



RESOLUTION 15-10

A RESOLUTION OF THE NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION ESTABLISHING A POLICY TO ADDRESS MAINTENANCE DEFICIENCIES OF FEDERALLY FUNDED EQUIPMENT

Whereas, the Northwestern Indiana Regional Planning Commission hereafter referred to as "The Commission" desires to establish a policy to address possible and potential deficiencies with subrecipients that have demonstrated non-compliance with federally funded vehicles, equipment and facilities; and

Whereas, the Federal Transit Administration (FTA) requires federally funded vehicles, equipment and facilities be maintained to prolong the useful life of the asset and protect the FTA investment. 49 CFR 18.32 (d) (4); and

Whereas, the Commission desires to make a clear and concise policy for all subrecipients to follow, thus minimizing the possibility of losing federal funding for itself and the subrecipients who receive transit funding through the Commission.

Now, Therefore Be It Resolved, the Commission, in compliance with 49 CFR 18.32 (d) (4), will monitor and review subrecipient maintenance plans within the biennial review process. The review will ensure that the subrecipient does not have variances that differ from the manufacturer specifications, and that maintenance plans are being followed that are designed to ensure proper care and maximize the useful life of the federally funded investment.

Be It Further Resolved, that if a deficiency is determined from the biennial review process or another method of monitoring and oversight, the subrecipient will be notified in writing within ten business days and subsequently will have thirty days to respond in writing to the deficiency. The Commission's Finance and Personnel Committee will be notified of the deficiency if a satisfactory response is not received within the required timeframe. Upon receipt of a satisfactory response to the deficiency within the timeframe, the subrecipient will remain eligible for all transit funding. The response must include a corrective action plan and provide documentation on a weekly basis showing that the deficiency is being addressed and corrected.

Be It Further Resolved, that if the subrecipient does not perform the necessary corrective actions within sixty days after the initial Finance and Personnel Committee notification, all pass-through transit funding will be withheld until all deficiencies are resolved and compliance is restored.

Be It Further Resolved, if compliance efforts are not demonstrated after transit funding is withheld, within 10 business days the Commission's representatives will contact the subrecipient's board and/or elected official to arrange a meeting to discuss the deficiencies. The governing board and/or elected official from the subrecipient has an affirmative obligation to participate in the remediation process and specifically is obligated to meet expeditiously with the Commission's representative to discuss the deficiencies.

Be It Further Resolved, that if deficiencies are not brought into compliance with federal regulations, the Commission may require all FTA funded vehicles and equipment be returned at the subrecipient's expense and that entity dismissed as a subrecipient. If the subrecipient is dismissed, additional costs may be incurred at the discretion of FTA. Any additional costs incurred will be the responsibility of the dismissed subrecipient.

Duly adopted by the Northwestern Indiana Regional Planning Commission this 16th day of April 2015.



Blair Milo, Chair

ATTEST:



Robert J. Schaefer, Secretary