

CHECKLIST TO DESIGNATE AREAS OF EVALUATION FOR REQUESTS FOR PROPOSAL (RFP)

	REQUISITION NUMBER	DUE DATE	TIME DUE
MDOT PROJECT MANAGER	JOB NUMBER (JN)	CONTROL SECTION (CS)	
DESCRIPTION			
MDOT PROJECT MANAGER: Check all items to be included in RFP WHITE = REQUIRED ** = OPTIONAL Check the appropriate Tier in the box below		CONSULTANT: Provide only checked items below in proposal	
<input type="checkbox"/> TIER I (\$50,000 - \$150,000)	<input type="checkbox"/> TIER II (\$150,000-\$1,000,000)	<input type="checkbox"/> TIER III (>\$1,000,000)	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Understanding of Service **
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Innovations</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Organizational Chart
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Qualifications of Team
Not required as part of Official RFP	Not required as part of Official RFP	<input type="checkbox"/>	Quality Assurance/Quality Control **
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Location: The percentage of work performed in Michigan will be used for all selections unless the project is for on-site p=inspection or survey activities, then location should be scored using the distance from the consultant office to the on-site inspection or survey activity.
N/A	N/A	<input type="checkbox"/>	Presentation **
N/A	N/A	<input type="checkbox"/>	Technical Proposal (if Presentation is required)
3 pages (MDOT Forms not counted) (No Resumes)	7 pages (MDOT Forms not counted)	14 pages (MDOT forms not counted)	Total maximum pages for RFP not including key personnel resumes. Resumes limited to 2 pages per key staff personnel.

PROPOSAL AND BID SHEET EMAIL ADDRESS – mdot-rfp-response@michigan.gov

GENERAL INFORMATION

Any questions relative to the scope of services must be submitted by e-mail to the MDOT Project Manager. Questions must be received by the Project Manager at least five (5) working days prior to the due date and time specified above. All questions and answers will be placed on the MDOT website as soon as possible after receipt of the questions, and at least three (3) days prior to the RFP due date deadline. The names of vendors submitting questions will not be disclosed.

MDOT is an equal opportunity employer and MDOT DBE firms are encouraged to apply. The participating DBE firm, as currently certified by MDOT's Office of Equal Opportunity, shall be listed in the Proposal.

MDOT FORMS REQUIRED AS PART OF PROPOSAL SUBMISSION

5100D – Request for Proposal Cover Sheet

5100J – Consultant Data and Signature Sheet (Required only for firms not currently prequalified with MDOT)

(These forms are not included in the proposal maximum page count.)

REQUEST FOR PROPOSAL

The Michigan Department of Transportation (MDOT) is seeking professional services for the project contained in the attached scope of services.

If your firm is interested in providing services, please indicate your interest by submitting a Proposal, Proposal/Bid Sheet or Bid Sheet as indicated below. The documents must be submitted in accordance with the latest (Consultant/Vendor Selection Guidelines for Services Contracts” and “Guideline for Completing a Low Bid Sheet(S)*, if a low bid is involved as part of the selection process. **Reference Guidelines are available on MDOT’s website under Doing Business > Vendor/Consultant Services >Vendor/Consultant Selections.**

RFP SPECIFIC INFORMATION

ENGINEERING SERVICES BUREAU OF TRANSPORTATION PLANNING OTHER

THE SERVICE WAS POSTED ON THE ANTICIPATED QUARTERLY REQUESTS FOR PROPOSALS
 NO YES DATED _____ THROUGH _____

<input type="checkbox"/> Prequalified Services – See the attached Scope of Services for required Prequalification Classifications.	<input type="checkbox"/> Non-Prequalified Services – If selected, the vendor must make sure that current financial information, including labor rates, overhead computations, and financial statements, if overhead is not audited, is on file with MDOT’s Office of Commission Audits. This information must be on file for the prime vendor and all sub vendors so that the contract will not be delayed. Form 5100J is required with Proposal for firms not currently prequalified with MDOT
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Qualifications Based Selection – Use Consultant/Vendor Selection Guidelines

For all Qualifications Based Selections, the selection team will review the information submitted and will select the firm considered most qualified to perform the services based on the proposals. The selected firm will be asked to prepare a priced proposal. Negotiations will be conducted with the firm selected.

For a cost plus fixed fee contract, the selected vendor must have a cost accounting system to support a cost plus fixed fee contract. This type of system has a job-order cost accounting system for the recording and accumulation of costs incurred under its contracts. Each project is assigned a job number so that costs may be segregated and accumulated in the vendor’s job-order accounting system.

Qualification Based Selection / Low Bid – Use Consultant/Vendor Selection Guidelines. See Bid Sheet instructions for additional information.

For Qualification Review/Low Bid selections, the selection team will review the proposals submitted. The vendor that has met established qualification threshold and with the lowest bid will be selected.

Best Value – Use Consultant/Vendor Selection Guidelines, See Bid Sheet Instructions below for additional information. The bid amount is a component of the total proposal score, not the determining factor of the selection.

Low Bid (no qualifications review required – no proposal required.) See Bid Sheet Instructions below for additional instructions.

BID SHEET INSTRUCTIONS

Bid Sheet(s) must be submitted in accordance with the “Guidelines for Completing a Low Bid Sheet(s)* (available on MDOT’s website). Bid Sheet(s) are located at the end of the Scope of Services. Submit bid sheet(s) with the proposal, to the email address: mdot-rfp-response@michigan.gov. Failure to comply with this procedure may result in your bid being rejected from consideration.

PARTNERSHIP CHARTER AGREEMENT

MDOT and ACEC created a Partnership Charter Agreement which establishes guidelines to assist MDOT and Consultants in successful partnering. Both the Consultant and MDOT Project Manager are reminded to review the [ACEC-MDOT Partnership Charter Agreement](#) and are asked to follow all communications, issues resolution and other procedures and guidance’s contained therein.

**NOTIFICATION
MANDATORY ELECTRONIC SUBMITTAL**

Proposals submitted for this project must be submitted electronically.

The following are changes to the Proposal Submittal Requirements:

- Eliminated the Following Requirements:
 - Safety Program
 - Communication Plan
 - Past Performance as *a separate section*
 - Separate section for DBE Statement of goals. Include information in Qualification of Team section

- Implemented the Following Changes:
 - All proposals require an Organization Chart
 - Resumes must be a maximum of two pages
 - Only Key (lead) staff resumes may be submitted
 - Tier III proposal reduced from 19 to 14 pages
 - Forms 5100D, 5100I, and 5100G combined – 5100D
 - Forms 5100B and 5100H combined – 5100B
 - RFP's will be posted on a weekly basis -- on Mondays

The following are Requirements for Electronic Submittals:

- Proposals must be prepared using the most current guidelines
- The proposal must be bookmarked to clearly identify the proposal sections (See Below)
- For any section not required per the RFP, the bookmark must be edited to include “N/A” after the bookmark title.
Example: Understanding of Service – N/A
- Proposals must be assembled and saved as a single PDF file
- PDF file must be 5 megabytes or smaller
- PDF file must be submitted via e-mail to MDOT-RFP-Response@michigan.gov
- MDOT's requisition number and company name must be included in the subject line of the e-mail. The PDF shall be named using the following format:
 - Requisition#XXX_Company Name.PDF
- MDOT will not accept multiple submittals
- Proposals must be *received* by MDOT on or before the due date and time specified in each RFP

If the submittals do not comply with the requirements, they may be determined unresponsive.

The Consultant's will receive an e-mail reply/notification from MDOT when the proposal is received. Please retain a copy of this e-mail as proof that the proposal was received on time.
Consultants are responsible for ensuring the MDOT receives the proposal on time.

****Contact Contract Services Division immediately at 517-373-4680 if you do not get an auto response****

Required Bookmarking Format:

- I. Request for Proposal Cover Sheet Form 5100D
 - A. Consultant Data and Signature Sheet, Form 5100J (if applicable)
- II. Understanding of Service
 - A. Innovations
- III. Qualifications of Team
 - A. Structure of Project Team
 - 1. Role of Firms
 - 2. Role of Key Personnel
 - B. Organization Chart
 - C. Location
- IV. Quality Assurance / Quality Control Plan
- V. Resumes of Key Staff
- VI. Pricing Documents/Bid Sheet (if applicable)

2/14/12

**NOTIFICATION
E-VERIFY REQUIREMENTS**

E-Verify is an Internet based system that allows an employer, using information reported on an employee's Form I-9, Employment Eligibility Verification, to determine the eligibility of that employee to work in the United States. There is no charge to employers to use E-Verify. The E-Verify system is operated by the Department of Homeland Security (DHS) in partnership with the Social Security Administration. E-Verify is available in Spanish.

The State of Michigan is requiring, under Public Act 200 of 2012, Section 381, that as a condition of each contract or subcontract for construction, maintenance, or engineering services that the pre-qualified contractor or subcontractor agree to use the E-Verify system to verify that all persons hired during the contract term by the contractor or subcontractor are legally present and authorized to work in the United States.

Information on registration for and use of the E-Verify program can be obtained via the Internet at the DHS Web site: <http://www.dhs.gov/E-Verify>.

The documentation supporting the usage of the E-Verify system must be maintained by each consultant and be made available to MDOT upon request.

It is the responsibility of the prime consultant to include the E-Verify requirement documented in this NOTIFICATION in all tiers of subcontracts.

9/13/12

MICHIGAN DEPARTMENT OF TRANSPORTATION

**SCOPE OF SERVICE
FOR
SPECIALTY SERVICE**

*Federal Transit Administration - MAP-21 State Safety Oversight –
Rail Fixed Guideway Systems*

CONTROL SECTION(S): N/A

JOB NUMBER(S): N/A

MDOT PROJECT MANAGER:

Daniel Harris, State Safety Oversight Manager
Office of Rail
Michigan Department of Transportation
425 West Ottawa Street
P.O. Box 30050
Lansing, Michigan 48909
harrisd16@michigan.gov
(517) 335-1005

PROJECT LOCATION: Detroit

ANTICIPATED START DATE: November 30, 2014

ANTICIPATED COMPLETION DATE: December 31, 2017

PRIMARY PREQUALIFICATION CLASSIFICATION(S):

N/A

SECONDARY PREQUALIFICATION CLASSIFICATION(S):

N/A

Preferred Qualifications:

The consultant will need to demonstrate expertise in conducting audits, reviews, studies, and analysis. They should also be familiar with the submitting of documentation and/or checklists to the Federal Transit Administration.

DBE PARTICIPATION: N/A

OBJECTIVE

The Michigan Department of Transportation (MDOT) has the responsibility under CFR 49, Part 659.15 (4), for the state safety and security oversight (SSO) of Rail Fixed Guideway Systems. MDOT is requesting proposals to assist the State of Michigan with transition to new federal legislation for state safety oversight. The new State Safety Oversight Program authorized under CFR 49, Part 5329(e) of the Moving Ahead for Progress in the 21st Century (MAP-21).

Specific systems include M-1 Rail and the Detroit People Mover (DPM). The systems are under the jurisdiction of the Federal Transit Administration (FTA) and are mandated to adhere to the federal guidelines. MDOT is issuing a Request for Proposal (RFP) with the objective of providing the information and/or documentation to the FTA that MDOT is fulfilling the oversight responsibilities in accordance with FTA rules. In addition, MDOT seeks technical expertise and support in implementing FTA required changes to Michigan's SSO program.

BACKGROUND INFORMATION

Michigan is currently transitioning to administration of SSO activities under the new MAP-21 requirements. FTA has accepted and approved Michigan's Certified Work Plan (CWP) for the transition period as outlined in Appendix A. This document will make up a majority of the initial task work under this procurement.

SCOPE OF SERVICES

1. Need for General Engineering Consultant (GEC)

For three (3) years from issuance, the GEC shall serve as a program management consultant and provide staff to complement MDOT staff and resources in complying with state and federal requirements for transition and on-going activities, enacted during the life of this contract. MDOT seeks the following:

2. Deliverables

A. MDOT Triennial On-Site Safety & Security Review, including a Final Report of Findings & Recommendations.

MDOT must, at least once every three (3) years, conduct an on-site review of the Rail Transit Agency's (RTA) implementation of its safety and security plans. The main objective of the triennial review is to ensure that the RTA remains in compliance with MDOT's safety and security planning specification (SSPS) in their daily operations, their maintenance practices, and safety and security measures.

The GEC will conduct the triennial review using approved checklists and procedures. A draft report by the GEC will be submitted to MDOT for review and approval before the Final Report is issued.

B. Corrective Action Plans (CAPS).

For each deficiency or recommendation identified during Triennial Review, a corrective action plan (CAPS) must be established for the resolution of each deficiency or recommendation in a timely manner. The GEC will submit a draft CAPS matrix for MDOT's review and approval prior to the issuance of the final CAPS matrix.

C. Implementation Schedule for the Resolution of all CAPS.

For each deficiency or recommendation identified during the Triennial Review, which results in a CAP, an Implementation Schedule must be established, for a resolution of the deficiency in a timely manner. The GEC will submit a draft Implementation Schedule for MDOT's review and approval prior to the issuance of the final Implementation Schedule.

D. Retainer for Technical Assistance on an As-Needed Basis for all MAP-21 related activities.

This is a separate deliverable, beyond Parts A–C. These services may entail satisfactory completion of all required MAP-21 transition milestones, and any future MAP-21 activities for Rail Fixed Guideway Systems including support for M-1's transition into revenue service.

It should be noted that there are no minimum hours guaranteed, but the majority of the transition activities are expected to be completed by December 31, 2015.

CONTRACT PRICE, PAYMENT SCHEDULE & CONTRACT EXTENSION

1. Contract Price

Maximum amount of \$500,000 has been allocated for MAP-21 transition and ongoing activities (Deliverables A-D).

Deliverables A-D:

Compensation for Deliverables A-D shall be on a **loaded hourly rate** basis. This basis of payment typically includes an estimate of labor hours by classification or employee, and a "loaded" rate which includes an hourly labor rate, applied overhead, and fixed fee by classification or employee. In addition, other direct costs and subconsultant costs may be proposed and authorized, if necessary. Use the attached Bid Sheet in presenting cost information for Deliverables A-D.

All billings for services must be directed to the Department and follow the current guidelines. Payment to the Consultant for services rendered shall not exceed the maximum amount unless an increase is approved in accordance with the contract with the Consultant. Typically, billings must be submitted within 60 days after the completion of services for the current billing. The final billing must be received within 60 days of the completion of services. Refer to your contract for your specific contract terms.

Direct expenses, if applicable, will not be paid in excess of that allowed by the Department for its own employees in accordance with the State of Michigan's Standardized Travel Regulations. Supporting documentation must be submitted with the billing for all eligible expenses on the project in accordance with the Reimbursement Guidelines. The only hours that will be considered allowable charges for this contract are those that are directly attributable to the activities of this project.

2. Payment Schedule

Payment for any contract entered into as a result of this RFP will be made monthly upon receipt of the consultant's billing statement and progress report.

3. Contract Extension

MDOT reserves the right to extend the time of the contract up to 12 months if conditions warrant, to be mutually negotiated at a reasonable time (at least 60 days) prior to contract expiration. Any extension is to be agreeable to both MDOT and consultant and will be by amendment to the contract.

PROGRESS REPORT AND MEETINGS

Quarterly Progress reports and meeting notes shall be submitted as requested by project manager. Progress reports, meeting notes, and deliverables shall be submitted to the project manager in an electronic format. Progress reports should be submitted to:

Daniel Harris, State Safety Oversight Manager
Office of Rail
Michigan Department of Transportation
425 West Ottawa Street
P.O. Box 30050
Lansing, Michigan 48909
harrisd16@michigan.gov
(517) 335-1005

SUBCONTRACTING OF CONTRACT WORK

A minimum of 40% of all contracted work must be conducted by the prime consultant. All subcontracts must be approved by the MDOT project manager and project team.

PRIME CONSULTANT RESPONSIBILITIES

1. Meet with the MDOT project manager and project team prior to beginning any major work element to review the relationship of work to the project objectives, clarify the nature of the work element, and review sources of relevant data. The consultant will give attention to critical target dates and required lead times.
2. The MDOT project manager shall be the official MDOT contact person for the consultant. The consultant must furnish a copy of all correspondence to the MDOT Project Manager. This includes all sub-consultant correspondence and verbal contact records. The MDOT project manager shall be aware of all communications regarding the project.
3. The consultant shall notify MDOT and obtain approval of all proposed sub-consultants and contracts for all work that will not be performed directly by the consultant.
4. As work progresses, the consultant will present all deliverables in draft form as specified in the Deliverables Section for review by the MDOT project manager, project team, and other appropriate MDOT and/or Rail Fixed Guideway Systems staff.

PROPOSAL SELECTION CRITERIA

1. **Understanding of Services: 40 Points.**
The proposal will be evaluated on the level of understanding of the scope of services as presented in this RFP. The consultant will also be evaluated on their approach to achieving the goals of the project, the comprehensiveness and cohesiveness of the proposed approach, and the techniques used to conduct the triennial audit covering 21 safety and 5 security elements. The consultant specific tasks include providing checklists for each element to be reviewed, making recommendations, and developing Corrective Action Plans (CAPS) to resolve the correlating recommendation.
2. **Qualifications of Team: 35 Points.**
The scoring for qualifications of the team will be one score based on the following information:
 - *Structure of the Project Team (Personnel and Roles).* Describe the structure of the project team including the roles of all key personnel and sub-consultants. For each sub-consultant, describe role in service and include what percent of the named role the sub-consultant is expected to provide.
 - *Staff Service Experience.* Provide resumes for each key staff of the prime and sub-consultant. The resume is limited to three (3) pages (single side) per key staff member.

- *Staff Abilities.* Ability to conduct the research, produce the deliverables, develop the message and marketing materials, and work with media agencies and placement organizations.

3. **Relevant Past Performance: 20 Points.**

MDOT will review relevant performance evaluations for the past five (5) years for prime and sub-consultants/vendors that are being proposed. If the consultant/vendor has not previously worked for MDOT or has few FTA service opportunities to be evaluated, this area can be used to provide other references for the selection team to contact. These references would be in addition to the references provided in the resumes provided in “Qualification of Team,” and limited to work completed in the past five (5) years.

4. **Location: 5 Points.**

The consultant selection criteria will include a consideration of the amount of work that will be performed in Michigan, following the MDOT standard listed here:

<u>Percentage of Work to be done in Michigan</u>	<u>Score</u>
95% to 100%	5
80% to 94%	4
50% to 79%	3
25% to 49%	2
10% to 24%	1
Less than 10%	0

5. **Price: 34 Points.**

The total price of the proposal will be scored using a scale determined by the MDOT selection team.

Total Points: 134 Points.

CONSULTANT BID SHEET

This bid sheet is required with the response to the Request for Proposal (RFP). All entries on this page must be handwritten in ink or computer generated.

Compensation for this project shall be on a Loaded Hourly Rate basis.

Priced proposal costs will be required after selection, in accordance with MDOT's Priced Proposal Guidelines which can be found on the MDOT web page under Vendor/Consultant Services. Payment to the Consultant for services rendered shall not exceed the total bid price.

Note: MDOT reserves the right to reject any or all bids.

PROJECT DESCRIPTION: *Federal Transit Administration MAP-21 State Safety Oversight – Rail Fixed Guideway Systems*

	Bid Price
A. MDOT Triennial On-Site Safety & Security Review, including a Final Report of Findings & Recommendations. Estimate per audit	\$ _____
B. Corrective Action Plan (CAPS). Estimate per audit	\$ _____
C. Implementation Schedule for the Resolution of all CAPS. Estimate per Audit	\$ _____
D. Retainer for Technical Assistance on an As-Needed Basis for all MAP-21 related activities.	Attach Loaded Hourly Rate Tables
Total Bid (Sum A-C)	\$ _____

Legal Business Name:	
Consultant's Authorized Legal Signer:	
Consultant Address:	
Date:	

Appendix A



U.S. Department
of Transportation
**Federal Transit
Administration**

Headquarters

1200 New Jersey Ave. S.E.
Washington, DC 20590

05/12/2014

SENT VIA EMAIL

Timothy Hoeffner
Director, Office of Rail
Michigan Department of Transportation
PO Box 30050
Lansing, MI 48909

Subject: Certification Work Plan (CWP) Approval

Dear Mr. Hoeffner:

The Federal Transit Administration (FTA) received the Certification Work Plan (CWP) submitted by the Michigan Department of Transportation (MDOT) on April 3, 2014. The CWP formally identifies the eligible activities and tasks that MDOT will perform to transition from the existing State Safety Oversight (SSO) program under 49 CFR Part 659 to the new SSO program authorized in the Moving Ahead for Progress in the 21st Century Act (MAP-21) at 49 U.S.C. 5329(e). MDOT's CWP also provides the State's proposed timeline in developing a MAP-21 compliant program.

After careful review, FTA has approved the State of Michigan's CWP. Please find a CWP summary attached that outlines FTA's responses regarding each section of your CWP. FTA's approval of this CWP provides reasonable assurance that your State's plan for FTA's SSO grant funding encompasses eligible activities that meaningfully and effectively enhance the SSO program and work toward compliance with MAP-21 provisions. After grant award, FTA will conduct quarterly monitoring regarding your State's CWP implementation to ensure the ongoing eligibility and effectiveness of your program activities.

The next step is to file an electronic grant application using FTA's Transportation Electronic Award Management (TEAM) system. To avoid potential delays as FTA transitions to its new grants management system, please file your grant application by no later than June 30, 2014.

Contact your Regional FTA Office to begin the process of submitting your grant application as soon as possible. States may only use grant funds to develop or carry out activities that meet requirements specified in 49 U.S.C. 5329(e). States may not use grant funds to carry out activities established in their 49 CFR Part 659 programs that do not also address 49 U.S.C. 5329(e) provisions.

FTA and the Regional Office will carefully review the activities identified in the approved CWP when assessing the eligibility of the expenses and activities specified in your State's grant application. Also, when working with the Regional Office, please be advised that the date on this approval letter is the date when pre-award authority for the SSO grant may begin.

For additional information on grant application procedures, please reference the FTA Fiscal Year (FY) 2014 Apportionments, Allocations, and Program Information, published on March 10, 2014: <https://www.federalregister.gov/articles/2014/03/10/2014-04759/fta-fiscal-year-fy-2014-apportionments-allocations-and-program-information>.

If you have any questions regarding the CWP approval process, please contact Ms. Maria Wright of FTA's Transit Safety and Oversight Office at marial.wright@dot.gov or (202) 366-5922, or Ms. Annabelle Boyd, of FTA's SSO contract team, at aboyd@bcgtrans.com or (434) 466-4727. If you have questions about entering the SSO grant application in TEAM, please contact your Regional Office.

Thank you for your commitment to enhancing the SSO program and addressing the new provisions authorized by 49 U.S.C. 5329(e). I look forward to working with you as you implement the activities identified in your CWP.

Sincerely,



Thomas Littleton
Associate Administrator
for Safety and Oversight

Attachment – MDOT Certification Work Plan Assessment Summary

cc: Daniel Harris, SSO Program Manager, MDOT
Marisol Simon, Regional Administrator, FTA Region 5
Kelley Brookins, Deputy Regional Administrator, FTA Region 5
Derek Davis, Transportation Program Specialist, FTA Region 5
Duana Love, General Engineer, FTA Region 5

Michigan Department of Transportation (MDOT)

Current as of last contact on 05/12/2014

Summary Information

SSOA Point of Contact	Daniel Harris	Section	CWP Status	Certification Status
Submission Date	04/04/2014	Independence from RFGPTS	Approved	Not Certified
Sections Complete	5/5	Enforcement Authority	Approved	Not Certified
Submission Status	CWP Approved	SSO Program Implementation Activities	Approved	Not Certified
FY2013 Allocation	\$286,560*	Staffing and Qualification of SSO Personnel and Contractors	Approved	Not Certified
FY2014 Allocation	\$290,921*	Grants and Waivers	Approved	Certified
* The official figures are available at: http://www.fta.dot.gov/tso_15863.html .		Overall	Approved	Not Certified

Submission Summary

Section 1: Independence from RFGPTS

These provisions require the eligible State to designate an SSO agency that is a legal entity of the State and that is financially and legally independent from the rail fixed guideway public transportation system (RFGPTS) in its jurisdiction.

49 U.S.C. Section	CWP Approval	Certification Status	State Submission Notes	FTA Comments/ Required Actions
1. 5329(e)(3)(C): State establishes a State safety oversight agency (SSOA) as a legal entity of the State	Approved	Certified	N/A	N/A
2. 5329(e)(4)(A)(i): SSOA is legally independent from RFGPTS	Approved	Certified	N/A	N/A
3. 5329(e)(4)(A)(i): SSOA is financially independent from RFGPTS	Approved	Not Certified	MDOT will draft a memorandum that clearly outlines the SSOA's position in MDOT's financial and organizational structure. MDOT will develop a policy to mitigate conflicts of interest.	The SSOA is in the Office of Rail, and the Detroit People Mover is funded through the Office of Public Transportation. MDOT to share memo and policy with FTA for approval.
4. 5329(e)(4)(A)(ii): SSOA does not directly provide public transportation in same area as RFGPTS	Approved	Certified	N/A	N/A
5. 5329(e)(4)(A)(iii): SSOA does not employ any individual who administers RFGPTS programs	Approved	Certified	N/A	N/A

Section 2: Enforcement Authority

These provisions require the eligible State to obtain additional authority for its State Safety Oversight (SSO) program and designated SSO agency.

49 U.S.C. Section	CWP Approval	Certification Status	State Submission Notes	FTA Comments/ Required Actions
1. 5329(e)(3)(A): State has assumed responsibility for overseeing all aspects of RFGPTS safety (including engineering and construction)	Approved	Not Certified	<p>MDOT Office of Rail to meet with legal counsel, MDOT grade crossing unit, and other policy personnel to draft enabling legislation to include the authority to:</p> <ul style="list-style-type: none"> Oversee and enforce regulations of RFGPTS systems from engineering and through revenue service; Conduct incident investigations and audits; Compel corrective action to address deficiencies, via fining or detaining vehicles; and Adopt federal rules for rail transit oversight. <p>This legislation will also include language to:</p> <ul style="list-style-type: none"> Prohibit RFGPTS funding of SSOA Program, and Require each RFGPTS Board of Directors to host regularly scheduled status reports from the SSO Program. <p>After federal rulemaking, MDOT to review draft legislation and submit to FTA for approval prior to bringing legislation to vote.</p>	MDOT to provide FTA with draft legislation for review prior to introduction to the state legislature.
2. 5329(e)(3)(B): State adopts and enforces Federal and relevant State laws on all aspects of RFGPTS safety	Approved	Not Certified	Addressed in Section 2.1.	MDOT to provide FTA with draft legislation for review prior to introduction to the state legislature.
3. 5329(e)(3)(F): State prohibits RFGPTS from funding the SSO agency	Approved	Not Certified	Addressed in Section 2.1.	MDOT to provide FTA with draft legislation for review prior to introduction to the state legislature.
4. 5329(e)(4)(A)(iv): The SSOA has the authority to review, approve, oversee, and enforce RFGPTS Safety Plan	Approved	Not Certified	Addressed in Section 2.1.	MDOT to provide FTA with draft legislation for review prior to introduction to the state legislature.

Section 3: SSO Program Implementation Activities

These provisions require the eligible State to ensure that the designated SSO agency carries out an effective safety regulatory program.

49 U.S.C. Section	CWP Approval	Certification Status	State Submission Notes	FTA Comments/ Required Actions
1. 5329(e)(4)(A)(v): SSOA has investigative and enforcement authority with respect to all aspects of RFGPTS safety	Approved	Not Certified	<p>As in Section 2.1, MDOT will establish stronger investigative and enforcement authority via new legislation.</p> <p>MDOT will develop incident investigation procedures, including:</p> <ul style="list-style-type: none"> • Thresholds for leading or joining investigations, • Investigation methodology, and • Requirements for investigative resolutions. <p>MDOT will enhance tracking, management, and verification of Corrective Action Plans (CAPs), and develop appropriate materials.</p>	<p>MDOT to provide FTA with draft investigative and enforcement authority prior to legislative consideration.</p> <p>MDOT to provide FTA with procedures under development for approval.</p>
2. 5329(e)(4)(A)(vi): SSOA audits, at least once triennially, RFGPTS compliance with Safety Plan	Approved	Not Certified	<p>As in Section 2.1, MDOT will establish stronger audit authority via new legislation. Legislation to include express authorization to conduct routine and special audits.</p> <p>MDOT to develop 3-year audit procedures to encompass regular review as well as audits of special topics based on current trends, hazards, etc. These procedures will incorporate guidance provided in the Technical Assistance Tabs, specifically a sampling plan to identify the inspections, tests, observations, and measurements to be conducted in support of the audit.</p>	<p>MDOT to provide draft legislation and proposed audit procedures to FTA for review.</p>
3. 5329(e)(4)(A)(vii): SSOA provides annual status report on RFGPTS safety to the Governor, FTA and the RFGPTS Board of Directors	Approved	Not Certified	<p>MDOT to report annually to the Governor and the FTA, and biannually to the RFGPTS.</p>	<p>MDOT to provide FTA copies of the annual and biannual reports for review and verification.</p>

Section 4: Staffing and Qualification of SSO Personnel and Contractors

These provisions require the eligible State to ensure that the designated SSO agency is staffed with qualified personnel.

49 U.S.C. Section	CWP Approval	Certification Status	State Submission Notes	FTA Comments/ Required Actions
1. 5329(e)(3)(D): Determines, in consultation with FTA, an appropriate staffing level for the SSOA that is commensurate with the number, size, and complexity of RFGPTS in the eligible State	Approved	Not Certified	Based on the SSO grant program apportionment and the SSOA's final budget (including state match), and using the Technical Assistance Tabs, MDOT's Pre-Certification Submittal Results, and existing responsibilities, MDOT will produce a task-by-task analysis of the actual full-time equivalent requirements to operate the SSO Program. MDOT to produce a proposed staffing plan and budget.	MDOT to submit proposed staffing levels, job descriptions, and budget to FTA for approval.
2. 5329(e)(3)(E): Requires that SSOA employees and other designated personnel are qualified to perform oversight functions through appropriate training	Approved	Not Certified	<p>MDOT will identify necessary technical qualifications for SSO staff and contractors and incorporate the qualifications into their advertisements and solicitations for employment.</p> <p>MDOT will establish technical training, certification, and/or mentoring opportunities for SSO Program personnel in specific rail transit disciplines.</p> <p>MDOT to develop long-term strategy to ensure access to technical expertise in the areas of:</p> <ul style="list-style-type: none"> • Rail transit vehicles, • Track signals and train control, • Traction power, • Rail grade crossings, and • Operations/maintenance practices. 	MDOT to provide FTA with sample technical qualifications and training opportunities.
3. 5329(e)(3)(E): Requires that SSOA employees and other designated personnel successfully complete FTA's public transportation safety certification program	Approved	Not Certified	MDOT to establish requirement for participation in FTA's public transportation safety certification program and to establish individual training plans for each SSO program employee.	MDOT to participate in FTA's training program(s) and to submit individual training plans to FTA for review.

Section 5: Grants and Waivers

These provisions specify requirements for the eligible State to participate in the MAP-21 SSO grant program and request waivers from specific financial and legal independence clauses (49 U.S.C. Section 5329(e)(4)(A)(i) and (iii)).

49 U.S.C. Section	CWP Approval	Certification Status	State Submission Notes	FTA Comments/ Required Actions
1. 5329(e)(6)(B)(ii): The SSOA is already an FTA grantee or is ready to become an FTA grantee	Approved	Certified	N/A	N/A
2. 5329(e)(6)(C)(ii)-(iii): The SSOA is ready to make its 20 percent match independent of RFGPTS funding	Approved	Certified	N/A	N/A
3. 5329(e)(4)(B): SSOA is not requesting a waiver	Approved	Certified	N/A	N/A