

FTA Safety Update and State Program Oversight Overview

State DOT Roundtable at the CTAA Expo
AASHTO's Council on Public Transportation
and Transit Management

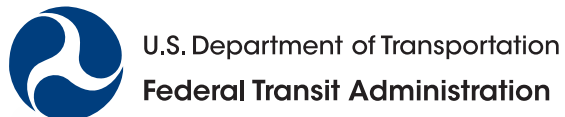
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U.S. Department of Transportation
Federal Transit Administration

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Agenda

- Top Findings
- How Manuals are Organized
- How to Prepare for a Review

FY23 Triennial: Top Findings

Rank	Review Area	Finding	FYs in Top 10			
			FY23	FY22	FY21	FY19
1	Procurement	P11-1 - Missing FTA clauses	X	X	X	X
2	Disadvantaged Business Enterprise	DBE5-1 - DBE uniform reports contain inaccuracies and/or are missing required information	X	X	X	X
3	Procurement	P4-1 - Responsibility determination deficiencies	X	X	X	
4	Procurement	P12-2 - Lobbying certifications not included in procurement solicitations or signed by bidders	X	X		
5	Procurement	P10-1 - Lacking independent cost estimate	X	X	X	X
6	Procurement	P5-1 - Incomplete written documentation of procurement history	X	X	X	
7	Technical Capacity – Award Management	TC-AM2-1 - Incorrect FFR reporting	X		X	X
8	Disadvantaged Business Enterprise	DBE11-1 - Unreported transit vehicle purchases	X			X
9	Public Transportation Agency Safety Plans	PTASP3-1 - ASP missing required element(s)	X			
10	Procurement	P10-2 - Lacking required cost or price analysis	X	X	X	X

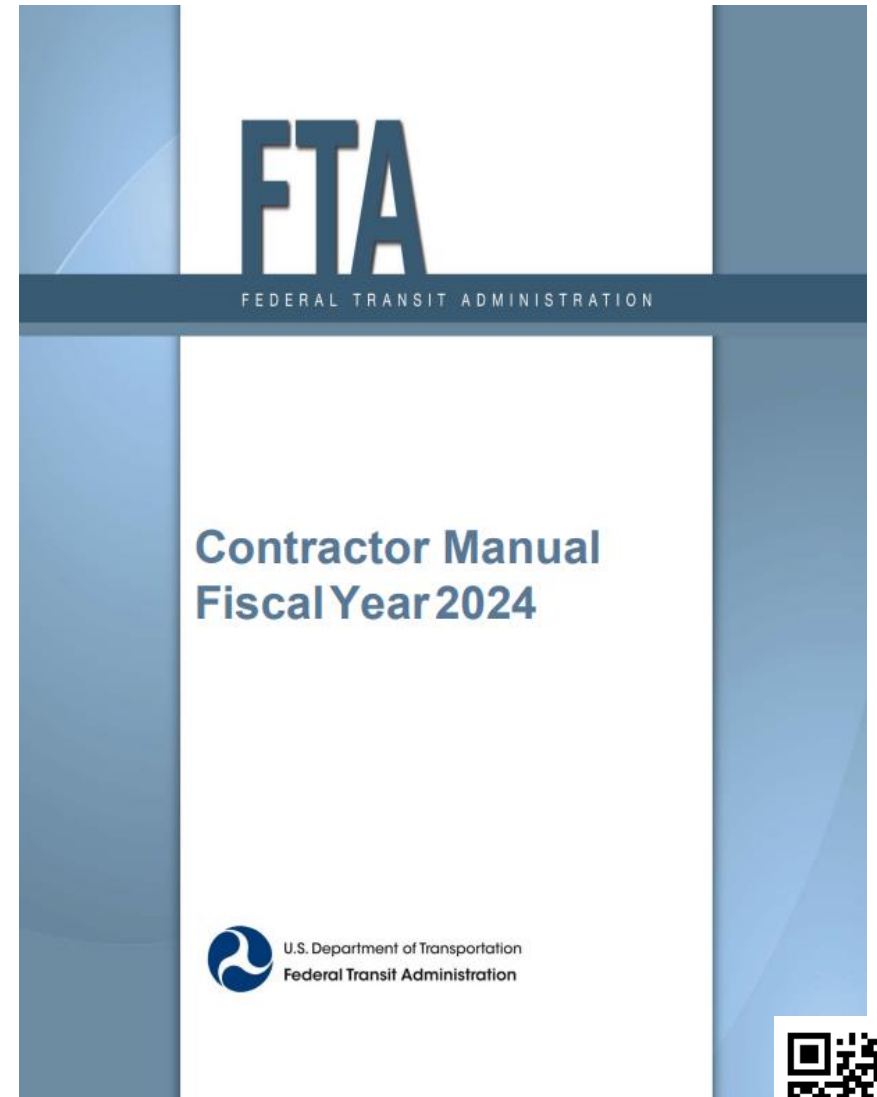
FY23 SMR/Combined: Top Findings

Rank	Review Area	Finding	FYs in Top 10			
			FY23	FY22	FY21	FY19
1	Procurement	P11-1 - Missing FTA clauses	X	X	X	X
2	Technical Capacity – Program Management & Subrecipient Oversight	TC-PgM7-1 - Inadequate oversight of subrecipients	X			
3	Technical Capacity – Award Management	TC-AM5-1 - Inactive award/untimely closeouts	X		X	
4	ADA	ADA-CPT8-1 - Insufficient oversight of subrecipients for ADA complementary paratransit	X			
5	Disadvantaged Business Enterprise	DBE5-1 - DBE uniform reports contain inaccuracies and/or are missing required information	X	X	X	
6	Procurement	P21-1 - Insufficient oversight of subrecipient procurements	X	X	X	
7	Procurement	P5-1 - Incomplete written documentation of procurement history	X		X	
8	Technical Capacity – Award Management	TC-AM4-1 - POP Status Reports missing or lacking required information	X		X	X
9	Disadvantaged Business Enterprise	DBE6-1 - DBE goal achievement analysis and corrective action plan not completed	X	X	X	X
10	Maintenance	M5-1 - Inadequate oversight of subrecipient, contractor or lessee maintenance activities	X			X

CORTAP Manual Structure

Each overarching question has six basic parts

1. **Basic Requirement:** high-level, clear statement of what a recipient is required to do
2. **Applicability:** Recipients to whom the requirement applies
3. **Explanation: Detailed** description of the basic requirement
4. **Indicators of Compliance:** How reviewers will assess compliance with the basic requirement
5. **Instruction to Reviewer for Determination:** Based on result of indicators
6. **Governing Directives:** Citation from law, regulation, agreement, or other guidance forming the basis of a potential finding



*Scan QR Code for
Contractor's Manual*



Review Area Format

1. LEGAL

PURPOSE OF THIS REVIEW AREA

The recipient must promptly notify the FTA of legal matters and additionally notify the U.S. Department of Transportation (US DOT) Office of Inspector General (OIG) of any instances relating to false claims under the False Claims Act or fraud. Recipients must comply with restrictions on lobbying requirements.

QUESTIONS TO BE EXAMINED

1. Since the last Comprehensive Review, did the recipient promptly notify the FTA of any legal matters that may affect the FTA?
2. Since the last Comprehensive Review, did the recipient promptly notify the FTA and US DOT OIG of any instances relating to false claims under the False Claims Act or fraud, waste or abuse?
3. Since the last Comprehensive Review, did the recipient and any subrecipients use only non-appropriated funds for any lobbying activities and did each file the required disclosure form?

INFORMATION NEEDED FROM RECIPIENT

Recipient Information Request

- List of litigations, breaches, defaults, disputes or instances where the Federal government was named as a party to litigation or a legal disagreement since the last review
- List of false claims received or criminal violation committed related to Federal assistance since the last review
- List of law enforcement investigations concerning the recipient's federally-funded projects, to the extent known to the recipient
- List of lobbying activities conducted since the last review

Recipient Follow-up

- Office of Management and Budget (OMB) Standard Form LLL
- Documentation of lobbying activities conducted by subrecipients, contractors, and subcontractors

Preparing for your Review

- Think of the Triennial Review is an open book test.
- Use the Recipient Information Request and the CORTAP Contractor Manual as review preparation tools–To understand what the reviewers are looking for and why.
- Download the new Contractors Manual every year and note changes.
- Review the questions, applicability and indicators of compliance to better understand requirements.
- If you have questions about applicable requirements, contact your Regional Office and ask.
- Examine single audit or internal audit findings.
- Participate in peer-to-peer reviews and exchanges.
- Attend FTA workshops and webinars.

Preparing for your Review

- **Pre-Review:**

- Use the regional office and other recipients as technical resources
- Train staff in requirements
- Monitor changes and adjust processes accordingly

- **Post-Review:**

- Implement corrective actions
- Submit documentation to FTA regional office **BY THE DUE DATE**

Resources

- FTA Website
 - *Contractor's Manual (updated annually)*
 - *Circulars*
 - *Frequently Asked Questions (FAQ)*
 - *Training Opportunities*
 - *Templates*
 - *Comprehensive Reviews*
 - *FTA email updates*
- FTA Regional Offices
- Peers and coworkers
- State Transit Associations
- State Departments of Transportation
- American Association of State Highway and Transportation Officials
 - Multi-State Transit Technical Assistance Program (MTAP)
- National Transit Institute (NTI)
- National RTAP
 - FTA 101
 - ProcurementPRO
 - Cost Allocation Calculator
 - Transit Acronym Dictionary
 - Boards that Perform
- Community Transportation Association of America (CTAA)
- American Public Transportation Association (APTA)
- Transportation Research Board (TRB)
- Transit Cooperative Research Program (TCRP)
- National Cooperative Highway Research Program (NCHRP)
 - NCHRP 20-65/Task 45, New Small Urbanized Area System: A Guidance Brief New Urban Area

Overall Tips for Compliance

Review previous State Management Review report



- Document corrective action implementation
- Avoid repeat deficiencies

Conduct a self-assessment in non-review years



- FTA updates the Contractors Manual annually

Understand how information provided for one section of the review provides input for others, such as:



- Procurement lists for DBE
- Inventory lists for Maintenance

FTA's email subscription



- Sign up for [GovDelivery](#)

Thank you!

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