

FINAL REPORT

**FISCAL YEAR 2018
TRIENNIAL REVIEW**

of the

**City and County of Honolulu
(CCOH)**

**Honolulu, Hawaii
Recipient ID: 1703**

Performed for:

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

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CDI/DCI Joint Venture

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I. Executive Summary

This report documents the Federal Transit Administration’s (FTA) Triennial Review of the City and County of Honolulu, Hawaii (CCOH). The review was performed by CDI/DCI Joint Venture. During the site visit, administrative and statutory requirements were discussed and documents were reviewed. CCOH’s transit facilities were toured to provide an overview of activities related to FTA-funded projects.

The Triennial Review focused on CCOH’s compliance in 20 areas. Deficiencies were found in the areas listed in the table below.

As part of this year’s Triennial Review of CCOH, FTA incorporated Enhanced Review Modules (ERMs) in the Technical and Disadvantaged Business Enterprise (DBE) areas. 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 and DBE sections of this report.

Review Area	Deficiencies	
	Code	Description
2. Financial Management and Capacity	F1-1	Missing, insufficient, or out of date financial operating procedures
3. Technical Capacity – Award Management	TC-AM1-1	Late MPRs/FFRs
	TC-AM3-1*	MPRs lack required information
	TC-AM5-1*	Inactive award/untimely closeouts
6. Satisfactory Continuing Control	SCC1-3*	Lacking excess real property utilization inventory/plan out-of-date
7. Maintenance	M1-4	No system of periodic inspections and preventive maintenance identified in facility or equipment maintenance plan
8. Procurement	P1-2*	Procurement transaction procedures missing or incomplete
9. Disadvantaged Business Enterprise (DBE)	DBE5-1	DBE uniform reports contain inaccuracies and/or are missing required information
	DBE6-1	DBE goal achievement analysis and corrective action plan not completed
	DBE11-1	Unreported transit vehicle purchases
	DBE12-1	Insufficient documentation of monitoring DBE compliance of contractors and/or subrecipients
	DBE12-3	Insufficient documentation of written certifications of DBE monitoring
	DBE12-4	Recipient not ensuring prompt payment

Review Area	Deficiencies	
	Code	Description
10. Title VI	TVI2-1	Language Assistance Plan deficiencies
	TVI5-1	Title VI Public Participation Plan not implemented
	TVI6-1	Subrecipient Title VI plans not reviewed
	TVI6-2*	Insufficient oversight of subrecipients Title VI programs
11. Americans With Disabilities Act (ADA) - General	ADA12-1	Insufficient oversight of contracted service for ADA requirements
12. Americans With Disabilities Act (ADA) – Complementary Paratransit	CPT5-1*	Insufficient oversight of contracted ADA complementary paratransit
13. Equal Employment Opportunity (EEO)	EEO5-1	Insufficient oversight of subrecipient and or contractor EEO Program

* Denotes repeat deficiency

II. Review Process and Background

1. Background

The United States Code, Chapter 53 of Title 49 [49 U.S.C. 5307(f) (2)] requires that “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 recipient’s compliance in 20 areas. The basic requirements for each of these areas are summarized in Section IV.

This report presents the findings from the Triennial Review of CCOH. 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 and referenced in this report are available at FTA’s regional office or the recipient’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 recipient’s location. A Recipient Information Request (RIR) package was sent to CCOH advising it of the review and site visit and containing a list of items and questions that the recipient was required to submit to the reviewer. The review scoping meeting was conducted with the Region IX Office on February 21, 2018. Additional files retained by the regional office were sent to the reviewer electronically. A Site Visit Agenda package was sent to CCOH advising it of the site visit date and indicating information that would be needed and issues that would be discussed. The site visit to CCOH occurred on August 7 to August 10, 2018.

The on site 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. The reviewers visited CCOH’s transit/maintenance facility to provide an overview of activities related to FTA-funded projects.

The reviewers examined a sample of maintenance records for FTA-funded vehicles and equipment. Upon completion of the review, FTA and the reviewers provided a summary of preliminary findings to CCOH at an exit conference. Section VI of this report lists the individuals participating in the review.

3. Metrics

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

- *Not Deficient*: An area is considered not deficient if, during the review, 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. Recipient Description

1. Organization and Services

CCOH consists of the Executive Branch, Legislative Branch, and semi-autonomous agencies. The Executive Branch consists of the Mayor’s Office, which oversees the Managing Director’s Office, the Culture and the Arts Office, the Economic Development Office, the Neighborhood Commission Office, the Office of Housing, and the Royal Hawaiian Band. There are 19 other departments under this branch including the Department of Transportation Services (DTS). There are four offices within the Legislative Branch including City Council, the City Clerk’s Office, the Office of Council Services, and the Office of the Auditor.

DTS: DTS consists of four divisions: Public Transit, Traffic Engineering, Transportation Planning, and Traffic Signals and Technology. Public Transit is responsible for operating the public transit program, which includes TheBus and TheHandi-Van. Traffic Engineering is responsible for the operation of streets and intersections. They investigate traffic safety issues, conduct maintenance investigations, provide administration for traffic related projects, and conduct traffic safety campaigns. Transportation Planning is responsible for planning related to citywide transportation and coordination of Federal grants activities and Federal compliance. They conduct traffic surveys, respond to data queries, and review environmental assessments. Traffic Signals and Technology is responsible for CCOH’s traffic signal systems, the Traffic Management Center, Street Use Permits, and the traffic camera system.

HART: The Honolulu Authority for Rapid Transportation (HART) is a semi-autonomous government unit of the City and County of Honolulu (CCOH), which came into being on July 1, 2011 pursuant to a 2010 amendment to the Revised Charter (RCH) of the City and County of Honolulu. HART is governed by a 14-member Board composed of the Director of the State Department of Transportation, the Director of the City Department of Transportation Services, and six volunteers from the community: three appointed by the Mayor and three by the City Council. The service length of these appointed Board positions is five years for one term. The term limit for these positions is two full consecutive terms or ten years, whichever is greater. Per Senate Bill 1, approved in September 2017, the President of the State Senate and the Speaker of the House of Representatives each appoints two non-voting, ex-officio members to the Board, of which the length of service terms are determined by the presiding officer who appointed them. The Director of CCOH Department of Planning and Permitting also serves as a non-voting member. The voting members appoint the 14th member to the Board. HART is authorized under the RCH to “develop, operate, maintain and expand the city fixed guideway system...” On November 2, 2016, the City and County of Honolulu voters approved Charter Amendment 4 to the Revised Charter 1973 (2000 edition) to place rail operation and maintenance responsibilities with the DTS. This change became effective on July 1, 2017. HART and DTS currently coordinate the integration, transfer, and establishment of an efficient operations and maintenance structure for the evolving rail project.

HART is currently working on creating an \$8.165 billion dollar elevated rapid transit line that will run 20 miles from Kapolei, near the University of Hawaii’s West Oahu campus, to Ala Moana Center. The line will travel along southern Oahu via the Honolulu International Airport and the downtown area of the City. The project will also include the construction of 21 commuter stations

including Aloha Stadium, the Daniel K. Inouye International Airport, and Pearl Harbor. The project includes the purchase of 80 rail cars for 20 four-car trains and the HART Maintenance and Storage Facility/Rail Operations Center located at 96-004 Ala Ike Street in Pearl City. The initial passenger revenue service date between Kapolei and Aloha Stadium is scheduled for December 2020.

In the 1970s CCOH established by ordinance an instrumentality of CCOH, Oahu Transit Services, Inc. (OTS). OTS is the employer of record for all operating and maintenance personnel. CCOH also contracts for two positions (President and Vice President) for management of OTS. Paratransit Inc. provides ADA complementary paratransit eligibility determination service under contract to the City. The DTS is responsible for setting up transit policies. OTS manages, operates, and maintains CCOH's bus and paratransit systems and is directly responsible and accountable to DTS to carry out the policies.

CCOH operates a fixed-route bus network of 100 routes. One bus route (40) operates service 24 hours per day 365 days per year. The remainder of bus service is provided on weekdays and weekends from approximately 3:30 a.m. to 1:30 a.m. Complementary paratransit service is available during the same days and hours of operation as fixed route service.

The basic adult fare for bus service is \$2.75. A reduced fare of \$1.00 is offered to seniors, persons with disabilities, and Medicare cardholders. Students are charged \$1.25. The City also has various pass programs.

TheBus operates a fleet of 519 buses for fixed-route service. CCOH also owns a fleet of 180 small vehicles operated by OTS in TheHandi-Van service. All of these vehicles were purchased with FTA funds.

The primary operations and maintenance facility is the Kalihi-Palama Bus Facility located in Honolulu. A second fixed-route bus operating facility is in Pearl City. TheHandi-Van operations facility is located next to the Kalihi-Palama Bus Facility. These facilities were built with FTA assistance.

CCOH also has eight transit centers. Two of these were constructed with FTA funds. It also has four locally funded major park and ride lots. CCOH's administrative offices are located at 650 South King Street, Honolulu, Hawaii.

2. Award and Project Activity

Below is a list of CCOH's open grants at the time of the review.

Grant Number	Grant Amount	Year Executed	Description
HI-57-X007-00	\$ 467,499	2012	New Freedom Service and Coordination
HI-37-X009-00	\$382,402	2014	JARC Service and Coordination
HI-90-X034-00	\$23,123,112	2014	Bus Preventive Maintenance (PM) & JARC
HI-54-0001-00	\$2,157,322	2015	6 Replacement 30-ft Buses and Van
HI-03-0047-04	\$806,267,358	2014	Honolulu Rail Transit Project Full Funding Grant Agreement
HI-05-0207-00	\$1,949,267	2014	Bus Acquisition
HI-16-X002-00	\$324,650	2015	Public Transit Human Services Section 5310
HI-34-0003-00	\$6,606,800	2015	State of Good Repair FY13&14 Replacement Buses & Vans
HI-90-X035-00	\$14,466,900	2015	Bus Acquisition
HI-90-X036-00	\$25,326,074	2015	Bus Preventive Maintenance (PM) & JARC
HI-2017-002-00	\$1,060,155	2017	Replacements of 9 <30 foot buses and part of one <30-foot bus
HI-2017-001-00	\$3,073,492	2017	Bus Acquisition: 6 replacement 40 foot buses and 2 < 30-foot replacement buses and part of 2 < 30-foot replacement buses
HI-2016-001-00	\$27,038,618	2017	Bus PM, Bus Stop ADA Access and Site Improvements, Transit Safety and Security Projects, Agency Provided Trips and Local Shuttle Service, and Bus Acquisition: 15 of 27 <30 Foot Buses and 6 40-Foot Buses, Bus Inspection; and Capital Training
HI-2016-003-00	\$632,705	2016	Section 5310 Agency Provided Trips and Mobility Management
HI-2017-007-00	\$618,002	2017	Section 5310 Bus and The Handi-Van Acquisition Program for City and County of Honolulu 2017-2018 Capital Improvement Plan
HI-2018-001-00	\$21,000,000	2018	Bus Preventive Maintenance

Projects Completed

In the past few years, CCOH has completed the following noteworthy projects:

FTA-funded

- Bus Stop ADA Access Improvements: Improved 54 bus stop sites and bus stop shelters to comply with the American with Disabilities Act (ADA) requirements.
- Bus Stop Site Improvements: Improved 34 bus stop sites and bus stop shelters.
- Pedestrian Transit Connections: New concrete sidewalks, concrete wheelchair ramps, curbs and gutters at 18 bus stop locations.
- Solar Lights: Six new LED solar powered lights installed in the Kalihi-Palama Bus Facility parking area.
- Solar Lights: Installed a new solar powered spotlight at a marked driveway crosswalk at the Middle Street Intermodal Center.
- Bike shelter: Installed at Middle Street Intermodal Center.
- Concrete bus pad constructed

Locally-funded

- Purchased ten New Flyer 60 ft. Diesel Buses
- Purchased ten additional New Flyer 60 ft. Diesel Buses (Purchase Option)
- Purchased eight additional Gillig 40 ft. Hybrid Electric Buses (Purchase Option)
- Purchased 16 MV-1 Minivans
- Purchased 27 Handi-Vans
- Purchased eight Gillig 40 ft. Diesel Buses

Ongoing Projects

CCOH is currently in the process of implementing the following noteworthy projects:

FTA-funded:

- Furnish and Install Security Camera Systems at Wahiawa and Kalihi Transit Centers: Install 15 security cameras at Wahiawa Transit Center and 14 security cameras at Kalihi Transit Center.
- Pedestrian Transit Connection: Modify or construct 7 bus stop site locations to create ADA-compliant pedestrian transit connections (i.e., sidewalk, gutter, and curb ramp); and construct one new Type "A" bus shelter.
- Bus Stop Site Improvements: Modify or replace 20 existing bus stop shelters and bus stop sites to make them ADA-compliant; install a bike shelter in a Park & Ride facility; and construct a concrete bus pad at a bus stop site.

Locally-funded

- Purchase nine New Flyer 60 ft. Diesel Buses

Future Projects

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

FTA-funded

- Electrification of Transportation Program: Purchase electric buses and construct charging station infrastructure at the Kalihi-Palama Bus Facility.
- Kalihi-Palama Bus Facility Improvements: Repave parking lot and repair/replace Building C roof at the Kalihi-Palama Bus Facility.

IV. Results of the Review

1. Legal

Basic Requirement: The recipient must promptly notify the Federal Transit Administration (FTA) of legal matters and additionally notify the U.S. Department of Transportation (US DOT) Office of Inspector General (OIG) of any instances relating to false claims under the False Claims Act or fraud. Recipients must comply with restrictions on lobbying requirements.

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

2. Financial Management and Capacity

Basic Requirement: The recipient must have financial policies and procedures; an organizational structure that defines, assigns and delegates authority; and financial management systems in place to match, manage, and charge only allowable cost to the award. The recipient must conduct required single audits and provide financial oversight of subrecipients.

Finding: During this Triennial Review of CCOH, deficiencies were found with the FTA requirements for Financial Management and Capacity.

Missing, insufficient, or out of date financial operating procedures (F1-1)

Recipients should have detailed policies and procedures for managing FTA funds; outlining the grantee's internal control practices to prevent waste, loss, and misuse of federal funds; levels of authority; the accounting software being used; required financial reporting; financial oversight of subrecipients; etc.

CCOH does not have any written financial policies and procedures, including written procedures for determining the allowability of costs. For ensuring funds are distributed in a timely manner, DTS' procedures are acceptable. However, HART's procedures are incomplete.

Corrective Actions and Schedule: For the deficiency, "***Missing insufficient, or out of date financial operating procedures***" (F1-1), by January 14, 2019, CCOH must develop and submit to the FTA regional office financial operating procedures for managing FTA award funds in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. This must include procedures for determining allowability of cost and timely distribution of funds and reflect recommendations from audit findings or significant changes in the organization. CCOH must submit documentation that it has trained appropriate staff on the new policies and procedures.

3. Technical Capacity – Award Management

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

Finding: During this Triennial Review of CCOH, deficiencies were found with the FTA requirements for Technical Capacity - Award Management.

Late MPRs/FFRs (TC-AM1-1)

Recipients must report progress to FTA via submittal of complete, accurate, and timely Milestone Progress Reports (MPRs) and Federal Financial Reports (FFRs) at the required intervals.

MPRs were submitted late for the following awards: HI-37-X009-00, HI-90-X034-00, HI-54-0001-00, HI-03-0047-04, HI-05-0207-00, HI-16-X002-00, HI-34-0003-00, HI-90-X035-00, HI-90-X036-00, HI-2017-002-00, HI-2017-001-00, HI-2016-001-00, HI-2016-003-00, HI-2017-007-00, and HI-2018-001-00.

MPRs lack required information (TC-AM3-1)*

Recipients are required to submit MPRs that are as complete as possible, highlighting progress toward project objectives and any potential problem areas.

The review of CCOH's MPRs found the reports did not provide the status of each milestone or an explanation why scheduled milestones or completion dates were not met. In addition, the MPRs did not identify problem areas and did not provide a narrative on how the problems will be resolved. Finally, there were no discussions of the expected impacts and the efforts to recover from delays. This lack of information also applied to awards HI-03-0047-04, HI-16-X-002-00, HI-54-0001-00, and HI-34-0003-00. This is a repeat deficiency from the last review.

Inactive award/untimely closeouts (TC-AM5-1)*

The recipient must expend awards timely and close out projects and awards when project activity is completed.

A review of TrAMS indicated that CCOH's awards HI-57-X007, HI-54-0001, HI-050207, HI-34-0003, and HI-90-X035 are inactive since there has been no activity (draws) for more than year and should be closed. This is a repeat deficiency from the last review.

Corrective Actions and Schedule: By January 14, 2019, CCOH must submit to FTA regional office the following:

For the deficiency "***Late MPRs/FFRs***" (TC-AM1-1), the delinquent reports for the most recent reporting period and submit to the FTA regional office procedures for submitting future reports on time. CCOH must email the FTA regional office when the delinquent reports and the next two quarterly reports are submitted or the next annual report is submitted in TrAMS.

For the deficiency "***MPRs lack required information***" (TC-AM3-1), procedures for ensuring the required information is included in future reports at the required interval.

For the deficiency "***Inactive award/untimely closeouts***" (TC-AM5-1), an award closeout plan and more effective procedures for award management (spending older funds first, tracking project progress, identifying project balances, reprogramming unused project funds to other projects, reassigning older projects to newer awards, or closing out projects) to enable it to close awards

more timely. CCOH must work with the FTA regional office to revise award budgets with the existing award schedule to assure funds can be spent and drawn down in active awards.

4. Technical Capacity – Program Management and Subrecipient Oversight

Basic Requirement: The recipient must follow the public involvement process for transportation plans; develop and submit a State Management Plan to the FTA for approval; report in the Federal Funding Accountability and Transparency Act Subaward Reporting System (FSRS) on subawards; and ensure subrecipients comply with the terms of the award.

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

5. Technical Capacity – Project Management

Basic Requirement: The recipient must be able to implement FTA-funded projects in accordance with the award application, FTA Master Agreement, and all applicable laws and regulations, using sound management practices; and prepare force account plans.

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

6. Satisfactory Continuing Control

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

Finding: During this Triennial Review of CCOH, deficiencies were found with the FTA requirements for Satisfactory Continuing Control.

Lacking excess real property utilization inventory/plan out-of-date (SCCI-3)*

All FTA-funded real property is expected to be used for the originally authorized purpose as long as needed for that purpose. During that time, the recipient must not dispose of or encumber its title or other interests in the real property. Recipients are required to notify FTA when property is removed from the service originally intended at award approval or if property is put to additional or substitute uses.

CCOH has a FTA-funded property, the Halawa Bus Maintenance facility which is not being used for its intended purpose. Currently, non-revenue vehicles are stored on the property and no maintenance activities are occurring. Although CCOH has had discussions with FTA about the property, it has not prepared a written excess property inventory and utilization plan. This is a repeat deficiency from the last review.

Corrective Actions and Schedule: For the deficiency, ***“Lacking excess real property utilization inventory/plan out-of-date” (SCCI-3)***, by January 14, 2019, CCOH must submit to FTA regional

office a written excess real property utilization plan for the Halawa Bus Maintenance facility that includes all required elements.

7. Maintenance

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

Finding: During this Triennial Review of CCOH, deficiencies were found with the FTA requirements for Maintenance.

No system of periodic inspections and preventive maintenance identified in facility or equipment maintenance plan (M1-4)*

Recipients that control FTA-funded assets must have maintenance plans for those assets. The proper maintenance of facilities, machinery, and equipment is key to protecting the FTA investment and prolonging the useful life of the asset. Recipients are required to have a current written maintenance program for all FTA-funded facilities and facility-related equipment.

Currently, OTS has a Facility Maintenance Plan which covers all of its bus maintenance and operating facilities. However, the plan does not address the FTA-funded transit centers and park and ride lots maintained by DTS. There is no maintenance plan for these facilities. This is a repeat deficiency from the last review.

Corrective Actions and Schedule: For the deficiency, “***No system of periodic inspections and preventive maintenance identified in facility or equipment maintenance plan***” (M1-4), by January 14, 2019, CCOH must submit to FTA regional office a facility and equipment maintenance plan that identifies a system of periodic inspections and preventive maintenance performed at certain defined intervals for the facilities maintained by CCOH.

8. Procurement

Basic Requirement:

States: When procuring property and services under a Federal award, a state must follow the same policies and procedures it uses for procurements from its non-Federal funds. The state will comply with 2 CFR §200.322 (*Procurement of Recovered Materials*) and ensure that every purchase order or other contract includes any clauses required by section 2 CFR §200.326 (*Contract Provisions*). All other non-Federal entities, including subrecipients of a state, will follow 2 CFR §§200.318 (*General Procurement Standards*) through 200.326 (*Contract Provisions*).

Non-state recipients: 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.

Finding: During this Triennial Review of CCOH, deficiencies were found with the FTA requirements for Procurement.

Procurement policies and procedures not current/complete (P1-2)*

All recipients must have written procurement policies and procedures. The non-Federal entity, including subrecipients of a state, 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.

A review of CCOH’s procurement policies and procedures found that the compliance with Buy America requirements for steel, iron and manufactured products were not addressed. In addition, the explanation of the Buy America requirements for rolling stock was incorrect. This is a repeat deficiency from the last review.

Corrective Actions and Schedule: For the deficiency, “***Procurement policies and procedures not current/complete***” (P1-2), by January 14, 2019, CCOH must develop and submit to the FTA regional office revised procurement policies that include all required provisions including Buy America and ensure compliance with 2 CFR 200.318 through 200.326.

9. Disadvantaged Business Enterprise

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

Finding: During this Triennial Review of CCOH, deficiencies were found with the U.S. Department of Transportation (US DOT) requirements for DBE.

DBE uniform reports contain inaccuracies and/or are missing required information (DBE5-1)

Uniform Reports of DBE Awards or Commitments and Payments must include all required information. Per 49 CFR Part 26, sections 26.11, 26.21, 26.45(a), 26.53 and Appendix B, the “The DBE program and overall goal of a primary recipient (e.g., a state DOT) apply to all the Federal funds that will be expended in DOT-assisted contracts. This includes not only the Federal funds expended in contracts that the primary recipient itself lets, but also the Federal funds that subrecipients let in DOT-assisted contracts.

During site visit, it was found that the December 1, FFY 2016 and June 1, FFY 2017 semi-annual reports and corresponding contract data and report back-up data was not accurately prepared. The two semi-annual reports contained erroneous contract award dates. The Transit Pedestrian Connection and the Bus Stop ADA Access Improvement were reported as awards on the June 1, 2016 semi-annual report, however these two contracts were awarded in October 2016 and should have initially been reported on the June 1, 2017 semi-annual report. On December 22, 2017, CCOH completed two semi-annual report paper forms with corrections to the data entries; however, the DBE Reports in TrAMS were not corrected. During the site visit, it was found that only CCOH contract activities for DBE participation and utilization data are included in the semi-

annual reports. No information in those reports included CCOH's subrecipients, OTS and HART DBE participation. CCOH further indicated since 2012, HART has prepared an annual report on DBE participation and submits the annual report to the RCRO, Region IX. As the direct recipient of FTA awards, CCOH is required to track and report through the semi-annual reports, all FTA-assisted contracts, to include contracts awarded by its subrecipients, OTS, and HART. The semi-annual reports should also contain any contract change orders that occurred during the report period. For project goals, the paper form for the semi-annual report should be completed to report contract awards, commitments, and payments on FTA funds for that specific project be reported separate from the overall goal.

DBE goal achievement analysis and corrective action plan not completed (DBE6-1)

Per 49 CFR Part 26, section 26.47(c) (3)(i), if the awards and commitments at the end of the fiscal year are less than the overall goal, a shortfall analysis and corrective action plan must be completed as evidence of implementing the DBE Program in good faith. The shortfall analysis must analyze in detail the reasons for the difference between the overall goal and the DBE awards and commitments in that fiscal year and include:

- Shortfall percentage
- Shortfall explanation
 - DBE participation on fiscal year FTA-assisted project
 - Race-neutral breakdown
 - Race-neutral measures
 - Specific reasons for shortfall

The corrective action plan must contain but not be limited to

- Description of all corrective action measures
- Explanation of how proposed corrective actions will increase DBE participation in the current year
- Timeline for implementation

HART's rail project has a project specific DBE goal of 13% race-neutral. During the site visit, the HART representative indicated the DBE goal attainment, on the rail project, through September 2017 is 5.36%. The HART representative indicated an annual report is prepared with an analysis on the DBE participation on the HART project. The last annual report was submitted to FTA in December 2017. The annual report is based on DBE participation since September 24, 2007 through September 30, 2017. HART's representative indicated the contents of the annual report are not a shortfall analysis.

CCOH is one of the 50 largest transit authorities as determined by the FTA. As a designated large transit authority, CCOH must submit, within 90 days of the end of the fiscal year, a shortfall analysis and corrective actions plan to FTA whenever CCOH does not meet the overall DBE goal or if HART does not meet the project goal at the end of each fiscal year.

Unreported transit vehicle purchases (DBE11-1)

Recipients must notify FTA's Office of Civil Rights of any FTA-funded transit vehicle procurement within 30 days of making an award, the name of the successful Transit Vehicle Manufacturer (TVM) and the total dollar value of the transit vehicle contract.

In FFYs 2016 and 2017, CCOH procured transit vehicles. However, CCOH did not have any evidence that it notified FTA Office of Civil Rights in 2015, 2016, and 2017 when it expended \$40,109,486 on TVMs.

Insufficient documentation of monitoring DBE compliance of contractors and/or subrecipients (DBE12-1)

Recipients must implement appropriate mechanisms to ensure compliance with the DBE program by all program participants (i.e., applying legal and contract remedies available under Federal, state, and local laws).

CCOH does not have documentation of monitoring all its subrecipients and contractors to ensure the subrecipients are implementing the DBE obligations and that DBE commitments are met. CCOH did not provide documentation to support that Paratransit Inc., Lanakila, Oahu Transit Services, and HART are monitored for DBE program obligations.

Insufficient documentation of written certification of DBE monitoring (DBE12-3)

Recipients must implement appropriate mechanisms to ensure compliance with the DBE regulation by all program participants. An FTA recipient is required to complete a written certification stating the contractor and subrecipient were monitored for DBE program compliance.

CCOH does not have documentation certifying that contractors and subrecipients were monitored for DBE compliance.

Recipient not ensuring prompt payment (DBE12-4)

For all contracts, recipients must have mechanisms in place to monitor compliance with prompt payment and inclusion of required clauses.

CCOH's DBE Program plan, page 7, states the contractor is to provide the "Monthly Report and Prompt Payment Certification." CCOH and HART do not ensure prompt payments were made to all subcontractors and DBEs, instead waiting until the DBE complains. Relying only on complaints or notifications from subcontractors or DBEs about a contractor's failure to comply with prompt payment and retainage requirements is not a sufficient mechanism to enforce the requirements of 49 CFR Part 26, section 26.29 [Official Questions and Answers DBE Regulation]. Therefore, CCOH and HART do not have adequate procedures to ensure subcontractors and DBEs are paid promptly.

Corrective Actions and Schedule: By January 14, 2019, CCOH must submit to FTA Regional Civil Rights Officer (RCRO) the following:

For the deficiency, "***DBE uniform reports contain inaccuracies and/or are missing required information***" (DBE5-1), corrected uniform reports to the FTA Regional Civil Rights Officer (RCRO), along with implemented procedures for correctly completing Uniform Reports of DBE Awards or Commitments and Payments. Also, CCOH must submit a revised DBE Program to correctly describe how it will implement accurate reporting.

For the deficiency, ***“DBE goal achievement analysis and corrective action plan not completed” (DBE6-1)***, required shortfall analyses and corrective action plans for the missing years, along with a written process to ensure future shortfall analyses are completed on time.

For the deficiency, ***“Unreported transit vehicle purchases” (DBE11-1)***, documentation of an implemented process to ensure that future awards of FTA-funded transit vehicle purchases are reported timely to the FTA Office of Civil Rights.

For the deficiency, ***“Insufficient documentation of monitoring DBE compliance of contractors and/or subrecipients” (DBE12-1)***, documentation that it has updated the DBE program to reflect current monitoring procedures for contractors and subrecipients along with evidence of implementation.

For the deficiency, ***“Insufficient documentation of written certification of DBE monitoring” (DBE12-3)***, evidence that it has implemented a process for making written certification of monitoring.

For the deficiency, ***“Recipient not ensuring prompt payment” (DBE12-4)***, documentation of monitoring and enforcement process to ensure prompt payment and/or evidence of its next three efforts to ensure compliance with prompt payment and return of retainage requirements.

10. Title VI

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

Finding: During this Triennial Review of CCOH, deficiencies were found with the FTA requirements for Title VI.

Language Assistance Plan deficiencies (TVI2-1)

Per the Title VI Circular 4702.1B provides, in pertinent part, that recipients agree to comply, and assure the compliance of each subrecipient, lessee, third party contractor, or other participant at any tier of the Project, with all provisions prohibiting discrimination on the basis of race, color, or national origin of Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000d *et seq.*, and with U.S. DOT regulations, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act,” 49 CFR part 21.

CCOH passes through the FTA funds to HART for the rail project and has a contract with OTS for bus and complementary paratransit services. The language assistance plan (LAP) is in CCOH’s Title VI Program Plan. The Limited English Proficiency (LEP) four factor analysis identified Other Pacific Island Languages (Chuukese and Marshallese), Chinese (Simple and Traditional) Japanese, Korean and Vietnamese as the languages requiring language assistance. CCOH’s LAP is written to address how TheBus, operated by OTS will implement the language assistance plan.

TheBus considers essential documents for translation as TheBus Title VI Policy, non-discrimination complaint form, “You have Rights” car card, Lost and Found, Annual Bus Pass Application, Senior Citizen Bus Pass application, Senior City Annual Pass Renewal Application, Persons with Disabilities Bus Pass Application, Request for Refund/Exchange/Adjustment and Bus Pass Subsidy Program.

During the site visit, it was found that CCOH does not make its complementary paratransit vital document, such as the Rider’s Guide, available in the identified LEP languages. OTS is the complementary paratransit operator, for CCOH, and the services are known as TheHandi-Van. A review of the TheHandi-Van website found that TheHandi-Van website can translate the webpage information into multiple languages. However, the pages in pdf format on the webpage do not automatically translate into other languages. Essential complementary paratransit documents, such as the Rider’s Guide, were not found on the website in the LEP languages.

A review of the HART website for implementation of CCOH’s LAP found that it can translate the webpage information into multiple languages. However, the pages in pdf format do not automatically translate into other languages. A review was also conducted of the HART website for public notices regarding the construction project impacting the communities. This review found the August 21 and 25, 2017 public notices in a pdf on the website. The August 2017 pdf public notice was not available in the LEP languages. No public notice for 2018 was found on the website.

The Title VI Circular 4702.1B provides, in pertinent part, that recipients agree to comply, and assure the compliance of each subrecipient, lessee, third party contractor, or other participant at any tier of the Project, with all provisions prohibiting discrimination on the basis of race, color, or national origin of Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000d *et seq.*, and with U.S. DOT regulations, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act,” 49 CFR part 21.

CCOH does not have documentation to support that all its subrecipient, lessee, third party contractor, or other participant at any tier is complying with Title VI requirements and specifically with implementing the LAP.

TVI5-1 Title VI Public Participation Plan not implemented (TVI5-1)

A recipient’s public participation plan shall offer early and continuous opportunities for the public, including minority and LEP populations, to be involved in the identification of social, economic, and environmental impacts of proposed transportation decisions.

CCOH’s Public Participation Plan (PPP) is included in the 2016 Title VI Program Plan. The PPP is not specific enough on how CCOH engages the public in transit decisions. The Public Transit Division Category: Fixed Route Operations, Index Code 7-3.5 (contained in the 2016 Title VI Program Plan) uses the word “may” when used in context to public participation notifications. In other words, the PPP says in many places, CCOH “may” engage the public. The PPP does not mention what measures are used to engage and encourage minority, low-income populations to provide public input. The PPP does not mention how the results of the LEP identified languages and the LAP are incorporated into the PPP. CCOH implemented a January 1, 2018 fixed-route

fare increase. The equity analysis completed for this fare increase did not describe how the LAP was implemented or how minority and low-income communities were engaged in the fare increase public participation process.

A review of the HART website and the August 21 and 25, 2017 public notices do not describe how HART is implementing the PPP to ensure minority and low-income communities are encouraged to provide input on the rail project during construction.

Subrecipient Title VI plans not reviewed (TVI6-1)

A recipient is responsible for ensuring that its subrecipients comply with Title VI requirements.

CCOH does not have documentation to support that it has requested and reviewed all its subrecipients' Title VI plans. Specifically, CCOH does not have documentation that supports receiving and reviewing the Title VI plan for Paratransit Inc., its ADA eligibility services subrecipient.

Insufficient oversight of subrecipients Title VI programs (TVI6-2)*

A recipient is responsible for ensuring that its subrecipients comply with Title VI requirements.

CCOH does not have documentation that it is conducting oversight of all subrecipients' Title VI program compliance with implementing the Title VI plans. Specifically, CCOH does not have documentation that supports oversight on Paratransit Inc. a subrecipient. This is a repeat deficiency from the last review.

Corrective Actions and Schedule: By January 10, 2019, CCOH must submit to FTA RCRO the following:

For the deficiency, ***“Language Assistance Plan deficiencies” (TVI2-1)***, prepare and submit to the FTA RCRO documentation of implementing its LAP.

For the deficiency, ***“TVI5-1 Title VI Public Participation Plan not implemented” (TVI5-1)***, document the implementation of inclusive public participation for any upcoming activities in accordance with the Public Participation Plan in its Title VI program.

For the deficiency, ***“Subrecipient Title VI plans not reviewed” (TVI6-1)***, must prepare and submit to the FTA RCRO a schedule for reviewing subrecipients' Title VI Programs along with evidence of its implementation.

For the deficiency, ***“Insufficient oversight of subrecipients Title VI programs” (TVI6-2)***, must prepare and submit to the FTA RCRO a schedule for and description of, oversight monitoring for subrecipients' implementation of Title VI requirements along with evidence of its implementation.

11. Americans With Disabilities Act – General

Basic Requirement: Titles II and III of the Americans with Disabilities Act of 1990 provide that no entity shall discriminate against an individual with a disability in connection with the provision

of transportation service. The law sets forth specific requirements for vehicle and facility accessibility and the provision of service, including complementary paratransit service.

Finding: During this Triennial Review of CCOH, deficiencies were found with the U.S. Department of Transportation (US DOT) requirements for Americans With Disabilities Act (ADA) - General.

Insufficient oversight of contracted service for ADA requirements (ADA12-1)

Contracted service must meet the US DOT ADA requirements that apply to the recipient.

Oahu Transit Services is the fixed-route transit provider. During the site visit, CCOH provided 13 written policies related to addressing the fixed route transit provider’s ADA requirements and obligations. CCOH described the oversight activities, however, CCOH did not provide actual documentation as evidence that CCOH has oversight of Oahu Transit Services; which includes tracking and monitoring service quality and ADA service provisions, reviews performance reports, develops customer surveys and analyzes results, and uses a checklist approach to ensure Oahu Transit Services is complying with 49 CFR Part 37, “Transportation Services for Individuals with Disabilities”. Additional guidance can be found in FTA Circular 4701.1.

Corrective Action and Schedule: By January 14, 2019, CCOH must submit to the FTA RCRO procedures for ensuring that contractors and lessees comply with the ADA service provisions, along with evidence of implementation.

12. Americans With Disabilities Act – Complementary Paratransit

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

Finding: During this Triennial Review of CCOH, deficiencies were found with the U.S. Department of Transportation requirements for Americans With Disabilities Act (ADA) - Complementary Paratransit.

Insufficient oversight of contracted ADA complementary paratransit (CPT5-1)*

Contracted ADA complementary paratransit service must meet the US DOT ADA requirements that apply to the recipient.

The FFY 2015 triennial review identified a deficiency finding for not having a process for monitoring for capacity constraints on complementary services. The FFY 2018 triennial review has identified the same deficiency finding whereas now CCOH has not fully implemented the monitoring procedures identified in the FFY 2015 corrective actions. Oahu Transit Services is the complementary paratransit provider for CCOH. The CCOH provided the Handi-Van Monthly Performance report for June 2018. The report identified that the telephone performance standard is at least 95% of all calls will be answered within 5 minutes, however, the June 2018 report data indicates actual performance for June 2018 was at 55.88% and the service has consistently been

below the 95% standard. The Monitoring Logs for January 2018 through July 2018 (seven monthly monitoring logs) all have the same entry statement:

“EVA System - review 5+ random vehicle manifests with an emphasis on late pick-up times, down MDT list, and OTP reports.

Noted continued practice of scheduling multiple riders with different addresses for the same pick-up time – often resulting in late pick-ups for some. To be fair, often some were added at the last minute.”

The monitoring logs clearly show a pattern of practice from the Schedulers continuously reserving multiple complementary paratransit trips for the same pickup time, resulting in late pickup.

Based on the Handi-Van Monthly Performance Report for June 2018 regarding the telephone performance standard and the seven monthly Monitoring Logs, CCOH is not adequately monitoring Oahu Transit Services performance metrics and not taking immediate action to address capacity constraints.

The Paratransit Inc. provides the complementary paratransit eligibility determinations for CCOH. The CCOH processes and makes the final determinations on complementary paratransit denials and appeals. The Paratransit Inc. complementary eligibility determination processes were reviewed at their offices during the site visit. The Paratransit Inc. process includes maintaining performance metrics for each application. CCOH described how they monitor Paratransit Inc. and that data reports are reviewed. However, CCOH did not provide documentation to support that the data reports are evaluated for compliance and what action CCOH would take when the contractor is not compliant with the ADA requirements.

Corrective Action and Schedule: By January 14, 2019, CCOH must submit to the FTA RCRO procedures for ensuring that contractors or providers comply with the ADA service provisions, and evidence of implementation.

13. Equal Employment Opportunity

Basic Requirement: The recipient must ensure that no person in the United States shall on the grounds of race, color, religion, national origin, sex, age, or disability, be excluded from participating in, or denied the benefits of, or be subject to discrimination in employment under any project, program, or activity receiving Federal financial assistance under the Federal transit laws. (Note: Equal Employment Opportunity Commission’s regulation only identifies/recognizes religion and not creed as one of the protected groups.)

Finding: During this Triennial Review of CCOH, deficiencies was found with the FTA requirements for Equal Employment Opportunity.

Insufficient oversight of subrecipient and or contractor EEO Program (EEO5-1)

Subrecipient and contractors are required to submit an appropriate EEO program based on its number of transit-related employees and whether it reaches a monetary threshold.

In a letter, dated July 29, 2014, FTA Region IX stated that CCOH is required to have oversight responsibility of the HART EEO Program. HART has over 100 transit-related employees. Oahu Transit Services also has over 100 transit-related employees.

During the site visit, CCOH provided evidence that they were in receipt of HART's 2015 EEO Program plan. However, CCOH did not provide evidence that they reviewed and monitored HART on the adequacy and implementation of the 2015 EEO Program plan. During the site visit, CCOH did not provide evidence that they were in receipt, previously reviewed, or monitored Oahu Transit Services' EEO Program Plan.

Corrective Action and Schedule: By January 14, 2019, CCOH must submit to the FTA RCRO documentation that it has received and reviewed EEO plans from subrecipients and contractors that meet threshold requirements and provide copies of the plans, if requested by the FTA RCRO.

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

15. Charter Bus

Basic Requirement: Recipients 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. Recipients are allowed to operate community-based charter services excepted under the regulations.

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

16. Drug-Free Workplace Act

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

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

17. Drug and Alcohol Program

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

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

18. Section 5307 Program Requirements

Basic Requirements: 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.

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.

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

Recipients 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.

Recipients must ensure that least one percent of such funds are expended on associated transit enhancement projects.

Finding: During this Triennial Review of CCOH, no deficiencies were found with the FTA requirements for the Section 5307 program implementation.

19. Section 5310 Program Requirements

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

Finding: During this Triennial Review of CCOH, no deficiencies were found with the FTA requirements for the Section 5310 program implementation.

20. Section 5311 Program Requirements

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

This review area only applies to recipients that receive Section 5311 funds; therefore, the requirements of this review area are not applicable to the review of CCOH.

V. Summary of Findings

Review Area	Deficiencies		Corrective Action	Response Due Date	Date Closed
	Code	Description			
1. Legal	ND				
2. Financial Management and Capacity	D: F1-1	Missing, insufficient, or out of date financial operating procedures	Develop and submit to the FTA regional office financial operating procedures for managing FTA award funds in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. This must include procedures for determining allowability of cost and timely distribution of funds and reflect recommendations from audit findings or significant changes in the organization. CCOH must submit documentation that it has trained appropriate staff on the new policies and procedures.	January 14, 2019	
3. Technical Capacity – Award Management	D: TC-AM1-1	Late MPRs/FFRs	Submit the delinquent reports for the most recent reporting period and submit to the FTA regional office procedures for submitting future reports on time. CCOH must email the FTA regional office when the delinquent reports and the next two quarterly reports are submitted or the next annual report is submitted in TrAMS.	January 14, 2019	
	D: TC-AM3-1*	MPRs lack required information	Submit to FTA regional office procedures for ensuring the required information is included in future reports at the required interval.	January 14, 2019	
	D: TC-AM5-1*	Inactive award/untimely closeouts	Submit to the FTA regional office an award closeout plan and more effective procedures for award management (spending older funds first, tracking project progress, identifying project balances, reprogramming unused project funds to other projects, reassigning older projects to newer awards, or closing out projects) to enable it to close awards more timely. CCOH must work with the FTA regional office to revise award budgets with the existing award schedule to assure funds can be spent and drawn down in active awards.	January 14, 2019	
4. Technical Capacity – Program Management and Subrecipient Oversight	ND				
5. Technical Capacity – Project Management	ND				
6. Satisfactory Continuing Control	D: SCC1-3*	Lacking excess real property utilization inventory/plan out-of-date	Submit to the FTA regional office a written excess real property utilization plan that includes all required elements.	January 14, 2019	

Review Area	Deficiencies		Corrective Action	Response Due Date	Date Closed
	Code	Description			
7. Maintenance	D: M1-4	No system of periodic inspections and preventive maintenance identified in facility or equipment maintenance plan	Submit to the FTA regional office a facility and equipment maintenance plan that identifies a system of periodic inspections and preventive maintenance performed at certain defined intervals for the facilities maintained by CCOH.	January 14, 2019	
8. Procurement	D: P1-2*	Procurement transaction procedures missing or incomplete	Develop and submit to the FTA regional office revised procurement policies that include all required provisions including Buy America and ensure compliance with 2 CFR 200.318 through 200.326.	January 14, 2019	
9. Disadvantaged Business Enterprise (DBE)	D: DBE5-1	DBE uniform reports contain inaccuracies and/or are missing required information	Submit corrected reports to the FTA Regional Civil Rights Officer (RCRO) along with implemented procedures for correctly completing Uniform Reports of DBE Awards or Commitments and Payments. CCOH must submit a revised DBE Program to correctly describe how it will implement accurate reporting.	January 14, 2019	
	D: DBE6-1	DBE goal achievement analysis and corrective action plan not completed	Submit to the FTA RCRO the required analyses and corrective action plans for the missing year(s), along with a written process to ensure future shortfall analyses are completed on time.	January 14, 2019	
	D: DBE11-1	Unreported transit vehicle purchases	Submit to the FTA RCRO documentation of an implemented process to ensure that future awards of FTA-funded transit vehicle purchases are reported timely to the FTA Office of Civil Rights.	January 14, 2019	
	D: DBE12-1	Insufficient documentation of monitoring DBE compliance of contractors and/or subrecipients	Submit to the FTA RCRO documentation that it has updated the DBE program to reflect current monitoring procedures for contractors and subrecipients along with evidence of implementation.	January 14, 2019	
	D: DBE12-3	Insufficient documentation of written certifications of DBE monitoring	Submit to the FTA RCRO evidence that it has implemented a process for making written certifications of monitoring.	January 14, 2019	
	D: DBE12-4	Recipient not ensuring prompt payment	Submit to the FTA RCRO documentation of a monitoring and enforcement process to ensure prompt payment and/or evidence of its next three efforts to ensure compliance with prompt payment and return of retainage requirements.	January 14, 2019	
	10. Title VI	D: TVI2-1	Language Assistance Plan deficiencies	Prepare and submit to the FTA RCRO documentation of implementing its LAP.	January 14, 2019
D: TVI5-1		Title VI Public Participation Plan not implemented	Document the implementation of inclusive public participation for any upcoming activities in accordance with the Public Participation Plan in its Title VI program.	January 14, 2019	
D: TVI6-1		Subrecipient Title VI plans not reviewed	Prepare and submit to the FTA RCRO a schedule for reviewing subrecipients'	January 14, 2019	

Review Area	Deficiencies		Corrective Action	Response Due Date	Date Closed
	Code	Description			
			Title VI Programs along with evidence of its implementation.		
	D: TVI6-2*	Insufficient oversight of subrecipients Title VI programs	Prepare and submit to the FTA RCRO a schedule for, and description of, oversight monitoring for subrecipients' implementation of Title VI requirements along with evidence of its implementation.	January 14, 2019	
11. Americans With Disabilities Act (ADA) - General	D: ADA12-1	Insufficient oversight of contracted service for ADA requirements	Submit to the FTA RCRO procedures for ensuring that contractors and lessees comply with the ADA service provisions, along with evidence of implementation.	January 14, 2019	
12. Americans With Disabilities Act (ADA) – Complementary Paratransit	D: CPT5-1*	Insufficient oversight of contracted ADA complementary paratransit	Submit to the FTA RCRO procedures for ensuring that contractors or providers comply with the ADA service provisions and evidence of implementation.	January 14, 2019	
13. Equal Employment Opportunity (EEO)	D: EEO5-1	Insufficient oversight of subrecipient and or contractor EEO Program	Submit to the FTA RCRO documentation that it has received and reviewed EEO plans from subrecipients and contractors that meet threshold requirements, and provide copies of the plans, if requested by the RCRO.	January 14, 2019	
14. School Bus	ND				
15. Charter Bus	ND				
16. Drug-Free Workplace Act	ND				
17. Drug and Alcohol Policy	ND				
18. Section 5307 Program Requirements	ND				
19. Section 5310 Program Requirements	ND				
20. Section 5311 Program Requirements	NA				

* Denotes repeat deficiency

VI. Attendees

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VII. Appendices

No appendices included in this report.