



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

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Pennsylvania, Virginia,
West Virginia

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June 28, 2023

Ms. June Wolf
Board Chair
South Central Transit Authority, SCTA
45 Erick Road
Lancaster, PA 17601

Re: Fiscal Year 2023 Triennial Review – Final Report

Dear Ms. Wolf:

I am pleased to provide you with a copy of this Federal Transit Administration (FTA) report as required by 49 U.S.C. Chapter 53 and other Federal requirements. The enclosed final report documents the FTA's Fiscal Year (FY) 2023 Triennial Review of SCTA in Lancaster, P.A. Although not an audit, the Triennial Review is the FTA's assessment of SCTA'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.

Due to the Coronavirus 2019 (COVID-19) Public Health Emergency, a virtual site visit was conducted for this Triennial Review. In addition, the review was expanded to address SCTA's compliance with the administrative relief and flexibilities 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 Triennial Review focused on SCTA's compliance in 23 areas. Deficiencies were found in three (3) areas: Procurement, Americans with Disabilities (ADA) – Complementary Paratransit, and Equal Employment Opportunity. SCTA had no repeat deficiencies from the Fiscal Year 2019 Triennial Review.

Subsequent to the site visit, SCTA provided corrective action responses to address and close the deficiency noted in the ADA – Complementary Paratransit area of the report that follows.

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. Benjamin Stoltenberg at benjamin.stoltenberg@dot.gov.

Sincerely,

Anthony Tavone
Deputy Regional Administrator

FINAL REPORT

FISCAL YEAR 2023 TRIENNIAL REVIEW

of

**South Central Transit Authority
SCTA
Lancaster, PA
ID: 7288**

Performed for:

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION
REGION 3**

Prepared By:

Calyptus Consulting Group, Inc

Desk Review/Scoping Meeting Date: March 1-2, 2023

Virtual Site Visit Entrance Conference Date: April 24, 2023

Virtual Site Visit Exit Conference Date: April 27, 2023

Draft Report Date: May 26, 2023

Final Report Date: June 28, 2023

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I. Executive Summary

This report documents the Federal Transit Administration's (FTA) Triennial Review of the South Central Transit Authority (SCTA) of Lancaster, PA. 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 Calyptus Consulting Group, Inc. (Reviewer). 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 SCTA'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 the SCTA 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 SCTA'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. Deficiencies were found in the areas listed below. Corrective Actions and response dates are noted as well.

Review Area	Deficiency Code(s)		Corrective Action(s)	Response Due Date(s)
	Code	Rational		
Procurement	P2-2: Incomplete standards of conduct	Code of Conduct does not address disciplinary actions; revisions underway	The recipient must develop and submit to the FTA regional office: 1. Revised written standards of conduct that include all missing provisions. 2. Board approval of revised written standards of conduct	October 13, 2023 November 17, 2023
Americans with Disabilities Act (ADA) – Complementary Paratransit	ADA-CPT4-4: Paratransit fare deficiency	RRTA paratransit fare is more than 2 times the fixed route for certain mileage-based trips	1. The recipient must submit evidence of formal board approval of fare changes that ensure paratransit fares do not exceed twice the fare for a comparable trip using fixed routes. 2. The recipient must submit evidence that the public has been notified of the fare change and implementation of the change.	August 2, 2023 <i>(closed June 16, 2023)</i>
Equal Employment Opportunity	EEO4-2: Employment practices analyses deficiencies	Data not collected for all employment practices and not included in the narrative assessment of employment practices in the abbreviated EEO Program	1. The recipient must submit to the FTA RCRO a detailed narrative and/or statistical assessment of present employment practices to identify those practices that operate as employment barriers and unjustifiably contribute to underutilization and an employment practices chart that provides all the statistical data in FTA Circular 4704.1A Attachment. 2. The recipient must submit to the FTA RCRO a plan that defines how often it will conduct this assessment and how it will utilize the results of the assessment.	August 2, 2023

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)

Subsequent to the site visit, SCTA provided corrective action responses to address the deficiency noted in the ADA-Complementary Paratransit area of this report. The deficiency in this area, as noted in the above table, is closed.

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...” The FTA performs this Triennial Review in accordance with its procedures (published in FTA Order 9010.1B, April 5, 1993).

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 3 office or the recipient’s office.

2. Process

The Triennial Review includes a pre-review assessment, a desk review, a scoping meeting with the FTA regional office, and a site visit to the recipient’s location. 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 December 2, 2022, indicating a review would be conducted. While the recipient prepared its response to the RIR, the regional office and review team conducted a desk review. A scoping meeting was held with the Regional office on March 1-2, 2023. Regional office staff provided electronic files as necessary to the Reviewer 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(s) 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 an agenda package to the recipient on March 6, 2023, indicating the issues that would be discussed, records to be reviewed, and interviews to be conducted. The virtual site visit to SCTA occurred from April 24, 2023 (entrance conference) to April 27, 2023 (exit conference).

The virtual site visit portion of the review began with an entrance conference, 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 Reviewer and the FTA regional office staff provided a summary of preliminary findings to the recipient at the exit conference on April 27, 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 (ND)**: 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 (D)**: An area is considered deficient if any of the requirements within the area reviewed were not met.
- **Not Applicable (NA)**: 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

On November 12, 2014, and on November 13, 2014 the Lancaster County Board of Commissioners and the Berks County Board of Commissioners, respectively, approved organizing the South Central Transit Authority (SCTA) under the Pennsylvania Municipalities Authorities Act of 2001. SCTA was formed from the consolidation of the management and administrative functions of the Red Rose Transit Authority (RRTA) in Lancaster County and the Berks Area Regional Transportation Authority (BARTA) in Berks County. Both RRTA and BARTA remain in existence as the agencies operating the service in their respective counties.

SCTA signed agreements with BARTA and RRTA to provide all executive, management, administrative and support services to both agencies.

SCTA is the designated recipient of the federal Section 5307 and 5339 funds allocated to Lancaster and Reading, Pennsylvania, Urbanized Areas. SCTA is governed by a 10-member Board of Directors, with five (5) members appointed by the County of Berks and five (5) appointed by the County of Lancaster. The Board is responsible for establishing policies and procedures for the daily operation of the Authority. The responsibility for the daily operation of the Authority falls to the Executive Director of SCTA, who ensures that the policies and procedures are distributed and followed by all employees.

RRTA provides public transit service in the City of Lancaster and surrounding communities of Lancaster County. Together, the urbanized and rural areas served by RRTA have a 2020 Census population of 552,984. RRTA is a public authority formed in 1973. Its five (5) board members are appointed by the Lancaster County Commissioners.

BARTA is a municipal authority that provides public transit services to all residents in Berks County including the City of Reading. BARTA is a regional transportation authority that was created under the Pennsylvania Municipal Authorities Act in 1973 by the County of Berks and the City of Reading. The Authority Board consists of five (5) members appointed by the County of Berks. As of January 1, 2010, BARTA was established solely as a County Authority, as the City of Reading voluntarily removed itself as a funding partner due to the City's becoming economically distressed. The 2020 census population of the BARTA service area is 428,849.

Together, BARTA and RRTA provide both fixed-route bus service and door-to-door paratransit service and transport roughly 3.2 million passengers annually with a fleet of 92 buses and 126 paratransit vehicles. Funding to provide these services are received through the FTA, the Pennsylvania Department of Transportation, Berks County, and Lancaster County, and through passenger fares.

BARTA and RRTA each operate 19 daily fixed routes in their respective service areas. SCTA has a contract with Easton Coach Company to provide complementary paratransit service in the BARTA and RRTA service areas.

BARTA's service operates from 4:45 a.m. to 12:00 a.m. the following day weekdays and 5:30 a.m. to 12:00 a.m. on Saturdays and 10:00 a.m. to 7:00 p.m. on Sundays. BARTA's paratransit service operates 4:45 a.m. to 12:00 a.m. weekdays and 5:30 a.m. to 12:00 a.m. on Saturdays, and 10:00 a.m. to 7:00 p.m. on Sundays.

RRTA's service operates from 4:50 a.m. to 11:10 p.m. weekdays, 5:40 a.m. to 11:10 p.m. Saturdays, and 7:15 a.m. to 7:15 p.m. Sundays. RRTA's paratransit service operates from 4:50 a.m. to 11:10 p.m. weekdays and 5:40 a.m. to 11:10 p.m. Saturdays and 7:15 a.m. to 7:15 p.m. Sundays. RRTA provides paratransit service 24 hours a day seven (7) days a week for the Access to Jobs Program.

BARTA has an FTA-funded maintenance operations and administrative facility at 1700 N. 11th Street in Reading. The FTA-funded BARTA Transportation Center is located in downtown Reading. BARTA also has an FTA-funded park-n-ride facility in downtown Reading.

RRTA has an FTA-funded administrative and maintenance operations facility at 45 Erick Road in Lancaster. RRTA's Queen Street Station and the Queen Street Parking Garage in downtown Lancaster are also FTA-funded facilities.

2. Award and Project Activity

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

Award Number	Award Amount	Year Executed	Description
PA-2020-053	\$5,219,100	2020	READING UZA FY 2020 SECTIONS 5307 AND 5339 FORMULA FUNDS
PA-2019-042	\$5,105,537	2019	READING UZA FY 2019 SECTIONS 5307 AND 5339 FORMULA FUNDS
PA-2022-034	\$1,125,000	2022	FFY2022 BARTA CMAQ FLEX
PA-2018-039	\$5,150,956	2018	READING UZA SECTIONS 5307 AND 5339 FORMULA FUNDS
PA-2019-049	\$3,582,424	2019	LANCASTER UZA FFY2019 SECTIONS 5307 AND 5339 FORMULA FUNDS
PA-2022-061	\$8,643,946	2022	SCTA-LANCASTER UZA FY 2022 SECTIONS 5307 AND 5339 FORMULA FUNDS: Fixed Route & Paratransit Bus and Vehicle Replacement; Non-Fixed Route ADA Paratransit Service; Access to Jobs; Facility Upgrades; Shop Equipment; PM; Fixed Route Fare Boxes; IT Equip
PA-2018-044	\$6,541,945	2018	LANCASTER UZA SECTIONS 5307 AND 5339 FORMULA FUNDS
PA-2016-017	\$19,712,814	2019	Lancaster UZA, Reading UZA Sections 5307 and 5339 Formula Funds
PA-2017-031	\$6,277,589	2018	LANCASTER UZA SECTIONS 5307 AND 5339 FORMULA FUNDS
PA-2021-043	\$2,826,798	2021	SCTA-LANCASTER UZA FY 2021 SECTIONS 5307 AND 5339 FORMULA FUNDS: Fixed Route & Paratransit Bus and Vehicle Replacement; Non-Fixed Route ADA Paratransit Service; Access to Jobs; Facility and Maintenance Upgrades; PM; Mobile Ticketing Fare Collection System
PA-2021-048	\$5,190,772	2021	SCTA-READING UZA FY 2021 SECTIONS 5307 AND 5339 FORMULA FUNDS: Fixed Route and Paratransit bus and vehicle replacement, service vehicle replacement; facility upgrades; PM; Mobile Ticketing Fare Collection System
PA-2020-057	\$2,854,178	2021	LANCASTER UZA FY 2020 SECTIONS 5307 AND 5339 FORMULA FUNDS
PA-2022-060	\$6,495,971	2022	SCTA-READING UZA FY 2022 SECTIONS 5307 AND 5339 FORMULA FUNDS: Fixed Route & Paratransit Bus and Vehicle Replacement; Facility Upgrades; Office Equip; IT Equip; Shop Equipment; Replace Bus Shelters

SCTA received Supplemental Funds for operating assistance in award numbers PA-2022-015 (Lancaster ARP), PA-2022-014 (Reading ARP), PA-2020-028 (Reading CARES), PA-2020-031 (Lancaster CARES), and PA-2021-005 (Reading CRRSAA). This is the SCTA's first time receiving operating assistance from the FTA.

Projects Completed

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

- BARTA Transportation Center/Garage and BARTA Park-N-Transit Garage Rehab/Renovation
- BARTA Operations Center Bus Storage Expansion Facility and Renovation of Existing Bus Storage Facility
- RRTA Queen Street Garage Rehab; Fixed Route Bus Replacements
- Paratransit Bus Replacements

Ongoing Projects

SCTA is currently implementing the following noteworthy projects:

- BARTA Transportation Center/Garage and BARTA Park-N-Transit Garage Rehab/Renovation
- BARTA Operations Center Rehabilitation
- RRTA Queen Street Garage Rehab
- Fixed Route Bus Replacements
- Paratransit Bus Replacements

Future Projects

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

- Fixed Route and Paratransit Bus Replacements
- BARTA Transportation Center/Garage Upgrades/Rehab
- BARTA Park-N-Transit Garage Upgrades/Rehab; BARTA Operations Center Upgrades/Rehab and Installation/Construction of a Solar Panel Field
- BARTA Operations Center Unleaded Fuel Tank Replacement; BARTA Shop Bus Wash Replacement
- RRTA Operations Center Concept Plan for Bus Storage Expansion Facility
- RRTA Queen Street Station/Garage Upgrades/Rehab; SCTA-Lancaster Shared-Ride Operations Center
- Farebox Replacements
- Bus Radio Replacements
- SCTA-Reading Bus Shelter Replacements

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 SCTA, 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 SCTA, 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 SCTA, 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.

Finding: During this Triennial Review of SCTA, the FTA requirements for Technical Capacity – Program Management & Subrecipient Oversight were not applicable.

5. Technical Capacity – Project Management

Basic Requirement: The recipient must 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 SCTA, 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 SCTA, 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 and used for its originally authorized purpose throughout its useful life until disposition.

Finding: During this Triennial Review of SCTA, 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 SCTA, 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 SCTA, one (1) deficiency was found with the FTA requirements for Procurement.

Deficiency Description: Incomplete standards of conduct (P2-2)

The SCTA Procurement Manual Standards of Conduct and the SCTA Personnel Policy dated January 1, 2020, do not include address disciplinary action for conflict of interest violations by officers, employees, or agents.

2 CFR 200.318 (c)(1) & (2)

(1) The non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.

(2) If the non-Federal entity has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, the non-Federal entity must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.

FTA Master Agreement (28), Section 4

(a) Standards of Conduct. At a minimum, the Recipient agrees to, and assures that its Subrecipients will, establish and maintain written Standards of Conduct covering conflicts of interest that:

(1) Apply to the following individuals who have a present or potential financial interest, or other significant interest, such as a present or potential employment interest in the selection, award, or administration of a third party contract or subcontract:

(i) The Recipient or its Subrecipients' officers, employees, board members, or agents engaged in the selection, award, or administration of any third party agreement;

(ii) The immediate family members or partners of those listed above in section 4(a)(1)(i) of this Master Agreement; and

(iii) An entity or organization that employs or is about to employ any person that has a relationship with the Recipient or its Subrecipient listed above in sections 4(a)(1)(i) and (ii) of this Master Agreement;

(2) Prohibit those individuals listed above in section 4(a)(1) from:

(i) Engaging in any activities involving the Recipient's or any of its Subrecipients' present or potential Third Party Participants at any tier, including selection, award, or administration of a third party agreement in which the individual has a present or potential financial or other significant interest; and

(ii) Accepting a gratuity, favor, or anything of monetary value from a present or potential Third Party Participant in the Recipient's Underlying Agreement, unless the gift is unsolicited and has an insubstantial financial or nominal intrinsic value; and

(3) Establish penalties, sanctions, or other disciplinary actions for violations, as permitted by state or local law or regulations, that apply to those individuals listed above in section 4(a)(1) and the Recipient's or Subrecipient's Third Party Participants

Corrective Action(s) and Schedule: By October 13, 2023, SCTA must submit written standards of conduct that include all missing provisions.

November 17, 2023, SCTA must develop and submit to the Region 3 office Board approval of revised written standards of conduct.

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 SCTA, no deficiencies were found with the USDOT 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 SCTA, 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 SCTA, no deficiencies were found with the USDOT 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 SCTA, one (1) deficiency was found with USDOT requirements for ADA – Complementary Paratransit.

Deficiency Description: Paratransit fare deficiency (ADA-CPT4-4)

The Red Rose Transit Authority (RRTA) fixed route fare is set at \$1.80. During the review period, the ADA complementary paratransit fare was published as being between \$2.40 and \$4.50 depending on the mileage of the trip. During the review, SCTA determined that the fares would be either \$2.40 (1-5.99 miles) or \$3.40 (6 or more miles), ensuring that all complementary paratransit fares would be less than twice the fixed route fares. This change require ratification by the SCTA Board and sufficient publication.

49 CFR 37.131 Service criteria for complementary paratransit

The following service criteria apply to complementary paratransit required by §37.121 of this part.

(c) Fares. The fare for a trip charged to an ADA paratransit eligible user of the complementary paratransit service shall not exceed twice the fare that would be charged to an individual paying full fare (i.e., without regard to discounts) for a trip of similar length, at a similar time of day, on the entity's fixed route system.

(1) In calculating the full fare that would be paid by an individual using the fixed route system, the entity may include transfer and premium charges applicable to a trip of similar length, at a similar time of day, on the fixed route system.

(2) The fares for individuals accompanying ADA paratransit eligible individuals, who are provided service under §37.123 (f) of this part, shall be the same as for the ADA paratransit eligible individuals they are accompanying.

(3) A personal care attendant shall not be charged for complementary paratransit service.

(4) The entity may charge a fare higher than otherwise permitted by this paragraph to a social service agency or other organization for agency trips (i.e., trips guaranteed to the organization).

Corrective Action(s) and Schedule: By August 2, 2023, SCTA must submit to the FTA Office of Civil Rights via FTACivilRightsSupport@dot.gov (per instructions in Section VII of this report):

1. Evidence of formal board approval of fare changes that ensure paratransit fares do not exceed twice the fare for a comparable trip using fixed routes.
2. Evidence that the public has been sufficiently notified of the fare change and the new fares have been implemented.

Subsequent to the site visit, SCTA submitted evidence of board ratification of the fare changes on May 17, 2023 as well as evidence that riders were notified of the change in English and Spanish. This deficiency is closed.

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 SCTA, one (1) deficiency was found with the FTA requirements for Equal Employment Opportunity.

Deficiency Description: Employment practices analyses deficiencies (EEO4-2)

SCTA collects data regarding hiring and terminations in the administrative system and has a tool for tracking disciplinary actions. This is not aggregated to provide statistical data on these practices in the Employment Practices Chart (or similar) to document the impact of employment practices. SCTA does not have a tool for tracking and documenting statistical data for:

- Number of employees in each job category who applied for promotion or transfer and the number promoted or transferred, cross-referenced by sex and race
- Job category training that fosters promotion potential, cross-referenced by sex and race
- Individuals with Disabilities and Veterans, the number of applicants for employment and promotions in each job category, and the number hired and promoted, cross-referenced by sex and race

FTA Circular 4704.1A Ch. 2.2.6 Assessment of Employment Practices

FTA requires agencies to provide statistical data that show any potential impact of employment practices on minorities and women since the last EEO program submission. This includes: The number of applicants for employment in each job category and the number hired, cross-referenced by sex and race; The number of employees in each job category who applied for promotion or transfer and the number in each job category promoted or transferred, cross-referenced by sex and race; The number and types of disciplinary actions (e.g., indefinite suspension, loss of pay, demotion), tailored to the language used in union contracts and agency policies and procedures; the number of voluntary/involuntary terminations, cross-referenced by sex and race; Job category training that fosters promotion potential, cross-referenced by sex and race. FTA requires agencies to establish privacy protocols that protect self-identifying information, including self-identification for veterans and persons with disabilities, to keep this information separate from application materials, and to clearly explain such protocols to applicants and employees invited to self-identify. This includes having procedures that strictly limit access, such as using a separate sheet for self-identifying information. For online applications, this includes ensuring that the self-identifying section remains separate from the application. FTA has developed a sample four-fifths rule (or 80 percent) disparate impact analysis in a Microsoft Excel workbook available for download from FTA's website. (See Attachment 4 for a Sample Employment Practices Chart.) FTA requires agencies to complete the spreadsheets (or alternate documentation containing the same information) by providing current, accurate, and relevant data accompanied by a narrative explaining the source of the data and the results of the analysis. Raw data is not acceptable. FTA notes that determining disparate impact is not a pure arithmetic exercise since other factors contribute to a proper analysis of employment practices. In addition, FTA does not require analysis for any groups constituting less than 2 percent of the applicable workforce.

Corrective Action(s) and Schedule: By August 2, 2023, SCTA must submit to the FTA Office of Civil Rights via FTACivilRightsSupport@dot.gov (per instructions in Section VII of this report):

1. The recipient must submit to the FTA RCRO a detailed narrative and statistical assessment of present employment practices to identify those practices that operate as employment barriers and unjustifiably contribute to underutilization and an employment practices chart that provides all the statistical data in FTA Circular 4704.1A Attachment.
2. Submit to the FTA RCRO a plan that defines how often it will conduct this assessment and how it will utilize the results of the assessment.

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 SCTA, 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. Recipients may operate charter only when the service meets a specified exception defined in rule.

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

19. Section 5307 Program Requirements

Basic Requirement: Recipients 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 to 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 SCTA, 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 the title to the leased vehicles.

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

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 SCTA.

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 SCTA, 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).

This section only applies to recipients that operate rail fixed guideway public transportation systems; therefore, the related requirements are not applicable to the Triennial Review of SCTA.

V. Summary of Findings

Review Area	Finding	Deficiency Code(s)		Corrective Action(s)	Response Due Date(s)	Date Closed
		Code	Description			
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	D	P2-2	Incomplete standards of conduct	The recipient must develop and submit to the FTA regional office: 1. Revised written standards of conduct that include all missing provisions. 2. Board approval of revised written standards of conduct	October 13, 2023 November 17, 2023	
3. Disadvantaged Business Enterprise	ND					
4. Title VI	ND					
5. Americans with Disabilities Act (ADA) – General	ND					
6. ADA – Complementary Paratransit	D	ADA-CPT4-4	Paratransit fare deficiency	1. The recipient must submit evidence of formal board approval of fare changes that ensure paratransit fares do not exceed twice the fare for a comparable trip using fixed routes. 2. The recipient must submit evidence that the public has been notified of the fare change and that the new fares have been implemented.	August 2, 2023	June 16, 2023

Review Area	Finding	Deficiency Code(s)		Corrective Action(s)	Response Due Date(s)	Date Closed
		Code	Description			
7. Equal Employment Opportunity	D	EEO4-2	Employment practices analyses deficiencies	<ol style="list-style-type: none"> 1. The recipient must submit to the FTA RCRO a detailed narrative and/or statistical assessment of present employment practices to identify those practices that operate as employment barriers and unjustifiably contribute to underutilization and an employment practices chart that provides all the statistical data in FTA Circular 4704.1A Attachment. 2. Submit to the FTA RCRO a plan that defines how often it will conduct this assessment and how it will utilize the results of the assessment. 	August 2, 2023	
8. School Bus	ND					
9. Charter Bus	ND					
10. Drug-Free Workplace	ND					
11. Drug and Alcohol Program	ND					
12. Section 5307 Program Requirements	ND					
13. Section 5310 Program Requirements	NA					
14. Section 5311 Program Requirements	NA					
15. Public Transportation Agency Safety Plan	ND					
16. Cybersecurity	NA					

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
South Central Transit Authority			
Greg Downing	Executive Director	717-358-1925	gdowning@sctapa.com
Jeff Glisson	Mgr. Special Projects	717-358-1928	jglisson@sctapa.com
Keith Boatman	Dir. Capital Projects/Planning	717-947-7286	kboatman@sctapa.com
Kevin Hessler	Asst. Dir. Capital Projects/Planning	610-406-4507	khessler@sctapa.com
Laura Hopko	Dir. Admin/HR	610-406-4502	lhopko@sctapa.com
Ben Dice	CFO	717-358-1923	bdice@sctapa.com
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Dominique Thompson	Dir. Operations RRTA	717-327-9536	dthompson@sctapa.com
Steve Myers	Dir. Maintenance RRTA	717-358-1931	smyers@sctapa.com
Ray Delgadillo	Dir. Maintenance BARTA	610-406-4508	rdelgadillo@sctapa.com
Dave Avery	Dir. IT Services & Facilities	717-358-1927	dmavery@sctapa.com
Stacey Seltzer	Asst. Dir. Shared-Ride	610-921-0605 X2217	sseltzer@sctapa.com
FTA			
Tony Tarone	Deputy Regional Administrator	215-656-7100	Tony.Tarone@dot.gov
Tony Cho	Director, Office of Program Management and Project Oversight	215-656-7100	Tony.Cho@dot.gov
Karen Roscher	Transportation Program Specialist	215-656-7002	Karen.Roscher@dot.gov
Benjamin Stoltenberg	Transportation Program Specialist	215-656-7247	Benjamin.Stoltenberg@dot.gov
Contractor			
Ellen Harvey	Lead Reviewer	617-577-0042	eharvey@calyptusgroup.com
Trysh Strayhand	Associate Reviewer	617-577-0042	tstrayhand@calyptusgroup.com

VII. Appendices

Civil Rights Corrective Action Submission

All Civil Rights corrective actions should be submitted to FTACivilRightsSupport@dot.gov in the following format:

- A separate email should be sent to address **each deficiency separately** with attached supporting documentation.

Do not submit MS Word or Excel spreadsheets.

- Supporting documents should be sent as .pdf files in the following format:

Region Number-Grantee Name-TrAMSRcipID-Finding Code.pdf

For example, **Region3-SCTA-7288-ADA-CPT4-4.pdf**

- **Email Subject Line:** FY 23 CORTAP Review Corrective Actions – [Findings Code(s)] – [Recipient Name/Acronym + TrAMS ID]

For example, **FY23 CORTAP Review Corrective Actions – ADA-CPT4-4 – SCTA #7288**

The body of the email should contain a short summary of the corrective action.