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Triennial Review

5311 Subrecipients

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



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TRIENNIAL REVIEW GUIDE

5311 SUBRECIPIENTS

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INTRODUCTION

FDOT COMPLIANCE MONITORING PROGRAM

Purpose

The purpose of a 5311 review is to determine whether the recipient of FTA 5311 funds is operating in compliance with all state and federal regulations.

All parties completing Triennial Reviews for the Department must perform them in a manner compliant with the Triennial Review Process and each subsequent process listed in the State Management Plan (SMP).

General Approach

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

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

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

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

TECHNICAL ASSISTANCE

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

- ◆ As necessary during the data compilation period (assistance with data uploads);
- ◆ On-site while explaining preliminary compliance findings during an exit conference;
- ◆ After release of the draft report, assisting the subrecipient understand the nature of the deficiency;
- ◆ In the development of subrecipient remedial action to the deficiency; and
- ◆ To FDOT as systemic compliance problems arise in the course of the reviews.

COMPLIANCE REPORTS

SECTION 1. SELECTION AND ELIGIBILITY/ELIGIBLE SERVICES

FTA FUNDS RECEIVED BY SUBRECIPIENT

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

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

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

ORGANIZATIONAL STATUS OF THE SUBRECIPIENT

2. What is the organizational status of the subrecipient and does this agency qualify as an eligible subrecipient the Federal funds received by this subrecipient? Provide a short description. (For example, for 5311 is the subrecipient a private nonprofit organization, local government etc.)

LOCAL MATCH/FINANCIAL CAPABILITY

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

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

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

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

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

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

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

3. Does the subrecipient appear financial sound?

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

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

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

7. Project Management:

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

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

Coordinated Public Transit/Human Services Transportation Plan

Federal transit law, as amended by SAFETEA-LU, MAP-21 and the FAST ACT, recommend that projects funded from the Section 5311, program be derived from a locally developed, coordinated public transit-human service transportation plan (“coordinated plan”). A coordinated plan should maximize the programs’ collective coverage by minimizing duplication of services. A coordinated plan may incorporate activities offered under other programs sponsored by federal, state, and local agencies to greatly strengthen its impact. FTA also encourages participation in coordinated service delivery as long as the coordinated services will continue to meet the purposes of all programs.

Under MAP-21 and the FAST ACT, Section 5310 is the only program that still has this coordinated plan requirement. However, recipients with unobligated JARC and New Freedom funds must continue to certify that projects are included in a coordinated plan. Any 5311 funds awarded to a JARC eligible activity should support activities outlined in the coordinated plan. Obtain a copy of the coordinated plan. What is the date of the most recent plan?

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SECTION 2. EQUIPMENT MANAGEMENT

EQUIPMENT – GENERAL (NON-VEHICLE OR FACILITY)

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

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

Guidance Regarding Useful Life of Equipment

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

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

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

Determining Useful Life for Project Property

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

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

Yes No

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

Yes No

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

Yes No

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

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

Yes No

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

Yes No

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

Yes No

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

Yes No

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

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

6. If the subrecipient disposed of any project equipment prior to the end of useful life via a transfer to another project, what methods were used to establish fair market value?

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

Yes No

If "Yes," did the subrecipient transfer real property to another entity eligible to receive assistance under 49 U.S.C. Chapter 53?

Yes No

If "Yes," Did FDOT approve of the transfer?

Yes No

PROPERTY MANAGEMENT AND CONTROL (VEHICLE AND FACILITY)

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

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

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

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

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

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

Yes No

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

Yes No

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

Yes No

If "Yes," does the lease:

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

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

Yes No

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

Yes No

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

Yes No

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

Yes No

INCIDENTAL USE OF PROJECT EQUIPMENT

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

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

Transit service providers receiving assistance under this section may coordinate and assist in providing meal delivery services for homebound people on a regular basis if the meal delivery services do not conflict with the provision of transit services or result in a reduction of service to transit passengers. The number and size of vehicles applied for under Section 5310 must be determined only by the number of passengers to be transported, not meal delivery capacity. Section 5310 funds may not be used to purchase special vehicles to be used solely for meal delivery or to purchase specialized equipment such as racks or heating or refrigeration units related to meal delivery.

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

Certain additional services (such as meal delivery) are permitted within program funding restrictions as long as they are incidental and do not disrupt the general public service normally provided. However, the cost of these incidental services must be fully allocated and mileage associated with the incidental service must not count towards the useful life of the vehicle. If FTA-funded vehicles are used occasionally to deliver meals, FDOT requires nutrition programs to pay the operating costs attributable to meal delivery.

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

Yes No

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

Yes No

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

Yes No

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

Yes No

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

Yes No

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SECTION 3. PROJECT AND FINANCIAL MANAGEMENT

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

AUDIT

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

DBE

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

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SECTION 4. PROCUREMENT

ACQUISITION METHODS

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

1. Does the subrecipient have an agency purchasing policy?

Yes No

If "Yes", does the agency's purchasing policy incorporate Federal purchasing rules?

Yes No

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

Yes No

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

Yes No

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

Yes No

5. Has the subrecipient made any other purchases?

Yes No

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

Yes No

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

Yes No

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

Yes No

PURCHASE OF SERVICE CONTRACTS

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

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

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

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

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

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

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

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

Yes No

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

- Fixed price contract
 Cost reimbursement contract

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

Yes No

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

Yes No

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

Yes No

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SECTION 5. OTHER PROVISIONS

TITLE VI

Federal civil rights requirements are encompassed in laws, regulations, and Executive Orders. The objective of FTA's oversight in this area is to:

- Ensure that the level and quality of transportation service is provided without regard to race, color, or national origin;
- Identify and address, as appropriate, disproportionately high and adverse human health and environmental effects, including social and economic effects of programs and activities on minority populations and low-income populations;
- Promote the full and fair participation of all affected populations in transportation decision making;
- Prevent the denial, reduction, or delay in benefits related to programs and activities that benefit minority populations or low-income populations; and
- Ensure meaningful access to programs and activities by persons with limited English proficiency.

1. Has the subrecipient developed a Title VI Program?

Yes No

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

Yes No

2. Has the program been submitted to FDOT?

Yes No

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

Yes	No	Required List Elements
<input type="checkbox"/>	<input type="checkbox"/>	A notice to the public that indicates the subrecipient complies with Title VI, and informs members of the public of the protections against discrimination afforded to them by Title VI.
<input type="checkbox"/>	<input type="checkbox"/>	A copy of the recipient's instructions to the public regarding how to file a Title VI discrimination complaint, including a copy of the complaint form.

Yes	No	Required List Elements
<input type="checkbox"/>	<input type="checkbox"/>	A list of any public transportation-related Title VI investigations, complaints, or lawsuits filed with the recipient since the time of the last submission to FDOT.
<input type="checkbox"/>	<input type="checkbox"/>	A public participation plan that includes an outreach plan to engage minority and limited English proficient populations, as well as a summary of outreach efforts made since the last Title VI Program submission.
<input type="checkbox"/>	<input type="checkbox"/>	A copy of the recipient's plan for providing language assistance to persons with limited English proficiency, based on the DOT LEP Guidance.
<input type="checkbox"/>	<input type="checkbox"/>	A table depicting the racial breakdown of the membership of advisory boards or non-elected planning boards and a description of efforts made to encourage the participation of minorities on such committees or councils.
<input type="checkbox"/>	<input type="checkbox"/>	A narrative or description of efforts the primary recipient uses to ensure subrecipients are complying with Title VI, as well as a schedule of subrecipient Title VI program submissions.

3. Does the notice include the following items?

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

4. How has the subrecipient disseminated this notice?

5. Has the subrecipient translated this notice into languages other than English consistent with the subrecipient's LEP program?

Yes No

6. Does the subrecipient have procedures for investigating and tracking Title VI complaints and for making such complaints available to the public?

Yes No

If "Yes," does the subrecipient have a specific complaint form?

Yes No

7. Has the subrecipient integrated into its established public participation and outreach processes procedures that ensure involvement and participation by minority and LEP populations?

Yes No

If "Yes," describe these activities.

8. Are these efforts effective?

Yes No

Do these effective practices include elements that FTA considers "best practice:"

Yes	No	Required List Elements
<input type="checkbox"/>	<input type="checkbox"/>	Scheduling meetings at times and locations that are convenient and accessible for minority and LEP communities
<input type="checkbox"/>	<input type="checkbox"/>	Employing different meeting sizes and formats
<input type="checkbox"/>	<input type="checkbox"/>	Coordinating with community- and faith-based organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities.
<input type="checkbox"/>	<input type="checkbox"/>	Considering radio, television, or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP populations could also include audio programming available on podcasts
<input type="checkbox"/>	<input type="checkbox"/>	Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.

Limited English Proficiency (LEP)

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be limited English proficient, or "LEP." These individuals may be entitled to language assistance with respect to a particular type of service, benefit, or encounter. DOT recipients are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.

Subrecipients should apply four (4) factors to the various kinds of contacts they have with the public to assess language needs and decide what reasonable steps they should take to ensure meaningful access for LEP persons:

- The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.
- The frequency with which LEP individuals come in contact with the program.
- The nature and importance of the program, activity, or service provided by the recipient to people's lives.
- The resources available to the recipient and costs.

After completing the above four-factor analysis, subrecipients can determine the appropriate "mix" of LEP services required. Subrecipients have two main ways to provide language services: oral interpretation, either in person or via telephone interpretation service, and written translation. The correct mix should be based on what is both necessary and reasonable in light of the four-factor analysis.

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

Yes No

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

EQUAL EMPLOYMENT OPPORTUNITY (EEO) (5307 AND 5311 WHEN APPLICABLE)

A subrecipient must ensure that it does not discriminate in its hiring practices on the basis of race, color, sex (including pregnancy), national origin, creed, or religion. All subrecipients must take affirmative action to ensure that applicants are employed, and that employees, are treated during employment without regard to race, color, creed, national origin, sex, or age. Such action must include, but not be limited to: hiring, promotion or upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination, disciplinary actions, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The subrecipient shall have a written affirmative action plan designed to achieve full utilization of minorities and women in all parts of the work force.

Subrecipients must post, in a conspicuous place, and make available to employees and applicants for employment, notices setting forth the subrecipient's EEO policy. These policies must include procedures for filing complaints of discrimination, both internally as well as externally with the Federal Economic Employment Opportunity Commission (EEOC), a local or state human rights commission, and/or FTA.

If a subrecipient exceeds size threshold requirements set by FTA, it must prepare an EEO plan and submit this plan to FDOT every three (3) years. A formal EEO program is required of any grantee that both employed 50 or more transit-related employees (including temporary, full-time or part-time employees) and received in excess of \$1 million in capital or operating assistance or in excess of \$250,000 in planning assistance. This section only applies to agencies meeting the threshold requirements.

1. Who is responsible for ensuring that EEO obligations are fulfilled on behalf of the subrecipient? _____
2. Has the subrecipient posted an EEO statement in a conspicuous and accessible place in the workplace?
 Yes No
3. Is the subrecipient's EEO policy included in personnel policies and/or employee handbook?
 Yes No
4. Are EEO statements included on the subrecipient's job applications and employment notices/job postings?
 Yes No
5. How does the subrecipient ensure non-discrimination for ADA-eligible persons in terms of employment?

If requested, were reasonable accommodations made for hiring a person with disabilities in accordance with Title I of the ADA?

Yes No

If "Yes," describe the accommodation.

6. Were any EEO complaints or lawsuits received in the past three years?

Yes No

If "Yes," describe the nature of the complaint or lawsuit.

Did the subrecipient report the complaint or lawsuit to FDOT?

Yes No

7. Does the subrecipient (*check all that apply*):

- Have 50 or more transit-related employees? AND
- Receive capital or operating assistance in excess of 1 million? OR
- Receive planning assistance in excess of \$250,000?

If "Yes," to 1 and 2, or 3, subrecipient must prepare an Affirmative Action Plan.

AMERICANS WITH DISABILITIES ACT (ADA)

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

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

Private, primarily engaged entities include private companies whose primary business is transportation. This includes private taxi companies, van or bus companies, or private intercity bus companies. This category includes private, non-profit agencies whose main business is transportation.

Private, not primarily engaged entities are private companies or organizations, including non-profit organizations, whose primary business is something other than transportation,

but who provide transportation as a secondary or support service. This includes human service agencies that operate transportation services as a secondary or support service.

Compliance responsibilities will also vary depending on the type of transportation service provided by the subrecipient. Several types of service that are particularly relevant to these reviews are:

Fixed route system means a system of transporting individuals (other than by aircraft), including the provision of designated public transportation service by public entities and the provision of transportation service by private entities, including, but not limited to, specified public transportation service, on which a vehicle is operated along a prescribed route according to a fixed schedule.

Commuter bus service means fixed route bus service, characterized by service predominantly in one direction during peak periods, limited stops, use of multi-ride tickets, and routes of extended length, usually between the central business district and outlying suburbs. Commuter bus service may also include other service, characterized by a limited route structure, limited stops, and a coordinated relationship to another mode of transportation.

Demand responsive system means any system of transporting individuals, including the provision of designated public transportation service by public entities and the provision of transportation service by private entities, including but not limited to specified public transportation service, which is not a fixed route system.

Route Deviation, Point Deviation, or Flex-Bus systems, which do not have prescribed routes, or which allow for on-request deviations off of prescribed routes, are considered types of demand responsive systems if the on-request, off-route deviations are available to all riders. If off-route deviations are made only for certain individuals, such as persons with disabilities, these types of services are considered fixed route.

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

To determine compliance responsibilities, the review must determine the type of entity and service modes delivered.

1. Based on the articles of incorporation or enabling legislation, identify the type of subrecipient under review:

- Public entity
- Private entity, primarily engaged in transportation
- Private entity, not primarily engage in transportation

2. Evaluate the scope of services and determine all modes of service operated by the subrecipient. For each subrecipient, check all the primary and sub-modes that apply:

Fixed route

Non-commuter bus

Commuter bus

Inter-city bus

Route/point deviation with deviations limited to certain riders

Demand Response

ADA complementary paratransit

Route/point deviation with deviations for the general public

Other demand responsive service

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

4. If the subrecipient provides fixed route service, does the agency have an ADA Complementary Paratransit Plan? Does the plan include the agency's procedures for eligibility determinations, service criteria, service capacity, origin-to-destination service, visitors' service, and no-show policies? Is the complaint and/or appeal process readily available?

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

- | Yes | No | Requirement |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Does the subrecipient have policies that impose any special charges for individuals with disabilities, including wheelchair users? |
| <input type="checkbox"/> | <input type="checkbox"/> | Does the subrecipient deny service to any individual because its insurance company conditions coverage or rates? |
| <input type="checkbox"/> | <input type="checkbox"/> | Does the subrecipient require that wheelchairs have working brakes, be “in good working condition,” or place any other restrictions on mobility devices? (Exception: situation that poses a “direct threat to others.”) |
| <input type="checkbox"/> | <input type="checkbox"/> | Does the subrecipient have policies that suggest a denial of service for rude behavior, swearing, or other behaviors that do not rise to illegal or seriously disruptive? |
| <input type="checkbox"/> | <input type="checkbox"/> | Does the subrecipient require individuals with disabilities to use designated priority seats? |
| <input type="checkbox"/> | <input type="checkbox"/> | Does the subrecipient require persons traveling in securement areas to wear seat belts or shoulder straps when all other passengers do not have the same requirement? |
| <input type="checkbox"/> | <input type="checkbox"/> | Does the subrecipient require wheelchair users to wear a body belt when traveling up and down on the lift? |
| <input type="checkbox"/> | <input type="checkbox"/> | Does the subrecipient policy prohibit respirators or portable oxygen supplies (Exception: items that are prohibited under applicable Department of Transportation rules on the transportation of hazardous materials—49 CFR subtitle B, chapter 1, subchapter C.) |
| <input type="checkbox"/> | <input type="checkbox"/> | Does the subrecipient have any other policy that could discriminate against persons with disabilities? |

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

Yes No

If “Yes,” are supervisors, dispatchers, and vehicle operators trained on this policy?

Yes No

Is there an appropriate appeal policy for any service refusals?

Yes No

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

Yes No

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

Yes No

Attendant Policies

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

8. Does the subrecipient allow persons with disabilities to travel with attendants?

Yes No

If "Yes," does definition of attendant extend beyond assistance during travel to also include assistance at destination?

Yes No

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

Yes No

10. Are persons with disabilities allowed to travel without attendants, even if they indicate they sometimes use attendants (Exception: Caregiver or guardian requests that attendant always be present, or documented past behavior allows refusal and person/caregiver agree to use attendant to mitigate issues)?

Yes No

If entities operating demand response services plan to purchase vehicles that are not accessible, they must first make a determination that the services they will be providing (after the purchase of the inaccessible vehicle or vehicles) are "equivalent." Therefore, if entities have inaccessible vehicles as part of their fleet that were purchased since the issuance of the regulations, the services they provide must be "equivalent." Equivalency is defined by specific criteria (noted below). If inaccessible vehicles are purchased, certification of equivalency must also be provided to FDOT.

Service Equivalency

11. **Service Area:** Consider the service area and how accessible and inaccessible vehicles are distributed throughout the area. Are persons with disabilities who need an accessible vehicle able to travel throughout the area on an equivalent basis to all other riders?

Yes No

12. **Response Time:** Consider the advance notice requirement to use the service. If accessible vehicles are operated separate from or different from inaccessible vehicles, consider the advance notice required for use of each type of vehicle. Is the same (or lesser) advance notice required of riders with disabilities who need and use accessible vehicles?

Yes No

13. **Fares:** Consider the fares charged for the service. Note if there are different costs to riders who need and use accessible vehicles versus those who can use inaccessible vehicles. Is the fare the same (or lower) for riders with disabilities who need to use accessible vehicles?

Yes No

14. **Days and Hours:** Consider the days and hours of operation of the service. Note if there are any differences in days and hours based on the accessibility of the vehicles. Are the days and hours the same (or greater) for persons with disabilities who need and use accessible vehicles?

Yes No

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

Yes No

16. **Capacity Constraints (Part 1):** Consider if trip requests are sometimes denied for lack of capacity, or if waiting lists or trip caps are employed due to capacity limitations. Examine trip denials records, waiting lists, or other documentation to determine if persons with disabilities who need to use accessible vehicles are denied or wait-listed more frequently than other riders.

Are there any trip denials, or are wait lists or trip caps used?

Yes, Trip Denials

Yes, Wait Lists

Yes, Trip Caps

No

If there are denials, wait lists, or trip caps, are persons with disabilities who need to use accessible vehicles denied/wait-listed, capped at the same (or lower) rate than other riders?

Yes No

Note what information or data the system develops and uses to compare the level of trip denials, wait lists, or trip caps for persons with disabilities and for other riders to allow for this type of comparison and analysis.

17. Capacity Constraints (Part 2): Examine records of service quality (on-time performance, on-board ride times). Consider if there are differences in service quality for trips provided to riders who need to use accessible vehicles versus other riders. Consider if the number and percentage of accessible vehicles in the system suggests that there could likely be problems responding to late trips in an equivalent way throughout the service area. Do persons with disabilities, including persons who need to use accessible vehicles receive the same (or better) level of service?

Yes No

Note what information or data the system develops and uses to compare the level of service (on-time performance, on-board ride times) for persons with disabilities and for other riders to allow for this type of comparison and analysis.

18. Information and Reservations Capacity: Consider the service information that is provided and the trip reservations capacity (hours of call-taking, accessibility of information and phone services). If information and reservations are different for using accessible versus inaccessible vehicles, note the differences. Is information and communications provided in accessible formats, and are persons with disabilities who need an accessible vehicle able to get information and reservations assistance in an equivalent way?

Yes No

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

Yes No

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

Yes No

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

Yes No

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

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

Yes No

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

Yes No

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

Yes No

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

Yes No

24. Does the subrecipient transport all wheelchairs and occupants if the lift and vehicle can physically accommodate them, unless doing so is inconsistent with legitimate safety requirements?

Yes No

25. Does the subrecipient "do the best it can" to secure mobility devices, but not deny riders because the mobility devices they are using cannot be secured to the satisfaction of the driver or agency?

Yes No

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

Yes No

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

Yes No

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

Yes No

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

Yes No

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

Yes No

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

Yes No

31. Does the subrecipient permit a passenger who uses a lift to disembark from a vehicle at any designated stop, unless the lift cannot be deployed, the lift will be damaged if it is deployed, or temporary conditions at the stop, not under the control of the entity, preclude the safe use of the stop by all passengers?

Yes No

32. Does the subrecipient ensure that personnel are trained to proficiency, as appropriate to their duties, so that they operate vehicles and equipment safely and properly assist and treat individuals with disabilities who use the service in a respectful and courteous way, with appropriate attention to the difference among individuals with disabilities?

Yes No

CHARTER SERVICE

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

1. Does the subrecipient provide charter service?

Yes No

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

Yes No

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

Yes No

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

Yes No

SCHOOL BUS SERVICE

1. Does the subrecipient provide transportation to/from school for school children?

Yes No

Is the transport of school children to/from school done on an exclusive basis (*e.g.*, in demand response mode is the run built entirely on school children)?

Yes No

DRUG AND ALCOHOL TESTING

Recipients of 5311 funding are subject to FTA's drug and alcohol testing rules.

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

Yes No

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

Yes No

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

Yes No

1. **Drug Free Workplace (*Rule 14-90.004(3)(h), F.A.C.*):** In accordance with Florida Administrative Code, Rule 14.90; each Florida Bus Transit System (SUBRECIPIENT) is required to comply with the Federal Transit Administration regulations concerning the Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations (49 CFR Part 655), as well as the USDOT regulations that detail the required procedures for workplace drug and alcohol testing (49 CFR Part 40). The following checklist identifies a partial listing of documents that are commonly used to measure transit agency compliance to the Substance Abuse Management regulations referenced above. The collected documentation and information must be forwarded for further review, to: Mrs. Diana Byrnes, C-SAPA, Center for Urban Transportation Research, 4202 E. Fowler Ave. Cut 100, Tampa, FL 33620. Electronic format of the documentation is preferred and should be emailed to: byrnes@cutr.usf.edu.

All documents submitted for review will be held confidentially. Should an employee's personal information be contained on any of the requested documents; agency representatives may alter the document so as to conceal an employee's identity or personal information, prior to providing the documents for review.

a) Collection of General Information: (checklist may be completed during pre-audit review period and onsite).

- The transit agency Designated Employer Representative (DER) is the individual responsible for the management of the drug and alcohol program, and the recipient of drug and alcohol test results. Please provide below the contact information for the Subrecipient DER.

○ Name: _____

○ Phone: _____

- Email: _____
- Record the number of safety sensitive* (FTA covered) employees currently employed at the Subrecipient: _____
 - Note: Safety-sensitive employees are those employees that perform, or may be called upon to perform, one or more of the following job functions:
 - Operate a revenue service vehicle (even if not in service)
 - Perform maintenance of a revenue service vehicle
 - Control the movement of a revenue service vehicle
 - Operate an ancillary vehicle that requires the operator to hold a Commercial Driver's License (CDL)
 - Carry a firearm as part of transit security detail
- Record the hours of operation that safety-sensitive functions are performed with this agency. (Note: this usually the hours of the day in which service is offered, however maintenance hours may extend beyond the hours of service. Record the hours of the day and days of the week in which ANY safety-sensitive function is being performed. For example: 5 am through midnight, six days per week.)

- Does the Subrecipient utilize the services of a Third Party Administrator (TPA) to aid in the management of their drug and alcohol testing program? (Note: TPA is an outside vendor that assist the Subrecipient with task such as the generating random selections, identification of collection site resources, laboratories, etc.). Please check one of the following:
 - Yes, the Subrecipient uses a TPA: _____
 - No, the Subrecipient does not use a TPA: _____
 - If yes, please identify the TPA: _____

b) Documents to be obtained and forwarded for review. Note: The Subrecipient Designated Employer Representative (DER) will likely maintain these items.

- A copy of the Subrecipient's most current FTA Drug and Alcohol Program Audit final Report, as prepared by the FTA audit team members. (Note: an FTA Drug and Alcohol Program Audit is separated from an FTA Triennial, and focuses solely on the compliance to drug and alcohol testing regulations).

- OR, for rural transit agencies (5311): the most current FDOT Substance Abuse Management Review Report will be reviewed in lieu of an FTA Drug and Alcohol Program Audit Final Report. Please contact Mrs. Diana Byrnes is there questions concerning the applicability of these audit reports.
- A copy of the Subrecipient’s most current Substance Abuse Policy, adopted by the governing board or highest ranking agency official.
- A copy of the Subrecipient’s most recent Drug and Alcohol Management Information Systems report (commonly referred to as an “MIS” report). This report is submitted to FTA electronically, on an annual basis. The Subrecipient is required to submit testing data on all of the drug and alcohol testing that the Subrecipient conducted within the previous year. The report must be submitted to FTA no later than March 15th of each year and must be retained for no less than 5 years from the date of submission.)
- A blank (unused) copy of the Release of Information form. This is the form that the agency uses to request drug and alcohol information from an applicant’s previous U.S. DOT employers (49 CFR Part 40.25).
- A blank (unused) copy of the Subrecipient’s “notice to Test” or “Testing Notification” form. This is the form on which the agency documents written notification/direction to the employee to proceed to a collection site for an FTA/DOT required urine collection or alcohol test.
- A blank (unused) copy of the Subrecipient’s Post Accident Decision and Documentation form, used to determine if an event (accident) meets the FTA threshold requiring Post Accident drug and alcohol testing.
- A sample of 3-5 Post Accident Decision and Documentation forms that were completed within the previous 12-month period, in where the accident met the FTA criteria for testing. (Please be sure to redact names and any other personal information and discuss with Mrs. Byrnes on any confidentially concerns).

c) Designated Employer Representative (DER) Questionnaire

- What training tools does this Subrecipient use to ensure that all safety-sensitive employees receive a minimum of sixty minutes of training of the effects and consequences of prohibited drug use? (List the name of training tools used below).

-
-
- What training tools does the Subrecipient use to ensure that selected supervisory personnel and other designated Subrecipient officials receive the required training to become authorized to make reasonable suspicion testing referrals? (List the name of the training tools used below).

- With regard to the Subrecipient's Random Testing Program:
 - How often are random selections generated? (Ex: quarterly, monthly). _____
 - How does the Subrecipient ensure that every safety-sensitive employee is included in the random testing pool prior to each random draw (such as new hires and transferees)?

- How does the Subrecipient ensure that random testing is performed sporadically throughout the testing period, so as not to reveal any predictable pattern of testing?

- How does the Subrecipient ensure that random testing is spread reasonable throughout all hours of operation, so as not to create and predictable pattern of testing? (Is testing performed in the early morning, late evening, weekends, and holidays?).

d) Closing:

- Reviews of the information provided for this section will be reviewed by Mrs. Byrnes and comments provided to the District Office and review team leader for inclusion in the draft and final reports.
- Please discuss Subrecipient review dates with Mrs. Byrnes so that she may be able to arrange time on her schedule to appropriately review the documents provided to her by the review team within the required review time frame. Please be sure to provide Mrs. Byrnes a copy of the formal agenda for the review.
- Technical Assistance: Advise the Subrecipient that assistance and training on the topics of Substance Abuse Management is available as part of the Florida Department of Transportation Substance Abuse Management Oversight and Technical Assistance Program. The Subrecipient may contact Mrs. Diana Byrnes directly to request on-site training or technical assistance meetings: byrnes@cutr.usf.edu or 813-426-6980.
- The Subrecipient should also be referred to the Florida DOT Substance Abuse Management Resource Website: <http://sam.cutr.usf.edu>

2. Trend analysis:

- a) Perform a trend analysis of all data collected and areas observed. Performing a trend analysis of data provides the ability to determine the effectiveness of the organization in managing its activities and improving its proficiency in safety efforts. Completing a trend analysis on the program elements provides a summary of compliance rates, areas of violation, schedule adherence, and summary of corrective action plan activities and follow activities.

CONTRACTING AND INVOICING RELATED QUESTIONS

1. List the types of funds agency receives

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

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

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

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

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

5311 RELATED QUESTIONS

1. If the recipient serves an urbanized area, do the records support the allocation of costs to 5311? (Not applicable if the recipient's service area is exclusively non-urbanized.)

2. Are the words "public transportation" properly displayed on vehicles and on printed materials? (For an annual visit that does not include the biennial inspection required by the Vehicle

3. Inventory Management Procedure, check only vehicles that are readily available. Check any brochures, advertisements, schedules, and public notices etc. that have been printed over the previous year.)

4. Does the recipient operate deviated fixed route or fixed route service? If operating fixed route, do they have a complementary ADA Paratransit Plan? How do they qualify clients for ADA paratransit services? The regulation stipulates that the service is equivalent in response time, fares, hours, days of service, has no restrictions based on trip purpose and has no capacity of service availability constraints. Are these criteria being met?

5. Ask the recipient if they prioritize trips. Are they denying any trips? Do they have a non-prioritization plan?

6. Do you bill according to trip rate (per trip) or direct cost? If by trip rate ask for rate justification.

SERVICE DEVELOPMENT RELATED QUESTIONS

1. Prior to conducting the site visit, review all Service Development files pertaining to the recipient. Become familiar with the status of each project, fund balances, audit exceptions, etc. Note any problems that have arisen in the past.

2. List recipient's current Service Development projects.

3. Consult with the recipient on the reported progress in meeting objectives and milestones of project/s.

COMMUTER ASSISTANCE RELATED QUESTIONS

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Maintenance Review Compliance Workbook (2019)

5311 Agencies

Revised 2/15/2019

**Preventative Maintenance Planning, Training, and Technical
Assistance Program**



- Were any vehicles removed from service as a result of this inspection? If so, was a Safety Items Identified form provided to the Consultant/District? **TAKE AN IMAGE**

- Were the vehicles in clean condition?

5. Pre/Post Trip Inspections

The FDOT State Management Plan stipulates that:

Agencies are required to conduct a pre-trip inspection before utilizing vehicles for revenue service. Agencies are also required to conduct a post-trip inspection when returning vehicles from revenue service. Below is the most recent FDOT-approved list of vehicle components that must be inspected during both the pre-trip and post-trip inspection process.

Any defects found during a pre-trip/post-trip inspection must be documented on the appropriate pre-trip/post-trip inspection form and reviewed by a manager to determine whether the vehicle is safe for operation. Vehicles with safety related defects should be removed from service until the defect is repaired.

Defects that are not safety sensitive should be repaired as soon as possible.

FDOT requires that repairs made due to defects found during pre-trip/post-trip inspections should be documented in one of the following ways:

- The pre-trip/post-trip inspection form should be signed and dated by agency staff with a note describing the repair that was made; or
- A work order or invoice documenting the repair should be attached to the pre-trip/post-trip inspection form that noted the defect.

At a minimum, the driver's pre-trip/post-trip inspection forms must ensure that specific vehicle components are safe for operation. Does the form identify and record the condition of the following items?

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

Agency Pre-trip/post-trip Inspection Procedures and Practices

<i>Are both pre-trip inspections and post-trip inspections being conducted?</i>	
<i>Is the same form used to conduct pre-trip inspections and post-trip inspections?</i>	
Comments:	
<i>What is the type of pre-trip/post-trip inspection form being used? (daily, weekly or monthly)</i>	
<i>How often are pre-trip/post-trip inspection forms reviewed?</i>	
<i>How are defects identified during pre-trip/post-trip inspections reported to agency staff?</i>	
Comments:	
<i>Does the pre-trip/post-trip inspection form include all of the required components?</i>	

<i>Did the agency provide pre-trip/post-trip inspections for the required minimum 14-day period?</i>	
<i>Were the pre-trip/post-trip forms thoroughly completed? If not, please provide details.</i>	
<i>Comments:</i>	
<i>Were defects identified on pre-trip/post-trip inspection forms that were reviewed?</i>	
<i>If defects were identified in the sample reviewed, were they repaired in a timely manner?</i>	
<i>If defects were identified during the vehicle safety inspection conducted by PrMPT, were these defects also identified by drivers during the pre-trip/post-trip inspection?</i>	
<i>Are completed pre-trip/post-trip inspection forms signed and dated by Agency staff with a note describing the repair that was made?</i>	
<i>Is a work order or invoice documenting the repair attached to the pre-trip/post-trip inspection form that noted the defect?</i>	
<i>Are completed pre-trip/post-trip inspection forms with identified defects with corresponding repair orders filed in the vehicle history file?</i>	
<i>Did PrMPT staff observe pre-trip inspections being conducted on-site?</i>	
<i>If pre-trip inspections were observed, were they thoroughly conducted by the drivers?</i>	

Additional notes on pre-trip/post-trip practices:

5. Preventative Maintenance

The FDOT State Management Plan stipulates:

FDOT requires that preventative maintenance inspections must be conducted on a regular, consistent basis using a target mileage interval to schedule and conduct these inspections. The target mileage interval used for conducting preventative maintenance inspections should not exceed 6,000 miles. Oil change target mileage intervals should not exceed 6,000 miles unless the OEM manual recommends a longer interval. The target mileages chosen by the agency to conduct preventative maintenance inspections and oil changes should be stated in the maintenance plan. The agency must also ensure that maintenance procedures and practices are conducted as described in their maintenance plan.

Preventative maintenance inspections must meet or exceed FDOT's minimum maintenance requirements as published in the *FDOT Preventative Maintenance Standards Manual Third Edition*. This manual requires certain vehicle components to be inspected within specified target mileages using the appropriate inspection schedule or sequence.

Wheelchair lifts and/or ramps must also be serviced according to OEM requirements and/or FDOT minimum maintenance requirements. Documentation of all inspections and repairs made to wheelchair lifts and/or ramps should be included in the vehicle history files for the life of the vehicle.

Lastly, the Federal Transit Administration (FTA) defines an "on time" inspection or oil change as one that occurs within 10% of the target mileage interval established in the maintenance plan. Furthermore, *Section 3. Part A: "Vehicle Maintenance" of the 2014 FTA Triennial Review Workshop Workbook* states that.

File Review Conducted for 20% of Current Fleet

Number of vehicle files reviewed	
Time period of vehicle file review	
Number of PM inspection intervals reviewed	
Number of PM inspection intervals conducted "on time" according to FTA requirements	
Percentage of "on-time" PM inspections (divide # of on-time intervals by total # of PM intervals reviewed)	

Additional file review notes:

Agency Preventative Maintenance Inspection Procedures and Practices

<i>Are maintenance activities conducted in-house or outsourced?</i>	
<i>How does the agency track upcoming preventative maintenance inspections?</i>	
<i>Does the agency conduct single level inspections or progressive multi-level inspections?</i>	
<i>Comments:</i>	
<i>Does the agency use a checklist form to document preventative maintenance inspections?</i>	
<i>Does the preventative maintenance inspection form meet FDOT minimum maintenance requirements?</i>	
<i>Are the preventative maintenance inspection forms thoroughly completed? If not, please provide comments.</i>	
<i>Comments:</i>	
<i>Does the agency document any additional maintenance inspections that exceed FDOT's minimum requirements?</i>	
<i>If applicable, are the additional maintenance inspections thoroughly documented?</i>	
<i>When defects are identified during preventative maintenance inspections, are they repaired in a timely manner?</i>	
<i>What is the target mileage interval the agency uses to schedule and conduct their preventative maintenance inspections?</i>	
<i>Comments:</i>	
<i>Is the target mileage interval stated by the agency during the maintenance review interview consistent with the target mileage interval stated in their maintenance plan?</i>	
<i>What is the target mileage interval the agency uses to schedule and conduct oil changes?</i>	

<i>Comments:</i>	
<i>If a separate target mileage interval is used for conducting oil changes, is it also stated in the maintenance plan?</i>	
<i>Are vehicles equipped with wheelchair lifts and/or ramps?</i>	
<i>Are wheelchair lifts and/or ramps being properly maintained during preventative maintenance inspections?</i>	
<i>Does the agency conduct preventative maintenance according to the procedures/practices stated in their maintenance plan?</i>	
<i>Comments:</i>	
<i>Does the agency's maintenance manager routinely monitor and track maintenance activities to identify maintenance trends? If so, how?</i>	
<i>Comments:</i>	
<i>Are unscheduled maintenance activities analyzed to determine the root cause of any mechanical failures? If so, how?</i>	
<i>Comments:</i>	
<i>Does the agency document road call incidents?</i>	
<i>Does the agency monitor road call incidents to determine maintenance failure trends?</i>	
<i>Based on the maintenance activities documented in the vehicle history files, does the agency adhere to the correct sequence of preventative maintenance inspections, if applicable? (For example: A,B,A,C sequence)</i>	

Based on the maintenance activities documented in the vehicle history files, does the agency show a pattern of conducting unscheduled repairs shortly after preventative maintenance inspections are performed? If yes, please provide vehicle #'s from file review.

Comments:

Based on the maintenance activities documented in the vehicle history files, does the agency show a pattern of conducting repeat repairs? If yes, please provide vehicle #'s from the file review.

Comments:

Additional notes on preventative maintenance practices and/or file analysis:

6. Annual Safety Inspections

Chapter 14-90.009 of the Florida Administrative Code stipulates:

Chapter 14-90.009 of the Florida Administrative Code requires transit agencies to conduct an annual safety inspection for each vehicle. The following vehicle components must be inspected during the annual safety inspection:

- Horn
- Windshield wipers
- Mirrors
- Wiring and batteries
- Service and parking brakes
- Warning devices
- Directional signals
- Hazard warning signals
- Lighting systems and signaling devices
- Handrails and stanchions
- Standee line & warning signage
- Doors and interlock devices
- Step wells and flooring
- Emergency exits
- Tires & wheels
- Suspension system
- Steering system
- Exhaust system
- Seat belts
- Safety equipment
- Equipment for transporting wheelchairs

In addition to the identification of equipment and devices inspected, the annual safety inspection form must also include the following elements:

- Signature Line for Inspector
- Agency identification
- Date of the inspection
- Vehicle Unit ID #
- Corrective action/date of any identified defects

Agency Annual Safety Inspection Procedures and Practices

Does the agency use C-level inspections to serve as their annual inspections, or do they conduct annual inspections separately?

Comments:

Were annual inspections found for each vehicle during the 12-month period reviewed?

Comments:

<i>Does the annual inspection form include all of the required vehicle components? If not, what items are missing?</i>
<i>Comments:</i>
<i>Does the annual inspection form include the additional required elements?</i>
<i>Comments:</i>

7. Maintenance Shop and Facilities

The FDOT State Management Plan stipulates:

The *FDOT State Management Plan* requires that in-house maintenance shops that were developed using federal grant funds must have a written *Facility and Equipment Maintenance Plan* that describes procedures and practices for maintaining the facility and associated equipment. This should also include inspection schedules and cleaning schedules. The in-house maintenance shop should also have corresponding checklists or forms that document facility and equipment inspections and cleanings as appropriate.

In-house maintenance shops must also comply with Florida's *Right to Know Law*. This includes maintaining Material Data Sheets (MDS) as required by the Occupational Safety and Health Administration (OSHA). MDS forms should be obtained for each chemical used in the maintenance shop and remain on file for a minimum of 30 years after they are no longer used. MDS forms must also be placed in an area that is accessible to all maintenance staff.

Agencies should also ensure that in-house maintenance shops provide a safe working environment for their maintenance technicians. This includes ensuring the appropriate safety equipment, such as fire extinguishers, eye wash stations, and showers.

A walkthrough of the maintenance shop is conducted to ensure safe work areas for the maintenance technicians. Work stations where maintenance activities are conducted should be free of clutter and tripping hazards. The maintenance shop floor should also be clean and free of spills and debris.

Agency's Maintenance Shop Procedures and Practices

<i>Did the agency provide a Facility and Equipment Maintenance Plan?</i>	
<i>If so, does the agency maintain inspection forms for conducting facility and equipment maintenance as described in their plan?</i>	
<i>Has the agency updated their material safety program to comply with the new global harmonization system as required by OSHA?</i>	
<i>Does the agency maintain Safety Data Sheets according to Florida's Right to Know Law?</i>	
<i>Are the Safety Data Sheets accessible to all employees?</i>	
<i>During a random sampling of five chemicals currently found in the maintenance shop, do each of the chemicals have corresponding safety data sheets in the agency's MSDS book?</i>	
<i>Comments:</i>	
<i>Is the maintenance shop equipped with the appropriate safety and emergency equipment?</i>	
<i>During a walkthrough of the maintenance shop, were work areas found to be free from clutter and tripping hazards?</i>	
<i>Comments:</i>	
<i>During a walkthrough of the maintenance shop, were the floors found to be free of spills and debris?</i>	
<i>Comments:</i>	

Additional notes for maintenance shop procedures and practices:

Additional Maintenance Shop Operations

<i>Maintenance shop hours of operation</i>	
<i>Comments:</i>	
<i>Does the maintenance shop have an organizational chart?</i>	
<i>How many full-time and part-time maintenance technicians are employed?</i>	
<i>Do maintenance technicians receive ongoing training? If yes, what type of training?</i>	
<i>Comments:</i>	
<i>Does the agency have a line item for maintenance in their overall budget?</i>	
<i>Does the maintenance manager have control over the maintenance department budget?</i>	
<i>Does the agency have the ability to track scheduled vs. unscheduled maintenance?</i>	
<i>Comments:</i>	
<i>How is daily maintenance work prioritized?</i>	
<i>Comments:</i>	
<i>How is maintenance work communicated between shifts?</i>	
<i>Comments:</i>	
<i>Does the agency have the tools and equipment necessary for maintaining the vehicle fleet?</i>	
<i>Comments:</i>	

How are waste materials stored and disposed?	
Does the agency have an in-house parts inventory?	
What types of parts are maintained in the inventory?	
What are the procedures for pulling parts?	
What are the procedures for balancing parts?	
How often are parts balanced?	

8. Equipment Records

The FDOT State Management Plan specifies that agencies:

The *FDOT State Management Plan* requires agencies to maintain records of all maintenance activities conducted on vehicles operated by the agency. This includes any maintenance activities, inspections, repairs, and corresponding invoices related to vehicle maintenance. Such

Agency Vehicle History File Procedures and Practices

Does the agency maintain manual or electronic vehicle history files?	
Are preventative maintenance inspection forms stored in the appropriate vehicle history file(s)?	
Comments:	
Are repair work orders stored in vehicle history files?	
Are warranty invoices/repairs documented in vehicle history files?	
Is there any additional maintenance activity documentation included in the vehicle history files?	
Comments:	

Additional notes:

9. Warranty

The FDOT State Management Plan stipulates that:

Transit agencies who utilize federal and/or state grant funds are required to monitor, track and pursue all warranty claims applicable to their vehicle fleet. Additionally, vehicles purchased through the FDOT Transportation Research Inspection and Procurement Services (TRIPS) program have extended warranties on some vehicle components. During the maintenance file analysis, reviewers will attempt to ensure that warranties are pursued and tracked as appropriate. Maintenance activities that appear to be warranty related, and are not pursued as warranty claims, will be assessed by the TRIPS program to determine whether the vehicle was purchased through the TRIPS program and whether the item should have been

Agency Warranty Procedures and Practices

<i>Are warranty repairs pursued by the agency?</i>	
<i>What is the method of tracking and monitoring warranty repairs?</i>	

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Review Report Tracking

Agency Information

Agency: _____

Agency Contact: _____

Email: _____

Phone Number: _____

Review Notification (at least 45 days prior)

Date: _____

Sent By: _____

Pre-review Materials (must be received 21 days prior to review)

Date: _____

Sent By: _____

On-site Review

Review Date(s): _____

Review Team: _____

Report Submittal

Draft Report to CUTR: _____ (no more than 14 days post visit)

Report Prepared By: _____

Report Approved By: _____

Report Approval Date: _____ (within 30 days post visit)

Submit Date to FDOT: _____

(Attach electronic copy of delivery/read receipt)

Overall Process Checklist

Prior to Review (at least 45 days)

1. Review schedule date and times from FDOT Central and/or district consultants ()
2. Are required:
 - a. Coordination with district consultant ()
 - b. Coordination with Diana Byrnes (D&A) ()
 - c. Coordination with other team members ()
3. Notify agency of areas to be addressed: ()
 - a. Organization chart ()
 - b. Operational standards and procedures ()
 - c. Employee handbook ()
 - d. Policies and procedures (including dispatch) ()
 - e. Bus driver selection policies and procedures ()
 - f. Records retention ()
 - g. Personnel files ()
 - h. Time sheets ()
4. Request a copy of agency SSPP ()
5. Review previous reports, if available ()
6. Week before review – send reminder ()
 - a. Proposed times and agenda ()

Review

7. Introductions ()
8. Sign-in sheet ()
9. Obtain and review copy of SPP ()
10. Overall system information
11. Obtain listing of all operators ()
12. Determine pay periods to be reviewed and obtain copies:
 - a. Minimum of two (2) pay periods, approximately 6 months apart ()
13. Complete review and document:
 - a. Operator licenses – form as stated in SSPP ()
 - b. Operator Medical Examination Certificate ()
 - c. Training records ()
 - d. Payroll ()
14. Route check ()
15. Exit interview ()

Post Review

16. Report to CUTR within 14 days of completion of review ()
*As directed by FDOT

Document Checklist

Pre-Review Materials:

Documents	Date Requested	Date Received
Approved System Safety Program Plan and associated procedures and policies		
Bus driver selection policies and procedures.		
Employee/driver "handbook"		
Operational standards and procedures		
Organizational chart with position responsibility		
SSPP polices/requirements for contractors		

Reviewed On-site (request during pre-review):

General Documents	Date Requested	Date Received
Copy of initial and refresher course syllabuses		
Routes and Service schedules		
Internal audit reports, findings, and corrective action plans implemented during the last three years		
Request a copy of the medical form/standards use by the BTS.		

Agency Policies and Procedures	Date Requested	Date Received
Background check policy/procedures		
Bus driver and employee training policies, procedures, and manuals (include list of courses and syllabuses)		
Copy of accident/event investigation policies and procedures		
Dispatch policies/procedures		
Driver hours of service policy/procedures		
Hazard identification and resolution policy/procedure		
License check policy/procedures		
Medical examinations policy/procedures		
Records retention policy		

Agency Policies and Procedures	Date Requested	Date Received
Safety policy documents and any current safety bulletins		
Wireless Communications Policy/Plan		

Accident/Incident Investigation	Date Requested	Date Received
Include a list of Investigations for the last three years		
Copy of hazard analyses and/or investigations for the last three years		
Any annual and/or periodic safety and hazard reports & analyses of data prepared for management		

Additional Documents to be Reviewed Onsite

Documents	Date Reviewed
Driver time cards for two, two week periods in the previous 3 years	
Drivers licenses	
Event investigation files for the previous 3 years	
Facility life safety inspections and records for the previous 3 years	
Hazard identification files including findings and corrective actions in the past 3 years	
Medical certificates	
Security Program Plan	

Introduction ***(If not done by District Consultant)***

(Introduce CUTR's team members and have agency introduce each participant, along with title and responsibilities.)

Greetings, thank you for taking the time to meet with us. We understand that your employee's have numerous responsibilities and we will do our best to minimize any disruptions.

We are here on behalf of the Florida Department of Transportation. The purpose of our visit today is to review your Safety and Security areas, in accordance with F.A.C. 14-90, the FDOT Statement Management Plan and associated Triennial Review Process, as well as Chapters 341 and 344, Florida Statutes and FDOT Procedure 725-030-009.

We will assist you in understanding the requirements of any particular circular, rule, regulation or law, provide copies of relevant regulatory citations and technical assistance materials, and render additional assistance to you in order to grantee/subrecipient findings, as necessary.

We will be reviewing operator personnel files and a minimum of two (2) pay periods, approximately six (6) months apart, to ensure that operators driving hours and accident/incident files are in compliance with Rule Chapter 14-90, F.A.C.

Specific records to be reviewed are:

- (1) Develop and Adopt System Safety Program Plan (SSPP)
- (2) Develop and Adopt Security Program Plan (SPP)
- (3) Develop and Adopt Wireless Communications Plan
- (4) Qualification, Selection and Training of Drivers
- (5) Record Maintenance, Retention and Distribution
- (6) Drug Free Workplace & Substance Abuse Management
- (7) Establish Written Maintenance Plan/Bus Maintenance
- (8) Event Investigation
- (9) Medical Examination Certificates for Bus Drivers
- (10) Operational and Driving Requirements

We will also be conducting ride along(s) – reviewing operators on-board.

If at any time during the review process you have a question, please feel free to ask.

At the end of this process, we will let you know if there are any open issues, which require additional documentation and the required response date.

Our report will be forwarded to FDOT Central, who in turn, will be issuing the final report.

Explanation of Findings

Reviewer Guidance: Safety & Security Review Template

The district office may combine a safety and security compliance review with other state required on-site compliance reviews, but only findings or comments resulting from compliance with **Rule Chapter 14-90, F.A.C.**, and/or the Bus Transit System's SSPP and SPP, should be included in the safety and security formal review written report submitted to the bus transit system.

Any finding resulting from the review will be categorized as follows:

Deficiency: Area(s) found to be deficient or inadequate in complying with the bus transit System's SSPP or SPP and/or Rule 14-90, F.A.C. Requirements to address deficiency will be indicated. **The bus transit system is required to develop and submit a CAP and implementation schedule for approval for each deficiency arising from a compliance review.** The district office will provide the CAP and implementation schedule for all deficiencies arising from a non-compliance review.

Areas of Concern: Weakness in the adoption or implementation of the Bus Transit System's SSPP or SPP and implementing procedures, and/or weaknesses with regard to conformance with Rule 14-90, F.A.C. Recommendations will be provided to address areas of concern. **The bus transit system is required to develop and submit a CAP and implementation schedule for each area of concern, for approval by the district office.**

Observation: An offered suggestion, view, or comment regarding safety and security performance. An observation may address or refer to information obtained during the review. Reviewers are encouraged to provide appropriate observations and recommendations on best practices even when no deficiency or area of concern exists.

Corrective Action Plan: Action(s) required to correct deficiency, including individual(s) and departments responsible for completing each action, plan and actual date(s) of completion, and rationale for incomplete or postponed action, as necessary.

Compliance Review Findings

Described below are the findings derived from the inspection of each of the 13 areas identified in the review. Findings shall consist of information obtained during the review and identified as an "Area of Concern" or "Deficiency," as applicable. A sampling of records may be performed for any individual area. Observations are not intended to reflect a condition of non-compliance.

System Information

General Information

Total Number of Drivers: _____

Full time: _____ Part time: _____ Volunteers: _____

Total Number of Buses: _____ Buses W/C accessible: _____

No of Type I Buses: _____ No of Type II Buses: _____
(> 22', including bumper) (< 22', including bumper)

Dispatch Location(s): _____
(If different than operational location)

Maintenance Location(s): _____
(If different than operational location)

Community Transportation Coordinator (CTC): Yes: _____ No: _____

CTC Operator: Yes: _____ No: _____

CTC Name: _____

Contracted Passenger Service Operations (Describe):

Contract operator(s) have own adopted SSPP and SPP approved by transit system or CTC:

Yes: _____ No: _____

Describe: _____

Contract operator(s) adopts and implements the Transit System's or CTC's SSPP:

Yes: _____ No: _____

Describe: _____

SSPP Review Checklist (Prior to Review)

Section 14-90.004, F.A.C.

At a minimum, the SSPP appropriately addresses the following safety elements and requirements	Yes/ No	Location of Element(s)	Comments Deficiency, Areas of Concern, Observation
Approved System Safety Program Plan (SSPP) <input type="checkbox"/> State <input type="checkbox"/> Federal Approval Date: _____ Approved By: _____			
Organizational chart			
Safety polices and responsibilities			
Vehicle and equipment standards and procurement criteria			
Operational standards and procedure			
Bus driver selection policies and procedures			
Driver hours of service policy/procedures (driving hours and work period's policy)			
Background check policy/procedures (level)			
Bus driver and employee training policies, procedures, and manuals (include list of courses and syllabuses)			
Copy of initial and refresher course syllabuses			
Vehicle maintenance			

At a minimum, the SSPP appropriately addresses the following safety elements and requirements	Yes/No	Location of Element(s)	Comments Deficiency, Areas of Concern, Observation
Copy of accident/event investigation policies and procedures			
Hazard identification and resolution			
License and MEC policy			
Safety data acquisition and analysis			
SSPP requirements for contractors			
Records retention			
Certification requirements			
Requirements for safety inspections of all operable transit buses at least annually			
Wireless communications plan (WCP) requirements			
SSPP flow-down requirement to subcontractors			
Employee/driver handbook			

**Security Program Plan (SPP)
(During Review – Onsite)**

Section 14-90.004, F.A.C.

SPP addresses the following security elements and requirements at a minimum	Yes/ No	Location of Element(s)	Comments Deficiency, Areas of Concern, Observation
Approved Security Program Plan (SPP) <input type="checkbox"/> State <input type="checkbox"/> Federal Approval Date: _____ Approved By: _____			
Security policies, goals, and objectives			
Organization, roles, and responsibilities			
Emergency management processes and procedures: mitigation, preparedness, response and recovery			
Procedures for the investigation of events under Rule 14-90.004(5), F.A.C.			
Procedures for the establishment of interfaces with emergency response organizations			
Procedures for interagency coordination with local law enforcement jurisdictions			
Employee security and threat awareness training programs			
Security data acquisition and analysis			
Emergency preparedness drills and exercises			
Certification requirements			
SPP requirements for contractors			

SPP addresses the following security elements and requirements at a minimum	Yes/No	Location of Element(s)	Comments Deficiency, Areas of Concern, Observation
Procedures for oversight and monitoring of contactors compliance with security requirements			
Security and threat awareness training			
Procedures for SPP maintenance and distribution: includes disclosure prohibition per Section 119.071(3)(a), F.S.			

**Wireless Communications Plan (WCP)
(During Review – Onsite)**

Section 14-90.004(12-14), F.A.C.

At a minimum, the WCP appropriately addresses the following safety elements and requirements	Yes/ No	Location of Element(s)	Comments Deficiency, Areas of Concern, Observation
Prohibits the use of a personal wireless communications device while the transit vehicle is in motion			
Plan requires that all personal wireless communications devices be turned off, with any earpieces removed from the operator’s ear while occupying the driver’s seat			
Contains a policy on the use of a wireless communications device issued to the operator by the transit system			
Has guidelines developed for the use of a wireless communications device in emergency situations (example: medical emergencies, family emergencies, and/or when regular issued equipment is inoperable during the emergency)			
Has a policy or procedure that, guarantees the use of a wireless communications device will not interfere the operator’s safety related duties			
Has a wireless communications driver educational training program			
The driver educational program address’s the proper use of a wireless communications device issued by the transit system			

At a minimum, the WCP appropriately addresses the following safety elements and requirements	Yes/ No	Location of Element(s)	Comments Deficiency, Areas of Concern, Observation
The driver educational program addresses hazards (accidents/incidents) associated with the use of a wireless communications device			

**Qualification, Selection, and Training of Drivers
(During Review – Onsite)**

Section 14-90.004(4), F.A.C.

The bus transit system has established the following criteria for the selection and qualification of all drivers	Yes/ No	Location of Element(s)	Comments Deficiency, Areas of Concern, Observation
Standards for driver qualifications and criteria for background checks			
Driver and criminal background checks for all new drivers			
Verification and documentation of valid driver licenses for employees who drive buses			
The bus transit system has a driver training program that provides explicit instructional and procedural training and testing in the following areas:			
1. Bus transit system safety and operational policies and procedures			
2. Operational bus and equipment inspections			
3. Bus equipment familiarization			
4. Basic operations and maneuvering			
5. Specific instructions to the bus driver on how to safely approach and depart from a transit bus stop to avoid contact with pedestrians and other hazards			
6. Boarding and alighting passengers			
7. Operations of wheelchair lifts and other special equipment			
8. Defensive driving			
9. Passenger assistance and securement			

The bus transit system has established the following criteria for the selection and qualification of all drivers	Yes/ No	Location of Element(s)	Comments Deficiency, Areas of Concern, Observation
10.Handling of emergencies and security threats			
11.Security & threat awareness			
12.Driving conditions			

Operational and Safety Procedures

Rule 14-90.004(3)(e), F.A.C.

Bus transit system provides the following written operational and safety procedures	Yes/ No	Location of Element(s)	Comments Deficiency, Areas of Concern, Observation
Communication & handling of hazards, unsafe conditions, security threats, and emergencies.			
Familiarization and operation of safety and emergency equipment, wheelchair lift equipment and restraining devices.			
Application and compliance with all applicable federal and state laws, rules, and regulations.			
Requirements for drivers to complete and submit a daily inspections report. (Rule 14-90.006, F.A.C.)			

Records Retention and Distribution

The bus transit system maintain the following records for at least four years	Yes/ No	Location of Element(s)	Comments Deficiency, Areas of Concern, Observation
Driver Records Rule 14-90.004(3)(g), F.A.C.			
Records of bus drivers background checks and qualifications			
Detailed description of training administered & completed by each driver			
Each bus driver's daily duty status: total days worked, on-duty hours, driving hours and time reporting on and off duty			
Event and Incident Reporting and Investigation Records Rule 14-90.004(7), F.A.C.			
Notification and investigation reports, findings, causal factors, corrective action plans, supporting documents			
Medical Records Rule 14-90.0041(4), F.A.C.			
Required proof of biennial, pre-employment, and any follow-up medical exams of employee bus drivers			
SSPP & SPP Review and Revision Rule 14-90.010(d), F.A.C.			
Reviews of the SSPP and SPP have been conducted to ensure they are up-to-date			

Event Investigation

Section 14-90.004(5), F.A.C.

Bus transit systems addresses investigation of events as follows	Yes/ No	Location of Element(s)	Comments Deficiency, Areas of Concern, Observation
Bus transit system has written investigation policy or procedure(s) for any event involving a bus or taking place on the bus transit system			
Investigation is conducted for a fatality or where an individual is confirmed dead within 30 days of a bus transit event			
Investigation is conducted for injuries involving medical attention away from the scene for two or more individual			
Investigation is conducted for property damage over \$1,000 to transit system buses, non-bus transit system vehicles, other bus system property or facilities, or any other property			
Investigation is conducted for evacuation of bus due to life safety event, where there is imminent danger to the passengers			
Events are investigated and documented in a final report that includes a description of the investigation activities, identified causal factors and any identified corrective actions			
Corrective action plans are developed by the bus transit system that will identify planned actions and schedule for implementation			

Bus transit systems addresses investigation of events as follows	Yes/ No	Location of Element(s)	Comments Deficiency, Areas of Concern, Observation
Bus transit system monitors and tracks the implementation and completion of each corrective action			

Medical Examinations for Bus Transit System Drivers

Section 14-90.0041, F.A.C.

Bus transit system has established the following medical examination requirements for all applicants to driver positions and for existing drivers	Yes/ No	Location of Element(s)	Comments Deficiency, Areas of Concern, Observation
Medical examination requirements are established using Form Number 725-030-011, effective 05/09, or an equivalent form that meets or exceeds standards			
Medical examinations are completed for new drivers			
Bus transit system has on file a completed and signed medical examination certificate (signed by medical examiner and driver) for each bus driver, dated within the past 24 months			
A return to duty examination is completed for any driver prior to returning to duty after having been off duty for 30 or more days due to an illness, medical condition or injury			

Note: For determining compliance with the medical examination requirements, the review should only involve the inspection of the medical examination certificate for certification status, dates, signatures, and completion of information. The reviewer should never record an individual's personal medical history or examination results.

SSPP should state whether state or federal form will be used and ensure the appropriate form is on file.

Operating and Driving Requirements

Section 14.90.006, F.A.C.

The bus transit systems has established a driver's handbook and/or procedures to address the following operating and driving requirements	Yes/ No	Location of Element(s)	Comments Deficiency, Areas of Concern, Observation
A requirement for buses to be operated at all times in compliance with applicable traffic regulations, ordinances, and laws of the jurisdiction in which they are being operated			
A procedure for a bus transit system driver to report the suspension or revocation of a license to operate a motor vehicle immediately or no later than the end of the business day following the day he or she received the notice			
A process for tracking and monitoring on duty and driving hours compliant with the driving and on-duty hours standards of Rule 14-90.006, F.A.C.			
A driver that has been required to drive for 12 hours in a 24 hour period or a driver that has been on duty for 16 hours in a 24 hour period has had 8 hours off duty prior to returning to duty			
A driver that has been on duty for 72 hours in any period of seven consecutive days has had 24 consecutive hours off duty prior to returning to duty			
Pre-operational or daily inspections and reporting are required for drivers to identify defects and deficiencies			

The bus transit systems has established a driver's handbook and/or procedures to address the following operating and driving requirements	Yes/ No	Location of Element(s)	Comments Deficiency, Areas of Concern, Observation
A process or procedure exists to address and resolve deficiencies and record corrective actions for inspection findings			
Inspections address the following parts and devices to ascertain that they are in safe condition and good working order: service brakes, parking brakes, tire and wheels, steering, horn, lighting devices, windshield wipers, rear mirrors, passenger doors, exhaust system, equipment for transporting wheelchairs, and safety, security, and emergency equipment			
The Bus Transit System addresses the following required safety criteria in their operational procedures, driver's handbook, and the driver training program.			
Requirement that a bus with any passenger door in the open position shall not be operated with passengers aboard			
During darkness, interior lighting and lighting in stepwells on buses shall be sufficient for passengers to enter and exit safely			
Prohibition against passengers occupying the stepwell or any area forward of the standee line while the bus is in motion			
Prohibitions for fueling buses in closed building or refueling while passengers are on-board			
Requirement for the driver to be properly secured to the driver's seat with a restraining belt at all times while the bus is in motion			

The bus transit systems has established a driver's handbook and/or procedures to address the following operating and driving requirements	Yes/No	Location of Element(s)	Comments Deficiency, Areas of Concern, Observation
Requirement that buses shall not be left unattended with passengers aboard for longer than 15 minutes			
Requirement that buses shall not to be left unattended in an unsafe condition with passengers aboard at any time			
Proper setting of parking brake and holding device			

Review Minimum Requirements

Randomly select agency driver records based on the following percentage range:

Range (agency drivers)	Selection Sample	Minimum Selection	Maximum Selection
0-125	30%	10	25
126-325	20%	26	60
326-525	15%	61	75
526 and above	10%	76	100

Background Check

Background check must include levels and types conducted. Randomly select 30% (30 bus driver minimum) of ALL BTS Drivers. If applicable, up to 33% of the driver selection must be new hires (bus operators hired within the last 3 years and not currently in training) Review ALL BTS driver records less than 30. If the reviewer notices a major problem in a specific review area, an additional 30% selection of driver records should be reviewed. If the additional review produces the same troubling results, then all records for the review section must be reviewed. If during their review of an area, the reviewer notices an issue with a specific record, they have the option to expand their review to include that particular record in their review.

Driver Licenses

- Visually check license (go back 3 years); picture, CDL class as applicable, endorsement, expiration date, and any restrictions
- Cross check date of hire with date issued
- Make sure license is current: run a free online check at: <https://services.flhsmv.gov/DLCheck/DLCheckResultView.aspx>

Medical Exam Certificate

Medical exam certificate form should match the SSPP – FMSCA or Florida State.

Accident Reviews

For accident reviews include at least 3 years and trend analysis.

- Include a list of Investigations for the last three years (select at least 10%, but no less than 5 complete files, to review onsite). Review investigation files for at least 3 major events. Review of files should include notifications, investigation activities, determination and any findings, corrective actions, and follow up activities (opened and close during the last three years).
- Hazard identification and resolution policy/procedure.
- Copy of hazard analyses and/or investigations for the last three years (select at least 10%, but no less than 5 complete files to review onsite). Review of files should include analysis and/or investigation activities, determination and any findings, corrective actions, and follow up activities (opened and close during the last three years).

Accident Investigation

Section 14-90.004(5-7), F.A.C.

1. Does the transit system have a method in place to review accidents/incidents? Yes No
2. Is there an accident/incident review committee? Yes No
3. Who is on the accident/incident review committee? Yes No
4. Does the review determine whether the accident/incident was an organizational issue? Yes No
5. How often does the committee meeting?

6. Does the committee address security issues? Yes No
7. Does the committee decide preventability? Yes No
8. What are guidelines for preventability?

9. If an organizational issue, how is that documented and addressed?

10. Agency policy should explain how the agency will document each investigation in a final report that must provide a description of investigation activities, identified contributory factors, and any identified corrective action plan. This part should also list requirements for any refresher training and the retention of reports for a period of no less than 4 years. Having a copy of the local law enforcement agency report should only be a part of the agency investigation/report.

Route Check

Date: _____ Time: _____

Agency: _____

Operator Name: _____

Type of Vehicle: Fixed Route | Paratransit | Other _____

Vehicle Number: _____ Route Number: _____

Did the Driver:	Y/N	Did the Driver:	Y/N
Make sure all viewing areas are clear?		Use the 4 second rule?	
Adjust mirrors before starting route?		Enter intersections with caution?	
Properly Secure wheelchairs?		Obey speed limits?	
Remove tie downs after each use?		Make sure passengers are properly positioned before starting?	
Assist the wheelchair customer if needed?		Stops behind the plane of the intersection?	
Stop the vehicle 6" or 4' from the curb?		Stops between 15 and 50' of a RR track?	
Act courteously assisting passengers?		Look both directions at RR crossing?	
Obey wireless policy?		Answer the radio properly?	
Uses correct language under ADA guidelines?		Monitor passengers and report misbehavior?	
Slouch in the seat?		Keeps schedule?	
Keep arms/hands from beyond the window frame?		Does not operator bus with passenger door open?	
Wear the seat belt properly?		Completely stop before doors are open?	
Keep both hands on the wheel?		Use interior lighting during darkness?	
Observant of road conditions?		Keep passengers behind the standee line while bus is in motion?	
Use signals at proper distances?		Take corners appropriately?	
Stop/start smoothly?		Uses the parking brake when the bus is left unattended?	
Does not leave bus unattended with passengers for more than 15 minutes?		Doors are not locked preventing passengers for exiting when unattended?	
Did the operator greet the passenger?			



Comments: _____



Route Check

Date: _____ Time: _____

Agency: _____

Operator Name: _____

Type of Vehicle: Fixed Route | Paratransit | Other _____

Vehicle Number: _____ Route Number: _____

Did the Driver:	Y/N	Did the Driver:	Y/N
Make sure all viewing areas are clear?		Use the 4 second rule?	
Adjust mirrors before starting route?		Enter intersections with caution?	
Properly Secure wheelchairs?		Obey speed limits?	
Remove tie downs after each use?		Make sure passengers are properly positioned before starting?	
Assist the wheelchair customer if needed?		Stops behind the plane of the intersection?	
Stop the vehicle 6" or 4' from the curb?		Stops between 15 and 50' of a RR track?	
Act courteously assisting passengers?		Look both directions at RR crossing?	
Obey wireless policy?		Answer the radio properly?	
Uses correct language under ADA guidelines?		Monitor passengers and report misbehavior?	
Slouch in the seat?		Keeps schedule?	
Keep arms/hands from beyond the window frame?		Does not operator bus with passenger door open?	
Wear the seat belt properly?		Completely stop before doors are open?	
Keep both hands on the wheel?		Use interior lighting during darkness?	
Observant of road conditions?		Keep passengers behind the standee line while bus is in motion?	
Use signals at proper distances?		Take corners appropriately?	
Stop/start smoothly?		Uses the parking brake when the bus is left unattended?	
Does not leave bus unattended with passengers for more than 15 minutes?		Doors are not locked preventing passengers for exiting when unattended?	
Did the operator greet the passenger?			



Comments: _____



Florida Department of Transportation

Review Date(s): _____

Agency: _____

Address: _____

Report Date: _____

Approved by: _____

Name: _____

Phone: _____

Email: _____



END OF GUIDE