Division of Rail and Mass Transportation

2020

Agency Monitoring Visit

for

Agency Name:
Agency Representatives:

Site Visit Date:  Click here to enter a date.

Prepared by:
California Department of Transportation
Division of Rail & Mass Transportation
Federal Rural Transit Programs

Name(s):
Phone Number(s):
Email Address(es):

Revised January 22, 2020
OVERVIEW

The California Department of Transportation (Caltrans), Division of Rail and Mass Transportation (DRMT), District Transit Representative will conduct compliance reviews of all subrecipients that have received or are currently receiving Federal Transit Administration (FTA) funding administered by DRMT. The review will examine the subrecipient's oversight practices in order to evaluate subrecipient compliance with FTA and program requirements. The compliance review consists of an on-site review of subrecipient file documents (FTA and program requirements), management practices, implementation of FTA programs, and inspection of FTA funded assets. There are ten areas comprising the review. These include programs, and inspection of FTA funded assets. Subrecipients are subject to the standard agreement under Article II General Terms and Conditions, Clause 5-Enforcement/Remedies for Non-Compliance. Failure to comply with the terms and conditions of the standard agreement may result in the withholding of federal funds for reimbursement, withholding of new federal awards and or the suspension or termination of the standard agreement.

Is this agency’s organization contacts in BlackCat up to date?

Yes ☐ No ☐

Is this agency’s organization important documents current and uploaded in BlackCat? (Title VI, EEO, ADA, DBE, TAM and Maintenance Plans)

Yes ☐ No ☐

a. If no, when do you plan on uploading the important documents in BlackCat?

FINANCIAL MANAGEMENT

Pursuant to 49 CFR 18.20 and FTA Circular 5010.1D, Ch. VI, subrecipients are required to have adequate accounting and financial record keeping standards to manage federal transit grant funds.

1. Are there comprehensive written policies and procedures for your fiscal/accounting system?

Yes ☐ No ☐

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2. Are there procedures for determining the eligibility (direct and indirect cost) for reimbursements? Please describe your agency’s procedures.

Yes ☐ No ☐

3. Are requests for reimbursements reviewed to ensure that only allowable expenses have been submitted? Please describe who prepares the request for reimbursement, who reviews, certifies and signs the final documents?

Yes ☐ No ☐

4. Please describe your agency’s procedures to prevent over and/or duplicate billings?

5. Are contractor(s) and/or employees paid in a timely manner?

Yes ☐ No ☐

6. Were any indirect costs charged to the grant? If yes, are costs supported by an indirect cost allocation plan which was prepared in accordance with 2 CFR Part 200 and approved by Caltrans, the FTA or cognizant agency?

Yes ☐ No ☐

7. Does your agency provide service in an urbanized area? If yes, what methodology do you use to segregate the urban costs from the rural costs?

Yes ☐ No ☐

Comments: __________________________________________________________

8. Have you changed fares since your last review?

Yes ☐ No ☐

9. How did you notify the public of the fare change?

Agency Website ☐ Newspaper ☐ Radio ☐ Flyer ☐
Public Hearing ☐ TV/Cable ☐ Other Specify: ☐

10. Was an analysis done on the impact of the low income?
Yes ☐ No ☐

a. If yes, what was the result of the analysis. Please provide a copy of the analysis.

**PROCUREMENT**

5310, 5311, 5311f, 5316, 5317, and 5339 Federally Assisted Procurements: (Place an X next to the applicable Programs) “Third-party contracts, modifications, and exercising optional periods of performance require DRMT approval prior to implementation. Subrecipient agencies implementing third-party contracts, modifications, or option years without prior approval risk being denied FTA reimbursement.”

1. How many third-party contracts does your agency have?
   a. If none, skip to DBE

2. How many of the third-party contracts are for operating/preventive maintenance assistance?

3. How many of the third-party contracts are for capital projects?

4. Have you received DRMT approval for all current third-party contracts supported with 5310/5311/5311f/5316/5317/5339 funding?
   Yes ☐ No ☐
   a. If no, please identify the third-party contracts and provide a copy of the executed contract by the end of this monitoring meeting.

5. Have any third-party contracts been amended, modified, and/or optional period of performance been exercised?
   Yes ☐ No ☐

6. Have you received DRMT approval for all current third-party contracts, amendments, modifications, and/or the exercise of option periods supported with FTA funding?
   Yes ☐ No ☐ N/A ☐
   a. If no, please identify the third-party contracts and provide a copy of the executed amendment, modification, and/or exercise of optional period of performance by the end of this monitoring meeting.
7. Identify current third-party contracts, contractors, expiration dates for the base term, and optional periods of performance:

<table>
<thead>
<tr>
<th>Contract Service/Good</th>
<th>Contractor</th>
<th>Base Period</th>
<th>Optional Period(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example: Operating Assistance</td>
<td>We Operate, Inc.</td>
<td>7/1/2003-6/30/2008</td>
<td>Yr. 1: 7/1/2008-6/30/2009 Yr. 2: 7/1/2009-6/30/2010</td>
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**DISADVANTAGED BUSINESS ENTERPRISE (DBE)**

1. Please provide the name and contact information for your agency’s Disadvantaged Business Enterprise Liaison Officer (DBELO).

   Has the DBELO changed?

   Yes ☐ No ☐

   Is the DBE Implementation Agreement signed by your agency’s CEO?

   Yes ☐ No ☐

   a. If yes, please provide a copy of the signed DBE Implementation Agreement.

   b. If no, please provide us a signed agreement within 30 days.

2. Has your agency submitted to Caltrans the required semi-annual reporting forms (Uniform Report and ADM-3069) for periods April 1 – September 30 and October 1 – March 31, within 10 business days after the end of each reporting period?

   Yes ☐ No ☐

   a. If yes, please provide the last semi-annual reporting forms that were submitted to Caltrans and review the report with the agency’s representative.

   b. If no, your agency is non-compliant with the terms and conditions of the standard agreement.
3. Please provide a copy of each signed contract between your agency and a certified DBE for work to be performed on this standard agreement. This must include name, address of the DBE, DBE certification number, a description of work to be performed, the dollar amount and signature of the DBE.

If no DBE contracts, then please include documentation to demonstrate your good faith efforts to hire a DBE. Examples of Good Faith Efforts include, but not limited to:

- Ensuring DBE's are aware of contracting opportunities by advertising for DBE on your website, focus groups, meetings, news, events, journal, etc.;
- Soliciting disadvantaged businesses by fax, e-mail, and telephone; and
- Justification of why work cannot be broken down into smaller tasks or quantities such as for example (uniforms, supplies, office supplies, janitorial services, preventative maintenance, vehicle repairs, etc.)

This must include documentation to demonstrate no available DBE to perform the work is available OR copies of solicitations/advertisements, AND explanation.

4. Has your agency substituted any DBE contracts for your current awarded contracts?

   Yes [ ] No [ ]

   a. If yes, then you must provide a justification for the substitution of not utilizing a DBE firm.

5. Has your prime contractor received prior Caltrans’ DBELO approval for the termination for convenience by not utilizing a DBE firm?

   Yes [ ] No [ ]

   a. If yes, please provide the approval documentation.

   b. If no, your agency is non-compliant with the terms and conditions of the standard agreement.

6. Does your agency perform on-site monitoring of every contract which DBE participation is claimed including contracts for professional services?

   Yes [ ] No [ ]

   a. Who is performing the on-site monitoring review? Please provide a daily activity log of the date of the site review.

   b. If no, please provide us a plan within 60 days of when you will start performing on-site monitoring.
7. Please describe your agency's process for handling complaints and/or protests relating to the DBE Program.

a. Please provide a copy of your agency's policy.

b. If your agency does not have a process in place, please provide a process for handling complaints within 60 days of this finding.

8. Has your agency received any complaints or procurement protests alleging that you did not comply with the DBE regulations for federally funded projects?

   Yes ☐  No ☐

   a. If yes, please provide documentation.

   b. If no, go to the next question.

9. Please provide a copy of the cancelled checks for the contracted amount of the work performed by the DBE firm.

   If there are no cancelled checks, please provide verifiable accounting documents that payments were made to the DBE firm for the contracted work performed.

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**TRANSIT ASSET MANAGEMENT (TAM)**

1. Does your agency have a current FTA compliant Transit Asset Management Plan?

   Yes ☐  No ☐

**Policies and Procedures**

2. Does your agency make incidental use of any FTA funded asset?

   Yes ☐  No ☐

   Incidental Use: The limited authorized non-transit use of project property. Such use must be compatible with the approved purposes of the project and not interfere with intended public transportation uses of project property. An incidental use does not affect a property’s transit capacity or use. FTA may concur in incidental use after the award of the grant. *(Example would be a transit agency facility/station/building that rents out a space for a coffee kiosk and magazine stand.)*

   a. If yes, was Caltrans and FTA approval obtained?  Yes ☐  No ☐
   b. Is continuing control of the property maintained?  Yes ☐  No ☐
   c. Is revenue derived from the incidental use applied for transit planning, capital, or operating expenses? Yes ☐  No ☐
   d. Please describe the nature of your agency’s FTA funded asset’s incidental use:
**Inventory**

3. Have there been any changes to the status of real property and/or equipment since the last monitoring visit?

Yes ☐ No ☐

a. If yes, was the change captured/noted in the BlackCat Grants Management system.

Yes ☐ No ☐

4. Is there a security control system (fencing, security systems, etc.) in place to prevent loss, damage or theft of property?

Yes ☐ No ☐

a. Please describe your security control system. (Please attach documentation on separate sheet).

**Maintenance Program (Please review agency’s Maintenance Plan prior to visit)**

5. Inspection Checklist

a. Are pre-trip inspections conducted? ☐ ☐

b. Does the preventive maintenance plan describe the inspection procedures for each item listed on the inspection servicing checklist? ☐ ☐

c. Does the schedule indicate when (according to mileage or time) each service is scheduled to be performed? ☐ ☐

d. Does the schedule indicate the date/mileage when services were performed? ☐ ☐

e. Using the vehicle maintenance log with the service schedule and pre-trip inspection checklist, compare when a service was due vs. when service was performed. Is the correlation reasonable? ☐ ☐

f. Is any FTA funded equipment operated by your agency under warranty? If yes, how are claims for warranties requested? ☐ ☐

g. Are warranty claims pursued prior to seeking reimbursement from Caltrans? (Ask for document of any recent claims made.) ☐ ☐

6. Maintenance Procedures for Accessible Equipment
a. When a lift is discovered to be inoperative, is the vehicle out of service and repaired before the beginning of the vehicle’s next service day?

Yes ☐ No ☐

*If there is no spare vehicle available to take the place of a vehicle with an inoperable lift, entity may keep the vehicle in service with an inoperable lift for no more than five days (if the entity serves an area of 50,000 or less population) or three days (if the entity serves an area of over 50,000 population) from the day on which the lift is discovered to be inoperative. CFR Part 37.163*

**CHARTER BUS**

Pursuant to 49 CFR 604.9, Subrecipients are prohibited from using FTA funded equipment or facilities to provide charter service except when one or more of the exceptions set forth in the charter service regulation have been met.

1. **Does your agency provide charter services?**

   Yes ☐ No ☐

2. **Is charter service using FTA funded or maintained vehicles provided under one of the exceptions?** If no, skip this section. If yes, circle the exception that best describes the charter service:

   a. Government officials on official government business? Yes ☐ No ☐
   b. Qualified Human Services Organization (QHSOs)? Yes ☐ No ☐
   c. Leasing FTA funded equipment and drivers? Yes ☐ No ☐
   d. When no registered charter provider responds to notice from agency? Yes ☐ No ☐
   e. Agreement with registered Charter providers? Yes ☐ No ☐
   f. Petitions to the Administrator? Yes ☐ No ☐

3. **Did the transit agency provide notice to all registered charter providers prior to providing the requested charter service?**

   Yes ☐ No ☐

4. **Was the charter service reporting timely?** Yes ☐ No ☐

5. **Was a copy of your report uploaded in BlackCat?** Yes ☐ No ☐
   **If not, have the agency do so.**

6. **Reporting schedule as follows:**

<table>
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<tr>
<th>Quarter</th>
<th>Report Deadline</th>
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Revised January 22, 2020
January 1 – March 31     April 30
April 1 – June 30        July 30
July 1 – September 30    October 30
October 1 – December 31  January 30


SCHOOL BUS

1. Is federally funded equipment or facilities used to provide school bus operations exclusively for the transportation of students and school personnel?

   Yes ☐ No ☐

2. Is “Tripper Service” provided? *School tripper service should operate and look like all other regular service.*

   Yes ☐ No ☐

“Tripper service,” “allows grantees to provide service, which is mass transit service modified to accommodate the needs of school students and personnel. Buses used for tripper service must be clearly marked as open to the public and may not carry designations such as “School Bus”. These buses may stop only at a grantee’s regular service stop. All routes traveled by tripper buses must be within a grantee’s regular route service as indicated in their published route schedules. The purpose of this provision is to ensure that buses acquired with Federal assistance are clearly perceived by the public as available to their use.

AMERICANS WITH DISABILITIES ACT (ADA)

1. Does your agency have a policy in place to resolve disability-related complaints from the public?

   Yes ☐ No ☐

   a. If yes, please describe the policy.

2. Has your agency received any complaints of discrimination due to disability?

   Yes ☐ No ☐
a. If yes, what is the status of the complaint/s?

3. Does the FTA Office of Civil Rights have any open complaints on file against your agency?
   Yes ☐ No ☐
   a. If yes, please describe the nature of complaints and actions taken to date.

4. Is the complaint policy made publicly available on agency’s website or any other public information site?
   Yes ☐ No ☐

5. Does your agency keep complaint files for at least 5 years?
   Yes ☐ No ☐

Securement, Lift, Availability and Access (Ask for their written policy to cover questions 6, 7, 11, 12 and 25)

6. Are the lifts and securements properly used?
   Yes ☐ No ☐

7. Does your agency allow service animals onboard?
   Yes ☐ No ☐
   a. Is there a written policy? Yes ☐ No ☐

8. Are your agency’s communications and public information about transportation services available using accessible formats and technology?
   Yes ☐ No ☐

9. Does your agency allow persons using respirators or portable oxygen?
   Yes ☐ No ☐
   a. Is there a written policy? Yes ☐ No ☐

10. Does your agency allow adequate time for vehicle boarding and disembarking?
11. Does your agency allow for personal attendant when necessary?

Yes □ No □

   a. If so, is training provided? Yes □ No □
   b. Is there a written policy? Yes □ No □

12. Are fares charged for personal care attendants?

Yes □ No □

Training and Service Equivalency

13. Is training provided to agency personnel and subcontractors for the safe operation of vehicles, accessibility equipment, and the proper treatment of persons with disabilities?

Yes □ No □

   a. Number of staff trained this year:

14. Using the same type of service (i.e., fixed route, paratransit, demand response), is the fare and service provided to a disabled passenger no more than twice the fare that is charged to a non-disabled passenger?

Yes □ No □

15. Are trips prioritized for any purpose?

Yes □ No □

   a. If yes, please describe. (Please attach documentation on separate sheet):

16. How does your agency ensure that there is no pattern or practice of trip denials? (Have agency provide copy of log for last 90 days)

   a. Untimely pick-ups?
   b. Missed trips?
   c. Excessively long trips?
17. How are trip denials recorded?  

Paratransit as a Complement to Fixed-Route Service

18. Is a fixed route service provided?

Yes ☐ No ☐

a. If no, skip to question 30. If yes, do you have a Complementary Paratransit Plan?

Yes ☐ No ☐

When was the plan updated? Initial paratransit plans have been required since January 26, 1992.

19. Are eligibility decisions for Americans with Disability Act (ADA) and Dial-a-Ride made within 21 working days of receipt of completed application?

Yes ☐ No ☐

20. Is there an appeals process?

Yes ☐ No ☐

21. Does the process allow the applicant the opportunity to be heard and to present information?

Yes ☐ No ☐

22. Are customers allowed to place their requests until the close of business on the day preceding service? Next-day service does not mean 24 hours advance reservation. This means that if your normal business hours are 8:00 a.m. to 4:00 p.m. on weekdays, then reservation services must be provided during that time frame, until 4:00 p.m.

Yes ☐ No ☐

23. Are trips scheduled within one hour of the requested trip time?

Yes ☐ No ☐

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24. Are fares charged to ADA individuals using Paratransit service no more than twice the fixed route fare?

Yes ☐ No ☐

25. Is service provided within 3/4 mile of fixed routes?

Yes ☐ No ☐

26. Is service available during the same hours and days as fixed route?

Yes ☐ No ☐

**Blended Paratransit** - Transportation service that provides ADA Complementary Paratransit on the Same Vehicle as the Fixed Route Service. In limited circumstances, subrecipients and private nonprofit entities are allowed to provide both ADA Complementary Paratransit service on the same vehicle as the Fixed Route service. The fixed route vehicle deviates only for people with disabilities who have been determined to be eligible for ADA Paratransit service. Service must be provided according to the same requirements for complementary paratransit (eligibility process and service criteria such as service area, response time, fares, absence of trip purpose restrictions, hours and days of service and origin to destination service). Agencies providing this service option shall have policies and procedures in place to ensure that the service operates without capacity constraints (for example, trip denials, untimely pickups) as specified in ADA regulations.

27. Does your agency provide Blended Paratransit service?

Yes ☐ No ☐ N/A ☐

a. If yes, provide your agency’s policy and procedures for service criteria for complementary paratransit.

28. Does your agency have an eligibility process to ensure non-fixed route ADA riders are eligible to utilize Blended Paratransit service?

Yes ☐ No ☐ N/A ☐

29. Does the Blended Paratransit service meet the same criteria as complementary paratransit service? In terms of: (1) Response time; (2) Fares; (3) Geographic area of service; (4) Hours and days of service; (5) Restrictions or priorities based on trip purpose; (6) Availability of information and reservations capability; and (7) any constraints on capacity or service availability.

Yes ☐ No ☐ N/A ☐ Comments:

**Route Deviation Service** - To be considered demand responsive, the service must deviate for the general public, not just persons with disabilities. If deviations are restricted to a particular group, the service ceases to be a form of demand-responsive service for the general public. *(Check agency website prior to visit.)*
30. Does your agency provide route deviation service?

Yes ☐ No ☐ N/A ☐

If yes, continue below...

31. Is the route deviation service open to the general public?

Yes ☐ No ☐ N/A ☐

32. Is the service publicly advertised as route deviation service?

Yes ☐ No ☐ N/A ☐

33. Observation Check: Caltrans staff should observe a minimum of one of the following subrecipient functions. It is recommended the transit agency be contacted prior to performing any observation.

a. ☐ Riding the service  
b. ☐ Observing transit agency reservation process  
c. ☐ Observing transit agency scheduling  
d. ☐ Observing transit agency dispatching  
e. ☐ Observing ADA complementary paratransit eligibility process

Description of the Results of the Observation:

TITLE VI

Complaints and Lawsuits (Site Visit)

1. Is the public made aware of the option to file a Title VI complaint with organizations other than the subrecipient (i.e. Caltrans and/or FTA)?

Yes ☐ No ☐

If yes, who:

Observation Check: Caltrans Staff should observe the agency’s website prior to and during the visit. (We recommend that staff travel with a laptop during agency visits.)

During Site Visit
2. Is the Title VI Notice to the employees and the public posted in a conspicuous place? (i.e. on vehicle, in lobby, on timetable/Rider’s Guide and/or other printed material)?

Yes ☐ No ☐


Yes ☐ No ☐

3. Examples of translated documents available for the LEP? (If subrecipient serves or potentially serves a significant LEP population).

Yes ☐ No ☐

EQUAL EMPLOYMENT OPPORTUNITY

1. Does your agency employ 100 or more transit-related employees, and; receive capital or operating assistance in excess of $1,000,000.00, or; receive planning assistance in excess of $250,000?

Yes ☐ No ☐

  a. If yes, reviewer observed EEO Notices posted on job advertisements, in break rooms, employee manuals, etc?

Yes ☐ No ☐

2. Does your agency have an approved EEO Plan? The FTA requires that all agencies regardless of the number of employees, must have an approved EEO Plan in place but not required to be submitted to the FTA if the agency has less than 100 employees.

Yes ☐ No ☐

If no, provide timeframe to have an EEO Plan in place. ____________________________

______________________________

DRUG AND ALCOHOL PROGRAM

Pursuant to 49 CFR Part 655, recipients of Section 5311 funds must have a drug and alcohol testing program in place for all safety-sensitive employees. Transit Providers are required to maintain a drug-free workplace for all employees and to have

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an ongoing drug-free awareness program. FTA retains oversight of Drug and Alcohol monitoring for Section 5307 Transit Providers.

1. **Is the transit service subcontracted?**

   Yes [ ] No [ ]

   a. If yes, how do you monitor subcontractors with safety sensitive employees to ensure drug and alcohol testing programs are administered in accordance with the regulations?

2. **Does your agency and/or your contractors have drug testing programs for safety-sensitive employees?**

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<tbody>
<tr>
<td>Yes [ ]</td>
<td>No [ ]</td>
<td>N/A [ ]</td>
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3. **Does your agency and/or your contractors with safety-sensitive employees have a drug and alcohol policy?**

   a. If yes, when were these policies last updated?

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<tr>
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<td>No [ ]</td>
<td>N/A [ ]</td>
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4. **Does your agency and/or your contractors with safety-sensitive employees conduct the required types of drug and alcohol testing?**

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5. **Are your agency and/or your contractors’ confidential drug and alcohol testing result records kept in a location that is locked and inaccessible to other employees? (Please physically verify on-site when conducting the agency monitoring visit.)**

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**OVERALL COMMENTS**
RESULTS OF THE REVIEW

☐ Compliant  ☐ Noncompliant

Total Number of Deficiencies:
Description of Deficiencies:

Measures to Prevent Recurrence(s):

Caltrans Representatives:_________________________ Phone #:________________________
Please print name

Agency Representatives:_________________________ Phone #:________________________
Please print name

Monitoring done by state employee and is a visual inspection only.