

# Evansville MPO Section 5310 Subrecipient Oversight Procedures

Procedures and Checklists for Monitoring the Section 5310 Program

## Background

Title 49 USC 5310 authorizes the formula assistance program for the Enhanced Mobility of Seniors and Individuals with Disabilities Program, referred to as “the Section 5310 program” by the Federal Transit Administration (FTA). The FTA apportions funds annually to states and/or designated recipients based on an administrative formula that considers the ratio of the number of seniors and individuals with disabilities.

The Evansville MPO is the designated recipient of Section 5310 funds and is responsible for the sub-allocation of these funds to local non-profit organizations and/or METS to use for their paratransit service. The distribution of these funds is based on a competitive application process through the Evansville MPO. These funds can be used for acquiring accessible buses or vans or other capital projects that will improve transportation opportunities for seniors and individuals with disabilities.

The Evansville MPO must monitor Section 5310 subrecipients to ensure compliance of all FTA requirements. This will include an annual review of documents and maintenance logs through the annual Section 5310 Call for Projects application process. In-person site-visits from Evansville MPO staff will occur at least once every five years to review documents and examine facilities and vehicles.

## Purpose

The purpose of this Subrecipient Oversight Procedures document and checklist is to:

- Ensure that all technical specifications and contract requirements are met by subrecipients.
- Monitor compliance with FTA requirements for FTA-funded vehicles and facilities that are maintained and in operation by the subrecipients ensure that subrecipients maintain funding eligibility.
- Track information regarding performance quality for the purposes of evaluating subrecipients for future procurements.
- Identify performance issues and address them in a timely manner.

## MPO Roles and Responsibilities

The Evansville MPO coordinates with subrecipients throughout the Section 5310 process by:

- **Announcing a Call for Projects to eligible organizations:**  
The Evansville MPO delivers a Section 5310 Call for Projects application annually to organizations eligible for Section 5310 funding. Agencies interested in applying for Section 5310 funds to assist in the acquisition of vehicles must complete the application and submit it to the Evansville MPO. The MPO reviews, scores and prioritizes the requests for funding.
- **Organizing and hosting Regional Transit Advisory Committee (RTAC) meetings:**  
The Evansville MPO hosts quarterly Regional Transit Advisory Committee (RTAC) meetings to share information, answer questions, and gather feedback. The RTAC consists of public, private and non-profit transportation providers in Vanderburgh, Warrick, Gibson, and Posey counties, as well as businesses and community leaders interested in advancing transportation throughout the region. While it is not required to be on the Committee to receive Section 5310 funds, it is strongly encouraged.

- **Developing the Coordinated Plan:**  
In order to be eligible for Section 5310 funds, each non-profit organization must be included in the Coordinated Public Transit – Human Services Transportation Plan developed by the Evansville MPO. This plan is updated once a year to provide eligible organizations the opportunity to be included.
- **Developing the Regional Transportation Guide:**  
The RTAC created the Evansville-Henderson Regional Transportation Guide to provide a resource for transportation options for Vanderburgh, Warrick, Henderson, Gibson and Posey counties. As a Section 5310 recipient, it is important that agencies notify the Evansville MPO of any changes to their organization’s transit service details so the Guide can remain current.
- **Subrecipient Compliance Monitoring:**  
When federally-funded services, rolling stock, and facilities are operated by a subrecipient or public entity other than the Evansville MPO, they are subject to regular review by the Evansville MPO to ensure compliance with FTA requirements to maintain funding eligibility.

## Subrecipient Roles and Responsibilities

Each subrecipient of Section 5310 funding is responsible for following the guidance in this Oversight Procedures document. This guidance will ensure recipients are compliant with FTA regulations. This document identifies the procedures for subrecipients to maintain compliance, including:

- **General Oversight Procedures:**  
Subrecipients are required to maintain Title VI and Equal Employment Opportunity programs, track any complaints from riders, and ensure proper record keeping.
- **Rolling Stock (Fleet) Oversight Procedures:**  
Subrecipients are required to maintain a state of good repair for all federally funded vehicles through regular maintenance activities.

## General Oversight Procedures

- **Agency and Transportation Service Information:**  
Each Section 5310 subrecipient must provide contact information and current employment data for their transportation services.

### It is required that:

- The following information is provided in the annual Call for Projects application and in the On-Site Visit Checklist:
  - Name, title and contact information of the agency’s CEO/President
  - Name, title and contact information of employee responsible for transportation services
  - Name and title of each employee responsible for
    - Financial records
    - Grant Management
    - Maintenance activities and records
  - Total number of part-time and full-time drivers

- **Procurement Procedures, Property Management, Vehicle Use, Maintenance and Disposition:**

All systems and procedures for financial management must be in compliance with 49 CFR 18 and 19 the “Common Rule”, FTA circular 4220.1F Third Party Contracting Guidance, and Circular 5010.1E, Buy America, Federal Motor Vehicle Safety Standards, Bus Testing. Award Management Requirements Section 5333(b), Charter Rule, Commercial Driver’s License, Lease Versus Buy Considerations, Evaluation of Floodplain (if applicable, capital transit facilities only), Real Estate Acquisition and Relocation (if applicable, capital transit facilities on), and FTA Safety Jurisdiction. Subrecipient must submit all required certifications and assurances prior to contract signature and annually thereafter.

- **Title VI Monitoring Procedures:**

The subrecipient must ensure that no person shall, on the grounds of race, color, sex or national origin, be excluded from participating in, or be denied the benefits of, or be subject to discrimination under any program, or activity receiving Federal financial assistance. The subrecipient must ensure that federally supported transit services and related benefits are distributed in an equitable manner. Subrecipients are responsible for ensuring that they comply with Title VI requirements such as: notifying customers of their rights under Title VI; having Title VI compliant procedures; taking reasonable steps to ensure access to Limited English Proficiency (LEP) populations; and seeking out the viewpoints of minority, low-income and LEP populations when conducting public outreach and involvement activities. The Evansville MPO should be informed of any Title VI complaints received by its subrecipients.

**It is required that:**

- Subrecipients delivering transportation services with FTA funds must notify the Evansville MPO within 48 hours of any Title VI complaints received.
- Title VI Plans must be submitted to the Evansville MPO annually as part of the Section 5310 application process.

- **Equal Employment Opportunity (EEO) Monitoring Procedures:**

Subrecipients must ensure that no person in the United States shall on the grounds of race, color, religion, national origin, sex, age, or disability be excluded from participating in, or denied the benefits of, or be subject to discrimination in employment under any project, program, or activity receiving Federal financial assistance under the Federal transit laws. (Note: EEOC’s regulation only identifies/recognizes religion and not creed as one of the protected groups.)

**It is required that:**

- EEO program details be submitted to the Evansville MPO annually as part of the Section 5310 application process.

- **Complaint Procedures:**

The subrecipient must record rider feedback in compliance with FTA requirements to increase rider satisfaction and ensure that the needs of riders are being met.

**It is required that:**

- The subrecipient maintain a customer complaint process that allows riders to submit complaints by phone, in writing, or online on issues such as driver courtesy, on-time performance, passenger safety and/or other service standards. Subrecipient responses to customer complaints must be delivered to the customer and the Evansville MPO via written response within three to ten days of the complaint.
- A formal complaint procedure be maintained and provided to the Evansville MPO.

- **Financial Reports:**

The subrecipient will be responsible for maintaining all books, documents, payroll documentation, accounting records, and other evidence pertaining to costs incurred under a federal grant award during the period of the grant and three years thereafter. These records must be available for inspection by any authorized representatives of the Evansville MPO or the federal government.

**It is required that:**

- The subrecipient maintains all books and documents pertaining to the financial reporting related to the federally funded vehicles, equipment, or facilities.

- **Subrecipient Record Keeping:**

The Evansville MPO will document compliance monitoring efforts by collecting relevant information from subrecipients. This information may be requested on an annual basis, or may be based on on-site visits at least once every five years. Information requested may include but not be limited to:

- On-site visit checklist
- Fleet information
- Grant submittals/applications
- Title VI and other federal program compliance information

**It is required that:**

- The information included in the Subrecipient On-Site Visit Checklist be provided to the Evansville MPO during the scheduled site visit. These visits will happen at least once every five years.

## **Rolling Stock (fleet) Oversight Procedures**

Subrecipients must keep federally funded equipment and facilities in good operating order and maintain ADA accessibility features. A current written maintenance program for FTA-funded rolling stock that documents the maintenance plan is required for each subrecipient.

To monitor vehicles or facilities that are funded with Section 5310 funds, the Evansville MPO requires subrecipients to maintain a fleet database and complete a maintenance log once per year. The Evansville MPO will ask for a current fleet database and provide a maintenance log annually with the delivery of the Section 5310 Call for Projects Application. Information asked may include but not be limited to:

- Number and types of vehicles
- Vehicle maintenance logs, including services and/or other necessary maintenance (maintenance log information should be from November of the previous year to November at the time of the Call for Projects)
- Lift maintenance on applicable vehicles

If the subrecipient has equipment under warranty, FTA requires that the subrecipient have a system for identifying warranty claims, recording claims, and enforcing claims with the manufacturer.

A post-delivery audit will be conducted before the rolling stock is put into service to verify the accuracy of the Buy America certification, purchaser's requirements certification, and certification of compliance with or inapplicability of Federal motor vehicle safety standards in 49 CFR part 571 (49 CFR part 663).

**It is required that:**

- The subrecipient provides the MPO with their current fleet database, including current mileage.
- The subrecipient completes a maintenance log for federally funded rolling stock once a year. The Evansville MPO will provide this maintenance log annually with the delivery of the Section 5310 Call for Projects Application.

## Annual Document Review

During each annual Section 5310 Call for Projects, the Evansville MPO will ask for specific documents to be uploaded with the application. These documents will be reviewed by the MPO for concurrence with MPO and FTA requirements. If the MPO finds any document to be deficient or incomplete, the non-profit may be required to make updates. The following documents will need to be included in Section 5310 Call for Projects applications:

- Vehicle Maintenance Logs
- Title VI Plan
- EEO Program Details
- Others as identified on the Section 5310 Call for Projects

If an agency does not apply during the call for projects, the Evansville MPO will contact the agency requesting the information noted above, after the project call deadline.

## On-Site Visit Checklist

The Evansville MPO will use the following Subrecipient Oversight Checklist during site visits at least once every five years to ensure that all specifications and requirements of the Evansville MPO and FTA are being followed by the subrecipient.

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| <b>Subrecipient Agency Name and Address</b>   |  |
| <b>Name, Title and Contact Information of Employee Responsible for:</b> <ul style="list-style-type: none"><li>▪ President/CEO</li><li>▪ Transportation Services</li><li>▪ Financial Records</li><li>▪ Grant Management</li><li>▪ Maintenance Activities and Records</li></ul> |  |
| <b>ADA, Title VI, EEO, DBE Compliance</b><br>Review of agency's ADA, Title VI, EEO, and DBE compliance.   |  |
| <b>Vehicle Inventory</b><br>Number and types of vehicles in operation.  |  |
| <b>RTAC Attendance</b><br>Number of RTAC meetings subrecipient attended in the last 12 months.  |  |
| <b>Coordinated Plan Concurrence</b><br>Does the subrecipient agree with information about their agency listed in the Coordinated Plan?  |  |
| <b>Transportation Guide Concurrence</b><br>Does the subrecipient agree with information about their agency listed in the Regional Transportation Guide?   |  |
| <b>Ridership</b>  |  |

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| Agency will share ridership data, preferably on a weekly or monthly basis, for the last 12 months.  |  |
| <b>Additions/Changes to Services</b><br>Agency will share information about any additions or changes to their service in the last 12 months.  |  |
| <b>Vehicle Maintenance Review</b><br>Agency will share vehicle maintenance logs and/or other information related to continued maintenance of FTA funded vehicles.                                       |  |
| <b>Physical Inventory of FTA Property</b><br>Agency will provide the MPO with access to their garage/maintenance facility and at least one of each type of FTA-funded vehicle during the on-site visit. |  |