



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

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July 26, 2024

Ms. Pamela Howeth
Board Chairperson
Texoma Area Paratransit System
6104 Texoma Pkwy
Sherman, TX 75090

Re: Fiscal Year FY2024 Triennial Review – Final Report

Dear Ms. Howeth:

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. The enclosed final report documents the results of the FTA's FY2024 Triennial Review of Texoma Area Paratransit System (TAPS) in Sherman, TX. Although not an audit, the Triennial Review is the FTA's assessment of TAPS' 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 program funding requirements.

Due to the Coronavirus 2019 (COVID-19) Public Health Emergency, the review was expanded to address TAPS' 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 TAPS' compliance in 23 areas. No deficiencies were found with the FTA requirements in any of these areas.

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 Ms. Layana George, General Engineer, at 847-912-3959 or by email at zille.khan@dot.gov.

Sincerely,

Gail Lyssy
Regional Administrator

Enclosure

cc: Shellie White, TAPS
Christina Zamora, TAPS
Grace Stegall, Tuba Group, Inc.
David Crooks, Tuba Group, Inc.

FINAL REPORT

FISCAL YEAR 2024
TRIENNIAL REVIEW

of

Texoma Area Paratransit System
(TAPS)
Sherman, TX
ID: 6995

Performed for:

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION
REGION 6

Prepared By:

Tuba Group, Inc.

Desk Review/Scoping Meeting Date: March 18 & 21, 2024
Site Visit Entrance Conference Date: June 20, 2024
Virtual Site Visit Exit Conference Date: June 27, 2024
Final Report Date: July 26, 2024

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I. Executive Summary

This report documents the Federal Transit Administration's (FTA) Triennial Review of the Texoma Area Paratransit System (TAPS) of Sherman, TX. 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 Tuba Group, Inc. During the 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 expanded the review to address TAP'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 TAPS shares if and/or how it suspended, deviated from, or significantly updated or altered its transit program due to the public health emergency.

The FY2024 Triennial Review focused on TAPS'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 2021 Triennial Review.

No deficiencies were found with the FTA requirement 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...” 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 2021; 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 6 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. The FTA expanded this review to address the recipient’s compliance with the administrative relief and flexibilities that the FTA granted, and the requirements of the COVID-19 relief funds received through the CARES, CRRSAA, and ARP. 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) 2024 process began with the regional office transmitting a notification of the review and a Recipient Information Request (RIR) to the recipient on December 28, 2023 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 and scoping meeting on March 18, 2024 and March 21, 2024, respectively. 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 site visit. Prior to the site visit, the reviewer sent to the recipient on June 3, 2024 an agenda package indicating the issues that would be discussed, records to be reviewed, and interviews to be conducted. The site visit to TAPS occurred from June 20, 2024 (entrance conference) to June 27, 2024 (exit conference).

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

Upon completion of the 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 31, 2024. 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

The Texoma Area Paratransit System (TAPS) is a political subdivision of the State of Texas, operating as TAPS Public Transit. TAPS is a private, non-profit corporation. TAPS originated as a van and a station wagon ride service in 1986, supported by 13 separate Senior Centers and communities in Fannin, Grayson, and Cooke Counties. Through an effort led by the Area Agency on Aging, TAPS was created to maximize resources to address regional transportation needs. The current Board of Directors consists of representatives from Clay, Cooke, Fannin, Grayson, Montague, and Wise counties; and the Cities of Bowham, Denison, and Sherman.

TAPS currently provides demand-response service to the general public in Clay, Cooke, Fannin, Grayson, Montague, and Wise counties. Weekday demand-response transit service is provided from 6:00 a.m. to 6:00 p.m. There is no Saturday or Sunday service.

The basic adult fare for in-town demand-response service is \$2.00. Students, seniors aged 60 or older, persons with disabilities, and Medicare cardholders pay \$1.00. The fares for out-of-town trips are \$3.00 for adults and \$1.50 for students, seniors aged 60 or older, persons with disabilities, and Medicare cardholders. The fares for out-of-county trips are \$4.00 for adults and \$2.00 for students, seniors aged 60 or older, persons with disabilities, and Medicare cardholders.

TAPS utilizes 32 FTA-funded vehicles for its demand-response service. The fleet consists of accessible vans and cutaway buses. TAPS operates from an administrative, operations, and maintenance facility located on Texoma Parkway in Sherman. While no FTA funds were used to build the facility, FTA funds were used during the review period to remodel the facility. There are three satellite locations where buses pull out due to the large service area. One is in Bonham in Fannin County; one is in Gainesville in Cooke County; and the third is in Decatur in Wise County. None of the satellite locations have federal interest.

2. Award and Project Activity

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

Award Number	Award Amount	Year Executed	Description
TX-2017-082-00	\$1,601,552	2018	FY 2016 and 2017 Section 5307 Sherman UZA Operating
TX-2018-076-00	\$1,129,687	2019	FY2018 Section 5307 Sherman UZA Operating
TX-2019-089-00	\$132,210	2021	FY2017 & FY2018 5339 Program Sherman UZA
TX-2020-009-00	\$1,201,541	2021	FY2019 Section 5307 Sherman UZA Operating
TX-2020-056-00	\$3,482,218	2020	TAPS FY 2020 Section 5307 CARES Act Operating/PM Assistance
TX-2021-075-00	\$44,556	2021	TAPS FY21 5339 Bus and Bus Facilities Equipment
TX-2023-024-00	\$1,500,000	2023	Sherman TAPS FY20/21 5307 Transit Center Design/Construction
TX-2023-031-00	\$478,354	2023	TAPS FY 2021 ARP Section 5307 - Operating Assistance
TX-2024-022-00	\$83,865	2024	Sherman/TAPS FY2022 and FY2023 Section 5339 - Capital for Rolling Stock
TX-2024-036-00	\$1,446,542	2024	Sherman/TAPS FFY2022 5307 - Capital for Rolling Stock

TAPS received Supplemental Funds for operating assistance in award numbers TX-2020-059-02. This is not TAPS's first time receiving operating assistance from the FTA.

Projects Completed

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

In May 2021, purchased 12 revenue vehicles in the amount of \$521,824 using 5310 and 5339 funds. In FY22, we constructed more covered parking at the maintenance facility in the amount of \$397,777 using 5311 funds. In FY23, we purchased a forklift in the amount of \$27,830 using 5339 funds and completed the covered parking project for \$135,948 using 5311 and 5339 funds.

Ongoing Projects

TAPS is currently implementing the following noteworthy projects:

In September 2023 TAPS starting a new facility project. The design and engineering phase is currently underway with construction expected to start around April 2024 and be complete around December 2024. This project will allow the administrative team to relocate to the new facility which will be adjacent to the current maintenance facility. This project currently has \$1,500,000 of 5307 allocated to it and \$3,000,000 of 5339.

TAPS will also be purchasing 20 new revenue vehicles for \$2,500,000 using 5307 and 5339 funds. Other projects in FY24 using 5307 funds will be new security system for the maintenance facility and completion of a fixed route study that began in FY20.

Future Projects

TAPS plans to pursue the following noteworthy project in the next three to five years:

Only the projects stated above at this time.

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 TAPS, 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 TAPS, 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 and close awards timely.

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

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 TAPS, 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 TAPS, 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. With regard to the procurement standards in 2 CFR Part 200, state recipients can use the state's overall policies and procedures, except that the state must comply with 2 CFR 200.321 (contracting with small and minority businesses (superseded by DOT's DBE regulation)), 200.322 (domestic preferences), 200.323 (procurement of recovered materials), and 200.327 (contract provisions). States also must comply with any requirement applicable to FTA recipients by reason other than a 2 CFR

Part 200 procurement standard; for example, 49 U.S.C. 5325(a) requires recipients to conduct all procurement transactions in a manner that provides full and open competition, regardless of Part 200's allowance for states to use state procedures.

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

14. Equal Employment Opportunity (EEO)

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 TAPS, no deficiencies were found with the FTA requirements for EEO.

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 TAPS, 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 TAPS, 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 TAPS, 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 Triennial Review of TAPS, 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 Federal Transit Administration (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 TAPS, 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.

Finding: 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 TAPS.

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.

Finding: 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 TAPS.

22. Public Transportation Agency Safety Plans (PTASP)

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

Finding: During this Triennial Review of TAPS, 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: 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 TAPS.

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	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					

Review Area	Finding	Deficiency Code(s)		Corrective Action(s)	Response Due Date(s)	Date Closed
		Code	Description			
13. ADA – Complementary Paratransit	ND					
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	NA					
21. Section 5311 Program Requirements	NA					
22. Public Transportation Agency Safety Plans	ND					
23. 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
TAPS/Transdev			
Shellie White	General Manager	580-775-8736	shellie.white@transdev.com
Christina Zamora	Grants Administrator	430-666-4375	christina.zamora@transdev.com
Joe Penson	Maintenance Manager	903-375-2077	joe.penson@transdev.com
Scott Parten	HR Generalist	903-271-4389	scott.parten@transdev.com
Bill Null	Safety Manager	903-327-4312	bill.null@transdev.com
FTA			
Sharon Coats	Director of Financial Management and Program Oversight	817-978-0552	sharon.coats@dot.gov
Zille Khan	General Engineer	847-912-3959	zille.khan@dot.gov
Contractor			
Grace Stegall	Lead Reviewer	347-528-6912	stegallgrace@gmail.com
David Crooks	Technical Project Manager	703-417-9410	dcrooks@tubagroup.com