

Federal Complaint Areas of Review

Legal

Annual Certifications and Assurances; 49 USC 5307(d)(1)(a); FTA Circular 7008.1A; FTA Master Agreement, Section 5; FTA Circular 5010.1D, Ch. VI, Section 4; FTA C 9030.1D, Ch. III, Sections 11 and 12, Ch. IV, Section 8.a(2); FTA C 9300.1B, Ch. II, Sections 7 and 9.b; FTA C 9050.1, Ch. III, Section 12; FTA C 9045.1, Ch. III, Section 12; FTA C 9040.1F, Ch. III, Sections 1.a and 3; and FTA C 9070.1F, Ch. III, Sections 1 and 9.

Financial

Annual Certifications and Assurances; 49 USC 5307(d)(1)(a); FTA Circular 7008.1A; FTA Master Agreement, Section 5; FTA Circular 5010.1D, Ch. VI, Section 4; FTA C 9030.1D, Ch. III, Sections 11 and 12, Ch. IV, Section 8.a(2); FTA C 9300.1B, Ch. II, Sections 7 and 9.b; FTA C 9050.1, Ch. III, Section 12; FTA C 9045.1, Ch. III, Section 12; FTA C 9040.1F, Ch. III, Sections 1.a and 3; and FTA C 9070.1F, Ch. III, Sections 1 and 9.

Technical

49 CFR 18.20; 49 CFR 18.50; FTA C 5010.1D, Ch. III, Section 5; FTA C 9030.1D, Ch. III, Section 4; FTA C 9300.1B, Ch. III, Section 2, Ch. IV Section 3, Ch. V Section 2; and FTA C 9050.1, Ch. III, Section 7; and FTA C 9045.1, Ch. III, Section 7.

Satisfactory Continuing Control

FTA C 5010.1D, Ch. IV, Section 2.i; FTA C 9070.1F, Ch. VI, Section 8; FTA C 9050.1, Ch. VI, Section 7; and FTA C 9045.1, Ch. VI, Section 7.

Maintenance

49 CFR 18.32(d)(4); FTA C 5010.1D, Ch. II, Section 3.a and Ch. IV, Sections 3.k and m; and FTA C 9030.1D.

Procurement

49 USC Chapter 53, Federal Transit Laws; Transportation Equity Act for the 21st Century, Public Law No. 105-178; 49 CFR Part 18.36, “Procurement”; FTA C 4220.1F, “Third-Party Contracting Guidance”; FTA C 5010.1D, “Grant Management Requirements”; FTA C 9030.1D, “Urbanized Area Formula Program: Program Guidance and Grant Application Instructions”; FTA Master Agreement; and FTA Circular 9400.1A, “Federal Transit Administration Design and Art in Transit Projects.”

Disadvantage Business Enterprise

49 CFR 18.36(c)(1); 49 CFR 18.36(d)(1)(2)(3); FTA C 4220.1F, Ch. VI, Section 1; FTA C 4220.1F, Ch. VI, Sections 3.a-f; and FTA C 4220.1F, Ch. II, Section 2.b. (4).

Buy America

49 CFR Part 661, “Buy America Requirements”; 49 CFR Part 663, “Pre-Award and Post-Delivery Audits of Rolling Stock Purchases”; FTA “Dear Colleague” Letter, March 18, 1997; Federal Register Vol. 71, No. 54, pp. 14112-14118, Buy America Requirements; Amendments to Definitions; Federal Register Vol. 72, No. 182, pp. 53688-53698, Buy America Requirements; End Product Analysis and Waiver Procedures, Final Rule; and Federal Register Vol. 72, No. 188, pp. 55103-55104, Buy America Requirements; End Product Analysis and Waiver Procedures, Final Rule correction.

Debarment and Suspension

2 CFR Part 180, “OMB Guidelines to Agencies on Government-wide Debarment and Suspension”; 2 CFR Part 1200, “Nonprocurement Suspension and Debarment”; and FTA Master Agreement.

Lobbying

49 CFR Part 20, “New Restrictions on Lobbying”; and Standard Form LLL.

Planning/Program of Projects

49 USC Chapter 53, Federal Transit Laws; 23 USC Section 134, Federal Aid Highways, “Metropolitan Planning”; 23 CFR Part 450, “Planning Assistance and Standards”; FTA Circular 9030.1D, “Urbanized Area Formula Program: Program Guidance and Application Instructions”; FTA Circular 9050.1, “The Job Access and Reverse Commute (JARC) Program”; and FTA Circular 9045.1, “New Freedom Program Guidance and Application Instructions.”

Title VI

FTA C 4702.1A, “Title VI and Title VI Dependent Guidelines for Federal Transit Administration Recipients”; 49 CFR Part 21, “Nondiscrimination in Federally-assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964”; Federal Register: April 15, 1997 (Volume 62, Number 72, pp. 18377-18381) “Department of Transportation (DOT) Order to Address Environmental Justice in Minority Populations and Low-Income Populations”; Executive Order 13166: “Improving Access to Services for Persons with Limited English Proficiency”; and Federal Register: December 14, 2005 (Volume 70, Number 239, pp. 74087-74100) “DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficiency (LEP) Persons.”

Public Comment Fare and Service Changes

49 USC Chapter 53, Federal Transit Laws; 49 CFR Part 18, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments”; and FTA Circular 9030.1D, “Urbanized Area Formula Program: Program Guidance and Application Instructions.”

Half Fare

49 USC Chapter 53, Federal Transit Laws; 49 CFR Part 18, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments”; 49 CFR Part 609, “Transportation for Elderly and Handicapped Persons”; and FTA Circular 9030.1D, “Urbanized Area Formula Program: Program Guidance and Application Instructions.”

Americans with Disabilities Act

49 CFR Part 27, “Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance”; 49 CFR Part 37, “Transportation Services for Individuals with Disabilities”; 49 CFR Part 38, “Americans with Disabilities Act (ADA) Accessibility Specifications for Transportation Vehicles”; 49 CFR Part 39, “Transportation for Individuals with Disabilities: Passenger Vessels”; FTA C 9040.1F, “Nonurbanized Area Formula Program Guidance and Grant Application Instructions”; 49 CFR 27.7(b)(6); 49 CFR 37.9; 49 CFR 37.47-37.61; 49 CFR Part 37.93; 49 CFR 37 Appendix D to §37.93; 49 CFR Part 37.167; ADA Standards for Transportation Facilities DOT Final Rule Adopting new Accessibility Standards –Effective November 29, 2006; DOT Disability Law Guidance on Level Boarding; and 49 CFR 18.37 and 18.40.

Charter Bus

49 CFR Part 604, “Charter Service” and Final Rule: Federal Register, January 14, 2008; 49 CFR Parts 604.2 (b) – (g) and 604.3 (C); Appendix C (c) (18), (24), (26) and (36); 49 CFR Parts 604.6 – 604.11; Appendix A; Appendix C (a) (1), (3) and (6) Petitions to the Administrator.

School Bus

49 CFR Part 605, “School Bus Operations”; “Final Policy Statement on FTA’s School Bus Operations Regulations,” 73 Federal Register 53384, September 16, 2008.

National Transit Database

49 USC Chapter 53, Federal Transit Laws; 49 CFR Part 630, “Uniform System of Accounts and Records Reporting System”; National Transit Database Reporting Manual; Federal Register: October 5, 2010 (Volume 75, No. 192, pp. 61553-61556) “FTA National Transit Database: Amendments to the Urbanized Area Annual Reporting Manual and to the Safety and Security Reporting Manual”; FTA Circular 2710.1A, “Sampling Procedures for Obtaining Fixed-Route Bus Operating Data Required Under the Section 15 Reporting System”; and FTA Circular 2710.2A, “Sampling Procedures for Obtaining Demand-Responsive Bus System Operating Data Required Under the Section 15 Reporting System.”

Safety and Security

49 USC Chapter 53, Federal Transit Act, Section 5307(d)(1), Security Expenditures; 49 CFR Part 630, “Uniform System of Accounts and Records and Reporting”; 49 CFR Part 659, “Rail Fixed Guideway Systems, State Safety Oversight”; 49 CFR 659.31; and TSA/FTA Action Items No. 1–17.

Drug Free Workplace

49 CFR Part 32 “Government-wide Requirements for a Drug-free Workplace (Grants)”; and 41 USC Sections 701 et seq., Drug-Free Workplace Act (DFWA) of 1988.

Drug and Alcohol Program

49 CFR Part 655, “Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations”; 49 CFR Part 40, “Procedures for Transportation Workplace Drug Testing Programs”; and 49 CFR Part 382.

Equal Employment Opportunity

49 CFR 27, “Nondiscrimination on the Basis of Disability in Programs and Activities Receiving or Benefiting from Federal Financial Assistance”; FTA Circular 4704.1, “Equal Employment Opportunity Program Guidelines for Grant Recipients”; and Federal Register: December 14, 2005 (Volume 70, Number 239, pp. 74087-74100) “DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficiency (LEP) Persons.”

ITS Architecture

TEA-21, PL 105-178, Section 5206(e); 23 USC Section 502, Surface Transportation Research; and Federal Register: January 8, 2001 (Volume 66, No. 5, pp. 1455-1459) “FTA National Architecture Policy on Transit Projects.”

ARRA

FTA ARRA Website, and FTA Master Agreement.