

FINAL REPORT

FY 2015 TRIENNIAL REVIEW

of the

**Fresno Area Express
[FAX]
Fresno, CA
Recipient ID: 1649**

Performed for:

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

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I. Executive Summary

This report documents the Federal Transit Administration’s (FTA) Triennial Review of the Fresno Area Express. The review was performed by Calyptus Consulting Group. During the site visit, administrative and statutory requirements were discussed and documents were reviewed. The Fresno Area Express’ transit facilities were toured to provide an overview of activities related to FTA-funded projects.

The Triennial Review focused on the Fresno Area Express’ compliance in 17 areas. Deficiencies were found in the areas listed below.

Review Area	Deficiencies	
	Code	Description
Technical Capacity	D. 38	Late MPRs/FFRs
	D. 98	Excessive delay in project implementation
	D. 150	No cost effectiveness documentation for capital lease
Maintenance	D. 117	Facility/ equipment maintenance program lacking or inadequate
ADA	D. 73	ADA complementary paratransit service deficiencies
Procurement	D. 271	Lacking required cost/price analysis
	D. 183	No verification that excluded parties are not participating
DBE	D. 264	DBE policy not updated
Satisfactory Continuing Control	D. 89	No evidence of physical inventory
	D. 161	Excessive fixed route bus spare ratio
Planning/Program of Projects	D. 55	Elements missing in POP public participation procedures
Public Comment	D. 27	Deficiencies in public comment process as defined
Drug Free Workplace and Drug and Alcohol Program	D. 173	Drug and/or alcohol program vendors not properly monitored
EEO	D. 225	EEO monitoring/reporting system deficiencies

As part of this year’s Triennial Review of the Fresno Area Express, FTA incorporated an Enhanced Review Module (ERM) in the Technical Capacity area. The purpose of an ERM is to conduct a more comprehensive review of underlying or contributing issues identified during the pre-assessment stage of the Triennial Review. Deficiencies resulting from the ERM are presented in the Technical Capacity section of the report that follows.

II. Review Background and Process

1. Background

The United States Code, Chapter 53 of Title 49, requires the 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(f)(2). 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 17 areas. The basic requirements for each of these areas are summarized in Section IV.

This report presents the findings from the Triennial Review of the Fresno Area Express. 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. The specific documents reviewed are referenced in this report and are available at FTA's regional office or at the grantee'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 9 Office on January 13, 2015. Necessary files retained by the regional office were sent to the reviewer electronically. A grantee information request and review package was sent to the Fresno Area Express advising it of the site visit and indicating information that would be needed and issues that would be discussed. The site visit to the Fresno Area Express occurred on April 28-29, 2015.

The onsite portion of the review began with an entrance conference, at 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 Fresno Area Express' transit facilities was conducted to provide an overview of activities related to FTA-funded projects. Reviewers visited the grantee's administrative and maintenance facilities. A sample of maintenance records for FTA-funded vehicles and equipment was also examined during the site visit. Upon completion of the review, a summary of preliminary findings was provided to the Fresno Area Express 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*: 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 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 grantee does not conduct activities for which the requirements of the respective area would be applicable.

III. Grantee Description

Organization

Fresno Area Express (FAX) provides transit in the City of Fresno. FAX is a division of the City of Fresno’s Transportation Department. The City operates fixed route bus service directly and contracts with Keolis Transit America to operate ADA paratransit service. The population of FAX’s service area is approximately 461,000 persons within ½ mile of a FAX route and a population of 664,000 in the Fresno County Metropolitan Area.

The City operates a network of 16 fixed routes. Service is provided weekdays from 5:45 a.m. to 10:00 p.m. Saturday and Sunday service is operated from 6:40 a.m. to 7:30 p.m. The grantee’s complementary paratransit service, known as Handy Ride, 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 65 years of age or older, persons with disabilities, and Medicare cardholders during all hours. The fare for ADA paratransit service riders and companions is \$1.50.

The City’s fixed-route bus fleet consist of 100 standard 40-foot transit coaches and 30-foot transit coaches, all FTA funded. The current peak requirement is for 81 vehicles. The City also has a fleet of 46 minibuses (43 with FTA interest), operated by its ADA paratransit service contractor.

The City operates from a single maintenance and administration facility located at 2223 G Street in Fresno. The City has a transit center located at 3590 N. Blackstone. Both are FTA funded. The paratransit facility is not FTA funded and is located at 4488 North Blackstone.

Services

Fresno Area Express’ National Transit Database Report for FY2013 provided the following financial and operating statistics for its fixed-route and paratransit service:

	Fixed-Route Service	Paratransit Service
Unlinked Passengers	12,442,248	203,999
Revenue Hours	328,312	92,660
Operating Expenses	\$40,237,044	\$6,087,823

Grant Activity

Below is a list of Fresno Area Express’ open grants at the time of the review.

Grant Number	Grant Amount	Year Executed	Description
CA-03-0693-00	\$495,157.00	2004	Bus Purchase
CA-03-0821-00	\$6,196,105.00	Not executed at time of review	2014 5309: BRT - Very Small Starts
CA-04-0213-00	\$2,199,600.00	2012	2011 SGR: Buy 3 60` CNG Artic. Buses
CA-04-0256-00	\$2,342,400.00	2014	2012 5309: Replacement Buses
CA-04-0280-00	\$2,445,300.00	2014	2012 Livability: Station Improvement
CA-04-0282-00	\$21,603,985.00	Not executed at time of review	2012-2014 5309: BRT - Very Small Starts

Grant Number	Grant Amount	Year Executed	Description
CA-34-0004	\$1,197,598.00	Not executed at time of review	2013 5339: TBD
CA-58-0007-00	\$1,896,600.00	2011	FY2010 Electric Circulator (5308)
CA-90-Y309-00	\$7,814,050.00	2005	Fiscal 2004 Capital and Planning Gr
CA-90-Y676-00	\$7,710,554.00	2008	Fiscal 2005 Capital Grant (CMAQ) & (STP)
CA-90-Y726-00	\$4,052,300.00	2009	Fiscal 2006-07 Capital Grant (CMAQ)
CA-90-Y794-00	\$7,267,600.00	2010	Fiscal 2010 Capital and Planning
CA-90-Y843-00	\$9,505,000.00	2011	Fiscal 2011 Capital and Planning
CA-90-Y947-00	\$9,332,600.00	2012	2012 5307: Capital and Planning
CA-90-Z026-01	\$2,130,238.00	2014	2013 5307: Capital and Planning
CA-90-Z157-00	\$9,404,000.00	2014	2014 5307: Capital and Planning
CA-90-Z236-00	\$5,360,226.00	Not executed at time of review	2015 5307: Capital and Planning
CA-95-X072-01	\$1,932,600.00	2012	Fiscal 2010 Capital Grant (CMAQ)
CA-95-X224-00	\$3,850,000.00	2013	2012 CMAQ: Buses; Fareboxes
CA-95-X247	\$3,050,000.00	Not executed at time of review	2012 CMAQ: BRT Operating Support

Completed Projects

Over the past three years, FAX placed into service 10 40-foot CNG buses and 3 30-foot CNG buses. Amenities and improvements to lighting were made at numerous bus stops within the city limits and several electric on-street signs were installed and provide accurate real time arrival/departure information. The fixed route fleet has been converted from 2-position to 3-position bike racks and bicycle lockers have been installed at various locations throughout Fresno.

Projects Underway

Currently, FAX is installing a new trip planning system and upgrading fareboxes. Both 30-foot and 40-foot CNG-powered buses are being procured. Bus improvements and upgrades continue. Braille signage is being added to key stops. A transit needs assessment is planned and an intermodal facility to align with Bus Rapid Transit (BRT) is in process.

Future Projects

Over the next five years FAX plants to continue with BRT implementation and establish transit signal prioritization. Forty -foot CNG bus procurements are planned for fixed route service and additional paratransit vehicles will also be procured.

IV. Results of the Review

1. Financial Management and Capacity

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

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

2. Technical Capacity

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.

Enhanced Review Module Conducted on Technical Capacity:

Areas Covered:

- Governance, Leadership, and Management
- Grant Management Practices
- Milestone Progress and Federal Financial Reports
- Project Management Practices
- Oversight of Subrecipients, Transit Management and Service Contractors, and Lessees

Process:

The review consisted of an analysis of documentation and reports, and extensive interviews with the Fresno Area Express Director, Administration Manager, Assistant Director, and Grants Analyst. The interviews were performed using the FTA Technical Capacity ERM described in the FY2015 Triennial Review Package. In this section, only those areas in which the Fresno Area Express was deficient are covered.

Results:

Reporting

Fresno Area Express has procedures in place for developing and submitting quarterly MPR and FFR reports. The same grants analyst is responsible for developing and validating the data in both reports each quarter. Project staff within the Administration, Planning, and Maintenance Divisions provide information to the grants analyst on project status. This information is then used to develop the required submittals. The Grants Analyst is responsible for submitting these reports in TEAM within 30 days from the end of each quarter. The 2014 third quarter reports were due on 7/30/2014 but were not submitted until 8/14/2014. In addition, the FY2014 single audit indicated a finding for late MPRs/FFRs.

One finding was made in this area as a result of these issues as noted in the findings section below.

Grant Management Practices

The Administration Division is responsible for overall grant management activities such as tracking grants, requesting drawdowns, ensuring compliance with FTA requirements, and developing quarterly MPRs and FFRs. The Planning and Maintenance divisions are responsible for project management and work with the Administration Division on compliance issues. The Planning and Maintenance divisions are in the process of taking on additional responsibility for compliance issues related to operational areas such as planning, Title VI compliance, inventory and maintenance, security, ADA compliance, and oversight of FTA funded contracts.

During the period of the Triennial Review, the Fresno Area Express had nine (9) open 5307 grants. Three (3) of these grants have had significant project delays. This has been due, in part, to a lack of project management staff and shifting organizational priorities. Both the intermodal facility project and BRT project have been delayed over five years. Three 5307 grants have been open at least five years. A new Transportation Director started in 2014 and identified project management as a key priority and two project management positions have since been added to the organization. Planned projects include vehicle replacement, transit signal prioritization, passenger amenities and facility improvements, and CAD/AVL system replacement. These projects are in addition to completing the intermodal facility and BRT projects.

One finding was made in this area as a result of these issues as noted in the findings section below.

Fresno Area Express currently leases the tires for its revenue rolling stock vehicles. The Administration Division is responsible for developing a cost effectiveness determination for the decision to lease rather than purchase these tires. The determination was conducted and is maintained on file at FAX; however, the determination was not submitted to FTA prior to entering into the lease agreement and FTA concurrence was not received.

One finding was made in this area as a result of these issues as noted in the findings section below.

During this Triennial Review of the Fresno Area Express, three (3) deficiencies were found with the FTA requirements for Technical Capacity.

Finding 38: The grantee's third quarter 2014 MPR/FFR submission was late for all open grants. The grantee's most recent single audit report from FY2014 noted late MPR/FFR reporting deficiencies (DEFICIENCY CODE 38: Late MPRs/FFRs).

Corrective Action and Schedule: The grantee must submit to the FTA regional office procedures for submitting MPR/FFR reports on time within in thirty (30) days from the date of the final report.

Finding 98: The grantee has several large on-going projects that have significant project delays. The grantee's BRT project has experienced delays in implementation since the last triennial

review. The grantee has not made drawdowns on several projects in over a year. The grantee does not have an adequate plan in place to ensure that its projects are delivered on schedule (DEFICIENCY CODE 98: Excessive delay in project implementation).

Corrective Action and Schedule: The grantee must submit to the FTA regional office project management procedures for existing and future projects to address deficiencies identified within sixty (60) days from the date of the final report. The grantee must also submit a grant closeout schedule for all open grants.

Finding 150: The grantee leases tires for both its fixed route and paratransit vehicles. The grantee completed the required cost-effectiveness determination but did not submit the determination to FTA for review prior to entering into the lease (DEFICIENCY CODE 150: No cost effectiveness documentation for capital lease).

Corrective Action and Schedule: The grantee must submit a cost-effectiveness comparison for its capital leases to the FTA regional office and obtain concurrence on capital leases within thirty (30) days from the date of the final report.

3. Maintenance

Basic Requirement: Grantees and subrecipients must keep federally funded vehicles, equipment and facilities in good operating condition. Grantees and subrecipients must keep ADA accessibility features on all vehicles, equipment and facilities in good operating order.

During this Triennial Review of the Fresno Area Express, one (1) deficiency was found with the FTA requirements for Maintenance.

Finding 117: The grantee does not have a facility and equipment maintenance program that addresses its current FTA funded assets. The grantee utilizes both internal and external resources to perform preventive maintenance for its facilities and equipment but does not have an overall program for these activities (DEFICIENCY CODE 117: Facility/equipment maintenance program lacking or inadequate).

Corrective Action and Schedule: The grantee must submit to the FTA regional office a new facility/equipment maintenance program within ninety (90) days from the date of the final report.

4. Americans with Disabilities Act

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.

During this Triennial Review of the Fresno Area Express, one (1) deficiency was found with the USDOT requirements for ADA.

Finding 73: The grantee does not utilize the correct definition for measuring and tracking excessively long ADA complimentary paratransit trips. The grantee measures excessively long trips using a ninety minute standard rather than tying the length of the ADA complimentary paratransit trip to the comparable trip time on its fixed route service (DEFICIENCY CODE 73: ADA complementary paratransit service deficiencies).

Corrective Action and Schedule: The grantee must submit documentation to the FTA RCRO that it has taken immediate steps to modify any operating policies that do not meet the regulatory requirements within thirty (30) days from the date of the final report.

5. 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 without regard to whether specific projects or services are federally funded. The grantee must ensure that federally supported transit services and related benefits are distributed in an equitable manner.

Note: The 2015 triennial review covers a three-year period in which the FTA issued a revised circular for Title VI, which provided more information on how to comply and changed requirements for some grantees with populations over 200,000. FTA Circular 4702.1B became effective October 1, 2012. Title VI programs submitted to FTA after this date must comply with the requirements of this circular. The triennial review will look at compliance with the requirement of FTA Circular 4702.1A for the period prior to October 1, 2012, and compliance with the revised circular for activities after this date.

During this Triennial Review of the Fresno Area Express, no deficiencies were found with the FTA requirements for Title VI.

6. Procurement

Basic Requirement: 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.”

During this Triennial Review of the Fresno Area Express, two (2) deficiencies were found with the FTA requirements for Procurement.

Finding 271: Cost/price analysis was not evident in each of the procurement files reviewed on site (DEFICIENCY CODE 271: Lacking required cost/price analysis).

Corrective Action and Schedule: The grantee must provide the FTA regional office documentation that it has updated its procurement process to include performing cost and price analysis for every procurement action including contract modifications within ninety (90) days

from the date of the final report. For its next procurement, the grantee must submit to the FTA regional office documentation that the required analysis was implemented.

Finding 183: The grantee did not have documentation that a search of the System of Award Management website (SAM.gov) was completed prior to award for the procurement files reviewed on site (DEFICIENCY CODE 183: No verification that excluded parties are not participating).

Corrective Action and Schedule: The grantee must submit to the FTA regional office procedures to search the System of Award Management website (SAM.gov) before entering into applicable transactions within ninety (90) days from the date of the final report. For its next procurement, submit to the FTA regional office that the required process was implemented.

7. Disadvantaged Business Enterprise

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.

During this Triennial Review of the Fresno Area Express, one (1) deficiency was found with the USDOT requirements for DBE.

Finding 264: The grantee has recently changed its DBELO designation and has not updated its DBE program to reflect the position in the new organization chart. The grantee has not updated its DBE program on file with FTA to reflect the new DBELO designation (DEFICIENCY CODE 264: DBE policy not updated).

Corrective Action and Schedule: The grantee must submit an update of its DBE program to the FTA RCRO for approval within thirty (30) days from the date of the final report.

8. 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. Grantees must comply with Restrictions on Lobbying requirements.

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

9. Satisfactory Continuing Control

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

During this Triennial Review of the Fresno Area Express, two (2) deficiencies were found with the FTA requirements for Satisfactory Continuing Control.

Finding 89: The grantee does not have adequate evidence that it conducted a biennial physical inventory of all FTA funded equipment since its last triennial review (DEFICIENCY CODE 89: No evidence of physical inventory).

Corrective Action and Schedule: The grantee must submit to the FTA regional office evidence that it has conducted a physical inventory and that the inventory results have been reconciled to equipment records and procedures for conducting a biennial physical inventory within ninety (90) days from the date of the final report.

Finding 161: The grantee operates 50 or more fixed route vehicles in peak service and its spare ratio is more than 20 percent of its peak fleet. The grantee's current spare ratio is 29 percent and the grantee does not have a detailed plan in place to reduce its spare ratio under the 20 percent requirement. This is a repeat finding from the 2012 triennial review (DEFICIENCY CODE 161: Excessive fixed route bus spare ratio).

Corrective Action and Schedule: The grantee must submit to the FTA regional office a plan for reducing the spare ratio to 20 percent within ninety (90) days from the date of the final report. 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 exceeded 20 percent. If the grantee submits a plan for reducing its spare ratio that cannot be completed within 90 days from the date of the final report, the grantee must report progress in its Milestone Progress Reports.

10. Planning/Program of Projects

Basic Requirement: The grantee must participate in the transportation planning process in accordance with FTA requirements, MAP-21, and the metropolitan and statewide planning regulations. Each recipient of a Section 5307 grant shall develop, publish, afford an opportunity for a public hearing on, and submit for approval, a program of projects (POP).

During this Triennial Review of the Fresno Area Express, one (1) deficiency was found with the FTA requirements for Planning/POP.

Finding 55: The MPO's public participation plan does not state that the MPO's public participation process is used to satisfy the grantee's public participation process for the POP (DEFICIENCY CODE 55: Elements missing in POP public participation procedures).

Corrective Action and Schedule: The grantee must work with the MPO to submit to the FTA regional office a revised public participation plan that includes the required statement within ninety (90) days from the date of the final report.

11. Public Comment on Fare Increases and Major Service Reductions

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.

During this Triennial Review of the Fresno Area Express, one (1) deficiency was found with the FTA requirements for Public Comment on Fare Increases and Major Service Reductions.

Finding 27: The grantee does not have a comprehensive written policy for soliciting and considering public comments prior to a fare increase or a major service reduction (DEFICIENCY CODE 27: Deficiencies in public comment process as defined).

Corrective Action and Schedule: The grantee must submit to the FTA regional office a written policy for soliciting and considering public comments prior to a fare increase or major service reduction that addresses fare increases, defines a major service reduction, describes how public comment will be solicited, and specifies how comments will be considered within ninety (90) days from the date of the final report.

12. 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 Fresno Area Express, no deficiencies were found with the FTA requirements for Half Fare.

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: The Fresno Area Express does not manage any services with Charter Bus requirements at this time; therefore, this area was found to be not applicable during this Triennial Review.

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: The Fresno Area Express does not manage any services with School Bus requirements at this time; therefore, this area was found to be not applicable during this Triennial Review.

15. Security

Basic Requirement: 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 systems are not necessary.

Finding: During this Triennial Review of the Fresno Area Express, no deficiencies were found with the FTA requirements for Security.

16. Drug Free Workplace and Drug and Alcohol Program

Basic Requirement: All grantees are required to maintain a drug-free workplace for all transit-related 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.

During this Triennial Review of the Fresno Area Express, one (1) deficiency was found with the FTA requirements for Drug-Free Workplace and Drug and Alcohol Program.

Finding 173: The grantee does not have documentation showing that it has monitored the testing practices and procedures of its drug and alcohol testing vendor (DEFICIENCY CODE 173: Drug and/or alcohol program vendors not properly monitored).

Corrective Action and Schedule: The grantee must submit to the FTA regional office procedures for monitoring its drug and alcohol testing vendor within sixty (60) days from the date of the final report.

17. Equal Employment Opportunity

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.)

During this Triennial Review of the Fresno Area Express, one (1) deficiency was found with the FTA requirements for Equal Employment Opportunity (EEO).

Finding 225: The grantee does not have any documentation of monitoring and reporting on EEO related information to the organization's management. The grantee does not regularly monitor

and report on identified areas of underutilization (DEFICIENCY CODE 225: EEO monitoring/reporting system deficiencies).

Corrective Action and Schedule: The grantee must develop and submit to the FTA RCRO a detailed monitoring and reporting system within ninety (90) days from the date of the final report.

V. Summary of Findings

Review Area	Finding	Deficiency	Corrective Action	Response Date	Date Closed
1. Financial Management and Capacity	ND				
2. Technical Capacity	D. 38	Late MPRs/FFRs	The grantee must submit to the FTA regional office procedures for submitting MPR/FFR reports on time.	8/5/15	
	D. 98	Excessive delay in project implementation	The grantee must submit to the FTA regional office project management procedures for existing and future projects to address deficiencies identified.	9/4/15	
	D. 150	No cost effectiveness documentation for capital lease	The grantee must submit a cost-effectiveness comparison for its capital leases to the FTA regional office and obtain concurrence on capital leases.	8/5/15	
3. Maintenance	D. 117	Facility/ equipment maintenance program lacking or inadequate	The grantee must submit to the FTA regional office a new facility/equipment maintenance program.	10/5/15	
4. ADA	D. 73	ADA complementary paratransit service deficiencies	The grantee must submit documentation to the FTA RCRO that it has taken immediate steps to modify any operating policies that do not meet the regulatory requirements.	8/5/15	
5. Title VI	ND				
6. Procurement	D. 271	Lacking required cost/price analysis	The grantee must provide the FTA regional office documentation that it has updated its procurement process to include performing cost and price analysis for every procurement action including contract modifications. For its next procurement, the grantee must submit to the FTA regional office documentation that the required analysis was implemented.	10/5/15	
	D. 183	No verification that excluded parties are not participating	The grantee must submit to the FTA regional office procedures to search the System of Award Management website (SAM.gov) before entering into applicable transactions. For its next procurement, submit to the FTA regional office that the required process was implemented.	10/5/15	
7. DBE	D. 264	DBE policy not updated	The grantee must submit an update of its DBE program to the FTA RCRO for approval.	8/5/15	
8. Legal	ND				

Review Area	Finding	Deficiency	Corrective Action	Response Date	Date Closed
9. Satisfactory Continuing Control	D. 89	No evidence of physical inventory	The grantee must submit to the FTA regional office evidence that it has conducted a physical inventory and that the inventory results have been reconciled to equipment records and procedures for conducting a biennial physical inventory.	10/5/15	
	D. 161	Excessive fixed route bus space ratio	The grantee must submit to the FTA regional office a plan for reducing the spare ratio to 20 percent. 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 grantee submits a plan for reducing its spare ratio that cannot be completed within 90 days, the grantee must report progress in its Milestone Progress Reports.	10/5/15	
10. Planning/ POP	D. 55	Elements missing in POP public participation procedures	The grantee must work with the MPO to submit to the FTA regional office a revised public participation plan that includes the required statement.	10/5/15	
11. Public Comment on Fare Increase and Major Service Reductions	D. 27	Deficiencies in public comment process as defined	The grantee must submit to the FTA regional office a written policy for soliciting and considering public comments prior to a fare increase or major service reduction that addresses fare increases, defines a major service reduction, describes how public comment will be solicited, and specifies how comments will be considered.	10/5/15	
12. Half Fare	ND				
13. Charter Bus	NA				
14. School Bus	NA				
15. Security	ND				
16. Drug-Free Workplace/ Drug and Alcohol Program	D. 173	Drug and/or alcohol program vendors not properly monitored	The grantee must submit to the FTA regional office procedures for monitoring its drug and alcohol testing vendor.	9/4/15	
17. EEO	D. 226	EEO monitoring/reporting system deficiencies	The grantee must develop and submit to the FTA RCRO a detailed monitoring and reporting system.	9/4/15	

VI. Attendees

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VII. Appendices

No appendices included in this report.