



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

Federal Transit Administration
Region VI

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New Mexico, Oklahoma,
Texas

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August 18, 2025

Mr. Jeffrey Travillion
Chair – Board of Directors
Capital Metropolitan Transportation Authority
2910 E 5th Street
Austin, TX 78702

Re: Fiscal Year FY 2025 Triennial Review – Final Report

Dear Mr. Travillion:

I am pleased to provide you with a copy of this Federal Transit Administration (FTA) final report which documents the results of FTA’s fiscal Year (FY) 2025 Triennial Review of the Capital Metropolitan Transportation Authority of Austin, Texas (CMTA). Although not an audit, the Triennial Review, as required by 49 U.S.C. Chapter 53, is the FTA’s assessment of the CMTA’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 program funding requirements.

Due to the Coronavirus 2019 (COVID-19) Public Health Emergency, the review was expanded to address CMTA’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, Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) of 2021, and the American Rescue Plan (ARP) Act of 2021.

The Triennial Review focused on the CMTA’s compliance in 23 areas. Deficiencies were found in three areas: Satisfactory Continuing Control, Disadvantaged Business Enterprise, and Americans with Disabilities Act (ADA) – Complementary Paratransit. The CMTA had no repeat deficiencies from the FY 2022 Triennial Review.

After the site visit, CMTA provided corrective action responses to address and close the deficiency noted in the Satisfactory Continuing Control and ADA – Complementary Paratransit areas of the report that follows.

To address any of the corrective actions, supporting documentation should be uploaded into the FTA’s Oversight Tracking System (OTrak).

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. Suleman Shoaib, Lead General Engineer, at (817) 978-0550 or by email at suleman.shoaib@dot.gov.

Sincerely,

GAIL CHRISTINE LYSSY
Digitally signed by GAIL CHRISTINE LYSSY
Date: 2025.08.18 13:45:06 -05'00'

Gail Lyssy
Regional Administrator

Enclosure:

cc: Ms. Dottie Wilkins, President & CEO, CMTA

FINAL REPORT

**FISCAL YEAR 2025
TRIENNIAL REVIEW**

Of

**Capital Metropolitan Transportation Authority
(CMTA)
Austin, Texas
Recipient ID# 5143**

Performed for:

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

Prepared By:

Interactive Elements Inc

**Desk Review Date: March 11, 2025
Scoping Meeting Date: March 11, 2025
Site Visit Entrance Conference Date: June 3, 2025
Virtual Exit Conference Date: June 12, 2025
Draft Report Date: July 15, 2025
Final Report Date: August 18, 2025**

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I. Executive Summary

This report documents the Federal Transit Administration’s (FTA) Triennial Review of the Capital Metropolitan Transportation Authority (CMTA) of Austin, TX. 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 Interactive Elements Inc. During the site visit, the reviewers discussed the administrative and statutory requirements and reviewed recipient documents.

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

1. Metric

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

- Not Deficient (ND): 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 (D): An area is considered deficient if any of the requirements within the area reviewed were not met.
- Not Applicable (NA): 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.

2. Summary of Findings

The Fiscal Year (FY) 2025 Triennial Review focused on CMTA’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.

There were no repeat deficiencies from the FY 2022 Triennial Review.

Deficiencies were found in the areas listed below.

Review Area	Finding	Deficiency Code(s)		Corrective Action(s)	Response Due Date(s)	Date Closed
		Code	Description			
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	D	SCC10-1	Excessive fixed-route bus spare ratio	CMTA must submit a plan for reducing the spare ratio to 20 percent for fleets of 50 or more buses. The plan should include a spreadsheet listing for each bus type, the number of buses, and, for each year until the spare ratio reaches 20 percent, the number of buses to be disposed of, the number of buses to be added, the projected peak requirement, and the projected spare ratio. The plan should include detailed justifications for years in which spare ratios exceed 20 percent. If the plan cannot be completed within 90 days, CMTA must report progress in quarterly/annual reports.	12/01/25	Closed with the issuance of the final report.
8. Maintenance	ND					
9. Procurement	ND					

Review Area	Finding	Deficiency Code(s)		Corrective Action(s)	Response Due Date(s)	Date Closed
		Code	Description			
10. Disadvantaged Business Enterprise	D	DBE11-1	Unreported transit vehicle purchases	CMTA must submit an implemented process to ensure that future awards of FTA funded transit vehicle purchases are reported timely to the FTA Office of Civil Rights. Additionally, CMTA must report any unreported awards to transit vehicle manufacturers to the FTA Office of Civil Rights and must revise any Semiannual Uniform Reports, as necessary.	12/01/25	
11. Title VI	ND					
12. Americans with Disabilities Act (ADA) – General	ND					
13. ADA – Complementary Paratransit	D	ADA-CPT5-4	Insufficient no-show suspension procedures	CMTA must submit an appeals process that offers the opportunity for the rider to appeal within 60 days.	12/01/25	Closed with the issuance of the final report.
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					
20. Section 5310 Program Requirements	ND					
21. Section 5311 Program Requirements	NA					

Review Area	Finding	Deficiency Code(s)		Corrective Action(s)	Response Due Date(s)	Date Closed
		Code	Description			
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:
Deficient (D)/Not Deficient (ND)/Not Applicable (NA)

II. Review Background and Process

1. Review 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...” The FTA performs this Triennial Review in accordance with its 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. The FTA contracts with experienced Reviewers to lead and conduct the Triennial Reviews, in partnership with the staff of the regional office.

This report presents the findings from the Triennial Review of the Capital Metropolitan Transportation Authority (CMTA) of Austin, TX. The review concentrated on procedures and practices employed since the recipient’s previous Triennial Review in 2022; however, coverage was extended to earlier periods as appropriate 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 regional office or CMTA’s location.

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. The FTA expanded this review to address CMTA’s compliance with the administrative relief and flexibilities that the FTA granted, and the requirements of the COVID-19 relief funds received through the CARES, CRRSAA, and ARP. The FTA also requested that CMTA share if and/or how it suspended, deviated from, or significantly updated or altered its transit program due to the public health emergency.

The FY 2025 process began with the regional office transmitting a notification of the review and a Recipient Information Request (RIR). While CMTA prepared its response to the RIR, the regional office and review team conducted a desk review and scoping meeting, respectively. Regional office staff provided electronic files as necessary to the reviewers who also accessed recipient information in the FTA electronic award management systems: Transit Award Management System (TrAMS) and Oversight Tracking System (OTrak). Following the desk review and scoping meeting, the reviewers and CMTA corresponded and exchanged information and documentation in preparation for the site visit. Prior to the site visit, the reviewer sent CMTA an agenda package indicating the issues that would be discussed, records to be reviewed, and interviews to be conducted.

The site visit began with an entrance conference, at which the reviewers and regional staff discussed the purpose of the Triennial Review and the review process. The reviewer conducted

additional interviews and reviewed documentation to evidence CMTA’s compliance with FTA requirements. A Section 5310 subrecipient, Austin Groups for the Elderly (AGE) of Central Texas of Austin, and an operations/management contractor, Herzog Transit Services, Inc. were reviewed to provide an overview of activities related to the FTA-funded project.

Upon completion of the site visit, the reviewers and the FTA regional office staff discussed preliminary findings with CMTA, subsequently presented and provided the findings formally at the exit conference, conducted virtually. The table below summarizes key review dates. Section V of this report lists the individuals participating in the site visit.

Process Date	Process
January 17, 2025	FTA transmittal of the Recipient Information Request (RIR)
February 28, 2025	Recipient Transmittal of RIR to Reviewers
March 11, 2025	FTA and Reviewers Scoping Meeting/Desk Review
May 19, 2025	Reviewer Transmittal of the Agenda Package
June 3, 2025	Site Visit: Entrance Conference
June 12, 2025	Site Visit: Virtual Exit Conference
July 15, 2025	FTA Transmittal of the Draft Report
August 18, 2025	Final Report to be sent to the Recipient within 45 business days from the Site Visit: Exit Conference date

III. Recipient Description

1. Organization

The Capital Metropolitan Transportation Authority (CMTA) 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, doing business as CapMetro. CMTA 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 Keolis Transportation NA and Capital Area Rural Transportation System (CARTS) for fixed-route service, MTM Incorporated and CARTS for demand response service, Enterprise EAN Holdings for vanpool service, and Herzog Transit Services for commuter rail. The population of CapMetro’s service area is approximately 1,359,992 persons.

CapMetro operates a network of 64 fixed bus routes and one commuter rail line route (MetroRail). Bus service is provided 24 hours a day on weekdays, Saturdays from 4:20 a.m. to 4:15 a.m. (next day), and Sundays from 5:30 a.m. to 12:15 a.m. (next day). Rail service is provided weekdays from 5:40 a.m. to 8:20 p.m., and Saturdays from 9:50 a.m. to 1:35 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 and reserve military personnel, and riders with disabilities during all hours. The one-way fare for ADA paratransit service is \$1.75.

CapMetro’s fixed-route operates a fleet of 249 FTA-funded and 199 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 302 vehicles. Metro Access operates a fleet of 201 vans for complementary paratransit service. CapMetro also operates a fleet of 10 diesel multiple units, all of which are locally funded.

CMTA operates from its administrative headquarters, located on East 5th Street, and maintains two bus garages (Pleasant Valley Road and McNeil Road), a rail operations facility (McNeil Road) and eleven rail stations, a demand-response facility (Thompson Lane) all in Austin, and eight transit centers throughout its service area. CMTA also has ten subrecipients to whom it passes through Section 5310 funding for the subrecipients to purchase vehicles and provide transit services such as operating assistance for transportation of its senior citizen and disabled clients, mobility management services, and travel training,

2. Award and Project Activity

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

Award Number	Award Amount	Year Executed	Description
TX-2017-015	\$1,077,655	2017	Austin Texas Enhanced Mobility for Seniors and Individuals with Disabilities (FY17 - 5310)
TX-2018-023	\$1,040,850	2018	Austin #5143 Texas Enhanced Mobility for Seniors and Individuals with Disabilities FY16 and FY17 funds (FY18 - 5310)
TX-2019-048	\$932,238	2019	Austin Texas Enhanced Mobility for Seniors and Individuals with Disabilities FY17 and FY18 funds (Section 5310)
TX-2020-006	\$71,280	2019	CMTA MetroRideShare Regional Vanpool Program- FY19 STP
TX-2020-060	\$740,592	2020	CMTA 5143 Enhanced Mobility for Seniors and Individuals with Disabilities FY19 funds (Section 5310)
TX-2021-093	\$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	\$201,253	2021	CMTA 5143 Enhanced Mobility for Seniors and Individuals with Disabilities - Lapsing FY19 funds (Section 5310) Mobility Mgmt
TX-2022-007	\$171,263	2022	Austin Texas FY21 Section 5310 CRRSAA - Enhanced Mobility for Seniors and Individuals with Disabilities - Operating Assistance and Program Administration
TX-2022-006	\$171,265	2022	Austin Texas FY21 Section 5310 ARP Act - Enhanced Mobility for Seniors and Individuals with Disabilities- Operating Assistance and Program Administration
TX-2023-001	\$30,855,528	2023	Austin CapMetro CIG Funding Expo Center Bus Rapid Transit
TX-2023-002	\$34,748,728	2023	Austin CapMetro CIG Funding Pleasant Valley Bus Rapid Transit
TX-2022-069	\$2,885,000	2022	Austin TX - Capital Metro Low-No FY2021 Electrifying Project Connect and Austin's Zero-Emission Transit Future
TX-2024-077	\$750,000	2024	FY2021 TOD Pilot -Capital Metropolitan Transportation Authority- LRT Orange Line / South Congress Light Rail Corridor TOD

Award Number	Award Amount	Year Executed	Description
TX-2024-030	\$20,000,000	2024	FY 2022 Competitive 5339(b) Bus and Bus Facilities Grant/ Cap Metro Austin Tx Springdale Demand Response Operations and Maintenance Facility Replacement and Expansion
TX-2023-084	\$780,100	2023	American Rescue Plan Capital Metro/FY 21 Route Restoration/ Training/ Staff Recruitment and Retention Plan for Service Restoration Post COVID-19
TX-2023-057	\$2,650,112	2023	Austin Texas Enhanced Mobility for Seniors and Individuals with Disabilities FY2022 and 2023 (Section 5310) Capital and Operating.
TX-2022-008	\$2,000,343	2023	Austin Texas Enhanced Mobility for Seniors and Individuals with Disabilities FY20 and FY21 Unobligated (Section 5310-C 100%) Capital Operating Program Admin.
TX-2024-050	\$900,000	2024	FY 2022 TOD Competitive TOD Award: Capturing Transit Value for Community Development: TOD Implementation with an Equity Lens
TX-2024-079	\$4,169,920	2024	CapMetro FY23 Austin TX Charging infrastructure for the Transition to a Zero-Emissions Public Transportation Fleet/ Community Project Funding/Congressionally Directed Spending
TX-2024-112	\$18,000,000	2024	Increasing Access to Opportunity: Double Tracking for Rail Optimization in East Austin - RAISE FY2023

CMTA received Supplemental Funds for operating assistance in award numbers TX-2022-006, TX-2022-007, and NM-2023-084. This is not the first Triennial Review CMTA has received operating assistance from the FTA.

Projects Completed

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

- Completed the McKalla Rail Station in north central Austin with two platforms to support daily commuter rail service and one special event platform to serve the adjacent Major League Soccer Stadium.
- Added a second track to a single-track section of the RedLine commuter rail system between the Lakeline and Leander rail stations to provide more train passing areas to improve system frequency and capacity (local funding).
- Opened the Capital Metro Transit Police Station an interim administrative and operational space for the new transit Police force pending development of a permanent facility.
- Electric bus yard at the 2910 E. 5th Street Operations Facility – bus charging infrastructure was added to the existing bus yard, completed in October 2024 (FY 2025) that includes 48 charging stations now in service.
- Downtown Transit Store – CMTA purchased and built out a facility to serve as the new agency transit store located on a major transit corridor on Guadalupe Street.

Ongoing Projects

CMTA has the following noteworthy ongoing projects underway at this time:

- MetroRapid Bus Rapid Transit (BRT) – the Expo Center Line (FTA funded), a 12-mile-long line connecting the underserved northeast area of Austin to downtown and multiple educational and medical services with a 10-minute frequencies, including 43 stations and 16 electric vehicles; and the Pleasant Valley Line (FTA funded), a 15-mile-long line connecting northeast and southeast Austin, with 10-minute service and connections to multiple other high frequency routes and schools, shopping and city services, with 36 stations and 21 electric vehicles. Interim service on both lines began in February 2025, while full service expected in June 2026.
- North Operations Facility – a new bus yard designed for electric vehicles with charging stations, including an overhead canopy with a solar array which supports overhead pantograph battery electric bus chargers and will support charging capacity for 222 battery electric buses.
- Park & Ride Projects – two projects, Expo Center Park & Ride, currently under construction, located in an underserved area of northeast Austin, will have 150 parking spaces and electric vehicle charging for the Expo BRT Line, and Goodnight Ranch Park & Ride located in southeast Austin, will have 75 parking spaces and electric vehicle charging for the Pleasant Valley BRT Line.

- New Administrative Facility – located at 3100 E. 5th Street, adjacent to the current administrative and operational facility at 2910 E. 5th Street, will support the agency’s administrative functions when completed.
- Paratransit Eligibility Center – CMTA is in the process of relocating the current Eligibility Center out of a leased facility and into an existing owned facility in central east Austin, adjacent to the agency campus at 2910 E. 5th Street.

Future Projects

CMTA plans to implement the following noteworthy projects over the next 3-5 years:

- Demand Response North Base Facility – one of two new facilities, this one located in north central (east) Austin to provide MetroAccess (accessibility) and “PickUp” rideshare services, featuring operational and administrative space as well as maintenance and parking space for vehicles.
- Demand Response South Base Facility – a new facility located in south central (east) Austin to serve as the second operations facility to provide MetroAccess and “PickUp” rideshare services, along with operational and administrative space as well as maintenance and parking space for vehicles.
- Saltillo Rail Station Redevelopment – a Red Line Commuter Rail station approximately one mile from the Downtown Station, to be redeveloped with double-tracking added in order to accommodate two trains at the same time.

IV. Results of the Review

1. Legal

Basic Requirement: The recipient must promptly notify the FTA of legal matters and additionally notify the USDOT 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: No deficiency.

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: No deficiency.

3. Technical Capacity – Award Management

Basic Requirement: The recipient must report progress of projects in awards to the FTA and close awards timely.

Finding: No deficiency.

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: No deficiency.

5. Technical Capacity – Project Management

Basic Requirement: The recipient must implement the FTA-funded projects in accordance with the award application, the FTA Master Agreement, and applicable laws and regulations using sound management practices.

Finding: No deficiency.

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: No deficiency.

7. Satisfactory Continuing Control

Basic Requirement: The recipient must ensure that FTA-funded property will remain available and used for its originally authorized purpose throughout its useful life until disposition.

Finding: One deficiency was found with the FTA requirements for Satisfactory Continuing Control.

Deficiency Description: *SCC10-1: Excessive fixed-route bus spare ratio*

In its Triennial Review Recipient Information Request (RIR) response, CMTA reported 448 total fixed-route revenue vehicles in its fleet, with 302 of those vehicles required for maximum service, which calculates to a 48 percent spare ratio. CMTA's fleet status report in TrAMS shows a spare ratio of 31 percent. CMTA has one Section 5307 award in Final Concurrence/Reservation status in TrAMS system (TX-2025-042-00) that includes the purchase of replacement buses. CMTA does acknowledge that its current fleet exceeds the spare ratio in the grant application, however, discussions with the recipient indicated CMTA has not submitted a spare ratio deviation request to FTA as required by FTA Circular 5010.1F Chapter IV, Section 3.n.(1).

Corrective Action(s) and Schedule: No later than December 1, 2025, CMTA must submit to the FTA Region 6 office via the OTrak system a plan for reducing the spare ratio to 20 percent for fleets of 50 or more buses. The plan should include a spreadsheet listing for each bus type, the number of buses, and, for each year until the spare ratio reaches 20 percent, the number of buses to be disposed of, the number of buses to be added, the projected peak requirement, and the projected spare ratio. The plan should include detailed justifications for years in which spare ratios exceed 20 percent. If the plan cannot be completed within 90 days, CMTA must report progress in quarterly/annual reports.

Subsequent to the site visit, CMTA submitted a written request to FTA for a temporary deviation from the spare ratio requirement, along with an updated fixed-route fleet plan demonstrating

CMTA's options for reducing the spares in the fixed route bus fleet, with a goal of nearing compliance by January 2027. FTA approved the CMTA waiver request in a letter dated July 25, 2025. This deficiency is closed with the issuance of this final report.

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: No deficiency.

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. With regard to the procurement standards in 2 CFR Part 200, state recipients can use the state's overall policies and procedures, except that the state must comply with 2 CFR 200.321 (contracting with small and minority businesses (superseded by DOT's DBE regulation)), 200.322 (domestic preferences), 200.323 (procurement of recovered materials), and 200.327 (contract provisions). States also must comply with any requirement applicable to FTA recipients by reason other than a 2 CFR Part 200 procurement standard; for example, 49 U.S.C. 5325(a) requires recipients to conduct all procurement transactions in a manner that provides full and open competition, regardless of Part 200's allowance for states to use state procedures.

Finding: No deficiency.

10. Disadvantaged Business Enterprise (DBE)

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

Finding: One deficiency was found with the FTA requirements for Disadvantaged Business Enterprise.

Deficiency Description: ***DBE11-1: Unreported transit vehicle purchases***

CMTA did not submit the required online Transit Vehicle Award Reporting Form for the 2022 purchase of 23-foot Turtle Top paratransit vehicles from ABC Texas Bus Sales. The form is located on FTA's Civil Rights DBE Webpage and is required to be submitted within 30 days of executing a contract to procure a transit vehicle per 49 CFR 26.49(a)(4). During the site visit meeting with CMTA's Section 5310 subrecipient AGE of Central Texas, it was noted that

CMTA also was not submitting the Transit Vehicle Award Reporting Form on behalf of its subrecipients when they purchase vehicles through the 5310 program.

Corrective Action(s) and Schedule: No later than December 1, 2025, CMTA must submit to the FTA Region 6 office via the OTrak system an implemented process to ensure that future awards of FTA funded transit vehicle purchases are reported timely to the FTA Office of Civil Rights. Additionally, CMTA must report any unreported awards to transit vehicle manufacturers to the FTA Office of Civil Rights and must revise any Semi-annual Uniform Reports, as necessary.

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: No deficiency.

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: No deficiency.

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: One deficiency was found with the FTA requirements for ADA - Complementary Paratransit.

Deficiency Description: ADA-CPT5-4: Insufficient no-show suspension procedures

The CMTA appeal process for its paratransit rider no-show suspensions in the *CapMetro Access Riders’ Guide* and on the CMTA website require the suspended rider to request an appeal with CMTA within 15 calendar days of receiving the no-show suspension letter. The appeals process

for no-show suspensions must follow the same procedures as ADA eligibility denials, and riders must be given 60 days in which to file an appeal per 49 CFR 37.125.

Corrective Action(s) and Schedule: No later than December 1, 2025, CMTA must submit to the FTA Region 6 office via the OTrak system an ADA no-show suspension appeals process that offers the opportunity for the rider to appeal within 60 days.

Subsequent to the site visit, CMTA provided the review team with an updated version of the *CapMetro Access Riders' Guide* that corrected the no-show appeals process to include a 60-day period for filing suspension appeals. The CMTA website was also updated to include the correct appeals time frame. After review by the FTA Office of Civil Rights, this deficiency is closed with the issuance of this final report.

14. Equal Employment Opportunity (EEO)

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: No deficiency.

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 FTA Administrator under an allowable exemption. Federally-funded equipment or facilities cannot be used to provide exclusive school bus service.

Finding: No deficiency.

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. Recipients may operate charter only when the service meets a specified exception defined in rule.

Finding: No deficiency.

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: No deficiency.

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: No deficiency.

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: No deficiency.

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 the title to the leased vehicles.

Finding: No deficiency.

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.

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

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). The PTASP Final Rule published in the Federal Register April 11, 2024 became effective May 13, 2024. FTA expects transit agencies to address the regulatory changes in the new PTASP Final Rule in their next Agency Safety Plan (ASP) annual update.

FTA requires applicable recipients to certify that they have established an ASP that meets the requirements of the PTASP regulation and 49 U.S.C. 5329(d) as part of the annual Certifications and Assurances for FTA grants and cooperative agreements. FTA notes that per 49 U.S.C. 5307(c)(1)(L), this certification is a required condition of receiving section 5307 funding (though noncompliance can impact access to Section 5307 funding as well as other grant funds where 5307 requirements apply). FTA monitors these certifications in its Transit Award Management System (TrAMS).

Finding: No deficiency.

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: No deficiency.

V. Attendees

Name	Title	Department	E-mail Address
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