



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

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July 8, 2016

Mr. Greg Seubert
Transit Director
City of Wausau
420 Plumer Street
Wausau, WI 54403

Re: FY 2016 Triennial Review – Draft Report

Dear Mr. Seubert:

The enclosed draft report documents the Federal Transit Administration's (FTA) Triennial Review of the City of Wausau, Wisconsin. This review is required by Chapter 53 of Title 49, United States Code, Section 5307. Although not an audit, the Triennial Review is the FTA's assessment of the City of Wausau's compliance with federal requirements, determined by examining a sample of grant 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 grant requirements.

The Triennial Review focused on the City of Wausau's compliance in 17 areas. No deficiencies were found with the FTA requirements in 11 areas. Deficiencies were found in six areas: Financial Management and Capacity, Technical Capacity, Americans with Disabilities Act, Title VI, Procurement, and Drug Free Workplace/Drug and Alcohol Program. The City of Wausau had one repeat deficiency code from the 2013 Triennial Review in the area of Drug Free Workplace/Drug and Alcohol Program.

Please review this draft report for accuracy and provide your comments to both the reviewer and Ms. Lisa Joiner within ten business days from the date of this letter. A final report that incorporates your comments to the draft report will be provided to you within 14 business days of your response.

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. Joiner at (312)-353-2791 or lisa.joiner@dot.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelley Brookins", with a large, sweeping flourish at the end.

Kelley Brookins

Acting Director, Office of Program Management & Oversight

Enclosure

cc: Lisa Joiner, FTA
Nancy Coburn, AdSTM

DRAFT REPORT

FY 2016 TRIENNIAL REVIEW

of the

**City of Wausau
Wausau Area Transit System
(d.b.a. Metro Ride)
Wausau, Wisconsin
Recipient ID: 2061**

Performed for:

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION
REGION V
Chicago, Illinois**

Prepared by:

**Advanced Systems Technology & Management, Inc.
under subcontract to Qi Tech, LLC.**

**Scoping Meeting Date: February 4, 2016
Site Visit Dates: June 7-8, 2016
Draft Report Date: July 8, 2016**

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I. Executive Summary

This report documents the Federal Transit Administration’s (FTA) Triennial Review of the City of Wausau, Wisconsin. Nancy Coburn of AdSTM, Inc. performed the review under subcontract to Qi Tech, LLC. During the site visit, administrative and statutory requirements were discussed and documents were reviewed. The City of Wausau’s transit facilities were toured to provide an overview of activities related to FTA-funded projects.

The Triennial Review focused on the City of Wausau’s compliance in 17 areas. Deficiencies were found in the areas listed below.

Review Area	Deficiencies	
	Code	Description
Financial Management and Capacity	D-288	Insufficient financial oversight
Technical Capacity	D-122	Incorrect FFR reporting
ADA	D-136	ADA service provision deficiencies
	D-545	Setting weight/size limits on wheelchairs that understate fleet capacities
Title VI	D-203	Title VI public notification deficiencies
Procurement	D-740	Procurement policies not current/complete
Drug Free Workplace/ Drug and Alcohol Program	D-28*	Drug and alcohol policy lacking required elements

* Repeat deficiency code – different finding.

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 three years, the Secretary shall review and evaluate completely the performance of a grantee in carrying out its program, specifically referring to compliance with statutory and administrative requirements.” This Triennial Review was performed in accordance with FTA procedures (published in FTA Order 9010.1B, April 5, 1993).

The Triennial Review includes a review of the grantee’s compliance in 17 areas. The basic requirements for each of these areas are summarized in Section IV.

This report presents the findings from the Triennial Review of the City of Wausau. The review concentrated on procedures and practices employed during the past three years; however, coverage was extended to earlier periods as needed to assess the policies in place and the management of grants. The specific documents reviewed are referenced in this report and are available at FTA’s regional office or the grantee’s office.

2. Process

The Triennial Review process includes a pre-review assessment, a review scoping meeting with the FTA regional office, and an on-site visit to the grantee’s location. The review scoping meeting was conducted with the Region V Office on February 4, 2016. Necessary files retained by the regional office were sent to the reviewer electronically. A grantee information request and review package was sent to the City of Wausau advising it of the site visit and indicating information that would be needed and issues that would be discussed. The site visit to the City of Wausau occurred on June 7-8, 2016.

The onsite portion of the review began with an entrance conference, at which the purpose of the Triennial Review and the review process were discussed. The remaining time was spent discussing administrative and statutory requirements and reviewing documents. The reviewers toured the City of Wausau’s Metro Ride operations and maintenance facility and the downtown transit center to provide an overview of activities related to FTA-funded projects. The reviewers examined a sample of maintenance records for FTA-funded vehicles, facilities, and equipment. Upon completion of the review, FTA and the reviewers provided a summary of preliminary findings to the City of Wausau at an exit conference. Section VI of this report lists the individuals participating in the review.

3. Metrics

The metrics used to evaluate whether a grantee is meeting the requirements for each of the areas reviewed are:

- *Not Deficient*: An area is considered not deficient if, during the review, no findings were noted with the grantee's implementation of the requirements.
- *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 grantee does not conduct activities for which the requirements of the respective area would be applicable.

III. Grantee Description

1. Organization

The City of Wausau, located in north central Wisconsin, is the county seat of Marathon County. The City has a mayor-council form of government, and the Transit Director is a department head that reports directly to the Mayor. The City's Transit Commission meets monthly to set overall policy for the transit service and advise the Common Council on transit matters. The Transit Commission consists of three alderpersons and two Wausau residents, each appointed by the Mayor and approved by the Common Council. The Transit Director is responsible for the day-to-day operation and management of the Wausau Area Transit System, known as Metro Ride. All service is directly operated. Service is provided within the city limits. The service area population is approximately 39,302. The City of Wausau has one Section 5307 subrecipient, the Wisconsin Automotive and Truck Education Association (WATEA), which manages an auto loan and financial literacy program to assist low-income persons with job access.

2. Services

Metro Ride service consists of seven regular fixed routes that operate on 30-minute headways. Service is provided between the hours of 6:30 a.m. and 6:30 p.m. on weekdays. There is no Saturday or Sunday service. The City of Wausau operates an additional nine express routes when public schools are in session. Metro Ride's ADA complementary paratransit service operates during the same days and hours as the fixed-route service.

The basic adult fare for bus service is \$1.75. A reduced fare of \$0.85 is offered to senior citizens over 65 years of age, persons with disabilities, and Medicare cardholders during all hours of service. The fare for students through high school is \$1.50. The fare for ADA complementary paratransit service is \$2.25. Various multi-ride ticket, token, and monthly pass options are also offered.

Metro Ride uses a fleet of 21 FTA-funded low-floor Gillig transit coaches for fixed-route service. The peak requirement is 17 vehicles, for a spare ratio of 23 percent. The average age of the fleet is 10 years. Metro Ride also operates four accessible cutaway vans in ADA paratransit service. Service is centered around the downtown Wausau transit center at 555 Jefferson Street. The Metro Ride operations and maintenance facility is located at 420 Plumer Street in Wausau. Both facilities have FTA interest.

The City of Wausau’s National Transit Database Report for fiscal year 2015 provided the following financial and operating statistics for its fixed-route and paratransit service:

Operating Statistic	Fixed-Route Service	Paratransit Service
Unlinked Passengers	577,044	2,504
Revenue Hours	27,028	578
Operating Expenses	\$2,622,874	\$199,762

3. Grant and Project Activity

The City of Wausau’s one grant open at the time of the review is listed below.

Grant Number	Grant Amount	Year Executed	Description
WI-90-X791	\$1,075,089	2015	FY2015 5307 Operating

During the review period, the City of Wausau used FTA Section 5309 funds administered by the Wisconsin Department of Transportation for office furniture replacement, radio system replacement, bus-mounted bike racks, and a security camera system for the transit center. There are no capital projects currently underway. Over the next three to five years, the City of Wausau plans to replace Metro Ride fareboxes, replace a supervisor van, and undertake roof repairs at the operations and maintenance facility.

IV. Results of the Review

1. Financial Management and Capacity

Basic Requirement: The grantee must demonstrate the ability to match and manage FTA grant funds, cover cost increases and operating deficits, cover maintenance and operational costs for FTA-funded facilities and equipment, and conduct and respond to applicable audits.

Finding: During this Triennial Review of the City of Wausau, deficiencies were found with the FTA requirements for Financial Management and Capacity.

Insufficient financial oversight (288)

The City of Wausau's subrecipient, WATEA, submits quarterly invoices for reimbursement of expenses related to its auto loan program. The Transit Director reviews and approves the invoices, but to-date no other financial oversight procedures are in place, such as periodic audits or a requirement to submit invoices or timesheets to substantiate that the expenses are eligible under the grant.

Corrective Action and Schedule: By November 9, 2016, the City of Wausau must submit to the FTA Region V Office procedures for ensuring that subrecipients adequately document reimbursement requests. Submit evidence that the procedures and associated staff training has been implemented prior to executing the next ECHO drawdown.

2. Technical Capacity

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

Finding: During this Triennial Review of the City of Wausau, deficiencies were found with the FTA requirements for Technical Capacity.

Incorrect FFR reporting (122)

The City of Wausau charges indirect costs to its FTA grants. The indirect expense section of the Federal Financial Report (FFR) has not been completed. This section of the FFR should include the type of rate, the total amount of indirect expenses on a cumulative basis, the federal share, and other required information.

Corrective Action(s) and Schedule: The City of Wausau's next FFR, due October 30, 2016, and all subsequent FFRs, must include all required indirect expense information. The indirect cost rate indicated should be the negotiated rate with the City of Wausau and not a rate associated with a sub award.

3. Maintenance

Basic Requirement: Grantees and subrecipients must keep federally funded vehicles, equipment and facilities in good operating condition. Grantees and subrecipients 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 the City of Wausau, no deficiencies were found with the FTA requirements for Maintenance.

4. Americans with Disabilities Act

Basic Requirement: Titles II and III of the ADA of 1990 provide that no entity shall discriminate against an individual with a disability in connection with the provision of transportation service. The law sets forth specific requirements for vehicle and facility accessibility and the provision of service, including complementary paratransit service.

Finding: During this Triennial Review of the City of Wausau, deficiencies were found with the U.S. Department of Transportation (US DOT) requirements for ADA.

ADA service provision deficiencies (136)

The ADA regulations 49 CFR 37.5 (i) (3) require grantees to make reasonable modifications to policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability or to provide program accessibility to their services. Information on the way to request such a modification must be readily available to the public and accessible. There is no such information on the Metro Ride website or elsewhere.

Setting weight/size limitations on wheelchairs that understate fleet capacities (545)

The Metro Ride bus map, the ADA complementary paratransit application, and the paratransit service guide each state that wheelchairs that exceed dimensions of 48 inches by 30 inches or weigh more than 600 pounds when occupied cannot be accommodated on Metro Ride vehicles. The staff reported that the wheelchair lifts on the paratransit fleet have design loads of 800 to 1,000 pounds. The fixed-route buses are all low-floor and ramp equipped. The US DOT's Final Rule amending 49 CFR Part 37 prohibits a public entity from setting weight or size limitations on wheelchairs it will transport that understate the weight capacity that the vehicle fleet can actually accommodate.

Corrective Actions and Schedule: By November 9, 2016, the City of Wausau must submit to the FTA Regional Civil Rights Officer (RCRO) revised policies and public information materials that:

- **Address procedures to make requests for reasonable modifications [for deficiency *ADA service provision deficiencies (136)*].**
- **Do not understate the size and weight capacity of the fleet's wheelchair lifts or ramps [for deficiency *Setting weight/size limitations on wheelchairs that understate fleet capacities (545)*].**

5. Title VI

Basic Requirement: The grantee 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 grantee must ensure that federally supported transit services and related benefits are distributed in an equitable manner.

Note: The fiscal year 2016 Triennial Review covers a three-year period in which the FTA issued a revised circular for Title VI, which provided more information on how to comply and changed requirements for some grantees with populations over 200,000. FTA Circular 4702.1B became effective October 1, 2012. Title VI programs submitted to FTA after this date must comply with the requirements of this circular. The Triennial Review will look at compliance with the requirement of FTA Circular 4702.1A for the period prior to October 1, 2012, and compliance with the revised circular for activities after this date.

Finding: During this Triennial Review of the City of Wausau, deficiencies were found with the FTA requirements for Title VI.

Title VI public notification deficiencies (203)

The City of Wausau's 2013 Title VI program identifies that the Title VI complaint procedure, the Metro Ride Guide, and notices and warning signs on buses will be translated into Hmong. These documents and other public notices are provided to the Wausau Hmong Mutual Association, but they have not been translated as stated in the Title VI plan.

Corrective Action and Schedule: By November 9, 2016, the City of Wausau must submit to the FTA RCRO procedures to provide translation for Title VI information and other required documents.

6. Procurement

Basic Requirement: Grantees use their own procurement procedures that reflect applicable state and local laws and regulations, provided that the process ensures competitive procurement and the procedures conform to applicable Federal law, including 49 CFR Part 18, (repealed effective December 26, 2014), 2 CFR Part 1201, incorporating 2 CFR Part 200 (specifically Sections 200.317-200.326), and FTA Circular 4220.1F, "Third Party Contracting Guidance."

Finding: During this Triennial Review of the City of Wausau, deficiencies were found with the FTA requirements for Procurement.

Procurement policies not current/complete (740)

The City of Wausau's procurement procedures for Metro Ride were last updated in 2010. The policies include outdated references to 49 CFR Part 18, which has been repealed, and do not specifically address compliance with FTA requirements for small purchases above the micro purchase threshold. During the review period, the City of Wausau had no capital procurements.

It used its FTA operating funds for small purchases of fuel, bus parts, and tires. These files for these purchases included no documentation of compliance with FTA Circular 4220 1.F, the Master Agreement, or 2 CFR Part 200.

Corrective Action and Schedule: By November 9, 2016, the City of Wausau must submit to the FTA Region V Office revised procurement procedures that conform to applicable federal law including: 2 CFR Part 200; FTA C 4220.1F, “Third Party Contracting Guidance”; and the Master Agreement. The submission must include associated staff training and checklists or other tools that ensure FTA requirements are met for all FTA-funded procurements including small purchases.

7. Disadvantaged Business Enterprise

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

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

8. Legal

Basic Requirement: The grantee must be eligible and authorized under state and local law to request, receive, and dispense FTA funds and to execute and administer FTA-funded projects. Grantees must comply with Restrictions on Lobbying requirements.

Finding: During this Triennial Review of the City of Wausau, no deficiencies were found with the FTA requirements for Legal.

9. Satisfactory Continuing Control

Basic Requirement: The grantee 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 the City of Wausau, no deficiencies were found with the FTA requirements for Satisfactory Continuing Control.

10. Planning/Program of Projects

Basic Requirement: The grantee must participate in the transportation planning process in accordance with FTA, Moving Ahead for Progress in the 21st Century, and the metropolitan and statewide planning regulations. Each recipient of a Section 5307 grant shall develop, publish, afford an opportunity for a public hearing on, and submit for approval, a program of projects (POP).

Finding: During this Triennial Review of the City of Wausau, no deficiencies were found with the FTA requirements for Planning/POP.

11. Public Comment on Fare Increases and Major Service Reductions

Basic Requirement: Section 5307 grantees 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.

Finding: During this Triennial Review of the City of Wausau, no deficiencies were found with the FTA requirements for Public Comment on Fare Increases and Major Service Reductions.

12. Half Fare

Basic Requirement: For fixed-route service supported with Section 5307 assistance, fares charged seniors, persons with disabilities, or an individual presenting a Medicare card during off peak hours will not be more than one half the peak hour fares.

Finding: During this Triennial Review of the City of Wausau, no deficiencies were found with the FTA requirements for Half Fare.

13. Charter Bus

Basic Requirement: Grantees are prohibited from using federally funded equipment and facilities to provide charter service if a registered private charter operator expresses interest in providing the service. Grantees are allowed to operate community based charter services excepted under the regulations.

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

14. School Bus

Basic Requirement: Grantees are prohibited from providing exclusive school bus service 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. School tripper service that operates and looks like all other regular service is allowed.

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

15. Security

Basic Requirement: As recipients of Section 5307 funds, grantees must annually certify that they are spending at least one percent of such funds for transit security projects or that such expenditures for security systems are not necessary.

Finding: During this Triennial Review of the City of Wausau, no deficiencies were found with the FTA requirements for Security.

16. Drug Free Workplace and Drug and Alcohol Program

Basic Requirement: Grantees are required to maintain a drug-free workplace for all grant-related employees and to have an ongoing drug-free awareness program. Grantees 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 the City of Wausau, deficiencies were found with the FTA requirements for Drug-Free Workplace and Drug and Alcohol Program.

Drug and alcohol policy lacking required elements (28)

The City of Wausau's drug and alcohol policy does not include all of the behaviors that constitute a test refusal. It omits behaviors specific to an observed collection and the prohibition on prosthetics or other devices that could interfere with the collection process. This finding is a repeat deficiency code from the 2013 Triennial Review, although in 2013 the deficiency was due to testing included in the policy under the City of Wausau's own authority and not clearly identified as non-FTA testing.

Corrective Action and Schedule: By November 9, 2016, the City of Wausau must submit to the FTA Region 5 Office an updated drug and alcohol testing policy that has been adopted by the Metro Ride governing board and distributed to all safety sensitive employees.

17. Equal Employment Opportunity

Basic Requirement: The grantee must ensure that no person in the United States shall on the grounds of race, color, religion, national origin, sex, age, or disability be excluded from participating in, or denied the benefits of, or be subject to discrimination in employment under any project, program, or activity receiving Federal financial assistance under the Federal transit laws. (Note: Equal Employment Opportunity Commission's regulation only identifies/recognizes religion and not creed as one of the protected groups.)

Finding: During this Triennial Review of the City of Wausau, no deficiencies were found with the FTA requirements for Equal Employment Opportunity (EEO).

V. Summary of Findings

Review Area	Finding	Deficiency	Corrective Action	Response Date	Date Closed
1. Financial Management and Capacity	D-288	Insufficient financial oversight	Submit to the FTA Region V Office procedures for ensuring that subrecipients adequately document reimbursement requests. Submit evidence that the procedures have been implemented prior to executing the next ECHO drawdown.	11/9/2016	
2. Technical Capacity	D-122	Incorrect FFR reporting	The next FFR submitted and all subsequent FFRs must include all required indirect expense information.	10/30/2016	
3. Maintenance	ND				
4. ADA	D-136	ADA service provision deficiencies	Submit to the FTA Regional Civil Rights Officer (RCRO) revised policies and public information materials that address procedures to make requests for reasonable modifications.	11/9/2016	
	D-545	Setting size/weight limits on wheelchairs that understate fleet capacities	Submit to the FTA RCRO revised policies and public information materials that do not understate the size and weight capacity of the fleet's wheelchair lifts or ramps.	11/9/2016	
5. Title VI	D-203	Title VI public notification deficiencies	Submit to the FTA RCRO procedures to provide translation for Title VI information and other required documents.	11/9/2016	
6. Procurement	D-740	Procurement policies not current/complete	Submit to the FTA Region V Office revised procurement procedures that conform to applicable federal law including: 2 CFR Part 200; FTA C 4220.1F, "Third Party Contracting Guidance"; and the Master Agreement. The submission must include checklists or other tools that ensure FTA requirements are met for all FTA-funded procurements including small purchases.	11/9/2016	
7. DBE	ND				
8. Legal	ND				
9. Satisfactory Continuing Control	ND				
10. Planning/POP	ND				

Review Area	Finding	Deficiency	Corrective Action	Response Date	Date Closed
11. Public Comment on Fare Increases and Major Service Reductions	ND				
12. Half Fare	ND				
13. Charter Bus	ND				
14. School Bus	ND				
15. Security	ND				
16. Drug-Free Workplace/ Drug and Alcohol Program	D-28*	Drug and alcohol policy lacking required elements	Submit to the FTA Region 5 Office an updated drug and alcohol testing policy that has been adopted by the Metro Ride governing board and distributed to all safety sensitive employees.	11/9/2016	
17. EEO	ND				

* Repeat deficiency code – different finding

VI. Attendees

Name	Title	Phone Number	E-mail Address
<i>City of Wausau</i>			
Greg Seubert	Transit Director	715-842-9287	Greg.Seubert@ci.wausau.wi.us
Peter Burek	Operations Manager	715-842-9287	Peter.Burek@ci.wausau.wi.us
Garth Heckendorf	Maintenance Supervisor	715-842-9287	Garth.Heckendorf@ci.wausau.wi.us
Mary Foss	Transit Operations Supervisor	715-842-9287	Mary.Foss@ci.wausau.wi.us
<i>FTA Region V</i>			
Sheila J. Clements	Director, Office of Program Management & Oversight	312-353-1552	sheila.clements@dot.gov
Marisa Appleton	Civil Rights Officer for Oversight	312-705-1270	marisa.appleton@dot.gov
<i>Reviewer</i>			
Nancy L. Coburn	AdSTM, Inc.	216-570-2719	nancy.coburn@adstm.com

VII. Appendices

No appendices included in this report.

