Agenda - Final Capital Metropolitan

Transportation Authority

Finance, Audit and Administration
Committee

2910 East 5th Street Austin, TX 78702

Monday, March 18, 2024

11:00 AM

Rosa Parks Boardroom

This meeting will be livestreamed at capmetrotx.legistar.com

- I. Call to Order
- **II.** Public Comment
- III. Action Items:
 - 1. Approval of minutes from the February 14, 2024 Finance, Audit and Administration Committee meeting.
 - 2. Approval of a resolution authorizing the President & CEO, or her designee, to finalize and execute a contract with Bright Horizons Family Solutions, LLC for the management of the Childcare and Learning Center operations for one base year for a total contract amount of \$662,090.00.

IV. Presentations:

- 1. Internal Audit FY2024 Audit Plan Status
- 2. Internal Audit Miscellaneous Revenue Tracking System Update
- V. Items for Future Discussion
- VI. Adjournment

ADA Compliance

Reasonable modifications and equal access to communications are provided upon request. Please call (512) 369-6040 or email ed.easton@capmetro.org if you need more information.

Committee Members: Matt Harriss, Chair; Leslie Pool, Becki Ross and Dianne Bangle.

The Board of Directors may go into closed session under the Texas Open Meetings Act. In accordance with Texas Government Code, Section 551.071, consultation with attorney for any legal issues, under Section 551.072 for real property issues; under Section 551.074 for personnel matters, or under Section 551.076, for deliberation regarding the deployment or implementation of security personnel or devices; arising regarding any item listed on this agenda.

Capital Metropolitan Transportation Authority

Finance, Audit and Administration Committee

Item #: AI-2024-1100

Agenda Date: 3/18/2024

Approval of minutes from the February 14, 2024 Finance, Audit and Administration Committee meeting.



Minutes

Capital Metropolitan Transportation Authority

Finance, Audit and Administration Committee

2910 East 5th Street Austin, TX 78702

Wednesday, February 14, 2024

11:00 AM

Rosa Parks Boardroom

I. Call to Order

11:01 a.m. Meeting Called to Order

Present

Leslie Pool, Becki Ross, Matt Harriss, and Dianne Bangle

II. Public Comment

There was no public comment this month.

III. Action Items

1. Approval of minutes from the January 17, 2024 Finance, Audit and Administration Committee meeting.

A motion was made by Pool, seconded by Bangle, that this Minutes be adopted. The motion carried by the following vote:

Aye: Pool, Harriss, and Bangle

Away: Ross

2. Approval of a resolution appointing Muhammad Abdullah as an Investment Officer on the Capital Metro Investment Committee.

A motion was made by Bangle, seconded by Pool, that this Resolution be recommended for the consent agenda to the Board of Directors, due back on 2/26/2024. The motion carried by the following vote:

Aye: Pool, Harriss, and Bangle

Away: Ross

3. Approval of a resolution authorizing the President & CEO, or her designee, to finalize and execute a contract with Infojini Inc., Neos Consulting Group, LLC., and Software Professional, Inc. for technical temporary staffing services for a two-year base period and two (2) option periods of 12-months each for a total of four (4) years for a cumulative amount not to exceed \$6,200,000 for all three (3) contracts.

A motion was made by Bangle, seconded by Pool, that this Resolution be recommended for the action item agenda to the Board of Directors, due back on 2/26/2024. The motion carried by the following vote:

Aye: Pool, Harriss, and Bangle

Away: Ross

IV. Presentations

- FY2024 Financial Report December 2023
- 2. Internal Audit Advisory Project: Miscellaneous Revenues
- 3. Internal Audit FY2024 Audit Plan Status

V. Items for Future Discussion

VI. Adjournment

11:45 a.m. Meeting Adjourned

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2910 East 5th Street Austin, TX 78702

CapMetro

Capital Metropolitan Transportation Authority

Finance, Audit and Administration Committee Agenda Date: 3/18/2024	Item #: AI-2024-1091
SUBJECT:	
Approval of a resolution authorizing the President & CEO, or her designee, to finalize with Bright Horizons Family Solutions, LLC for the management of the Childcare and operations for one base year for a total contract amount of \$662,090.00.	
FISCAL IMPACT:	
Funding for this action is available in the FY2024 Operating Budget.	
STRATEGIC PLAN:	
Strategic Goal Alignment:	
☐ 1. Customer	
☑ 3. Workforce ☐ 4. Organizational Effectiveness	
Strategic Objectives:	
\square 1.1 Safe & Reliable Service \square 1.2 High Quality Customer Experience \square 1.3 Access	sible System
\square 2.1 Support Sustainable Regional Growth $\;\square$ 2.2 Become a Carbon Neutral Agency	
$oxtimes$ 2.3 Responsive to Community and Customer Needs $\;\Box$ 2.4 Regional Leader in Transit Pla	nning
\square 3.1 Diversity of Staff \boxtimes 3.2 Employer of Choice \square 3.3 Expand Highly Skilled Wo	rkforce
\Box 4.1 Fiscally Responsible and Transparent \Box 4.2 Culture of Safety \Box 4.3 State of Good I	Repair
EXPLANATION OF STRATEGIC ALIGNMENT: Click or tap here to enter text.	
BUSINESS CASE: Maintaining the Center allows Capital Metro to fill a childcare void in	n the community while

for Young Children accreditation and commitment to keeping enrollment at 80 percent of capacity.

also benefiting CapMetro employees who are able to utilize the Center. Since the Center's inception in 2006, over 900 children have received high quality early childhood education at that Center. The proposed contract award is based on Bright Horizons' proposal to provide high quality education, maintain National Association

COMMITTEE RECOMMENDATION: This item was presented and recommended for approval by the Finance, Audit and Administration Committee on March 18, 2024.

Finance, Audit and Administration Committee

Agenda Date: 3/18/2024

EXECUTIVE SUMMARY: CapMetro opened the Childcare and Learning Center in 2006 as a benefit to employees and as a mechanism to attract and retain employees. Over the past several years, changes to the CapMetro workforce such as additional work locations and increased teleworking have resulted in reduced utilization by employee families. In 2012, CapMetro opened the Center to the community to maintain high enrollment and reduce the subsidy required to continue operation of the Center. The Center is licensed for 65 children ages infant to five years old. Typical Center enrollment is now approximately 20 percent CapMetro families and 80 percent community families. Tuition rates for the community are based on market rates for high-quality accredited childcare. Tuition for CapMetro families is approximately 20 percent below the market rate and is on a sliding scale based on income. Bright Horizons Family Solutions has operated the Center since its inception. While CapMetro proposes to continue operation of the Center through the contract with Bright Horizons, we know from a recent survey of employee childcare needs that an alternative approach to assisting employees with varying work hours and locations is also needed. During the FY 2025 budget development process, staff will explore other childcare assistance options. The proposed contract pricing is structured to shift the risk of tuition collections to Bright Horizons with CapMetro paying a fixed fee for the operating cost less projected tuition for maintaining capacity of at least 80 percent of capacity.

DBE/SBE PARTICIPATION: A 4.5% SBE goal was placed on this procurement. SBE participation will be tracked during the term of this contract.

PROCUREMENT: On October 6, 2023, a Request for Proposal was issued and formally advertised for the performance of Childcare and Learning Center Operations Management services. By the closing date of November 20, 2023, one (1) proposal was received. The evaluation team used the following factors in their evaluation of the proposal: 1) The offeror's demonstrated past performance on recent and relevant programs/projects of a similar size, scope, complexity, and nature; 2) The qualifications, experience, and capabilities of the firm as well as proposed project personnel and any subcontractors on programs/projects of a similar size, scope, complexity, and nature; 3) The offeror's demonstrated understanding of the project undertaking, the proposed plan for the performance of work (including the overall quality of the work plan) and the technical approach proposed by the offeror; and 4) The offeror's demonstrated ability to obtain and maintain National Accreditation Commission (NAC) and Child and Adult Care Food Program (CACFP) accreditations. The proposal from Bright Horizons Children's Centers, LLC is determined to be the best value to the Authority, price and other factors considered. The term of the contract is one (1) year from the Notice to Proceed in an amount not to exceed \$662,090.00.

RESPONSIBLE DEPARTMENT: People and Culture

Item #: AI-2024-1091

Finance, Audit and Administration Committee

Agenda Date: 3/18/2024

RESOLUTION OF THE CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY BOARD OF DIRECTORS

STATE OF TEXAS
COUNTY OF TRAVIS

AI-2024-1091

Item #: AI-2024-1091

WHEREAS, the Capital Metropolitan Transportation Authority Board of Directors and Capital Metro management recognize the need to outsource the management of the CapMetro Childcare and Learning Center to a third party.

NOW, THEREFORE, BE IT RESOLVED by the Capital Metropolitan Transportation Authority Board of Directors that the President & CEO, or her designee, is authorized to finalize and execute a contract with Bright Horizons Family Solutions for the management of the Childcare and Learning Center operations for one base year for a total contract amount of \$662,090.00.

BE IT FURTHER RESOLVED, by the Capital Metropolitan Transportation Authority Board of Directors, that the President & CEO, or her designee, shall provide an update to the Board on childcare center operations and programs supporting CapMetro employee's childcare needs prior to the end of fiscal year 2024.

	Date:	
Secretary of the Board	-	

Becki Ross

Child Care & Learning Center

Board Finance Audit & Administration Committee

March 18, 2024

CapMetro Childcare Background

- CapMetro opened Childcare and Learning Center in 2006 to support employees' families
- Rol Analysis demonstrated success with less employee absenteeism and higher rates of retention for employees using the Center
- CapMetro opened the Center to the community at large in 2012 to reduce subsidy and maintain occupancy levels
- Post pandemic, the Center is focused on rebuilding enrollment



2010 on Earth Day

CapMetro

Childcare and Learning Center Operation

- Average Annual Utilization: 80%-83% full
- Accepts Child Care Services (CCS) program to provide eligible families with childcare scholarships to help cover childcare costs
- Accepts ages infant to pre-school
- Continued Certification from Child and Adult Care Food Program from the State of Texas

CapMetro

Bright Horizons Qualifications

- Bright Horizons has operated the Center since it opened in 2006
- Bright Horizon is accredited by National Association for Education of Young Children (NAEYC)
 - Trained faculty
 - Staff-child ratios and group sizes
 - Comprehensive curriculum
 - Stringent health and safety standards.
- Four-star certification under the Texas Rising Star program
- Low staff turnover
- High parent satisfaction
- Operate more than 450 high-quality employer-sponsored early education environments across the U.S



Proposed Contract Cost

	Base Year
Total Estimated Cost	\$1,418,144
Tuition Revenue	(\$756,054)
Annual Fixed Price	\$662,090

Indirect Costs:

- ➤ Annual lease value of space at fair market: \$191,000
 - o Repurposing facility would also require significant one-time remodeling costs
- ➤ Annual operating cost (janitorial, maintenance and utilities) based on sq.footage: \$75,000



Changing Enrollment Landscape

- Changes to CapMetro's workforce has shifted the enrollment in the Childcare and Learning Center
- CapMetro family enrollment has declined, and community family enrollment has increased
- CapMetro's focus is determining how we can best meet the needs of our employees who:
 - Live in a larger geographic area than they used to,
 - Work in multiple locations throughout Austin and the service area,
 - · Work a variety of schedules, and
 - Have a variety of childcare needs.



CapMetro Family enrollment has decreased, and currently occupies 20% of the Center's enrollment





Thank you!

Item #: AI-2023-1004

CapMetro

Capital Metropolitan Transportation Authority

Finance, Audit and Administration Committee

Agenda Date: 3/18/2024

Internal Audit FY2024 Audit Plan Status

FY24 INTERNAL AUDIT PLAN

Department Scorecard

Projects	Status & % Complete	Additional Details
FAA COMMITTEE & INTERNAL AUDIT CHARTER COMPLIANCE		
Finance, Audit & Administration (FAA) Committee Meetings: 10/11; 11/8; 12/4; 1/17; 2/14; 3/18; 4/10; 5/8; 6/12; 7/10; 8/12; 9/11	In-Process	
Semi-annual Implementation Status Report - November 2023	Completed	December
Semi-annual Implementation Status Report - May 2024		
FY2024 Risk Assessment & development of FY25 Audit Plan		
FY24 Audit Assurance & Advisory Projects		
CapMetro/ATP Billing Processes		
Keolis Contract - Payroll Pass Through Controls	In-Process	UT Interns
Hexagon (Infor) Enterprise Asset Mgt System - post go live review	In-Process	February
Paratransit & Demand Response Operations	In-Process	February
FastPath - Analyze Oracle segregation of duties	In-Process	
MV Contract - Payroll Pass Through Charges	In-Process	
Miscellaneous Revenue Controls (11 different areas)	In-Process	Dec - March
GRC - automate Incidents/Accidents Reporting (Bus)	In-Process	
GHG & Carbon Footprint Reporting	Completed	UT Interns - Jan
Sales Taxes - Revenue Controls	Completed	UT Interns - Dec
Investment Income - Revenue Controls	Completed	UT Interns - Dec
Watco Freight Revenue - Revenue Controls	Completed	UT Interns - Dec
GRC - Contract Performance Management System Advisory (Bus, Rail, DR) - Quadrennial Performance Audit recommendations		
GRC (Governance Risk & Compliance) System Implementation (Risk Register; Safety Dept; Internal Audit Dept; etc.)		
Safety Management System (SMS) - Management of Change		
Bus Charging Infrastructure & EV Program		
AMP Cards & New Fare Systems		
United Healthcare & Other Self-Insured Benefits (TPA Payments)		
McKalla Station - Design Build Effectiveness	In-Process	UT Interns
NIST Cybersecurity Framework (CISA Facilitated Self Assessment) - re-assessment from 2023 baseline		CISA follow-up review (Spring)
Annual Cybersecurity Review (Mandiant)		
Quadrennial Performance Audit - Selection Process but FY25 Budget/Execution		
CONTINGENT AUDIT PROJECTS - FY24		
Microsoft Sharepoint & Active Directory		
Salary Adjustment & Merit Process		
Rail-FRA PTC Change Management Requirements (Herzog)		
Board Policies/Goals - Monitoring & Reporting (e.g., OTP; Fare Recovery; DBE; Title		
6 Equity Analysis; etc.) Capital Project Controls (McKalla Station; MetroRapid; DR N Facility Build;)		
Spare Labs.com - Demand Response System Implementation		
Lease Vehicle Program - non-Revenue Vehicles		

	NEW PROJECTS ADDED TO FY24 AUDIT PLAN by Terry Follmer		
1	Miscellaneous Revenues - Tracking & Reporting on Implementation Status	In-Process	
2			

Item #: AI-2024-1115

CapMetro

Capital Metropolitan Transportation Authority

Finance, Audit and Administration Committee

Agenda Date: 3/18/2024

Internal Audit Miscellaneous Revenue Tracking System Update

MISCELLANEOUS REVENUE PROJECTS - RECOMMENDATIONS TRACKING

Project Number	Project Name	Report Date	Issue & Risk	Recommendation	Management Action Plan	Target Completion Date	Status
23A-17	RideShare Program - Revenue Compliance Review	2/6/2024	Internal Audit noted that CapMetro any verification or validation of the following data provided by Enterprise (Appendix B): Vanpool counts, new additions, or terminations which impacts the Enterprise monthly Invoice. NTD submission for participation.	a) The RideShare Program Manager should consider periodic (e.g. semi-annual) validation, analysis, and testing of the van pools and related participants/coordinators via sampling contracts and related details. This could include but is not limited to reviewing contracts, proof of participants (e.g. signed contract, driver's license on file, etc.).	management Action Flat	Date	Giaids
2				b) CapMetro Customer Care could call at least annually some of the Vanpool Coordinators to discuss their experience as well as validate their participation and other RideShare participants. See recommendations 3a) below.			
3			Ensure All Reports & Deliverables are Received Internal Audit noted that there are some reports and deliverables. (Appendix C) that are not received or not received timely: Blennial Safety Training Reports - To be conducted on Base Year 2 and Option Year 2 and report due upon request. Accident/Incident Reports - To be provided as they occur. Periodic Safety Refresher Training - To be provided quarterly in October, January, April and July of each contract year.	a)The RideShare Program Manager should ensure that all the deliverables are received and on time.			
4			3. Increase CapMetro Automation & Cross-functional Collaboration: Internal Audit noted that there are opportunities to collaborate with other CapMetro teams to achieve the program goals in an efficient and effective way.	The RideShare Program Manager should consider collaborating with: a) Customer Care should call some of the RideShare participants at least annually to gauge their satisfaction with the program and to benchmark performance of the program over time. This survey could also be used to satisfy recommendation in #1b) listed above.			
5				b) Initiate a Power BI database and dashboard reports where the monthly Enterprise RideShare reports can be loaded, which automatically updates the database and displays various graphs/charts and performance over time. The Contractor datasets could be integrated into EDAP for internal analysis and to automate the reporting and generate timely and consistent data across all RideShare reports.			
24-04A	Watco Freight Contract Revenue	2/6/2024	1. Not Receiving & Analyzing Watco's Annual Audit Financial Statements When requested by the Internal Audit Department, Watco was reluctant to share their annual audited financial statements which is required to be provided per contract. Through the help of the Legal, Procurement and Rail Operations Departments we were able to obtain their audited financial statements from Grant Thornton for the years 2013 to 2022. Internal Audit did a simple analysis of the Balance Sheet and Income Statement, and our analysis identified some concerns.	1a. Annually, the Rail Operations should obtain Watco's parent company annual audited financial statements and should perform at least a five year analysis on key financial metrics (e.g. liquidity; solvency; etc.) and discuss performance with Watco management and ensure any concerns are addressed.			
7				1b. Rail Operations should compare/contrast (e.g. revenue changes; profitabilty changes; etc) the Watco's parent company audited financial statement against the AWRR (Austin Western RR) statements that are reported to CapMetro monthly to understand any trends and why the AWRR performance may be significantly different than Watco's conolidated financial statements. CapMetro managment should use this analysis to ask questions of Watco for things that don't make sense and/or may be a risk to CapMetro.			

8			2. Lack of Independent Revenue Validations by CapMetro The last attempt by CapMetro to independently validate Watco Revenues was performed by RSM accounting firm for the books and records for the period ending 12/31/2019, which was one of the recommendations in the CapMetro internal audit report dated 4/25/2019.	2a. At least once every two years CapMetro should hire a CPA firm to perform "agreed upon procedures" related to testing the completeness and accuracy of the revenues that are reported and shared with CapMetro per the revenue sharing agreement.		
9				2b. Continue to obtain annual audit financials and analyze for risks, trends and correlation with the revenues being shared with CapMetro. Unusual and flagged items should be discussed with Watco management.		
10				Obtain car counts from the AEI readers which will help independently validating approximately 1/3 of the revenues that Watco shares with CapMetro.		
11				2d. The Railcom system (www.railinc.com)is the official clearing house of all freight rail records, so CapMetro should consider subscribing to this database and performing independent checks. Additionally, this database could be shared with the CPA firm for the reviews listed in 2a) above.		
12			3. Unexplained Changes in Cash Flows, Expenses & Broken AEI Reader We analyzed the cash flows and expenses for the last five years and noted the following unexplained variances that requires more analysis by CapMetro and a clear explanation from Watco as follows: - Watco's Investment in Giddings & Recoupment Time - UP Asset Utilization Offset - Broken AEI Reader	We recommend that CapMetro perform ongoing analysis of Watco freight revenues and at least quarterly have formal meetings to discuss variances and forecasted changes in revenues and expenses, as well as any changes in the equipment and data sources that are used to prepare the financials that are shared with CapMetro. In particular, the following financial and operational matters need to be resolved: 3a) Giddings recoupment by Watco of \$3 million has almost doubled in time from the original estimate of 5.5 years to 9 years, so ongoing monitoring and discussions should continue.		
				3b) The UP (Union Pacific) Asset Utilization Offset has resulted in UP locomotive pass through charges to CapMetro of \$3.5 million since 11/2019 which has impacted CapMetro cash revenue received by about \$583,000. CapMetro management should continue to challenge these pass through charges that are not specified in the contract and request that these charges be reversed and CapMetro be reimbursed for these unauthorized charges.		
				3c) The AEI Reader should be repaired and used to validate the monthly car counts reported by Watco, thus allowing CapMetro to independently verify approximately one-third of the reveneues shared with CapMetro.		
24-09A	Bright Horizons	12/23/2023	Risk of Loss Collections The Internal Audit and the Legal Departments interpretation of the contract is that Bright Horizion has all risk of loss as it relates to the collection of student tuition, therefore the collection and deposit process should change with Bright Horizons taking full responsibilities related to the collection and deposit process.	CapMetro should receive a single payment each month from Bright Horizons for the monthly gross tuition billed regardless of what is collected. CapMetro should no longer be involved in depositing individual tuition checks to the CapMetro Account since Bright Horizons has all risk of loss.		

14				Management Fee Increases Internal audit noted that the contract states that management fee is subject to a "minimum escalation by no more than 5%". The management fee increased by 22% from FY 22 to FY23, however, there was no change in tuition rates. Revenue Unreconciled Difference for FY22 & 23	As part of the annual budget process, an agreed upon "Management Fee" is agreed upon between CapMetro and Bright Horizons. CapMetro management should consider both the management fee rates and tuition rates before agreeing to terms. Management should evaluate the effects of management fee increases on operations prior to accepting terms. 3. Management should reconcile the revenues in Bright Horizons.		
15				For FY22 and FY23, tuition and fees charged per the Bright Star records exceeded the accounts receivable amounts in Oracle by approximately \$18,000. There is no reconciliation of the revenues by Bright Horizons or CapMetro .	"Bright Star" system to the revenues recorded in CapMetro's Oracle system on at least a quarterly basis if not monthly.		
16				Lack of Monthly Financial Reporting From Bright Horizons At the time of the audit, Bright Horizons had not been providing monthly financial reports per the contract.	Management should obtain the monthly financial statements to monitor the financial status of the childcare center and ensure Bright Horizons operates within the approved annual budget.		
17	24-05A Presentation	Investment Income	12/4/2023	Oracle Enterprise Resource Planning system is not fully utilized to process all outgoing wires.	Utilize Oracle Enterprise Resource Planning system to process all outgoing wires since it goes through a more thorough workflow approval process and matching of invoices to the relevant Purchase Orders.		
18				2) Initiations, approvals and account changes need to be reviewed.	initiations, approvals and account changes.		
19				Segregation of duties and daily cash wire limits along with appropriate levels of authorization should be reviewed.	Review the segregation of duties and daily cash wire limits along with appropriate levels of authorization.		
20				Surplus cash at Cash Concentration account is not invested overnight.	Implement end of day automatic overnight sweep from Cash Concentration account to a designated money market fund to invest surplus cash. The invested funds are automatically returned the morning of the next trade day.		
21				5) Collateralization for amounts exceeding FDIC covered amount (\$250,000, Total DDA) need to be reviewed.	5) Review if cash deposits are adequately collateralized by National Collateral Management Group (NCMG) for amounts exceeding FDIC covered amount (\$250,000, Total DDA).		
22	24-03A Presentation	Sales Tax	12/1/2023	No Verification of Avenu Insights invoice Invoices received after non-compliant taxpayer paid appropriate taxes.	1a. Use the UT Intern model or build a new model to perform quarterly spot tests on Avenu Insights' quarterly invoices in order to recalculate Avenu Insights contingency fee.		
23					1b. An employee in the Finance Department should trace the Avenu Insights memo for delinquent taxpayers to the Confidentiality Report from the Texas Comptrollers Office before making payments to Avenu Insights for the contingency fee.		
24				Validation of Texas Comptroller Payments CapMetro does not have procedures in place to confirm Texas Comptroller's Office payments are timely and the appropriate amount.	2a. A Finance Department employee should periodically trace the gross amount of taxes due to CapMetro from the Confidentiality Report prepared by the Texas Comptroller's Office to the amount deposited to CapMetro's bank account for sales and use taxes collected.		
25							