



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

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July 8, 2021

Mr. Bruce Warner  
Board of Directors, President  
Tri-County Metropolitan Transportation District of Oregon (TriMet)  
1800 SW 1st Avenue, Suite 300  
Portland, OR 97201

**Re: Federal Transit Administration (FTA) Fiscal Year 2021 Triennial Review– Final Report**

Dear Mr. Warner:

I am pleased to provide you with a copy of this FTA report as required by 49 U.S.C. Chapter 53 and other Federal requirements. The enclosed final report documents the FTA's Triennial Review of TriMet in Bellingham, WA. Although not an audit, the Triennial Review is the FTA's assessment of TriMet's compliance with Federal requirements, determined by examining a sample of award management and program implementation practices. As such, the Triennial Review is not intended as, nor does it constitute, a comprehensive and final review of compliance with award requirements.

The Triennial Review focused on TriMet's compliance in 21 areas. No deficiencies were found with the FTA requirements in 21 areas. TriMet had no repeat deficiencies from the 2017 Triennial Review.

Given the delay in completing the FY 2020 reviews until FY 2021 and the significant amount of additional Federal financial support provided through the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), FTA developed a supplement to the FY2020 Contractors' Manual to assist in the evaluation of how recipients have used CARES Act and Emergency Relief funding. This supplement details the specific flexibilities and administrative relief provided by FTA for the use of these funds.

**Regulations and Guidance**

As TriMet moves forward with its transit program, FTA would like to provide a look-ahead for future oversight activities related to new and/or updated requirements, below.

**Public Transportation Agency Safety Plan (PTASP) Regulation**

The PTASP regulation requires all operators of public transportation systems that are recipients and subrecipients of FTA's Urbanized Area Formula Grants (Section 5307) to develop safety plans that include the processes and procedures to implement Safety Management Systems (SMS). FTA has deferred applicability of this requirement for operators that only receive funds through FTA's Enhanced Mobility of Seniors and Individuals with Disabilities Formula Program (Section 5310) and/or Rural Area Formula Program (Section 5311).

As part of the Annual Certifications and Assurances, transit operators must certify they have a safety plan in place for meeting the requirements of the rule by July 20, 2020. However, in response to the COVID-

19 public health emergency, on December 11, 2020, FTA issued a Notice of Enforcement Discretion, effectively extending the PTASP compliance deadline to July 21, 2021. All plans will be reviewed starting October 1, 2021 through FTA's oversight process. For guidance and updates to assist in the preparation and implementation of the PTASP Final Rule, please visit FTA's website at [www.transit.dot.gov/PTASP](http://www.transit.dot.gov/PTASP).

#### Random Drug Testing Rate Increase

On October 17, 2018, FTA published a dear colleague letter "2019 Random Drug Testing Increase". In its letter, FTA notified recipients that effective January 1, 2019 and as mandated by its drug and alcohol regulation at 49 C.F.R. 655.45, the random drug testing rate will change. FTA increased the minimum rate of random drug testing from 25 percent to 50 percent of covered employees, for employers subject to FTA's drug and alcohol regulation. This increased random drug testing rate results from an uptick in the proportion of violations identified through random drug testing.

The 50 percent random drug testing rate applies to entities receiving Federal assistance under 49 U.S.C. 5307, 5309, 5311 or 5339, including recipients, subrecipients, and safety-sensitive contractors. The required minimum rate for random alcohol testing is unaffected and remains at 10 percent.

Thank you for your cooperation and assistance during this Triennial Review. If you need any technical assistance or have any questions, please do not hesitate to contact Mr. Steven Saxton, Regional Engineer, at 206-220-4311 or by email at [james.saxton@dot.gov](mailto:james.saxton@dot.gov).

Sincerely,

Ms. Linda Gehrke  
Regional Administrator

Enclosure

Cc: Erika Turney, Grants Administrator, TriMet  
Steven Saxton, FTA Regional Engineer, Region 10  
Ketnah Parchment, Milligan & Company, LLC

**FINAL REPORT**

**FISCAL YEAR 2021  
TRIENNIAL REVIEW**

of

**Tri-County Metropolitan Transportation District of Oregon  
Portland, OR  
ID: 1728**

*Performed for:*

**U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL TRANSIT ADMINISTRATION  
REGION 10**

*Prepared By:*

**Milligan & Company, LLC**

**Scoping Meeting Date: March 4, 2020  
Virtual Site Visit Date: May 5, 2021  
Final Report Date: July 9, 2021**

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## I. Executive Summary

This report documents the Federal Transit Administration's (FTA) Triennial Review of the Tri-County Metropolitan Transportation District of Oregon (TriMet) in Portland, OR. FTA wants to ensure that awards are administered in accordance with the requirements of Federal public transportation law 49 U.S.C. Chapter 53. The review was performed by Milligan & Company, LLC. During the virtual site visit, administrative and statutory requirements were discussed and documents were reviewed.

The Triennial Review focused on TriMet's compliance in 21 areas. No deficiencies were found with the FTA requirements in any of these areas.

## II. Review Background and Process

### 1. Background

The United States Code, Chapter 53 of Title 49 (49 U.S.C. 5307(f)(2)) requires that “At least once every 3 years, the Secretary shall review and evaluate completely the performance of a recipient in carrying out the recipient’s program, specifically referring to compliance with statutory and administrative requirements...” This Triennial Review was performed in accordance with FTA procedures (published in FTA Order 9010.1B, April 5, 1993).

The Triennial Review includes a review of the recipient’s compliance in 21 areas. The basic requirements for each of these areas are summarized in Section IV.

This report presents the findings from the Triennial Review of TriMet. 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 award funds. The specific documents reviewed and referenced in this report are available at the FTA’s regional office or the recipient’s office.

### 2. Process

The Triennial Review process includes a pre-review assessment, a desk review and scoping meeting with the FTA regional office, and a virtual site visit. The desk review and review scoping meeting were conducted with the Region 10 Office on March 3, 2020. Necessary files retained by the regional office were sent to the reviewers electronically. A recipient information request was sent to TriMet on October 28, 2019 indicating a review would be conducted during fiscal year (FY) 2020. In March 2020, all work on Reviews was halted due to the Coronavirus 2019 (COVID-19) Public Health Emergency. A subsequent recipient information request was sent to TriMet on October 26, 2020 advising it that a virtual site visit would be taking place and indicating additional information that would be needed and issues that would be discussed. The virtual site visit to TriMet occurred on March 22, 2021.

The virtual site visit 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. In addition, the reviewers evaluated how TriMet used the Coronavirus Aid, Relief, and Economic Security (CARES) Act and Emergency Relief (ER) funding and the impacts of the COVID-19 Public Health Emergency on the agency by discussing a series of questions included in the supplement to the FY 2020 Contractors’ Manual. Additional documentation was requested for the Financial Management and Capacity and Procurement areas only.

Upon completion of the virtual site visit, FTA and the reviewers provided a summary of preliminary findings to TriMet at an exit conference. Section VI of this report lists the individuals participating in the virtual site visit.

### 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, nothing came to light that would indicate the requirements within the area reviewed were not met.
- *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 recipient does not conduct activities for which the requirements of the respective area would be applicable.



### III. Recipient Description

#### 1. Organization

TriMet, a municipal corporation, was formed in October 1969 under the provisions of Oregon Revised Statutes (ORS) Chapter 267 to provide mass transit services to the Portland metropolitan area. This area includes parts of Multnomah, Clackamas, and Washington counties. Service is provided by several modes: bus, light rail, commuter rail and accessible transit.

TriMet is governed by a seven-member Board of Directors appointed by the Governor of the State of Oregon. Board members represent and must live in certain geographical sub-districts. The Board sets TriMet policy, levies taxes, appropriates funds, adopts budgets, reviews contracts, and performs other duties required by state and Federal laws. The Board also appoints the General Manager who reports directly to the Board and is responsible for the day-to-day management of TriMet.

TriMet provides service across 533 square miles to a population of approximately 1.8 million people.

TriMet directly operates fixed-route bus service in all three counties of the Portland metropolitan area. While the hours of operation vary, many of the 86 different lines run with approximately 15-minute headways during the weekday morning and afternoon rush hours. Many of these lines connect with the light and commuter rail, streetcar, and Portland Aerial Tram (city-owned and operated). As of May 2021, TriMet has an active fleet of 664 buses that are funded with Federal, state and local revenues.

Metropolitan Area Express (known as MAX), is TriMet's light rail system that connects Portland City Center with Beaverton, Gresham, Hillsboro, Milwaukie, North/Northeast Portland, and Portland International Airport. MAX has five separate lines (Orange, Green, Yellow, Red, and Blue) and covers 59.4 miles, which includes 97 stations. TriMet currently owns and utilizes 145 active light rail vehicles for operations. MAX runs every 15 minutes or less, every day.

The Westside Express Service (known as WES) is TriMet's commuter rail line serving the cities of Beaverton, Tigard, Tualatin and Wilsonville. WES operates on a 14.6-mile route, which includes five stations. Service is operated on weekdays during the morning and afternoon rush hours, with trains every 30 minutes. TriMet owns and utilizes six vehicles for operations.

Daily tickets and passes range from \$1.25 to \$5.00 for adults, honored citizens (65 years or older, Medicare cardholders or persons with disabilities) or youth (ages 7-17 or high school/General Education Development) and depend on length of time (2.5 hours or full day). Monthly passes cost \$100.

TriMet owns and operates three FTA-funded bus garages (Center, Powell, and Merlo), three FTA-funded rail facilities (Ruby Junction, Elmonica, and Wilsonville Commuter Rail), and 16 (seven FTA-funded) transit centers. TriMet also utilizes twelve facilities for administrative and other operating functions, including Harrison Square, Center Street and ATP/LIFT (Paratransit).

TriMet’s Americans with Disabilities Act (ADA) complementary paratransit service, LIFT, is a shared-ride public transportation service for people who are unable to use regular buses or trains due to a disability or disabling health condition. LIFT currently uses three contractors for its services: First Transit, Inc., which provides Transportation and Central Dispatch Services; Penske Truck Leasing, LLC, which provides maintenance services and Medical Transportation Management (MTM), which provides eligibility assessments. LIFT has an active current fleet of 278 vehicles, which are funded by Federal, state, and local dollars. LIFT uses Broadway Cab, on an ad hoc basis, to supplement its paratransit service.

TriMet’s National Transit Database Report for fiscal year 2019 provided the following financial and operating statistics for its fixed-route (bus), ADA complementary paratransit, light rail and commuter rail service:

<b>Operating Statistic</b>	<b>Fixed-Route Service</b>	<b>ADA Complementary Paratransit Service</b>	<b>Light Rail – MAX</b>	<b>Commuter Rail – WES</b>
Unlinked Passengers	56,429,170	854,150	38,867,576	374,044
Revenue Hours	2,039,265	457,984	319,305	5,361
Operating Expenses	\$305,008,691	\$36,369,155	\$166,170,441	\$6,808,034

In the past four fiscal years (FYs), 2018, 2019, 2020 and 2021, TriMet had agreements with three subrecipients to support its operations using Federal funds.

The Portland Streetcar, which began service in July 2001, is owned by the City of Portland and operates on three lines and on 14.8 miles of track in Portland’s Central City. Under an intergovernmental agreement with the City of Portland, TriMet has been providing personnel to operate the service and maintain the system since its inception.

## 2. Award and Project Activity

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

<b>Award Number</b>	<b>Award Amount</b>	<b>Year Executed</b>	<b>Description</b>
OR-2017-018-00	\$7,265,000	2017	Fiscal Year 2016 5339(c) Discretionary Zero Emission Bus Project
OR-2016-013-01	\$8,940,661	2017	Fiscal Year 2016 Surface Transportation Program Rail Preventive Maintenance & Powell-Division Safety Project
OR-2019-017-00	\$898,537	2019	Fiscal Year 2014 & 15 5307 Associated Transit Improvements, SE 162nd Ave.
OR-2019-004-00	\$4,673,469	2019	Fiscal Year 2018 5339(c) Low or No Emission Bus Project
OR-2016-007-03	\$617,786,992	2019	Fiscal Year 16 Milwaukie Light Rail Project
OR-2020-060-00	\$2,005,001	2020	Fiscal Year 2020 5310 LU Mobility Management, Purchase of Service, Preventive Maintenance & Operating
OR-2020-016-00	\$4,248,000	2020	Fiscal Year 2019 5339(c) Low or No Emission Bus Project
OR-2020-008-00	\$1,840,248	2020	Fiscal Year 2019 5310 Legacy for Users Mobility Management, Purchase of Service, Preventative Maintenance & Operating
OR-2020-043-00	\$2,702,897	2020	Fiscal Year 2019 5312 STEPS to Mobility on Demand & Mobility Payment Integration Demonstration
OR-2020-001-00	\$142,945,688	2020	Fiscal Year 2018 5309 Small Starts - Division Transit Project
OR-2020-010-00	\$1,076,248	2020	Fiscal Year 2019 5307 (Surface Transportation Block Grant Program Flex Funds Transfer) for Bus Purchase
OR-2020-037-00	\$4,291,376	2020	Fiscal Year 2020 Section 5339(a) Formula - Bus Purchase
OR-2021-001-00	\$1,050,000	2021	Fiscal Year 2019 20005(b) Pilot Program for Transit-Oriented Development (TOD) Planning - Red Line Next Generation Transit-Oriented Development (TOD) Planning Project
OR-2021-004-00	\$1,075,506	2021	Fiscal Year 2020 5312 Risk Ranking Tool & Data Validation for Grade Crossing Safety Enhancement Safety Research and Demonstration (SRD) Project

Award Number	Award Amount	Year Executed	Description
OR-2017-018-00	\$7,265,000	2017	Fiscal Year 2016 5339(c) Discretionary Zero Emission Bus Project
OR-2016-013-01	\$8,940,661	2017	Fiscal Year 2016 Surface Transportation Program Rail Preventive Maintenance & Powell-Division Safety Project

## Projects Completed

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

### Portland-Milwaukie Light Rail Transit Project

- The 7.3-mile project opened for revenue service on September 13, 2015 extending from the terminus of the MAX Green and Yellow lines at Portland State University in Downtown Portland to South Waterfront, Southeast Portland, Milwaukie and North Clackamas County. Follow on projects that completed after the opening include, but not limited to: construction and installation of deferred shelters on station platforms; renovating the facility at 3520 SE 20<sup>th</sup> for Facilities Management; remodeling the back-up command center at Ruby Junction; the construction of the Gideon Pedestrian Bridge, retrofitting existing light rail vehicles to be compatible with new communications systems on the Type 5 vehicles; modifying selected alignment features to improve safety; disposition of real property; and design and construction of noise and vibration mitigation.

### Positive Train Control

- This project upgraded the WES commuter automatic train control system to achieve positive train control compliance and Federal Railroad Administration (FRA) certification.

### Powell LIFT Relocation

- TriMet's LIFT service is being relocated from the Powell Garage to a portion of the Powell Park-and-Ride along the Green light rail line. Design phase has reached 30 percent completion and TriMet has procured a CM/GC. Design reached 100 percent completion in April 2017 with construction scheduled to be completed late spring or early summer 2018.

### Hop Fastpass

- Hop Fastpass is TriMet's electronic fare system that is now utilized on MAX, WES and Vine (C-Tran's bus rapid transit). Readers were installed at all WES and MAX platforms. Customers not utilize Hop Fastpass cards or mobile wallet(s) on the reader each time they board or transfer the system.

### Steel Bridge Transit Improvements

- TriMet completed a significant maintenance project in the fall of 2020 to help reduce delay and improve reliability of light rail transit across the Steel Bridge. The Steel Bridge is owned by Union Pacific Railroad whom leases the upper deck to the Oregon Department

of Transportation who subleases the center lanes to TriMet for the MAX tracks. The project replaced rails, switches, lift joints, and upgraded system and signal systems.

## **Ongoing Projects**

TriMet is currently implementing the following noteworthy projects:

### *Division Transit Project*

- The FTA approved TriMet's Single Year Grant Agreement in January 2020 for the project, which includes a bus rapid transit alignment that runs from downtown Portland along SE Division to the Gresham Transit Center in east Multnomah County; approximately 18 miles. Construction remains underway and revenue service is anticipated to begin in September 2022. This route will be served by articulated buses with all-door boarding and signal prioritization.

### *Southwest Corridor Project*

- The Southwest Corridor Project is a 12-mile, light rail line that will serve Southwest Portland, Tigard and surrounding communities. TriMet continues to work with the FTA to finalize the Federal environmental impact statement and Biological Opinion. This project was rejected by voters in the fall 2020 so will be put on hold after the environmental reviews are completed until funding becomes available.

### *Red Line Extension to Fairplex*

- This project will increase reliability and performance of the existing Red Line MAX alignment by providing double-tracking of the portions of the line near the airport and at Gateway Transit Center that are now single tracked, in addition to modifying the track geometry and extending operations from the Beaverton Transit Center to the Fair Complex station in Hillsboro. Design has been completed, the Contractor selected, and the project is awaiting authorization for a single year grant agreement from the FTA.

### *Powell Garage Renovation*

- TriMet continues working on remodeling the Powell Garage maintenance and transportation facility. The project will increase bus parking and maintenance capacity as well as add capability to maintain 60-foot articulated buses for the Division Transit Project noted below. Construction is underway with Phase I complete and Phase II completion anticipated to align with the Division Transit Project.

## **Future Projects**

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

### *Southwest Corridor Project (as described above)*

- TriMet and partner agencies will continue to pursue various funding opportunities for this project in the next three to five years. The project would be based upon the FEIS that will

be completed this summer. TriMet could seek a full funding grant agreement in 2025 or 2026.

### Interstate-5 Bridge Replacement

- The replacement bridge for the interstate highway between Oregon and Washington needs to be replaced and will include a transit component. This could include an LRT extension of the Yellow Line MAX from the EXPO Center Station in Oregon to Vancouver and Clark College in Washington. It could be a New Starts Project with an FFGA in 2025.

### Various BRT Projects

- 82<sup>nd</sup> Avenue – This project could be a Small Start project from Clackamas County to Killingsworth St in Portland. This could include Zero Based Emission Articulated buses, TSP, BAT lanes and/or safety improvements. This could also be tied to a state of good repair project for the roadway.
- TV Highway – This project could be a Small Start project from the Beaverton Transit Center to the Hillsboro Transit Center and could include improved stations, BAT lanes, TSP and ZEB articulated buses.

## IV. Results of the Review

### 1. Legal

Basic Requirement: The recipient must promptly notify the FTA of legal matters, include clauses in its third party and subrecipient agreements, and additionally notify the U.S. 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 TriMet, 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 TriMet, no deficiencies were found with the FTA requirements for Financial Management and Capacity.

### 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 TriMet, no deficiencies were found with the FTA requirements for Technical Capacity – Award Management.

### 4. Technical Capacity – Program Management & Subrecipient Oversight

Basic Requirement: The recipient must follow the public involvement process for transportation plans; develop and submit a State Management/Program 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 TriMet, no deficiencies were found with the FTA requirements for Technical Capacity – Program Management & 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 TriMet, no deficiencies were found with the FTA requirements for Technical Capacity – Project Management.

### 6. Transit Asset Management

Basic Requirement: Recipients must comply with 49 CFR Part 625 to ensure public transportation providers develop and implement transit asset management (TAM) plans.

Finding: During this Triennial Review of TriMet, no deficiencies were found with the FTA requirements for Transit Asset Management.

### 7. 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 TriMet, no deficiencies were found with the FTA requirements for Satisfactory and Continuing Control.

## 8. Maintenance

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

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

## 9. Procurement

Basic Requirement: The non-Federal entity must use its own documented procurement procedures which reflect applicable State, local, and tribal laws and regulations, and conform to applicable Federal law and the standards identified in 2 CFR Part 200. State recipients can use the state's overall policies and procedures. When applied to Federal procurements, those policies and procedures must still be compliant with all Federal requirements as applied to non-state recipients. The flexibility afforded by 2 CFR Part 200 should not be misconstrued as absolving a state from Federal requirements. For example, FTA does not require each State DOT to have policies and procedures separate from the state education department.

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

## 10. Disadvantaged Business Enterprise (DBE)

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

Finding: During this Triennial Review of TriMet, no deficiencies were found with the US DOT requirements for DBE.

## 11. Title VI

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

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



## 12. Americans with Disabilities Act (ADA) – General

Basic Requirement: Titles II and III of the ADA 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 TriMet, no deficiencies were found with the US DOT requirements for ADA – General.

## 13. ADA – Complementary Paratransit

Basic Requirement: Under 49 CFR 37.121(a), each public entity operating a fixed-route system shall provide paratransit or other special service to individuals with disabilities that is comparable to the level of service provided to individuals without disabilities who use the fixed route system. “Comparability” is determined by 49 CFR 37.123-37.133. Requirements for complementary paratransit do not apply to commuter bus, commuter rail, or intercity rail systems.

Finding: During this Triennial Review of TriMet, no deficiencies were found with US DOT requirements for ADA – Complementary Paratransit.

## 14. 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 TriMet, no deficiencies were found with the FTA requirements for Equal Employment Opportunity.

## 15. School Bus

Basic Requirement: Recipients are prohibited from providing school bus service in competition with private school bus operators unless the service qualifies and is approved by the FTA Administrator under an allowable exemption. Federally funded equipment or facilities cannot be used to provide exclusive school bus service.

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

## 16. Charter Bus

Basic Requirement: Recipients are prohibited from using FTA-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 pursuant to certain regulatory exceptions.

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

## 17. Drug Free Workplace Act

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

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

## 18. Drug and Alcohol Program

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

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

## 19. Section 5307 Program Requirements

Basic Requirement: 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).

Finding: During this Triennial Review of TriMet, no deficiencies were found with the FTA requirements for Section 5307 Program Requirements.

## 20. 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 TriMet, no deficiencies were found with the FTA requirements for Section 5310 Program Requirements.

## 21. Section 5311 Program Requirements

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

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

## V. Summary of Findings

Review Area	Finding	Deficiency Code(s)	Corrective Action(s)	Response Due Date(s)	Date Closed
1. Legal	ND				
2. Financial Management and Capacity	ND				
3. Technical Capacity – Award Management	ND				
4. Technical Capacity – Program Management and Subrecipient Oversight	ND				
5. Technical Capacity – Project Management	ND				
6. Transit Asset Management	ND				
7. Satisfactory Continuing Control	ND				
8. Maintenance	ND				
9. Procurement	ND				
10. Disadvantaged Business Enterprise	ND				
11. Title VI	ND				
12. Americans with Disabilities Act (ADA) – General	ND				
13. ADA – Complementary Paratransit	ND				

<b>Review Area</b>	<b>Finding</b>	<b>Deficiency Code(s)</b>	<b>Corrective Action(s)</b>	<b>Response Due Date(s)</b>	<b>Date Closed</b>
14. Equal Employment Opportunity	ND				
15. School Bus	ND				
16. Charter Bus	ND				
17. Drug-Free Workplace	ND				
18. Drug and Alcohol Program	ND				
19. Section 5307 Program Requirements	ND				
20. Section 5310 Program Requirements	ND				
21. Section 5311 Program Requirements	This section only applies to recipients that receive Section 5311 funds directly from FTA; therefore, the related requirements are not applicable to the review of TriMet.				

The metrics used to evaluate whether a recipient is meeting the requirements for each of the areas reviewed are: Deficient (D)/Not Deficient (ND)/Not Applicable (NA)

## VI. Attendees

Name	Title	Phone Number	E-mail Address
<b><i>Tri-County Metropolitan Transportation District of Oregon</i></b>			
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## VII. Appendices

No appendices included in this report.