upon request with lifts, ramps, and securement devices?</p> <p><i>The USDOT ADA regulations (49 CFR 37.165(f) and 49 CFR 37.209) require drivers and other personnel to provide assistance as necessary and upon request.</i></p>	
<p>11. Do you permit individuals that do not use wheelchairs to use lifts?</p> <p><i>The USDOT ADA regulations (49 CFR 37.165(g) and 49 CFR 37.209) require operators to deploy lifts for standees upon request.</i></p>	
<p>12. Are lifts/ramps deployed at any stop?</p> <p><i>The USDOT ADA regulations (49 CFR 37.167(g) and 49 CFR 37.209) require that operators permit a passenger who uses a lift or ramp to board or disembark from a vehicle at any designated stop, unless the lift or ramp cannot be deployed, the lift will be damaged if it is deployed or temporary conditions preclude the safe use of the stop by all passengers (i.e., the stop is “closed” for the duration of such conditions).</i></p>	
<p>13. How and when do operators report lift and ramp failures?</p> <p><i>The USDOT ADA regulations (49 CFR 37.203(b)) require operators to report immediately any in-service lift failures.</i></p>	

<p>14. What is the policy for removing a vehicle with an inoperative lift from service?</p> <p><i>The USDOT ADA regulations (49 CFR 37.203(c) and (d)) require when a lift is discovered to be inoperative, the entity shall take the vehicle out of service before the beginning of the vehicle's next trip and ensure that the lift is repaired before the vehicle returns to service. If there is no other vehicle available to take the place of an OTRB with an inoperable lift, such that taking the vehicle out of service before its next trip will reduce the transportation service the entity is able to provide, the entity may keep the vehicle in service with an inoperable lift for no more than five days from the day on which the lift is discovered to be inoperative.</i></p>	
<p>15. Regarding service animals:</p>	
<p>a. Are service animals allowed on the buses?</p> <p><i>The USDOT ADA regulations (49 CFR 37.167(d) and 49 CFR 37.209) require that operators permit service animals to travel with riders.</i></p>	
<p>b. Do you require service animals to be certified?</p> <p><i>You may not require service animals to be certified.</i></p>	
<p>c. Do you require service animals to be under the control of the passenger?</p> <p><i>The USDOT ADA regulations allow providers to require that service animals be under the control of the passenger.</i></p>	
<p>16. Do you provide service to persons using respirators or portable oxygen?</p> <p><i>The USDOT ADA regulations (49 CFR 37.167(h) and 49 CFR 37.209) require operators to provide service to persons using respirators or portable oxygen.</i></p>	
<p>17. What is your policy regarding the time allowed for boarding and alighting?</p> <p><i>The USDOT ADA regulations (49 CFR 37.167(i) and 49 CFR 37.209) require that operators allow adequate time for passengers with disabilities to board and alight vehicles.</i></p>	
<p>18. Do you require drivers to make use of all available accessibility equipment?</p> <p><i>The USDOT ADA regulations (49 CFR 37.167(e) and 49 CFR 37.209) require that operators make use of all available accessibility equipment when needed.</i></p>	

19. How are policies governing providing service to passengers covered under the ADA conveyed to drivers?	
<p>20. Are drivers trained in the use of accessibility equipment?</p> <p>In properly assisting passengers with disabilities who use the service with respect, courtesy and sensitivity?</p> <p>How soon after being hired does the training occur?</p> <p><i>The USDOT ADA regulations (49 CFR 37.173 and 49 CFR 37.209) require that drivers are trained to proficiency, as appropriate for their duties, so that they operate vehicles and equipment safely, and properly assist and treat individuals with disabilities who use the service with respect, courtesy, and sensitivity.</i></p>	
<p>21. Are persons sitting in priority seats requested to vacate those seats when a person with a disability needs to use them?</p> <p><i>The USDOT ADA regulations (49 CFR 37.167(j) and 49 CFR 37.209) require that when an individual with a disability needs to sit in a seat or occupy a wheelchair securement location, the entity shall ask the passenger to move in order to allow the individual with a disability to occupy the seat or securement location.</i></p>	
<p>22. Do drivers announce stops on fixed routes?</p> <p><i>The USDOT ADA regulations (49 CFR 37.167(b) and 49 CFR 37.209) require drivers to announce stops at transfer points with other fixed routes, major intersections and destination points, upon request, and at intervals along a route sufficient to permit individuals with visual impairments or other disabilities to be oriented to their location.</i></p>	
<p>23. When multiple routes serve the same stop, what mechanism is in place to alert individuals with visual impairments or other disabilities to the route number and destination?</p> <p><i>The USDOT ADA regulations (49 CFR 37.167(c) and 49 CFR 37.209) require that operators have such a mechanism.</i></p>	
<p>24. How do you monitor drivers to ensure that they comply with ADA requirements?</p> <p>Examples: Follow-up on complaints, ghost riders, road supervision, ADA advisory committee.</p>	

DRUG AND ALCOHOL PROGRAM

Subrecipients and their contractors must have a drug and alcohol-testing program in place for all safety-sensitive employees. Maintenance contractors for providers in nonurbanized areas are not required to have a drug and alcohol-testing program.

<p>1. Who is the person assigned to run the drug and alcohol program for your agency (drug and alcohol program manager (DAPM)/designated employer representative (DER)?</p> <p>Has the DAPM/DER signed up for the USDOT Office of Drug and Alcohol Policy and Compliance (ODAPC) email alerts?</p>	
<p>2. Who is the consortium/third party administrator (TPA)? The consortium/TPA draws the random sample, contracts the medical review officer (MRO), and usually contracts the collection site.</p> <p>Do you have a contract with the consortium/TPA?</p> <p>Does the contract with the consortium/TPA specify that it must comply with USDOT and FTA drug and alcohol-testing requirements (49 CFR Part 40 and 49 CFR Part 655)?</p> <p><i>The contract must specify that the testing program must be implemented in accordance with USDOT regulations, 49 CFR Part 40, "Procedures for Transportation Workplace Drug Testing Programs," as amended, and FTA regulations, 49 CFR Part 655, "Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations," as amended.</i></p>	

<p>3. Who is your medical review officer (MRO)?</p> <p>Is the MRO a licensed physician (medical doctor or doctor of osteopathy), with appropriate medical training and knowledge of substance-abuse disorders?</p> <p>Is a copy of the MRO's qualification training certificate on file?</p> <p>Does the certificate indicate that the MRO's qualifications training has not expired?</p> <p><i>The MRO reviews the results of all positive drug tests to confirm that they are truly positive and provides a quality assurance review of the drug testing process. The MRO must be a licensed physician with appropriate medical training and knowledge of substance-abuse disorders. The MRO must receive qualification training. Requalification training must be provided every five years. Obtain the identity and qualifications of the MRO from your consortium/TPA.</i></p> <p><i>More information on the role and qualification requirements of the MRO in the drug testing process can be found in 49 CFR Part 40 Subpart G.</i></p>	
<p>4. Who provides the breath alcohol technicians (BATs) or the non-evidentiary alcohol-screening testing technicians (STTs)?</p> <p>Is a copy of each BAT's and SST's qualification training certificate on file?</p> <p>Do the certificates indicate that the qualifications training has not expired?</p> <p><i>The BAT and STT work for the collection site. The BAT conducts USDOT breath alcohol screening and confirmation tests while the STT conducts USDOT saliva alcohol screening tests. Each BAT and STT must receive qualification training. Requalification training is required every five years.. Obtain the qualifications of these individuals from the collection site.</i></p> <p><i>More information on the role of the BAT and STT can be found in 49 CFR Part 40 Subparts J through N.</i></p>	

<p>5. Who provides the urine collectors?</p> <p>Is a copy of each collectors' qualifications training certificate on file?</p> <p>Do the certificates indicate that the qualifications training has not expired?</p> <p><i>The urine collectors work for the collection site. The collectors must receive qualification training. Refresher training must be provided every five years. Obtain the qualifications of these individuals from the collection site.</i></p> <p><i>More information on the role and training requirements of urine collection personnel can be found in 49 CFR Part 40 subparts C, D, and I.</i></p>	
<p>6. Who are the substance abuse professionals (SAPs)?</p> <p>Are the SAPs licensed professionals with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol-related disorders?</p> <p>Is a copy of each SAP's qualifications training certificate on file?</p> <p>Do the certificates indicate that the SAPs have received the required continuing education?</p> <p><i>When an employee or applicant fails a drug or alcohol test, you must refer him or her to an SAP. The SAP conducts a clinical assessment and evaluation of employees that test positive for drugs or alcohol and recommends a treatment program. The SAP must be a licensed professional with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol-related disorders. The SAPs must receive qualification training. Continuing education must be completed every three years.</i></p> <p><i>If you do not have an SAP directly under contract, contact your third party administrator for his or her qualifications.</i></p> <p><i>More information on the role of the SAP can be found in 49 CFR Part 40 Subpart O.</i></p>	
<p>7. Have you adopted the MDT model drug and alcohol testing policy?</p> <p>If not, do you have a drug and alcohol policy that contains the following elements:</p> <p>a) Approval by governing board with effective date indicated</p>	

b) Identity of contact person designated by the employer to answer questions about the anti-drug and alcohol-misuse program	
<p>c) Safety sensitive functions subject to testing and list of covered job titles</p> <p><i>Safety-sensitive functions are:</i></p> <ul style="list-style-type: none"> ▪ <i>Operation of a revenue service vehicle while in or out of revenue service</i> ▪ <i>Operation of a vehicle that requires a commercial driver's license (CDL)</i> ▪ <i>Controlling the movement or dispatch of a revenue service vehicle</i> ▪ <i>Maintenance of a revenue service vehicle (not if contracted)</i> ▪ <i>Security personnel who carry firearms</i> <p><i>Your policy must list the safety-sensitive functions performed by your agency and the job titles of persons who perform the safety-sensitive functions.</i></p>	
d) Prohibited behavior, including when the regulations prohibit the use of alcohol and drugs	
<p>e) Testing circumstances for drugs and alcohol</p> <p><i>Your policy must discuss the FTA-required types of testing you perform: pre-employment, random, reasonable suspicion, post-accident, return to duty (if you have a second chance policy) and follow up (if you have a second chance policy).</i></p>	
<p>f) Testing procedures</p> <p><i>The policy must include a reference to USDOT regulation, 49 CFR Part 40 "Procedures for Transportation Workplace Drug Testing Programs," as amended.</i></p>	
g) Requirement that covered employees submit to testing administered in accordance with 49 CFR Part 655	
<p>h) Description of the behavior and circumstances that constitute a refusal to take a drug and/or alcohol test and a statement that refusals constitute a verified positive test</p> <p><i>The policy must list all the refusals or state that refusals to test are listed in 49 CFR 40.191 for urine collections and 49 CFR 40.261 for breath tests.</i></p>	

i) Consequences for an employee who has a verified positive test, including the mandatory requirement that the covered employee be immediately removed from his or her safety-sensitive function and be evaluated by a SAP	
j) Consequences for an employee found to have a breath alcohol concentration of 0.02 or greater but less than 0.04	
k) Negative dilute retesting policy <i>Per 49 CFR 40.197, the policy must state whether or not immediate retesting for negative dilutes is required and, if required, that the second test will be the test of record.</i>	
8. Is a copy of USDOT regulation, 49 CFR Part 40, "Procedures for Transportation Workplace Drug Testing Programs," as amended, readily available to any employee who requests a copy? <i>A copy of USDOT regulation, 49 CFR Part 40, "Procedures for Transportation Workplace Drug Testing Programs," must be made available to employees upon request.</i>	
9. Are the following types of drug and alcohol tests conducted? a) Pre-Employment (drugs only) b) Random c) Post-Accident d) Reasonable Suspension e) Return to Duty f) Follow-up	
10. Are the following substances tested for: a) Marijuana b) Cocaine c) Opioids d) Phencyclidine a) Amphetamines b) Alcohol	

<p>11. How does the subrecipient check on the drug and alcohol testing records of new hires and transfers that will work in safety-sensitive positions?</p> <p>What information do you obtain from previous employers?</p> <p>At what point in the hiring process are applicants placed in safety-sensitive positions?</p> <p><i>After obtaining the applicant's consent, subrecipients must request and review the following information from DOT-regulated employers who have employed the employee during any period during the two years before the employee first performs safety-sensitive functions:</i></p> <ul style="list-style-type: none"> • <i>Alcohol tests with a result of 0.04 or higher alcohol concentration</i> • <i>Verified positive drug tests</i> • <i>Refusals to be tested (including verified adulterated or substituted drug test results)</i> • <i>Other violations of DOT agency drug and alcohol testing regulations</i> • <i>Successful completion of DOT return-to-duty requirements (including follow-up tests), if applicable</i> <p><i>A release of information form can be found at http://www.transportation.gov/odapc/40_25-release-information-suggested-format</i></p>	
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<p>12. What positions are in the random testing pool?</p> <p>Are all positions safety-sensitive?</p> <p>Are all safety-sensitive positions that support the transit program, including those in other departments such as a central maintenance department, included in the pool and covered by the transit drug and alcohol policy?</p> <p><u>49 CFR 655</u>: <i>Covered employees, and only covered employees, are to be in an employer's random testing pool, and all covered drivers must be in the random pool. Safety-sensitive employees are employees that perform the following functions:</i></p> <ul style="list-style-type: none"> • <i>Operate a revenue vehicle including when not in revenue service</i> • <i>Operate a non-revenue vehicle when required to be operated by a holder of a CDL</i> • <i>Control dispatch or movement of a revenue service vehicle</i> • <i>Maintain, repair, overhaul, or rebuild a revenue service vehicle or equipment used in revenue service with the exception of:</i> <i>All maintenance contractors of subrecipients in UZAs under 200,000</i> <i>Subcontractors of maintenance contractors</i> <i>Note that contractors that provide maintenance services as an operations contractor are subject to FTA's drug and alcohol testing regulations.</i> • <i>Carry a firearm for security purposes</i> 	
<p>13. How often are the names received for random testing from the third party administrator?</p> <p>Are random tests reasonably spread out during the draw period?</p> <p>Are random tests reasonably distributed across all days and hours of service?</p> <p>Are the date and time of notification and collection documented?</p> <p><i>Random tests must be spread throughout the year, the draw period, and the hours of service. The date and time of notification and collection must be documented. <u>49 CFR Part 40 Subpart E</u> discusses the collection process.</i></p>	

<p>14. Were quarterly drug and alcohol reports submitted on time for the past 4 quarters?</p> <p>Do the reports indicate that the subrecipient conducts random testing?</p> <p>Were the tests conducted at least at the current minimum random rates?</p>	
<p>15. Do you make proper post-accident determinations in regard to testing?</p> <p>Are post-accident tests of accidents that do not meet the FTA definition of an accident performed under the agency's own authority?</p> <p><i>FTA defines accidents as an occurrence associated with the operation of a vehicle, if as a result:</i></p> <p><i>(1) An individual dies; or</i></p> <p><i>(2) An individual suffers bodily injury and immediately receives medical treatment away from the scene of the accident; or</i></p> <p><i>(3) With respect to an occurrence in which the mass transit vehicle involved is a bus, electric bus, van, or automobile, one or more vehicles (including non-FTA funded vehicles) incurs disabling damage as the result of the occurrence and such vehicle or vehicles are transported away from the scene by a tow truck or other vehicle.</i></p> <p><i>Post-accident testing under FTA authority must be performed as follows:</i></p> <p><i>Fatal accident: Employers must test all surviving covered employees on duty in the vehicle at the time of the accident and any other covered employee whose performance may have contributed to the accident.</i></p> <p><i>Nonfatal accidents: Employers must test all covered employees on duty in the vehicle at the time of the accident and any other covered employee whose performance may have contributed to the accident unless the employer determines that an employee's performance did not contribute to the accident. The employer must document the decision on whom to test and not to test.</i></p>	
<p>16. What days and hours are the collection site open?</p> <p>Is the collection site available on all days and during all hours safety-sensitive functions are performed?</p> <p><i>Random tests must be conducted during all days and hours safety-sensitive functions are performed.</i></p>	

<p>17. Does the testing laboratory only release drug test results to the MRO?</p> <p><i>The testing laboratory should only release drug test results to the MRO.</i></p>	
<p>18. Is an employee's permission obtained before releasing drug and alcohol-testing records (except to the MRO, SAP, or program manager)?</p> <p><i>An employee's permission must be obtained before releasing drug and alcohol-testing records to someone other than the MRO, SAP, or program manager.</i></p>	
<p>19. Are employees and applicants for safety-sensitive positions who have a verified positive drug-test result or a breath-alcohol concentration of 0.04 or greater referred to SAPs for evaluation even if they are to be terminated?</p> <p><i>Per 49 CFR 655.62 and 49 CFR 40.287, employees and applicants who have a verified positive drug-test result or a breath-alcohol concentration of 0.04 or greater must be referred to SAPs for evaluation even if they are to be terminated.</i></p>	
<p>20. Have all safety-sensitive employees received 60 minutes of training on the effects and consequence of prohibited drug use on the personal health, safety, and the work environment, and on the signs and symptoms that may indicate prohibited drug use?</p> <p>When do you provide the training to new hires?</p> <p>Do you provide refresher training? If yes, how often?</p> <p><i>Per 49 CFR 655.14, safety-sensitive employees must receive at least 60 minutes of training on the effects and consequences of prohibited drug use on the personal health, safety, and the work environment, and on the signs and symptoms that may indicate prohibited drug use.</i></p> <p>[Reviewer, examine training records.]</p>	

<p>21. Have supervisors who are designated to determine whether reasonable suspicion exists to require a safety-sensitive employee to undergo alcohol and/or drug-testing been provided the following training?</p> <ul style="list-style-type: none"> a) At least 60 minutes of training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse. b) At least 60 minutes of training on the physical, behavioral, and performance indicators of probable drug use. <p>Do you provide refresher training? If yes, how often?</p> <p><i>Per 49 CFR 655.14, supervisors and/or company officers authorized by the employer to make reasonable suspicion determinations shall receive at least 60 minutes of training on the physical, behavioral, and performance indicators of probable drug use and at least 60 minutes of training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse.</i></p>	
<p>22. Who maintains the drug and alcohol-testing program records?</p> <p>Are they maintained in a secure location with controlled access?</p> <p><i>Subrecipients must maintain drug and alcohol-testing records in a secure location with controlled access.</i></p>	
<p>23. Are the following records maintained for only 1 year:</p> <ul style="list-style-type: none"> a) Alcohol test results less than 0.02 b) Verified negative drug test results 	
<p>24. Are the following records maintained for only 2 years:</p> <ul style="list-style-type: none"> c) Collection process for alcohol-testing except calibration of evidentiary breath testing devices d) Collection process for drug testing e) Alcohol education and training records f) Drug education and training records 	
<p>25. Are the records from previous employers kept for only 3 years?</p>	

<p>26. Are the following records maintained for only 5 years:</p> <ul style="list-style-type: none"> a) Alcohol test records with alcohol readings of 0.04 or greater b) Drug-test records with verified positive results c) Refusals d) Referrals of employees for alcohol misuse or drug use e) Employee compliance with recommendations of the SAP for drug use and/or alcohol misuse, including results of return-to-duty and follow-up testing f) MIS reports 	
<p>27. Have the annual calendar year management information system (MIS) reports been filed with MDT?</p> <p>Were the reports filed by the February due date?</p> <p><i>Reviewer, please list the reports since the last review that are on file with the state. Note whether the reports were submitted on time and any problems with the reports.</i></p>	
<p>28. Does the collection site submit the employer copy of the custody and control form (CCF) and alcohol testing form (ATF) to you within 24 hours or the next business day of the collection?</p> <p>Are the employer copies of the CCF and ATF reviewed for completeness and accuracy?</p> <p>If there is a problem with a form, do you follow up with the collection site in writing and ask for documentation of the corrective action?</p> <p><i>Per 49 CFR 40.73, the collection site must submit the employer copy of the CCF and ATF to the designated employer representative within 24 hours or during the next business day. Per 49 CFR 40.255, the collection site must transmit the result of the alcohol test to the DER immediately in a confidential manner.</i></p>	
<p>29. Do you obtain and review for completeness and accuracy the employer copies of the custody and control forms and alcohol testing forms?</p> <p>If you find a problem with a form, do you follow up with the collection site in writing and ask for documentation of the corrective action?</p>	

<p>30. How are vendors (e.g., collection sites, MROs) monitored to ensure compliance with program requirements?</p> <p><i>Monitoring may include conducting periodic mock collections, observing tests, investigating reports by employees of flawed procedures, requiring detailed explanations for cancelled tests, and providing vendors with copies of USDOT and FTA handbooks and procedural manuals.</i></p>	
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CHARTER BUS

Subrecipients are prohibited from using federally funded equipment and facilities to provide charter service except in accordance with allowable exemptions or exceptions.

<p>1. Do you provide transportation for “program purposes,” that is, service that serves the needs of human service agencies or elderly persons, persons with disabilities, or low-income persons? If yes, please describe.</p> <p><i>For Sections 5310 and 5311, transportation for “program purposes,” that is, that serves the needs of either human service agencies or seniors, persons with disabilities, or low-income persons, is exempted from the regulation.</i></p>	
<p>2. Do you operate charter service? If yes, describe the charter service provided and answer the balance of the questions in this section.</p> <p>If no, go on to the School Bus section.</p> <p>If you are not sure, describe the service in question and the reviewer will determine whether the service was charter service and go through the balance of the questions with you during the site visit.</p> <p>[Reviewer, please review the most recent audit on file with the state for any charter revenue. Review service brochures to see if the subrecipient promotes charter service.]</p> <p><i>Charter service is defined as:</i></p> <p><i>Transportation provided at the request of a third party for the exclusive use of a bus or van for a negotiated price; or</i></p> <p><i>Transportation provided to the public for events or functions that occur on an irregular basis or for a limited duration and:</i></p> <ul style="list-style-type: none"> ▪ <i>A premium fare is charged that is greater than the usual or customary fixed route fare; or</i> ▪ <i>The service is paid for in whole or in part by a third party.</i> 	
<p>3. Under what exception is the charter service operated? (Please refer to the Charter Bus Exceptions and Requirements table.)</p> <p>Did you follow the procedures required by the exception?</p> <p>Please have the paperwork ready for the site visit documenting that you have complied with the procedures.</p>	

<p>4. Have you reported charter service quarterly?</p> <p><i>Required for service provided under the GO, QS, LE and WN exceptions. Please refer to the Charter Bus Exceptions and Requirements table.</i></p>	
<p>5. Do you maintain charter records for at least three years?</p> <p>Are these procedures documented?</p> <p><i>Charter records must be maintained for at least 3 years.</i></p>	
<p>6. If you use charter profit for local match, how do you determine profit?</p>	
<p>7. Have any complaints been filed alleging that the charters are in violation of the FTA regulations?</p>	
<p>8. Is charter service provided with locally owned vehicles?</p> <p>If yes, are the vehicles maintained or stored in an FTA-funded facility?</p> <p><i>Charter service using locally-owned vehicles that are maintained or stored in an FTA-funded facility must comply with the charter regulations. If maintained or stored in a non-FTA-funded facility, the service must be completely segregated from FTA-funded service.</i></p>	

CHARTER BUS EXCEPTIONS AND REQUIREMENTS

Exception	Procedure
<p>Exception 604.6 – Government officials on official government business (GO)</p> <p>(1) Is restricted to its geographic service area</p> <p>(2) Must not generate revenue, except as required by law</p> <p>(3) Is limited to 80 hours annually. May petition for additional charter hours.</p>	<p>Record the following information:</p> <ol style="list-style-type: none"> 1. Government organization's name, address, phone number, and email address 2. Date and time of service 3. Number of government officials and other passengers 4. Origin, destination, and trip length (miles and hours) 5. The fee collected, if any 6. Vehicle number (example, bus 102) <p>Retain the record for three years.</p>
<p>Exception 604.7 – Qualified human service organizations (QH)</p> <p>Service to persons:</p> <p>(1) With mobility limitations related to advanced age,</p> <p>(2) With disabilities, or</p> <p>(3) With low income.</p> <p>Organization must register if it does not receive funds from programs listed in Appendix A of the charter regulation.</p>	<p>Ensure that the human service agency is qualified, that is, it receives funds from programs listed in Appendix A of the charter regulation or has registered on the FTA charter website at least 60 days before the charter request.</p> <p>Record the following information:</p> <ol style="list-style-type: none"> 1. Qualified human service organization's name, address, phone number, and email address 2. Date and time of service 3. Number of passengers 4. Origin, destination, and trip length (miles and hours) 5. The fee collected, if any 6. Vehicle number (example, bus 102) <p>Retain the record for three years.</p>
<p>Exception 604.8 – Leasing FTA funded equipment and drivers to a charter service operator (LE) only if the following conditions exist:</p> <ol style="list-style-type: none"> 1. The operator is registered on the FTA charter registration web site 2. The operator owns and operates buses or vans in a charter service business 3. The operator received a request for charter service that exceeds its capacity either of the number of vehicles operated or the number of accessible vehicles 4. The operator has exhausted all of the available vehicles for all registered charter providers in your geographic service area. 	<p>Record the following information:</p> <ol style="list-style-type: none"> 1. Registered charter provider's name, address, telephone number, and email address 2. Number of vehicles leased, types of vehicles leased, and vehicle identification numbers 3. Documentation presented by the registered charter provider that the four conditions are satisfied. <p>Retain the record for three years.</p>

Exception	Procedure
<p>Exception 604.9 – When no registered charter provider responds to a notice posted on the FTA charter website (WN):</p> <ol style="list-style-type: none"> 1. Within 72 hours for charter service requested to be provided in less than 30 days, or 2. Within 14 calendar days for charter service requested to be provided in 30 days or more. 	<p>Include the in the e-mail notice sent to the list of registered charter providers:</p> <ol style="list-style-type: none"> 1. Customer name, address, phone number, and e-mail address (if available); 2. Requested date of service; 3. Approximate number of passengers 4. Type of equipment requested, bus(es) or van(s); 5. Trip itinerary and approximate duration; and 6. The intended fare to be charged for the service. <p>If an “undeliverable” notice is received in response to its e-mail notice, fax the notice.</p> <p>If service is provided, record the following information:</p> <ol style="list-style-type: none"> 1. The group’s name, address, phone number, and email address 2. Date and time of service 3. Number of passengers 4. Origin, destination, and trip length (miles and hours) 5. Fee collected, if any 6. Vehicle number (example, bus 102) <p>Retain all records (email sent, undeliverable notice, facsimile, record of charter) for three years.</p>
<p>Exception 604.10 – Agreement with registered charter providers</p> <p>If a new charter provider registers in the geographic service area, may continue to provide charter service for 90 days without an agreement with the newly registered charter provider.</p> <p>Any parties to an agreement may cancel at any time after providing a 90-day notice.</p>	<p>Retain records of the agreements for three years.</p>
<p>Exception 604.11 – Petitions to the Administrator for:</p> <ol style="list-style-type: none"> 1. Events of regional or national significance 2. Hardship (<200,000 population only) 3. Unique and time sensitive events that are in the public interest 	<p>For an event of regional or national significance, the petition shall describe how registered charter providers were consulted and will be utilized, include a certification that the recipient has exhausted all the registered charter providers in its service area, and submit the petition at least 90 days before the first day of the event.</p> <p>For a hardship request, the exception must be for deadhead time that exceeds total trip time from initial pick-up to final drop-off, including wait time and shall describe how the minimum duration would create a hardship on the group requesting the charter.</p> <p>For a unique and time sensitive event, the petition shall describe why the event is unique and time sensitive and would be in the public’s interest.</p> <p>Maintain records of the charters for three years.</p>
<p>Note: Charter service hours include: time spent transporting passengers, time spent waiting for passengers and “deadhead” hours.</p>	

SCHOOL BUS

Subrecipients are prohibited from providing exclusive school bus service unless the service qualifies under an allowable exemption and is approved by the FTA Administrator. In no case can federally funded equipment or facilities be used to provide exclusive school bus service. Head Start transportation is considered human service transportation, not school bus service.

<p>1. Is exclusive school bus service operated?</p> <p><i>Subrecipients are prohibited from providing exclusive school bus service. In no case can federally funded equipment or facilities be used to provide exclusive school bus service.</i></p>	
<p>2. Is school "tripper" service provided?</p> <p><i>A tripper is an extra bus that is added to a route to provide capacity or service that cannot be accommodated by the buses already in service.</i></p> <p>If yes, does the tripper service meet the following criteria to be considered public transit service?</p> <ul style="list-style-type: none"> a) Service is regularly scheduled b) Buses are clearly marked as open to the public c) Buses have no special designations (e.g., school bus, school special) d) Buses use regular bus stops e) Service is noted on published schedules <p><i>If not, the service does not qualify as public transit service and cannot be provided with FTA-funded equipment or out of FTA-funded facilities.</i></p> <p>[Reviewer, please review all schedules and signs used on buses to ensure that the tripper service complies with the stated criteria.]</p>	

SERVICE PLANNING AND MARKETING

SERVICE ELIGIBILITY

Section 5311 funds must be used for public transportation projects and intercity projects in nonurbanized areas. Section 5310 funds must be used to support the special transportation needs of elderly individuals and individuals with disabilities.

<p>1. What types of contract and subscription service do you provide? With whom?</p> <p>Do the contracts and subscription service interfere with the provision of public transit?</p> <p>Have you had to deny public transit trips because the contracts and subscription service utilized all available capacity? If yes, how often?</p>	
<p>2. Do the ridership data from the last quarterly reports indicate that the subrecipient identifies and is successful in attracting:</p> <p>a) General public riders (5311 recipients)</p>	
<p>b) Seniors and persons with disabilities (5310 recipients)</p>	
<p>3. Do you provide service to the general public at least 40 hours per week?</p> <p>Is the service available during normal commute times?</p> <p><i>Section 5311 service must be available to the general public at least 40 hours per week and be available during normal commute times.</i></p>	
<p>4. Do you rank trips by trip purpose?</p> <p>If yes, please provide the order of priority.</p> <p>Does the ranking of trips discourage the general public from using the service?</p> <p>Have you denied service because a trip with a lower-ranked purpose could not be accommodated? If yes, how often?</p>	

<p>5. Are vehicles clearly identified as general public transit service?</p> <p>Is the agency phone number on the exterior of vehicles?</p> <p>Is the agency web address on the exterior of vehicles?</p> <p><i>Vehicles must be identifiable as general public transit service.</i></p>	
<p>6. Are the vehicles marked in any way that represents exclusive use for a specific organization or clientele?</p> <p><i>Vehicles may not display markings that imply exclusive use for a specific organization or clientele.</i></p>	
<p>7. Have annual updates of the marketing plan been submitted with applications?</p> <p>Has the plan been implemented?</p> <p>[Reviewer, review the annual update submitted with the application and describe the marketing plans for the year.]</p> <p><i>Annual updates to the marketing plan must be submitted with the application and the plan must be implemented.</i></p>	
<p>8. Does the agency answer the phone in such a way that the general public knows that it has contacted a public transit provider?</p> <p>Do you have a direct line for transportation or do all transportation calls go through the general receptionist?</p>	
<p>9. Do you provide meal delivery or other incidental services? If yes:</p> <p>How many meals or other incidental services do you deliver?</p> <p>At what times of the day?</p> <p>Do the services interfere with the provision of transit service?</p> <p>Do the incidental services bear the costs of the service?</p> <p><i>Subrecipients may provide incidental service with FTA-funded vehicles but the service must not interfere with the provision of transit service and must bear the costs of providing the service.</i></p> <p><i>CARES Act funds can be used for the provision of essential incidental services.</i></p>	

<p>10. Do you provide any service within an urbanized area (population > 50,000)? If yes:</p> <p>Please describe the service.</p> <p>Do you use Section 5311 assistance to support the service?</p> <p>How do you allocate costs between the urbanized and nonurbanized area service?</p> <p><i>Subrecipients may not use Section 5311 assistance to provide service within an urbanized area. They may provide service to and from urbanized areas. They must have a MDT-approved methodology for allocating costs between the urban and rural service.</i></p>	
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TITLE VI - NONDISCRIMINATION IN THE DELIVERY OF SERVICE

FTA prohibits discrimination on the grounds of race, color, or national origin and on the grounds of low-income status. The Montana Human Rights Act prohibits discrimination on the basis of race, creed, religion, color, national origin, age, physical or mental handicap, marital status or sex. The Governor's Executive Order No. 41-2008 prohibits discrimination on the basis of ancestry, social origin or condition, culture and sexual orientation.

<p>1. Have any complaints concerning discrimination in the delivery of service been received since the last review?</p> <p>If yes, how were the complaints identified and resolved?</p> <p>Did you report the complaints to MDT within 24 hours of receipt of the complaint?</p> <p><i>Title VI complaints must be reported to MDT within 24 hours of receipt of the complaint.</i></p>	
<p>2. The reviewer will ensure that the Title VI notice is posted as discussed in the Title VI plan on file with MDT.</p> <p><i>At a minimum, subrecipients shall disseminate this information to the public by posting a Title VI notice on the agency's website and in the public areas of the agency's office(s), including the reception desk, meeting rooms, etc. Subrecipients should also post Title VI notices at stations or stops, and/or on transit vehicles.</i></p>	
<p>3. Have employees received the training in providing timely and reasonable language assistance to LEP populations?</p> <p><i>FTA requires subrecipients to train employees in providing timely and reasonable language assistance to LEP populations.</i></p>	
<p>4. Since you submitted your Title VI plan, have you identified any additional language assistance needs? If yes, please describe.</p>	

PUBLIC INVOLVEMENT

Subrecipients must involve the public in service planning. An effective public involvement program addresses transit riders, the non-riding public, special populations, community leaders, and civic groups.

1. If the service has implemented substantial service or fare changes, was an opportunity for a public hearing afforded?	
2. Have any public hearings for any reason been held in the last 3 years?	
3. Were the hearings scheduled at a reasonable time and accessible place?	
4. Are hearings conducted in accordance with due process procedures and are they fair and open?	
5. Has the service adequately addressed comments that were made in the hearings?	
6. Do you have a regular and systematic way to secure contractor, public and rider input into the system (such as annual reviews, suggestion boxes, surveys, rides by management staff and governing body members to assess service and interact with the public)?	
7. Have you cultivated working relationships with community leaders? For example, are you a member of the chamber of commerce and do you attend meetings regularly? If there is a downtown or central business district (CBD) association do you meet with them periodically? Are you involved or do you periodically consult with local planning agencies and governmental units?	
8. Have you developed coalitions to support transit? If yes, please describe activities such as developing relationships with volunteer organizations. Have you used them as a source of funding or volunteers? Have you developed relationships with the league of women voters or other non-partisan advocacy groups?	

MARKETING

Subrecipients should have a marketing program that attracts riders and promotes a positive image to the community. Public information should be attractive, widely distributed, and accessible in various formats. The Division supports a statewide transit marketing program. Annual updates to the marketing plan must be submitted with the annual application.

1. How do you advertise your transit service? What media are used and how often?	
2. What group from the following list has the most knowledge and name recognition of your service? Older adults (age 60+) Youth (up to age 16) Other ages (age 16-60) Developmentally disabled Other (please specify)	
3. What other types of marketing/promotion are you doing for your transit program?	
4. Do you have a system in place to obtain information on rider and non-rider attitudes and demographics? <i>Good practice</i>	
5. Do you conduct rider satisfaction surveys? How often? When was the last survey? <i>Good practice</i>	
6. Please describe your fare structure.	
7. Is the fare policy formally adopted by the governing body based on financial and socio-economic considerations? <i>Good practice</i>	
8. Is the fare policy reviewed annually? <i>Good practice</i>	
9. When was your last fare increase?	

10. Are the public information systems complete, easy to understand and available in alternative formats?	
a. Schedules and time tables	
b. Route maps	
c. Transfer points to other routes and systems	
d. Signage and other user aides	
e. How-to-ride information	
f. Telephone information system (including a dedicated number for general public service)	
11. How and where are marketing materials (brochures, schedules) distributed?	
12. Have arrangements been made with the institutions to notify you when the racks need replenishing? <i>Good practice</i>	
13. Is there a regular schedule for replenishing the racks? <i>Good practice</i>	
14. Who maintains your website?	
15. How is website registration managed?	
16. How often do you review the website content and make changes?	
17. Are you able to make changes to your website directly or must you go through a contractor?	
18. Does the website provide information on:	
a. Hours and days of service	
b. Types of service	
c. Fares	
d. Transfer policy/charges	
e. How to plan a trip	

f. Bus schedules and maps Are bus schedules in HTML format so that they are accessible for persons who use readers? (<i>Good practice</i>)	
g. Public meetings and hearings	
h. Route and schedule changes	
i. Transit advisory committee participation and meetings	
j. Telephone number	
k. Links to other transit system websites	
l. Sign up for email or other alerts	
m. On-line comment form	
n. Protection under Title VI (<i>required</i>)	
o. How to file a compliment, complaint, or suggestion, including a Title VI complaint (<i>required</i>)	
p. How to obtain additional information on Title VI obligations (<i>required</i>)	
q. Route deviation (<i>required</i>)	
r. ADA complementary paratransit (<i>required</i>)	
19. What types of social media do you use to promote your system? Do the website and printed material list the social media symbols (Facebook, Twitter, Instagram, etc.)?	
20. Is your service on Google Transit or other travel planning service? If yes, does your website have an associated trip planner?	

PLANNING AND COORDINATION

Subrecipients must submit annual updates to the coordination plan with the application. They must coordinate to the maximum extent feasible with transportation assisted from other federal sources.

<p>1. Reviewer, please refer to the explanation in the application and describe how the subrecipient coordinates with other transportation providers in the area.</p> <p>Subrecipient, since submitting your application, have any additional efforts been made to coordinate service? If yes, please describe.</p>	
2. Are there more opportunities for coordination?	
3. What groups are represented on the local transportation advisory committee (TAC)? Are private-for-profit and private-nonprofit transportation providers represented on the TAC?	
4. Did you provide reasonable notice to transportation providers when you submitted your application?	
5. Do you have a current list of all providers of passenger transportation in your service area?	
6. Are you an active participant in your local Transportation Advisory Committee (TAC)?	
7. Are you participating in the public transit/human services transportation coordination plan effort? What initiatives have resulted from the meetings?	
8. Have you invited school districts to participate or be included in your transportation coordination efforts?	

<p>9. Which of the following coordination activities occur?</p> <ul style="list-style-type: none"> a) Consolidated purchase of service b) Central information center c) Centralized dispatch d) Planning e) Maintenance f) Purchasing (vehicles, parts, fuel) g) Training h) Management (information system, billing) i) Marketing j) Other (please describe) 	
<p>10. Are there more opportunities for coordinated activities?</p>	

CORRECTIVE ACTIONS AND RECOMMENDED IMPROVEMENTS

[illegible]

DOCUMENTS

Documents	Comment
Legal and Governance	
Articles of Incorporation	
Bylaws	
Governing body minutes	
Governing body orientation materials	
Governing body financial reports	
"Funders" report	
Narrative/milestone history	
Control Environment	
Conflict of interest policy/code of conduct	
Technical Capacity	
Organization chart	
Business continuity/disaster recovery plan	
Document control/records retention policy	
Service provider contract	
Financial Management	
Single/financial audit	
Travel policy	
Budget procedures	
Budget	
Financial Management	
Policy governing personal use of work computers	
Procurement	
Procurement procedures	

Documents	Comment
Code of conduct	
Protest procedures	
Personnel	
Personnel manual	
EEO	
Sample job application	
Sample job posting and advertisement	
Service Provision	
Service policy/driver handbook	
Rider guide	
Complaint/comment procedures	
Passenger standards of conduct	
Suspension policy	
Maintenance	
Fleet maintenance plan	
Pre-trip checklist/driver vehicle inspection report	
Facility maintenance plan	
Title VI	
Complaint procedures	
Marketing	
Marketing plan	
Sample customer satisfaction survey	
Compilation of most recent survey results	
Sample marketing materials (schedules, brochures, ads, etc.)	
Safety and Security	

Documents	Comment
Safety plan	
Road observation report	
Accident/medical emergency procedures	
Cell phone/texting policy	
Drug and Alcohol Program	
Drug and alcohol policy	
Contract with third party administrator	
MRO training certificate	
BAT/SST training certificates	
Collector training certificates	
SAP training certificates	



STATE OF MONTANA
Rail, Transit & Planning Division
DEPARTMENT OF TRANSPORTATION

Procedure No. PRO II.1	Subject: Subrecipient Monitoring
	Effective Date: 07/10/2023

1. PURPOSE:

This procedure ensures compliance with 2CFR§200.332 (a) – (h) which provides federal requirements for pass through entities.

2. PROCEDURES:

2.1. CFR§200.332(a)

2.1.1. Contract templates are reviewed and updated annually or as need to ensure compliance with all Federal statutes, regulations, and terms and conditions set forth in §200.332(a). The Transit Section (Program) is the steward of the subaward contract templates and initiates template updates. Updates to the requirements for pass-through entities are made by the Program, then forwarded to the Financial Section, and finally Legal Services for review and approval.

2.2. CFR§200.332(b)

2.2.1. The Program conducts a risk assessment evaluating the applicant/subrecipient's compliance with Federal statutes, regulations and the terms and conditions of the subaward, then completes and uploads the Risk Assessment form to BlackCat. The form lists actions to be taken based upon three defined scored rating categories as well as a non-compliance category. If an applicant is found to be in non-compliance, then the Program will not award the application.

2.3. 2CFR§200.332(c)

2.3.1. Subrecipients are required to complete and submit quarterly financial and performance reports. Activity reports are reviewed to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward.

2.3.2. Depending on the subrecipient's risk assessment score the pass-through entity will perform the monitoring actions listed within the Risk Assessment form and in accordance with §200.332(c).

2.4. CFR§200.332(d)



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- 2.4.1. Subrecipient activity monitoring is a two-step process. First, the Program reviews subrecipient financial and performance reports to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward. Second, for subrecipients meeting the Single Audit threshold the following actions are taken:
- 2.4.2. The SEFA will be produced by the Accounting Controls Bureau (ACB) Global Accountant by August 31st of each year.
- 2.4.3. ACB will determine the subrecipients to be monitored based on the threshold of \$750,000 in federal funds provided by MDT.
 - a. Any subrecipients identified through risk assessment should be sent to ACB to be added to the tracking spreadsheet (*completed in procedure 2.2 above*). **Note:** These subrecipients may not meet the \$750,000 threshold but were determined to be a risk and may need additional monitoring.
- 2.4.4. The SubRecipientMonitoringTracking spreadsheet will be updated at the following link:
 - a. <\\state\mdt\prd\helena\administration\MDTprojs\SubRecipientMonitoring\>
- 2.4.5. Starting in October, ACB will monitor the Federal ClearingHouse (FAC - <https://facweb.census.gov/>) and the Local Government Services ([Annual Financial Reports \(mt.gov\)](#)) for the audit reports of the subrecipients on a weekly basis.
- 2.4.6. Once audit reports are available, ACB will download and save the reports in the drive.
- 2.4.7. Starting in October, the program managers will reach out to each subrecipient to inquire as to whether they expended more than \$750,000 in federal funds and were required to have a single audit or specific program audit performed.
 - a. For those not meeting the threshold, a verification/certification verifying they did not meet the threshold must be provided.
 - b. For those subrecipients that provided a report, review to determine whether the findings impact MDT programs. If there are findings that impact funds provided by MDT, a corrective action plan must be submitted.



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- 2.4.8.** If an audit report is not submitted within 9 months, ACB will notify the program manager of the noncompliance.
- a. The program manager will notify Accounting Systems Operations (ASO) to withhold federal funds for this subrecipient until in compliance.
 - b. The program manager will send a letter to applicable persons notifying them of the funds being withheld.
 - c. ACB will check the clearinghouse and the program manager will follow up with the subrecipient every 2 weeks to determine if an audit has been completed. If not, continue to withhold funds.
- 2.4.9.** ACB will update the tracking spreadsheet with the date the report was available, any findings related to Federal programs and the specific program if applicable.
- 2.4.10.** ACB will notify the applicable program managers of any findings.
- 2.4.11.** Once relevant finding(s) are identified, Internal Audit and ACB will work with the program managers to ensure the subrecipient takes timely and appropriate action on all deficiencies pertaining to the Federal award detected through audits, on-site reviews, and written confirmation.
- a. If a resolution is not available or further action is needed, the program manager will notify their applicable ASO financial contact to begin the payment withholding process.
 - b. The program manager will issue a management decision for applicable audit findings within six months of acceptance of the audit report by the FAC. *2CFR200.521(d): The Federal awarding agency or pass-through entity responsible for issuing a management decision must do so within six months of acceptance of the audit report by the FAC. The auditee must initiate and proceed with corrective action as rapidly as possible and corrective action should begin no later than upon receipt of the audit report.*
- 2.5.** 2CFR§200.332(e)
- 2.5.1.** See Section 2.4.11 and Risk Assessment actionable steps.
- 2.6.** 2CFR§200.332(f)
- 2.6.1.** See Section 2.4.3.
- 2.7.** 2CFR§200.332(g)



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- 2.7.1.** The Program evaluates the results of subrecipient audits, on-site reviews, and other monitoring activities and will consider changes to pass-through recordkeeping as needed.
- 2.8.** 2CFR§200.332(h)
 - 2.8.1.** The Program follows § 200.339 Remedies for noncompliance when considering enforcement actions against noncompliant subrecipients.

Inspection Date:	Inspector Name:
Facility Name:	Address/Location:

ID	Component	Score	Percent of Asset Quantity by Condition				
			Excellent (5) New construction	Good (4) Minor improvement needed	Adequate (3) Needs some repair	Marginal (2) Needs extensive repair at a minimum	Poor (1) Critical defects affecting function health or safety
A.	Substructure Foundations Basement		No visible defects	Addressed through routine maintenance. No significant visible damage such as cracking, spalling, sagging, rust, or shifting.	Surface cracking, rust, shifting, and spalling on components. May need maintenance. "Fair" and functioning as designed; within useful life.	Signs of significant cracking, sagging, rust, shifting, and spalling / decay. Sig. insulation or drainage issues. Functional but exceeds useful life	Visibly in poor condition. They cannot be repaired; must be replaced. They have exceeded their useful life and warrant structural review.
B.	Shell Superstructure Roof Exterior		No visible defects	Functioning under routine maintenance. Minor superficial damage or defect. No sagging, corrosion, cracking, shifting, or leaks.	Signs of minor cracking, drainage issues, sagging, corrosion, or shifting. They are cosmetically "fair", but functioning as designed.	Signs of significant cracking, sagging, swelling, corrosion, leaks, or shifting. Does not appear to be a safety issue on any single sub-component.	Visibly poor condition and must be replaced rather than repaired. They have exceeded their useful life and warrant structural review.
C.	Interior Partitions Stairs Finishes		No visible defects	Minimal signs of wear, no major problems. No functional impact, which can be addressed through routine maintenance.	Signs of cracking, drainage issues, sagging, corrosion, or shifting. They are cosmetically "fair", but functioning as designed.	Shows deterioration: cracking, sagging, swelling, corrosion, leaks, etc. Finishes are worn. Does not appear to be a safety issue.	Visible poor condition and must be replaced rather than repaired. Exceeded useful life.
D.	Conveyance Elevators Escalators Lifts		No visible defects	Shows superficial damage or defect w/ no functional impact. Addressed via routine maintenance.	Signs of corrosion/ damage. Cosmetically "fair", but functioning as intended under maintenance schedule.	More substantial part replacement and/or repair. Not a safety issue. Maintenance schedule is interrupted by more frequent breakdowns.	Visibly poor condition and must be replaced. Maintenance schedule is reactive due to frequent malfunction. Exceeded useful life.
E.	Plumbing Fixtures H2O Distribution Sanitary Waste		No visible defects	Superficial deterioration or defect with no functional impact addressed through routine maintenance. No corrosion or leaks.	Some deterioration exists, such as corrosion. Requires routine maintenance and system is functioning as designed.	Plumbing system components need extensive repair at a minimum. Currently does not appear to be any safety issue.	Poor condition and must be replaced rather than repaired. The system has exceeded its useful life and warrants detailed review.

F.	HVAC Heat Cooling Chimneys Vents		Meets goals and desired temp and air quality throughout the facility.	Slightly outdated and less efficient and consistent. Minor deterioration with no functional impact addressed through routine maintenance.	Some deterioration exists, and maintenance needs are significant. With these, the system meets needs. Still within its useful life.	Exceeded its useful life; fails to meet standards or needs. Components need extensive repair at a minimum. Does not appear to be any safety issue.	System is well past its useful life and has critical defects affecting function; its issues are beyond repair and warrant detailed review.
G.	Fire Protection Sprinklers Standpipes Hydrants		No visible defects. Meets facility needs.	System may be slightly outdated but still meets needs of facility with routine maintenance.	Some deterioration exists, and maintenance needs are significant. With these, the system meets requirements. Still within its useful life.	Exceeds useful life; defects are critical and/or widespread; no longer meets needs or standards and requires partial replacement. Not a safety issue.	System is well past its useful life and has critical defects affecting function and ability to meet standards. Issues are beyond repair and warrant detailed review.
H.	Electrical Lighting Branch Wiring Communications Security		No visible defects. Meets facility needs.	Slightly outdated but still meets needs of facility with minimal routine maintenance. Limited flexibility for future expansion.	Some deterioration. Maintenance needs are significant. Limited flexibility for improv. Meets requirements and within its useful life.	Exceeds useful life; defects are critical; no longer meets needs or standards; requires partial replacement. Not a safety issue.	Well past its useful life and has critical defects affecting function and ability to meet standards. Requires replacement.
I.	Equipment Maintenance or Vehicle Service Equipment		No visible defects. Meets facility needs.	Equipment may be slightly outdated but still meets needs of facility with minimal routine maintenance.	Some deterioration exists, and maintenance needs are considerable. However, equipment meets needs and is still within its useful life.	Exceeds useful life; defects are critical; no longer meets needs or standards and requires partial replacement at a minimum.	Well past its useful life and has critical defects affecting function and ability to meet standards. Requires replacement.
J.	Site Driveways Parking Lots Landscaping Signage		No visible defects. Meets facility needs.	Primarily cosmetic defects such as damaged signage or small pavement cracks, landscaping updates. Meets needs with routine maintenance.	Some deterioration, such as signs needing replacement and cracks needing fill. More routine maintenance is needed. Still functioning as designed.	Needs extensive repair at a minimum. Pavement damage beyond repair. Signage may be outdated, fences need replacement, irrigation no longer efficient, etc.	Site has critical defects affecting function, health, or safety. Issues are beyond repair and warrant detailed review.
K.	Fare Collection Turnstiles Ticket Machines		No visible defects.	Equipment may be slightly outdated but still meets needs of facility with minimal routine maintenance.	some deterioration exists, and maintenance needs are considerable. However, equipment meets needs and is still within its useful life.	Exceeds useful life; defects are critical; no longer meets needs or standards and requires partial replacement at a minimum.	Well past its useful life and has critical defects affecting function and ability to meet standards. Requires replacement.

FEDERAL TRANSIT ADMINISTRATION

BEST PRACTICES PROCUREMENT MANUAL

REQUIRED INTERNAL CERTIFICATIONS

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B. Post-Delivery Certifications

1. Buy America Compliance
2. Buy America Exemption
3. Purchaser's Requirements (More than 20 Buses or Modified Vans, or any Number of Unmodified Vans)
4. Purchaser's Requirements (20 or Fewer Buses or Modified Vans, or any Number of Unmodified Vans)
5. FMVSS Compliance
6. FMVSS Exemption

Exhibit A.1. Pre-Award Buy America Compliance Certification

PRE-AWARD BUY AMERICA COMPLIANCE CERTIFICATION

As required by Title 49 of the CFR, Part 663 – Subpart B, _____
(the recipient) is satisfied that the buses to be purchased, _____
_____ (number and description of buses) from _____
_____ (the manufacturer), meet the requirements of Section
165(b)(3) of the Surface Transportation Assistance Act of 1982, as amended. The
recipient ☐ , or its appointed analyst ☐ _____
(the analyst – not the manufacturer or its agent), has reviewed documentation provided
by the manufacturer, which lists (1) the proposed component and subcomponent parts
of the buses identified by manufacturer, country of origin, and cost; and (2) the
proposed location of the final assembly point for the buses, including a description of the
activities that will take place at the final assembly point and the cost of final assembly.

Date: _____

Signature: _____ Title: _____

Exhibit A.2. Pre-Award Buy America Exemption Certification

PRE-AWARD BUY AMERICA EXEMPTION CERTIFICATION

As required by Title 49 of the CFR, Part 663 – Subpart B, _____
(the recipient) certifies that there is a letter from FTA that grants a waiver to the buses to
be purchased, _____
(number and description of buses), from the Buy America requirements under Section
165(b)(1), (b)(2), or (b)(4) of the Surface Transportation Assistance Act of 1982, as
amended.

Date: _____

Signature: _____ Title: _____

Exhibit A.3. Pre-Award Purchaser's Requirements Certification

PRE-AWARD PURCHASER'S REQUIREMENTS CERTIFICATION

As required by Title 49 of the CFR, Part 663 – Subpart B, _____
(the recipient) certifies that the buses to be purchased, _____
_____ (number and description of buses) from _____
_____ (the manufacturer), are the same product described in the recipient's
solicitation specification and that the proposed manufacturer is a responsible
manufacturer with the capability to produce a bus that meets the specifications.

Date: _____

Signature: _____ Title: _____

Exhibit A.4. Pre-Award FMVSS Compliance Certification

PRE-AWARD FMVSS COMPLIANCE CERTIFICATION

As required by Title 49 of the CFR, Part 663 – Subpart D, _____
(the recipient) certifies that it received, at the pre-award stage, a copy of _____
_____ 's (the manufacturer) self-certification information stating that
the buses, _____
(number and description of buses), will comply with the relevant Federal Motor Vehicle
Safety Standards issued by the National Highway Traffic Safety Administration in Title
49 of the Code of Federal Regulations, Part 571.

Date: _____

Signature: _____ Title: _____

Exhibit A.5. Pre-Award FMVSS Exemption Certification

PRE-AWARD FMVSS EXEMPTION CERTIFICATION

As required by Title 49 of the CFR, Part 663 – Subpart D, Montana Dept of
Transportation (the recipient) certifies that it received at the pre-award stage, a
statement from Creative Bus Sales's (the manufacturer) indicating that the buses,
(6) 9-Passenger Extended vans (number and description of buses), will not be subject
to the Federal Motor Vehicle Safety Standards issued by the National Highway Traffic
Safety Administration in Title 49 Code of Federal Regulations, Part 571.

Date: _____

Signature: _____ Title: _____

Exhibit B.1. Post-Delivery Buy America Compliance Certification

POST-DELIVERY BUY AMERICA COMPLIANCE CERTIFICATION

As required by Title 49 of the CFR, Part 663 – Subpart C, Montana Dept of Transportation (the recipient) certifies that it is satisfied that the buses received, (6) 9-Passenger ADA Extended Van (number and description of buses) from Creative Bus Sales (the manufacturer), meet the requirements of Section 165(b)(3) of the Surface Transportation Assistance Act of 1982, as amended. The recipient ☐ , or its appointed analyst ☐ _____ (the analyst – not the manufacturer or its agent), has reviewed documentation provided by the manufacturer, which lists (1) the actual component and subcomponent parts of the buses identified by the manufacturer, country of origin, and cost; and (2) the actual location of the final assembly point for the buses, including a description of the activities that took place at the final assembly point and the cost of final assembly.

Date: _____

Signature: _____ Title: _____

Exhibit B.2. Post-Delivery Buy America Exemption Certification

POST-DELIVERY BUY AMERICA EXEMPTION CERTIFICATION

As required by Title 49 of the CFR, Part 663 – Subpart C, _____ (the recipient) certifies that there is a letter from FTA, which grants a waiver to the buses received, _____ (manufacturer, number and description of buses), from the Buy America requirements under Section 165(b)(1), (b)(2), or (b)(4) of the Surface Transportation Assistance Act of 1982, as amended.

Date: _____

Signature: _____ Title: _____

Exhibit B.3. Post-Delivery Purchaser's Requirements Certification (More Than 20 Buses or Modified Vans)

POST-DELIVERY PURCHASER'S REQUIREMENTS CERTIFICATION

As required by Title 49 of the CFR, Part 663 – Subpart C, _____
(the recipient) certifies that a resident inspector, _____
(the resident inspector – not an agent or employee of the manufacturer), was
at _____'s (the manufacturer) manufacturing site during the
period of manufacture of the buses, _____
_____ (number and description of buses). The inspector monitored
manufacturing and completed a report on the manufacture of the buses providing
accurate records of all bus construction activities. The report addresses how the
construction and operation of the buses fulfill the contract specifications. After reviewing
the report, visually inspecting the buses, and road testing the buses, the recipient
certifies that the buses meet the contract specifications.

Date: _____

Signature: _____ Title: _____

Exhibit B.4. Post-Delivery Purchaser's Requirements Certification (20 or Fewer Buses or Modified Vans, or any Number of Unmodified Vans)

POST-DELIVERY PURCHASER'S REQUIREMENTS CERTIFICATION

As required by Title 49 of the CFR, Part 663 – Subpart C, after visually inspecting and
road testing the contract buses, Montana Dept of Transportation (the recipient) certifies
that the buses, (6) 9-Passenger Extended ADA Vans number and description of buses)
from Creative Bus Sales (the manufacturer), meet the contract specifications.

Date: _____

Signature: _____ Title: _____

Exhibit B.5. Post-Delivery FMVSS Compliance Certification

POST-DELIVERY FMVSS COMPLIANCE CERTIFICATION

As required by Title 49 of the CFR, Part 663 – Subpart D, Montana Dept of Transportation (the recipient) certifies that it received, at the post-delivery stage, a copy of Creative Bus Sales' (the manufacturer) self-certification information stating that the buses, (6) 9-Passenger Extended ADA Vans (number and description of buses), comply with the relevant Federal Motor Vehicle Safety Standards issued by the National Highway Traffic Safety Administration in Title 49 Code of Federal Regulations, Part 571.

Date: _____

Signature: _____ Title: _____

Exhibit B.6. Post-Delivery FMVSS Exemption Certification

POST-DELIVERY FMVSS EXEMPTION CERTIFICATION

As required by Title 49 of the CFR, Part 663 – Subpart D, _____ (the recipient) certifies that it received, at the post-delivery stage, a statement from _____'s (the manufacturer) indicating that the buses, _____ (number and description of buses), are not subject to the Federal Motor Vehicle Safety Standards issued by the National Highway Traffic Safety Administration in Title 49 Code of Federal Regulations, Part 571.

Date: _____

Signature: _____ Title: _____

MONTANA DEPARTMENT OF TRANSPORTATION
TRANSIT SECTION
FACILITY CONSTRUCTION GUIDANCE

Forward

The Montana Department of Transportation (MDT), Transit Section fills a variety of roles when administering Federal Transit Administration (FTA) grant programs. Of particular importance is the oversight of transit facility projects which include new construction, expansion, and rehabilitation. The purpose of this guidance is to provide a useful tool for a transit agency (Agency or Agencies) undertaking construction projects. This document introduces project organization and responsibilities and construction project requirements involving project initiation through planning, procurement, environmental clearance, land acquisition, design, construction, and closeout.

For a more comprehensive reference guide for successful planning and implementation of facility construction projects Agencies may reference the National Cooperative Highway Research Program, Project 20-65 Task 63, Oversight of Facility Projects Guidebook¹.

1. Introduction

The common grant rules for FTA recipients are contained in 2 CFR Part 200² and 1201³, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.” The common grant rule defines specific federal requirements for States and Agencies including those summarized in this guidance.

MDT roles and responsibilities are defined in the construction project requirements section listed within this guidance. As a best practice, MDT encourages Agencies to apply for planning or technical assistance funding prior to applying for construction project funds. Agencies are expected to have completed preliminary project planning, siting, conceptual designing, and independent cost estimations prior to a request for construction project funds. Additional preliminary responsibilities may include completed:

- Environmental clearance
- Title VI equity analysis
- Appraisal of donated land to be used as in-kind match

¹ National Cooperative Highway Research Program, Project 20-65 Task 63, Oversight of Facility Projects Guidebook: [https://onlinepubs.trb.org/onlinepubs/nchrp/docs/NCHRP20-65\(63\)_Guidebook.pdf](https://onlinepubs.trb.org/onlinepubs/nchrp/docs/NCHRP20-65(63)_Guidebook.pdf).

² 2 CFR Part 200: <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200?toc=1>.

³ 2 CFR Part 1201: <https://www.ecfr.gov/current/title-2/subtitle-B/chapter-XII/part-1201>.

2. Project Organization and Responsibilities

Basic Requirement

A transit construction project involves numerous steps or phases. Successful completion of these steps requires individuals with varying skill sets. Each project should be outlined to identify the skill sets required and a determination should be made as to how the project will be organized. This process may result in a comprehensive listing of the team members involved with the project, as part of a Project Management Plan (PMP). Additionally, each team member's responsibilities should be clearly defined in the reporting organizational structure. A best practice is to produce a responsibility matrix that lists key project steps which identifies the members of the team that will have either lead or support responsibilities for each step.

Personnel

At a minimum, every transit construction project should involve the following individuals and resources:

- Chief Executive Officer (CEO)
- Project Manager
- Financial Manager
- Grants Manager
- Procurement Manager
- Disadvantaged Business Enterprise Liaison Officer (DBELO)
- American Disabilities Act (ADA) coordinator
- Architect/Engineer (A&E)
- Construction Contractor (Prime)

The following personnel may also be required:

- Construction Manager
- Property Acquisition Specialist
- Environmental Specialists

BASIC RESPONSIBILITIES

The following paragraphs describe the basic responsibilities of each team member.

CEO

The CEO is the highest-ranking staff member of the Agency for which the project is being undertaken. This individual reports to a governing board (typically, a Board of Directors or a municipal policy body). The CEO is the person with the overall responsibility for the project.

Project Manager

The Project Manager is the project staff member responsible for defining the scope of the project and communicating the project vision and implementation to the project team. Tasks would include developing the initial project schedule and the initial project budget. The budget and schedule are updated by the Project Manager during the implementation phase of the project.

The Project Manager should have a direct reporting relationship with the CEO.

All oral and written communications should be documented and flow through the Project Manager to and from all other team members.

Financial Manager

The Financial Manager is responsible for authorizing project expenditures and managing the project budgets and associated change orders.

Grants Manager

The Grants Manager is responsible for submitting the application to the funding Agencies for grants that will support project expenditures. Additionally, the Grants Manager is responsible for completing any grant amendments or revisions that may be necessary during project implementation and ensuring grant compliance such as reporting is a key responsibility.

Procurement Manager

The Procurement Manager is responsible for acquiring third-party services required to implement the project work. These services normally include design and engineering services as well as construction management of procured resources. The Procurement Manager's primary directive is to ensure the third-party services are acquired using full and open competitive processes that result in contract awards to qualified firms while complying with the requirements of the grant funding Agencies which have funded the project.

DBELO

The DBELO manager is responsible for the communication of eligible work tasks to qualified and certified DBE firms, and that these firms have a maximum opportunity to participate in project activities. Maximum opportunity is achieved when the DBELO manager works in close collaboration with the procurement manager or Construction Contractor to identify potential DBE project opportunities. The DBELO manager is also responsible for communicating these opportunities to certified DBE firms. Additionally, the DBELO manager should ensure that appropriate DBE requirements are being met during project implementation and that the required documentation is kept regarding any advertised DBE participation. The DBELO manager reports directly to the MDT Grants Manager.

A&E

A&E services are provided by a professional firm that is awarded a contract through the procurement process. The A&E firm is responsible for the design and engineering of the project in accordance with applicable laws, codes and other requirements. The firm should also be responsible for preparing pre-bid construction cost estimates, periodic oversight of the construction process, approving Construction Contractor payment applications, reviewing and making recommendations in connection with change order requests and ensuring proper project close out. The A&E firm should report to the Project Manager.

Construction Contractor (Prime)

The Construction Contractor is awarded a contract through the procurement process. The Construction Contractor is responsible for completing the project in accordance with the work schedule and specifications and drawings prepared by the A&E firm.

Other Potential Team Members

Based on the project, other team members may include Construction Manager, Property Acquisition Specialists and Environmental Specialists.

Construction Manager

If the transit construction project is anticipated to be complex, or if multiple Prime Contractors will be used, it is usually advisable to retain the services of an outside (third party) Construction Manager. The Construction Manager is responsible for being the Agency's full-time representative throughout the design and construction process. The Construction Manager will prepare constructability assessments and value engineering prior to the bidding phase. The Construction Manager reports directly to the Project Manager.

Property Acquisition Specialists

If the project requires the acquisition of real estate, a Property Acquisition Specialist may be retained. The Property Acquisition Specialist should be familiar with applicable federal and State real estate acquisition requirements and any grant funding requirements, if grant funding is to be used. Federal requirements are identified in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, in addition to basic real estate acquisition practices. The Property Acquisition Specialist is responsible for obtaining property title searches, ensuring that property appraisals are conducted and serving as the lead property acquisition negotiator. The Property Acquisition Specialist should report to the Project Manager.

Environmental Specialists

Most proposed construction projects will need to have some level of environmental analysis conducted. Environmental analysis usually follows either the National Environmental Policy Act (NEPA) requirements, Title VI equity analysis, or similar requirements based on State Laws. The Environmental Specialist is responsible for ensuring that all environmental requirements are addressed. Some of these requirements may include:

- Phase I and Phase II environmental site assessments (prior to property acquisition)
- Storm water runoff requirements
- Traffic impacts and access issues (during and after construction)
- Noise impacts (during and after construction)
- Environmental justice requirements
- Zoning and compatibility with surrounding land uses
- Availability of utilities
- A review of any environmental concerns that could constrain or preclude the use of the site.

Communication Among All Team Members

Maintaining clear and consistent communications among all team members is critical to the success of a project. A mutual understanding among all team members must be reached by which they understand that they are dependent upon each other for overall success.

To maintain effective communications, progress meetings among all project participants should be held on an agreed upon regular basis. The Project Manager is responsible for the progress meetings and should act as chairperson. Key agenda topics of the meetings should include the status of the schedule and budget, and updates of needed resources to carry out the project tasks.

Key project reporting processes must be developed and implemented. It is recommended that reports be generated at least monthly. Suggested reports and reporting responsibility include:

- Grant status – Grants Manager
- Budget status – Financial Manager
- Environmental review status – Environmental Specialist
- Professional services acquisitions – Procurement Manager
- Construction services activities – Construction Contractor
- Change orders – Project Manager
- DBE utilization status – DBELO
- Quality Assurance – Project Manager

3. Construction Project Requirements

General Procurement Requirements

MDT provides third-party procurement administration and oversight with, at a minimum, assurance of the compliance with the following federal statutory requirements:

- Provide full and open competition
- Include all applicable FTA clauses
- When contracting for A&E services, the use of competitive proposal procedures based on the Brooks Act or an equivalent qualifications-based requirement adopted before August 10, 2005
- Prohibit geographic preferences
- Award only to responsible and responsive Contractors
- Comply with Buy America
- Comply with debarment and suspension
- Comply with restrictions on lobbying

Agencies must comply with the requirements contained in the FTA Circular 4220.1f⁴ that provides third party contracting guidance. Some of the significant additional requirements under this circular are:

- Maintain a written code of standards of conduct governing the performance of employees engaged in the award and administration of contracts

⁴ FTA Circular 4220.1f:

[https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Third%20Party%20Contracting%20Guidance%20\(Circular%204220.1F\).pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Third%20Party%20Contracting%20Guidance%20(Circular%204220.1F).pdf).

- Have written procurement policies and procedures
- Have written protest procedures to handle and resolve disputes relating to the award of contracts
- Have procedures for settlement of contract issues/disputes
- Analyze each planned acquisition to identify and evaluate potential organizational conflicts of interest
- Review procurement requests to avoid duplicative or unnecessary purchases
- Incorporate a clear and accurate description of the material, product, or services being procured; identify all requirements that offerors must fulfill; and identify evaluation factors in solicitations
- Develop an Independent Cost Estimate (ICE) before receiving bids or proposals
- Conduct a cost or price analysis for every procurement
- Evaluate options at the time of bid award, exercise the options at the agreed upon terms, and determine that the option price is better than current market prices before exercising the options
- Maintain a contract administration system that ensures that Contractors perform in accordance with the terms, conditions and specifications of their contracts or purchase orders
- Maintain a written record of procurement history

ICE⁵

The ICE is a benchmark for evaluating the reasonableness of proposed project costs or pricing and may range from a simple budgetary estimate to a complex estimate, based on inspection of the product, review of drawings or specifications, and prior procurement data. The Project Manager may elect to include both A&E services and construction within a procurement or separate the two services.

All procurement activities require an ICE completed on behalf of the Project Manager with guidance, review and approval provided by the MDT Grants Manager. The Project Manager may collaborate with the A&E Contractor when procuring construction services.

Title VI Equity Analysis

The equity analysis is currently prepared by the MDT ADA coordinator with a final review provided by the Project Manager. However, this may be subject to change.

Note, the equity analysis and NEPA must be completed and approved prior to land acquisition or the purchase of an existing facility.

NEPA

All FTA funded facility projects, where ground is disturbed, are subject to environmental clearance. Most commonly FTA requires the submittal of the categorical exclusion worksheet for review and approval. However, in some cases an extensive environmental review may be necessary. All reviews require the completion of Form 106. This function is performed by the Project Manager or Project

⁵ Guidance for the development of an ICE can be found in NCHRP Project 20-65 Task 53: [https://onlinepubs.trb.org/onlinepubs/nchrp/docs/NCHRP20-65\(53\)_FR.pdf](https://onlinepubs.trb.org/onlinepubs/nchrp/docs/NCHRP20-65(53)_FR.pdf).

Manager's Contractor with administration and submittal to FTA provided by the MDT Grants Manager and Environmental Specialist.

The Project Manager may engage in preliminary activities to complete the NEPA process provided they do not limit future NEPA considerations or violate the requirements of the Uniform Act. These primary activities may include relocation planning and preliminary discussion with property owners that do not result in building agreements. If a recipient chooses to engage in any preliminary negotiations, its staff should prepare a statement for the owner's signature including that the owner understands these discussions to be preliminary and nonbinding as to price and other considerations. Failure to comply with this requirement may jeopardize the eligibility of the Award.

Land Acquisition

Land must be acquired in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970. All land purchases and donations must be independently appraised by an approved appraiser, provided by the Project Manager, and a review appraisal conducted by an MDT Property Acquisition Specialist.

Land appraisals exceeding \$1,000,000, land purchases which exceed the appraised value, and all land donations intended to be used as in-kind match must also be reviewed and approved by FTA. It is the responsibility of MDT to seek FTA approval.

A&E Services

State certified A&E services are required by state law, Montana Code Annotated (MCA) 18-2-114, Seal and signature of architect on plans⁶, and must be procured using a qualifications-based process in accordance with the Brooks Act. Professional services subject to this requirement are program management, construction management, feasibility studies, preliminary engineering, conceptual design, architectural, engineering, surveying, mapping, and related services. The MDT ADA Coordinator shall review and approve ADA accessibility on all associated certified conceptual designs.

Unlike other two-step procurement procedures, in which price is an evaluation factor, an offeror's qualifications are evaluated to determine contract award. Price must not be considered during the selection phase in these procurements. Firms are selected based only on their qualifications. Price is then negotiated with the most qualified firm. If an agreement cannot be reached, then the Project Manager may negotiate with the next most qualified firm and so on until an agreement is reached on a price that the Project Manager determines is fair and reasonable. Unless FTA determines otherwise in writing, a Project Manager may not use qualifications-based procurement procedures to acquire other types of services if those services are not directly in support of, directly connected to, directly related to, or do not lead to construction, alteration, or repair of real property.

Construction Services Contracting

Prequalification / Pre-Bid Conference – The Project Manager is not required to prequalify potential bidders. However, a Project Manager that places such a requirement on potential bidders must adhere to FTA procurement requirements. If a Project Manager requires prospective bidders to prequalify, it

⁶ MCA 18-2-114. Seal and signature of architect on plans:
https://leg.mt.gov/bills/mca/title_0180/chapter_0020/part_0010/section_0140/0180-0020-0010-0140.html.

must ensure that all lists of prequalified persons, firms, or products that are used in acquiring goods and services are current and include enough sources to ensure full and open competition. The Project Manager must permit potential bidders or offerors to qualify during the solicitation period - from the issuance of the solicitation to its closing date. Prequalification should not be confused with reviews of technical qualifications that are an essential process in two-step and qualifications-based procurements.

Solicitation Document – The Project Manager must ensure that all solicitations incorporate a clear and accurate description of the services being procured, identify all requirements that the offerors must fulfill, and identify all other factors to be used in evaluating bids or proposals. Descriptions must not contain features that unduly restrict competition. All applicable Federal and State rules and regulations must be included in all solicitations.

Local Preference – The Project Manager is prohibited from specifying in-state or local geographical preferences or evaluating bids or proposals considering in-state or local geographic preferences, even if those preferences are imposed by state or local laws or regulations. 49 U.S.C. Section 5325(i)⁷ prohibits an FTA sub-recipient from limiting its bus purchases to in-state dealers. A State may enforce its licensing requirements, provided that those requirements do not conflict with Federal law.

Advertising Bids - MCA 18-2-301⁸ requires invitations for bids (IFBs) for construction projects of \$75,000 or more to be advertised in at least one issue each week for three consecutive weeks in two newspapers published in the state, one of which must be published at the seat of government and the other in the county where the work is to be performed, calling for sealed bids to perform the work and stating the time and place bids will be considered. All work may be done, caused to be done, or contracted for only after competitive bidding.

Number of Bids - For construction projects, MCA 18-2-103⁹ requires at least two formal bids to be received, if reasonably available. If two bids are not received, documentation must be provided as to why the process was open and fair and why the bid is awarded to a single bidder.

Responsible Bidders - Contract awards must be made only to “responsible” Contractors possessing the ability, willingness, and integrity to perform successfully under the terms and conditions of the contract. Responsibility is a procurement issue that is determined by the Agency after receiving bids or proposals and before making a contract award. FTA expects the prospective Contractor to demonstrate affirmatively to the Agency that it qualifies as “responsible” and that its proposed Subcontractors also qualify as “responsible.”

4. Construction Administration

BASIC REQUIREMENT

⁷ 49 U.S.C. Section 5325(i): <https://uscode.house.gov/view.xhtml?req=granuleid:USC-2000-title49-section5325&num=0&edition=2000>.

⁸ MCA 18-2-301. Bids Required -- Public Notice: https://leg.mt.gov/bills/mca/title_0180/chapter_0020/part_0030/section_0010/0180-0020-0030-0010.html.

⁹ MCA 18-2-103. Supervision Of Construction Of Buildings: https://leg.mt.gov/bills/mca/title_0180/chapter_0020/part_0010/section_0030/0180-0020-0010-0030.html.

Construction administration activities begin upon issuance of the notice of contract award and a notice to proceed to the Construction Contractor. Elements of a good construction administration system include the following elements:

- The pre-construction meeting
- Lines of communication
- Reporting and monitoring requirements
- DBE reporting and monitoring
- Davis-Bacon monitoring
- Construction inspection
- Project scheduling
- Progress payment requirements
- Controlling project configuration and changes
- Change orders
- Construction progress meetings
- Procurement and contracts
- Dispute resolution
- Maintenance plans
- Contract close-out

The Pre-Construction Meeting

A pre-construction meeting should be held shortly after the Contractor is issued notice to proceed. An example pre-construction meeting agenda can be found in Appendix F of the Oversight of Facility Projects Guidebook. Meeting attendance should be mandatory for the entire project team. The following elements should be included in the pre-construction meeting.

Lines of Communication

The primary purpose of the pre-construction meeting is to establish lines of communication between the Contractor and the Agency. There should be a single point of contact for the Contractor. If a Construction Manager is being used, they should be the Agency point of contact. If there is no Construction Manager, the Agency Project Manager should serve as the point of contact with the Construction Contractor. All members of the project team should agree with the individuals who are established as points of contact.

Reporting and Monitoring Requirements

The types and frequency of project reports should be discussed with the Construction Contractor. If possible, standard reporting forms should be provided to ensure consistency of reporting throughout the life of the project. At a minimum, reports should include information on project progress against the project schedule, project costs compared to the project budget, and change order reports. It is best practice to require that reports be provided monthly. The roles and responsibilities of the people preparing and receiving these reports should be established at this meeting.

DBE Reporting and Monitoring

Contractors and Subcontractors must make a good faith effort to hire DBEs. The

U.S. Department of Transportation (USDOT) requires ongoing monitoring of DBE activities. Obtaining a monthly report from the Contractor regarding the utilization of DBE is one tool to ensure that the DBE Subcontractors committed to by the Construction Contractor are, in fact, utilized during the construction process. It is strongly recommended that the Construction Contractor attach a DBE utilization report to the monthly payment application. The content of this report should be reviewed by the Project Manager and the DBELO. An example monthly DBE status report is contained in Appendix G of Oversight of Facility Projects Guidebook.

On-site inspections should also be performed to verify actual construction activities being performed by DBE firms. The on-site inspections must be formal and certified by the individual that undertakes them.

Davis-Bacon Monitoring

The Davis-Bacon Act requires that wages paid to workers on publicly funded construction projects must comply with prevailing rates for the locality of the project. In most cases, prevailing rates reflect hourly wages and benefits as negotiated by local trade unions. The prevailing rates are normally maintained by State labor departments. Copies of the rates must be included in the construction solicitation document.

During construction, the Contractor should be required to provide copies of certified payroll information. This information should be compared to the prevailing rates to ensure workers are being paid the proper rates.

Construction Inspection

It is recommended that the construction project team include an individual that will be on-site 100 percent of the time until the project is closed out. If a Construction Manager is employed, it should provide on-site inspections. If there is no separate Construction Manager, it is recommended that a staff member be tasked to perform this service. This staff member would provide full-time on-site construction supervision and inspection. In either case, the Construction Manager or the assigned staff member would report directly to the Project Manager.

As part of the construction inspection, daily inspection reports should be prepared by the on-site inspector. The inspection report should contain information on the Contractors and trades on site, the work being done, the numbers of workers on site, weather conditions, and any information that may be significant in determining a potential slip in the project completion schedule. Daily inspection reports should also include any information that may lead to future change orders. Copies of the inspection reports should be provided to the Project Manager and the A&E firm.

Progress Payment Requirements

Payments to Contractors during a transit construction project commonly consist of a series of progress payments. Progress payments are normally issued monthly. The key element which establishes that progress payments will be made is a document referred to as a "schedule of values." The schedule of values is a listing of construction activities which have a monetary value associated with them. The schedule of values is initially prepared by the Contractor. This document is reviewed by the A&E firm and (if applicable) the Construction Manager. This review should ensure the monetary values associated with the various construction activities are properly established. Care should be taken to ensure the schedule of values is not front loaded; in other words, the true value of the activity should be reflected regardless of when the activity takes place during the performance of the contract. If the schedule of values is front loaded, the Contractor will receive additional compensation that is not related to the

actual value of work completed. Terms should be negotiated with the Contractor until the schedule of values is balanced and represents fair compensation for work as it is completed.

The Contractor is responsible for preparing a monthly payment application and delivering it to the designated representative of the Agency. If a Construction Manager is being used, this should be the designated Agency representative. If no Construction Manager is employed, the payment application should be delivered to the on-site inspector. The payment application should have the approved schedule of values attached with claims for work completed under each category of the schedule. This schedule is reviewed by the Agency's team. If there is disagreement over an invoiced activity, a review of the invoice should be undertaken with the Contractor until agreement on the amounts is reached. At this point, the A&E firm will certify the payment application and submit it to the Agency for approval and payment.

Change Orders

Change orders are a common occurrence during the construction process. It is very important to have a structured process for reviewing and approving any change orders.

Change orders can take several forms: no cost schedule changes, cost changes that do not impact the schedule, and changes that impact both the project schedule and costs.

Regardless of the nature of the change order, there is a common process that must be followed and documented when dealing with change orders. The FTA considers each change order to be a sole source or non-competitive procurement. As such, any additional work contained in a change order must be within the general scope of the primary construction contract. In addition, the cost of the change order must be analyzed and found to be fair and reasonable.

Upon receiving notification of a potential change order, the first order of business should be to decide if the nature of the change order is within the scope of the current project and that all work involved in the change order is not already covered by the scope of the contract. If the requested change is for an extension of time to complete the project, the initial determination should be based on whether any delays in the project were beyond the Contractor's control.

If a determination is made that the change order request is justified, the Contractor should be asked to provide a proposal. The proposal should include all cost elements which make up the change order price and the time needed for implementation. These cost and time elements should include the worker classifications, labor hours, hourly rates, quantities and unit cost of materials, cost of fringe benefits, and any additional profit. An ICE should be prepared by the project team as well. It is customary that the Project Manager or A&E firm prepare the ICE. The ICE would be prepared using the same cost elements requested from the Contractor.

Upon receipt of the cost proposal, the Project Manager, A&E firm, the Construction Manager if used, or the Grants Manager should evaluate the proposal. If they determine the costs and resulting price are reasonable, a written determination is provided to or by the Agency. If costs are not determined reasonable, negotiations should commence with the Contractor in order to arrive at a reasonable price. A written record of negotiations should be kept.

A final version of the change order should be prepared and executed by the Contractor, the A&E firm and the Agency. An example change order form is included in Appendix H of the Oversight of Facility Projects Guidebook or will be provided by the Grants Manager upon request.

Construction Progress Meetings

Construction progress meetings are necessary to keep lines of communication open with the Contractor. The key topics of these meetings are the project schedule, any potential or pending change order requests, and the status of the DBE program. Meetings should be scheduled no less frequently than every two weeks. The A&E firm's representative should prepare the agenda and keep written minutes of each meeting. The minutes should be transmitted to each member of the project team. Any corrections to the minutes should be addressed at the next project meeting.

Dispute Resolution

FTA requires that contracts for projects that exceed the federal simplified acquisition threshold contain provisions describing dispute resolution procedures. During construction projects, it is not uncommon for disputes to arise between the Agency and the Contractor. Whenever possible, disputes should be resolved between the Agency and Contractor through discussions held amongst the parties. When this process fails, it may be necessary to use a formal legal process. This process should be described in the contract document. It is important that the contract terms direct the Contractor to proceed with the work as disputes are being settled. It is also customary that the contract provisions require the use of a court with local jurisdiction for dispute resolution.

Maintenance Plans

Completed construction projects normally contain numerous systems that will require routine maintenance. The FTA requires the owner to prepare facility and equipment maintenance plans that will ensure the facility is properly maintained. Contract documents may require the Contractor to provide maintenance and operations manuals for the facility's systems. These manuals will serve as the reference documents for the facility and equipment maintenance plan. The MDT Grants Manager will provide the Project Manager with a preventative maintenance plan template upon request.

Contract Close Out

There are several formal actions that are required to successfully close out a transit construction contract. A good practice is to prepare a closeout checklist to ensure all activities are completed. The following items describe actions needed to perform a successful project closeout. These items should be included in the closeout checklist.

Certificate of occupancy – For new construction and expansion projects a certificate of occupancy must be obtained from the Montana Department of Labor and Industry prior to occupying the facility.

Substantial Completion - A notice of substantial completion is submitted to the A&E firm, or directly to the Agency, from the Contractor. This notice is a representation from the Contractor that most if not all work required by the specifications has been completed. Upon receipt of this notice, the A&E firm, or the Agency, will perform a walkthrough of the project with the Contractor.

Final Walkthrough – The Project Manager, Grants Manager, ADA Coordinator, A&E firm representative, Construction Manager (if used), and Prime must be present when performing the final walkthrough to ensure final construction follows the agreement.

Certification of Substantial Completion - After the walkthrough inspection, the A&E firm will prepare and sign the certification of substantial completion. Any incomplete items will be listed in a document called

the “punch list.” The punch list will be attached to the certificate of substantial completion. The Contractor should be given a date to complete items contained in the punch list. The Contractor will provide notification to the A&E firm, or directly to the owner, when all items on the punch list have been completed. When this notification is received, another walkthrough inspection will be performed to verify completion.

Certification of Final Completion – Once all items contained in the punch list have been completed, the A&E firm will provide a signed certification of final completion. Upon receipt of the certificate of final completion, final payment, less retainage, may be made to the Contractor.

Release of Liens – The Contractor will provide a release of liens for itself as well as all Subcontractors and material suppliers. The release of liens represents that all payments due have been received and there will be no claims for unpaid balances.

Release of Retainage – Upon receipt of all lien releases, the Contractor can submit a request for payment of retainage amounts.

Secured Interest Agreement – As a condition of its participation in the construction project, the MDT will retain a secured interest on behalf of itself and the FTA for the estimated useful life of the facility, expected to be forty (40) years following completion of the construction project.

**MONTANA DEPARTMENT OF TRANSPORTATION
TRANSIT SECTION
FACILITY CONSTRUCTION CHECKLIST**

Date:

Subrecipient Agency Name:

Subrecipient Project Lead:

Project Description:

INDEPENDENT COST ANALYSIS (ICE)

1. Was an ICE conducted in preparation for and prior to all procurement activities?

Title VI EQUITY ANALYSIS (EA)

1. Did the MDT ADA coordinator complete the EA and was it approved by the project manager?
2. Was the EA approved prior to land acquisition or the purchase of an existing facility?

National Environmental Policy Act (NEPA)

1. Does the project meet the threshold for requiring environmental review?
 - All project sites require an environmental review before the project contracting.
 - New construction or renovation projects, where land is disturbed, likely require a categorical exclusion.
2. Was the historical analysis, Form 106, completed by the project manager?
3. Was the environmental assessment submittal approved by FTA?
 - The NEPA process is supported by the MDT environmental specialist.

LAND ACQUISITION

1. Was the land acquisition appraised by an independent appraiser?
2. Was the appraisal reviewed and approved by MDT?
 - Land appraisals exceeding \$1 million, land purchases which exceed the appraised value, and all land donations intended to be used as in-kind match require review and approval by FTA.
 - Land purchased on Tribal Reservation may be subject to additional tribal requirements.

ARCHITECTURAL AND ENGINEERING (A&E)

1. In accordance with Montana State law, were the conceptual designs certified?
2. Were the stamped plans reviewed and approved by the MDT ADA coordinator?
3. Is A&E project administration included in the project?
4. Did the project require the A&E firms to pre-qualify?
5. Was the A&E procurement a qualifications-based process in accordance with the Brooks Act?
6. Were the appropriate federal professional services clauses signed by the proposer?

CONSTRUCTION SERVICES CONTRACTING

1. Does the solicitation and contract include the current federally required construction clauses?
2. Does the solicitation include a clear and accurate description of the services to be provided, requirements the offeror must meet, and the factors used in evaluating bids?
3. How was the solicitation advertised?
4. How many proposers submitted bids?
5. If only one bid was received and a contract awarded, did the project manager document the justification for the award?
6. Did the successful proposer submit signed federal certifications?
7. Does the proposer have an active registration within the System for Award Management (SAM.gov)?
8. Did the project manager or procurement manager verify that the proposer is eligible for federal funds and was a copy of the SAM.gov eligibility verification retained?

PROJECT MANAGMENT

1. What is the name and title of the project manager?
2. What is the total number of change orders?
3. Were change orders allowable, allocable, within the scope of its grant or cooperative agreement, and reasonable for the completion of project scope?
4. Were change order(s) reviewed and documented by the project manager?
5. Was certified payroll submitted?

CONTRACT CLOSE OUT

1. Was the certificate of occupancy completed?
2. Was a notice of substantial completion submitted by the A&E firm, or directly to the Agency, from the contractor?
3. What is the date of the final walkthrough?
4. Did the final walkthrough include an ADA inspection provided by the MDT ADA coordinator?
5. Was a punch list completed and attached to the certificate of substantial completion?
6. Was a certification of final completion provided?
7. Were the liens and retainage released?

MAINTENANCE - MAINTENANCE - MAINTENANCE - MAINTENANCE



PREVENTATIVE MAINTENANCE PLAN

A Template for Montana Transit Systems and Agencies

**MONTANA DEPARTMENT OF TRANSPORTATION (MDT)
Rail, Transit, and Planning Division
Transit, Safety, and Planning Bureau**

LAST UPDATED: November 2023

MAINTENANCE - MAINTENANCE - MAINTENANCE - MAINTENANCE

HOW TO USE THIS TEMPLATE

The Montana Department of Transportation (MDT) is responsible for monitoring the use of real property, facilities and equipment funded by the Federal Transit Administration (FTA). Specifically, MDT must develop maintenance requirements for FTA funded vehicles that are adequate to protect the Federal interest and to ensure that the equipment is maintained in a state of good repair.

The following document is structured as a template which outlines the required elements of the Transit Agency Maintenance Plan. Transit Agencies should complete the **text highlighted in yellow** to personalize their own Transit Agency Maintenance Plan.

Several documents are required to be submitted as appendices to the Transit Agency Maintenance Plan. **Red bolded and underlined text** will indicate when further documentation must be attached as an appendix.

It is critical that any changes made to the Maintenance Plan be documented in the Activity Log, especially when new assets are added. Other changes might include revisions, addendums, and updates to Appendix documents.

Note: If a subrecipient contracts out for transit service and a vehicle funded with federal dollars is being leased to the contractor, the subrecipient must ensure that the service contractor meets all Maintenance Requirements. Both the subrecipient and the service contractor must hold copies of the Maintenance Plan on file.

If you have any questions, please contact the Facilities/Rolling Stock/Procurement Transit Planner Jackson Lang by email at jl原因@mt.gov or by phone 406-444-7645.

Complete the **text highlighted in yellow and **attach the appropriate documentation requested in red bolded text** to personalize the Maintenance Plan. Transit Systems and Agencies are encouraged to make any necessary revisions to this document so that it reflects maintenance activities practiced by the Transit System or Agency.**

MAINTENANCE PLAN

Prepared by:	Insert Name and Affiliation
Prepared for:	Insert Subrecipient Name
Service Area:	Insert Area Served by Subrecipient
Date Adopted:	Insert Date
Last Revised:	Insert Date

Who is the main contact responsible for implementing and updating this plan?

Title:	Click to insert text.
Name:	Click to insert text.
Address:	Click to insert text.
Phone:	Click to insert text.
Email:	Click to insert text.

ACTIVITY LOG

Maintenance Plan

Date	Activity (Review/Update/Addendum/Adoption /Distribution)	Concerned Person (Signature)	Remarks
Insert Date	Click to insert text.	Click to insert text.	Click to insert text.
Insert Date	Click to insert text.	Click to insert text.	Click to insert text.
Insert Date	Click to insert text.	Click to insert text.	Click to insert text.
Insert Date	Click to insert text.	Click to insert text.	Click to insert text.
Insert Date	Click to insert text.	Click to insert text.	Click to insert text.

EXECUTIVE SUMMARY

As a subrecipient of Federal Transit Administration (FTA) funding, **SUBRECIPIENT** must develop – and adhere to – a written maintenance plan. Maintenance plans can address vehicles, facilities (and substantial facility components), and other substantial assets and/or “other equipment”.

For administrative purposes, **SUBRECIPIENT** under direction of the MDT considers assets to be “substantial” if:

1. The asset has an original cost of at least \$5,000;
2. The asset has an estimated useful life of at least four years; and
3. MDT determines that best industry practice dictates they be subjected to routine maintenance.

SUBRECIPIENT will submit a current and updated maintenance plan at MDT’s request. Once a plan has been submitted, **SUBRECIPIENT** is required to resubmit a plan only if substantial changes have been made to the plan since the previous submission (e.g., the acquisition of new assets and/or vehicle types).

By adopting this Transit Agency Maintenance Plan, **SUBRECIPIENT** agrees the following information is consistent with, and supports all required elements outlined in **Table 1**. Furthermore, **SUBRECIPIENT** agrees to thoroughly read the contents of any MDT templates and technical assistance resources and personalize such documentation as needed.

1. Mission Statement	<input type="checkbox"/>
2. Maintenance Procedures	<input type="checkbox"/>
a. Maintenance Oversight	<input type="checkbox"/>
b. Maintenance Procedures for Vehicles	<input type="checkbox"/>
c. Maintenance Procedures for Accessibility Equipment	<input type="checkbox"/>
d. System to Identify and Recode Maintenance and Repair Activities	<input type="checkbox"/>
e. Authorizing and Controlling Maintenance Activities and Costs	<input type="checkbox"/>
f. Quality Control for Assets Maintained by a Service Contractor	<input type="checkbox"/>
g. Warranty Recovery	<input type="checkbox"/>
3. Asset Inventory of State and/or Federally Funded Assets	<input type="checkbox"/>
4. Insurance Standards	<input type="checkbox"/>
5. Maintenance Records	<input type="checkbox"/>
6. Maintenance Schedules and Forms	<input type="checkbox"/>

Table 1: Elements Required in the Transit Agency Maintenance Plan

Click to insert text.

Executive Director of Service Contractor (if applicable)

Insert Date

Date Signed

Click to insert text.

Executive Director of Subrecipient

Insert Date

Date Signed

Click to insert text.

MDT Reviewer Name and Title

Insert Date

Date Signed

TABLE OF CONTENTS

Section 1: Mission Statement

Section 2: Maintenance Procedures

2(a) Maintenance Oversight

2(b) Maintenance Procedures for Vehicles

2(c) Maintenance Procedures for Accessibility Equipment

2(d) System to Identify and Record Maintenance and Repair Activities

2(e) Authorizing and Controlling Maintenance Activities and Costs

2(f) Quality Control for Assets Maintained by a Service Contractor

2(g) Warranty Recoveries

Section 3: Asset Inventory

Section 4: Insurance Standards

Section 5: Maintenance Records

Section 6: Maintenance Schedules and Forms

APPENDIX A: Maintenance Staff Roster and Responsibilities

APPENDIX B: Asset Inventory

APPENDIX C: Proof of Insurance

APPENDIX D: Maintenance Logs and Records

APPENDIX E: Maintenance Schedules and Inspection Forms

1. MISSION STATEMENT

The mission of the **SUBRECIPIENT / TRANSIT AGENCY** maintenance program is to ensure the cleanliness, comfort, cost-effective operation, durability, reliability, and safety of all vehicles, equipment, and facilities in our transit system. As such, **SUBRECIPIENT / TRANSIT AGENCY** is dedicated to properly maintaining our assets. Our maintenance program adheres to manufacturer minimum maintenance requirements for all such assets, and we comply with all applicable federal and state maintenance requirements.

2. MAINTENANCE PROCEDURES

2(a) *Maintenance Oversight*

The **SUBRECIPIENT / TRANSIT AGENCY** fleet manager has the overall responsibility for maintenance of our transit assets. The fleet manager's specific responsibilities include:

- Managing the timely completion of all vehicle, facility, and equipment inspections and ensuring that all substantial program assets receive timely and cost-effective preventative maintenance and (when necessary) repair.
- Overseeing all record-keeping and warranty recovery for program assets
- Tracking regulatory and maintenance standard changes
- Analyzing fleet maintenance data to ensure that individual vehicles are performing reliably and cost-effectively.
- Updating this plan as appropriate to reflect changes in **SUBRECIPIENT / TRANSIT AGENCY** asset inventory.

The current fleet manager of **SUBRECIPIENT / TRANSIT AGENCY** is:

Title:	Click to insert text.
Name:	Click to insert text.
Address:	Click to insert text.
Phone:	Click to insert text.
Email:	Click to insert text.

ACTION REQUIRED:

Include a roster of all maintenance staff and their specific maintenance responsibilities as APPENDIX A.

2(b) *Maintenance Procedures for Vehicles*

SUBRECIPIENT / TRANSIT AGENCY adheres to manufacturer-specified preventative maintenance (PM) schedules and procedures for all transit vehicles.

SUBRECIPIENT / TRANSIT AGENCY uses schedules that apply for "severe duty" use. PM services are performed within 500 miles (plus or minus) and within three weeks (plus or minus) of specified intervals.

SUBRECIPIENT / TRANSIT AGENCY performs daily pre-trip and post-trip inspections on every transit vehicle in service. Drivers perform these inspections using vehicle-specific checklists that reflect industry best practices.

SUBRECIPIENT / TRANSIT AGENCY also conducts periodic engine oil analyses on each fleet vehicle. Analyses on each vehicle are scheduled based on mileage or hours of operation. The purpose of these analyses is for early

identification of unusual engine wear, thereby helping to prevent catastrophic engine failures. Oil analysis is conducted by:

Name:	Click to insert text.	Phone:	Click to insert text.
Address:	Click to insert text.	Email:	Click to insert text.

Finally, in addition to standard PM, daily inspections, and periodic oil analyses, we also subject each vehicle to an annual comprehensive inspection. Inspections and routine services are recorded and kept on file for at least 3 years.

SUBRECIPIENT / TRANSIT AGENCY performs all scheduled vehicle maintenance and inspections at:

Facility Title:	Click to insert text.
Owner Name:	Click to insert text.
Address:	Click to insert text.
Phone:	Click to insert text.
Email:	Click to insert text.

We normally allocate substantial mechanical repairs and engine rebuilds to:

Facility Title:	Click to insert text.
Owner Name:	Click to insert text.
Address:	Click to insert text.
Phone:	Click to insert text.
Email:	Click to insert text.

2(c) Maintenance Procedures for Accessibility Equipment

SUBRECIPIENT / TRANSIT AGENCY adheres to manufacturer-specified preventative maintenance (PM) schedules and procedures for all wheelchair lifts and other accessibility equipment installed on transit vehicles.

Wheelchair lift schedules are based on operation cycles and time intervals. We perform PM services within the following allowances:

Specified Maintenance Interval	Allowances
Two weeks/160 cycles	+/- 2 days/20 cycles
Three months/950 cycles	+/- 10 days/50 cycles
Annual/3800 cycles	+/- 21 days/200 cycles

Additionally, we perform daily lift inspections regardless of the number of cycles from the prior day of operation.

In order to comply with requirements under the ADA, we take the following actions once a vehicle lift becomes inoperable:

1. We remove the vehicle from service before the start of our next service day.
2. We do not resume using the vehicle until the lift is fully repaired.
3. Unless we have an ADA-compliant replacement vehicle available, we resume using the vehicle – with a repaired or replaced lift – within three service days.
4. If the lift becomes inoperable on a fixed route, we promptly provide alternative transportation to individuals with disabilities who are unable to use the vehicle because its lift does not work.

SUBRECIPIENT / TRANSIT AGENCY subjects wheelchair tie-downs and occupant restraints to daily pre-trip inspections. We take care to keep all components clean, and to prevent contamination of belt webbing from oil, gases, polishes, and chemicals. Additionally, we replace these components whenever they show any signs of excessive wear or damage or have been in use during a vehicle impact.

2(d) System to Identify and Record Maintenance and Repair Activities

We track maintenance and repair activities for each vehicle in our fleet using **INSERT MANAGEMENT SYSTEM**.

SUBRECIPIENT / TRANSIT AGENCY fleet manager uses this management system to establish a PM schedule, review open and closed work orders, and monitor fleet expenses and vehicle performance (by tracking individual vehicle expenses, road call rates, etc.) Maintenance staff use the management system to document performed maintenance, and to generate work orders for unscheduled and/or outside maintenance or repair.

Each work order identifies all specific maintenance and/or repair activities performed on the date(s) identified. It also indicates the equipment's mileage, service time, and/or cycles as appropriate.

2(e) Authorizing and Controlling Maintenance Activities and Costs

The **SUBRECIPIENT / TRANSIT AGENCY** fleet manager is responsible for establishing the PM schedule for each type of vehicle we operate, and for ensuring that all PM activities are completed timely and consistent with manufacturers' recommendations. Both the manager and maintenance staff are responsible for reviewing PM and repair activities regularly, to ensure that review and decisions are made at a proper level of responsibility.

Each day the manager reviews our PM tracking report to identify which vehicles are due for preventative maintenance. The identified vehicles are removed from service and scheduled for work.

The manager then assigns the work to a maintenance technician who completes the appropriate PM inspection form and performs the required PM. The technician reviews the appropriate standard maintenance instructions as necessary and is required to follow those instructions through completion. The technician may perform very minor repairs (i.e., light bulb replacements, securing of fasteners, etc.) during the PM services as well.

Technicians may identify other needed repairs, known as "write-ups," during the PM inspection. In addition, drivers may report vehicle problems that require repair. The manager and/or the lead technician will review the write-up and driver report. Subject to their approval, repairs are then scheduled into one of our service bays, assigned to a mechanic, and completed before the bus returns to service. We issue separate work orders for this type of repair.

Specialized vehicle components such as wheelchair lifts and fare collection systems are subject to separate inspection forms and maintenance schedules. However, maintenance and repair work on these components is still subject to fleet manager oversight. The manager or the lead technician is charged with scheduling the subject vehicle into one of our service bays and assigning the work to a mechanic.

In addition to overseeing maintenance activities, the **SUBRECIPIENT / TRANSIT AGENCY** fleet manager tracks maintenance repair costs, on both individual vehicles and the entire fleet. These costs are tracked against our annual maintenance budget, equipment replacement costs, and remaining equipment life. This approach improves productivity, reduces costs and optimizes resource allocations.

2(f) Quality Control for Assets Maintained by a Service Contractor

Choose one of the scenarios identified below:

1. **SUBRECIPIENT** does not contract out routine vehicle maintenance to a service contractor at this time. If and when we elect to do so, we will require the contractor to maintain the vehicles in accordance with this plan. To ensure compliance, we will approve all contractor forms, require the contractor to submit all work orders for preventative maintenance and repairs to our fleet manager, and conduct annual physical inspections of all vehicles maintained by the contractor.
2. **SUBRECIPIENT** vehicles are maintained by a service contractor and thus **SUBRECIPIENT** provides the appropriate oversight of the contractor to ensure preventative maintenance and repairs are completed. Appropriate oversight of the contractor includes:
 - Quarterly review of the work performed by the contractor(s). This is done by reviewing maintenance logs and records. These documents should be kept on file for at least 3 years.
 - A periodic physical inspection of the vehicles maintained by the contractor(s). A best practice is for the physical inspection to be completed on at least an annual basis. Documentation of the review and checklists used for inspection should be kept on file for at least 3 years.
 - Semi-annual meetings between **SUBRECIPIENT** and the contractor to discuss maintenance related issues, topics, and concerns. Documentation, including the date, location and attendees of the meeting should be recorded and kept on file. Minutes of the meeting should also be recorded and distributed to all attendees.

2(g) Warranty Recoveries

The fleet manager aggressively pursues warranty recovery when appropriate to ensure that equipment manufacturers bear the costs to repair defects and premature component failures, not **SUBRECIPIENT / TRANSIT AGENCY** or the FTA.

While vehicles remain under warranty, the fleet manager of **SUBRECIPIENT / TRANSIT AGENCY** reviews the warranty terms before authorizing any substantial repairs or parts replacements. Additionally, the fleet manager periodically consults the following online sources to assess whether any fleet vehicles or vehicle components are subject to recalls:

- www.epa.gov/otag/recall.htm (light-duty emission-related recalls)
- www.recalls.gov/nhtsa.html (all other vehicle-related recalls)

Upon determining that a vehicle requires repairs while still under warranty, the fleet manager:

1. Initiates a warranty claim in writing with a local dealership or the manufacturer as appropriate.
2. Adds a copy of the claim to the vehicle's maintenance record.
3. Authorizes performance of the warranted work in-house, or delivery of the vehicle to an authorized repair business, whichever the manufacturer specifies.
4. Adds warranty repairs to the vehicle's maintenance record; and
5. Ensures that repair records and failed parts for in-house warranty work are retained as required to ensure manufacturer reimbursement.

3. ASSET INVENTORY

The asset inventory process is the approach **SUBRECIPIENT / TRANSIT AGENCY** takes in maintaining a register of the assets it owns or is responsible for maintaining. Asset inventory is the first step in organizing and managing asset information. Subrecipients track and maintain their asset inventory using BlackCat the MDT Transit Data Management System. **The asset inventory should be updated whenever a new grant application is submitted to MDT.**

ACTION REQUIRED:

Transit agencies should attach an asset inventory as APPENDIX B. An asset inventory might include the following and can be exported from Blackcat for attaching:

- **Year/Make/Model**
- **Vehicle Identification Number or Equipment Description**
- **Condition of Vehicle or Equipment**
- **Remaining Useful Life**
- **Vested Title if the Asset is a Vehicle**
- **Acquisition Date**
- **Disposition Action**
- **Replacement Cost of Asset**

4. Insurance Standards

SUBRECIPIENT / TRANSIT AGENCY provides proof of insurance it maintains in an amount and form satisfactory to MDT, including the insurance or self-insurance (e.g., property, personal injury, and collision coverage) adequate to cover the current value of project equipment and rolling stock throughout the period of required use.

Specifically for rolling stock, at a minimum, compliance with the insurance requirements normally imposed by state and local laws, regulations, and ordinances, except to the extent that the Federal Government determines otherwise in writing. These liability standards are presented below.

Subrecipients must carry collision and comprehensive coverage for 100 percent of the vehicle's market value.

ACTION REQUIRED:

Transit agencies should attach proof of insurance as APPENDIX C.

LIABILITY INSURANCE REQUIREMENTS		
Vehicle Capacity (# of passengers)	Bodily Injury (per person/per occurrence)	Property Damage
<i>Vehicles Transporting Persons with Disabilities</i>		
1 - 7	\$75,000 - \$150,000	\$10,000
8 - 15	\$75,000 - \$200,000	\$10,000
16 - 24	\$75,000 - \$250,000	\$10,000
25 - 36	\$75,000 - \$375,000	\$10,000
37 - 49	\$75,000 - \$500,000	\$10,000
50	\$75,000 - \$500,000 \$10,000 for each passenger seat over 50	\$10,000
<i>All Other Vehicles</i>		
1 - 7	\$100,000 - \$300,000	\$50,000
8 - 12	\$100,000 - \$350,000	\$50,000
13 - 20	\$100,000 - \$400,000	\$50,000
21 - 30	\$100,000 - \$450,000	\$50,000
31 +	\$100,000 - \$500,000	\$50,000

5. Maintenance Records

SUBRECIPIENT / TRANSIT AGENCY is committed to record keeping as both an important part of maintenance compliance and an essential tool for ensuring that service schedules have been implemented. It helps to identify early warning signs of impending problems in equipment and provides back-up information for warranty claims. Maintenance records include all completed work order forms, service receipts, inspection forms, warranty recovery requests, etc.

SUBRECIPIENT / TRANSIT AGENCY holds its maintenance records on file at **INSERT LOCATION** and uses **INSERT RECORD KEEPING SYSTEM** to organize maintenance records.

ACTION REQUIRED:

Transit agencies should attach sample maintenance logs/records as APPENDIX D. Please note, agencies will be required to produce maintenance logs/records from the previous 3 years during on-site compliance reviews.

6. Maintenance Schedules and Forms

SUBRECIPIENT / TRANSIT AGENCY utilizes maintenance schedules to identify all specific preventative maintenance actions – and intervals between these actions – for an asset or group of assets.

Maintenance schedules for vehicles normally are established by the manufacturer and provided in the owner's manual. However, when a manufacturer's maintenance requirements are not kept on file, **SUBRECIPIENT / TRANSIT AGENCY** will contact a local dealership or the original vendor to obtain this information.

ACTION REQUIRED:

Transit agencies should attach samples of the following documents as APPENDIX E:

- Appendix E.1 - Preventative maintenance schedules and forms
- Appendix E.2 - Pre-trip/ Post-trip Inspection Forms and Damage Chart

**STATE OF MONTANA
DEPARTMENT OF TRANSPORTATION**

Procedure No.	Subject: Subrecipient Oversight and Monitoring – Flood Insurance
Reference:	

1 PURPOSE

- 1.1 All Recipients are required to have procedures to determine if federal assisted buildings are located in special flood hazard areas and procedures for determining sufficient levels of insurance and periodically re-evaluate to determine if federally assisted buildings have been moved into a special hazard area by FEMA.

2 PROCEDURES

- 2.1 Procedure to determine if a federally assisted building is in a special flood hazard area.

- a. MDT will retain a copy the proof of insurance for existing federal assisted buildings.
- b. MDT will ensure that the insurance provider evaluated whether or not the federally assisted buildings and/or building content are located in a special flood hazard area.
 - The FEMA Flood Map Service Center (MSC) is the official public source for flood hazard information. MSC search engine: <https://msc.fema.gov/>.
- c. MDT will obtain and review evidence (i.e. FEMA Maps Reviewed, Reports prepared by the recipient, Internal Memos) that the insurance provider has periodically evaluated and re-evaluated if federally assisted buildings and assets are in a special flood hazard area. Evaluations shall occur at the time when insurance is placed on the federally assisted buildings and assets and when the insurance is renewed.

- 2.2 Procedure to determine if a federally assisted building has a sufficient level of insurance.

- a. If federally assisted buildings and assets are in a special flood hazard area, then MDT will review the proof of insurance to ensure that a sufficient level of insurance is in place to cover the total value of the building and assets.

- 2.3 Evidence that the MDT has followed the process established to identify and periodically re-evaluate if federally assisted buildings and assets are in a special flood hazard area.

- a. All documentation shall be up-to-date and stored within each associated building and asset file by the responsible MDT program staff.



MDT-TPL-xxx

11/16

Montana Department of Transportation Application for Insurance Claim Replacement

Please return ICR application,
and Authorization application
to our procurement planner
with appropriate
documentation to
mdttransitcontact@mt.gov.

Legal Name	<input type="text"/>	Date	<input type="text"/>
Director	<input type="text"/>	Phone Number	<input type="text"/>
Address	<input type="text"/>	City	<input type="text"/>
		State	<input type="text"/>
MDT Project ID#	<input type="text"/>	Service provided	<input type="text"/>
		Zip Code	<input type="text"/>
VIN#	<input type="text"/>	Is it a service or spare vehicle?	<input type="text"/>
		Odometer	<input type="text"/>
Year	<input type="text"/>	Make	<input type="text"/>
		Model	<input type="text"/>
FAIN #	<input type="text"/>	Date the Original Vehicle was Awarded	<input type="text"/>
Claim Number	<input type="text"/>		

***Vehicle must have remaining useful life to utilize this application.**

***Note: Must include the Authorization to Make Application form with this application to be processed.**

INSURANCE CLAIM REPLACEMENT GUIDANCE

- This application only applies to vehicles that are federally assisted property that has been lost or damaged by fire, casualty, or natural disaster that is deemed a total loss before the end of the asset's useful life.
- Vehicle must have remaining useful life to utilize this application.
- MDT will be replacing the totaled vehicle with a similar type of vehicle.
- This funding is to help refurbish/rehab MDT FTA funded vehicles.
- This will add a minimum of one year useful life to the vehicle.
- Funding used will be from 5311 grant subject to continued operation within the original contract limitations.

Insurance Replacement Statement: If applicable please explain the situation pertaining to the insurance replacement requested. Statement Example: "The request for a 13-passenger bus is to replace a similar, 13-passenger bus currently operating as a demand response vehicle."



MDT-TPL-021 11/16

Montana Department of Transportation Application for Capital Repair Funding

Please return signed CRF application and Authorization application to our procurement planner with appropriate documentation to mdttransitcontact@mt.gov.

Legal Name	<input type="text"/>			Date	<input type="text"/>
Director	<input type="text"/>	Phone Number	<input type="text"/>		
Address	<input type="text"/>				
City	<input type="text"/>	State	<input type="text"/>	Zip Code	<input type="text"/>
MDT Project ID#	<input type="text"/>	Service provided	<input type="text"/>		
VIN#	<input type="text"/>	Is it a service or spare vehicle?	<input type="text"/>	Odometer	<input type="text"/>
Year	<input type="text"/>	Make	<input type="text"/>	Model	<input type="text"/>

***Vehicle must have remaining useful life to utilize this application.**

***Note: Must include the Authorization to Make Application form with this application to be processed.**

Requirements

- Please attach the recent last three years maintenance records with signed application
- Please attach a minimum of three written estimates with signed application. If not able provide justification why, including repair shops contacted, and that the estimate obtained is fair. If only one estimate provided MDT will need to conduct further assessment prior to award.

Additional Information

- This funding is to help refurbish/rehab MDT FTA funded vehicles.
- This will add a minimum of one year useful life to the vehicle.
- Funding used will be from 5311 grant subject to continued operation within the original contract limitations.
- MDT will provide 86.58% federal funding with 13.42% local match upon receipt of an invoice of final billing.

Vehicle Needs Statement: Please explain the nature of rehab requested for the vehicle. *Statement Example: To include reason why request is being made, if the repairs needed are creating delay in service, unexpected and no available funding, and if there is a desire to continue use of this vehicle.*