

FINAL REPORT

FISCAL YEAR 2023 TRIENNIAL REVIEW

of

**Norwalk Transit District
(NTD)
Norwalk, Connecticut
ID: 1339**

Performed for:

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

Prepared By:

Qi Tech, LLC

Scoping Meeting Date: February 24 & 27, 2023

Virtual Site Visit Entrance Conference Date: March 28, 2023

Virtual Site Visit Exit Conference Date: May 15, 2023

Final Report Date: July 11, 2023

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I. Executive Summary

This report documents the Federal Transit Administration's (FTA) Triennial Review of the Norwalk Transit District (NTD) of Norwalk, Connecticut. The 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 Qi Tech, LLC. During the virtual site visit, the reviewer discussed the administrative and statutory requirements and reviewed recipient documents.

Due to the Coronavirus 2019 (COVID-19) Public Health Emergency, the FTA conducted a virtual site visit for this Triennial Review. In addition, the FTA expanded the review to address NTD's compliance with the administrative relief and flexibilities that the FTA granted, and the requirements of the COVID-19 Relief funds received through the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) of 2021, and the American Rescue Plan (ARP) Act of 2021. The FTA also requested that NTD share if and/or how it suspended, deviated from, or significantly updated or altered its transit program due to the public health emergency.

The FY2023 Triennial Review focused on NTD's compliance in 23 areas. Deficiencies related to the COVID-19 Relief funds have been clearly identified as part of the deficiency description in the respective review area. There were no repeat deficiencies from the FY 2019 Triennial Review.

A deficiency was found in the area listed below.

Review Area	Deficiencies	
	Code	Description
Disadvantaged Business Enterprise	DBE12-2	Insufficient documentation of monitoring DBE work

II. Review Background and Process

1. Background

The Triennial Review includes a review of the recipient's compliance in 23 areas. The basic requirements for each of these areas are summarized in Section IV. The FTA contracts with experienced reviewers to lead and conduct the Triennial Reviews, in partnership with the staff of the regional office.

This report presents the findings from the Triennial Review of the recipient. The review concentrated on procedures and practices employed since the recipient's previous Triennial Review in 2019; 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 Region 1 office or the recipient's office.

2. Process

The Triennial Review includes a pre-review assessment, a desk review and scoping meeting with the FTA regional office, and a site visit to the recipient's location. Due to the COVID-19 Public Health Emergency, a virtual site visit was conducted of each recipient. In addition, the review was expanded to address the recipient's compliance with the administrative relief and flexibilities FTA granted and the requirements of the COVID-19 relief funds received through the CARES Act, CRRSAA of 2021, and the ARP Act of 2021. The FTA also requested that the recipient share if and/or how it suspended, deviated from, or significantly updated or altered its transit program due to the public health emergency.

The fiscal year (FY) 2023 process began with the regional office transmitting a notification of the review and a Recipient Information Request (RIR) to the recipient on November 23, 2022, indicating a review would be conducted. While the recipient prepared its response to the RIR, the regional office and review team conducted the scoping meeting on February 24 and 27, 2023. Regional office staff provided electronic files as necessary to the reviewers who also accessed recipient information in the FTA electronic award management (TrAMS) and oversight (OTrak) systems. Following the desk review and scoping meeting, the reviewer and the recipient corresponded and exchanged information and documentation in preparation for the virtual site visit. Prior to the virtual site visit, the reviewer sent to the recipient on April 19, 2023, an agenda package indicating the issues that would be discussed, records to be reviewed, and interviews to be conducted.

The virtual site visit portion of the review began with an entrance conference on March 28, 2023, at which the reviewers and regional staff discussed the purpose of the Triennial Review and the review process. The reviewers conducted additional interviews and reviewed documentation to evidence the recipient's compliance with FTA requirements.

Upon completion of the virtual site visit, the reviewers and the FTA regional office staff provided a summary of preliminary findings to the recipient at the exit conference on May 15, 2023. Section VI of this report lists the individuals participating in the 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

The Norwalk Transit District (NTD) was established under state and local enabling legislation in 1974 and began operation in 1978 to provide fixed-route and door-to-door services in the City of Norwalk. NTD provides public bus transit in Norwalk and throughout southwest Connecticut, offering local bus, shuttle and commuter routes, and door-to-door services for the elderly and persons with disabilities. The primary service area of Norwalk and Westport has a population of 119,309. However, the population of the Stamford/Norwalk urbanized area in which NTD is located is 957,419. Since NTD is located in a large UZA, it was eligible during the review period to receive operating assistance for the first time using COVID-19 relief funds.

NTD is governed by a Board of Commissioners comprised of two Commissioners appointed by the Mayor of the City of Norwalk and approved by the Norwalk Common Council. The Board of Commissioners appoints and supervises the NTD Chief Executive Officer, who is then responsible for the day-to-day operations of the agency.

NTD's core service is the WHEELS public bus system serving the City of Norwalk. It consists of 11 bus routes - 1 bus route that is regional and 5 commuter shuttles that operate Monday through Friday; 8 bus routes that run on Saturdays; and 2 routes that operate on Sunday. Service is available from 5:00 a.m. to 11:06 p.m. weekdays; 5:27 a.m. to 11:34 p.m. Saturdays; and 7:30 a.m. to 8:21 p.m. Sundays. NTD partners with the Greater Bridgeport and Milford Transit Districts to operate a fixed-route Coastal Link bus service seven days a week between Norwalk and Milford.

NTD operates four Metro North Commuter Rail Shuttle buses servicing the SONO Train Station in Norwalk, and one in Greenwich that serves the Greenwich Metro-North rail station. NTD also operates an on-demand microtransit ride service called Wheels 2U Norwalk. The service is provided by NTD employees in accessible vehicles.

Since 2001, NTD has operated commuter service for the Town of Westport. In 2021, NTD converted the Westport Commuter Shuttles serving the Greens Farm and Saugatuck train stations to an on-demand microtransit service called Wheels 2U Westport.

NTD provides ADA-complementary paratransit during the same days and hours that fixed-route service operates. It also offers a “beyond-ADA” paratransit service in the Cities of Norwalk, Stamford, Westport, and Wilton utilizing a fleet of 48 wheelchair accessible vehicles.

The basic adult fare for NTD bus service is \$1.75. A reduced fare of \$0.85 is offered during all hours of operation to seniors aged 65 or older, Medicare cardholders, and persons with disabilities. The fare for ADA complementary paratransit services is \$3.50 per trip.

NTD owns a fleet of 39 directly operated vehicles for its fixed-route local, regional, and shuttle services. The fixed-route fleet consists of 29-, 35-, and 40-foot heavy duty buses. NTD directly operates 35 cutaway buses for paratransit services, and its contractors supply an additional 13 vehicles for the service. All vehicles directly operated by NTD have FTA interest.

NTD operates from a facility located at 275 Wilson Avenue in Norwalk. The WHEELS Hub transit center is located at Burnell Boulevard in Norwalk. Both facilities have FTA interest.

2. Award and Project Activity

Below is a list of NTD's open awards at the time of the review.

Award Number	Award Amount	Year Executed	Description
CT-95-X020	\$600,000	2015	2015 Planning
CT-90-X531	\$10,126,960	2015	2015 CAPITAL PROJECTS
CT-2018-013	\$3,060,000	2018	FFY16 & 17 - Facility Improvements: Rehab, Repairs, and Upgrades; Administrative, Operations and Maintenance Capital Support Projects, Bus Replacement
CT-2019-004	\$1,560,000	2019	FY 2018 Replacement Radio System, and Misc. support equipment
CT-2020-012	\$12,400,000	2020	FFY 2019 Program of Projects. Facility Project Section 5307 and 5339, Replacement/Upgrade Farebox System and TVM, Ten Replacement Paratransit Vehicles
CT-2020-016	\$5,950,000	2021	Norwalk Transit District, CT, Section 5307, CARES ACT Operating, Capital, and Preventive Maintenance

NTD received Supplemental Funds for operating assistance in award number CT-2020-016. This is NTD's first time receiving operating assistance from FTA.

Projects Completed

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

- Replaced fixed-route buses, paratransit vehicles, and a service truck
- Transitioned the Westport Commuter Shuttles to a successful microtransit on-demand service
- Integrated AVL technology into its paratransit system for a paperless manifest system
- Implemented an electronic fare payment system for the paratransit service
- Completed the final design for the service line and facility rehabilitation project
- Installed bird netting in the storage barn
- Launched a new website
- Issued an RFP for the Comprehensive Operational Analysis.

Ongoing Projects

NTD is currently implementing the following noteworthy projects:

- Finishing the Comprehensive Operational Analysis
- Carrying out the facility rehabilitation project
- Upgrading bus shelters and bus stops with State assistance
- Replacing revenue vehicles
- Expanding microtransit service.

Future Projects

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

- Convert the fleet to electric buses
- Expand microtransit to include first/last mile concept
- Procure a fleet maintenance system with advanced phases for AVL to include pre- and post-trip inspection and component monitoring and electronic parking grids
- Review and analyze existing paratransit software for replacement
- Implement a statewide uniform and seamless fare collection mechanism and structure.

IV. Results of the Review

1. Legal

Basic Requirement: The recipient must promptly notify the FTA of legal matters and additionally notify the USDOT 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 NTD, 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 fiduciary authority; and financial management systems in place to manage, match, and charge only allowable costs to the award. The recipient must conduct required Single Audits, as required by 2 CFR Part 200, and provide financial oversight of subrecipients.

Finding: During this Triennial Review of NTD, 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 Federal Transit Administration (FTA) and close awards timely.

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

4. Technical Capacity - Program Management & Subrecipient Oversight

Basic Requirement: States must document and follow a public involvement process for the development of the long-range statewide transportation plan and State Transportation Improvement Program (STIP). Designated recipients of Sections 5310, 5311, and 5339 funds must develop and submit a State Management/Program Management Plan to the FTA for approval. Recipients must enter into an agreement with each subrecipient, obtain required certifications from subrecipients, 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.

This section only applies to recipients that have subrecipients; therefore, the related requirements are not applicable to the Triennial Review of NTD.

5. Technical Capacity – Project Management

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

Finding: During this Triennial Review of NTD, 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 NTD, 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 NTD, 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 Americans with Disabilities Act (ADA) accessibility features on all vehicles, equipment, and facilities in good operating order.

Finding: During this Triennial Review of NTD, 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, the FTA does not require each State DOT to have policies and procedures separate from the state education department.

Finding: During this Triennial Review of NTD, 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 USDOT-assisted contracts.

Finding: During this Triennial Review of NTD, a deficiency was found with the US DOT requirements for DBE.

Deficiency Description:

Insufficient documentation of monitoring DBE work (DBE12-2)

Per 49 CFR 26.37(b), a recipient's DBE program must include a monitoring and enforcement mechanism to ensure that work committed to DBEs at contract award is actually performed by the DBEs to which the work was committed. This mechanism must include a written certification that the recipient reviewed contracting records and monitored work sites for this purpose. NTD implemented a project during the review period to replace the fuel tank, construct a new fuel island, and to make service lane improvements, which included work completed by a DBE. However, since the DBE Liaison Officer was out on an extended medical leave during this project's completion, it was not monitored for DBE participation, as stated in the recipient's DBE program plan.

Corrective Action and Schedule: For the deficiency, *Insufficient documentation of monitoring DBE work (DBE12-2)*, by December 31, 2023, NTD must submit to the FTA Office of Civil Rights (TCR) evidence that it has implemented its DBE monitoring process to ensure that DBEs are actually performing the stated work.

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 NTD, 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 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 NTD, 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 NTD, 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.

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

16. Charter Bus

Basic Requirement: Recipients are prohibited from using the FTA-funded equipment and facilities to provide charter service that unfairly competes with private charter operators. Recipient may operate charter only when the service meets a specified exception defined in rule.

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

19. Section 5307 Program Requirements

Basic Requirement: The recipient must participate in the transportation planning process in accordance with FTA requirements and the metropolitan and statewide planning regulations.

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

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.

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.

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

20. Section 5310 Program Requirements

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

This section only applies to recipients that receive Section 5310 funds directly from FTA; therefore, the related requirements are not applicable to the Triennial Review of NTD.

21. Section 5311 Program Requirements

Basic Requirement: States must expend Section 5311 funds on eligible projects to support rural public transportation services and intercity bus transportation.

This section only applies to recipients that receive Section 5311 funds directly from FTA; therefore, the related requirements are not applicable to the Triennial Review of NTD.

22. Public Transportation Agency Safety Plan (PTASP)

Basic Requirement: Recipients must comply with the Public Transportation Agency Safety Plan (PTASP) regulation (49 CFR Part 673) to ensure public transportation providers develop and implement an Agency Safety Plan (ASP).

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

23. Cybersecurity

Basic Requirement: Recipients that operate rail fixed guideway public transportation systems must certify compliance with the requirements for establishing a cybersecurity process under 49 U.S.C. § 5323(v), a new subsection added by the National Defense Authorization Act for Fiscal Year 2020, Pub. L. 116-92, § 7613 (Dec. 20, 2019).

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

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	NA				
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	D	DBE12-2: Insufficient documentation of monitoring DBE work	NTD must submit to the FTA Office of Civil Rights (TCR) evidence that it has implemented its DBE monitoring process to ensure that DBEs are actually performing the stated work.	December 31, 2023	
11. Title VI	ND				
12. Americans with Disabilities Act (ADA) - General	ND				
13. ADA – Complementary Paratransit	ND				
14. Equal Employment Opportunity	ND				
15. School Bus	ND				
16. Charter Bus	ND				
17. Drug Free Workplace Act	ND				
18. Drug and Alcohol Program	ND				
19. Section 5307 Program Requirements	ND				
20. Section 5310 Program Requirements	NA				
21. Section 5311 Program Requirements	NA				
22. Public Transportation Agency Safety Plan	ND				
23. Cybersecurity	ND				

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
Norwalk Transit District			
Kimberlee Morton	Chief Executive Officer Advisor	203-852-0000 Ext. 163	kmorton@norwalktransit.com
Matthew Pentz	Chief Executive Officer	203-852-0000 Ext. 165	mpentz@norwalktransit.com
Lori Hammill	Chief Compliance Officer	203-852-0000 Ext. 162	lhammill@norwalktransit.com
Frank Duncanson	Chief Operating Officer	203-852-0000 Ext. 172	fduncanson@norwalktransit.com
Andrea Zarate	Human Resources Manager	203-852-0000 Ext. 164	azarate@norwalktransit.com
Andrew Gallagher	Operations Manager/Safety and Security Manager	203-852-0000 Ext. 168/129	agallagher@norwalktransit.com
La-Keba Hamilton	Transportation Manager	203-852-0000 Ext. 175	lhamilton@norwalktransit.com
Besim Krasniqi	Data & Planning Analyst	203-852-0000 Ext. 169	bkrasniqi@norwalktransit.com
FTA			
Michelle Muhlanger	Deputy Regional Administrator	617-494-2630	michelle.muhlanger@dot.gov
Matt Keamy	Program Management and Oversight Director	617-494-3038	matthew.keamy@dot.gov
Peggy Griffin	Regional Civil Rights Officer	617-494-2397	margaret.griffin@dot.gov
Alex Hammond	General Engineer	617-494-2304	alexander.hammond@dot.gov
Bert Pechhold	General Engineer	617-494-4914	bert.pechhold@dot.gov
Syed Ahmed	General Engineer	617-494-3254	syed.ahmed@dot.gov
Qi Tech, LLC			
Gwen Larson	Reviewer	920-746-4595	gwen_larson@qitechllc.com

VII. Appendices

Civil Rights Corrective Action Procedures:

Please submit corrective actions for all Civil Rights deficiencies to the following email address and copy your FTA Region I Program Manager:

FTACivilRightsSupport@dot.gov

- Email Subject Line: FY 23 CORTAP Review Corrective Actions – Findings Code – Recipient Name/Acronym + TrAMS ID

Example: FY23 CORTAP Review Corrective Actions – DBE12-2 – Norwalk Transit District/NTD #1339

- The body of the email should contain a short summary of the corrective action.
- Supporting documents should be sent as PDF files. Do not send MS Word or Excel spreadsheets.