REAL PROPERTY SATISFACTORY CONTINUING CONTROL PROCESS

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GLOSSARY

Real Property – Land, buildings, facilities, and improvements acquired or improved with FTA assistance.

Real Property Status Report – The report required pursuant to 2 CFR 200.330 reflecting real property acquired or improved with Federal funds. This report accounts for Federal interest retained in the property and must be submitted annually, as required.

Subrecipient – An entity that receives FTA funds through FDOT for the purpose of carrying out an eligible transit project.

Satisfactory Continuing Control (SCC) – The legal assurance that project property will remain available and be used for its authorized purpose until disposition in accordance with Federal requirements.

PURPOSE

The Florida Department of Transportation (FDOT) Central Office has established procedures for the management of rolling stock, equipment, and real property funded projects using FTA pass-through funding (Section 5310, Section 5311, and Section 5339) or where FDOT participates in 50 percent or more of the public transit capital purchase price. This may include real property purchased under the State Transit Block Grant Program, State Transit Service Development Program, or other applicable FDOT transit programs.

The purpose of these procedures is to ensure that assets remain available to be used for their originally authorized purpose throughout their useful life until disposition (Satisfactory Continuing Control) and ensure that all real property is safeguarded to prevent misuse, misappropriation, waste, or unwarranted deterioration or destruction. FDOT has classified property management into three focus areas: rolling stock, equipment, and real property.

This document outlines Central Office (CO), District Office (DO), and subrecipient responsibilities related to federally funded real property in accordance with Federal Transit Administration (FTA) requirements and applicable federal regulations including but not limited to 2 CFR 200, 2 CFR 200.311, and FTA Circular 5010.1F.

INTRODUCTION

FDOT is responsible for ensuring that real property acquired or improved with FTA assistance is properly inventoried, used for authorized purposes, maintained in good condition, adequately insured, and disposed of in accordance with Federal requirements.

AUTHORITY

This procedure is governed by:

- 2 CFR 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards)
- 2 CFR 200.311 (Real Property)
- 2 CFR 200.330 (Reporting on Real Property)

- FTA Circular 5010.1F
- 49 CFR Part 24 (Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs)
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601–4655)
- FDOT Procedure 010-000-020 (Insurance Requirements)

RESPONSIBILITIES

FDOT Central Office (CO) is responsible for:

- Establishing and maintaining procedures to ensure satisfactory continuing control over real property
- Maintaining and coordinating annual updates to FDOT's statewide real property inventory list
- Reviewing annual Real Property Status Reports submitted by subrecipients, as required under 2 CFR 200.330
- Reviewing real property records and supporting documentation
- Approving disposition or change in use when required
- Coordinating with FTA
- Documenting compliance through monitoring and oversight activities

FDOT District Offices support real property oversight by:

- Reviewing subrecipient real property inventories and updates on an annual basis and providing updates to CO.
- Conducting desk reviews and on-site monitoring
- Verifying the continued existence, condition, and authorized use of real property during monitoring activities, including triennial reviews
- Documenting verification activities and follow-up actions, as applicable
- Ensuring subrecipients submit required Real Property Status Reports
- Coordinating corrective action when deficiencies are identified

Verification of existence, condition, and use occurs through desk reviews, on-site inspections, and the FDOT Triennial Review Process.

Subrecipients are responsible for:

- Maintaining an inventory of all federally funded real property
- Must include real property maintenance provisions in the maintenance plan submitted to FDOT
- Submitting Real Property Status Reports annually, when required
- Using real property only for authorized transit purposes
- Maintaining real property in good condition
- Maintaining adequate insurance in accordance with FTA Circular 5010.1F and FDOT Procedure 010-000-020
- Retaining documentation related to acquisition, use, maintenance, and disposition

- Requesting FDOT approval prior to disposition or change in use, when required

INVENTORY REQUIREMENTS

Subrecipients must maintain a real property inventory in spreadsheet or similar format that includes, at minimum:

- Agency name
- Parcel number
- Property location/physical address
- Date of property acquisition
- Original acquisition cost
- Ownership type
- Description of the property including any improvements, expansions, and retrofits
- Use and condition of the property
- Deed and insurance information, including summary of conditions on the title
- Minimum useful life - including any improvements and year installed
- FTA funding type and percentage share of property and improvement costs
- FTA award number(s) that funded the acquisition or improvement of the property (FAIN)
- Documented inspection dates
- If disposed of or disposal in process in the past year:
  - Appraised value and date
  - Anticipated disposition or proposed action
  - Date of disposal
  - Sale price
  - Reason for excess property, if applicable

FDOT Central Office maintains a consolidated statewide real property inventory list based on subrecipient submissions.

Real Property Inventory Status Reporting

On an annual basis, FDOT CO will provide FTA, via TrAMS, with a link to the required inventory status information. Because the asset tracking is geographic in nature, the inventory and status report will be maintained in an ArcGIS web map. Each parcel location in the web map will include the following reporting elements:

- Agency Name
- Report Date
- Parcel Number
- Property Address/Location
- Recipient Unique Identification Number (UEI)
- Date of Property Acquisition
- Type of Insurance Coverage
- Description of Real Property and Improvements
- Minimum Useful Life of Improvements and Year Installed
- Real Property Ownership Type

- Size (acreage, square footage, or linear units, as applicable)
- Real Property Cost (including acquisition, relocation, renovation, railroad easement cost, and easement period)
- FTA Funding Type and Percentage Share of Property and Improvement Costs
- FTA Award Number(s) that funded the acquisition or improvement of the property (FAIN)
- Significant Changes Since the Previous Reporting Period

If applicable, the following will be included for real property disposed of within the last three years:

- Appraised value and date
- Anticipated disposition or proposed action
- Date of disposal
- Sale price
- Reason for excess property, if applicable

Floodplain verification will be completed by CO in conjunction with development of the Real Property Status Report. The Department will use FEMA Flood Data Viewers and Geospatial Data maps to overlay FEMA flood boundaries and identify where they intersect with subrecipient properties and ensure proper insurance is maintained.

Third-Party Data Maintenance

FDOT will maintain immediate access to, legal documentation evidencing satisfactory continuing control of property use (e.g., deed, easement, lease, restrictive covenant). The inventory will contain parcel-level inventory of all third-party interests affecting each parcel (e.g., easements, leases, incidental uses) to permit accurate asset accounting and determination of the Federal interest retained.

Inventory Review and Verification

FDOT verifies the existence, condition, and continued authorized use of real property through:

- Desk reviews
- On-site monitoring
- Triennial reviews
- Review of Real Property Status Reports

Findings are documented, and corrective actions are tracked as necessary.

USEFUL LIFE

Real property must remain available for its authorized transit purpose for its established useful life unless otherwise approved by FDOT and FTA. Useful life standards are established consistent with FTA guidance and documented in inventory records at the time of acquisition. Determining the useful life of a facility must take into consideration such factors as the type of construction, nature of the equipment used, historical usage patterns, and technological developments. Based on any of the methods identified in 5010.1 Chapter IV, a railroad or highway structure has a minimum useful life of 50 years, and most other buildings and facilities (concrete, steel, and frame construction) have a useful life of 40 years (see FTA Circular 5010.1F for further guidance).

MAINTENANCE PLANS AND ANNUAL INSPECTIONS

Subrecipients must include real property maintenance provisions in their maintenance plan.

Real Property must be inspected annually. 5311 Program subrecipients are required to submit a TERM Real Property Assessment Form annually by February 15 on all properties listed in the subrecipient's real property inventory. Every three years, FDOT will conduct on-site visits to verify the usage of the real property and complete the TERM Real Property Assessment Form for 5311 subrecipients.

APPRAISAL REQUIREMENTS

When an appraisal of real property is required, it must be conducted by an independent certified real property appraiser and comply with:

- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended
- 49 CFR Part 24

Appraisals must be certified by a responsible official of the recipient or subrecipient, as required.

INSURANCE REQUIREMENTS

Subrecipients must comply with the insurance requirements outlined in FDOT Procedure 010-000-020-i. Flood insurance is required for buildings located in special flood hazard areas in accordance with:

- Flood Disaster Protection Act of 1973 (42 U.S.C. 4012a(a))
- 44 CFR Part 59
- National Flood Insurance Act of 1968

Coverage must meet Federal minimum requirements.

PERMISSIBLE USES

Any real property acquired with FTA funds must serve the primary purpose of providing public transportation service. Examples of such facilities include transit transfer stations, administrative buildings for transit agencies, and maintenance facilities.

Subrecipients may use federally funded assets (rolling stock, equipment, and real property) for uses other than its originally authorized purpose when the use qualifies as an incidental use as defined in FTA C 5010.1F. Incidental use of federally funded assets is permitted for subrecipients of funding under all FTA programs. The incidental use cannot interfere with the purpose of the original grant (2 CFR 200.313). Incidental use is addressed as part of FDOT's on-site compliance reviews.

If a subrecipient wishes to lease FTA-funded real property to another entity, written permission must be obtained from FDOT in advance.

DISPOSITION

In the event that disposal is necessary, the subrecipient will contact FDOT DO prior to taking any action. FDOT CO will work with the subrecipient and FTA to ensure that the disposal complies with all requirements. Disposition or change in use of federally funded real property must be conducted in accordance with 2 CFR 200.311 and FTA Circular 5010.1F and requires prior FDOT and FTA approval, as applicable.

AUDIT AND COMPLIANCE

FDOT documents satisfactory continuing control of real property through:

- Inventory reviews
- Monitoring activities
- Triennial reviews
- Audit processes

Compliance issues are addressed through documented corrective action procedures. See the Triennial Review Guides located on the FDOT Public Transit Office website for further guidance.