

FINAL REPORT

FY2013 TRIENNIAL REVIEW

of the

**Corpus Christi Regional Transportation Authority
Corpus Christi, Texas
Recipient ID: 1535**

Performed for:

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

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Site Visit Dates: September 9-10, 2013

Final Report Date: September 2013

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I. Executive Summary

This report documents the Federal Transit Administration's (FTA) Triennial Review of the Corpus Christi Regional Transportation Authority (RTA). The review was performed by Spiro Colivas, Qi Tech LLC. During the site visit, administrative and statutory requirements were discussed and documents were reviewed. RTA's transit facilities were toured to provide an overview of activities related to FTA-funded projects.

The Triennial Review focused on the RTA's compliance in 18 areas. Deficiencies were found with the FTA's requirements in two areas. Deficiencies were found in Satisfactory Continuing Control and Procurement. Following the site visit, the RTA provided responses to the FTA prior to the Draft Report being issued that addressed the deficiencies. Both deficiencies will be marked as closed with issuance of the Final Report.

Review Area	Deficiency/Advisory Comment
4. Satisfactory Continuing Control	Excessive Fixed-Route Bus Spare Ratio
6. Procurement	Other Not able to determine if the City's construction contract was in compliance with FTA Circular 4220.1F

II. Review Background and Process

1. Background

The United States Code, Chapter 53 of Title 49, requires the Federal Transit Administration (FTA) of the United States Department of Transportation (USDOT) to perform reviews and evaluations of Urbanized Area Formula Grant activities at least every three years. This requirement is contained in 49 U.S.C. 5307(i). This review was performed in accordance with FTA procedures (published in FTA Order 9010.1B, April 5, 1993). At least once every three years, the Secretary shall review and evaluate completely the performance of a grantee in carrying out its program, specifically referring to compliance with statutory and administrative requirements

The Triennial Review includes a review of the grantee's compliance in 18 areas. The basic requirements and the results of the review for each of these areas are summarized in Section IV.

This report presents the findings from the Triennial Review of the Corpus Christi Regional Transportation Authority (RTA) in Corpus Christi, Texas. The review concentrated on procedures and practices employed during the past three years; however, coverage was extended to earlier periods as needed to assess the policies in place and the management of grants. Additionally, the review looked forward at planned upcoming federally funded projects to ensure the projects would be implemented in compliance with Federal requirements. The specific documents reviewed are referenced in this report and are available at FTA's Regional Office or at the RTA's office.

2. Process

The Triennial Review process includes a pre-review assessment, a review scoping meeting with the FTA Regional Office, and an on-site visit to the grantee's location. The review scoping meeting was conducted with the Region VI Office on August 30, 2013. Necessary files retained by the Regional Office were sent to the reviewer electronically. A review package was sent to the RTA advising it of the site visit and indicating information that would be needed and issues that would be discussed. The site visit to the RTA occurred on September 9-10, 2013.

The on-site portion of the review began with an entrance conference, in which the purpose of the Triennial Review and the review process were discussed. The remaining time was spent discussing administrative and statutory requirements and reviewing documents. A tour of the RTA's transit facilities was conducted to provide an overview of activities related to FTA-funded projects. A sample of maintenance records for FTA-funded vehicles was also examined during the site visit. Upon completion of the review, a "Summary of Preliminary Findings" was provided to the RTA at an exit conference. The individuals participating in the review are listed in Section VI of this report.

3. Metrics

The metrics used to evaluate whether a grantee is meeting the requirements for each of the areas reviewed are: *not deficient*, *deficient*, *advisory comment*, and *not applicable*.

- *Not Deficient*: An area is considered not deficient if, during the review, no findings were noted with the grantee's implementation of the requirements.
- *Deficient*: An area is considered deficient if all of the requirements within the area reviewed were not met.
- *Advisory Comment*: An advisory comment is only made in the area of safety and security.
- *Not Applicable*: An area can be deemed not applicable if, after an initial assessment, the grantee does not conduct activities for which the requirements of the respective area would be applicable.

III. Grantee Description

1. Organization

The Corpus Christi Regional Transportation Authority (RTA) was created in 1985 by majority vote of the residents and commenced operations on January 1, 1986. Located in Corpus Christi, TX on the coast of the Gulf of Mexico, the RTA is a regional provider of mass transportation services, primarily within Nueces County and also part of San Patricio County. Nueces County includes the cities of Agua Dulce, Bishop, Corpus Christi, Driscoll, Port Aransas, Robstown, and unincorporated areas. San Patricio County coverage includes the cities of Gregory and Old San Patricio. The total area is 838 square miles and has a population of 342,412 according to the 2010 Census. An 11-member Board of Directors (Board) governs the RTA. The City of Corpus Christi, Nueces County, and the Committee of Small City Mayors appoint members to the Board.

2. Services

The RTA (also known as the 'B') provides fixed-route service, commuter bus, van/car pool services, and seasonal ferry boat service. Additionally, the RTA offers paratransit bus service called *B-Line*, which is contracted with MV Transportation, Inc. Currently, the RTA contracts with two transit providers for additional fixed-route service: MV Transportation, Inc. and the City of Port Aransas.

RTA operates a network of 29 fixed routes 21 directly operated and 8 operated by contractors. Service is provided weekdays from approximately 5:00 a.m. to 10:00 p.m. Saturday service is operated from 5:30 a.m. to 9:30 p.m. and Sunday service from 8:00 a.m. to 8:00 p.m. RTA's complementary paratransit service provides curb-to-curb service during the same days and hours of service as the fixed routes.

The basic adult fare for fixed-route bus service is \$0.75. RTA offers two reduced fares to seniors, persons with disabilities, and Medicare cardholders. A reduced fare of \$0.25 is offered weekdays during peak hours 6:00-9:00 a.m., after 6:00 p.m., and on weekends. During the weekdays only before 6 a.m., between 9 a.m.-3 p.m., and after 6 p.m. the RTA offers an off-peak reduced fare of \$0.10. Commuter services have a fare of \$1.25. The fare for ADA paratransit service is \$1.25 within ¾-mile of a fixed route with a \$2.00 fare surcharge outside this area. The Harbor Ferry operates on a seasonal basis and the fare is \$3.00 (RTA also offers a reduced fare of \$1.50).

RTA operates a fleet of 75 buses for fixed-route service. The current peak requirement is for 58 vehicles. RTA also has a fleet of 34 paratransit service. RTA operates from a maintenance and administration facility on Bear Lane in Corpus Christi. Its paratransit facilities are located in an adjacent facility. Services are oriented around eight transit centers throughout the Corpus Christi area: Port/Ayers Station, Six Points Station, Staples Street Station, Flour Bluff Station, Gregory Park & Ride, Calallen Park & Ride, Southside Transfer Station, and Robstown Park & Ride.

3. Grant Activity

At the time of the site visit, the following ten grants were listed as active in TEAM-web. It was noted that the remaining funds in ARRA Grant Number TX-96-X019 were used for the purchase of equipment that has been received by the RTA and expected to be closed by September 30, 2013.

<u>Grant Number</u>	<u>Grant Amount</u>	<u>Year</u>	<u>Description</u>
TX-04-0098	\$500,000	8/27/2012	Earmark CCRTA Transit Transfer Center
TX-37-X038	\$1,711,299	8/11/2005	Job Access Reverse Commute Grant #4
TX-37-X058	\$411,870	5/30/2008	Mobility Management JARC Grant
TX-37-X097	\$256,960	8/08/2012	Job Access and Reverse Commute
TX-57-X007	\$431,663	7/10/2008	Purchase ADA Vehicles
TX-57-X040	\$68,595	7/18/2012	New Freedom Route Services
TX-90-X857	\$4,137,652	9/17/2009	Bus Stop Improvements/Equipment
TX-90-X931	\$4,611,767	7/08/2011	Bus and bus related projects with TDCs
TX-90-X978	\$9,702,650	8/13/2012	Vehicles, Equipment, with TDCs
TX-96-X019	\$6,326,792	7/10/2009	Buses(6), ADP H/W, Shelters

The following two grants were pending submission in TEAM-web.

<u>Grant Number</u>	<u>Description</u>
TX-04-0114	Veterans Transportation Living Initiative
TX-26-7108	Management Internship Program

During this review period, projects completed by the RTA include bus replacements, ADA bus stop improvements, and installation of new fareboxes and mobile radios. Noteworthy projects that are on-going include construction of the Robstown Station, continuation of ADA bus stop improvements along fixed routes, and planning for the purchase of replacement paratransit cut-away vehicles. Future projects include conducting a long-range planning review of the RTA's service area that focuses on providing increased transit service throughout the region.

IV. Results of the Review

1. Legal

Basic Requirement: The grantee must be eligible and authorized under state and local law to request, receive, and dispense FTA funds and to execute and administer FTA funded projects. The authority to take actions and responsibility on behalf of the grantee must be properly delegated and executed.

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

2. Financial Management and Financial Capacity

Basic Requirement: The grantee must demonstrate the ability to match and manage FTA grant funds, cover cost increases and operating deficits, financially maintain and operate FTA funded facilities and equipment, and conduct and respond to applicable audits.

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

3. Technical

Basic Requirement: The grantee must be able to implement FTA funded projects in accordance with the grant application, Master Agreement, and all applicable laws and regulations, using sound management practices.

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

4. Satisfactory Continuing Control

Basic Requirement: The grantee must maintain control over real property, facilities, and equipment and ensure that they are used in transit service.

Finding: During this Triennial Review of the RTA, deficiencies were found with the FTA requirements for Satisfactory Continuing Control. The RTA has an excessive fixed-route bus spare ratio of more than 20 percent of the peak fleet. Spare ratio is currently at 29.31% when using 75 fixed-route buses, with the RTA requiring 58 buses for peak pull-outs and 17 spares.

Corrective Action and Schedule: By December 10, 2013, the RTA must provide the FTA Regional Office with a fleet plan for reducing the spare ratio to 20 percent.

Subsequent to the site visit, the RTA submitted a written bus fleet plan to the FTA Regional Office that documented reducing its spare ratio to a goal of 20 percent. The deficiency is marked as closed with issuance of the Final Report.

5. Maintenance

Basic Requirement: Grantees and subrecipients must keep federally funded equipment and facilities in good operating order and maintain ADA accessibility features.

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

6. Procurement

Basic Requirement: FTA grantees use their own procurement procedures that reflect applicable state and local laws and regulations, provided that the process ensures competitive procurement and the procedures conform to applicable Federal law, including 49 CFR Part 18 (specifically Section 18.36) and FTA Circular 4220.1F, “Third Party Contracting Guidance.”

Finding: During this Triennial Review of the RTA, deficiencies were found with the FTA requirements for Procurement. During the site visit, it was not possible to determine if the City’s construction contract was in compliance with FTA Circular 4220.1F. When the City reconstructs a street that is also an RTA bus route, a portion of the sidewalk repairs and new bus stop pads was incorporated into the entire project. The RTA reimbursed the City after the work was completed.

Corrective Action and Schedule: By November 10, 2013, the RTA must provide the FTA Regional Office with the City’s RFP for street and sidewalk repairs that included new bus pads and ADA improvements at RTA bus stops in order to determine compliance with FTA Circular 4220.1F requirements.

Subsequent to the site visit, the RTA provided the RFP for the City’s street phase II, Project No. 6469. Review of the RFP found no compliance issues or concerns. The deficiency will be marked as closed with issuance of the Final Report.

7. Disadvantaged Business Enterprise (DBE)

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

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

8. Planning/ Program of Projects

Basic Requirement (Planning): The grantee must participate in the transportation planning process in accordance with FTA requirements, SAFETEA-LU, and the metropolitan and statewide planning regulations.

Basic Requirement (Human Services Transportation): Grantees must participate in a coordinated public transit-human services transportation planning process that identifies the transportation needs of individuals with disabilities, older adults, and people with low incomes; provides strategies for meeting those local needs; and prioritizes transportation services for funding and implementation.

Basic Requirement (Program of Projects (POP): Each recipient of a Section 5307 grant shall develop, publish, afford an opportunity for a public hearing on, and submit for approval, a POP.

Finding: During this Triennial Review of the RTA, no deficiencies were found with the FTA requirements for Planning/Program of Projects.

9. Title VI

Basic Requirement: The grantee 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. The grantee must ensure that federally supported transit services and related benefits are distributed in an equitable manner.

Note: The 2013 triennial review covers a three-year period in which the FTA issued a revised circular for Title VI that provided more information on how to comply and changed requirements for some grantees with populations over 200,000 persons. As of October 1, 2012, grantees must comply with the requirements of FTA C 4702.1B. The review will look at compliance with the requirement of FTA C 4702.1A for the period prior to October 1 and compliance with the revised circular for activities after this date.

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

10. Public Comment on Fare and Service Changes

Basic Requirement: Section 5307 grantees 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.

Finding: During this Triennial Review of the RTA, no deficiencies were found with the FTA requirements for Public Comment on Fare and Service Changes.

11. Half Fare

Basic Requirement: For fixed route service supported with Section 5307 assistance, fares charged elderly persons, 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 the RTA, no deficiencies were found with the FTA requirements for Half Fare.

12. Americans with Disabilities Act (ADA)

Basic Requirement: Titles II and III of the Americans with Disabilities Act of 1990 (ADA) 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 the RTA, no deficiencies were found with the FTA requirements for ADA.

13. Charter Bus

Basic Requirement: Grantees are prohibited from using federally funded equipment and facilities to provide charter service if a registered private charter operator expresses interest in providing the service. Grantees are allowed to operate community based charter services excepted under the regulations.

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

14. School Bus

Basic Requirement: Grantees are prohibited from providing exclusive school bus service 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. School tripper service that operates and looks like all other regular service is allowed.

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

15. National Transit Database (NTD)

Basic Requirement: Grantees that receive Section 5307 and 5311 grant funds must collect, record and report financial and non-financial data in accordance with the Uniform System of Accounts (USOA) and the National Transit Database (NTD) Reporting Manual as required by 49 USC 5335(a).

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

16. Safety and Security

Basic Requirement: Under the safety authority provisions of the federal transit laws, the Secretary has the authority to investigate the operations of the grantee for any conditions that appear to create a serious hazard. As recipients of Section 5307 funds, grantees must annually certify that they are spending at least one percent of such funds for transit security projects or that such expenditures for security projects are not necessary.

Finding: During this Triennial Review of the RTA, no deficiencies were found with the FTA requirements for Safety and Security.

17. Drug Free Workplace and Drug and Alcohol Program

Basic Requirement: All grantees are required to maintain a drug-free workplace for all employees and to have an ongoing drug-free awareness program. Grantees receiving Section 5307, 5309 or 5311 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 the RTA, no deficiencies were found with the FTA requirements for Drug Free Workplace and Drug and Alcohol Program.

18. Equal Employment Opportunities (EEO)

Basic Requirement: The grantee 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. (Note: EEOC's regulation only identifies/recognizes religion and not creed as one of the protected groups.)

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

V. Summary of Findings

Review Area	Finding	Deficiency	Corrective Action	Response Date	Date Closed
1. Legal	ND				
2. Financial	ND				
3. Technical	ND				
4. Satisfactory Continuing Control	D-08	Excessive fixed route bus spare ratio	The RTA must provide the FTA Regional Office with a fleet plan for reducing the spare ratio to 20 percent.	12/10/13	Closed with Final Report.
5. Maintenance	ND				
6. Procurement	D-99	Other	The RTA must provide the FTA Regional Office with the City's RFP for street and sidewalk repairs to determine compliance with FTA Circular 4220.1F requirements.	11/10/13	Closed with Final Report.
7. Disadvantaged Business Enterprise (DBE)	ND				
8. Planning/ Program of Projects	ND				
9. Title VI	ND				
10. Public Comment on Fare and Service Changes	ND				
11. Half Fare	ND				
12. Americans with Disabilities Act (ADA)	ND				
13. Charter Bus	ND				
14. School Bus	ND				
15. National Transit Database (NTD)	ND				
16. Safety and Security	ND				
17. Drug Free Workplace and Drug and Alcohol Program	ND				
18. Equal Employment Opportunities	ND				

VI. Attendees

Name	Title/Organization	Phone Number	E-mail Address
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