

# FTA

FEDERAL TRANSIT ADMINISTRATION

## FTA's Top Ten Triennial Review Findings

February 27, 2018

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# What is Program Oversight?

FTA is responsible for conducting oversight activities to help ensure that recipients of Chapter 53 grants use the funds in a manner consistent with their intended purpose and in compliance with regulatory and statutory requirements.

We do this through:

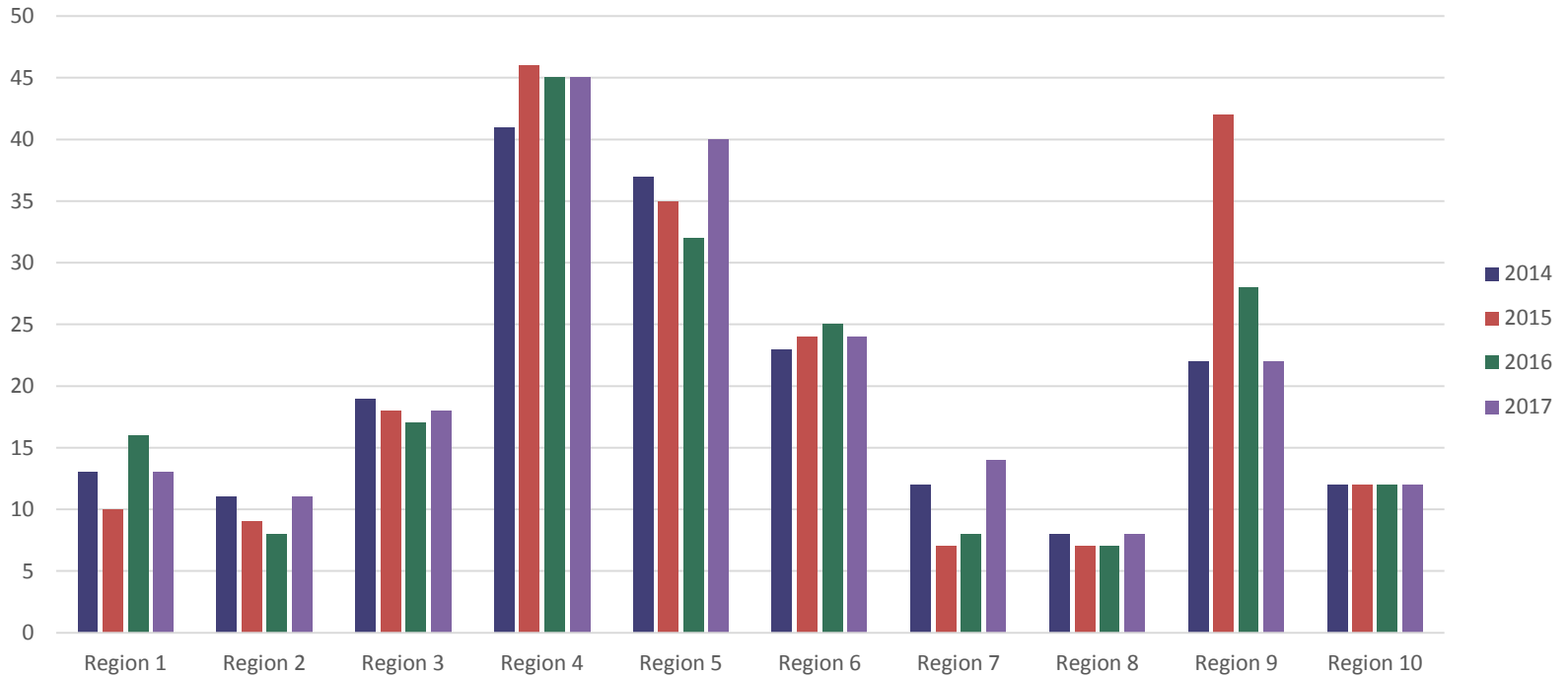
- Comprehensive Reviews (Triennial & State Management)
  - Occur every three years
  - Forward-looking instead of reactive
  - Assess management practices and program implementation
- Specialized Reviews (Financial, Procurement, & Civil Rights)
  - Occur at FTA's discretion
  - Focus on specific areas of Federal compliance

# FTA Oversight in Context

Oversight is necessary and beneficial for grantees, the public, and FTA

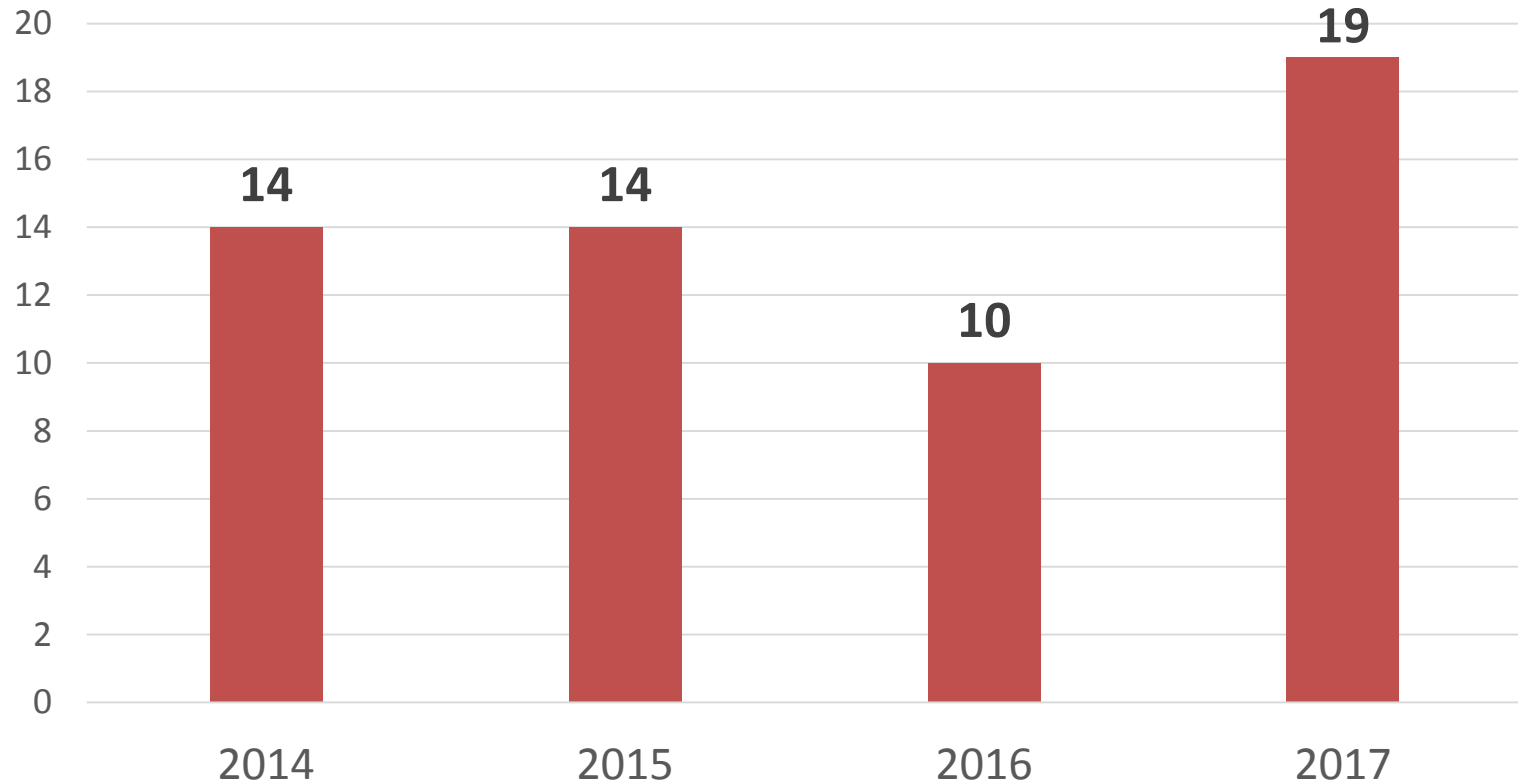
- Strengthens the capacity of FTA funding recipients to improve public transit for America's communities
- Required in legislation
- Fulfills FTA's fiduciary responsibility to prevent and identify improper payments and to ensure every dollar counts toward improving public transit
- Confirms and promotes grantee compliance with FTA requirements
- Helps address Congressional and public questions about the use of federal funds

# Baseline Reviews by Region (FY14-17)

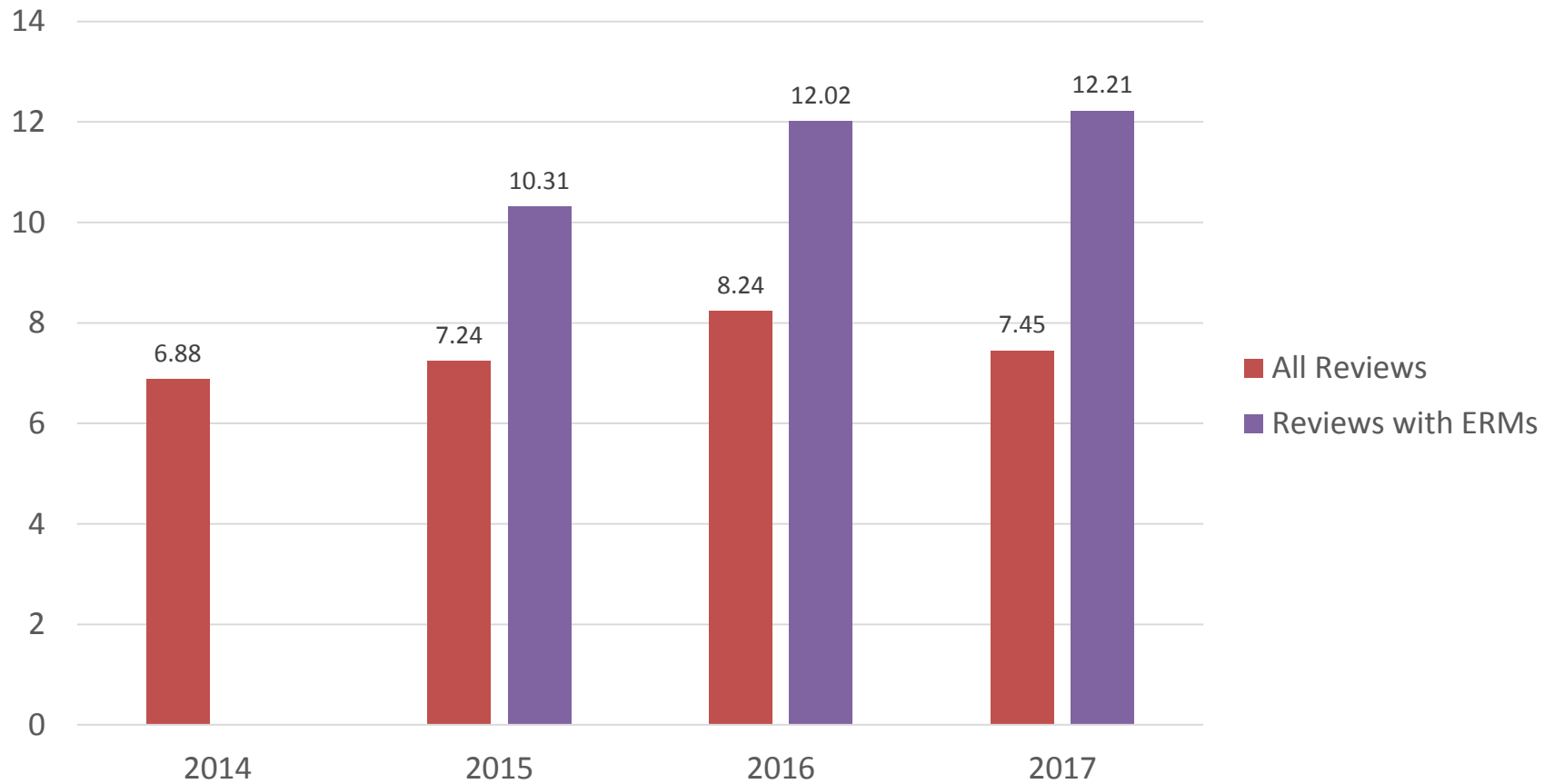


	FY 14	FY 15	FY 16	FY 17
<b>Total</b>	<b>198</b>	<b>210</b>	<b>198</b>	<b>207</b>

# Reviews With No Findings FY14-17



# Average Findings per Triennial Review



# Repeat Deficiencies

	Repeats	Non-Repeats	% of Repeats
FY14	76	1,271	6%
FY15	111	1,405	7%
FY16	131	1,500	8%
FY17	126	1,296	9%

Review Area	Repeat Findings (FY17)
Procurement	33
ADA	24
Disadvantaged Business Enterprise	17
Maintenance	17
Planning/Program of Projects	10
Technical Capacity	8
Drug Free Workplace and Drug and Alcohol Program	6
Financial Management and Financial Capacity	4
Satisfactory Continuing Control	3

# Triennial Review Findings by Topic Area

Triennial Review Topic Area	2014	2015	2016	2017	% of All Findings (FY17)
ADA	174	197	284	209	15%
Charter Bus	6	7	7	7	0%
Disadvantaged Business Enterprise	148	188	279	252	18%
Drug and Alcohol	83	100	128	89	6%
Equal Employment Opportunity	20	24	43	25	2%
Financial Management/Capacity	90	105	109	105	7%
Half Fare	15	11	7	7	0%
Legal	19	16	3	4	0%
Maintenance	108	100	119	130	9%
Planning/Program of Projects	50	53	39	45	3%
Procurement	335	388	333	286	20%
Public Comment	15	19	17	16	1%
Satisfactory Continuing Control	89	77	66	53	4%
School Bus	1	3	1	0	0%
Security	8	3	6	4	0%
Technical Capacity	135	167	115	110	8%
Title VI	51	58	75	80	6%
<b>Total Number of Findings</b>	<b>1347</b>	<b>1516</b>	<b>1631</b>	<b>1422</b>	



# Top 10 Triennial Review Findings

	FY14	FY15	FY16	FY17
1	<b>ADA</b> Insufficient no-show policy	<b>ADA</b> Insufficient no-show policy	<b>ADA</b> Insufficient no-show policy	<b>Maintenance</b> Facility/equipment maintenance plan lacking or inadequate
2	<b>Procurement</b> Lacking independent cost estimate	<b>DBE</b> uniform reports not submitted semi-annually	<b>Procurement</b> Lacking required cost/price analysis	<b>Financial Management</b> No financial policies and procedures
3	<b>Procurement</b> No FTA clauses	<b>Procurement</b> No verification that excluded parties are not participating	<b>DBE</b> goal achievement analysis not completed or not submitted	<b>ADA</b> Limits or capacity constraints on Complementary Paratransit service
4	<b>Procurement</b> policies and procedures not evident	<b>Procurement</b> No FTA clauses	<b>ADA</b> Limits or capacity constraints on Complementary Paratransit service	<b>ADA</b> Insufficient no-show policy
5	<b>DBE</b> uniform reports not submitted semi-annually	<b>Technical Capacity</b> Incorrect FFR reporting	<b>Maintenance</b> Facility/equipment maintenance plan lacking or inadequate	<b>DBE</b> goal achievement analysis not completed or not submitted

 Findings that appear in the top 10 each year

# Top 10 Triennial Review Findings

	FY14	FY15	FY16	FY17
6	<b>Technical Capacity</b> Incorrect FFR reporting	<b>Procurement</b> Lacking independent cost estimate	<b>DBE</b> Uniform reports not submitted semi-annually	<b>Procurement</b> No FTA clauses
7	<b>Procurement</b> No verification that excluded parties are not participating	<b>Procurement</b> Lacking required cost/price analysis	<b>ADA</b> Complementary Paratransit service deficiencies	<b>ADA</b> Insufficient complaint process
8	<b>DBE</b> Goal achievement analysis not completed or not submitted	<b>DBE</b> Goal achievement analysis not completed or not submitted	<b>Procurement</b> Lacking independent cost estimate	<b>Procurement</b> Lacking required cost/price analysis
9	<b>Procurement</b> Lacking required cost/price analysis	<b>Maintenance</b> Facility/equipment maintenance plan lacking or inadequate	<b>Drug and Alcohol</b> Policy lacking required elements	<b>Technical Capacity</b> Inadequate oversight of subrecipient/third party contractor/lessees
10	<b>Maintenance</b> Facility/equipment maintenance plan lacking or inadequate	<b>Procurement</b> Policies and procedures not evident	<b>ADA</b> service provisions deficiencies	<b>DBE</b> Uniform reports not submitted semi-annually

 Findings that appear in the top 10 each year

# Program Material Updates

- Back to basics exercise to identify basic requirements for grantees and the optimal methods of assessing compliance
- Will ensure that all questions are directly related to specific, citable requirements
- Direct response to concerns expressed by internal and external stakeholders:
  - Basis and justifications for questions and findings
  - Burden on grantees to prepare and submit information requests
  - Quality of information request submissions
  - Requesting information to which FTA already has access
  - Dictating preferred practices vs compliant practices

# New Review Guide

Each overarching question will have six basic parts

1. **Basic Requirement:** high-level, clear statement of what a recipient is required to do
2. **Applicability:** Recipients to whom the requirement applies
3. **Explanation:** Detailed description of the basic requirement
4. **Indicators of Compliance:** How reviewers will assess compliance with the basic requirement
5. **Determination:** Based on result of indicators
6. **Governing Directives:** Citation from law, regulation, agreement, or other guidance forming the basis of a potential finding

# Anticipated Benefits for Grantees

- Provides a much more detailed explanation of what is expected of the grantee and exactly how FTA will go about determining a grantee's compliance
- Grantees will have a better understanding of exactly why a finding of deficiency was made
- Help fulfill FTA's commitment to better transparency in its review processes
- Shifts "burden" from grantee to FTA and its contractors
- Contractor's notes for the indicators of compliance will
  - Streamline the site visit process to focus on areas of concern
  - Provide critical information to help FTA review findings
  - Identify gray areas of compliance that need to be clarified



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