



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

Federal Transit Administration
Region 6

Arkansas, Louisiana,
New Mexico, Oklahoma,
Texas

819 Taylor St., Suite 14A02
Fort Worth, TX 76102
(817) 978-0550
(817) 978-0575 (fax)

June 23, 2022

Jeffrey Travillion
Chair/Board of Directors
Capital Metropolitan Transportation Authority
700 Lavaca Street, Austin, Texas

Re: Federal Transit Administration (FTA) Fiscal Year 2022 Triennial Review –Final Report

Dear Mr. Travillion:

I am pleased to provide you with a copy of this FTA report as required by 49 U.S.C. Chapter 53 and other Federal requirements. The enclosed final report documents the FTA's Triennial Review of the Capital Metropolitan Transportation Authority (CapMetro) in Austin, Texas. Although not an audit, the Triennial Review is the FTA's assessment of CapMetro's compliance with Federal requirements, determined by examining a sample of award management and program implementation practices. As such, the Triennial Review is not intended as, nor does it constitute, a comprehensive and final review of compliance with award requirements.

Due to the Coronavirus 2019 (COVID-19) Public Health Emergency, a virtual site visit was conducted for this Triennial Review. In addition, the review was expanded to address CapMetro's compliance with the administrative relief and flexibilities FTA granted and the requirements of the COVID-19 relief funds received through the Coronavirus Aid, Relief, and Economic Security (CARES) Act, the Coronavirus Response and Relief Supplemental

Appropriations Act (CRRSAA) of 2021, and the American Rescue Plan (ARP) Act of 2021. The Triennial Review focused on CapMetro's compliance in 23 areas. No deficiencies were found with the FTA requirements in any of these areas.

As CapMetro moves forward with its transit program, the FTA would like to provide a look-ahead for future oversight activities related to new and/or updated requirements, below.

Cybersecurity Certification for Rail Rolling Stock and Operations

In FY2020, the National Defense Authorization Act for Fiscal Year 2020, Pub. L. 116-92, §7613 promulgated the addition of U.S.C. Section 5323(v). This new requirement instructs recipients that operate rail fixed guideway public transportation systems to certify to FTA that it established a process to develop, maintain, and execute a written plan for identifying and reducing cybersecurity risks. Recipients are to use the approach described in the voluntary standards and best practices developed by the National Institute of Standards and Technology (NIST) and the

Mr. Jeffrey Travillion

Page 2

Secretary of Homeland Security in consultation and coordination with various stakeholders. Recipients are to also identify hardware and software it determines should be tested and analyzed by a third party to mitigate cybersecurity risk

For the FY2022 review cycle, FTA is deploying a “soft launch” in determining, if and how, recipients are developing their plan for identifying and reducing cybersecurity risks. Recipients are to certify in TrAMS by correctly completing Category 20 of the Annual Certifications and Assurances to indicate their compliance with this requirement. For the FY2025 review cycle, this requirement will be reviewed for full compliance.

For additional information about the cybersecurity framework, visit the NIST’s website at: <https://www.nist.gov/cyberframework/framework>.

Thank you for your cooperation and assistance during this Triennial Review. If you need any technical assistance or have any questions, please do not hesitate to contact Mr. Abel Ayala, FTA Program Management Specialist, at (817) 978-0560 or by email at abel.ayala@dot.gov, or Mr. Donald Lucas, your reviewer, at (202) 726-2630 or by email at donald.lucas@thedmpgroup.com.

Sincerely,

Gail Lyssy
Regional Administrator

Enclosure

cc: Terry Follmer, Vice President of Internal Audit, CapMetro
Donald Lucas, Lead Reviewer, The DMP Group

FINAL REPORT

**FISCAL YEAR 2022
TRIENNIAL REVIEW**

of

**Capital Metropolitan Transportation Authority
(CapMetro)
Austin, Texas
ID: 5143**

Performed for:

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION
REGION 6**

Prepared by:

The DMP Group, LLC

Scoping Meeting Date: February 11, 2022

Virtual Site Visit Date: April 5–7, 2022

Draft Report Date: May 19, 2022

Final Report Date: June 23, 2022

Table of Contents

I. Executive Summary	1
II. Review Background and Process	3
1. Background	3
2. Process	3
3. Metrics	4
III. Recipient Description	4
1. Organization	4
2. Award and Project Activity	5
IV. Results of the Review	10
1. Legal	10
2. Financial Management and Capacity	10
3. Technical Capacity – Award Management	10
4. Technical Capacity – Program Management & Subrecipient Oversight	11
5. Technical Capacity – Project Management	11
6. Transit Asset Management	11
7. Satisfactory Continuing Control	11
8. Maintenance	12
9. Procurement	12
10. Disadvantaged Business Enterprise (DBE)	12
11. Title VI	12
12. Americans with Disabilities Act (ADA) – General	13
13. ADA – Complementary Paratransit	13
14. Equal Employment Opportunity	13
15. School Bus	13
16. Charter Bus	14
17. Drug-Free Workplace Act	14
18. Drug and Alcohol Program	14
19. Section 5307 Program Requirements	14
20. Section 5310 Program Requirements	15
21. Section 5311 Program Requirements	15
22. Public Transportation Agency Safety Plan (PTASP)	15
23. Cybersecurity	15

V. Summary of Findings.....	16
VI. Attendees.....	18
VII. Appendices	22

I. Executive Summary

This report documents the Federal Transit Administration’s (FTA) Triennial Review of the Capital Metropolitan Transportation Authority (CapMetro) of Austin, Texas. The FTA wants to ensure that awards are administered in accordance with the requirements of Federal public transportation law 49 U.S.C. Chapter 53. The review was performed by The DMP Group, LLC. During the site visit, administrative and statutory requirements were discussed, and documents were reviewed.

Due to the Coronavirus 2019 (COVID-19) Public Health Emergency, a virtual site visit was conducted for this Triennial Review. In addition, the review was expanded to address CapMetro’s compliance with the administrative relief and flexibilities FTA granted and the requirements of the COVID-19 relief funds received through the Coronavirus Aid, Relief, and Economic Security (CARES) Act, the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) of 2021, and the American Rescue Plan (ARP) Act of 2021. CapMetro was also requested to share if and/or how it suspended, deviated from, or significantly updated or altered its transit program due to the public health emergency.

The Triennial Review focused on CapMetro’s compliance in 23 areas. Deficiencies related to the COVID-19 relief funds have been clearly identified as part of the deficiency description in the respective review area.

No deficiencies were found with the FTA requirements in any of the 23 areas.

Review Area	Deficiencies	
	Code	Description
1. Legal (L)		
2. Financial Management and Capacity (F)		
3. Technical Capacity – Award Management (TC-AM)		
4. TC – Program Management and Subrecipient Oversight (TC-PgM)		
5. TC – Project Management (TC-PjM)		
6. Transit Asset Management (TAM)		

Review Area	Deficiencies	
	Code	Description
7. Satisfactory Continuing Control (SCC)		
8. Maintenance (M)		
9. Procurement (P)		
10. Disadvantaged Business Enterprise (DBE)		
11. Title VI (TVI)		
12. Americans with Disabilities Act (ADA) – General (ADA-GEN)		
13. ADA – Complementary Paratransit (ADA-CPT)		
14. Equal Employment Opportunity (EEO)		
15. School Bus (SB)		
16. Charter Bus (CB)		
17. Drug-Free Workplace Act (DFWA)		
18. Drug and Alcohol Program (DA)		
19. Section 5307 Program Requirements (5307)		
20. Section 5310 Program Requirements (5310)		
21. Section 5311 Program Requirements (5311)		
22. Public Transportation Agency Safety Plan (PTASP)		
23. Cybersecurity (C)		

II. Review Background and Process

1. Background

The United States Code, Chapter 53 of Title 49 (49 U.S.C. 5307(f)(2)) requires that “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...” This Triennial Review was performed in accordance with the FTA procedures (published in FTA Order 9010.1B, April 5, 1993).

The Triennial Review includes a review of the recipient’s compliance in 23 areas. The basic requirements for each of these areas are summarized in Section IV.

This report presents the findings from the Triennial Review of CapMetro. The review concentrated on procedures and practices employed since CapMetro’s previous Triennial Review; however, coverage was extended to earlier periods as needed to assess the policies in place and the management of award funds. The specific documents reviewed and referenced in this report are available at the FTA’s regional office or CapMetro’s office.

2. Process

The Triennial Review includes a pre-review assessment, a desk review and scoping meeting with the FTA regional office, and a site visit to the recipient’s location. Due to the COVID-19 Public Health Emergency, a virtual site visit was conducted of each recipient. In addition, the review was expanded to address the recipient’s compliance with the administrative relief and flexibilities FTA granted and the requirements of the COVID-19 relief funds received through the CARES Act, CRRSAA of 2021, and the ARP Act of 2021. Recipients were also requested to share if and/or how they suspended, deviated from, or significantly updated or altered their transit program due to the public health emergency.

The fiscal year (FY) 2022 process began with the regional office transmitting a recipient information request (RIR) to CapMetro on November 29, 2021, indicating a review would be conducted. While CapMetro prepared its response to the RIR, the regional office and review team conducted a desk review and scoping meeting on February 11, 2022. Necessary files retained by the regional office were sent to the reviewers electronically. Following the desk review and scoping meeting, the reviewers and CapMetro corresponded and exchanged information and documentation in preparation for the virtual site visit. As a result of this review, an agenda package indicating the issues that would be discussed, records to be reviewed, and interviews to be conducted was sent to CapMetro on March 29, 2022. The virtual site visit to CapMetro occurred on April 5–7, 2022.

The virtual site visit portion of the review began with an entrance conference, at which the purpose of the Triennial Review and the review process were discussed. The reviewers conducted additional interviews and reviewed documentation to evidence CapMetro’s compliance with FTA requirements.

Two Section 5310 subrecipients, Faith in Action Georgetown and Senior Access, were reviewed virtually to provide an overview of activities related to FTA-funded projects. The reviewers also examined a sample of procurement files during this review.

Upon completion of the virtual site visit, the FTA and the reviewers provided a summary of preliminary findings to CapMetro at an exit conference. Section VI of this report lists the individuals participating in the site visit.

3. Metrics

The metrics used to evaluate whether a recipient is meeting the requirements for each of the areas reviewed are:

- *Not Deficient*: An area is considered not deficient if, during the review, nothing came to light that would indicate the requirements within the area reviewed were not met.
- *Deficient*: An area is considered deficient if any of the requirements within the area reviewed were not met.
- *Not Applicable*: An area can be deemed not applicable if, after an initial assessment, the recipient does not conduct activities for which the requirements of the respective area would be applicable.

III. Recipient Description

1. Organization

The Capital Metropolitan Transportation Authority (CapMetro) provides transit service in the Austin metropolitan area, serving all of the City of Austin and the surrounding communities of San Leanna, Leander, Lago Vista, Point Venture, and Manor; the Anderson Mill area of Williamson County; and Precinct Two of Travis County. CapMetro was created in 1985 under the laws of the State of Texas. The Board of Directors consists of eight board members who are appointed by various governing entities within the service area. CapMetro contracts with MV Transportation, MTM Incorporated, Capital Area Rural Transportation System, Enterprise EAN Holdings, and Herzog Transit Services. The population of CapMetro's service area is approximately 1,318,322 persons.

CapMetro operates a network of 70 fixed bus routes and one commuter rail line route (MetroRail). Bus service is provided weekdays from 4:16 a.m. to 3:51 a.m. (next day), Saturdays from 4:32 a.m. to 4:11 a.m. (next day), and Sundays from 5:09 a.m. to 1:08 a.m. (next day). Rail service is provided weekdays from 5:00 a.m. to 7:44 p.m., Saturdays from 4:00 p.m. to 12:50 a.m., with no Sunday service. CapMetro's complementary paratransit service, MetroAccess, operates during the same days and hours of service as the fixed routes. The basic adult fare for bus service is \$1.25. A reduced fare of \$0.60 is offered to seniors, Medicare cardholders, active-

duty military personnel, students 6 to 18 years of age, and riders with disabilities during all hours. The one-way fare for ADA paratransit service is \$1.75.

CapMetro’s fixed-route and complementary paratransit services are operated by MV Transportation and MTM Incorporated, respectively, through purchased transportation agreements. MV Transportation operates a fleet of 206 FTA-funded and 178 locally funded buses for fixed-route service. Its bus fleet consists of standard 28-, 35-, 40-, 45-, and 60-foot transit coaches. The current peak requirement is for 312 vehicles. MTM Incorporated operates a CapMetro-owned fleet of 128 vans for complementary paratransit service. CapMetro also operates a fleet of 20 hybrid rail vehicles and 10 diesel multiple units, all of which are locally funded.

CapMetro operates from its administrative headquarters, located on 5th Street in Austin, and maintains transit centers throughout its service area, including the following:

- South Congress Transit Center
- Westgate Transit Center
- Richard A Moya Eastside Bus Plaza
- North Lamar Transit Center

2. Award and Project Activity

Below is a list of CapMetro’s open awards at the time of the review.

Award Number	Award Amount	Year Executed	Description
TX-2022-007-00	\$171,263	2022	Austin, Texas, FY21 Section 5310 CRRSAA - Enhanced Mobility for Seniors and Individuals with Disabilities - Operating Assistance and Program Administration
TX-2022-008-00	\$1,936,980	2022	Austin, Texas, Enhanced Mobility for Seniors and Individuals with Disabilities FY20 and FY21 Unobligated (Section 5310-C 100%) Capital, Operating, Program Admin.
TX-2022-006-00	\$171,265	2022	Austin, Texas, FY21 Section 5310 ARP Act - Enhanced Mobility for Seniors and Individuals with Disabilities - Operating Assistance and Program Administration

Award Number	Award Amount	Year Executed	Description
TX-2021-110-00	\$900,000	2021	North Lamar/Guadalupe/Riverside Fixed Guideway Corridor Station Area Plans, Value Capture Tools / Innovative Financing tools / TOD Station Area Zoning - FY20 TOD Pilot
TX-2021-093-00	\$2,266,000	2021	Capital Metro Low-No FY2020 – 5339c Propelling Austin Forward: Building on the Success of Capital Metro’s Zero Emission Electric Bus Launch – Battery-Electric Bus Acquisition, Austin, TX
TX-2021-058-00	\$201,253	2021	CapMetro 5143, Enhanced Mobility for Seniors and Individuals with Disabilities - Lapsing FY19 funds (Section 5310) Mobility Management
TX-2021-060-00	\$128,229,309	2021	Capital Metro Austin, Texas FY 2021 5307 ARP Act Grant
TX-2021-020-00	\$66,221,042	2021	Capital Metro Austin, Texas FY 2021 CRRSAA Grant Operating Assistance
TX-2020-097-00	\$2,600,000	2020	CapMetro Low-NO FY 2019 - 5339c Connecting Central Texas to a Zero Emission Future - Battery-Electric Bus Acquisition, Austin, TX
TX-2020-006-00	\$71,280	2019	CapMetro Metro Ride Share Regional Vanpool Program - FY19 STP
TX-2019-048-01	\$932,238	2019	Austin, Texas, Enhanced Mobility for Seniors and Individuals with Disabilities FY17 and FY18 funds (Section 5310)
TX-2019-051-00	\$600,000	2019	Capital Metro – Metro Rail Green Line Station Area Plans, Value Capture Tools, and TOD Zoning - FY18 TOD Pilot
TX-2018-023-00	\$1,064,012	2018	Austin #5143, Texas Enhanced Mobility for Seniors and Individuals with Disabilities FY16 and FY17 funds (FY18 - 5310)
TX-2017-075-00	\$11,249,240	2017	Regional Mobility Bus Program - Purchase Replacement Transit Vehicles (FY 2016 - 5339b)
TX-2017-015-00	\$1,089,955	2017	Austin, Texas Enhanced Mobility for Seniors and Individuals with Disabilities (FY17 - 5310)
TX-03-0304-01	\$37,600,000	2016	Bus Rapid Transit FY10
TX-16-X031-00	\$1,073,448	2015	FY14.15 Sec 5310
TX-16-X019-00	\$353,060	2014	FY14 SEC 5310 for four subrecipients

CapMetro received Supplemental Funds for operating assistance in award numbers TX-2022-007-00, TX-2022-006-00, TX-2021-060-00, TX-2021-020-00, and TX-2020-064-01 (closed). Prior to receiving operating assistance relief funds, CapMetro received and administered FTA Section 5310 operating funds.

Projects Completed

In the past few years, CapMetro completed the following noteworthy projects:

Positive Train Control (FTA funded in part). Positive Train Control (PTC) refers to a new technology systematically designed to increase safety in railroad operations by largely reducing human errors. CapMetro selected a PTC system called Enhanced Automatic Train Control for use on its central subdivision. This system was designed, constructed, verified, and validated between 2017 and 2020. CapMetro received Federal Railroad Administration certification on its PTC system on August 10, 2020. Since then, CapMetro has worked on optimizing its PTC technology to minimize its impact on commuter train on-time performance. Such effort carried out this year includes adding lookback technologies, increasing wayside train speeds at certain locations, and optimizing train meet locations to ensure throughput.

Implementation of service initiatives from the Connections 2025 plan Cap Remap service change in June 2018. Cap Remap was responsible for the most sweeping changes in CapMetro's history, affecting more than half of its 82 routes. These changes made for a more integrated bus network that has more frequent service—the number of routes in CapMetro's High-Frequency Network went from 6 to 14—and better east–west connections.

MetroRail Improvements (funded in part by an \$11 million TIGER grant). With this \$25 million project, CapMetro made improvements up and down its 32-mile MetroRail line. The project included better signaling and adding new track to create passing points at several locations.

Westgate Transit Center (locally funded). This transit hub connects south Austin to the larger transit system and serves six routes. Located beneath the SH 71 overpass, the Westgate Transit Center offers free, shaded parking, plus space dedicated for bikes, car-share, and other ways for riders to connect to their bus.

Downtown rail station (partially funded through a Texas Department of Transportation grant). This project involved the redevelopment of the MetroRail Downtown Station at 4th and Trinity to a site on 4th Street between Red River and Neches. The station project included the development of all required rail- and station-related infrastructure, including a public pedestrian transit plaza within the 4th Street right-of-way and access to other modes of transportation and transit in the vicinity.

Additional MetroRapid stations (locally funded). This project added eight new station pairs and extended the length of the existing high-ridership 801 and 803 MetroRapid Lines. The purpose of the project was to infill at key locations to increase ridership on the line and provide better connectivity.

Bus stop accessibility improvements at existing bus stops (FTA funded in the initial bus stop accessibility program). The bus stop accessibility program was established to improve bus stops where accessibility barriers were identified. The program covers new bus stop improvements and additional sidewalk connectivity. The program, which is continuous, was funded by FTA in the early program years but is now locally funded.

Plaza Saltillo Development (original land purchase was FTA funded; joint development is not FTA funded). Plaza Saltillo is home to a MetroRail station and is adjacent to the Saltillo Development, a mixed-use community that includes approximately 800 apartments. The plaza has been refurbished, with new lighting, landscaping, and other renovations. CapMetro partnered in this joint development with the neighborhood, the city of Austin, and the private sector to assist in providing affordable housing in the area. In addition, the private sector development partner contributed financially and through construction to improvements that benefitted the Red Line and adjacent pedestrian facilities, including a major urban bikeway.

Eastside Bus Plaza (locally funded). This new transit center was developed by the Capitol Area Regional Transportation System (CARTS) in partnership with CapMetro. The transit hub connects four Austin-area CapMetro routes and nine CARTS routes and has indoor and outdoor passenger waiting areas as well as connectivity to CapMetro's MetroAccess service.

Norwood Transit Center (locally funded). The redevelopment and improvement of this transit center included increasing the number of bus bays to six, adding more shelters and seating, improving protection from the sun and rain, adding digital signage with real-time departure information, and installing a security camera.

Purchased 130 buses (FTA-funded in part).

Electric bus yard at the North Operations Facility (locally funded). This new bus yard is designed with charging stations for electric vehicles. The completed facility accommodates 214 buses, which amounts to more than half of CapMetro's current fleet. Its infrastructure supports charging capacity for 187 battery-electric buses.

Ongoing Projects

CapMetro is currently implementing the following noteworthy projects:

Electric fleet (FTA funded). CapMetro has committed to converting its entire fleet to zero-emission vehicles. As of the end of FY 2021, 12 battery-electric buses had been purchased.

McKalla Rail Station (locally funded). McKalla is a new rail station in north central Austin with two platforms to support daily commuter rail service and one special event platform to serve the adjacent Q2 Stadium, home to Austin FC, a Major League Soccer team. Station platforms and amenities will be completed through a design/build contract.

Broadmoor Rail Station (public/private partnership). Broadmoor is a new rail station in north central Austin located near The Domain, a major regional commercial, retail, and residential development. The station has two platforms with adjacent parking and pedestrian and bicycle

access with connections to bus transit. This station will be constructed by a developer and operated by CapMetro.

New MetroRapid Bus Rapid Transit Lines

- The Expo Center Line (FTA funded) is a 12-mile line connecting the underserved northeast area of Austin to downtown and multiple educational and medical services with a 10-minute frequency. The project includes 43 stations and 16 electric vehicles and has an anticipated in-service date of mid-2023. The line provides connections to the current Red Line commuter rail line at Downtown Station and future Orange and Blue light rail lines.
- The Pleasant Valley Line (FTA funded) is a 15-mile line connecting northeast and southeast Austin, two of the fastest-growing areas of the city. The line provides 10-minute service and connections to multiple other high-frequency routes and schools, shopping, and city services. The project includes 36 stations and 21 electric vehicles and has an anticipated in-service date of mid-2023.

Lakeline/Leander double track (locally funded). A second track is being added to a single-track section of the Red Line commuter rail system between the Lakeline and Leander rail stations to provide more train passing areas to improve system frequency and capacity.

CapMetro transit police facility (locally funded). This project involves securing an interim administrative and operational space for the new transit police force pending development of a permanent facility.

Future Projects

CapMetro plans to pursue the following noteworthy projects in the next three to five years:

Demand-response North Base Facility: New facility, located in north central (east) Austin, will serve as one of two demand-response operation facilities to provide accessibility to MetroAccess and “Pickup” rideshare services. The facility will feature operational and administrative space as well as maintenance and parking space for vehicles.

New MetroRapid Bus Rapid Transit (BRT) Lines

- The Menchaca/Oak Hill Line will connect to the existing 803 MetroRapid Line, connecting north and south Austin through downtown’s Republic Square, CapMetro’s largest transfer center. The BRT line will provide 10-minute service from the Westgate Transit Center to the growing residential and commercial areas of south and southwest Austin. The line will contain approximately 14 station pairs and 10 vehicles.
- The Gold Line connects downtown Republic Square and north central Austin through the University of Texas and Austin Community College’s main Highland campus. The project will interline with a section of the Expo Center MetroRapid Line. A future light rail line is planned on this route.

Park & Ride Projects

- The Expo Center Park & Ride will be located in the lower-income, underserved area of northeast Austin and will have 150 parking spaces and electric vehicle charging for the Expo Center BRT Line. It will be located by the Travis County Exposition Center and the large Colony Park neighborhood. The City of Austin is planning the development of Colony Park Phase 2 with schools, parks, and municipal health and activity centers.
- The Goodnight Ranch Park & Ride, which will be located in the rapidly growing, more affordable area of southeast Austin, will have 75 parking spaces and electric vehicle charging for the Pleasant Valley BRT Line.
- The McKinney Falls Park & Ride will be located on the Pleasant Valley BRT Line and will have 75 parking spaces and serve the large Easton Park and Onion Creek developments and future Pilot Knob planned development in southeast Austin.

IV. Results of the Review

1. Legal

Basic Requirement: 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.

Finding: During this Triennial Review of CapMetro, no deficiencies were found with the FTA requirements for Legal.

2. Financial Management and Capacity

Basic Requirement: The recipient must have financial policies and procedures; an organizational structure that defines, assigns and delegates fiduciary authority; and financial management systems in place to manage, match, and charge only allowable costs to the award. The recipient must conduct required Single Audits, as required by 2 CFR Part 200, and provide financial oversight of subrecipients.

Finding: During this Triennial Review of CapMetro, no deficiencies were found with the FTA requirements for Financial Management and Capacity.

3. Technical Capacity – Award Management

Basic Requirement: The recipient must report progress of projects in awards to the Federal Transit Administration (FTA) and close awards timely.

Finding: During this Triennial Review of CapMetro, no deficiencies were found with the FTA requirements for Technical Capacity – Award Management.

4. Technical Capacity – Program Management & Subrecipient Oversight

Basic Requirement: States must document and follow a public involvement process for the development of the long-range statewide transportation plan and State Transportation Improvement Program (STIP). Designated recipients of Sections 5310, 5311, and 5339 funds must develop and submit a State Management/ Program Management Plan to the FTA for approval. Recipients must enter into an agreement with each subrecipient, obtain required certifications from subrecipients, report in the Federal Funding Accountability and Transparency Act Subaward Reporting System (FSRS) on subawards, and ensure subrecipients comply with the terms of the award.

Finding: During this Triennial Review of CapMetro, no deficiencies were found with the FTA requirements for Technical Capacity – Program Management & Subrecipient Oversight.

5. Technical Capacity – Project Management

Basic Requirement: The recipient must be able to implement the Federal Transit Administration (FTA)-funded projects in accordance with the award application, the FTA Master Agreement, and applicable laws and regulations using sound management practices.

Finding: During this Triennial Review of CapMetro, no deficiencies were found with the FTA requirements for Technical Capacity – Project Management.

6. Transit Asset Management

Basic Requirement: Recipients must comply with 49 CFR Part 625 to ensure public transportation providers develop and implement transit asset management (TAM) plans.

Finding: During this Triennial Review of CapMetro, no deficiencies were found with the FTA requirements for Transit Asset Management.

7. Satisfactory Continuing Control

Basic Requirement: The recipient must ensure that Federal Transit Administration (FTA)-funded property will remain available to be used for its originally authorized purpose throughout its useful life until disposition.

Finding: During this Triennial Review of CapMetro, no deficiencies were found with the FTA requirements for Satisfactory Continuing Control.

8. Maintenance

Basic Requirement: Recipients must keep federally-funded vehicles, equipment, and facilities in good operating condition. Recipients must keep Americans with Disabilities Act (ADA) accessibility features on all vehicles, equipment, and facilities in good operating order.

Finding: During this Triennial Review of CapMetro, no deficiencies were found with the FTA requirements for Maintenance.

9. Procurement

Basic Requirement: The non-Federal entity must use its own documented procurement procedures which reflect applicable State, local, and tribal laws and regulations, and conform to applicable Federal law and the standards identified in 2 CFR Part 200. State recipients can use the state's overall policies and procedures. When applied to Federal procurements, those policies and procedures must still be compliant with all Federal requirements as applied to non-state recipients. The flexibility afforded by 2 CFR Part 200 should not be misconstrued as absolving a state from Federal requirements. For example, the FTA does not require each State DOT to have policies and procedures separate from the state education department.

Finding: During this Triennial Review of CapMetro, no deficiencies were found with the FTA requirements for Procurement.

10. Disadvantaged Business Enterprise (DBE)

Basic Requirement: Recipients must comply with 49 CFR Part 26 to ensure nondiscrimination in the award and administration of US Department of Transportation (US DOT)-assisted contracts. Recipients also must create a level playing field on which DBEs can compete fairly for US DOT-assisted contracts.

Finding: During this Triennial Review of CapMetro, no deficiencies were found with the US DOT requirements for DBE.

11. Title VI

Basic Requirement: The recipient must ensure that no person shall, on the grounds of race, color, or national origin, be excluded from participating in, or be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance without regard to whether specific projects or services are federally funded. The recipient must ensure that all transit services and related benefits are distributed in an equitable manner.

Finding: During this Triennial Review of CapMetro, no deficiencies were found with the FTA requirements for Title VI.

12. Americans with Disabilities Act (ADA) – General

Basic Requirement: Titles II and III of the Americans with Disabilities Act of 1990 provide that no entity shall discriminate against an individual with a disability in connection with the provision of transportation service. The law sets forth specific requirements for vehicle and facility accessibility and the provision of service, including complementary paratransit service.

Finding: During this Triennial Review of CapMetro, no deficiencies were found with the US DOT requirements for ADA – General.

13. ADA – Complementary Paratransit

Basic Requirement: Under 49 CFR 37.121(a), each public entity operating a fixed-route system shall provide paratransit or other special service to individuals with disabilities that is comparable to the level of service provided to individuals without disabilities who use the fixed-route system. “Comparability” is determined by 49 CFR 37.123-37.133. Requirements for complementary paratransit do not apply to commuter bus, commuter rail, or intercity rail systems.

Finding: During this Triennial Review of CapMetro, no deficiencies were found with the US DOT requirements for ADA – Complementary Paratransit.

14. Equal Employment Opportunity

Basic Requirement: The recipient must ensure that no person in the United States shall on the grounds of race, color, religion, national origin, sex, age or disability be excluded from participating in, or denied the benefits of, or be subject to discrimination in employment under any project, program or activity receiving Federal financial assistance under the Federal transit laws.

Finding: During this Triennial Review of CapMetro, no deficiencies were found with the FTA requirements for Equal Employment Opportunity.

15. School Bus

Basic Requirement: Recipients are prohibited from providing school bus service in competition with private school bus operators unless the service qualifies and is approved by the Federal Transit Administration (FTA) Administrator under an allowable exemption. Federally-funded equipment or facilities cannot be used to provide exclusive school bus service.

Finding: During this Triennial Review of CapMetro, no deficiencies were found with the FTA requirements for School Bus.

16. Charter Bus

Basic Requirement: Recipients are prohibited from using the FTA-funded equipment and facilities to provide charter service that unfairly competes with private charter operators. Recipient may operate charter only when the service meets a specified exception defined in rule.

Finding: During this Triennial Review of CapMetro, no deficiencies were found with the FTA requirements for Charter Bus.

17. Drug-Free Workplace Act

Basic Requirement: Recipients are required to maintain a drug-free workplace for all award-related employees; report any convictions occurring in the workplace timely; and have an ongoing drug-free awareness program.

Finding: During this Triennial Review of CapMetro, no deficiencies were found with the FTA requirements for Drug-Free Workplace Act.

18. Drug and Alcohol Program

Basic Requirement: Recipients receiving Section 5307, 5309, 5311, or 5339 funds that have safety-sensitive employees must have a drug and alcohol testing program in place for such employees.

Finding: During this Triennial Review of CapMetro, no deficiencies were found with the FTA requirements for Drug and Alcohol Program.

19. Section 5307 Program Requirements

Basic Requirement: The recipient must participate in the transportation planning process in accordance with Federal Transit Administration (FTA) requirements and the metropolitan and statewide planning regulations.

Recipients shall develop, publish, afford an opportunity for a public hearing on, and submit for approval, a program of projects (POP).

Recipients are expected to have a written, locally developed process for soliciting and considering public comment before raising a fare or carrying out a major transportation service reduction.

For fixed-route service supported with Section 5307 assistance, fares charged seniors, persons with disabilities or an individual presenting a Medicare card during off peak hours will not be more than one half the peak hour fares.

Finding: During this Triennial Review of CapMetro, no deficiencies were found with the FTA requirements for Section 5307 Program Requirements.

20. Section 5310 Program Requirements

Basic Requirement: Recipients must expend Section 5310 funds on eligible projects that meet the specific needs of seniors and individuals with disabilities. Projects selected for funding must be included in a locally developed, coordinated public transit-human services transportation plan. Recipients must approve all subrecipient leases of Section 5310-funded vehicles. Leases of Section 5310-funded vehicles must include required terms and conditions. Either the recipient or subrecipient must hold title to the leased vehicles.

Finding: During this Triennial Review of CapMetro, no deficiencies were found with the FTA requirements for Section 5310 Program Requirements.

21. Section 5311 Program Requirements

Basic Requirement: States must expend Section 5311 funds on eligible projects to support rural public transportation services and intercity bus transportation.

This section only applies to recipients that receive Section 5311 funds directly from FTA; therefore, the related requirements are not applicable to the review of CapMetro.

22. Public Transportation Agency Safety Plan (PTASP)

Basic Requirement: Recipients must comply with the Public Transportation Agency Safety Plan (PTASP) regulation (49 CFR Part 673) to ensure public transportation providers develop and implement an Agency Safety Plan (ASP).

Finding: During this Triennial Review of CapMetro, no deficiencies were found with the FTA requirements for Public Transportation Agency Safety Plan.

23. Cybersecurity

Basic Requirement: Recipients that operate rail fixed guideway public transportation systems must certify compliance with the requirements for establishing a cybersecurity process under 49 U.S.C. § 5323(v), a new subsection added by the National Defense Authorization Act for Fiscal Year 2020, Pub. L. 116-92, § 7613 (Dec. 20, 2019).

Finding: During this Triennial Review of CapMetro, no deficiencies were found with the FTA requirements for Cybersecurity.

V. Summary of Findings

Review Area	Finding	Deficiency Code(s)	Corrective Action(s)	Response Due Date(s)	Date Closed
1. Legal	ND				
2. Financial Management and Capacity	ND				
3. Technical Capacity – Award Management	ND				
4. Technical Capacity – Program Management and Subrecipient Oversight	ND				
5. Technical Capacity – Project Management	ND				
6. Transit Asset Management	ND				
7. Satisfactory Continuing Control	ND				
8. Maintenance	ND				
9. Procurement	ND				
10. Disadvantaged Business Enterprise	ND				
11. Title VI	ND				
12. Americans with Disabilities Act (ADA) – General	ND				
13. ADA – Complementary Paratransit	ND				
14. Equal Employment Opportunity	ND				
15. School Bus	ND				
16. Charter Bus	ND				
17. Drug-Free Workplace	ND				
18. Drug and Alcohol Program	ND				
19. Section 5307 Program Requirements	ND				

Review Area	Finding	Deficiency Code(s)	Corrective Action(s)	Response Due Date(s)	Date Closed
20. Section 5310 Program Requirements	ND				
21. Section 5311 Program Requirements	NA				
22. Public Transportation Agency Safety Plan	ND				
23. Cybersecurity	ND				

The metrics used to evaluate whether a recipient is meeting the requirements for each of the areas reviewed are as follows:
 Deficient (D)/Not Deficient (ND)/Not Applicable (NA).

Attendees

Name	Title	Phone Number	E-mail Address
<i>Capital Metropolitan Transportation Authority</i>			
Terry Follmer	Vice President of Internal Audit	512-505-5601	terry.follmer@capmetro.org
Kerri Butcher	Chief of Staff	512-369-6287	kerri.butcher@capmetro.org
Alex Lorio	Program Manager, Grants Management	512-369-6508	alex.lorio@capmetro.org
Melanie Capesius	Program Manager, Grants Management	512-369-6509	melanie.capesius@capmetro.org
Muhammad Abdullah	Senior Director & Chief Contracting Officer	512-369-6019	muhammad.abdullah@capmetro.org
Anita Deibert	Procurement Manager, Acquisitions and Contract Administration	512-369-7755	anita.deibert@capmetro.org
Gardner Tabon	EVP, Systemwide Accessibility & Chief Safety Officer	512-369-6026	gardner.tabon@capmetro.org
Rafael Villarreal	Director of Bus Transportation	512-389-7484	rafael.villarreal@capmetro.org
Cheyenne Krause	Deputy Chief of Staff	512-389-7455	cheyenne.krause@capmetro.org
Dottie Watkins	Deputy Chief Executive Officer	512-389-7439	dottie.watkins@capmetro.org
Andrew Skabowski	EVP, Chief Operating Officer	512-369-6045	andrew.skabowski@capmetro.org
Donna Simmons	Executive Vice President, Administration/DEI Officer	512-389-7520	donna.simmons@capmetro.org
Jacqueline Evans	Director, Diversity, Equity & Inclusion	512-389-7542	jacqueline.evans@capmetro.org
Chad Ballentine	Vice President, Demand Response & Innovative Mobility	512-609-1559	chad.ballentine@capmetro.org
Diponker Mukherjee	Program Manager, Compliance	512-369-6255	diponker.mukherjee@capmetro.org
Charlie Chen	Analyst IV, Application Systems	512-369-6543	charlie.chen@capmetro.org
Kenneth Cartwright	VP, Construction & Facilities	512-389-7552	kenneth.cartwright@capmetro.org
Vincent Sandoval	Director, Real Estate & Right-of-Way	512-369-6049	vincent.sandoval@capmetro.org

Ginney Worley	Real Estate Specialist	512-389-7554	ginney.worley@capmetro.org
Catherine Walker	EVP, Chief Financial & Risk Officer	512-389-7536	catherine.walker@capmetro.org
Kevin Conlan	Deputy CFO	512-369-6588	kevin.conlan@capmetro.org
Nadia Nahvi	Controller	512-748-2014	nadia.nahvi@capmetro.org
Christina Polermo	Financial Analyst	512-389-7507	christina.polermo@capmetro.org
Sarah Daigle	Internal Auditor III	512-389-7437	sarah.daigle@capmetro.org
Susan Mwangi	Manager, Transit Asset Management & Inventory	512-389- 7407	susan.mwangi@capmetro.org
Russel Baumbach	Director, Facilities Management	512-369-6295	russell.baumbach@capmetro.org
Vickie Leady	Chief Counsel	512-389-7519	vickie.leadycapmetro.org
Sara Sanford	Manager, Eligibility & Customer Services	512-389-7541	sara.sanford@capmetro.org
Suzie Edrington	Sr. Director, Demand Response Operations	512-389-7581	suzie.edrington@capmetro.org
Martin Kareithi	Director, Systemwide Accessibility	512-389-7583	martin.kareithi@capmetro.org
Kris Turner	Business Systems Analyst	512-609-1552	kris.turner@capmetro.org
Sharmila Mukherjee	EVP, Strategic Planning & Development	512-369-6036	sharmila.mukherjee@capmetro.org
Roberto Gonzalez	Director of Service Planning	512-369-6035	roberto.gonzalez@capmetro.org
Edna Parra	Community Engagement and Outreach Manager	512-228-9530	edna.parra@capmetro.org
Lawrence Deeter	Manager System Development and Short-Range Planning	512-369-6272	lawrence.deeter@capmetro.org
Brian Carter	EVP, Chief Experience & Engagement Officer	512-389-7428	brian.carter@capmetro.org
Tammy Quinn	Program Manager, Rideshare & Event Services	512-389-7430	tammy.quinn@capmetro.org
Sean Cagan	Director, Safety	512-369-7797	sean.cagan@capmetro.org
Cynthia Lucas	Marketing Director	512-369-6078	cynthia.lucas@capmetro.org
Samantha Alexander	Sr. Director, Public Affairs and Engagement	512-389-7435	samantha.alexander@capmetro.org
Jackie Nirenberg	Director, Community Engagement & Involvement	512-569-7142	jackie.nirenberg@atptx.org

Lonny Stern	Manager, Business & Community Partnership	512-389-7509	lonny.stern@atptx.org
Yannis Banks	ATP Public Involvement Manager, MetroRapid & Green Line	512-569-7142	yannis.banks@atptx.org
Melissa Ortiz	Manager, Programming & Sponsorships	512-369-6276	melissa.ortiz@capmetro.org
Michael Kram	Safety Manager, Bus & Paratransit	512-676-8516	michael.kram@capmetro.org
Adam Cadena	Manager, Wellbeing	Not available	adam.cadena@capmetro.org
Sherine Spence	Director, Benefits Compensation & HRIS	512-369-6032	sherine.spence@capmetro.org
Terry Thomas	Sr. Director/Chief, People & Culture	512-369-6024	terry.thomas@capmetro.org
Lacie Cowell	Data Analyst III	512-389-7530	lacie.cowell@capmetro.org
Danny Solano	Manager, Small Purchasing & Asset Disposal	512-389-7446	danny.solano@capmetro.org
Jeff Hiot	VP, Imagination ,Research & Industry Benchmarking	202-247-1331	jeff.hiot@capmetro.org
Shannon Gray	Manager, Real Estate & Right-of-Way	512-369-7735	shannon.gray@capmetro.org
Andrew Murphy	Director, Vehicle Maintenance	512-389-7566	andrew.murphy@capmetro.org
Fay Milligan	Program Manager, Risk Management	512-389-7538	fay.milligan@capmetro.org
Pete Solis	Manager, Facilities Operations	512-389-7461	pete.solis@capmetro.org
Robert Millsaps	Public Facilities Maintenance Technician	512-369-6567	robert.millsaps@capmetro.org
Israel Herevia	Program Manager, Public Safety Technology	512-369-6012	israel.herevia@capmetro.org
Brecke Hill	Superintendent, Facilities Maintenance	512-296-7460	brecke.hill@capmetro.org
Darryl Jamail	Sr. Director, Public Safety & Emergency Management	512-369-7717	darryl.jamail@capmetro.org
Troy Officer	Manager, Public Safety	512-369-6018	troy.officer@capmetro.org
Chester Soares	Director, Enterprise Application and Data Services	512-369-6003	chester.soares@capmetro.org

Lori Hyde	Program Manager IV, Network Cyber Security	512-369-6553	lori.hyde@capmetro.org
Steven Salinas	Director, Network Services	512-369-6544	steven.salinas@capmetro.org
<i>FTA, Region VI</i>			
Abel Ayala	Program Management Specialist	817-978-0560	abel.ayala@dot.gov
Marisa Appleton	Regional Civil Rights Officer	817-978-0567	marisa.appleton@dot.gov
Daniel Peschell	Transportation Program Specialist	817-978-0563	daniel.peschell@dot.gov
Chevonne Madison	Transportation Program Specialist	817-978-0501	chevonne.madison@dot.gov
<i>The DMP Group, LLC</i>			
Donald Lucas	Lead Reviewer	202-726-2630	donald.lucas@thedmpgroup.com
Gregory Campbell	Associate Reviewer	202-726-2630	gregory.campbell@thedmpgroup.com

VI. Appendices

No appendices were included in this report.