

FOREWORD

OVERVIEW

FTA's Contractor's Manual take a broad look at recipient management practices as well as compliance with program and administrative requirements across a broad spectrum of topic areas. Areas of review include financial management and capacity, technical capacity, maintenance, procurement, civil rights, and others.

In addition to helping evaluate recipients, these reviews give FTA an opportunity to provide technical assistance on requirements and aid FTA in reporting to the Secretary, Congress, other oversight agencies, and the transit community on FTA programs.

Historically, FTA's comprehensive oversight reviews have been split across two programs – the Triennial Review and the State Management Review. The Triennial Review was mandated by Congress in 1982 for each recipient of Section 5307 funds and is codified in 49 U.S.C. § 5307(h)(2), which states:

At least once every 3 years, the Secretary shall review and evaluate completely the performance of a recipient in carrying out the recipient's program, specifically referring to compliance with statutory and administrative requirements and the extent to which actual program activities are consistent with the activities proposed...

The State Management Review has typically focused on states receiving Sections 5310 and 5311 funds. These reviews also occur every three years and use a format and process similar to the Triennial Review.

49 U.S.C. §5338 provides the statutory basis for FTA's oversight responsibilities and the funding available to undertake oversight activities. In addition, 49 U.S.C. §5338 authorizes FTA to provide technical assistance to correct deficiencies found during oversight reviews and to promote overall recipient compliance.

Each year, the specific content of the Comprehensive Review is modified to reflect any changes in statutory requirements made over the preceding year in the funding programs and FTA policy. This document, which incorporates those changes, is the guide for FTA staff and FTA contractors on execution of these reviews. FTA and contracted reviewers use the guide to execute the review.

The Federal fiscal year 2020 (FY20) Contractor's Manual is the continuation of a "back to basics" effort initiated in FY2018 to identify the minimum compliance requirements to which recipients are expected to comply and the optimal methods for assessing compliance with those requirements. Key to that effort was ensuring that all requirements were directly related to specific, citable, written requirements while also maintaining the overall intent of the reviews. The FY2019 guide clearly articulated what is expected of recipients and exactly how FTA will go about determining compliance. The FY2020 guide continues that approach and further refines the document based on lessons learned.

These changes are based on a thorough review of the document based on the FY2018 and FY2019 review cycle experience and reflect feedback received from our recipients, review contractors, and colleagues. It is part of FTA's ongoing commitment to improve consistency and transparency in its oversight reviews. We anticipate that these changes will result in an even more efficient review process that provides a clearer understanding of what is expected during a Comprehensive Review, how FTA reviewers determine compliance, and why a finding of deficiency is made.

REVIEW AREAS

The review areas of the FY2020 Comprehensive Review Guide continue realignment of the functional and organizational structure of recipients receiving reviews.

- Reordering the review areas to group them more logically, such as grouping all the civil rights review areas Disadvantaged Business Enterprise (DBE), Title VI, Americans with Disabilities Act (ADA), and Equal Employment Opportunity (EEO) together
- Splitting Technical Capacity into five review areas
- Adding Transit Asset Management (TAM)
- Combining four review areas that addressed Section 5307 program requirements, Planning/Program of Projects, Public Comment on Fare Increases and Major Service Reductions, Half Fare, and Security, into one review area, Section 5307 Program Requirements

COMPREHENSIVE REVIEW AREAS		
FY2017	FY2018	FY2019/FY2020
1. Financial Management and Capacity	2. Financial Management and Capacity	2. Financial Management and Capacity
2. Technical Capacity	3. Technical Capacity – Award Management 4. Technical Capacity – Program Management 5. Technical Capacity – Project Management 19. Section 5310 Program Requirements 20. Section 5311 Program Requirements	3. Technical Capacity – Award Management 4. Technical Capacity – Program Management 5. Technical Capacity – Project Management 20. Section 5310 Program Requirements 21. Section 5311 Program Requirements
3. Maintenance	7. Maintenance	8. Maintenance
4. Americans with Disabilities Act (ADA)	11. Americans with Disabilities Act (ADA) – General 12. Americans with Disabilities Act (ADA)– Complementary Paratransit	12. Americans with Disabilities Act (ADA) – General 13. Americans with Disabilities Act (ADA)– Complementary Paratransit
5. Title VI	10. Title VI	11. Title VI
6. Procurement	8. Procurement	9. Procurement
7. Disadvantaged Business Enterprise (DBE)	9. Disadvantaged Business Enterprise (DBE)	10. Disadvantaged Business Enterprise (DBE)
8. Legal	1. Legal	1. Legal

COMPREHENSIVE REVIEW AREAS		
FY2017	FY2018	FY2019/FY2020
9. Satisfactory and Continuing Control	6. Satisfactory and Continuing Control	7. Satisfactory and Continuing Control
10. Planning/Program of Projects	4. Technical Capacity – Program Management 18. Section 5307 Program Requirements	4. Technical Capacity – Program Management 19. Section 5307 Program Requirements
11. Public Comment on Fare Increases and Major Service Reductions	18. Section 5307 Program Requirements	19. Section 5307 Program Requirements
12. Half Fare	18. Section 5307 Program Requirements	19. Section 5307 Program Requirements
13. Charter Bus	14. Charter Bus	16. Charter Bus
14. School Bus	15. School Bus	15. School Bus
15. Security	18. Section 5307 Program Requirements	19. Section 5307 Program Requirements (Security requirement removed for FY20 review year)
16. Drug-Free Workplace and Drug and Alcohol Program	16. Drug-Free Workplace Act 17. Drug and Alcohol Program	17. Drug-Free Workplace Act 18. Drug and Alcohol Program
17. Equal Employment Opportunity	13. Equal Employment Opportunity	14. Equal Employment Opportunity
		6. Transit Asset Management

REVIEW AREA AND QUESTION FORMAT

Each review area has the following sections:

- Introductory page that lists the purpose of the review area, questions to be examined, and information needed from the recipient
- Review questions (see table below for the overarching structure for determining compliance for each question)
- References and useful weblinks
- Issues/areas of concern for Federal Transit Administration awareness

The questions in each review area consist of the following eight items:

FY2020 Comprehensive Review Guide Question Format	
1. Review Area Question	Overarching question to be examined in relation to the basic requirement to determine whether a recipient is not deficient or deficient.
2. Basic Requirement	The minimum requirement to which all applicable recipients are expected to comply. Requirements are written in plain language and are directly tied to a law, regulation, circular, master agreement, or other binding guidance.
3. Applicability	Types of recipients to which the requirement applies, which is defined by the stated characteristics for that review area and varies by funding program, type of recipient, number of transit employees, fleet size, modes operated, arrangement with other entities (subrecipients), or other characteristics.
4. Detailed Explanation for Reviewers	Formerly “explanation.” FTA’s definition and/or guidance to reviewers, in plain language, on how the basic requirement may to implemented with a recipient’s organization.
5. Indicators of Compliance	Question(s) FTA reviewers will answer in order to determine a recipient’s compliance with the basic requirement. Indicators identify specific issues to address which may lead to findings of not deficient or deficient and help define the corrective action.
6. Instructions for Reviewer	Formerly “determining compliance.” Specific instructions to FTA’s reviewers about what and how to evaluate each indicator for compliance.
7. Potential Deficiency Determinations	Condition(s) under which a recipient could be deficient along with the deficiency code and suggested corrective action.
8. Governing Directive(s)	Citations from law, regulation, circular, master agreement or other binding guidance that identifies the basis of the requirement and any deficiencies.

It should be noted that questions relating to the recipient’s oversight of subrecipient, contractor, and lessee compliance appear as the last question in each applicable review area.