



**Agenda - Final**  
**Capital Metropolitan**  
**Transportation Authority**  
**Board of Directors**

2910 East 5th Street  
Austin, TX 78702

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**Monday, January 27, 2025**

**12:00 PM**

**Rosa Parks Boardroom**

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**Public Hearing on CapMetro Quadrennial Audit Results**

This hearing will be livestreamed at [capmetrotx.legistar.com](http://capmetrotx.legistar.com)

**I. Call to Order**

**II. Presentation:**

1. CapMetro Quadrennial Audit Results and Response

**III. Public Comment:**

**IV. Adjournment**

**ADA Compliance**

*Reasonable modifications and equal access to communications are provided upon request. Please call (512) 369-6040 or email [ed.easton@capmetro.org](mailto:ed.easton@capmetro.org) if you need more information.*

*BOARD OF DIRECTORS: Jeffrey Travillion, Chair; Leslie Pool, Vice Chair; Becki Ross, Secretary; Eric Stratton, Paige Ellis, Matt Harriss, Dianne Bangle and Chito Vela.*

*The Board of Directors may go into closed session under the Texas Open Meetings Act. In accordance with Texas Government Code, Section 551.071, consultation with attorney for any legal issues, under Section 551.072 for real property issues; under Section 551.074 for personnel matters, or under Section 551.076, for deliberation regarding the deployment or implementation of security personnel or devices; arising regarding any item listed on this agenda.*



# Capital Metropolitan Transportation Authority

2910 East 5th Street  
Austin, TX 78702

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Board of Directors

Item #: AI-2025-1390

Agenda Date: 1/27/2025

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CapMetro Quadrennial Audit Results and Response

To: CapMetro Board of Directors  
From: Dottie Watkins, CapMetro President & CEO  
Date: January 14, 2025  
Re: CapMetro Quadrennial Performance Review (2025)

### **Executive Summary**

CapMetro is subject to a quadrennial performance review in accordance with state law and recently completed this process with a Quadrennial Performance Report for the period of Fiscal Year 2020 through Fiscal Year 2023 (October 1, 2019 – September 31, 2023). The report, attached, outlines one finding and eight recommendations to CapMetro management that represent opportunities to ensure compliance with state law, and refine business processes to enhance performance and business controls.

Ultimately, the process found that

- CapMetro met Chapter 451 requirements for performance indicators;
- CapMetro had one instance of potential non-compliance with respect to the requirements of Chapter 451 of the Texas Transportation Code, as the Agency was unable to produce specific documentation showing delivery of the Quadrennial Performance Report; and
- CapMetro generally operated in an efficient and effective manner despite challenges related to the COVID-19 pandemic and impact of workforce changes in the transit environment.

CapMetro leadership views the quadrennial as an opportunity to review our agency with a fresh, external perspective to highlight things we are too close to see, and to benchmark us against our peers. Staff looks forward to the successful implementation of recommendations identified in the report.

### **Background**

Section 451.454 of the Texas Transportation Code mandates quadrennial performance audits of Texas transit agencies for municipalities with populations of more than 1.9 million.

In September 2024, the CapMetro Board authorized a contract with Weaver and Tidwell, L.L.P. for Quadrennial Performance Audit services (Resolution AI-2024-1200). Upon notice to proceed, the consultant group began working with CapMetro's internal audit team and CapMetro leadership to collect documentation in accordance with the quadrennial's three tasks:

- Task 1: Collection and compilation of base statistics and measurement of specified state-mandated performance indicators
- Task 2: Compliance with applicable state law from Chapter 451 of the Texas Transportation Code and other applicable state laws
- Task 3: Performance in one of three areas (i.e. administration and management, transit operations, or system maintenance): Each functional area must be addressed once every

three audit cycles. The focus of the functional review for this audit was pre-selected by CapMetro to include the administration and management of the authority.

CapMetro management worked to provide appropriate documentation, such as policies and procedures, contracts, website pages and references, and more, to demonstrate compliance with state law or document how CapMetro exercises administrative authority to deliver the agency mission effectively through performance management and oversight.

The final report is required to be delivered to various state officials and agencies, in accordance with Chapter 451 of the Texas Transportation Code.

## **2025 Quadrennial Performance Results**

### *Task 1 – Performance Indicator Review*

This quadrennial performance audit evaluated a variety of performance indicators for the period October 1, 2019 to September 30, 2023 (FY 2020 – FY 2023). It's critical to note that the review period included both the onset and multi-year recovery period of the COVID-19 pandemic, which significantly impacted performance of the transit industry as a whole, not just CapMetro. Further, CapMetro collects a variety of performance indicators in accordance with both state and federal law which can have different reporting requirements and definitions for indicators.

Task 1 found that "CapMetro appropriately calculates and reports the nine key performance indicators required by Texas Transportation Code". Additionally, the report acknowledged that, though CapMetro's cost effectiveness declined during the review period this is largely due to steps CapMetro took to mitigate issues impacting service reliability (such as increasing wage rates within service provider contracts) and cost escalations associated with the pandemic (such as the increase in the price of parts).

There were no findings and two recommendations for management for Task 1. The recommendations (recommendations 1 and 2) include two separate efforts to ensure appropriate monitoring and mitigation related to service reliability and cost effectiveness, which CapMetro Management generally agrees with and is already committed to doing on an ongoing basis. Further, following the conclusion of the review period (September 31, 2023), CapMetro has taken a variety of steps to take more ownership of transit performance by bringing certain functions into CapMetro, and removing them from the service provider contracts. Doing so ensures CapMetro has direct control over service reliability and more opportunities to thoughtfully identify and implement efficiency improvements.

### *Task 2 – Chapter 451 Compliance Review*

Task 2 works to review and ensure compliance with Texas Transportation Code Section 451, Texas Government Code, Texas Property Code, Texas Health and Services Code, and Texas Penal Code, including a point-by-point review of the law's applicability to CapMetro, and any documentation that CapMetro provides to demonstrate compliance.

Task 2 found that "CapMetro overall meets applicable requirements identified". However, there was also one finding (Finding 1) where CapMetro was not able to demonstrate compliance with Quadrennial Performance Report reporting requirements outlined in Texas Transportation Code §

451.457. In short, CapMetro feels confident that the 2016-2019 Quadrennial Performance Report was provided to officials in accordance with state law, as evidenced by the fact that the quadrennial is publicly posted on the state comptroller's website, but was unable to produce documentation, such as a courier receipt or email, demonstrating that all outlined recipients received a copy of the report in accordance with the law. CapMetro has already taken steps to ensure documents are maintained demonstrating delivery of future Quadrennial reports.

Additionally, there were two recommendations related to Task 2 (Recommendations 3 and 4). Both relate to publications on CapMetro's website that will enhance transparency and awareness for customers. CapMetro has already begun the process of updating the website and anticipates having these recommendations implemented by the end of January 2025.

#### Task 3 - Administration and Management of the Authority

Task 3 broadly reviews administration and management of the organization to ensure efficiency, compliance with state law and best practices. To enhance the ability of the review to look deeply into this area, it was focused on those departments most closely tied to delivery of our mission, including, bus, demand response, rail and safety and security.

Task 3 found that "CapMetro had adequate staffing levels, effective department functionality, and appropriate cost elements" for the departments in the review. The review identified no findings and four management recommendations (Recommendations 5, 6, 7 and 8) related to the administration of the Agency.

First, Recommendation 5 identified an opportunity to double-down on steps CapMetro has already begun to establish a comprehensive framework for contracts and contract monitoring. While CapMetro does have performance measures, budget to actual financial data, etc., within our contracts, the recommendation appropriately identifies an opportunity to provide more structure to how these elements are monitored more universally across contracts. CapMetro anticipates completing this framework by this summer.

Recommendation 6 identified an opportunity for CapMetro to add structure to departmental procedures. CapMetro has a robust and centralized approach to agency policies, including review schedules, templates, etc., but does not have a similar mechanism for procedures. While having individual business units develop and own procedures is appropriate, CapMetro management agrees that providing general guidance to departments can help ensure they are regularly reviewed, centrally posted for reference by all in the organization, and more. CapMetro anticipates establishing this guidance by December 31, 2025.

Recommendation 7 suggests a continuation of efforts to review the effectiveness of integrating operations-focused positions into CapMetro, and removing these functions from service provider contracts. This review would identify the satisfaction of employees who transitioned, the impact on KPIs of this change, efficiency gains, etc. CapMetro continues to assess the successes and opportunities of the transition in its fixed route operating model in 2022. For example, CapMetro has recently made adjustments to some of the positions included in the initial changes, realigning Bus Inspectors and Road Supervisors to increase efficiency and performance. Further, CapMetro used lessons learned from the initial changes in 2022 with Keolis for bus operations to better inform the scope and procurement of the demand response contract, which was awarded to MTM in

2024. This is an ongoing process and CapMetro intends to continue incorporating lessons learned into future service provider contract procurement processes.

Finally, Recommendation 8 suggests CapMetro could further enhance professional development for employees. CapMetro did offer defined professional development for employees during the review period and continues to enhance our development programs alongside all People & Culture offerings.

Attached:

- Quadrennial Performance Report (CapMetro's Detailed Management Response on pg. 107)

# **Capital Metropolitan Transportation Authority**

FY 2020–2023 Quadrennial Performance Audit Report

Report Date: January 7, 2025

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# Capital Metropolitan Transportation Authority

FY 2020–2023 Quadrennial Performance Audit Report

Report Date: January 7, 2025

## Background

Section 451.454 of the Texas Transportation Code mandates quadrennial performance audits of Texas transit agencies for municipalities with populations of more than 1.9 million. The purpose of the performance audit is to provide evaluative information necessary for state and local officials to perform oversight functions and to provide useful information to the transit agency for improving efficiency and effectiveness of its operations.

To meet this requirement, Capital Metropolitan Transportation Authority (CapMetro) engaged Weaver and Tidwell, LLP and the Goodman Corporation, LLP to perform the FY 2020 – 2023 performance audit. As part of the scope of work identified by CapMetro, the performance audit assessed the following:

- Collection and compilation of base statistics and measurement of specified state- mandated performance indicators (**Task 1**)
- Compliance with applicable state law from Chapter 451 of the Texas Transportation Code and other applicable state laws (**Task 2**)
- Performance in one of three areas (i.e. administration and management, transit operations, or system maintenance): Each functional area must be addressed once every three audit cycles (**Task 3**). The focus of the functional review for this audit was pre-selected by CapMetro to include the administration and management of the authority.

This report presents the results of the audit of CapMetro's compliance with the requirements identified in Chapter 451.454 of the Texas Transportation Code for the quadrennial period of October 1, 2019 through September 30, 2023 for Fiscal Years (FY) 2020, 2021, 2022, and 2023.

## Executive Summary and Results

Based on the procedures performed for each task, we found that CapMetro (1) met Chapter 451 requirements for performance indicators (PI) (2) had one instance of non-compliance with respect to the requirements of Chapter 451 of the Texas Transportation Code, and (3) generally operated in an efficient and effective manner despite challenges related to the COVID-19 pandemic and impact of workforce changes in the transit environment. Areas within CapMetro to improve internal control design and effectiveness along with instances of non-compliance that are considered findings are required to be reported with associated management responses and action plans. Recommendations for management were also provided to enhance the internal controls, processes, procedures, efficiency and effectiveness of existing operations and management of the Authority. These recommendations to management are not findings and are therefore not required to be reported with associated management responses and action plans, but are included in this report for management consideration.

# **Capital Metropolitan Transportation Authority**

FY 2020–2023 Quadrennial Performance Audit Report

Report Date: January 7, 2025

The following are the summary results for each task included within the Quadrennial Performance Audit:

**Task 1** – Performance Indicator Review identified that CapMetro appropriately calculates and reports the nine key performance indicators required by Texas Transportation Code Section 451.454. Over the quadrennial performance audit scope period, CapMetro's cost effectiveness declined, evidenced by falling fare recovery rates and reduced average vehicle occupancy. CapMetro asserted cost effectiveness has declined due to efforts to improve service delivery by adopting new wage and benefit rates for frontline employees, which resulted in escalating costs. Additionally, CapMetro experienced increased collisions per 100,000 miles, reduced miles between road calls, and deteriorating cost efficiency as operating costs per hour and per mile surged. Therefore, recommendations for improvement were identified to continue current initiatives to assess and evaluate practices to address performance measure declines.

**Task 2** – Chapter 451 Compliance Review identified that CapMetro overall meets the applicable requirements identified in Transportation Code Section 451 and the Texas Government Code. However, one finding was identified to ensure compliance with Chapter 451 through the documented submission of the required quadrennial performance audit to key state offices along with recommendations to clarify posted publications for consistent messaging of current practices. CapMetro achieved the applicable requirements as identified within the Texas Local Government Code, Texas Property Code, Texas Health and Services Code, and Texas Penal Code. Achievement of key performance indicator procedures were also validated to ensure correct calculations and appropriate reporting to the appropriate institutions.

**Task 3** – Administration and Management of the Authority identified that CapMetro had adequate staffing levels, effective department functionality, and appropriate cost elements for the in-scope departments included in the review. Each department maintained effective oversight and leadership over their staff, budget, and areas of responsibility. We identified opportunities to improve internal control design and effectiveness over the current contract management framework, departmental procedures updates, continuing initiatives for professional development and succession planning, and the performance of a post integration analysis of new operations and FTE's following the expansion of in-house services and responsibilities.

## **Task 1**

### **Performance Indicator Review**

# Capital Metropolitan Transportation Authority

## FY 2020–2023 Quadrennial Performance Audit Report

### Task 1 – Performance Indicator Review

Report Date: January 7, 2025

#### Executive Summary

The purpose of Task 1 was to examine Capital Metropolitan Transportation Authority's (CapMetro) achievement of the nine key Performance Indicators (PIs) in accordance with Texas Transportation Code Section 451.454 statutory requirements during the 2020-2023 period. From the procedures, we identified that CapMetro experienced increased operational costs, decreased fare recovery, decreased on-time performance, an increase in collisions, and a decrease in the miles between road calls. Effectively, nearly all performance indicators demonstrated a decline over the 2020-2023 period.

During this audit period, the COVID-19 pandemic impacted every city in America. Because of this, nearly all of CapMetros PIs were impacted, with significant disruptions to its ridership and operating expenses statistics. While President Biden officially announced the end of the COVID-19 pandemic in the U.S in May of 2023, by September 2023 transit in medium-sized urban areas (population 500,000 to 2 million) had only recovered to 71% of pre-pandemic ridership.<sup>1</sup> Therefore, it is likely that CapMetro's performance will continue to stabilize over the coming years and will not fully recover to a new 'normal' until spring of 2028. This significant event and context must be considered when analyzing the performance of CapMetro between 2020 and 2023. Additionally, CapMetro went through a system reimagining in 2018 (entitled 'CapRemap'), which was estimated to reach maturity in 2023. Therefore, it is difficult to separate out the impacts of CapRemap and COVID-19 from each other.

The nine performance indicators evaluated were grouped into three categories for the purpose of validating CapMetro's achievement of its performance goals: service reliability, internal cost and service efficiency measures, and cost effectiveness. The evaluation of performance and the results are summarized as follows:

- **Service Reliability:** Decreased *On-Time Performance*, increased *Collisions per 100k Miles*, and a reduction in the number of *Miles Between Road Calls* demonstrated mixed results regarding CapMetro's service reliability during the period.
- **Internal Cost and Service Efficiency Measures:** These PIs measure the ability of CapMetro to perform its services efficiently, without wasting resources, regardless of how many people use the service. The cost of delivering service increased over the period, with *Operating Cost per Hour* and *Operating Cost per Mile* increasing at 38.53% and 38.75% from 2020 to 2023 respectively. However, CapMetro also demonstrates growth in its *Tax Receipts per Passenger*, showing a 35.18% increase since the start of the period.
- **Cost Effectiveness:** These PI's measure the ability of CapMetro to perform its core functions: transport people in a cost-effective fashion. CapMetro's performance declined across three PIs (*Operating Cost per Passenger*, *Fare Recovery*, and *Average Vehicle Occupancy*).

<sup>1</sup> APTA. (2023). APTA Public Transportation Ridership update. In *APTA Public Transportation Ridership Update*. [https://www.apta.com/wp-content/uploads/APTA\\_POLICY\\_BRIEF\\_Transit\\_Ridership\\_12-01-2023.pdf](https://www.apta.com/wp-content/uploads/APTA_POLICY_BRIEF_Transit_Ridership_12-01-2023.pdf)

**Figure 1:** Summary Table

Performance Indicator	System Wide				Motor Bus				Commuter Bus				Demand Response				Hybrid Rail			
	FY2023	vs Prior Period	4-yr CAGR	vs Prior Period	FY2023	vs. Prior Period	4-yr CAGR	vs Prior Period	FY2023	vs Prior Period	4-yr CAGR	vs Prior Period	FY2023	Prior Period	4-yr CAGR	vs Prior Period	FY2023	vs Prior Period	4-yr CAGR	vs Prior Period
Operating Cost per Hour	\$180.49	↑	8.5%	↑	\$180.29	↑	10.1%	↑	\$277.74	↑	18.1%	↑	\$101.59	↑	0.1%	↑	\$2,454.76	↑	4.8%	↑
Operating Cost per Mile	\$15.30	↑	8.5%	↑	\$16.13	↑	10.4%	↑	\$12.05	↑	11.8%	↑	\$7.92	↑	-3.8%	↓	\$104.59	↑	5.4%	↑
Operating Cost per Passenger	\$19.35	↑	3.3%	↓	\$10.52	↑	8.4%	↑	\$20.57	↑	16.1%	↑	\$46.29	↓	-11.4%	↓	\$73.00	↑	5.2%	↑
Fare Recovery	5.2%	↓	-3.2%	↑	5.9%	↓	-3.9%	↑	13.2%	↓	-13.4%	↓	1.9%	↑	5.8%	↑	3.8%	↓	3.2%	↑
Avg. Vehicle Occupancy	5.28	↓	-0.3%	↑	6.35	↓	0.8%	↑	11.59	↓	-1.1%	↓	1.05	↓	4.2%	↑	22.01	↓	1.6%	↑
On-time Performance	84%	↓	-1.1%	↓	81%	↓	-1.0%	↓	77%	↓	-0.1%	↓	80%	↓	-2.9%	↓	97%	↓	-0.5%	↓
Collisions per 100K Miles	1.41	↑	38.5%	↑	0.47	↑	6.2%	↓	0.00	-	0%	-	0.36	↑	14.4%	↓	4.80	↑	62.4%	↑
Miles Between Road Calls	4,458	↓	-15.0%	↓	1,706	↓	-11.5%	↓	1107	↓	-25%	↓	3,913	↓	-25.9%	↓	11,104	↓	2.1%	↑
Sales and Use Tax Receipts				Unlinked Passenger Trips All Modes				Tax Receipts per Passenger Trip				Austin-Round Rock Consumer Price Index								
FY2023	vs. Prior Period	4-yr CAGR	vs Prior Period	FY2023	vs Prior Period	4-yr CAGR	vs Prior Period	FY2023	vs. Prior Period	4-yr CAGR	vs Prior Period	FY2023	vs Prior Period	4-yr CAGR	vs Prior Period	FY2023	vs Prior Period	4-yr CAGR	vs Prior Period	
382,377,074	↑	10%	↑	24,004,489.00	↓	2%	↑	\$15.93	↑	8%	↑	1334.00	↑	8.48%	↑					

# Capital Metropolitan Transportation Authority

FY 2020–2023 Quadrennial Performance Audit Report

Task 1 – Performance Indicator Review

Report Date: January 7, 2025

## Background

### CapMetro Quadrennial Audit – Performance Indicators

Texas Transportation Code, Chapter 451.454 Performance Audit mandates an audit every four years (quadrennial audit) to facilitate state oversight and provide information to the Authority to improve efficiency and effectiveness, including an evaluation of performance indicators.

This quadrennial performance audit evaluated the following required performance indicators for the period October 1, 2020 to September 30, 2023 (FY 2020 – FY 2023):

- Operating cost per passenger, per revenue miles, and per revenue hour;
- Sales and use tax receipts per passenger;
- Fare recovery rate;
- Average vehicle occupancy;
- On-time performance;
- Number of collisions per 100,000 miles; and
- Number of miles between mechanical road calls.

### Important Changes or Events during the Audit Period

In March 2020, Austin was beginning to experience the coronavirus (COVID-19) pandemic. During COVID-19, individuals were encouraged to stay at home to reduce the transmission of the virus, prompting a transition to work-from-home for many commuters and remote learning modes for students. Others no longer commuted to work as COVID-19 conditions led to furloughs and layoffs. In addition to reduced commuting trips, communities were instructed to limit transit ridership to essential trips. In May 2023, President Biden officially announced the end of the COVID-19 pandemic in the U.S. In late FY 2022 and throughout FY 2023, CapMetro experienced ridership gains compared to the pandemic lows in FY 2020 and 2021. By September 2023 transit in medium-sized urban areas (population 500,000 to 2 million) recovered to 71% of pre-pandemic ridership.<sup>1</sup> Lastly, there was significant staff turnover, which impacted CapMetro's ability to control costs and quality of service.

## CapMetro Transit Service Overview

### 1. Service Modes

CapMetro operates five service modes: Motor Bus, Commuter Bus, Demand Response, Hybrid Rail, and Vanpool. On an average weekday, CapMetro provides approximately 100,000 trips across all modes.<sup>2</sup> The following is a summary of each service mode evaluated as part of the audit procedures:

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<sup>2</sup> *Fast Facts.* (n.d.). Capmetro. <https://www.capmetro.org/facts>

# Capital Metropolitan Transportation Authority

FY 2020–2023 Quadrennial Performance Audit Report

## Task 1 – Performance Indicator Review

Report Date: January 7, 2025

- **Motor Bus (MB)** is a rubber-tired passenger vehicle operating on a fixed route and schedule over roadways. CapMetro has branded its motor bus services as MetroBus, which is a fixed route service with a bus every 30 minutes and frequent stops. MetroBus includes the University of Texas shuttles, the E-Bus that links the UT campus to downtown; Night Owl service; and Round Rock service. CapMetro has branded its high frequency service MetroRapid, which is a bus every 15 minutes with minimal stops.
- **Commuter Bus (CB)** is fixed-route service that connects daily commuters with downtown work destinations. CapMetro has branded its commuter service MetroExpress, which operates five routes from 16 park-and-ride lots.
- **Demand Response (DR)** is a curb-to-curb service that does not operate according to a fixed route or schedule. Passengers schedule rides in advance and these are typically shared among unrelated passengers. Many transit systems operate DR service to meet the requirements of the Americans with Disability Act (ADA). CapMetro has branded its ADA service MetroAccess and it is restricted to people whose disabilities prevent them from riding a CapMetro bus or train. Starting in 2019, CapMetro operated a DR service called "Pickup" that is open to the general public and is on-demand.
- **Hybrid Rail (YR)** combines aspects of commuter rail and light rail. Hybrid rail systems primarily operate on the national system of railroads but typically operate Light Rail-type vehicles instead of diesel multiple-unit trains (DMUs). MetroRail is a hybrid rail system that operates DMUs on a 32-mile route from Leander, north of Austin, to downtown. There are nine stations which connect to nearby destinations with connector routes. CapMetro operates DMUs on a national railroad system but does not operate with the some of the characteristics of commuter rail (e.g. multi-trip tickets, railroad employment practices).
- **Vanpool (VP)** is a shared ride for a group of individuals usually traveling between home and work. MetroRideShare is a group of four or more people who regularly travel together in a rideshare vehicle for the purpose of commuting to and from work.

## 2. Service Delivery Approach

Service delivery is the organization structure under which services are provided. It includes Directly Operated (DO) or Purchased Transportation (PT). DO service is where transit agencies own and maintain the equipment and its bus operators are employees of the agency. PT services are contracted, and the contract can include any combination of operations, and vehicles and/or maintenance. All CapMetro services were PT where CapMetro owned the assets and the contractor provided operations and maintenance. **Table 1** provides a complete listing of PT services.

# Capital Metropolitan Transportation Authority

FY 2020–2023 Quadrennial Performance Audit Report

Task 1 – Performance Indicator Review

Report Date: January 7, 2025

**Table 1.** CapMetro Purchased Transportation Contracts

Contractor	Mode	Effective	Service Start	Expiration
McDonald Transit	MB	4/2012	9/2015	1/2020
Ride Right/MTM	DR	5/2018	10/2018	12/2024
MV Transportation	MB*	8/2019	8/2019	12/2024
Herzog Transit	YR	7/2015	10/2015	9/2026

\* Contract includes BRT and shuttle services elements of MB system

### 3. Performance Indicator Data Sources

The data used to calculate PIs is sourced from either the National Transit Database (NTD) or directly from CapMetro. All PIs reflect the four-year scope period (beginning of FY 2020 to end of FY 2023). The Compound Annual Growth Rate (CAGR) is used to describe any change in performance and is established based on the four-year period.

For NTD sourced data, with the exception of On-Time Performance, all PI data is reported annually to the NTD. The Federal Transit Administration (FTA) requires transit agencies that receive federal funds to report financial, service, safety and security, assets, resources, and contract data to the NTD every year. This data is used in the Federal Funding Allocation formula to apportion federal transit agency funds every year. In 2020, the FTA apportioned \$33.9 million to CapMetro based on the FFA formula; by 2023, this amount increased to \$45.1 million. **Table 2** provides a complete list of NTD sources for PI data.

**Table 2.** NTD Sources of Performance Indicator Data

Data	Source
Sales and Use Tax Receipts	NTD – Form F10
Fares	NTD – Form F10
Operating Expense	NTD – Form F30
Unlinked Passenger Trips	NTD – Form S-10
Revenue Hours	NTD – Form S-10
Revenue Miles	NTD – Form S-10
Passenger Miles	NTD – Form S-10
Accidents	NTD – SS40
Mechanical Failures	NTD – Form R-20

### 4. Data Definitions and Data Summary

The following are the data definitions and data summary identified for each of the PIs evaluated as part of the audit:<sup>3</sup>

<sup>3</sup> Section 451.455, Chapter 451, Texas Transportation Code. <https://statutes.capitol.texas.gov/Docs/TN/htm/TN.451.htm>

# Capital Metropolitan Transportation Authority

FY 2020–2023 Quadrennial Performance Audit Report

Task 1 – Performance Indicator Review

Report Date: January 7, 2025

## Operating Expense

Operating costs are an authority's costs of providing public transit service, including PT service not performed by the authority, but excluding the costs of:

- Depreciation, amortization, and capitalized charges;
- Charter bus operations;
- Coordination of carpool and vanpool activities.

CapMetro reports capitalized expense as part of its contract expense; this is a cash expense and deducted from modes when applicable. Depreciation and amortization are reported for non-cash reconciling items. Charter bus operations are deducted from CB operating expense. Additionally, vanpool expenses, and all related activities, are not reflected in this report per the definition of the statute.

## Operating Expense by Mode

The cost of operations increased approximately \$88.4 million (compounded annually at 8.53%). This was mainly due to MB, which saw its total expenses climb more than \$75 million from 2021 to 2023. Minor cost increases occurred for DR and YR which, paired with minor decrease in cost for CB, resulted in an overall system cost increase of \$88.3 million during the period. The most significant increase for MB occurred between 2022 and 2023, whereas other modes experienced either minor increases or decreases during the audit period. The rising costs for MB appear to be a result of contract rate escalations. Purchased transportation represents the highest growth in costs during the period among all budget line items and the cost of vehicle operations outpaced maintenance and administrative functions. **Table 3** provides detailed costs by mode over the scope period. **Figure 2** and **Figure 3** provides a graphic depiction of these changes over the period.

**Table 3.** Operating Cost by Mode

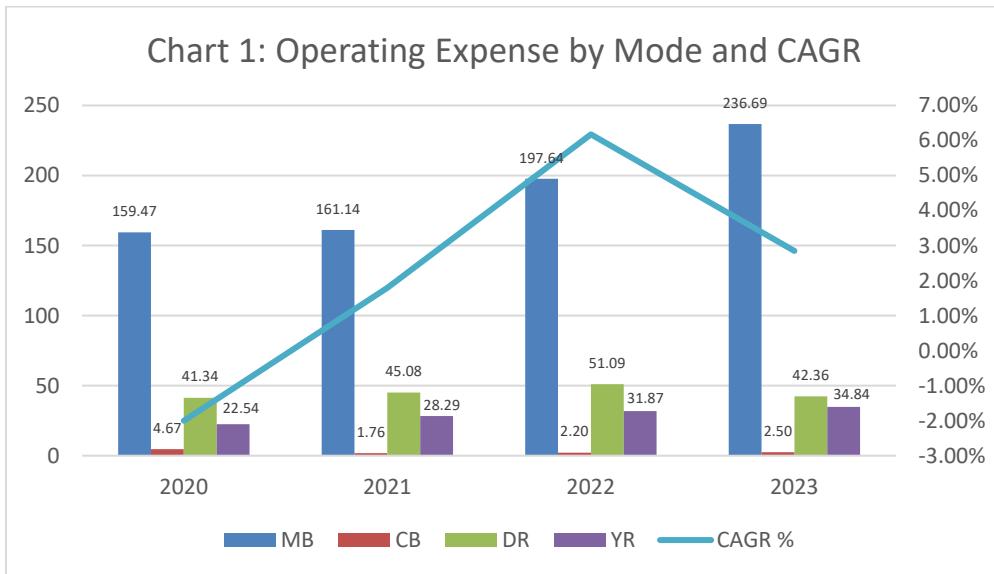
Year	MB	CB	DR	YR	Total
2020	\$159,469,985	\$4,671,770	\$41,344,741	\$22,536,132	\$228,022,628
2021	\$161,136,588	\$1,759,661	\$45,082,917	\$28,286,746	\$236,265,912
2022	\$197,635,839	\$2,201,227	\$51,089,019	\$31,867,229	\$282,793,314
2023	\$236,694,933	\$2,495,503	\$42,358,530	\$34,842,819	\$316,391,785
CAGR 2020-2023	10.38%	-14.51%	0.61%	11.51%	8.53%

# Capital Metropolitan Transportation Authority

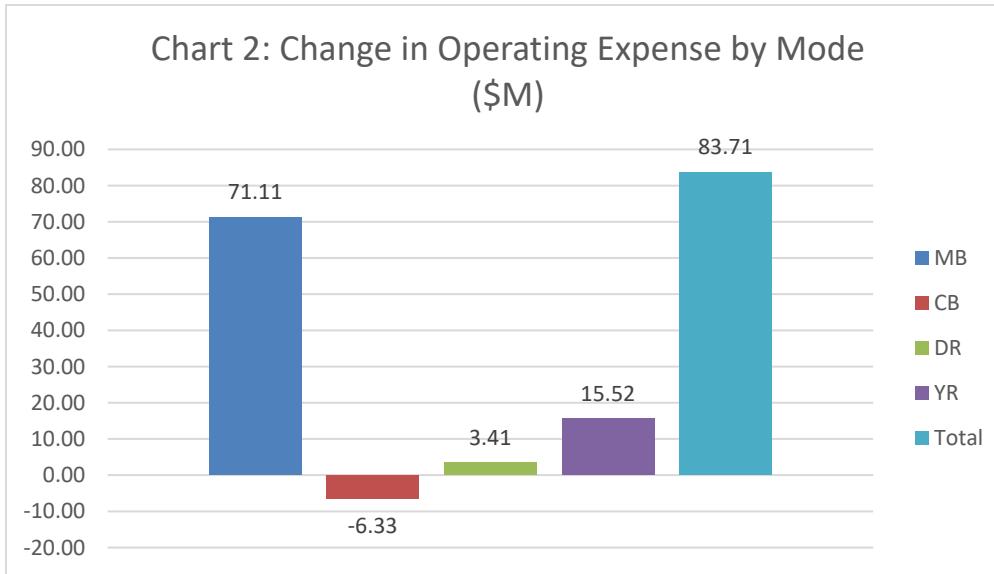
## FY 2020–2023 Quadrennial Performance Audit Report

### Task 1 – Performance Indicator Review

Report Date: January 7, 2025



**Figure 2.** Operating Expense by Mode



**Figure 3.** Change in Operating Expense by Mode

#### Operating Expense by Function

Cost is reported by four NTD-defined functions: operations, maintenance, nonvehicle (facility) maintenance, and general administration. Over the scope period, costs increased by approximately \$88.8 million. Vehicle operations increased \$52.4 million, which is the primary cause for the significant growth in MB expenses noted above. General Administration, Maintenance, and Non-Vehicle Maintenance increased by approximately \$36.4 million over the period. **Table 4** provides detailed expenses by mode and function. **Figure 3** and **Figure 4** provides a graphic depiction of the changes over the period.

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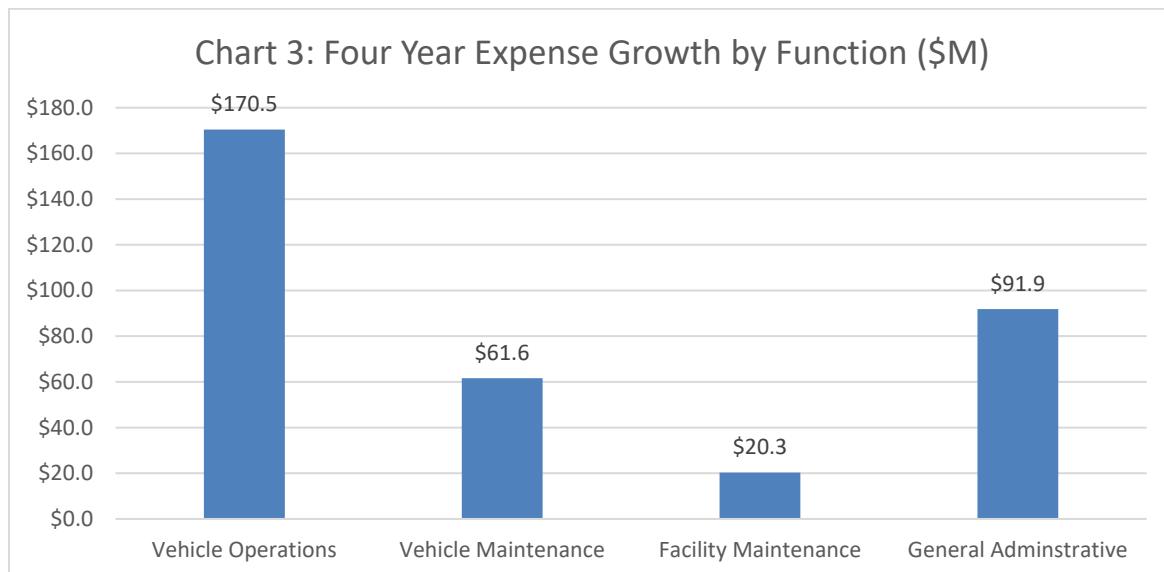
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**Table 4.** 2023 Expense by Mode and Function (\$M)

Function	MB	CB	DR	YR	Total	CAGR
Vehicle Ops	\$116.01	\$1.29	\$44.55	\$8.61	\$170.46	9.63%
Vehicle Maintenance	\$53.07	\$0.49	\$4.63	\$3.45	\$61.64	8.07%
Facility Maintenance	\$8.35	\$0.09	\$1.00	\$10.84	\$20.28	11.82%
General Administration	\$59.26	\$0.63	\$20.03	\$11.94	\$91.86	5.57%



**Figure 4.** 4-Year Expense Growth by Function (\$M)

## Cost by Expense Line Item

The contracting of services by CapMetro results in PT being the largest line-item expense, comprising 56% of the total CapMetro budget by the end of the scope period. Additionally, it represents the largest increase in cost among all line items, having grown by more than \$42 million from 2020 to 2023. Although, it has reduced its share of the budget from 65% in 2020. The second highest expense category is Other Salaries and Wages, which comprises 13.6% of the budget and supports CapMetro staff engaged in executive, administrative, and management activities, including contract management. Other materials and supplies was the fastest growing line item, having ballooned from \$1-2 million in the first two years to over \$18 million at the end of the period. **Table 5** provides details on the change in expense over the period.

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**Table 5.** Authority Expense by Line Item, in Millions

Line Item	2020	2021	2022	2023	CAGR
Other Salaries/Wages	\$25,618,454	\$26,920,736	\$37,756,037	\$45,598,512	15.50%
Fringe Benefits	\$12,266,628	\$12,641,092	\$13,655,532	\$17,102,725	8.66%
Services	\$20,506,503	\$24,843,453	\$35,608,293	\$45,252,287	21.88%
Fuel/Lube	\$11,467,182	\$9,962,247	\$9,963,853	\$12,860,132	2.91%
Other Materials/Supplies	\$1,851,914	\$1,484,750	\$7,619,945	\$18,137,192	76.90%
Utilities	\$3,098,151	\$3,346,753	\$3,510,018	\$4,177,860	7.76%
Casualty/Liability Costs	\$399,679	\$2,670,353	\$568,558	\$556,083	8.61%
Taxes	\$1,075,310	\$914,385	\$926,693	\$1,336,966	5.60%
Purchased Transportation	\$146,137,986	\$147,472,784	\$163,059,530	\$188,431,830	6.56%
Miscellaneous Expenses	\$1,246,633	\$823,627	\$1,538,791	\$2,311,796	16.70%
<b>Total</b>	<b>\$223,668,440</b>	<b>\$231,080,180</b>	<b>\$274,209,272</b>	<b>\$335,765,383</b>	<b>10.69%</b>

## Revenue Hours and Miles

Revenue hours and miles include the total number of hours or miles of service provided by CapMetro, from first pick-up to last drop-off. However, it does not include the miles travelling to and from the bus depot or the bus stop. During this period, CapMetro experienced increases in both revenue hours and miles in MB, DR, and YR. CB revenue hours and miles are still recovering from the pandemic and a switch in commuting patterns. **Table 6** and **Table 7** provides details on revenue changes over the period. **Figure 5** provides a graphic depiction of the changes over the period.

**Table 6.** Revenue Hours of Service by Mode and CAGR

Year	MB	CB	DR	YR	Total
2020	1,297,870	32,738	408,492	11,063	1,750,163
2021	1,324,579	8,225	397,986	10,899	1,741,689
2022	1,248,859	8,754	400,487	14,488	1,672,588
2023	1,312,824	8,985	416,962	14,194	1,752,965
CAGR 2020-2023	0.29%	-27.62%	0.51%	6.43%	0.04%

**Table 7.** Revenue Miles of Service by Mode and CAGR

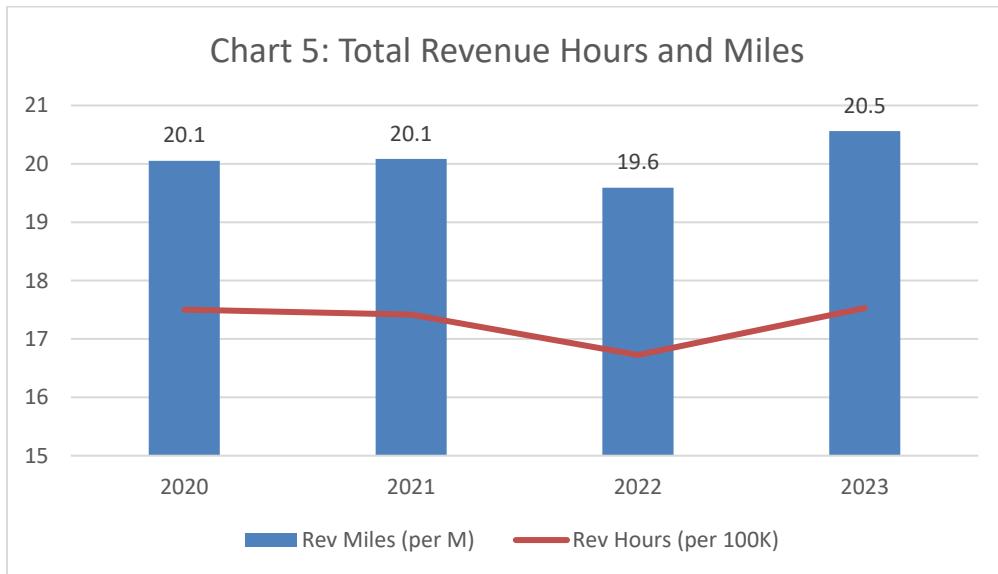
Year	MB	CB	DR	YR	Total
2020	14,707,589	605,598	4,472,209	266,174	20,051,570
2021	15,285,064	196,681	4,335,557	266,094	20,083,396
2022	13,955,659	202,557	5,096,957	336,682	19,591,855
2023	14,671,028	207,012	5,349,198	333,124	20,560,362
CAGR 2020-2023	-0.06%	-23.54%	4.58%	5.77%	0.63%

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**Figure 5.** Total Revenue Hours and Miles

## Passenger Trips

Passenger trips are defined as every time a person boards a bus. Typically, every rider takes two trips – inbound and outbound – or more if there are transfers. In 2023, CapMetro delivered 24 million trips.<sup>4</sup> MB trips generated 22.49 million trips, or approximately 94% of all service. CB, DR, and YR modes together generated approximately 1.5 million trips, or 6% of service.

Across all modes, ridership increased by 1.7 million trips (1.89% annually) over the audit period. The moderate increase in ridership over the period suggests that CapMetro's system is recovering from the COVID-19 pandemic. **Table 8** provides details on the changes over the period. **Figure 6** provides a graphic depiction of the changes over the period.

**Table 8.** CapMetro Passenger Trips by Mode, in Millions

Year	MB	CB	DR	YR	Total
2020	20.93	0.41	0.55	0.38	22.27
2021	15.79	0.05	0.49	0.26	16.58
2022	18.81	0.10	0.75	0.47	20.14
2023	22.49	0.12	0.91	0.48	24.00
CAGR 2020-2023	1.82%	-26.36%	13.53%	6.03%	1.89%

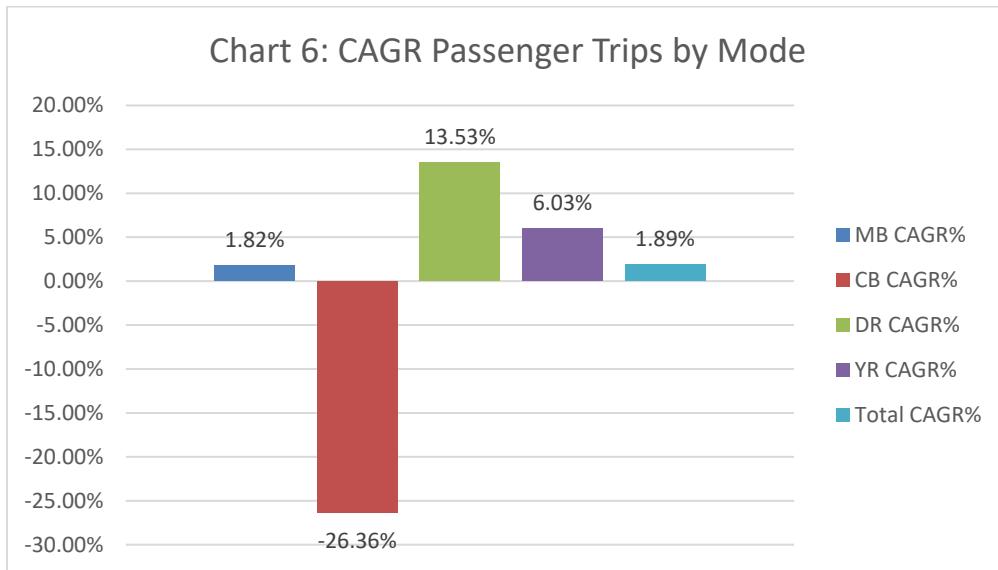
<sup>4</sup> Total does not include vanpool.

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**Figure 6.** CAGR Passenger Trips by Mode

## Performance Indicators and Results

The following are the PIs evaluated with the corresponding results identified for each as prescribed within Chapter 451 of the Texas Transportation Code.

### Annual Operating Cost by Trip

The operating cost per passenger trip provides an assessment of the transit system's overall performance over the year in terms of cost-effectiveness.<sup>5</sup>

**Chapter 451 Texas Transportation Code Definition:** The authority's costs of providing public transit service, including purchased transit service not performed by the authority, but excluding costs associated with depreciation, amortization and capitalized charges, charter bus operations, and coordination of carpool and vanpool activities. The number of passengers is equivalent to the number of all trips, including transfers, but excludes charter passengers and carpool and vanpool passenger whose trips are only coordinated by the authority.

### Equation 1. Cost per Passenger

$$\text{Cost per Passenger} = \text{Operating Cost} / \text{Passenger Trips}$$

<sup>5</sup> Transit Cooperative Research Program (TCRP) Report 88, A Guidebook for Developing a Transit Performance-Measurement System, published by the Transportation Research Board (TRB), served as the reference for performance indicator definitions and purposes. Downloaded from <http://www.trb.org/Main/Home.aspx>.

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Authority-wide, the average cost per passenger trip grew by 3.35% annually to \$19.35, which is attributable to an increase in revenue hours and miles for DR and YR. During this period, there has been an overall increase in expenses, when combined with recovering ridership has led to an overall increase in annual operating cost. **Table 9** provides details of the changes over the period. **Figure 7**, **Figure 8**, and **Figure 9** provides a graphic depiction of the changes over the period.

**Table 9.** Cost per Passenger Trip and CAGR

Year	MB	CB	DR	YR	Average
2020	\$7.62	\$11.33	\$75.08	\$59.67	\$16.96
2021	\$10.21	\$38.34	\$92.40	\$110.07	\$19.69
2022	\$10.51	\$22.22	\$67.93	\$67.18	\$19.59
2023	\$10.52	\$20.57	\$46.29	\$73.00	\$19.35
CAGR 2020-2023	8.41%	16.09%	-11.39%	5.17%	3.35%

The following are details regarding the cost per passenger by mode:

#### **MB: \$10.52/Trip:**

The annual operating cost per trip for MB services was \$10.52 in FY 2023, reflecting steady cost efficiency compared to prior years. This cost remains competitive within the transit industry (cost per passenger is 20% less than the peer group averages) and highlights the scalability of fixed-route services in urban environments. The relatively low cost per trip for MB is largely attributable to its high ridership volumes, which help spread operating expenses across a greater number of passengers.

#### **CB: \$20.57/Trip:**

CB services incurred an operating cost of \$20.57 per trip in FY 2023. While higher than MB, this cost reflects the specialized nature of CB routes, which often cater to longer-distance travel with lower passenger densities. The increase in cost per trip may also be influenced by the shift in commuting patterns post-pandemic, as more individuals work remotely or adopt hybrid schedules.

#### **DR: \$46.29/Trip**

At \$46.29 per trip, the DR service exhibits significantly higher operating costs, reflecting the personalized and flexible nature of this mode. DR services provide curb-to-curb accessibility, primarily supporting individuals with disabilities or those in underserved areas, which inherently limits economies of scale. While this cost aligns with industry expectations, improving efficiency through advanced scheduling systems and shared ride options could help mitigate the high per-trip cost without compromising service quality.

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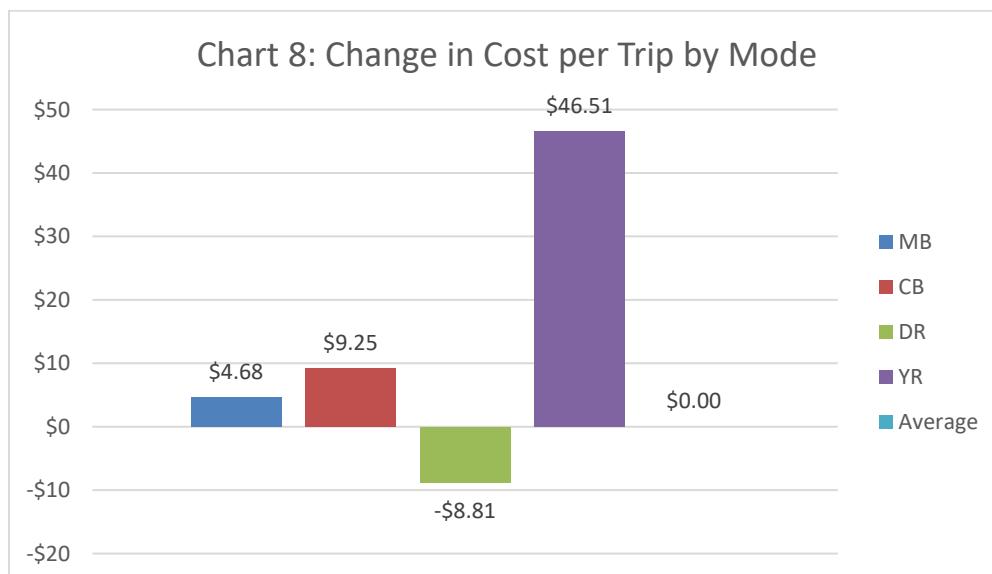
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#### YR: \$73.00/Trip

YR services recorded the highest operating cost per trip at \$73.00 in FY 2023. This substantial figure underscores the resource-intensive nature of rail operations, including infrastructure maintenance and lower ridership levels compared to other modes. The high cost is also indicative of ongoing challenges in attracting sufficient ridership to offset operational expenses. Strategic investments in marketing and service enhancements, as well as exploring public-private partnerships, could help improve cost efficiency for this mode.



**Figure 7.** Cost per Trip by Mode



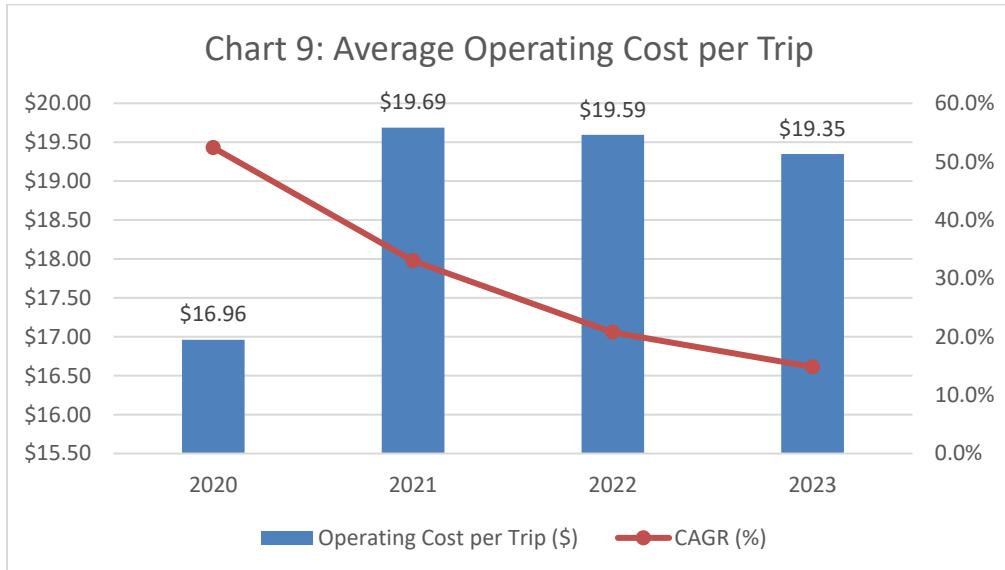
**Figure 8.** Change in Cost per Trip by Mode

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**Figure 9.** Average Operating Cost per Trip

## Operating Cost per Revenue Hour (Cost per Hour)

Operating Cost per Revenue Hour is a measure of cost efficiency and not related to how much service is consumed. This measure reflects how much service output (revenue hours) the system provides against the cost of producing the service.

**Chapter 451 Texas Transportation Code Definition:** The operating cost per revenue hour is computed by dividing the annual operating cost by the total of scheduled hours that authority revenue vehicles are in revenue service for the same period.

### Equation 2. Cost per Hour

$$\text{Cost per Hour} = \text{Operating Cost} / \text{Revenue Hours}$$

Operating Cost per Hour increased during the period, growing 8.49% annually. CB experienced the largest growth in operating cost per hour. This is due to the operating cost of this mode and less revenue hours as commuters have adapted to new routines since COVID-19. This measure reflects that CapMetro has some inefficiencies at keeping costs down during operations regardless of where the service is going or how many people ride it. **Table 10** provides details of the changes over the period. **Figure 10** provides a graphic depiction of the changes over the period.

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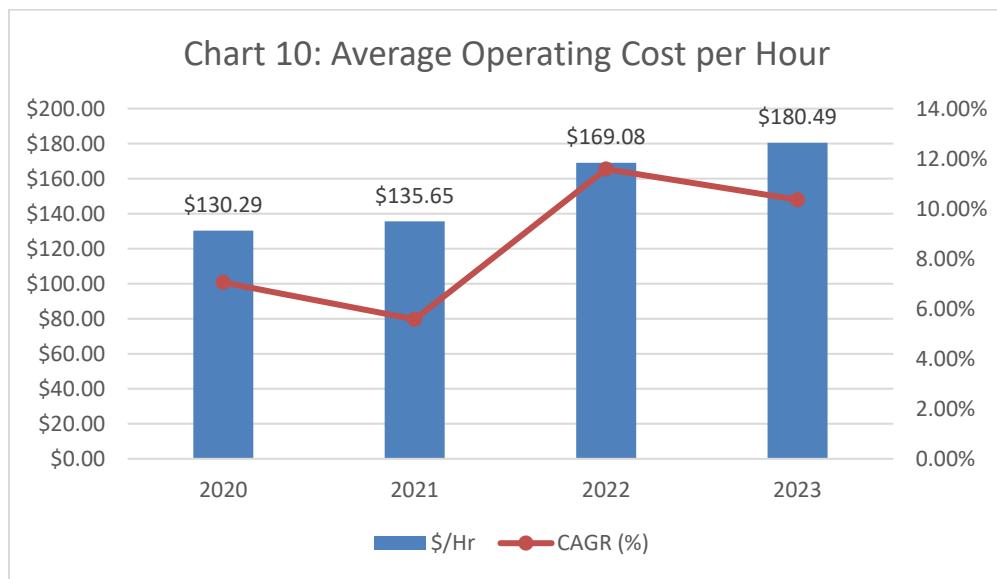
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**Table 10.** Operating Cost per Hour and CAGR

Year	MB	CB	DR	YR	Average
2020	\$122.87	\$142.70	\$101.21	\$2,037.07	\$130.29
2021	\$121.65	\$213.94	\$113.28	\$2,595.35	\$135.65
2022	\$158.25	\$251.45	\$127.57	\$2,199.56	\$169.08
2023	\$180.29	\$277.74	\$101.59	\$2,454.76	\$180.49
CAGR 2020-2023	10.06%	18.11%	0.09%	4.77%	8.49%



**Figure 10.** Average Operating Cost per Hour

## Operating Cost per Revenue Mile (Cost per Mile)

Cost per Revenue Mile is a cost efficiency measure. Revenue miles is defined as the number of miles traveled by authority revenue vehicles while in revenue service.

**Chapter 451 Texas Transportation Code Definition:** The operating cost per revenue mile is computed by dividing the annual operating cost by the total scheduled miles that authority revenue vehicles are in service for the same period.

## Equation 3. Cost Mile

$$\text{Cost per Hour} = \text{Operating Cost} / \text{Revenue Miles}$$

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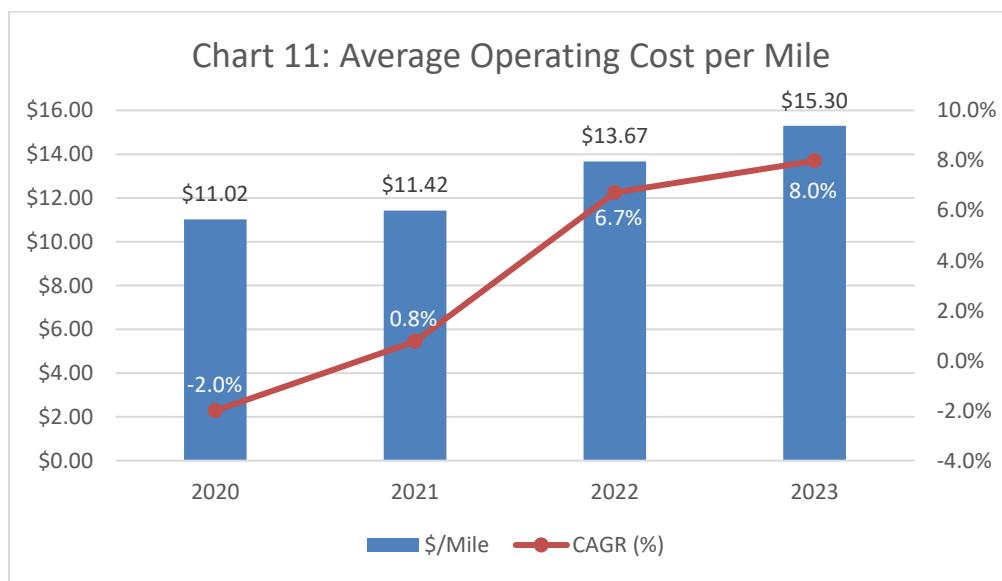
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Operating Cost per Mile increased during the period, growing 8.53% annually. CB experienced the largest growth in operating cost per mile. This is due to the operating cost of this mode and less revenue miles as commuters have adapted to new routines since COVID-19. This measure reflects that CapMetro has some inefficiencies at keeping costs down during operations regardless of where the service is going or how many people ride it. **Table 11** provides details on the changes over the period. **Figure 11** provides a graphic depiction of the changes over the period.

**Table 11.** Operating Cost per Mile by Mode

Year	MB	CB	DR	YR	Average
2020	\$10.84	\$7.71	\$9.24	\$84.67	\$11.02
2021	\$10.54	\$8.95	\$10.40	\$106.30	\$11.42
2022	\$14.16	\$10.87	\$10.02	\$94.65	\$13.67
2023	\$16.13	\$12.05	\$7.92	\$104.59	\$15.30
CAGR 2020-2023	10.45%	11.81%	-3.80%	5.43%	8.53%



**Figure 11.** Average Operating Cost per Mile

### Sales and Use Tax Receipts per Passenger (Tax Receipts per Passenger)

This PI describes how CapMetro is performing its core functions in a cost-effective manner by measuring local subsidy per passenger. Tax Revenue means sales and use taxes received by the authority.

**Chapter 451 Texas Transportation Code Definition:** The sales and use tax receipts per passenger are computed by dividing the annual receipts from authority sales and use taxes by passenger trips for the same period.

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## Equation 4. Tax Receipts per Passenger

$$\text{Tax Receipts per Passenger} = \text{Tax Revenue} / \text{Passenger Trips}$$

As an agency with taxing authority, CapMetro relies primarily on sales tax receipts to fund its operations.<sup>6</sup> CapMetro receives \$0.01 cent of the \$0.825 sales tax collected from participating municipalities: Austin, Jonestown, Lago Vista, Leander, Manor, Point Venture, and San Leanna and some unincorporated parts of Travis and Williamson counties. CapMetro does not collect sales tax from West Lake Hills, Rollingwood, Cedar Park, Pflugerville, or Volente; and consequently, does not provide transit services to these communities.<sup>7</sup>

CapMetro collaborates with jurisdictions outside its service area, including Georgetown, Round Rock, Pflugerville, Hutto, Buda, and Travis County, to assist with transit planning and development. In Round Rock, CapMetro directly provides transportation services, while Travis County receives transit support from both CapMetro and CARTS in urbanized, unincorporated areas. These services are delivered through interlocal agreements, where participating cities reimburse CapMetro for the cost of providing transit in their communities, however, these cities are not taxed by CapMetro.

Sales tax revenues grew at a rate of 7.83%, which reflects the trend of the Austin-Round Rock Business Cycle Index published by the Dallas Federal Reserve. During this same period, the population within the Austin-Round Rock-San Marcos Metropolitan Statistical Area grew 2.5%.<sup>8</sup> However, ridership is not reflecting the increase in funding, as demonstrated by the significantly higher subsidy in **Table 12**. Even after the pandemic ended, CapMetro is not seeing the passenger traffic it had in 2020 and earlier. **Figure 12** provides a graphic depiction of the changes over the period.

**Table 12.** Tax Receipts per Passenger (All Modes)

Year	Total
2020	\$11.78
2021	\$18.18
2022	\$18.22
2023	\$15.93
CAGR 2020-2023	7.83%

<sup>6</sup> Federal funding is used primarily to fund capital expenditures.

<sup>7</sup> [CapMetro 2024 Annual Budget](#)

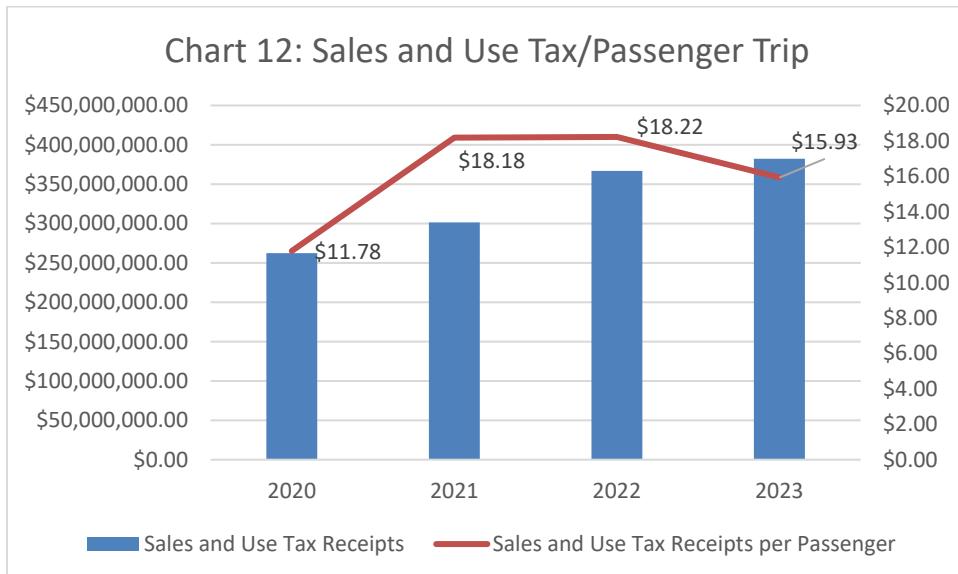
<sup>8</sup> [Austin - Round Rock - San Marcos \(Metropolitan Statistical Area, Metropolitan Areas, USA\) - Population Statistics, Charts, Map and Location](#)

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**Figure 12.** Sales and Use Tax per Passenger Trip

## Fare Recovery Rate (Fare Recovery)

The Fare Recovery rate is a measure of cost effectiveness. The farebox recovery rate and operating ratio are used to strike a balance between keeping transit service affordable and having riders cover as much of the costs as possible.

**Chapter 451 Texas Transportation Code Definition:** The fare recovery rate is computed by dividing the annual revenue, including fares, tokens, passes, tickets, and route guarantees, provided by passengers and sponsors of passengers of revenue vehicles, by the operating cost for the same period. Charter revenue, interest income, advertising income, and other operating income are excluded from revenue provided by passengers and sponsors of passengers.

## Equation 5. Fare Recovery

$$\text{Fare Recovery} = \text{Total Fare Revenue} / \text{Total Expenses}$$

By industry standards, CapMetro fare recovery is low, recuperating only about 5% of its costs through fares. This is the lowest fare recovery out of all the analyzed peers, and contrasts the average peer group's systemwide recovery rate of 7%. The very low fare recovery rate for hybrid rail, consistently under 4% since 2020, plays a significant part in CapMetro's low fare recovery. CB service has also fallen from a high of near 24% in 2020 to 13% in 2023. MB is experiencing a similar downward trend as other agencies over the past eight years, having fallen from more than 10% to less than 5%. **Figure 13.** CapMetro Systemwide Fare Recovery Rate and CAGR systemwide fare recovery over the analysis period, contrasted with the compound annual growth rate.

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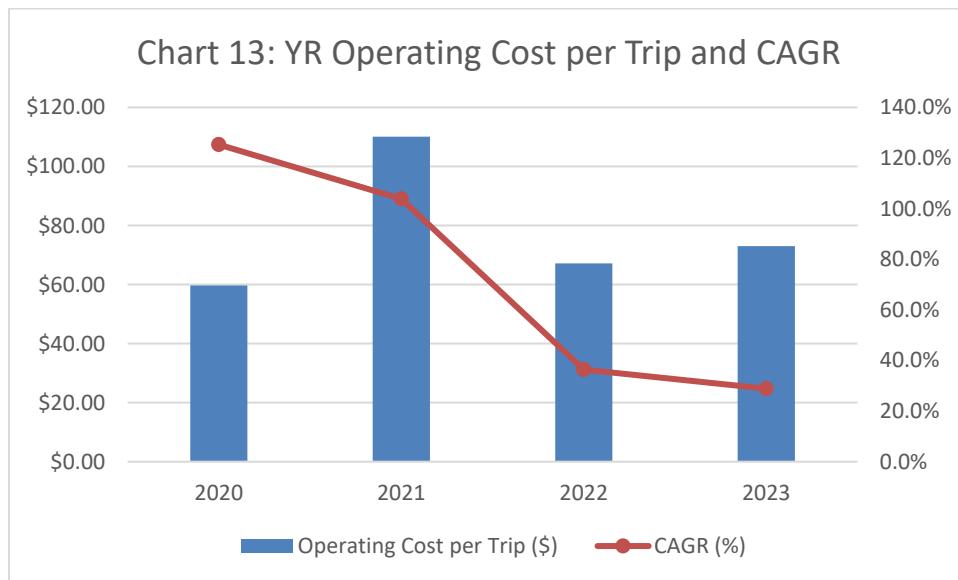
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**Table 13.** Fare Recovery Rate

Year	MB	CB	DR	YR	Average
2020	6.87%	23.53%	1.56%	3.32%	5.90%
2021	6.73%	8.15%	1.11%	1.82%	5.08%
2022	6.25%	10.67%	1.44%	3.48%	5.10%
2023	5.87%	13.23%	1.95%	3.76%	5.17%
CAGR 2020-2023	-3.86%	-13.41%	5.77%	3.18%	-3.24%



**Figure 13.** CapMetro Systemwide Fare Recovery Rate and CAGR

## Average Vehicle Occupancy (Vehicle Occupancy)

The Average Vehicle Occupancy (AVO) metric provides insight into system productivity by measuring the number of passengers transported per revenue mile.

**Chapter 451 Texas Transportation Code Definition:** The average vehicle occupancy is computed by dividing the annual passenger miles by the number of miles traveled by authority revenue vehicles while in revenue service for the same period. The annual passenger miles are computed by multiplying the annual passenger trips and the average distance ridden by passenger during the same period.

### Equation 6. Vehicle Occupancy

$$\text{Vehicle Occupancy} = \text{Passenger Miles} / \text{Revenue Miles}$$

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Over the audit period, CapMetro exhibited relatively stable AVO figures across its service modes, with systemwide occupancy decreasing slightly at a CAGR of -0.28%. However, mode-specific trends revealed more dynamic changes.

The AVO for MB showed a modest recovery, increasing from 6.15 in FY 2020 to 6.35 in FY 2023 (CAGR of 0.80%). This improvement reflects incremental gains in passenger volumes relative to service miles, partially attributed to the rebound in urban commuting patterns post-pandemic. AVO in CB services declined slightly, with a CAGR of -1.07%, ending at 11.59 in FY 2023. This decline underscores the ongoing challenges in restoring ridership among commuters, many of whom have shifted to hybrid or remote work arrangements. DR services demonstrated growth in occupancy, with a CAGR of 4.22%, rising to 1.05 in FY 2023, although it remains predictably near an average of one passenger per mile. YR occupancy remained robust, growing from 20.63 in FY 2020 to 22.01 in FY 2023 (CAGR of 1.63%). This reflects the mode's continued appeal for regional connectivity and its ability to attract riders for longer-distance travel.

Despite these variances, CapMetro's overall AVO figures remain competitive, particularly in the MB and YR modes, where occupancies exceed the systemwide average. A sustained focus on optimizing route efficiencies, coupled with initiatives to attract new riders, will be critical in bolstering occupancy rates across all modes in the coming years.

**Table 14.** Vehicle Occupancy by Mode

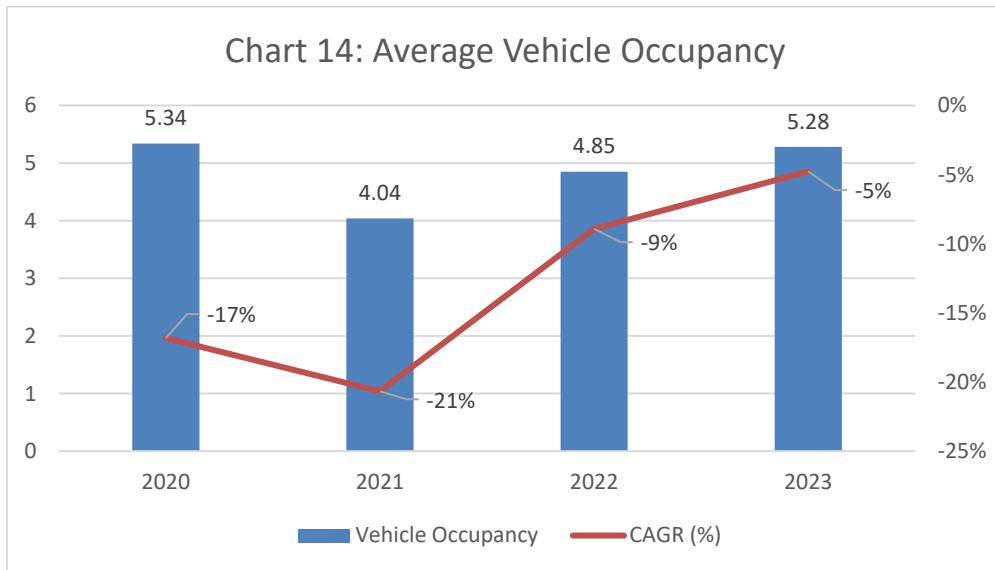
Year	MB	CB	DR	YR	Average
2020	6.15	12.10	0.89	20.63	5.34
2021	4.85	3.86	0.74	11.44	4.04
2022	5.86	8.63	0.97	19.06	4.85
2023	6.35	11.59	1.05	22.01	5.28
CAGR 2020-2023	0.80%	-1.07%	4.22%	1.63%	-0.28%

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**Figure 14.** Systemwide Average Vehicle Occupancy

## On-time Performance (OTP)

OTP is a measure of system reliability. Depending on the mode, a transit vehicle is considered “on time” if it departs a location within a certain number of minutes after and/or before the scheduled time. Chapter 451 of the Texas Transportation Code considers an early departure not to be on time. From a passenger point of view, an early departure means waiting for the next vehicle.

**Chapter 451 Texas Transportation Code Definition:** On-time performance is computed by determining an annual percentage of revenue vehicle trips of revenue vehicles that depart from selected locations at a time not earlier than the published departure time and not later than five minutes after that published time.

### Equation 7. Motor Bus OTP

$$\text{Motor Bus OTP} = \text{Average Bus OTP}$$

### Equation 8. Hybrid Rail OTP

$$\text{Hybrid Rail OTP} = \text{Data for One Line}$$

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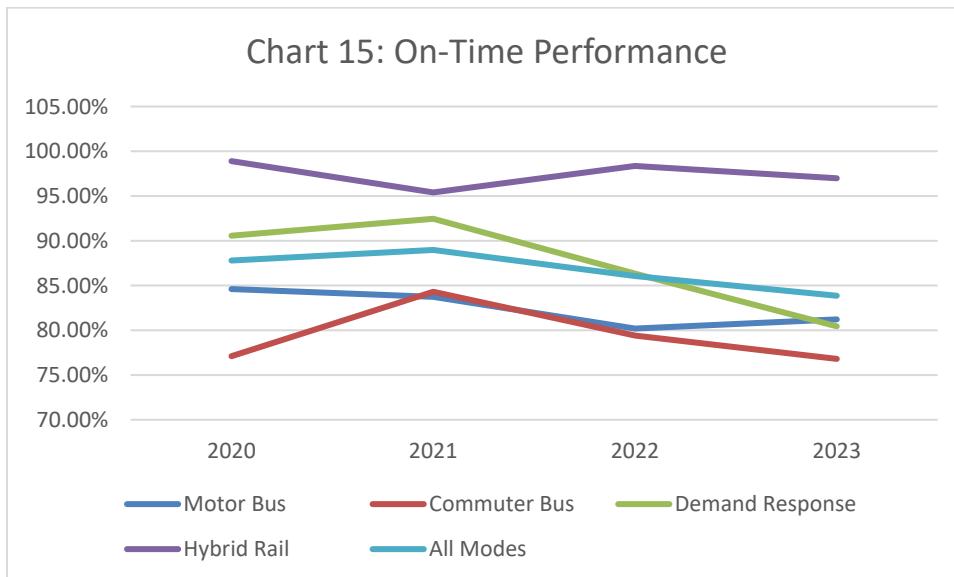
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Industry-recognized best practices for on-time performance include 75-85% for bus<sup>9</sup>, at least 80% for rail<sup>10</sup>, and around 90% for demand response. Two areas of CapMetro's system OTP that fall short are CB and DR. CB services have been up and down between 75% and 85% since 2016 and may represent the best opportunity for improvement. DR service on-time performance shows a decrease in OTP over the period, starting at 90.56% in 2020 and dropping to 80.44% in 2023. MB and YR have kept their OTP numbers stable throughout the period.

**Table 15.** On-Time Performance by Mode

Year	MB	CB	DR	YR	Average
2016	81.15%	77.50%	93.86%	95.97%	87.12%
2017	82.47%	82.00%	93.85%	97.65%	88.99%
2018	84.45%	85.57%	92.39%	96.54%	89.74%
2019	84.16%	81.46%	90.34%	97.21%	88.29%
2020	84.61%	77.10%	90.56%	98.90%	87.79%
2021	83.74%	84.30%	92.46%	95.40%	88.97%
2022	80.19%	79.40%	86.32%	98.36%	86.07%
2023	81.21%	76.80%	80.44%	96.98%	83.86%
CAGR 2016-2019	1.22%	1.68%	-1.27%	0.43%	0.45%
CAGR 2020-2023	-1.02%	-0.10%	-2.92%	-0.49%	-1.14%



**Figure 15.** On-Time Performance

<sup>9</sup> [Chapter 5: Quality of Service Methods | Transit Capacity and Quality of Service Manual, Third Edition | The National Academies Press](#)

<sup>10</sup> [FRA publishes rule establishing minimum on-time standards between Amtrak and host railroads](#)

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## Accidents per 100,000 Miles (Accident Rate)

Accident Rate is a Customer/Quality of Service PI that provides an assessment of a transit system's safety and security. Safety and security issues are relevant to passenger confidence and to the control of liability and insurance costs of services. CapMetro does not directly operate any of its services, so this PI does not need to be reported to the State. The FTA published the Public Transportation Agency Safety Plan (PTASP) to provide safety metrics and technical assistance for agencies to improve accident rates.<sup>11</sup> Its Safety Performance Targets Guide establishes procedures by which agencies set appropriate safety performance target criteria.

**Chapter 451 Texas Transportation Code Definition:** The number of accidents per 100,000 miles is computed by multiplying the annual number of accidents by 100,000 and dividing the product by the number of miles for all service, including charter and nonrevenue service, directly operated by the authority for the same period. In this subsection, "accident" includes:

- a collision that involves an authority's revenue vehicle, other than a lawfully parked revenue vehicle, and that results in property damage, injury, or death; and
- an incident that results in the injury or death of a person on board or boarding or alighting from an authority's revenue vehicle.

### Equation 9. Accident Rate

$$\text{Accident Rate} = 100,000 \text{ mi} \times (\text{Accidents} / \text{Service Miles})$$

However, the published crash data for CapMetro's purchased transportation still offers insights into safety trends over time, potentially revealing the organization's progress and areas for improvement.

Between FY 2020 and FY 2023, CapMetro's accident rate increased from 0.40 to 0.51 accidents per 100,000 miles, with a CAGR of 11.24%. MB services saw a modest rise from 0.45 to 0.47 accidents per 100,000 miles (CAGR of 6.16%), while DR services experienced a sharper increase to 0.36 (CAGR of 14.42%). YR exhibited the most significant growth, climbing to 4.80 accidents per 100,000 miles, representing a significant CAGR of 62.40%. Conversely, CB maintained a perfect safety record with no reported accidents during the period.

The upward trend in accident rates can be attributed to several factors. Pandemic-related workforce turnover and operational disruptions likely impacted safety oversight and operator familiarity. Additionally, service expansions introduced new routes with potentially unfamiliar safety hazards, while infrastructure limitations, particularly in YR, may have contributed to the higher rates.

<sup>11</sup> <https://www.transit.dot.gov/regulations-and-programs/safety/public-transportation-agency-safety-program/safety-performance>

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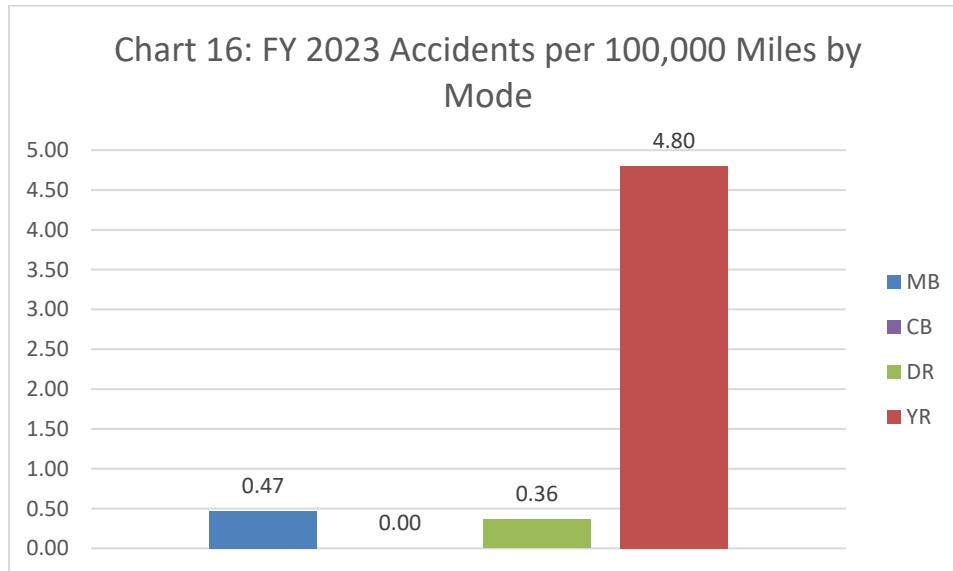
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To reverse these trends, CapMetro should prioritize enhanced safety training for operators, emphasizing defensive driving and situational awareness. Route-specific safety audits can help identify and mitigate high-risk areas, and investments in technology such as collision avoidance systems and real-time monitoring could improve safety outcomes.

**Table 16.** Accident Rate per 100,000 Miles by Mode

Year	MB	CB	DR	YR	Total
2020	0.45	0.00	0.16	2.63	0.40
2021	0.49	0.00	0.42	4.51	0.52
2022	0.59	0.00	0.27	1.49	0.52
2023	0.47	0.00	0.36	4.80	0.51
CAGR 2020-2023	6.16%	-	14.42%	62.40%	11.24%



**Figure 16.** FY 2023 Accidents per 100,000 Miles by Mode

### Miles between Mechanical Road Calls

The miles between road calls are a measure of service reliability and provides a way to monitor the quality of the vehicle maintenance program and the general state of repair of the fleet. CapMetro does not directly operate any of its services, so this PI will not be reported to the State. The Safety Performance Targets Guide offers additional information on maintenance goals, which should be set in the context of the agency's current asset portfolio, service area characteristics, and robustness of its maintenance program. Performance targets for large transit providers can vary, but range between 5,000-10,000 miles for road-based systems, and 20,000-50,000 miles for rail-based modes.

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**Chapter 451 Texas Transportation Code Definition:** The number of miles between mechanical road calls is computed by dividing the annual number of miles for all service directly operated by an authority, including charter and nonrevenue service, by the number of mechanical road calls for the same period. In this subsection, "mechanical road call" means an interruption in revenue service that is caused by revenue vehicle equipment failure that requires assistance from a person other than the vehicle operator before the vehicle can be operated normally.

## Equation 10. Miles Between Road Calls

$$\text{Miles Between Road Calls} = \text{Service Miles} / \text{Road Calls}$$

CapMetro's maintenance performance, based on the data provided and typical ranges noted above, needs the most improvement among all its PI categories. The MB service has continuously underperformed in the past eight years, averaging less than 3,000 miles between road calls. CB operations peaked at 40,000 miles between calls in 2018 but decreased to less than 1,000 miles between failures during the audit period. DR has performed satisfactorily this period, averaging nearly 7,000 miles between calls, though this is a decline from the previous period. YR had been performing very well through 2019, ending the previous period of analysis with 58,153 miles between mechanical road calls. However, in 2020 this number declined to almost 10,000 miles between road calls and struggled to recover after with its low annual growth rate of 2.05%.

**Table 17.** Miles Between Road Calls by Mode

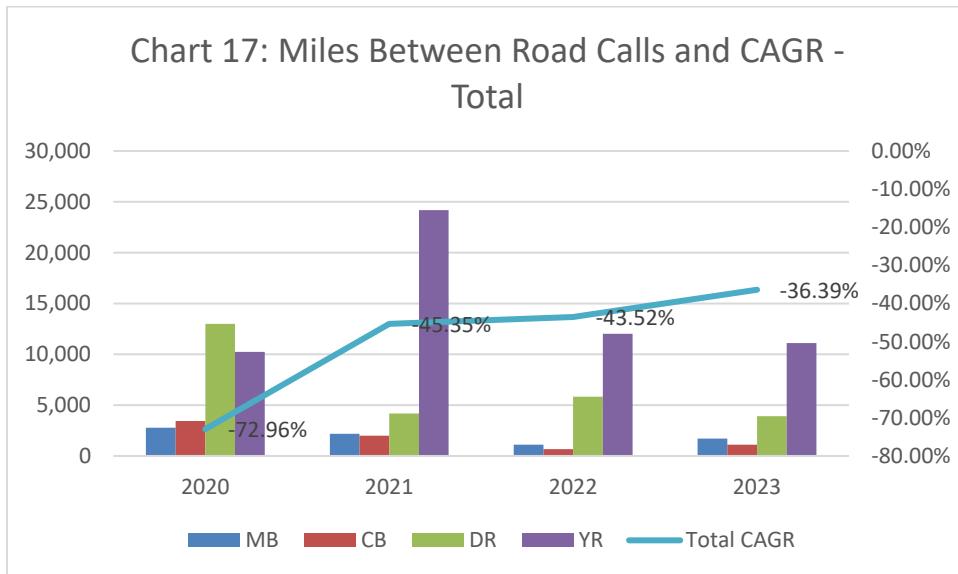
Year	MB	CB	DR	YR	Total
2020	2,781	3,441	13,001	10,237	29,460
2021	2,180	1,987	4,181	24,190	32,538
2022	1,110	664	5,825	12,024	19,623
2023	1,706	1,107	3,913	11,104	17,830
CAGR 2020-2023	-16.39%	-57.13%	-27.94%	-33.90%	-36.40%

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**Figure 17.** Miles Between Road Calls

## Peer Comparison

Peer review is a critical component of performance evaluation and continuous improvement in any field, including public transit. It provides an objective comparison of an organization's operations against similar entities, allowing for the identification of strengths, areas for improvement, and best practices. By analyzing the performance of peers with similar characteristics, organizations can better understand their relative position, make data-driven decisions, and set realistic benchmarks. Peer review fosters accountability, transparency, and innovation, ensuring that services are efficient, effective, and aligned with industry standards and community needs.

For CapMetro's peer group analysis, 2023 NTD data was used to analyze and compare all peers. This makes it an ideal reference point for an accurate and unbiased evaluation.

## Criteria for Peer Selection

The selection process followed the methodology outlined in the Transit Cooperative Research Program (TCRP) Report 141, which is commonly used for peer selection in transit system performance reviews. The criteria were applied to all agencies reporting NTD data to identify the transit systems most similar to CapMetro in terms of operational and demographic characteristics. The key criteria included:

- Rail Systems: Agencies had to operate both rail and bus services (no rail-only systems).
- Urban Area Population: Between 1,000,000 and 3,000,000 residents.
- Revenue Miles: Agencies operating over 10 million total revenue miles annually.
- Population Density: Less than 4,500 people per square mile.

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These parameters ensure that the selected peers share comparable scale and transit dynamics with CapMetro, particularly regarding their mix of rail and bus services and their urban population structures. **Figure 18** demonstrates the detailed information utilized to select appropriate peers for this analysis.

The analysis on this sheet is an implementation of the peer grouping methodology in <i>TCRP Report 141</i> , accessed via the Urban Integrated National Transit Database. Conditional formatting aids reviewers to identify potential peers for Cap Metro.									
NTD ID	Agency Name	Location	State	Criteria					
				Total Likeness Score	Rail Only	Urban Area Population	Total Revenue Miles Operated	Population Density	#1
									#2
									#3
60048	Capital Metropolitan Transportation Authority	Austin	TX	0	Yes	1,915,031	23,980,019	3,091	
40008	City of Charlotte North Carolina	Charlotte	NC	0.83	Yes	1,436,613	13,143,873	2,185	
80006	Denver Regional Transportation District	Denver	CO	0.83	Yes	2,691,349	48,200,621	4,176	
70006	Bi-State Development Agency of the Missouri-Illinois Metropolitan District	Saint Louis	MO	0.94	Yes	2,127,843	20,012,926	2,337	
40040	Jacksonville Transportation Authority	Jacksonville	FL	0.96	Yes	1,303,156	10,815,191	2,273	
8	Tri-County Metropolitan Transportation District of Oregon	Portland	OR	0.98	Yes	2,084,045	32,132,721	2,462	

**Figure 18:** Peer Group Identification Criteria

### Selected Peer Agencies

Based on the selection methodology and NTD data, the following five agencies were identified as the most appropriate peers for CapMetro:

- **City of Charlotte, North Carolina** – Charlotte Area Transit System (CATS) operates light rail and bus services in a similarly sized urban area (population 1.33M) with lower density (1,970 people/sq mi) and lower ridership (14M trips) compared to CapMetro.
- **Denver Regional Transportation District (RTD)** – Denver RTD serves a much larger and less dense area (population 3.1M, 1,323 people/sq mi), with significantly higher ridership (65M trips) and operating costs (\$760M) than CapMetro.
- **Bi-State Development Agency of the Missouri-Illinois Metropolitan District (St. Louis)** – St. Louis Metro covers a similarly sized area (population 1.56M, 558 sq mi) with slightly higher density (2,801 people/sq mi) but lower ridership (19.7M trips) and lower operating expenses (\$281M) than CapMetro.
- **Jacksonville Transportation Authority (JTA)** – JTA operates across a much larger, lower-density area (1,807 sq mi, 700 people/sq mi), with significantly lower ridership (6.7M trips) and lower operating costs (\$141M) compared to CapMetro.
- **Tri-County Metropolitan Transportation District of Oregon (TriMet)** – TriMet serves a denser population (4,037 people/sq mi) with much higher ridership (57M trips) and operating costs (\$652M), making it a valuable peer for CapMetro's multimodal system.

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## Peer Comparison Results

This analysis evaluates CapMetro's performance using key metrics that compare operational efficiency, cost control, and service utilization to peer agencies. These results are displayed more thoroughly in **Figure 19**. By analyzing the reported performance indicators across its different service modes, CapMetro's strengths, challenges, and areas for improvement can be identified.

CapMetro's operational expenditure per vehicle revenue hour (OpEx per VRH) is \$189.44, below the peer average of \$221.67, demonstrating efficient use of resources in providing service. Similarly, the operational expenditure per vehicle revenue mile (OpEx per VRM) is \$14.44, which is also lower than the peer average of \$15.73, reflecting a trend of cost-effective fleet operations. These figures suggest strong operational efficiency compared to peer agencies; however individual modes still trend lower than peers.

### Mode-Specific Analysis:

- **Motor Bus:** CapMetro's OpEx per VRH for motor bus services is \$180.29, below the peer average of \$191.91. This indicates efficient operations in this mode. However, CapMetro's OpEx per VRM is 7% higher than the peer average, which combined with the lower-than-peers fare recovery rate for motor bus at only 6%, points to an opportunity to improve revenue generation or optimize costs further.
- **Commuter Bus:** Commuter bus presents a notable achievement with an operating expense per passenger (OpEx per Pax) of only \$20.57, which is notably lower than the peer average of \$108.00. However, only two of the five peers operate Commuter Bus modes, which leaves a relatively small sample size to compare performance to. Fare recovery, at 13%, is also ahead of the peer average of 5%.
- **Demand Response:** Demand response services are inherently costlier due to the nature of the service. CapMetro's operating expense per passenger (OpEx per Pax) for this mode is \$76.73, which is slightly below the peer average of \$80.50, showcasing effective cost control. Fare recovery, however, remains minimal at 1%, which is drastically less than the peer average of 6%. This reflects an area to prioritize improvements.
- **Hybrid Rail:** CapMetro's OpEx per VRH for hybrid rail is \$1,277.38, which is 31% higher than the peer average of \$937.18, reflecting cost inefficiency in operations. Additionally, fare recovery for rail stands at only 4%, which is, again, slightly below the peer average of 5%. However, CapMetro's OpEx per VRM stands at 9% less than its peers, demonstrating adequate milage traveled when compared to the costs. Still, improvements in ridership or fare collection efficiency could further enhance the performance of YR services.

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In terms of systemwide metrics, the cost per passenger is \$14.23, slightly under the peer average of \$14.61. This near parity indicates that CapMetro's operations are balanced in terms of expenses and passenger throughput. Efforts to increase ridership density could further reduce this cost and improve overall system efficiency.

Passenger miles traveled per vehicle revenue mile, which measures average vehicle occupancy, is 5.09 for CapMetro, only slightly below the peer average of 5.95. This indicates that CapMetro's vehicles are still relatively well-utilized in terms of passenger capacity relative to service mileage, with MB (6.35 > 5.50), CB (11.59 > 4.11), and YR (11.00 > 9.53) all trending higher than their peer group averages, but DR showing a lower average vehicle occupancy than its peers.

## **Peer Comparison Conclusion**

In summary, CapMetro generally performs strongly in some operational cost metrics such as OpEx per VRH and VRM, reflecting efficient service provision across most modes. MB and CB services stand out as cost-effective, while YR demonstrates moderate efficiency with room for improvement in fare recovery. DR presents the greatest challenges, requiring targeted strategies to optimize costs and boost ridership.

To enhance overall performance, CapMetro should focus on improving fare recovery rates for all modes through strategies such as fare collection optimization, targeted marketing, and operational adjustments. YR also requires efforts to address high OpEx per VRH, potentially by refining schedules or enhancing operational practices. Boosting DR revenue with dynamic pricing models or partnerships could address its low fare recovery. Lastly, CapMetro can leverage the success of CB operations to inform improvements in other modes. These targeted strategies will build on CapMetro's existing strengths and address challenges to achieve greater efficiency and service impact.

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CapMetro 2024 Quadrennial Audit	Capital Metropolitan Transportation Authority	City of Charlotte North Carolina	Denver Regional Transportation District	Bi-State Development Agency of the Missouri-Illinois	Jacksonville Transportation Authority	Tri-County Metropolitan Transportation District of Oregon	Peer Average	Percent Difference
<b>PEER CONTEXT MEASURES</b>								
Service area population	1,359,922	1,329,749	3,098,079	1,563,103	1,264,452	1,526,171	1,756,310.80	-23%
service area size (square miles)	549	675	2,342	558	1,807	378	1,152.00	-52%
people per square mile (population density)	2,477	1,970	1,323	2,801	700	4,037	2,166.27	14%
<b>SYSTEMWIDE</b>								
unlinked passenger trips	24,332,442	14,027,141	64,533,895	19,690,804	6,678,105	57,442,648	32,474,518.60	-25%
passenger miles traveled	122,011,612	67,531,450	382,906,495	121,868,278	36,776,548	231,430,384	168,102,631.00	-27%
vehicle revenue miles	23,980,019	13,143,873	48,200,621	20,012,926	10,815,191	32,132,721	24,861,066.40	-4%
vehicle revenue hours	1,828,065	896,229	3,350,528	1,269,443	746,634	2,670,842	1,786,735.20	2%
operating expenses	\$ 346,310,138.00	\$ 202,908,235.00	\$ 760,315,018.00	\$ 281,450,300.00	\$ 141,368,096.00	\$ 651,665,702.00	\$ 407,541,470.20	-15%
fare revenue	\$ 17,984,457.00	\$ 14,657,394.00	\$ 63,534,317.00	\$ 19,965,094.00	\$ 7,567,334.00	\$ 57,328,425.00	\$ 32,610,512.80	-45%
<b>Performance Indicators</b>								
OpEx per VRH (Cost per Hour)	\$ 189.44	\$ 226.40	\$ 226.92	\$ 221.71	\$ 189.34	\$ 243.99	\$ 221.67	-15%
OpEx per VRM (Cost per Mile)	\$ 14.44	\$ 15.44	\$ 15.77	\$ 14.06	\$ 13.07	\$ 20.28	\$ 15.73	-8%
OpEx per Trip (Cost per Passenger)	\$ 14.23	\$ 14.47	\$ 11.78	\$ 14.29	\$ 21.17	\$ 11.34	\$ 14.61	-3%
Fare Recovery	5.19%	7.22%	8.36%	7.09%	5.35%	8.80%	7%	-29%
PMT per VRM (Average Vehicle Occupancy)	5.09	5.14	7.94	6.09	3.40	7.20	5.95	-15%
<b>Additional Considerations</b>								
(OpEx minus Farebox) / UPT (cost-effectiveness - subsidy per trip)	\$ 13.49	\$ 13.42	\$ 10.80	\$ 13.28	\$ 20.04	\$ 10.35	\$ 13.58	-1%
(OpEx minus Farebox) / PMT (cost-effectiveness - subsidy per passenger mile)	\$ 2.69	\$ 2.79	\$ 1.82	\$ 2.15	\$ 3.64	\$ 2.57	\$ 2.59	4%

**Figure 19:** Peer Group Systemwide Comparison

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## Recommendations for Management

From the procedures performed, we identified recommendations for management where considerations for enhancement to existing internal controls, processes, procedures, practices, efficiency and effectiveness of operations or management of the authority. The following recommendations were identified for Task 1 and provided to management for consideration. However, due to the nature of the recommendations, formal management responses and anticipated action plans are not required.

### Recommendation 01 – Declines in Service Reliability

Over the quadrennial performance audit scope period, CapMetro experienced increased collisions per 100,000 miles, reduced miles between road calls, and deteriorating cost efficiency as operating costs per hour and per mile surged. Increased costs were experienced as CapMetro internalized the parts function and required the purchasing of parts supplies to address timely service reliability issues. Mileage between road calls are a measure of service reliability and provides a way to monitor the quality of the vehicle maintenance program and the general state of repair of the fleet. The declines in service reliability provides an indicator to increase oversight of operations and assess root causes to ensure standards and expectations are being met. As CapMetro utilizes a contracted service model for service delivery of multiple service modes, including motor bus, demand response, and rail, untimely identification of declines in service delivery indicators may decrease timely corrective action. Decline in service reliability could lead to increased liabilities, service disruptions, and rising operational costs, all of which may put public safety at risk, and erode public trust and customer satisfaction.

Management should continue to assess and improve its service reliability by working with its third-parties and internal operations to determine measures to reduce collisions and miles between road calls, which will assist with cost efficiency and improve rider experience. Management should also integrate safety and maintenance performance measures into its current and future contracts to address declines in service. Additionally, aligning agency performance metrics with NTD and state performance indicators will ensure that management focuses on key areas evaluated by external agencies.

**Management's Response:** CapMetro will continue to work collaboratively with its various service providers to improve service reliability and cost-effectiveness. CapMetro contracts already include safety and performance measures in service provider contracts. See additional detail in CapMetro Management's detailed response.

**Responsible Party:** CapMetro Chief Operating Officer

**Implementation Date:** Ongoing

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## **Recommendation 02 – Varying Cost Effectiveness**

Over the quadrennial performance audit period, CapMetro showed mixed results in cost-effectiveness, which closely aligns with trends identified across the industry for the period reviewed. We identified that the agency's fare recovery rate, at approximately 5%, lags behind the peer group average of 7%, highlighting an area for potential improvement. However, CapMetro outperforms its peers in the cost per passenger performance indicator, with an average cost per passenger of \$14.23 compared to the peer group's \$14.61. Additionally, CapMetro has maintained relatively stable vehicle occupancy rates, decreasing only slightly from 5.34 in 2020 to 5.28 in 2023. A decline in recovery rates could impact financial sustainability.

Management should continue to assess and improve its cost effectiveness through ongoing efforts to increase fare recovery and prevent its cost per passenger from growing. CapMetro and Austin's Project Connect initiatives and impacts should be considered through strategies to improve cost effectiveness in the future. Additionally, aligning agency performance metrics with NTD, state performance indicators, and peer groups will ensure that management has appropriate benchmark data to continually assess and to assist with the focusing of their efforts.

**Management's Response:** CapMetro recognizes the challenges posed by declining fare recovery rates and reduced average vehicle occupancy, issues that are impacting the entire transit industry. CapMetro is committed to continuing to improve cost-effectiveness, despite these challenges, by continuing collaboration between CapMetro Operations staff and service providers, monitoring budgetary controls, and aligning key performance metrics to industry best practices. This work is already well underway through revisions to CapMetro's operating model made in 2022 and 2023.

**Responsible Party:** CapMetro Chief Financial and Risk Officer

**Date:** Ongoing

**Task 2**  
**Chapter 451 Statutory Compliance Review**

# **Capital Metropolitan Transportation Authority**

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Task 2 – Chapter 451 Statutory Compliance Review

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## **Executive Summary**

The purpose of the Chapter 451 Statutory Compliance Review was to validate Capital Metropolitan Transportation Authority's (CapMetro) compliance with applicable state laws. Chapter 451 of the Texas Transportation Code (Code) requires CapMetro to be in compliance with all applicable elements of the Code, including the following statutes:

- Texas Government Code
- Texas Local Government Code
- Texas Property Code
- Texas Health and Safety Code
- Texas Penal Code
- Relevant legislation as adopted by the 87<sup>th</sup> and 88<sup>th</sup> Texas Legislatures

Based on the procedures performed, we validated that CapMetro achieved compliance with 174 of the 175 applicable Texas state laws as prescribed by Chapter 451 of the Texas Transportation Code. In addition, we validated that the CapMetro Board and personnel have effective procedures in place to comply with all statutes that govern the authority's policies, practices, and procedures. The Quadrennial Performance Review performed determined that one provision of the Texas Transportation Code 451 was not fully met by CapMetro due to the lack of supporting documentation to validate compliance:

- Texas Transportation Code § 451.457: Requires the delivery of each Quadrennial Performance Report to designated state staff and officials by February 1 of every second odd-numbered year.

## **1. Approach**

The task included identifying and cataloging each compliance requirement as stated within Chapter 451 of the Texas Transportation Code, along with applicable statutes and laws as prescribed in the following:

- Texas Government Code
- Texas Local Government Code
- Texas Property Code
- Texas Health and Safety Code
- Texas Penal Code

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Each compliance requirement, along with the validation procedure to be performed, was documented into a compliance matrix which was used to verify achievement by the Authority. [Refer to Appendix B for the Compliance Matrix.](#)

In addition, we evaluated and documented applicable updates to Texas legislation to verify compliance. In order to validate legislative compliance, we reviewed legislative amendments that were enrolled by the 87th (2021) and 88th (2023) Texas Legislature along with:

- Previous Quadrennial Performance Reviews that assessed CapMetro's compliance with new legislation from previous Texas Legislature sessions and that all issues raised in those reviews had been thoroughly addressed
- Validating that CapMetro did not regress in its policies or practices that would negatively impact the authority's ability to satisfy all relevant enacted legislation.
- Validating the implementations of the CapMetro's Sunset Review process recommendations that occurred during the prior quadrennial review period.

## 2. Sources of Information

In order to validate CapMetro's compliance with the applicable statutes, the following sources of information were collected and reviewed:

- Texas Legislature Online, at <http://www.capitol.state.tx.us/>,
- Publicly available information on the Authority's website, at <http://www.CapMetro.org/>,
- General Services Administration, at <https://www.gsa.gov/>,
- U.S. Census, at <https://www.census.gov/>,
- Internal policy manuals and memoranda provided by Capital Metro staff,
- Interviews with Capital Metro's personnel, and
- Observed policies and practices in use, where relevant.

## 3. Metrics

To validate compliance, we utilized the following metrics to evaluate and determine whether the Authority is meeting the applicable Texas statutes:

- **Compliant** - An area is considered "achieved" if the audit procedures identified no findings with the authority's implementation of statute.
- **Deficient** - An area is considered "deficient" if any of the requirements of a statute were not met by the authority.
- **Not Applicable** - An area is deemed "not applicable" if it was determined that the authority does not conduct activities relevant to the statute and are therefore not required to be met.

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## Detailed Audit Procedures and Results

### 1. Legislative Chapter 451 Changes

To identify the applicable legislation enrolled in the 87th (2021) and 88th (2023) Texas Legislature that were relevant to CapMetro, we reviewed all amendments made to the Texas Transportation Code, Section 451 through an online search of the Texas Legislature Online. Next, we researched amendments in all other code areas in the two Texas Legislature sessions by identifying topics that have direct relevance to CapMetro. Figure 2.1 lists the key words and phrases that were used for the search.

**Figure 20.** Key Search Terms

▫ Alcoholic beverage	▫ Conflict of interest	▫ Marijuana	▫ System security
▫ Assessment of damages	▫ Depository	▫ Minimum wage	▫ Terminal complex
▫ Board matters	▫ Drug testing	▫ Occupational safety	▫ Train maintenance
▫ Board terms	▫ Electric consumption	▫ Open meeting	▫ Transportation safety
▫ Chapter 451	▫ Emissions tax payment	▫ Public records	
▫ Commuter rail	▫ Fare enforcement	▫ Records management	
▫ Competitive bidding	▫ HIPPA compliance	▫ Sales and use tax	

We also examined the findings and recommendations of the previous 2016 Quadrennial Performance Review and evaluated the authority's responses. We identified that the previous Quadrennial Performance Review, covering the FY 2016–2019 period, analyzed changes to the statutory amendments to the Texas Transportation Code Section 451 and other relevant Texas Government Code.

### 2. Legislative Chapter 451 Compliance and Other State Statutes

We conducted interviews with CapMetro's process owners to determine applicability and validate compliance with identified statutes. Additionally, we reviewed relevant data and documents, including CapMetro's website, to ensure adherence to transparency requirements. Our review verified that CapMetro maintained supporting documentation for transactions during the quadrennial review period. We also examined CapMetro by-laws and policies and procedures in alignment with Texas Transportation Code Chapter 451 and other applicable state statutes.

### 3. Prior Compliance Efforts

The Quadrennial Performance Audit also considered past compliance efforts that took place during the scope period. From our review of the 2019 Quadrennial Performance Review, we identified no instances of non-compliance with current provisions of Texas Transportation Code 451.

# **Capital Metropolitan Transportation Authority**

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## **Results**

The Chapter 451 statutory compliance review found compliance with 174 of 175 statutes applicable to CapMetro, out of a total of 381 legislative requirements within all Texas Codes that apply to the scope of the audit. From the procedures performed, we determine CapMetro was not in compliance with one of the 175 requirements that were determined to be applicable to the authority during the FY 2020–FY 2023 audit period.

CapMetro was unable to provide supporting documentation verifying the delivery of the 2020 Quadrennial Performance Audit to the required state staff recipients, nor could it furnish proof of receipt as mandated by Texas Transportation Code § 451.457. This statute requires the submission of each Quadrennial Performance Audit to designated state officials by February 1 of every second odd-numbered year. During the audit review, CapMetro acknowledged this oversight and stated that procedures to formalize and document the delivery and receipt of future audits will be implemented.

## **Summary of Findings**

From the procedures performed, we identified one area of non-compliance within Chapter 451 of the Texas Transportation Code, or where there is a lack of effective controls and oversight, or where performance did not meet established expectations. The following finding identifies the issues and includes management response:

### **Finding 01 – Quadrennial Performance Audit Report Delivery**

Texas Transportation Code § 451.457, requires the quadrennial performance audit reports be delivered to specific recipients (e.g. Texas Governor, Lt. Governor, etc.) by February 1st following the completion of the report in the fiscal year immediately following the quadrennial scope period. CapMetro was unable to locate and provide the required documentation evidencing the distribution of the report to the recipient list for the previous 2020 quadrennial performance audit report. Retaining evidence of the delivery and receipt of the quadrennial performance audit report was also identified as a recommendation in the 2020 quadrennial performance audit report for the 2017 quadrennial performance audit.

Failure to provide documentation evidencing the delivery of the 2020 quadrennial report as required by Texas Transportation Code § 451.457 poses a risk of noncompliance with statutory obligations.

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Management should implement a standardized procedure for documenting the submission and receipt of quadrennial performance audit reports to those recipients identified within the Texas Transportation Code. This could include creating a submission log, obtaining formal acknowledgments from recipients (e.g., email confirmations, certified mail receipts), and retaining these records in a centralized, accessible system for compliance tracking. Additionally, management should assign responsibility for overseeing this process to ensure adherence to statutory requirements.

**Management's Response:** Management has assigned the Government Affairs Department to be the department responsible for overseeing and documenting compliance with 451.457. Government Affairs has implemented a centralized process and system to retain PDF copies of all letters sent and will be sending the formal transmittals by certified mail, with an accompanying digital scan of the receipt filed once received to provide proof of compliance. See additional detail in CapMetro Management's detailed response.

**Responsible Party:** Deputy Chief Executive Officer

**Implementation Date:** Completed

## Recommendations for Management

From the procedures performed, we identified two recommendations for management where considerations for enhancement to existing internal controls, processes, procedures, practices, efficiency and effectiveness of operations or management of the authority. The following recommendations were identified for Task 2 and provided to management for consideration. However, due to the nature of the recommendations, formal management responses and anticipated action plans are not required.

### Recommendation 03 – Personal Identifying Information Disclosure

Texas Transportation Code § 451.061(g) enables authorities to disclose customer personal identifying information to governmental agencies or higher education institutions for research or statistical purposes, with restrictions against publication, redisclosure, or contact use. This disclosure language is not documented explicitly in CapMetro's published policy, but the disclosure is referred to on their website as being subject to the code.

The absence of this disclosure language in CapMetro's online Privacy Policy hinders transparency in communicating how personal information is collected and used.

Management should consider updating CapMetro's policy on the authority's website to include the language outlined in Texas Transportation Code § 451.061(g). This update will clarify the authority's ability to disclose customer information for research purposes while maintaining compliance with restrictions on redisclosure, publication, or use for contact purposes.

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**Management's Response:** Management agrees with this recommendation. The Legal Department will update CapMetro's privacy policy on the website to include language that advises the public of the possibility that personal information might be shared as provided by Texas Transportation Code 451.061(g).

**Responsible Party:** CapMetro Deputy Chief Executive Officer

**Implementation Date:** January 31, 2025

## Recommendation 04 - Right-of-Way Penalty Publication

Texas Transportation Code § 451.113(d) requires that unauthorized driving on the authority's Right-of-Way around the rail lines is subject to a penalty classified as a Class C misdemeanor. Currently, this penalty information is located near the rights-of-way but is not included on the authority's website to restate the physically posted information and clarify the severity of unauthorized driving on the authorities right-of-way.

The absence of penalty information on the website may limit public awareness and hinder compliance with Texas Transportation Code § 451.113(d).

Management should consider incorporating language on the authority's website and rider rules, that reflects the language posted at the physical right- of-way location, to inform the public of the penalty for unauthorized driving on the Right-of-Way, as required by Texas Transportation Code § 451.113(d). The inclusion of the penalty may raise awareness of the severity of such actions and deter potential acts.

**Management's Response:** CapMetro Management agrees with this recommendation and will update the website to clarify the penalty for trespassing in CapMetro right of way. CapMetro Management maintains that the best method for deterring trespassing is the Agency maintaining an active presence in our right of way, and the posting of signs on-site for awareness of people in the moment.

**Responsible Party:** CapMetro Chief Experience and Engagement Officer

**Implementation Date:** January 31, 2025

## **Task 3**

### **Administration and Management of the Authority**

# **Capital Metropolitan Transportation Authority**

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Task 1 – Performance Indicator Review

Report Date: January 7, 2025

## **Executive Summary**

The purpose of the Administration and Management of the Authority task was to assess Capital Metropolitan Transportation Authority's (CapMetro, the authority) administration and management of the authority's departments. The specific departments selected for review within the authority were identified with CapMetro management, utilizing a priority-based approach to identify areas that have high reliance on third party service providers, highly complex operations, a significant impact on CapMetro's reputation or significant impact on meeting the authority's goals and objectives. As a result, the following departments were selected to be included within the scope of the task:

1. Demand Response Oversight
2. Bus Operations & Maintenance Oversight
3. Paratransit Eligibility
4. Demand Response Control and Call Center
5. Public Facilities
6. Rail Commuter Operations
7. Safety
8. Public Safety and Emergency Management

For the selected and agreed-upon departments identified for review, the following procedures were performed:

- Reviewed supervisory and management staffing levels and the administrative organization of each of the selected departments
- Reviewed department functionality through the direction provided by departmental directives
- Reviewed cost elements of each department through variance analysis, identifying direct and indirect connections between departmental budget variances and CapMetro's performance metrics, strategic objectives, and executive input.

Overall, CapMetro had adequate personnel across the selected departments evaluated during the quadrennial review period. The authority maintained a stable level of personnel to achieve the department's mission, goals, and functions. We also analyzed employees' functional qualifications and found that employees had adequate credentials and qualifications to perform their assigned duties. We identified opportunities for improvement related to management and monitoring of contracts/third-party's, the framework for departmental procedure management, along with assessing the integration of new operations and FTEs from the changing of the authorities business model and focus on additional professional development opportunities and strategies.

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In addition, the evaluated departments maintained effective budget monitoring processes. The management and monitoring of departmental budgets is a collaborative effort between department directors and the Finance Department to include reviewing budget to actual variances in operating expenses on a monthly basis and appropriately documenting and communicating variances to leadership. Additionally, proper Board oversight is present.

## Background

CapMetro, the regional public transportation provider for Central Texas, is headquartered in Austin, Texas. It serves a population of over 1 million across a 535-square-mile area, including the cities of Austin, San Leanna, Leander, Lago Vista, Point Venture, Jonestown, and Manor, as well as unincorporated parts of Travis and Williamson counties.

The agency operates a diverse fleet comprising 368 buses, 23 electric buses, 55 MetroRapid buses, 10 diesel-electric trains, 257 vanpool vehicles, and 213 paratransit vehicles.

CapMetro's services include:

- **MetroBus:** Local bus routes serving the community.
- **MetroRapid:** Bus rapid transit lines offering faster service along major corridors.
- **MetroExpress:** Commuter bus services connecting suburban areas to central Austin.
- **University of Texas Shuttle:** Dedicated shuttle services for the University of Texas at Austin community.
- **Pickup:** On-demand, app-based service providing flexible routing within designated zones.
- **MetroAccess:** Complementary door-to-door paratransit service for eligible riders with disabilities.

The MetroRail Red Line offers a 32-mile commuter rail service between Leander and downtown Austin. CapMetro also oversees freight rail operations along 162 miles of track between Llano and Giddings.

The agency's vanpool program, MetroRideShare, provides eligible groups with access to passenger vans, including insurance, maintenance, 24-hour roadside assistance, administrative support, and a fuel purchasing program. For suburban communities within the service area, CapMetro collaborates with the Capital Area Rural Transportation System (CARTS) to offer transportation to select outlying areas surrounding Austin.

CapMetro is governed by an eight-member board of directors:

- Three members appointed by the Capital Area Metropolitan Planning Organization (CAMPO), including an elected official.
- One member representing the smaller cities within the service area.
- One member each appointed by the commissioners of Travis and Williamson counties.
- Two members appointed by the Austin City Council, one of whom must be an elected official.

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Since 2012, CapMetro has contracted with third party service providers to operate all passenger transportation services, including fixed-route, rail and paratransit service. The authority's key service providers during the audit period were Keolis, Inter-Con Security Services, MV Transportation, Herzog Contracting Corporation and MTM Transit (formerly Ride Right). In June 2015, the board approved a long-term 20-year contract with Watco Companies, LLC, for freight operations and maintenance services on CapMetro's railroad line.

In line with its commitment to sustainability, CapMetro has been expanding its electric bus fleet. However, as of July 2024, the agency has temporarily paused new electric bus purchases to address industry-wide battery technology challenges and to enhance its infrastructure to support electric vehicles.

CapMetro continues to adapt and innovate to meet the evolving transportation needs of Central Texas. As of FY2023, CapMetro's strategic objectives included aiming to enhance service delivery by piloting innovative models, refining operational standards, and transitioning to a battery-electric bus fleet. Efforts will focus on sustainability, public safety, workforce development, employee retention, and improving customer experience and loyalty through better bus services.

In Fiscal Year 2019, the authority realigned several areas of their operations to more accurately account for CapMetro's operational expenses. Bus and Paratransit Services and the Bus Contract Operations department merged to form the Operations and Maintenance Oversight Department. The department is responsible for coordinating and monitoring the operations of all third-party service providers for bus services. In addition, Paratransit Contract Operations and Paratransit Administration merged to form the Demand Response Oversight Department, which oversees each of the authority's paratransit services providers.

## **Approach**

As part of planning and scoping for Task 3: Administration and Management of the Authority, we performed a preliminary analysis of CapMetro departments to identify those that should be evaluated as part of the task scope.

We analyzed each department's impact on the Agency's finances, regulatory and compliance environment, reputation, and operations and human capital through identifying and analyzing each department's relevant risks and assigning priority ratings for each risk category. Additionally, we identified key leadership, budget to actual expenses, full time employee staffing levels, and associated third party service contracts over the scope period (Refer to Appendix C for the Department Staff and Budget Summary). From our initial analysis, we assigned each department a preliminary priority level based on the overall risk impact on the agency's ability to meet goals and objectives.

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From the priority-based analysis, the following departments were selected:

1. Demand Response Oversight
2. Bus Operations & Maintenance Oversight
3. Paratransit Eligibility
4. Demand Response Control and Call Center
5. Public Facilities
6. Rail Commuter Operations
7. Safety
8. Public Safety and Emergency Management

For each selected department, we conducted interviews with executive and departmental leadership to gain an understanding of department responsibilities, mission, functionality, administrative organization, staffing levels, and budget considerations. The topics for the interviews also included the following:

- Significant changes in responsibilities, structure, or budget during the scope period
- Administrative management reporting structures and staffing patterns
- Incorporation of agency strategic priorities at the department level
- Management and monitoring of performance of third-party service providers
- Management and monitoring of performance metrics, for both internal and third parties
- Quality assurance programs and frequency
- Succession planning and departmental training
- Information management and tracking processes
- Risk impacts, including risks pertaining to operations, regulation, reputation, finances, and human capital

Following the interviews, we obtained and examined existing documentation for the department personnel, including organizational charts, key policies and procedures, internal measures to assess performance, supervisory and management personnel resumes, length of employment, and salaries or wage rates. From the supporting documentation, we evaluated the organizational structure to determine if the supervisory and management staffing levels appear appropriate to carry out the mission and goals of each department and division. We also evaluated the selected departments' functionality by analyzing policies and procedures, and ensuring directives are sufficient to guide the administration and management of the departments.

Additionally, we assessed each department's cost elements by analyzing the alignment of their budgetary spending with the Agency's mission and objectives. We identified and assessed potential indirect links between significant budget variances and strategic objectives, executive input, and/or performance indicators, connecting the spending of departmental expenses to agency performance and goals.

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## **Department Overview**

The following is an overview of the in-scope departments that were identified during the priority-based assessment that are directly tied to achieving compliance with Chapter 451 and were approved by CapMetro Management for consideration:

### **1. Demand Response Oversight (formerly Paratransit Contract Operations)**

The Demand Response Oversight department oversees CapMetro's paratransit service contractors. Costs related to paratransit services compliant with the Americans with Disabilities Act (ADA) are budgeted in this department.

### **2. Bus Operations and Maintenance Oversight**

The Operations and Maintenance Oversight department is responsible for coordinating the operations and activities of all CapMetro service providers for bus services. This includes coordination of contract management, data collection, analysis, and quality assurance activities for vehicle operations and vehicle maintenance.

### **3. Paratransit Eligibility**

The Paratransit Eligibility department includes staff members from eligibility, travel training, and pathway assessment. The department manages the eligibility certification process and promotes fixed-route use by providing training to seniors and people with disabilities.

### **4. Demand Response and Call Center**

The Demand Response Control and Call Center department is composed of the CapMetro Access and Pickup control and call center. The department provides real-time dispatch, scheduling, and advance trip reservations.

### **5. Public Facilities**

The Public Facilities department is responsible for maintaining all bus stops, Park & Rides, Transit Centers and rail stations. The primary functions include the cleaning of bus stops and Transit Centers, servicing litter containers, coordinating the installation and removal of bus stop amenities, supporting special events and performing service change support tasks, including the installation and removal of signage and other facility management support for owned and leased non-public facilities.

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## **6. Rail Commuter Operations**

The Rail Commuter Operations department provides management and oversight of regional rail service between the city of Leander and downtown Austin. The service operates 10 commuter trains along 32 miles of track that service 9 stations along this right-of-way. The department manages rail operations strategic planning, rail operations regulatory compliance, and risk reduction through post-incident analysis.

## **7. Safety (Formerly Safety, Risk Management and Accessible Services Management)**

The Safety Department is responsible for addressing operational, construction, environmental and industrial safety-related matters. This is done through the development and implementation of related programs and oversight activities.

## **8. Public Safety and Emergency Management (Formerly Security)**

The Public Safety and Emergency Management department's primary mission is to ensure the safety, protection and integrity of the transportation system. The department provides security and emergency preparedness related training for Capital Metro and service provider personnel to enhance system security in all areas. The department also continually collaborates with law enforcement and other regional first responders to ensure effective planning for and response to emergencies. The Public Safety and Emergency Management department maintains the access control and video systems for the agency.

## **Detailed Audit Procedures and Results**

The following includes the detailed audit procedures that were performed for the task to review the staffing levels and administrative organization, department functionality, and cost elements of each in-scope department:

### **1. Staffing Level Review**

For the eight departments selected, we evaluated the organization structure to determine if the staffing levels appear appropriate to carry out the mission and goals of each department and if the assignment and functional qualifications of management personnel were adequate. We also evaluated the administrative reporting structure to determine if the reporting lines ensure effective communication and management of the authority.

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Using personnel data provided by CapMetro management, we created a point-in-time analysis covering the FY 2020-2023 period that documents management positions and tenure as of September 30<sup>th</sup> over a four-year period for the following departments:

1. Demand Response Oversight (DRO)
2. Bus Operations & Maintenance Oversight (BOMO)
3. Paratransit Eligibility
4. Demand Response Control and Call Center (DRCCC)
5. Public Facilities (OPF)
6. Rail Commuter Operations (RCO)
7. Safety
8. Public Safety and Emergency Management (PSEM)

## **2. Department Functionality**

In addition to confirming that the departments overall had adequate management qualified to perform their job responsibilities, we reviewed the functionality of the selected departments to determine if they are adequately defined and include appropriate roles and expectations. We also evaluated the Department's roles, responsibilities and products provided to ensure they are aligned with the overall missions and objectives of CapMetro. Lastly, we validated that the department has the appropriate levels of internal controls, including appropriate policies and procedures, supervisory review, and routine reporting and oversight by management.

## **3. Cost Elements Review**

For each selected department, we analyzed the budget to actual operating expenses for each fiscal year within the scope period. We identified primary cost centers for further review based on their significant impact on the authority's primary operations. For the primary cost centers selected, we reviewed any budget to the actual variances identified during the scope period and verified the variances were appropriately monitored and addressed by department leadership.

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#### Results:

The staffing and organization of the eight departments under review changed significantly between fiscal year 2021 and fiscal year 2022. CapMetro administered a staffing organization heavily dependent on contracted employees during the first two years of the quadrennium (FY 2020/2021) and an organization that shifted responsibilities and organizational risk toward full-time employees of CapMetro during the second two years (2022/2023). The change was driven by a contractual agreement with MV Transportation effective January 1, 2022 that resulted in a number of MVT employees becoming employees of CapMetro.<sup>12</sup> In addition, CapMetro made strategic staffing decisions to augment resources in Demand Response Operations and Control Center (hourly customer service representatives for paratransit) and in Public Safety and Emergency Management (the public safety ambassador program).<sup>13</sup>

CapMetro grew by 131 salaried employees and 70 hourly employees over the four years of the quadrennium. The FTE growth in each of the eight departments is summarized below in **Table 18**. The staff increases were a reasonable response to the changing dynamics of CapMetro contract management and the priorities of leadership. An influx of over 200 employees in a two-year period requires thoughtful planning and integration work: establishing cultural norms, adhering to process and procedure, risk management, delegation of responsibilities, professional development, and evaluation.

The overall performance of CapMetro during the four-year period is assessed in other areas of this report; from a personnel and organizational perspective, CapMetro exhibited stability in staffing and management across the eight operational departments. For example, of the 64 MVT employees who transitioned to CapMetro employment in January of 2022, 57 remain with the agency today, an 89% three-year retention rate. In the first year of the transition, Bus Operations and Maintenance only lost one employee of the 64 (98.4% retention).

Department	Salary	Hourly	Total
Commuter Rail Operations	4	0	4
Demand and Response Oversight	3	1	4
Demand Response Operations and Control Center	1	18	19
Bus Operations and Maintenance	100	10	110
Public Facilities	1	7	8
Paratransit Eligibility	2	3	5
Public Safety and Emergency Management	11	31	42
Safety	9	0	9
<b>TOTALS</b>	<b>131</b>	<b>70</b>	<b>201</b>

**Table 18. FTE Change by Department FY2020 - FY 2023**

<sup>12</sup> On December 27<sup>th</sup>, 2021, five days before the contract change with MV Transportation, CMTA hired 64 employees and assigned them to Bus Operations and Maintenance. The new employees were formerly contract employees with MVT and continued their former roles under CMTA management (bus inspectors, instructors, radio controllers, vehicle maintenance, parts and inventory, facilities, and other duties).

<sup>13</sup> CMTA hired nine hourly public safety ambassadors on June 6, 2022, four on February 6, 2023, and an additional eight on July 31, 2023.

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CapMetro has adopted a set of strategic priorities to guide the authority, which serves as a foundation for the annual budget. As of FY 2023, these priorities were the following:

- Develop and pilot innovative service models
- Refine operational SOPs for Service Standards
- Incorporate environmental sustainability into all aspects of agency operations
- Transition to battery electric bus fleet
- Enhance public safety programs
- Implement employee retention initiatives
- Expand organizational workforce development efforts
- Invest in customer experience and loyalty
- Bus service improvements
- Strengthen business and financial processes
- Enhance DEI program and practices
- Continue implementation of Project Connect
- Invest in systems for data analysis that inform agency decision-making

## **Recommendations for Management**

From the procedures performed, we identified four recommendations for management that were provided separately to management for their consideration as an enhancement to existing internal controls, processes, procedures, efficiency and effectiveness of operations or management of the authority, as such formal management responses and anticipated action plans are not required.

### **Recommendation 05 - Authority-Wide Contract/Third-Party Management Framework**

CapMetro's primary transit operations are outsourced to third parties and require effective, efficient, and timely contract management by internal contract managers. The authority has various contract management practices and tools that are adapted to the requirements of the contract and carried out by the internal contract managers on a daily basis. Additionally, Contract Managers maintain collaborative relationships with their third-party contacts to ensure timely updates on status, incidents, and corrective actions to ensure alignment and compliance with the contract. However, contract administration practices deployed for the managing of the various contracts across the authority, including those with differing objectives and monitoring needs, are not consistently approached and applied for each contract.

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While contracts inherently have differing objectives and monitoring requirements, there is an opportunity for the evaluated CapMetro departments to adopt and integrate effective practices from each other to improve the accuracy and completeness of quality assurance processes through formalized guidance and procedures on the authority's expectations for contract administration. This formal guidance can assist contract managers in assessing compliance and performance of each third-party more uniformly across the authority.

Furthermore, CapMetro does not have an effective method or tool in place to systematically and centrally input and track performance outputs, indicators, and other documentation and data to provide transparency in service delivery by key contractors over the entirety of the contract and assist with the development of trends in performance that may need corrective action by management.

Inconsistent contract administration expectations and practices across the authority's various departments, contract managers, and operations may negatively impact its effectiveness and efficiency to achieve strategic objectives with its current model of outsourcing primary transit operations. Additionally, inconsistent documentation of contract performance can hinder accountability measures and actions to correct performance timely.

Lastly, differing objectives and monitoring requirements of each contract inherently lead departments responsible for contractor oversight to focus on their individual efforts, which may limit opportunities for collaboration and the exchange of information on performance monitoring best practices to contract manager counterparts across the authority.

Management should design and implement a comprehensive contract management framework, in collaboration with its contract managers, that can be modified by each department to meet the needs of the contract but also incorporate performance measures, budget to actual financial data, tracking of quality assurance measures performed, central and electronic collection and documentation of QASP's, and dashboards for monitoring compliance and performance of the data being received from each third-party, which will ensure a more uniform and consistent practice and methodology across the authority. In addition, a contract management tool should be developed and used to make decisions related to each operational service provider with evidence of performance and outcomes driven and supported through data that can be verified by management. Further, departments responsible for contract oversight should collaborate and share their existing quality assurance processes to exchange best practices, thereby enhancing the accuracy and completeness of quality assurance efforts.

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**Management's Response:** Though CapMetro has processes to actively monitor contracts, CapMetro management agrees with the recommendation to refine and further develop an agency-wide framework for the management of third-party contractors. Many of CapMetro's services are provided by a third-party contractor and are actively managed within each mode. Refining our overarching monitoring framework will ensure consistency across the agency while allowing for differences based on specifics of a particular mode or service provided. See additional detail in CapMetro Management's detailed response.

**Responsible Party:** CapMetro Chief Administrative Officer

**Implementation Date:** July 1, 2025

## Recommendation 06 - Departmental Procedure Management

CapMetro does not currently have in place a formal management process to ensure department specific procedures are current, reflect established practices that are unique to the department, and routinely assessed by key stakeholders to ensure compliance and proper dissemination. Although the Authority has a formal policy management process and personnel to assess, update, approve, and disseminate the authority-wide policies, there is not central support and guidance to ensure all departmental procedures are assessed annually by management to ensure they meet the current business practices.

Without regular reviews and updates, the procedures may no longer reflect CapMetro's current state, potentially hindering the procedural relevance and applicability in guiding day-to-day operations. Furthermore, the lack of timely updates could lead to gaps in ensuring that practices are aligned with evolving organizational needs and regulatory requirements.

Management should consider developing and disseminating formal guidance and tools to departments on the expected processes, cadence, and structure of the departmental procedure review process to ensure procedure documents are regularly updated and remain aligned with current organization practices, needs, and conditions. This process could incorporate centrally developed templates, guidance, and training on performing the assessment, documenting the updates, disseminating and collecting acknowledgement from staff on the updated procedures. By doing so, the authority can improve operational efficiency, ensure relevance to evolving practices, and validate acknowledgment by staff of the procedural updates and expectations.

**Management's Response:** CapMetro Management will provide guidance and recommendations to staff regarding procedures.

**Responsible Party:** CapMetro Deputy Chief Executive Officer

**Implementation Date:** December 31, 2025

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## **Recommendation 07 - Post-Integration Analysis of New Operations and FTES**

CapMetro should consider a post-integration analysis of the organizational changes of January 2022 and report those findings to leadership. CapMetro staffing and organization changed significantly between fiscal years 2021 and 2022 when bus operations and maintenance responsibilities were shifted in-house with the new contractual agreement with MV Transportation. Additionally, strategic staffing decisions to augment resources in Demand Response Operations, Control Center, and Public Safety and Emergency Management saw growth during the scope period.

With the growth of 131 salaried employees and 70 hourly employees over the scope period, CapMetro had to ensure those departments established cultural norms, adhered to processes and procedures, managed risk, delegated responsibilities, ensured professional development, and evaluated operations to meet expectations. Therefore, an analysis could be performed in-house or by a third-party to assess the integration of the employees and functions acquired over the period and three years of data and observation is adequate to determine the impact of the change. The analysis should include:

- Changes in recruitment and professional development strategies between January 2022 and January 2025
- Three-year retention rates of former contract employees compared to overall retention rates
- Performance comparison of former contract employees to appropriate CapMetro internal peer groups
- Impact on Key Performance Indicators
- Efficiency Gains
- Unintended Consequences

Currently, management has hired a consultant to perform a span of control review, which will incorporate many of these elements identified to evaluate and compare to other similar transportation authorities.

Significant changes to an organization without timely and effective assessment of their integration can result in long-term inefficiencies, effectiveness, and impacts to culture and operations that meet the Authority's expectations.

Management should continue current efforts to perform and complete a span of control review and comparison of its review to other similar transportation authorities. Additionally, management should consider a post-integration analysis of the organizational changes of January 2022 and report those findings to leadership. Such an analysis could be performed in-house or by a third-party. Three years of data and observation is adequate to determine the impact of the change. The analysis should include:

- Changes in recruitment and professional development strategies between January 2022 and January 2025
- Three-year retention rates of former contract employees compared to overall retention rates

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- Performance comparison of former contract employees to appropriate CapMetro internal peer groups
- Impact on Key Performance Indicators
- Efficiency Gains
- Unintended Consequences

**Management's Response:** As the recommendation acknowledges, CapMetro made significant changes to the fixed route operational structure in 2022 with a primary goal of enhancing efficiency and CapMetro's ownership of key service decisions. CapMetro is in a constant state of reflection, analysis and improvement with respect to the changes made and agrees with the recommendation to continue to assess the effectiveness of the organizational changes made in 2022. It is important to note that Operations Management collaborates regularly with each service provider to align the deployment of staffing resources to address service issues in real time and improve operational efficiencies. See additional detail in CapMetro Management's detailed response.

**Responsible Party:** CapMetro Chief Administrative Officer

**Implementation Date:** December 31, 2025

### Recommendation 08 - Professional Development Opportunities

CapMetro should consider additional professional development opportunities tied to job responsibilities within the eight departments evaluated within the scope of the Quadrennial Performance Audit. CapMetro should continue several best practice leadership development programs initiated in FY 2024, including a formal commitment to succession planning within departments.

Continued professional development opportunities for each defined job title, position, and succession for future roles can ensure continued growth for the individual and positively impact the effectiveness and maturity of the organization.

Management should continue current initiatives around professional development and succession planning that were developed in FY24 to address management identified gaps. This training includes defined training and professional development opportunities for each job responsibility that will continue to promote their growth. Additionally, management should continue efforts to formalize succession planning within each department.

**Management's Response:** During the review period, CapMetro did offer defined professional development opportunities to employees, and we continue to enhance our development programs. See additional detail in CapMetro Management's detailed response.

**Responsible Party:** CapMetro Chief Administrative Officer

**Implementation Date:** Ongoing

# **Appendix A**

Task 1 - FY 2020 to 2023 Data Tables  
and Performance Indicators

# Capital Metropolitan Transportation Authority

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### Appendix A: Task 1 – Performance Indicator Review

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All performance indicators (PIs) reflect inputs from the beginning of FY 2020 to end of FY 2023 (four periods). Additionally, FY 2016 to 2019 data was also included in instances to show comparisons from the previous quadrennial performance audit period. The Compounded Annual Growth Rate (CAGR) is used to describe any changes in performance and is based on the four-year period. With the exception of On-Time Performance (OTP) and YR accidents, all data is sourced from the National Transit Database.

**Table A1.** NTD Sources of Performance Indicator Data

Data	Source
Sales and Use Tax Receipts	NTD – Form F10
Fares	NTD – Form F10
Operating Expense	NTD – Form F30
Unlinked Passenger Trips	NTD – Form S-10
Revenue Hours	NTD – Form S-10
Revenue Miles	NTD – Form S-10
Passenger Miles	NTD – Form S-10

**Table A2.** Operating Expense and CAGR by Mode

Year	MB	CB	DR	YR	Total
2016	\$145,931,371	\$5,702,754	\$39,911,244	\$23,076,368	\$214,621,737
2017	\$145,945,211	\$5,973,478	\$41,912,043	\$21,750,211	\$215,580,943
2018	\$154,713,665	\$7,750,702	\$40,843,532	\$23,184,423	\$226,492,322
2019	\$165,583,694	\$8,828,809	\$38,949,933	\$19,319,510	\$232,681,946
2020	\$159,469,985	\$4,671,770	\$41,344,741	\$22,536,132	\$228,022,628
2021	\$161,136,588	\$1,759,661	\$45,082,917	\$28,286,746	\$236,265,912
2022	\$197,635,839	\$2,201,227	\$51,089,019	\$31,867,229	\$282,793,314
2023	\$236,694,933	\$2,495,503	\$42,358,530	\$34,842,819	\$316,391,785
CAGR 2016-2019	4.30%	15.68%	-0.81%	-5.75%	2.73%
CAGR 2020-2023	10.38%	-14.51%	0.61%	11.51%	8.53%

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**Table A3.** Total Cost by Function\*

Year	Vehicle Operations	Vehicle Maintenance	Non-Vehicle (Facility) Maintenance	General Administration	Total
2020	\$118,024,109	\$42,652,502	\$12,336,066.00	\$57,395,737	\$110,655,873
2021	\$110,850,817	\$40,924,070	\$12,390,653.00	\$73,429,627	\$139,365,391
2022	\$132,883,845	\$53,545,111	\$16,386,727.00	\$81,791,250	\$156,365,574
2023	\$170,457,258.	\$58,187,597	\$19,284,488.00	\$71,289,071	\$319,218,414
CAGR 2020-2023	9.63%	8.07%	11.82%	5.57%	8.49%

\*Note: Total excludes deductions and vanpool expense

**Table A4.** Total Line Item Expense Change and CAGR

Line Item	2020	2021	2022	2023	CAGR
Other Salaries/Wages	\$25,618,454	\$26,920,736	\$37,756,037	\$45,598,512	15.50%
Fringe Benefits	\$12,266,628	\$12,641,092	\$13,655,532	\$17,102,725	8.66%
Services	\$20,506,503	\$24,843,453	\$35,608,293	\$45,252,287	21.88%
Fuel/Lube	\$11,467,182	\$9,962,247	\$9,963,853	\$12,860,132	2.91%
Other Materials/Supplies	\$1,851,914	\$1,484,750	\$7,619,945	\$18,137,192	76.90%
Utilities	\$3,098,151	\$3,346,753	\$3,510,018	\$4,177,860	7.76%
Casualty/Liability Costs	\$399,679	\$2,670,353	\$568,558	\$556,083	8.61%
Taxes	\$1,075,310	\$914,385	\$926,693	\$1,336,966	5.60%
Purchased Transportation	\$146,137,986	\$147,472,784	\$163,059,530	\$188,431,830	6.56%
Miscellaneous Expenses	\$1,246,633	\$823,627	\$1,538,791	\$2,311,796	16.70%
<b>Total</b>	<b>\$223,668,440</b>	<b>\$231,080,180</b>	<b>\$274,209,272</b>	<b>\$335,765,383</b>	<b>10.69%</b>

**Table A5.** CapMetro Revenue Hours of Service by Mode and CAGR

Year	MB	CB	DR	YR	Total
2016	1,222,015	40,182	388,813	12,536	1,663,546
2017	1,230,076	40,364	380,052	12,725	1,663,217
2018	1,325,923	47,486	380,407	13,157	1,766,973
2019	1,434,961	61,632	402,917	12,365	1,911,875
2020	1,297,870	32,738	408,492	11,063	1,750,163
2021	1,324,579	8,225	397,986	10,899	1,741,689
2022	1,248,859	8,754	400,487	14,488	1,672,588
2023	1,312,824	8,985	416,962	14,194	1,752,965
CAGR 2016-2019	5.50%	15.33%	1.19%	-0.46%	4.75%
CAGR 2020-2023	0.29%	-27.62%	0.51%	6.43%	0.04%

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**Table A6.** CapMetro Revenue Miles of Service by Mode and CAGR

Year	MB	CB	DR	YR	Total
2016	14,475,601	736,798	5,174,877	298,379	20,685,655
2017	14,473,436	737,780	5,260,345	301,020	20,772,581
2018	15,396,804	928,475	5,453,261	310,272	22,088,812
2019	15,952,995	1,147,318	5,617,274	290,764	23,008,351
2020	14,707,589	605,598	4,472,209	266,174	20,051,570
2021	15,285,064	196,681	4,335,557	266,094	20,083,396
2022	13,955,659	202,557	5,096,957	336,682	19,591,855
2023	14,671,028	207,012	5,349,198	333,124	20,560,362
CAGR 2016-2019	3.29%	15.91%	2.77%	-0.86%	3.61%
CAGR 2020-2023	-0.06%	-23.54%	4.58%	5.77%	0.63%

**Table A7.** CapMetro Passenger Trips by Mode

Year	MB	CB	DR	YR	Total
2016	28,585,274	542,266	682,378	806,331	30,616,249
2017	27,297,092	527,351	670,693	824,704	29,319,840
2018	26,879,274	613,852	675,564	811,242	28,979,932
2019	28,313,270	779,887	706,883	729,507	30,529,547
2020	20,929,440	412,468	550,702	377,703	22,270,313
2021	15,789,410	45,894	487,924	256,982	16,580,210
2022	18,810,536	99,059	752,118	474,354	20,136,067
2023	22,490,883	121,301	914,983	477,322	24,004,489
CAGR 2016-2019	-0.32%	12.88%	1.18%	-3.28%	-0.09%
CAGR 2020-2023	1.82%	-26.36%	13.53%	6.03%	1.89%

**Table A8.** Passenger Miles Travelled by Mode

Year	MB	CB	DR	YR	Total
2016	116,469,788	8,811,515	5,391,655	13,241,488	143,914,446
2017	115,795,824	7,701,902	5,548,080	13,034,972	142,080,778
2018	116,078,145	10,387,840	5,591,419	12,269,528	144,326,932
2019	115,922,296	14,695,729	6,003,749	11,187,645	147,809,419
2020	90,381,984	7,329,378	3,970,644	5,491,355	107,173,361
2021	74,122,216	759,804	3,203,806	3,044,287	81,130,113
2022	81,813,024	1,748,763	4,956,545	6,415,639	94,933,971
2023	93,122,288	2,400,259	5,611,261	7,330,560	108,464,368
CAGR 2016-2019	-0.16%	18.59%	3.65%	-5.46%	0.89%
CAGR 2020-2023	0.75%	-24.35%	9.03%	7.49%	0.30%

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**Table A9.** Passenger Fares by Mode

Year	MB	CB	DR	YR	Total
2016	\$19,158,387	\$564,651	\$798,917	\$2,135,825	\$22,657,780
2017	\$18,261,674	\$948,523	\$851,016	\$1,974,227	\$22,035,440
2018	\$17,602,367	\$992,587	\$801,828	\$1,927,996	\$21,324,778
2019	\$16,515,594	\$2,113,839	\$749,550	\$1,526,429	\$20,905,412
2020	\$10,952,250	\$1,099,259	\$643,427	\$748,076	\$13,443,012
2021	\$10,843,200	\$143,424	\$499,389	\$514,768	\$12,000,781
2022	\$12,354,156	\$234,812	\$733,970	\$1,109,896	\$14,432,834
2023	\$13,886,045	\$330,137	\$825,182	\$1,310,659	\$16,352,023
CAGR 2016-2019	-4.83%	55.27%	-2.10%	-10.59%	-2.65%
CAGR 2020-2023	6.11%	-25.97%	6.42%	15.05%	5.02%

**Table A10.** Accidents: Total of Collisions

Year	MB	CB	DR	YR	Total
2016	36	0	2	5	43
2017	47	0	10	2	59
2018	67	0	8	3	78
2019	59	3	12	2	76
2020	66	0	7	7	80
2021	75	0	18	12	105
2022	83	0	14	5	102
2023	69	0	19	16	104
CAGR 2016-2019	17.90%	-	81.71%	-26.32%	20.91%
CAGR 2020-2023	3.99%	-	12.17%	68.18%	8.16%

**Table A11.** Major Mechanical Failures

Year	MB	CB	DR	YR	System Wide
2016	4,078	99	285	3	4,465
2017	2,938	143	393	4	3,478
2018	3,455	14	291	6	3,766
2019	3,971	31	241	5	4,248
2020	4,540	138	201	26	4,905
2021	6,104	62	354	11	6,531
2022	9,460	235	729	28	10,452
2023	1,584	58	564	30	2,236
CAGR 2016-2019	-0.88%	-32.09%	-5.44%	18.56%	-1.65%
CAGR 2020-2023	-23.14%	-19.48%	29.43%	3.64%	-17.83%

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**Table A12.** Other Mechanical Failures

Year	MB	CB	DR	YR	System Wide
2016	921	11	202	0	1,134
2017	487	27	183	0	697
2018	492	9	155	0	656
2019	597	4	146	0	747
2020	748	38	143	0	929
2021	909	37	683	0	1,629
2022	3,116	70	146	0	3,332
2023	7,014	129	803	0	7,946
CAGR 2016-2019	-13.46%	-28.62%	-10.26%	-	-12.99%
CAGR 2020-2023	74.99%	35.74%	53.94%	-	71.01%

## Performance Indicators

**Table A13.** Operating Cost per Passenger Trip

Year	MB	CB	DR	YR	Average
2016	\$5.11	\$10.52	\$58.49	\$28.62	\$9.47
2017	\$5.35	\$11.33	\$62.49	\$26.37	\$9.78
2018	\$5.76	\$12.63	\$60.46	\$28.58	\$10.62
2019	\$5.85	\$11.32	\$55.10	\$26.48	\$11.13
2020	\$7.62	\$11.33	\$75.08	\$59.67	\$16.96
2021	\$10.21	\$38.34	\$92.40	\$110.07	\$19.69
2022	\$10.51	\$22.22	\$67.93	\$67.18	\$19.59
2023	\$10.52	\$20.57	\$46.29	\$73.00	\$19.35
CAGR 2016-2019	4.63%	2.49%	-1.97%	-2.55%	5.52%
CAGR 2020-2023	8.41%	16.09%	-11.39%	5.17%	3.35%

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**Table A14.** Operating Cost per Revenue Hour

Year	MB	CB	DR	YR	Average
2016	\$119.42	\$141.92	\$102.65	\$1,840.81	\$129.01
2017	\$118.65	\$147.99	\$110.28	\$1,709.25	\$129.62
2018	\$116.68	\$163.22	\$107.37	\$1,762.14	\$128.18
2019	\$115.39	\$143.25	\$96.67	\$1,562.44	\$121.70
2020	\$122.87	\$142.70	\$101.21	\$2,037.07	\$130.29
2021	\$121.65	\$213.94	\$113.28	\$2,595.35	\$135.65
2022	\$158.25	\$251.45	\$127.57	\$2,199.56	\$169.08
2023	\$180.29	\$277.74	\$101.59	\$2,454.76	\$180.49
CAGR 2016-2019	-1.14%	0.31%	-1.98%	-5.32%	-1.93%
CAGR 2020-2023	10.06%	18.11%	0.09%	4.77%	8.49%

**Table A15.** Operating Cost per Revenue Mile

Year	MB	CB	DR	YR	Average
2016	\$10.08	\$7.74	\$7.71	\$77.34	\$10.38
2017	\$10.08	\$8.10	\$7.97	\$72.26	\$10.42
2018	\$10.05	\$8.35	\$7.49	\$74.72	\$10.95
2019	\$10.38	\$7.70	\$6.93	\$66.44	\$11.25
2020	\$10.84	\$7.71	\$9.24	\$84.67	\$11.02
2021	\$10.54	\$8.95	\$10.40	\$106.30	\$11.42
2022	\$14.16	\$10.87	\$10.02	\$94.65	\$13.67
2023	\$16.13	\$12.05	\$7.92	\$104.59	\$15.30
CAGR 2016-2019	0.98%	-0.19%	-3.48%	-4.94%	2.73%
CAGR 2020-2023	10.45%	11.81%	-3.80%	5.43%	8.53%

**Table A16.** Tax Receipts per Passenger (All Modes)

Year	Total
2016	\$7.23
2017	\$7.79
2018	\$8.40
2019	\$8.57
2020	\$11.78
2021	\$18.18
2022	\$18.22
2023	\$15.93
CAGR 2016-2019	5.83%
CAGR 2020-2023	7.83%

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**Table A17.** Fare Recovery

Year	MB	CB	DR	YR	Average
2016	13.13%	9.90%	2.00%	9.26%	10.56%
2017	12.51%	15.88%	2.03%	9.08%	10.22%
2018	11.38%	12.81%	1.96%	8.32%	9.42%
2019	9.97%	23.94%	1.92%	7.90%	8.98%
2020	6.87%	23.53%	1.56%	3.32%	5.90%
2021	6.73%	8.15%	1.11%	1.82%	5.08%
2022	6.25%	10.67%	1.44%	3.48%	5.10%
2023	5.87%	13.23%	1.95%	3.76%	5.17%
CAGR 2016-2019	-8.75%	34.22%	-1.30%	-5.14%	-5.23%
CAGR 2020-2023	-3.86%	-13.41%	5.77%	3.18%	-3.24%

**Table A18.** Vehicle Occupancy by Mode

Year	MB	CB	DR	YR	Average
2016	8.05	11.96	1.04	44.38	6.96
2017	8.00	10.44	1.05	43.30	6.84
2018	7.54	11.19	1.03	39.54	6.53
2019	7.27	12.81	1.07	38.48	6.42
2020	6.15	12.10	0.89	20.63	5.34
2021	4.85	3.86	0.74	11.44	4.04
2022	5.86	8.63	0.97	19.06	4.85
2023	6.35	11.59	1.05	22.01	5.28
CAGR 2016-2019	-3.34%	2.32%	0.95%	-4.64%	-2.66%
CAGR 2020-2023	0.80%	-1.07%	4.22%	1.63%	-0.28%

**Table A19.** On-Time Performance by Mode

Year	MB	CB	DR	YR	Average
2016	81.15%	77.50%	93.86%	95.97%	87.12%
2017	82.47%	82.00%	93.85%	97.65%	88.99%
2018	84.45%	85.57%	92.39%	96.54%	89.74%
2019	84.16%	81.46%	90.34%	97.21%	88.29%
2020	84.61%	77.10%	90.56%	98.90%	87.79%
2021	83.74%	84.30%	92.46%	95.40%	88.97%
2022	80.19%	79.40%	86.32%	98.36%	86.07%
2023	81.21%	76.80%	80.44%	96.98%	83.86%
CAGR 2016-2019	1.22%	1.68%	-1.27%	0.43%	0.45%
CAGR 2020-2023	-1.02%	-0.10%	-2.92%	-0.49%	-1.14%

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**Table A20.** Accident Rate per 100,000 Miles by Mode

Year	MB	CB	DR	YR	Total
2016	0.25	0.00	0.04	1.68	0.21
2017	0.32	0.00	0.19	0.66	0.28
2018	0.44	0.00	0.15	0.97	0.35
2019	0.37	0.26	0.21	0.69	0.33
2020	0.45	0.00	0.16	2.63	0.4
2021	0.49	0.00	0.42	4.51	0.52
2022	0.59	0.00	0.27	1.49	0.52
2023	0.47	0.00	0.36	4.80	0.51
CAGR 2016-2019	13.96%	-	73.80%	-25.67%	16.69%
CAGR 2020-2023	6.16%	-	14.42%	62.40%	11.24%

**Table A21.** Miles Between Road Calls by Mode

Year	MB	CB	DR	YR	Total
2016	2,896	6,698	10,626	99,460	119,680
2017	4,226	4,340	9,133	75,255	92,954
2018	3,901	40,368	12,227	51,712	108,208
2019	3,492	32,781	14,515	58,153	108,941
2020	2,781	3,441	13,001	10,237	29,460
2021	2,180	1,987	4,181	24,190	32,538
2022	1,110	664	5,825	12,024	19,623
2023	1,706	1,107	3,913	11,104	17,830
CAGR 2016-2019	6.44%	69.78%	10.96%	-16.38%	-3.09%
CAGR 2020-2023	-16.39%	-57.13%	-27.94%	-33.90%	-36.40%

# **Appendix B**

Task 2 - Detailed Compliance Results  
– Chapter 451 Statutory Compliance  
Review

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## Appendix B: Task 2 – Detailed Compliance Results for Chapter 452 Statutory Compliance Review

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Transportation Code	Requirement	Test Conclusion
<b>Sec. 451.052</b>	Nature of Authority. Definition of an authority.	Achieved
<b>Sec. 451.053</b>	Responsibility for control of authority. Board is responsible for the management, operation, and control of an authority and its property.	Achieved
<b>Sec. 451.054(a)</b>	General Powers of Authority. An authority shall carry out Chapter 451 as deemed necessary.	Achieved
<b>Sec. 451.054(b)</b>	General Powers of Authority. This section only applies to authorities created by alternate municipalities.	Not Applicable
<b>Sec. 451.054(c)</b>	General Powers of Authority. An authority may sue and be sued.	Achieved
<b>Sec. 451.054(d)</b>	General Powers of Authority. Before acquiring an interest in real property > \$20,000 the Board shall acquire 2 property appraisals independent of each other.	Not Applicable
<b>Sec. 451.054(e)</b>	General Powers of Authority. An authority may participate in sales, leases, and disposals.	Achieved
<b>Sec. 451.055(a)</b>	Grants and Loans. May contract with any person.	Achieved
<b>Sec. 451.055(b)</b>	Grants and Loans. May accept a grant or loan from any person.	Achieved
<b>Sec. 451.056(a)</b>	Operation of Transit Authority System. May operate a transit authority system within its territory.	Achieved
<b>Sec. 451.056(b)</b>	Operation of Transit Authority System. Acquire written approval of the governing body in order to lease the entire transit authority system under Sec. 451.056(a-3).	Not Applicable
<b>Sec. 451.056(c)</b>	Operation of Transit Authority System. This section applies to authorities created by alternate municipalities.	Not Applicable
<b>Sec. 451.056(d)</b>	Operation of Transit Authority System. Shall determine routes.	Achieved
<b>Sec. 451.057</b>	Acquisition of Property by Agreement. May acquire rolling stock/other property under contract/trust.	Not Applicable
<b>Sec. 451.058(a)</b>	Use and Acquisition of Property of Others. May use public way and relocate/reroute/alter property of another person for purposes defined in Sec. 451.056(a-1).	Achieved
<b>Sec. 451.058(b)</b>	Use and Acquisition of Property of Others. May contract with owner to allow owner's own means/contractor of the owner to complete acts authorized by Sec. 451.058(a-2).	Not Applicable
<b>Sec. 451.058(c)</b>	Use and Acquisition of Property of Others. May acquire by eminent domain any interest in real property.	Not Applicable

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Transportation Code	Requirement	Test Conclusion
<b>Sec. 451.058(d)</b>	Use and Acquisition of Property of Others. Costs incurred are at the sole cost and expense of the authority. Damages incurred by an owner must be paid by the authority.	Achieved
<b>Sec. 451.058(e)</b>	Use and Acquisition of Property of Others. Must receive written permission from owner of the property unless eminent domain is exercised.	Achieved
<b>Sec. 451.059(a)</b>	Eminent Domain Proceedings are initiated by the adoption by the Board.	Not Applicable
<b>Sec. 451.059(b)</b>	Eminent Domain Proceedings. Public hearings are held in a location convenient to the residents of the area > 29 days before the adoption of a resolution.	Not Applicable
<b>Sec. 451.059(c)</b>	Eminent Domain Proceedings. Notice of a public hearing is published in a newspaper easily accessible to residents of the area at least 1 time/week for 2 weeks before the meeting.	Not Applicable
<b>Sec. 451.059(d)</b>	Eminent Domain Proceedings. Adopted resolutions are conclusive evidence of public necessity.	Not Applicable
<b>Sec. 451.059(e)</b>	Eminent Domain Proceedings.	Not Applicable
<b>Sec. 451.060</b>	Agreement with Utilities, Carriers.	Not Applicable
<b>Sec. 451.061(a)</b>	Fares and Other Charges. Fares and other charges will be imposed to produce revenue in an amount adequate to cover relevant expenses/liabilities sufficient for operations.	Achieved
<b>Sec. 451.061(b)</b>	Fares and Other Charges. Impositions are not to be excessive beyond covering obligations.	Achieved
<b>Sec. 451.061(c)</b>	Fares and Other Charges. May set fares according to a zone system or other reasonable classification.	Achieved
<b>Sec. 451.061(d)</b>	Fares and Other Charges. This section does not apply to authorities with populations greater than 1.9 million.	Not Applicable
<b>Sec. 451.061(e)</b>	Fares and Other Charges. The state's power is not limited in regards to regulating taxes imposed/other compensation authorized.	Achieved
<b>Sec. 451.061(f)</b>	Fares and Other Charges. Personal identifying information is confidential and not subject to disclosure under Chapter 552, Government Code.	Achieved
<b>Sec. 451.061 (g)</b>	Fares and Other Charges. Personal identifying information may be disclosed to a governmental agency or institution of higher education, as defined by Chapter 61, Education Code.	Achieved

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Transportation Code	Requirement	Test Conclusion
<b>Sec. 451.0611(a)</b>	Enforcement of Fares and Other Charges; Penalties. By resolution, board may prohibit persons who fail to pay the fare, and may ensure fares are paid by persons utilizing the public transportation system.	<b>Not Applicable</b>
<b>Sec. 451.0611(b)</b>	Enforcement of Fares and Other Charges; Penalties. By resolution, board may charge a penalty not to exceed \$90 for unpaid fares/charges.	<b>Not Applicable</b>
<b>Sec. 451.0611(c)</b>	Enforcement of Fares and Other Charges; Penalties. Signs must be posted designating areas that require evidence of fare payment.	<b>Not Applicable</b>
<b>Sec. 451.0611(d)</b>	Enforcement of Fares and Other Charges; Penalties. A person commits an offense if they do not possess evidence of fare payment, fails to pay fare/penalty on or before 30th day after the date they have been notified of the amount.	<b>Not Applicable</b>
<b>Sec. 451.0611(e)</b>	Enforcement of Fares and Other Charges; Penalties. Notices required by Sec. 451.0611(d) must be included in a citation.	<b>Not Applicable</b>
<b>Sec. 451.0611(f)</b>	Enforcement of Fares and Other Charges; Penalties. Offenses under Sec. 451.0611(d) are Class C misdemeanors and not crimes of moral turpitude.	<b>Not Applicable</b>
<b>Sec. 451.0611(g)</b>	Enforcement of Fares and Other Charges; Penalties. This section only applies to authorities that were created before 1980 and have populations less than 1.9 million.	<b>Not Applicable</b>
<b>Sec. 451.0612(a)</b>	Fare Enforcement Officers. May employ Fare Enforcement Officers.	<b>Not Applicable</b>
<b>Sec. 451.0612(b)</b>	Fare Enforcement Officers. Must complete 40-hour training before commencing duties.	<b>Not Applicable</b>
<b>Sec. 451.0612(c)</b>	Fare Enforcement Officers. Must wear uniform and work under safety/security directions of management while on duty.	<b>Not Applicable</b>
<b>Sec. 451.0612(d)</b>	Fare Enforcement Officers. May request evidence of payment, request personal ID from passenger who does not provide evidence of payment, request passenger to leave if they fail to present evidence of payment, and file a complaint charging the person with an offense.	<b>Not Applicable</b>
<b>Sec. 451.0612(e)</b>	Fare Enforcement Officers. May not carry a weapon while performing duties under Section 451.0612.	<b>Not Applicable</b>

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<b>Sec. 451.0612(f)</b>	Fare Enforcement Officers. Fare enforcement officers are not peace officers and have no authority to enforce criminal law outside of the authority possessed by a person who is not a peace officer.	<b>Not Applicable</b>
<b>Sec. 451.062(a)</b>	Power to Enter Real Property. May go on real property to make surveys/examine property and attend to any authority business.	<b>Achieved</b>
<b>Sec. 451.062(b)</b>	Power to Enter Real Property. At least a 2 weeks' notice shall be given to owners in possession before entering property.	<b>Achieved</b>
<b>Sec. 451.062(c)</b>	Power to Enter Real Property. Property damaged shall be restored as nearly as possible at the sole expense of the authority.	<b>Achieved</b>
<b>Sec. 451.063</b>	Tax Exemption. The property, revenue, and income of an authority are exempt from state and local taxes.	<b>Achieved</b>
<b>Sec. 451.064</b>	Parking Areas: Certain Authorities. This section only applies to authorities that were created before 1980 and have populations less than 1.9 million.	<b>Not Applicable</b>
<b>Sec. 451.065(a)</b>	Roadways, Trails, Lighting: Certain Authorities. May construct/maintain a highway, local/arterial street, thoroughfare, other road, bridge/grade separation; and install/operate traffic control improvements (i.e. signals).	<b>Not Applicable</b>
<b>Sec. 451.065(b)</b>	Roadways, Trails, Lighting: Certain Authorities. May construct/maintain a sidewalk, hiking/biking trail; install/maintain streetlights; make drainage improvements and take related measures as reasonable and necessary for effective use.	<b>Not Applicable</b>
<b>Sec. 451.065(c)</b>	Roadways, Trails, Lighting: Certain Authorities. May perform activities authorized by this section through an agreement with another governmental entity.	<b>Not Applicable</b>
<b>Sec. 451.065(d)</b>	Roadways, Trails, Lighting: Certain Authorities. Must obtain consent of governing body of the municipality or a contract with the municipality specifying actions that authority must undertake.	<b>Not Applicable</b>
<b>Sec. 451.065(e)</b>	Roadways, Trails, Lighting: Certain Authorities. Section 451.065(a) does not apply to actions undertaken by Section 451.056(a-1) or 451.058.	<b>Not Applicable</b>
<b>Sec. 451.065(f)</b>	Roadways, Trails, Lighting: Certain Authorities. This section does not apply to authorities created before 1980 with populations less than 1.9 million.	<b>Not Applicable</b>

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<b>Sec. 451.066</b>	Spending Limitation: Trails and Lighting in Certain Authorities. This section does not apply to authorities created after 1980.	<b>Not Applicable</b>
<b>Sec. 451.067</b>	Emergency Medical Services: Certain Authorities. This section does not apply to authorities with populations greater than 320,000.	<b>Not Applicable</b>
<b>Sec. 451.068</b>	Free Fares Program: Certain Authorities. This section does not apply to authorities with populations less than 1.3 million	<b>Not Applicable</b>
<b>Sec. 451.070(a)</b>	Elections. In a board ordered election, notice by publication in a newspaper of general circulation at least once a week for 3 consecutive weeks, starting at least 21 days before the election.	<b>Not Applicable</b>
<b>Sec. 451.070(b)</b>	Elections. Subsection (a) does not apply to an election under Subchapter N.	<b>Not Applicable</b>
<b>Sec. 451.070(c)</b>	Elections. An election contest may not be heard unless the comptroller is timely notified as required by Section 451.413.	<b>Not Applicable</b>
<b>Sec. 451.071</b>	Referendum for Rail Plan; Certain Authorities. This section does not apply to authorities with populations less than 1.3 million	<b>Not Applicable</b>
<b>Sec. 451.072(a)</b>	General Authority to Call Election: Certain Authorities. This section only applies to authorities with a population of more than 1.9 million.	<b>Not Applicable</b>
<b>Sec. 451.072(b)</b>	General Authority to Call Election: Certain Authorities. Board may call an election to determine the voters' will on any issue that the board is authorized to decide under this chapter. At the time the election is ordered the Board must specify if the results are binding on the authority.	<b>Not Applicable</b>
<b>Sec. 451.072(c)</b>	General Authority to Call Election: Certain Authorities. Board shall specify the ballot proposition for an election called under this section to be approved if favored by the majority.	<b>Not Applicable</b>
<b>Sec. 451.101</b>	Board Powers. A board has the powers specified in this statute.	<b>Achieved</b>
<b>Sec. 451.102(a)</b>	Budget. Board shall adopt an annual operating budget before the start of the fiscal year.	<b>Achieved</b>
<b>Sec. 451.102(b)</b>	Budget. Board shall hold a public hearing on the budget and make the budget publicly available at least 14 days before the hearing.	<b>Achieved</b>
<b>Sec. 451.102(c)</b>	Budget. Board may amend the budget after a public notice and hearing.	<b>Achieved</b>

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<b>Sec. 451.103</b>	Operating Expenditures. Operating expenses may not be in excess of the operating expenses specified in the annual operating budget.	Achieved
<b>451.104</b>	Investment Powers: Certain Authorities. This section does not apply to authorities created after 1980 and with populations greater than 1.9 million.	Not Applicable
<b>451.105(a)</b>	Depository; Deposit of Funds. Board shall designate at least 1 bank as depository for authority funds.	Achieved
<b>451.105(b)</b>	Depository; Deposit of Funds. All authority funds shall be deposited in at least 1 of the specified depository banks unless an authorized exception occurs.	Not Applicable
<b>451.105(c)</b>	Depository; Deposit of Funds. Funds in a depository shall be lawfully secured for the security of county funds.	Not Applicable
<b>451.106(a)</b>	General Manager; Management Policies: Certain Authorities. Board shall employ a general manager.	Achieved
<b>451.106(b)</b>	General Manager; Management Policies: Certain Authorities. Only the general manager may remove an employee.	Achieved
<b>451.106(c)</b>	General Manager; Management Policies: Certain Authorities. General manager may contract with others with board approval.	Achieved
<b>451.106(d)</b>	General Manager; Management Policies: Certain Authorities. Board shall adopt policies clearly defining the respective duties of the board and staff.	Achieved
<b>451.106(e)</b>	General Manager; Management Policies: Certain Authorities. This section applies only to an authority described by Subsection (a).	Achieved
<b>451.107(a)</b>	Rules. Board by resolution may adopt rules for operation/maintenance/regulation and use of the transit authority.	Achieved
<b>451.107(b)</b>	Rules. Each rule shall be published in a newspaper with general circulation once each week for 2 consecutive weeks after adoption.	Achieved
<b>451.107(c)</b>	Rules. A rule becomes effective 10 days after the date of the second publication of the notice.	Achieved
<b>451.1075(a)</b>	Prohibition of Consumption of Alcoholic Beverage. Board may prohibit consumption of alcoholic beverages on the authority property.	Achieved

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<b>451.1075(b)</b>	Prohibition of Consumption of Alcoholic Beverage. A sign is posted in each place where alcohol is prohibited communicating the prohibition.	Achieved
<b>451.1075(c-d)</b>	Prohibition of Consumption of Alcoholic Beverage. Consumption of alcoholic beverages in a prohibited area is a Class C misdemeanor.	Achieved
<b>451.1075(e)</b>	An "alcoholic beverage" is to be defined by the Alcoholic Beverage Code.	Achieved
<b>451.108(a)</b>	Peace Officers. Authority may commission and employ a peace officer	Achieved
<b>451.108(b,c,e)</b>	Peace Officers. This section does not apply to an authority that was created after 1980 or has a population of more than 1.9 million.	Not Applicable
<b>451.108(d)</b>	Peace Officers. Peace Officers must file the respective oath.	Achieved
<b>451.109(a)</b>	Advisory Committee. Board may establish 1 or more Advisory Committees to make recommendations to the Board or general manager.	Achieved
<b>451.109(b)</b>	Advisory Committee. Members are appointed by the Board.	Achieved
<b>451.109(c)</b>	Advisory Committee. Member is not compensated for service, but is entitled to reimbursement for expenses incurred in the performance of services.	Achieved
<b>451.109(d)</b>	Advisory Committee. This section does not apply to an authority in which the principal municipality has a population of 1.3 million or more but not more than 1.9 million.	Not Applicable
<b>451.110(a)</b>	Purchases: Competitive Bidding. Board may not contract for construction of an improvement or purchase of property, except through competitive bidding after notice of the contract proposal.	Achieved
<b>451.110(b)</b>	Purchases: Competitive Bidding. Board may adopt rules on competitive bidding.	Achieved
<b>451.110(c)</b>	Purchases: Competitive Bidding. Subsection (a) does not apply to a contract for \$50,000 or less, purchase of real property, personal/professional services, or acquisition of an existing transit system.	Achieved
<b>451.111(a)</b>	Purchases: Notice of Noncompetitive Bid Proposals. A board may not let a contract that is > \$50,000 and for the purchase of real property or consulting/professional services.	Achieved

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<b>451.111(b)</b>	Purchases: Notice of Noncompetitive Bid Proposals. An announcement of a contract being considered that is subject to this section must be posted in a prominent place in the principal office for at least 2 weeks before the date the contract is awarded.	Achieved
<b>451.111(c)</b>	Purchases: Notice of Noncompetitive Bid Proposals. This section does not apply to a contract that must be awarded through competitive bidding or for the purchase of an existing transit system.	Achieved
<b>451.112</b>	Conflicts of Interest: Board Members. Chapter 171, Local Government Code, applies to a board member of an authority. A contract executed in violation of this section is voidable.	Achieved
<b>451.113(a)</b>	Driving on Certain Authority Right-of-Way; Penalty. Driving on a designated right-of-way of an authority that is used in connection with a motor bus rapid transit system is an offense committed by the person operating the motor vehicle.	Achieved
<b>451.113(b)</b>	Driving on Certain Authority Right-of-Way; Penalty. Exceptions to subsection (a) include: authorized driving of a vehicle of the authority or driving an authorized emergency vehicle and responding to a call.	Achieved
<b>451.113(c)</b>	Driving on Certain Authority Right-of-Way; Penalty. Any Peace Officer in the jurisdiction of the offense may enforce subsection (a).	Achieved
<b>451.113(d)</b>	Driving on Certain Authority Right-of-Way; Penalty. An offense under this section is a Class C misdemeanor.	Achieved
<b>451.131</b>	Applicability. This subchapter only applies to authorities with a population of less than 1 million.	Not Applicable
<b>451.151(a)</b>	Station or Terminal Complex: System Plan. May not acquire an interest in real property for a station/terminal complex unless included in the transit authority system in a plan approved by the Board.	Not Applicable
<b>451.151(b)</b>	Station or Terminal Complex: System Plan. May not be included in a transit authority system unless the Board first assesses the station/terminal complex against certain criteria.	Not Applicable
<b>451.151(c)</b>	Station or Terminal Complex: System Plan. Board may amend the authority's comprehensive transit plan to include a station/terminal complex.	Not Applicable

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<b>451.152</b>	Station or Terminal Complex: Facilities. A station/terminal complex must include means for transfer of passengers and may include provision for residential, institutional, recreational, commercial, and industrial facilities.	<b>Achieved</b>
<b>451.153</b>	Approval of Municipality. Location of station/terminal complex must be approved by the governing body of the municipality.	<b>Not Applicable</b>
<b>451.154(a)</b>	Station or Terminal Complex: Limitation on Real Property Acquisition. May not be acquired unless property complies with certain criteria.	<b>Not Applicable</b>
<b>451.154(b)</b>	Station or Terminal Complex: Limitation on Real Property Acquisition. This section does not apply to authorities created after 1980 and those with population counts greater than 1.9 million.	<b>Not Applicable</b>
<b>451.154(c)</b>	Station or Terminal Complex: Limitation on Real Property Acquisition. Board will designate the center point of the station/terminal complex before commencement of eminent domain.	<b>Not Applicable</b>
<b>451.155(a)</b>	Transfer of Real Property in Station or Terminal Complex. May transfer interest in real property in a station/terminal complex to any person in accordance with the comprehensive transit plan and certain terms.	<b>Not Applicable</b>
<b>451.155(b)</b>	Transfer of Real Property in Station or Terminal Complex. Transfer must be at fair value of the interest transferred.	<b>Not Applicable</b>
<b>451.155(c)</b>	Transfer of Real Property in Station or Terminal Complex. A person from whom property offered for sale under this section was acquired by eminent domain or the threat of eminent domain has a first right to purchase the property at the price for which the property is offered to the public.	<b>Not Applicable</b>
<b>Sec. 451.201</b>	Regional Economic Development Facilities.	<b>Not Applicable</b>
<b>Sec. 451.251</b>	Subchapter F: Special Programs and Services.	<b>Not Applicable</b>
<b>Sec. 451.352(a)</b>	Power to Issue Bonds. May issue bonds at any time.	<b>Not Applicable</b>
<b>Sec. 451.352(b)</b>	Power to Issue Bonds. Board may authorize issuance of bonds payable solely from revenue.	<b>Not Applicable</b>
<b>Sec. 451.352(c)</b>	Power to Issue Bonds. Bonds must be issued by majority vote in an election held for that specific purpose.	<b>Not Applicable</b>
<b>Sec. 451.353(a)</b>	Bond Terms. Bonds are fully negotiable and may be redeemable.	<b>Not Applicable</b>

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<b>Sec. 451.353(b)</b>	Bond Terms. Revenue bond indentures may limit a power of the authority provided by Sections 451.054–451.060, 451.061(a) or (b), 451.064–451.069, 451.107(a), or 451.251 as long as the bonds are outstanding.	<b>Not Applicable</b>
<b>Sec. 451.354</b>	Sale. Bonds may be sold at a public/private sale as determined by the Board to be more advantageous.	<b>Not Applicable</b>
<b>Sec. 451.355(a)</b>	Approval; Registration. Bonds and related records shall be submitted to the attorney general for examination before the bonds are delivered.	<b>Not Applicable</b>
<b>Sec. 451.355(b)</b>	Approval; Registration. The attorney general will approve the bonds if he finds that the bonds are constitutional and Chapter 451 and that the bonds are a binding obligation of the issuing authority.	<b>Not Applicable</b>
<b>Sec. 451.355(c)</b>	Approval; Registration. Comptroller registers the bonds after approval by the attorney general.	<b>Not Applicable</b>
<b>Sec. 451.356</b>	Incontestability. Bonds are incontestable after they are: approved by the attorney general; registered by the comptroller; sold and delivered to the purchaser.	<b>Not Applicable</b>
<b>Sec. 451.357(a)</b>	Security Pledged. To secure the payment of a bond the authority may: pledge all/part of revenue realized from any tax the authority imposes; pledge all/part of revenue from the transit authority system; mortgage all/part of the transit authority system (including parts subsequently acquired).	<b>Not Applicable</b>
<b>Sec. 451.357(b)</b>	Security Pledged. Under Sec. 451.357(a)(3) an authority may encumber a separate item of the transit system.	<b>Not Applicable</b>
<b>Sec. 451.357(c)</b>	Security Pledged. Authority may not issue bonds secured by ad valorem tax revenue.	<b>Not Applicable</b>
<b>Sec. 451.357(d)</b>	Security Pledged. This subchapter does not prohibit encumbering 1 or more transit systems to purchase/construct/extend/repair 1 or more other transit systems.	<b>Not Applicable</b>
<b>Sec. 451.358</b>	Pledge of Revenue Limited. Expenses of operation and maintenance of a transit system are a first lien and charge against any revenue of a system that is encumbered under this chapter.	<b>Not Applicable</b>
<b>Sec. 451.359</b>	Refunding Bonds. May issue refunding bonds.	<b>Not Applicable</b>

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<b>Sec. 451.360(a)</b>	Bonds as Authorized Investments. Bonds are authorized investments for: a bank, savings bank, trust company, savings & loan association, and insurance company.	<b>Not Applicable</b>
<b>Sec. 451.360(b)</b>	Bonds as Authorized Investments. The bonds, when accompanied by all appurtenant, unmatured coupons and to the extent of the lesser of their face value or market value, are eligible to secure the deposit of public funds of this state, a political subdivision of this state, and other political corporation of this state.	<b>Not Applicable</b>
<b>Sec. 451.361</b>	Exchange of Bonds for Existing System. Revenue bonds may be exchanged.	<b>Not Applicable</b>
<b>Sec. 451.362(a)</b>	Short-Term Bonds. May issue bonds that are secured by revenue/taxes of the authority if the bonds: have term not more than 12 months and are payable only from revenue/taxes received on/after the date of issuance and before the end of the fiscal year following the fiscal year in which the bonds are issued.	<b>Not Applicable</b>
<b>Sec. 451.362(b)</b>	Short-Term Bonds. Bonds issued under this section do not need attorney general approval/registration with the comptroller.	<b>Not Applicable</b>
<b>Sec. 451.362(c)</b>	Short-Term Bonds. Bonds may have term 5 years or less.	<b>Not Applicable</b>
<b>Sec. 451.362(d)</b>	Short-Term Bonds. This section does not apply to an authority that was created after 1980 or has a population of more than 1.9 million.	<b>Not Applicable</b>
<b>Sec. 451.3625</b>	Bonds for Rail System; Certain Authorities. This section does not apply to authorities with a population count less than 1.3 million.	<b>Not Applicable</b>
<b>Sec. 451.363</b>	Tax Exemption. Interest on bonds is exempt from state/local taxes.	<b>Not Applicable</b>
<b>Sec. 451.401</b>	General Power of Taxation. May impose any kind of tax except ad valorem property tax.	<b>Achieved</b>
<b>Sec. 451.402(a)</b>	Voter Approval Required for Tax. May not impose tax/increase rates without majority vote in election held for that purpose.	<b>Not Applicable</b>
<b>Sec. 451.402(b)</b>	Voter Approval Required for Tax. New tax/rate increases must be expressed in a separate proposition with a brief statement of the nature of the proposition.	<b>Not Applicable</b>
<b>Sec. 451.402(c)</b>	Voter Approval Required for Tax. Notice of the election must contain a statement of the base/rate of the proposed tax.	<b>Not Applicable</b>

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<b>Sec. 451.403(a)</b>	Authority Tax Code and Rules. Must adopt a tax code and rules before voting on the tax.	<b>Not Applicable</b>
<b>Sec. 451.403(b)</b>	Authority Tax Code and Rules. Tax code and rules may contain other provisions.	<b>Not Applicable</b>
<b>Sec. 451.403(c)</b>	Authority Tax Code and Rules. Board may amend the tax code and rules after the election & approval. May not increase amount unless approved by 451.402.	<b>Not Applicable</b>
<b>Sec. 451.403(d)</b>	Authority Tax Code and Rules. Does not apply to sales and use tax/motor vehicles emissions tax.	<b>Not Applicable</b>
<b>Sec. 451.404(a)</b>	Sales and Use Tax. Board may impose sales and use tax.	<b>Achieved</b>
<b>Sec. 451.404(b)</b>	Sales and Use Tax. Chapter 322, Tax Code, applies to an authority's sales and use tax.	<b>Not Applicable</b>
<b>Sec. 451.405(a)</b>	Maximum Tax Rate in Authority Area. May not adopt sales and use tax exceeding 2% when combined with rates of all sales and use taxes imposed by other subdivisions.	<b>Not Applicable</b>
<b>Sec. 451.405(b)</b>	Maximum Tax Rate in Authority Area. Elections have no effect if: elections are held on the same day a municipality/county adopts a sale and use tax, and if combined rates of all sales and use taxes exceed 2%.	<b>Not Applicable</b>
<b>Sec. 451.406</b>	Initial Sales Tax: Effective Date. Adopted of sales and use tax takes effect on the first day of the second calendar quarter beginning after the date the comptroller receives a copy of the order required to be filed under Section 451.661.	<b>Not Applicable</b>
<b>Sec. 451.407</b>	Rate Decrease: Sales and Use Tax. Board may decrease the sales and use tax rate or order an election to decrease the rate.	<b>Not Applicable</b>
<b>Sec. 451.408(a)</b>	Rate Increase: Sales and Use Tax. Board may order an election to increase the sales and use tax rate.	<b>Not Applicable</b>
<b>Sec. 451.408(b)</b>	Rate Increase: Sales and Use Tax. Registered voters may require an election to increase the sales and use tax rate.	<b>Not Applicable</b>
<b>Sec. 451.408(c)</b>	Rate Increase: Sales and Use Tax. If board reduced rate without an election, board may increase the rate not in excess of the rate before the decrease.	<b>Not Applicable</b>
<b>Sec. 451.409(a)</b>	Sales and Use Tax Rate Increase: Petition and Election. Petition to increase the rate is valid only if submitted to board and signed by at least 10% of the registered voters.	<b>Not Applicable</b>

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<b>Sec. 451.409(b)</b>	Sales and Use Tax Rate Increase: Petition and Election. Board shall submit a petition for an election to increase the rate to the secretary of state.	<b>Not Applicable</b>
<b>Sec. 451.409(c)</b>	Sales and Use Tax Rate Increase: Petition and Election. Secretary of state shall respond no later than 30 days after receiving the petition.	<b>Not Applicable</b>
<b>Sec. 451.409(d)</b>	Sales and Use Tax Rate Increase: Petition and Election. Board shall call an election to increase the rate if the secretary validates the petition or fails to respond within the 30 day period.	<b>Not Applicable</b>
<b>Sec. 451.409(e)</b>	Sales and Use Tax Rate Increase: Petition and Election. Authority shall pay costs of validating a petition and election.	<b>Not Applicable</b>
<b>Sec. 451.410</b>	Sales and Use Tax Increase or Decrease Ballots: In an election the ballots shall be printed to provide for voting for or against the following proposition: "The (increase or decrease) of the local sales and use tax rate to (percentage)."	<b>Not Applicable</b>
<b>Sec. 451.411(a)</b>	Results of Election; Notice. If an increase/decrease to the rate is won by majority vote, it goes into effect according to Section 451.412.	<b>Not Applicable</b>
<b>Sec. 451.411(b)</b>	Results of Election; Notice. Authority must send notice of election and certified copy of results to TxDOT and comptroller.	<b>Not Applicable</b>
<b>Sec. 451.412</b>	Effective Date of Tax Rate Change. Effective on the first day of the first calendar quarter that begins after the date the comptroller receives notice, or first day of the second calendar quarter that begins after the date the comptroller receives notice if comptroller requires more time within 10 days after receipt of the notice.	<b>Not Applicable</b>
<b>Sec. 451.413(a)</b>	Tax Effective Dates After Election Contest. Contestant of an election must notify the comptroller within 10 days after the date the contest is filed.	<b>Not Applicable</b>
<b>Sec. 451.413(b)</b>	Tax Effective Dates After Election Contest. Upon receiving the contest notice the effective date is suspended.	<b>Not Applicable</b>
<b>Sec. 451.413(c)</b>	Tax Effective Dates After Election Contest. Presiding Officer of the board must notify the comptroller when a final judgment of a contest is entered.	<b>Not Applicable</b>

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<b>Sec. 451.413(d)</b>	Tax Effective Dates After Election Contest. If the result is sustained the comptroller must substitute the date of receipt of the notice of the final judgment for the date of receipt of the notice of election results.	<b>Not Applicable</b>
<b>Sec. 451.414(a)</b>	Maximum Rate of Vehicle Emissions Tax. Each year the Board imposes a Motor Vehicle Emissions Tax the rate is set as a percentage of the maximum rat specified for each class of vehicles.	<b>Not Applicable</b>
<b>Sec. 451.414(b)</b>	Maximum Rate of Vehicle Emissions Tax. Rate may not exceed 100% of the amount specified by the table.	<b>Not Applicable</b>
<b>Sec. 451.415(a)</b>	Exemptions. The following vehicles are exempt from vehicle emissions tax: exclusive use in U.S., state, county, municipality, school district, authority service; operated in the authority for an average period of <2 days each calendar week during a tax year/portion of a tax year during which the tax accrues.	<b>Not Applicable</b>
<b>Sec. 451.415(b)</b>	Exemptions. To receive (a)(3) exemption, owner must file with the county assessor-collector.	<b>Not Applicable</b>
<b>Sec. 451.416(a)</b>	Emissions Tax Year. Motor vehicle emissions tax year begins April 1 and is divided into quarters.	<b>Not Applicable</b>
<b>Sec. 451.416(b)</b>	Emissions Tax Year. Tax accruing during the second quarter is 3/4 of the amount of the annual tax. Tax accruing during the third quarter is 1/2 the amount of annual tax. Tax accruing during the fourth quarter is 1/4 the amount of the annual tax.	<b>Not Applicable</b>
<b>Sec. 451.417</b>	Emissions Tax Payments: Delinquency. Motor vehicle emissions taxes are payable February 1 and are delinquent if not paid by April 1. If payable on/after April 1, they are delinquent if not paid by the 61st day after they accrue.	<b>Not Applicable</b>
<b>Sec. 451.418</b>	Collection of Emissions Taxes by County-Assessor-Collector.	<b>Not Applicable</b>
<b>Sec. 451.419(a)</b>	Penalties and Interest: Emissions Taxes. Penalties apply to the late payment of motor vehicle emissions taxes.	<b>Not Applicable</b>
<b>Sec. 451.419(b)</b>	Penalties and Interest: Emissions Taxes. Delinquent tax bears interest at 6% a year until paid.	<b>Not Applicable</b>
<b>Sec. 451.420</b>	Board Rules: Emissions Taxes. Board may adopt rules relating to the collection and payment of the authority's motor vehicle emissions taxes.	<b>Not Applicable</b>
<b>Sec. 451.451</b>	Financial Audits. Board must have annual audit of affairs prepared by an independent CPA/firm. The audit must be open to public inspection.	<b>Achieved</b>

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<b>Sec. 451.452(a)</b>	Review of Audit: Certain Authorities. Board must deliver copy of each audit prepared to certain recipients.	<b>Not Applicable</b>
<b>Sec. 451.452(b)</b>	Review of Audit: Certain Authorities. State auditor may elect to file comments about the audit with the legislative audit committee and Board.	<b>Not Applicable</b>
<b>Sec. 451.452(c)</b>	Review of Audit: Certain Authorities. State auditor may examine workpapers from the audit or audit the financial transactions if deemed necessary.	<b>Not Applicable</b>
<b>Sec. 451.452(d)</b>	Review of Audit: Certain Authorities. Subsections (a)(5) and (6) don't apply if population of more than 1.9 million.	<b>Not Applicable</b>
<b>Sec. 451.454(a)</b>	Performance Audits: Certain Authorities. Board should contract a performance audit at least once every 4 years.	<b>Achieved</b>
<b>Sec. 451.454(b)</b>	Performance Audits: Certain Authorities. Audit should provide evaluation of oversight functions by state/local officers and information to assist in improvements of operations.	<b>Achieved</b>
<b>Sec. 451.454(c)</b>	Performance Audits: Certain Authorities. Audit must examine 1 of more: admin and management, transit operations, transit maintenance; statutory compliance; and performance indicators.	<b>Achieved</b>
<b>Sec. 451.454(d)</b>	Performance Audits: Certain Authorities. Subjects described in subsection (c)(1) must be examined at least once in every third audit.	<b>Achieved</b>
<b>Sec. 451.455(a)</b>	Computation of Performance Indicators. Operating cost/revenue hour = annual operating cost / total scheduled hours revenue vehicles are in revenue service.	<b>Achieved</b>
<b>Sec. 451.455(b)</b>	Computation of Performance Indicators. Operating cost / revenue mile = annual operating cost / # miles traveled by revenue vehicles while in revenue service.	<b>Achieved</b>
<b>Sec. 451.455(c)</b>	Computation of Performance Indicators. Fare recovery rate = annual revenue + fares, tokens, passes, tickets, route guarantees, sponsors / operating cost.	<b>Achieved</b>
<b>Sec. 451.455(d)</b>	Computation of Performance Indicators. Average vehicle occupancy = annual passenger miles / # miles traveled by revenue vehicles while in revenue service. Annual passenger miles = annual passenger trips X average distance ridden by passengers.	<b>Achieved</b>

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<b>Sec. 451.455(e)</b>	Computation of Performance Indicators. On-time performance = annual % revenue vehicle trips departing from selected locations at a time not earlier than the published departure time, not later than 5 minutes after published time.	Achieved
<b>Sec. 451.455(f)</b>	Computation of Performance Indicators. # of accidents per 100,000 miles = annual # accidents by X 100,000 / # miles for all service.	Achieved
<b>Sec. 451.455(g)</b>	Computation of Performance Indicators. # miles between mechanical road calls = annual # miles for all service directly operated by an authority X # mechanical road calls.	Achieved
<b>Sec. 451.455(h)</b>	Computation of Performance Indicators.	Achieved
<b>Sec. 451.455(i)</b>	Computation of Performance Indicators. Operating cost/revenue hour = annual operating cost / total scheduled hours revenue vehicles are in revenue service.	Achieved
<b>Sec. 451.455(j)</b>	Computation of Performance Indicators. Operating cost / revenue mile = annual operating cost / # miles traveled by revenue vehicles while in revenue service.	Achieved
<b>Sec. 451.456(a)</b>	Performance Audit Response; Hearing. Must prepare written response to audit report.	Achieved
<b>Sec. 451.456(b)</b>	Performance Audit Response; Hearing. Must make copies of report and response available for public inspection.	Achieved
<b>Sec. 451.456(c)</b>	Performance Audit Response; Hearing. Must conduct public hearing on each performance audit with notice of hearing at least 14 days before the meeting.	Achieved
<b>Sec. 451.457</b>	Delivery of Report and Response. Before February 1 of every second odd-numbered year, must deliver copy of audit report and response to certain recipients.	Deficient
<b>Sec. 451.458</b>	Internal Auditor. This section only applies to authorities confirmed before July 1, 1985, in which the principal municipality has a population of less than 1.3 million.	Not Applicable
<b>Sec. 451.460</b>	Annual Report. This section only applies to an authority confirmed before July 1, 1985, in which the principal municipality has a population of less than 1.3 million.	Not Applicable
<b>Sec. 451.501(a)</b>	Board Membership. Board is composed of 5 members + number of additional members determined in subsection (c)-(e).	Achieved
<b>Sec. 451.501(b)</b>	Board Membership. This statute only applies to authorities created by alternate municipalities.	Not Applicable

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<b>Sec. 451.501(c)</b>	Board Membership. If less than 50% of population of principal county resides in the authority, 2 additional members.	Achieved
<b>Sec. 451.501(d)</b>	Board Membership. If 50% - 75% of population of principal county resides in the authority, 4 additional members.	Not Applicable
<b>Sec. 451.501(e)</b>	Board Membership. If 75% or more of population of principal county resides in the authority, 6 additional members.	Not Applicable
<b>Sec. 451.501(f)</b>	Board Membership. Principal county = where not <51% population resides.	Not Applicable
<b>Sec. 451.501(g)</b>	Board Membership. This section does not apply to authorities described by 451.5021(a).	Not Applicable
<b>Sec. 451.502(a)</b>	Appointment of Members. 5 Board members are appointed by the governing body of the principal municipality.	Achieved
<b>Sec. 451.502(b)</b>	Appointment of Members. This statute only applies to authorities created by alternate municipalities.	Not Applicable
<b>Sec. 451.502(c)</b>	Appointment of Members. 1 member must be appointed by the mayors of municipalities in the authority, 1 member appointed by the commissioners court of the principal county.	Achieved
<b>Sec. 451.502(d)</b>	Appointment of Members. This section does not apply as the board does not contain 4 additional members.	Not Applicable
<b>Sec. 451.502(e)</b>	Appointment of Members. This section does not apply as the board does not contain 6 additional members.	Not Applicable
<b>Sec. 451.502(g)</b>	Appointment of Members. At least 1 Board member must represent interests of the transportation disadvantaged.	Achieved
<b>Sec. 451.5021</b>	Board Composition; Certain Authorities.	Achieved
<b>Sec. 451.503(a)</b>	Appointments Panel. Mayor of the most populous municipality represented on the panel under Sec. 451.502 is the presiding officer.	Achieved
<b>Sec. 451.503(b)</b>	Appointments Panel. Presiding officer must call a meeting of the panel to make an appointment to be made not later than 60th day after the date a position becomes vacant/position is created.	Achieved
<b>Sec. 451.5035</b>	Designation of Alternate by Mayor. This section does not apply to authorities with populations greater than 320,000.	Not Applicable
<b>Sec. 451.504(a)</b>	Board Vacancies. Vacancy is filled by person appointed the member who was in the position that is vacant.	Achieved
<b>Sec. 451.504(b)</b>	Board Vacancies. Vacancy for an unexpired term is for the remainder of the term only.	Achieved

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<b>Sec. 451.504(c)</b>	Board Vacancies. Presiding Officer under Sec. 451.502(e)(3) vacates the previous board position.	Achieved
<b>Sec. 451.505(a)</b>	Board Terms. Term is 2 years.	Not Applicable
<b>Sec. 451.505(b)</b>	Board Terms. This section does not apply to authorities that were created after 1980 or have population counts greater than 1.9 million.	Not Applicable
<b>Sec. 451.506(a)</b>	Term Limitations. Member may be reappointed except as provided by this section.	Not Applicable
<b>Sec. 451.506(b)</b>	Term Limitations. May not serve >8 years on same board, may not be appointed to a term for which service to the completion of the term would exceed this limitation.	Not Applicable
<b>Sec. 451.506(c)</b>	Term Limitations. This section does not apply to authorities with populations less than 1.3 million.	Not Applicable
<b>Sec. 451.506(d)</b>	Term Limitations. Term limit does not apply to service on the board by a holdover pending the qualification of a successor.	Not Applicable
<b>Sec. 451.507</b>	Board Membership: Residency in Authority. Board member must be qualified voter and resident.	Not Applicable
<b>Sec. 451.508</b>	Removal by Board. Board member may be removed because of a ground for removal in Sec. 451.510.	Not Applicable
<b>Sec. 451.509(a)</b>	Removal by Appointing Person or Entity. This section only applies to authorities with a population of less than 1.3 million.	Not Applicable
<b>Sec. 451.509(b)</b>	Removal by Appointing Person or Entity. This section only applies to authorities with a population of less than 320,000.	Not Applicable
<b>Sec. 451.509(c)</b>	Removal by Appointing Person or Entity. If person who appointed the removed member is the mayor of the principal municipality, removal is by recommendation of mayor and confirmation of governing body.	Not Applicable
<b>Sec. 451.509(d)</b>	Removal by Appointing Person or Entity. General manager with knowledge that a potential ground for removal exists must notify presiding officer who must notify the member subject for removal.	Not Applicable
<b>Sec. 451.510</b>	Grounds for Removal from Board. A person may be subjected to grounds for removal based on certain criteria.	Not Applicable

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<b>Sec. 451.511(a)</b>	Removal of Board Member: Notice and Hearing. Person proposing to remove a member must give member written statement of grounds for removal. Member is entitled to a hearing if they request one before the 11th day of receipt of notice.	<b>Not Applicable</b>
<b>Sec. 451.511(b)</b>	Removal of Board Member: Notice and Hearing. At hearing, board must confirm removal if charges are deemed true.	<b>Not Applicable</b>
<b>Sec. 451.511(c)</b>	Removal of Board Member: Notice and Hearing. Removal must be by majority vote.	<b>Not Applicable</b>
<b>Sec. 451.512(a)</b>	Ground for Removal: Validity of Board Acts. An action of the board is not invalid because a ground for removal of a board member exists.	<b>Not Applicable</b>
<b>Sec. 451.512(b)</b>	Ground for Removal: Validity of Board Acts. Action that was taken when a ground for removal existed that would not have passed without the vote of the person subject for removal is voidable.	<b>Not Applicable</b>
<b>Sec. 451.513(a)</b>	Recall of Members: Certain Authorities. Board member may be removed on a petition for the recall of the member submitted by the registered voters of the authority.	<b>Not Applicable</b>
<b>Sec. 451.513(b)</b>	Recall of Members: Certain Authorities. Entity that confirmed/appointed the board member must take action to remove the member/reconfirm the member's appointment.	<b>Not Applicable</b>
<b>Sec. 451.513(c)</b>	Recall of Members: Certain Authorities. Recalls are valid according to certain criteria.	<b>Not Applicable</b>
<b>Sec. 451.513(d)</b>	Recall of Members: Certain Authorities. After receiving the petition the entity shall send it to the secretary of state who shall determine validity no later than the 10th day of receipt.	<b>Not Applicable</b>
<b>Sec. 451.513(e)</b>	Recall of Members: Certain Authorities. Not later than the 30th day after member is removed, vacancy must be filled.	<b>Not Applicable</b>
<b>Sec. 451.514(a)</b>	Board Meetings: When Held. Board must meet at least once/month.	<b>Achieved</b>
<b>Sec. 451.514(b)</b>	Board Meetings: When Held. Presiding officer of board or general manager may call special meeting.	<b>Achieved</b>
<b>Sec. 451.515(a)</b>	Board Meetings: Voting. Action of Board requires majority vote unless bylaws require larger number for certain actions.	<b>Achieved</b>
<b>Sec. 451.515(b)</b>	Board Meetings: Voting. Section does not permit a board action in the absence of a quorum.	<b>Achieved</b>

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<b>Sec. 451.516</b>	Increase of Membership: Continuity. If membership of Board is increased under Sec. 451.501, Board may continue as normal until the additional members are appointed.	<b>Not Applicable</b>
<b>Sec. 451.517</b>	Board Meetings: Rules and Bylaws. Board may adopt rules and bylaws which are recorded in the minutes of the board meetings.	<b>Achieved</b>
<b>Sec. 451.518</b>	Board Meetings: Notice. In addition to Ch. 551, Government Code, Board must post meeting notice in admin office and courthouse of most populous county on a bulletin board in a place convenient to the public.	<b>Achieved</b>
<b>Sec. 451.519(a)</b>	Board Members: Expenses; Per Diem. Board member must be reimbursed for all necessary expenses incurred in discharge of duties.	<b>Achieved</b>
<b>Sec. 451.519(b)</b>	Board Members: Expenses; Per Diem. Each member is paid \$50/meeting, not exceeding 5 meetings/month.	<b>Not Applicable</b>
<b>Sec. 451.519(c)</b>	Board Members: Expenses; Per Diem. This statutes only applies to authorities created by an alternate municipality.	<b>Not Applicable</b>
<b>Sec. 451.520(a)</b>	Board Officers and Secretaries. Board must elect a presiding officers among its members, an assistant presiding officer, and a secretary.	<b>Achieved</b>
<b>Sec. 451.520(b)</b>	Board Officers and Secretaries. Board may appoint 1+ assistant secretaries, not required to be members.	<b>Achieved</b>
<b>Sec. 451.520(c)</b>	Board Officers and Secretaries. Secretary and assistant secretary must keep permanent records of proceedings and transactions of Board and perform other duties required by the Board.	<b>Achieved</b>
<b>Sec. 451.552(a)</b>	Addition of Municipality By Election. Territories of municipalities may be added to an authority by election.	<b>Achieved</b>
<b>Sec. 451.552(b)</b>	Addition of Municipality By Election. Governing body of the added municipality shall certify to the authority the result of an election in which the addition is approved.	<b>Achieved</b>
<b>Subchapter L</b>	Addition of Territory	<b>Not Applicable</b>
<b>Subchapter M</b>	Withdrawal of Territory from Authority	<b>Not Applicable</b>
<b>Subchapter N</b>	Creation of Authority	<b>Not Applicable</b>
<b>Subchapter O</b>	Advanced Transportation District	<b>Not Applicable</b>
<b>Sec. 451.751</b>	Applicability. This subchapter only applies to an authority in which the principal municipality has a population of more than 1.5 million.	Not Applicable

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Transportation Code	Requirement	Test Conclusion
<b>Sec. 451.753(a)</b>	General Provisions Relating to Agreements, Recognition, and Strikes. May not be denied local control over wages, salaries, rates of pay, hours of work, or other terms and conditions of employment.	<b>Not Applicable</b>
<b>Sec. 451.753(b)</b>	General Provisions Relating to Agreements, Recognition, and Strikes. Agreements under this subchapter must be written.	<b>Not Applicable</b>
<b>Sec. 451.753(c)</b>	General Provisions Relating to Agreements, Recognition, and Strikes. This subchapter doesn't require public employer or recognized association to meet and confer on any issue or reach an agreement.	<b>Not Applicable</b>
<b>Sec. 451.753(d)</b>	General Provisions Relating to Agreements, Recognition, and Strikes. A public employer and the recognized association may meet and confer only if the association does not advocate an illegal strike by public employee.	<b>Not Applicable</b>
<b>Sec. 451.753(e)</b>	General Provisions Relating to Agreements, Recognition, and Strikes. Peace officer may not participate in strikes, or else they forfeit rights, benefits, and privileges of the employment.	<b>Not Applicable</b>
<b>Sec. 451.753(f)</b>	General Provisions Relating to Agreements, Recognition, and Strikes. Public employer's CEO or the CEO designees must select group of persons to represent the public employer as its sole and exclusive bargaining agent for issues related to the employment of peace officers by the authority.	<b>Not Applicable</b>
<b>Sec. 451.754(a)</b>	Recognition of Peace Officer Association. Public employer must recognize association submitting a petition signed by majority of peace officers.	<b>Not Applicable</b>
<b>Sec. 451.755(a)</b>	Open Records. Proposed agreements and related documents must be available to the public under Ch. 552, Government Code.	<b>Achieved</b>
<b>Sec. 451.755(b)</b>	Open Records. This section does not affect the application of Subchapter C, Chapter 552, Government Code.	<b>Not Applicable</b>
<b>Sec. 451.756(a)</b>	Ratification and Enforceability of Agreement. An agreement under this subchapter is enforceable and binding on the public employer, recognized association, and covered peace officers according to certain criteria.	<b>Not Applicable</b>
<b>Sec. 451.756(b)</b>	Ratification and Enforceability of Agreement. Agreement ratified may establish procedures by which parties agree to resolve disputes including binding arbitration.	<b>Not Applicable</b>

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<b>Sec. 451.756(c)</b>	Ratification and Enforceability of Agreement. State district court has jurisdiction to hear and resolve disputes under a ratified agreement.	<b>Not Applicable</b>
<b>Sec. 451.757(a)</b>	Agreement Supersedes Conflicting Provisions. A written agreement ratified under this subchapter preempts all contrary state statutes, local ordinances, etc.	<b>Not Applicable</b>
<b>Sec. 451.757(b)</b>	Agreement Supersedes Conflicting Provisions. Agreement ratified under this subchapter may not interfere with the right of a member of a bargaining unit to pursue allegations of discrimination.	<b>Not Applicable</b>
<b>Sec. 451.758(a)</b>	Election to Repeal Agreement. Not later than the 60th day after the date an agreement is ratified, a petition of voters representing 10% of the votes cast at the most recent general election in the county must be filed calling for the repeal of the agreement.	<b>Not Applicable</b>
<b>Sec. 451.758(b)</b>	Election to Repeal Agreement. If petition is presented to the county clerk, authority shall repeal the agreement or certify that it is not repealing the agreement.	<b>Not Applicable</b>
<b>Sec. 451.758(c)</b>	Election to Repeal Agreement. Election may be held as part of regularly scheduled general election/special election with specific verbiage on the ballot.	<b>Not Applicable</b>
<b>Sec. 451.758(d)</b>	Election to Repeal Agreement. Majority vote is required to repeal and void the agreement.	<b>Not Applicable</b>
Government Code	Requirement	Test Conclusion
<b>551.002</b>	All meetings (regular, special, called) must be open to the public.	<b>Achieved</b>
<b>551.021(a)</b>	Minutes or tape recordings of each open meeting of the body must be kept.	<b>Achieved</b>
<b>551.021(b)</b>	Minutes must state the subject for the meeting, and indicate voting results, order, decisions and/or other actions taken.	<b>Achieved</b>
<b>551.022</b>	Meeting minutes/records must be available for public inspection and copying on request to the governmental body's CAO or designee.	<b>Achieved</b>

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<b>551.043</b>	Notice must be in a place readily accessible to the general public at all times for at least 72 hours before the scheduled time of the meeting	Achieved
<b>551.0411</b>	Meeting notice requirements, certain circumstances - Notice not required for meetings recessed to following day, but must if recesses a further day. - May convene in another location in case of catastrophe within 72hrs, otherwise notice required.	Not Applicable
<b>551.045</b>	Notice of emergency meeting/addition to agenda.	Not Applicable
<b>551.056</b>	Additional posting requirements for certain municipalities, counties, school districts, junior college districts and development corporations.	Not Applicable
<b>551.072</b>	Body may conduct a closed meeting to deliberate purchase, exchange, lease or value of real property, if open meeting will impact its negotiation position.	Achieved
<b>551.073</b>	Body may conduct a closed meeting to deliberate prospective gifts and donations, if open meeting will impact its negotiation position.	Not Applicable
<b>551.074</b>	Closed meetings acceptable to deliberate appointments, employment, duties, hear complaints, etc.	Achieved
<b>551.102</b>	Vote or Final Action must take place in Open Meeting	Achieved
<b>552.225</b>	Requestor must complete examination within 10 business days of the information being made available.	Achieved
<b>552.268</b>	Efficient use of public resources.	Achieved
<b>552.307</b>	Must submit request to Attorney General for information that falls under a special right of access (Ch.552, S.023)	Achieved
<b>552.221(c)</b>	If information is unavailable at time of request, must certify in writing to requestor and set reasonable date.	Achieved
<b>552.221(d)</b>	If information cannot be produced in 10 business days after request, must certify in writing and set a date.	Achieved
<b>552.223</b>	All requests to be treated uniformly.	Achieved
<b>552.224</b>	Must give requestor reasonable comfort and facility.	Achieved
<b>617.002</b>	Official of the state may not enter into a collective bargaining contract with a labor organization regarding wages, hours, or conditions of employment of public employees.	Not Applicable

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<b>552.228</b>	Providing Suitable Copy of Public Information within Reasonable Time.	Achieved
<b>552.23</b>	Body may set reasonable rules for inspection and copying public information.	Achieved
<b>552.263(a)</b>	May require a deposit for payment of anticipated costs	Achieved
<b>552.267(a)</b>	Body must waive or reduce charge if it is in public interest.	Achieved
<b>2253.021</b>	A governmental entity that makes a public work contract with a prime contractor shall require the contractor, before beginning the work, to execute to the governmental entity a bond.	Achieved
<b>791.011(d)</b>	Interlocal contract must be authorized by each governing body to the party of the contract unless a party is a municipally owned electric utility may enter into interlocal contracts that do not exceed \$100,000.	Achieved
<b>2254.003</b>	The entity may not select a provider of professional services or award a contract on the basis of competitive bids submitted for the contract. Rather must be based on competence and qualifications and fair and reasonable price.	Achieved
<b>2254.004</b>	In procuring the above, the entity must select the most highly qualified, and negotiate a reasonable price.	Achieved
<b>2258.052</b>	On receipt of information, including a complaint by a worker, concerning an alleged violation of Section 2258.023 by a contractor or subcontractor, a public body must assess whether good cause exists to believe that the violation occurred.	Not Applicable
<b>2251.021(a)</b>	A payment by a governmental entity under a contract executed on or after September 1, 1987, is overdue on the 31st day after the later of: receiving the goods, performance of the service, receipt of invoice.	Not Applicable
<b>2251.021(b)</b>	A payment under a contract executed on or after September 1, 1993, owed by a political subdivision whose governing body meets only once a month or less frequently is overdue on the 46th day after the later event described by Subsections (a)(1) through (3).	Achieved
<b>2256.005(a)</b>	The governing body of an investing entity must adopt a written investment policy regarding the investment of its funds and funds under its control.	Achieved

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<b>2256.005(i)</b>	An investment officer of an entity who has a personal business relationship with a business organization offering to engage in an investment transaction with the entity shall file a statement disclosing that personal business interest.	<b>Not Applicable</b>
<b>2256.023(d)</b>	If an entity invests in other than money market mutual funds, investment pools or accounts offered by its depository bank in the form of certificates of deposit, the reports prepared by the investment officers must be formally reviewed annually by an independent auditor, and reported to its governing body.	<b>Achieved</b>
<b>2257.023</b>	A public entity shall determine if an investment security is eligible to secure deposits of public funds.	<b>Achieved</b>
<b>2251.042(b)</b>	If a dispute is resolved in favor of the vendor, the vendor is entitled to receive interest on the unpaid balance per 2251.021.	<b>Not Applicable</b>
<b>2251.042(c)</b>	If a dispute is resolved in favor of the governmental entity, the vendor shall submit a corrected invoice per 2251.021. The unpaid balance accrues interest if the corrected invoice is not paid by the appropriate date.	<b>Not Applicable</b>
<b>2258.022(c)</b>	The public body shall determine the general prevailing rate of per diem wages.	<b>Achieved</b>
<b>2257.025(a)</b>	A public entity's depository shall maintain a separate, accurate, and complete record relating to a pledged investment security.	<b>Achieved</b>
<b>2257.041(c)</b>	The custodian and the state agency shall agree in writing on the terms and conditions for securing a deposit of public funds.	<b>Not Applicable</b>
<b>551.041</b>	Must give written notice of the date, hour, place, and subject of each meeting held.	<b>Achieved</b>
<b>2258.022(d)</b>	A public body shall specify in the call for bids for the contract and in the contract itself the wage rates determined.	<b>Achieved</b>
<b>551.101</b>	Quorum of the body must first convene in open meeting (with notice) before a closed meeting is allowed.	<b>Achieved</b>
<b>551.005(a)</b>	Each elected/appointed public official must complete a (1-2hours) training course re. responsibilities of the governmental body and its members within 90 days of appointment/assumes responsibilities.	<b>Achieved</b>
<b>551.054(a)</b>	District / Political subdivision extending into < 4 counties. Notice to public and county clerks, place of posting notice.	<b>Achieved</b>
<b>551.103(c)</b>	Governmental body must keep certified agenda or recording of closed meetings except for private consultation.	<b>Achieved</b>

# Capital Metropolitan Transportation Authority

FY 2020–2023 Quadrennial Performance Audit Report

## Appendix B: Task 2 – Detailed Compliance Results for Chapter 452 Statutory Compliance Review

Report Date: January 7, 2024

Government Code	Requirement	Test Conclusion
<b>552.301(a)</b>	Must ask for decision from Attorney General to withhold requested information from public disclosure.	Achieved
<b>552.301(b)</b>	Must ask for decision within 10 days of request.	Achieved
<b>552.301(d)</b>	Must notify requestor within 10 days of intent to withhold.	Achieved
<b>552.301(e)</b>	Must submit reasons for request to be withheld within 15 days to Attorney General.	Achieved
<b>551.104(a)</b>	Certified agenda/tape must be preserved for two years following meeting.	Achieved
<b>551.104(c)</b>	Must be available to the public under court order.	Not Applicable
<b>573.041</b>	A public official may not appoint, confirm the appointment of, or vote for an individual to a position that is directly / indirectly compensated from public funds if they are related.	Achieved
<b>573.062(a) (2)</b>	That prior employment of the individual must be continuous for various lengths. <i>See Detail.</i>	Achieved
<b>573.062(b)</b>	If an individual continues in a position, the public official to whom the individual is related may not participate in any deliberation or voting on the appointments / reappointments of that person.	Achieved
<b>552.012(b)</b>	Must complete 1-2hrs course within 90 days of appointment/assuming responsibilities.	Achieved
<b>552.012(c)</b>	Public official may designate a public information coordinator to satisfy the training requirements.	Achieved
<b>552.221(b)</b>	Compliance by providing public information in the offices of governmental body, sending copies by first class mail.	Achieved
<b>2256.005(b)</b>	These policies must be documented, prioritize safety of principle and liquidity, address diversification, yield, etc.	Achieved
<b>2256.005(e)</b>	Policies must be reviewed annually.	Achieved
<b>2256.005(m)</b>	An investing entity other than a state agency, must perform a compliance audit of management controls on investments and adherence to the entity's established investment policies.	Achieved
<b>2256.008(a) (1)</b>	The treasurer, CFO and investment officer must attend at least one training session from an independent source approved by the governing body.	Achieved
<b>2256.008(a) (2)</b>	Must attend an investment training session at least once in a two-year period that begins on the first day of that local government's fiscal year. And receive not less than 10 hours of instruction relating to investment responsibilities.	Achieved

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## Appendix B: Task 2 – Detailed Compliance Results for Chapter 452 Statutory Compliance Review

Report Date: January 7, 2024

Government Code	Requirement	Test Conclusion
<b>552.303(d)</b>	Body must return the additional information within 7 calendar days.	Achieved
Local Government Code	Requirement	Test Conclusion
<b>Ch. 171, S.003</b>	Offense if: - Officer violates section 171.004 - Acts as surety for an entity that has business/contract with the government entity.	Achieved
<b>Ch. 171, S.004</b>	If officer has substantial interest in entity, must file affidavit prior to vote, stating nature and extent of the interest.	Achieved
<b>Ch. 171, S.005</b>	Governing body of the entity must take a separate vote on any budget item related to an entity in which an officer has a substantial interest.	Achieved
<b>Ch. 176, S.003(a)</b>	Officer must file a conflict disclosure if vendor has a business relationship with the officer.	Achieved
<b>Ch. 176, S.003(b)</b>	Officer must file the disclosure with the records administrator by 5pm on the 7th business day after the Officer becomes aware of the facts.	Achieved
<b>Ch. 176, S.006(d)</b>	Vendor must file an updated completed questionnaire by 7th business day after being made aware of an event that makes the questionnaire inaccurate.	Achieved
<b>Ch. 176, S.009</b>	Government Entities with a website must provide access to the statements and questionnaires required to be filed.	Not Applicable
<b>Ch. 203, S.025</b>	Governing body for the entity must designate a records management officer.	Achieved
<b>Ch. 203, S.041</b>	Records Management Officer must prepare a records control schedule listing records to be retained and a retention period.	Achieved
<b>Ch. 203, S.046</b>	Records Management Officer shall keep accurate lists of records destroyed, their volume, and other information of Records Management activities.	Achieved
<b>S.272.001</b>	Before land owned by a political subdivision of the state may be sold or exchanged for other land, notice to the general public of the offer of the land for sale or exchange must be published in a newspaper of general circulation.	Not Applicable
<b>S.302.004</b>	Energy savings performance contract may be financed: Lease-purchase contract (not > 20 years), proceeds of bonds, contract with provider of energy/water (not > 20 years).	Not Applicable

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## Appendix B: Task 2 – Detailed Compliance Results for Chapter 452 Statutory Compliance Review

Report Date: January 7, 2024

Property Code	Requirement	Test Conclusion
<b>Ch. 21, S. 042(a)</b>	Special Commissioners must assess damages in a condemnation proceeding according to evidence presented at the hearing.	Achieved
<b>Ch. 21, S. 042(b)</b>	If an entire tract or parcel of real property is condemned, the damage to the property owner is the local market value of the property at the time of the special commissioners' hearing.	Achieved
<b>Ch. 21, S. 042(c)</b>	If a portion is condemned, the special commissioners must determine the damage to the property owner after estimating the extent of the injury and benefit to the property owner.	Achieved
<b>Ch. 21, S. 042(d)</b>	In estimating injury or benefit must consider an injury / benefit that is peculiar to the property owner. May not consider injury / benefit that the property owner experiences in common with the general community.	Achieved
<b>Ch. 21, S. 042(e)</b>	If a portion of a tract or parcel of real property is condemned for the use, construction, operation, or maintenance of the state highway system or of a county toll project - Commissioners must determine the damage to the property owner regardless of whether the property owner makes a claim for damages.	Not Applicable
<b>Ch. 21, S. 042(f)</b>	In awarding compensation or assessing damages for a condemnation by an institution of higher education, the special commissioners may not include in the compensation of damages any amount that compensates for, or is based on the present value of, an exemption from ad valorem taxation applicable to the property before its condemnation.	Not Applicable
<b>Ch. 21, S. 042(g)</b>	If a portion of a tract or parcel of real property that, for the then current tax year was appraised for ad valorem tax purposes under a law enacted, and is outside the municipal limits or the extraterritorial jurisdiction of a municipality with a population of 5,000 or more is condemned for state highway purposes, the special commissioners shall consider the loss of reasonable access to or from the remaining property in determining the damage to the property owner.	Not Applicable
Health and Safety Code	Requirement	Test Conclusion
<b>Ch. 388, S.005 (b)</b>	Each political subdivision, institution of higher education, or state agency must implement energy efficiency measures that meet the standards under Section 302.004(b), Local Government Code.	Achieved

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Report Date: January 7, 2024

Health and Safety Code	Requirement	Test Conclusion
<b>Ch. 388, S.005(c)</b>	Must establish a goal to reduce the electric consumption by the entity by at least 5% annually for 7 years, beginning September 1, 2019.	<b>Achieved</b>
<b>Ch. 388, S.005(d)</b>	Reporting requirements for failing to meet the targets set out at 388.005(c).	<b>Achieved</b>
<b>Ch. 388, S.005(e)</b>	Must report annually to the State Energy Conservation Office regarding the entity's goal, efforts to meet the goal, and progress.	<b>Achieved</b>
Penal Code	Requirement	Test Conclusion
<b>Ch. 36, S.02(a)</b>	Offense committed if a person intentionally accepts any benefit as consideration for: - a decision, vote, or similar. - the recipients decision vote, etc. - a violation of duty.	<b>Achieved</b>
<b>Ch. 36, S.07(a)</b>	Offense committed where the public servant solicits/accepts an honorarium in consideration for services that the public servant would not have been requested to provide.	<b>Not Applicable</b>
<b>Ch. 36, S.08(e)</b>	A public servant with judicial or administrative authority, commits an offense if he solicits/accepts benefit from a person the public servant knows is interested in any matter before the public servant or tribunal.	<b>Achieved</b>

# **Appendix C**

**Task 3 – In-Scope Department Staffing  
and Budget Summary**

# Capital Metropolitan Transportation Authority

## FY 2020–2023 Quadrennial Performance Audit Report

### Appendix C: Task 3 – Administration and Management of the Authority

Report Date: January 7, 2024

Capital Metropolitan Transit Authority Department Details			Budget to Actual Department Expenses							
			2020		2021		2022		2023	
No.	Department	Description	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual
1	Demand Response Oversight (formerly Paratransit Contract Ops)	The Demand Response Oversight department oversees CapMetro's paratransit service contractors. Costs related to paratransit services compliant with the Americans with Disabilities Act (ADA) are budgeted in this department.	29,463,626	28,344,767	29,748,758	28,715,918	32,443,113	28,473,452	40,062,490	40,453,322
2	Bus Operations & Maintenance Oversight	The Operations and Maintenance Oversight department is responsible for coordinating the operations and activities of all CapMetro service providers for bus services. This includes coordination of contract management, data collection, analysis, and quality assurance activities for vehicle operations and vehicle maintenance.	130,536,574	137,309,593	131,217,544	123,643,841	144,268,817	145,012,136	163,870,175	173,287,199
3	Paratransit Eligibility	The Paratransit Eligibility department includes staff members from eligibility, travel training, and pathway assessment. The department manages the eligibility certification process and promotes fixed-route use by providing training to	969,283	879,446	1,014,846	947,338	1,186,091	997,946	1,352,852	1,170,030
4	Demand Response Control and Call Center (Formerly Paratransit Reservations and Control Center)	The Demand Response Control and Call Center department is composed of the CapMetro Access and Pickup control and call center. The department provides real-time dispatch, scheduling, and advance trip reservations.	2,004,141	2,086,206	2,070,741	2,026,789	2,286,995	2,249,362	2,496,916	2,375,640

# Capital Metropolitan Transportation Authority

## FY 2020–2023 Quadrennial Performance Audit Report

### Appendix C: Task 3 – Administration and Management of the Authority

Report Date: January 7, 2024

Capital Metropolitan Transit Authority Department Details			Budget to Actual Department Expenses							
			2020		2021		2022		2023	
No.	Department	Description	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual
5	Public Facilities	The Public Facilities department is responsible for maintaining all bus stops, Park & Rides, Transit Centers and rail stations. The primary functions include the cleaning of bus stops and Transit Centers, servicing litter containers, coordinating the installation and removal of bus stop amenities, supporting special events and performing service change support tasks, including the installation and removal of signage and other facility management support for owned and leased non-public facilities.	5,281,132	4,647,135	5,355,178	5,509,814	6,481,618	5,584,539	6,767,530	6,294,826
6	Rail Commuter Operations	The Rail Commuter Operations department provides management and oversight of regional rail service between the city of Leander and downtown Austin. The service operates 10 commuter trains along 32 miles of track that service 9 stations along this right-of-way. The department manages rail operations strategic planning, rail operations regulatory compliance, and risk reduction through post-incident analysis.	21,160,113	17,363,730	21,653,520	18,304,497	27,591,294	22,086,900	24,779,640	24,205,678
7	Safety (Formerly Safety, Risk Management and Accessible Services Management)	The Safety Department is responsible for addressing operational, construction, environmental and industrial safety-related matters. This is done through the development and implementation of related programs and oversight activities.	2,844,755	2,706,487	2,788,933	4,008,020	1,550,902	666,122	2,455,945	1,725,163
8	Public Safety and Emergency Management (Formerly Security)	The Public Safety and Emergency Management department's primary mission is to ensure the safety, protection and integrity of the transportation system. The department provides security and emergency preparedness related training for Capital Metro and service provider personnel to enhance system security in all areas. The department also continually collaborates with law enforcement and other regional first responders to ensure effective planning for and response to emergencies. The Public Safety and Emergency Management department maintains the access control and video systems for the agency.	5,161,623	4,234,664	5,864,731	4,257,908	2,374,696	5,092,539	8,292,585	6,231,058

# Capital Metropolitan Transportation Authority

## FY 2020–2023 Quadrennial Performance Audit Report

### Appendix C: Task 3 – Administration and Management of the Authority

Report Date: January 7, 2024

Capital Metropolitan Transit Authority			FTE Staffing Budget to Actual							
			2020		2021		2022		2023	
No.	Department	Description	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual
1	Demand Response Oversight (formerly Paratransit Contract Ops)	The Demand Response Oversight department oversees CapMetro's paratransit service contractors. Costs related to paratransit services compliant with the Americans with Disabilities Act (ADA) are budgeted in this department.	4.5	3.5	3.5	5	4.5	5	5.5	7
2	Bus Operations & Maintenance Oversight	The Operations and Maintenance Oversight department is responsible for coordinating the operations and activities of all CapMetro service providers for bus services. This includes coordination of contract management, data collection, analysis, and quality assurance activities for vehicle operations and vehicle maintenance.	30	29	29	33	35	99	123	124
3	Paratransit Eligibility	The Paratransit Eligibility department includes staff members from eligibility, travel training, and pathway assessment. The department manages the eligibility certification process and promotes fixed-route use by providing training to	10	11	11	10	11	9	12	11
4	Demand Response Control and Call Center (Formerly Paratransit Reservations and Control Center)	The Demand Response Control and Call Center department is composed of the CapMetro Access and Pickup control and call center. The department provides real-time dispatch, scheduling, and advance trip reservations.	32	32	32	32	37	31	38	34

# Capital Metropolitan Transportation Authority

## FY 2020–2023 Quadrennial Performance Audit Report

### Appendix C: Task 3 – Administration and Management of the Authority

Report Date: January 7, 2024

Capital Metropolitan Transit Authority Department Details			FTE Staffing Budget to Actual							
			2020		2021		2022		2023	
No.	Department	Description	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual
5	Public Facilities	The Public Facilities department is responsible for maintaining all bus stops, Park & Rides, Transit Centers and rail stations. The primary functions include the cleaning of bus stops and Transit Centers, servicing litter containers, coordinating the installation and removal of bus stop amenities, supporting special events and performing service change support tasks, including the installation and removal of signage and other facility management support for owned and leased non-public facilities.	16	16	16	19	23	18	28	20
6	Rail Commuter Operations	The Rail Commuter Operations department provides management and oversight of regional rail service between the city of Leander and downtown Austin. The service operates 10 commuter trains along 32 miles of track that service 9 stations along this right-of-way. The department manages rail operations strategic planning, rail operations regulatory compliance, and risk reduction through post-incident analysis.	10.5	10.5	10.5	10	11.5	8	11.5	10
7	Safety (Formerly Safety, Risk Management and Accessible Services Management)	The Safety Department is responsible for addressing operational, construction, environmental and industrial safety-related matters. This is done through the development and implementation of related programs and oversight activities.	9.5	9.5	9.5	10	11.5	12	16.5	13
8	Public Safety and Emergency Management (Formerly Security)	The Public Safety and Emergency Management department's primary mission is to ensure the safety, protection and integrity of the transportation system. The department provides security and emergency preparedness related training for Capital Metro and service provider personnel to enhance system security in all areas. The department also continually collaborates with law enforcement and other regional first responders to ensure effective planning for and response to emergencies. The Public Safety and Emergency Management department maintains the access control and video systems for the agency.	29	34	33	18	69.5	56.5	70.5	47.5

# **Appendix D**

## Findings and Recommendations for Management Matrix

# Capital Metropolitan Transit Authority

FY 2020–2023 Quadrennial Performance Audit

## Appendix E: Recommendations for Management Matrix

Report Date: January 7, 2025

**Findings:** The following State Required Quadrennial Performance Audit findings are considered to be areas of non-compliance or where there is a lack of procedures or internal controls in place to cover significant or emerging risks to the management of the Authority.

Ref	Issue Identified	Effect / Risk Exposure	Recommendation	Management's Response
<b>TASK 1 - Performance Indicator Review</b>				
<b>No Findings Identified</b>				
<b>TASK 2 - Chapter 451 Compliance Review</b>				
<b>FINDING 1</b>	<b>Quadrennial Performance Audit Report Delivery</b> Texas Transportation Code § 451.457, requires the quadrennial performance audit reports be delivered to specific recipients (e.g. Texas Governor, Lt. Governor, etc.) by February 1st following the completion of the report in the fiscal year immediately following the quadrennial scope period. CapMetro was unable to locate and provide the required documentation evidencing the distribution of the report to the recipient list for the previous 2020 quadrennial performance audit report. Retaining evidence of the delivery and receipt of the quadrennial performance audit report was also identified as a recommendation in the 2020 quadrennial performance audit report for the 2017 quadrennial performance audit.	Failure to provide documentation evidencing the delivery of the 2020 quadrennial report as required by Texas Transportation Code § 451.457 poses a risk of noncompliance with statutory obligations.	Management should implement a standardized procedure for documenting the submission and receipt of quadrennial performance audit reports to those recipients identified within the Texas Transportation Code. This could include creating a submission log, obtaining formal acknowledgments from recipients (e.g., email confirmations, certified mail receipts), and retaining these records in a centralized, accessible system for compliance tracking. Additionally, management should assign responsibility for overseeing this process to ensure adherence to statutory requirements.	<b>Management's Response:</b> Management has assigned the Government Affairs Department to be the department responsible for overseeing and documenting compliance with 451.457. Government Affairs has implemented a centralized process and system to retain PDF copies of all letters sent and will be sending the formal transmittals by certified mail, with an accompanying digital scan of the receipt filed once received to provide proof of compliance. <i>See additional detail in CapMetro Management's detailed response.</i> <b>Responsible Party:</b> Deputy Chief Executive Officer <b>Implementation Date:</b> completed
<b>TASK 3 - Administration and Management of the Authority</b>				
<b>No Findings Identified</b>				

# Capital Metropolitan Transit Authority

FY 2020–2023 Quadrennial Performance Audit

## Appendix E: Recommendations for Management Matrix

Report Date: January 7, 2025

**Recommendations for Management:** The following State Required Quadrennial Performance Audit areas identified are provided for management's consideration to further improve efficiency and effectiveness of operations or improvements to the management of the Authority.

Ref	Issue Identified	Effect / Risk Exposure	Recommendation	Management's Response
<b>TASK 1 - Performance Indicator Review</b>				
REC 1	<p><b>Declines in Service Reliability</b> Over the quadrennial performance audit scope period, CapMetro experienced increased collisions per 100,000 miles, reduced miles between road calls, and deteriorating cost efficiency as operating costs per hour and per mile surged. Increased costs were experienced as CapMetro internalized the parts function and required the purchasing of parts supplies to address timely service reliability issues. Mileage between road calls are a measure of service reliability and provides a way to monitor the quality of the vehicle maintenance program and the general state of repair of the fleet. The declines in service reliability provides an indicator to increase oversight of operations and assess root causes to ensure standards and expectations are being met. As CapMetro utilizes a contracted service model for service delivery of multiple service modes, including motor bus, demand response, and rail, untimely identification of declines in service delivery indicators may decrease timely corrective action.</p>	<p>Decline in service reliability could lead to increased liabilities, service disruptions, and rising operational costs, all of which may put public safety at risk, and erode public trust and customer satisfaction.</p>	<p>Management should continue to assess and improve its service reliability by working with its third-parties and internal operations to determine measures to reduce collisions and miles between road calls, which will assist with cost efficiency and improve rider experience. Management should also integrate safety and maintenance performance measures into its current and future contracts to address declines in service. Additionally, aligning agency performance metrics with NTD and state performance indicators will ensure that management focuses on key areas evaluated by external agencies.</p>	<p><b>Management's Response:</b> CapMetro will continue to work collaboratively with its various service providers to improve service reliability and cost-effectiveness. CapMetro contracts already include safety and performance measures in service provider contracts. <i>See additional detail in CapMetro Management's detailed response.</i></p> <p><b>Responsible Party:</b> CapMetro Chief Operating Officer</p> <p><b>Implementation Date:</b> Ongoing</p>
REC 2	<p><b>Varying Cost Effectiveness</b> Over the quadrennial performance audit period, CapMetro showed mixed results in cost-effectiveness, which closely aligns with trends identified across the industry for the period reviewed. We identified that the agency's fare recovery rate, at approximately 5%, lags behind the peer group average of 7%, highlighting an area for potential improvement. However, CapMetro outperforms its peers in the cost per passenger performance indicator, with an average cost per passenger of \$14.23 compared to the peer group's \$14.61. Additionally, CapMetro has maintained relatively stable vehicle occupancy rates, decreasing only slightly from 5.34 in 2020 to 5.28 in 2023.</p>	<p>A decline in recovery rates could impact financial sustainability.</p>	<p>Management should continue to assess and improve its cost effectiveness through ongoing efforts to increase fare recovery and prevent its cost per passenger from growing. CapMetro and Austin's Project Connect initiatives and impacts should be considered through strategies to improve cost effectiveness in the future. Additionally, aligning agency performance metrics with NTD, state performance indicators, and peer groups will ensure that management has appropriate benchmark data to continually assess and to assist with the focusing of their efforts.</p>	<p><b>Management's Response:</b> CapMetro recognizes the challenges posed by declining fare recovery rates and reduced average vehicle occupancy, issues that are impacting the entire transit industry. CapMetro is committed to continuing to improve cost-effectiveness, despite these challenges, by continuing collaboration between CapMetro Operations staff and service providers, monitoring budgetary controls, and aligning key performance metrics to industry best practices. This work is already well underway through revisions to CapMetro's operating model made in 2022 and 2023. <i>See additional detail in CapMetro Management's detailed response.</i></p> <p><b>Responsible Party:</b> CapMetro Chief Financial and Risk Officer</p> <p><b>Implementation Date:</b> ongoing</p>

# Capital Metropolitan Transit Authority

FY 2020–2023 Quadrennial Performance Audit

## Appendix E: Recommendations for Management Matrix

Report Date: January 7, 2025

Ref	Issue Identified	Effect / Risk Exposure	Recommendation	Management's Response
<b>TASK 2 - Chapter 451 Compliance Review</b>				
REC 3	<p><b>Personal Identifying Information Disclosure</b>            Texas Transportation Code § 451.061(g) enables authorities to disclose customer personal identifying information to governmental agencies or higher education institutions for research or statistical purposes, with restrictions against publication, redisclosure, or contact use. This disclosure language is not documented explicitly in CapMetro's published policy, but the disclosure is referred to on their website as being subject to the code.</p>	<p>The absence of this disclosure language in CapMetro's online Privacy Policy hinders transparency in communicating how personal information is collected and used.</p>	<p>Management should consider updating CapMetro's policy on the authority's website to include the language outlined in Texas Transportation Code § 451.061(g). This update will clarify the authority's ability to disclose customer information for research purposes while maintaining compliance with restrictions on redisclosure, publication, or use for contact purposes.</p>	<p><b>Management's Response:</b> Management agrees with this recommendation. The Legal Department will update CapMetro's privacy policy on the website to include language that advises the public of the possibility that personal information might be shared as provided by Texas Transportation Code 451.061(g).  <b>Responsible Party:</b> CapMetro Deputy Chief Executive Officer  <b>Implementation Date:</b> January 31, 2025</p>
REC 4	<p><b>Right-of-Way Penalty Publication</b>            Texas Transportation Code § 451.113(d) requires that unauthorized driving on the authority's Right-of-Way around the rail lines is subject to a penalty classified as a Class C misdemeanor. Currently, this penalty information is located near the rights-of-way but is not included on the authority's website to restate the physically posted information and clarify the severity of unauthorized driving on the authorities right-of-way.</p>	<p>The absence of penalty information on the website may limit public awareness and hinder compliance with Texas Transportation Code § 451.113(d).</p>	<p>Management should consider incorporating language on the authority's website and rider rules, that reflects the language posted at the physical right-of-way location, to inform the public of the penalty for unauthorized driving on the Right-of-Way, as required by Texas Transportation Code § 451.113(d). The inclusion of the penalty may raise awareness of the severity of such actions and deter potential acts.</p>	<p><b>Management's Response:</b> CapMetro Management agrees with this recommendation and will update the website to clarify the penalty for trespassing in CapMetro right of way. CapMetro Management maintains that the best method for deterring trespassing is the Agency maintaining an active presence in our right of way, and the posting of signs on-site for awareness of people in the moment.  <b>Responsible Party:</b> CapMetro Chief Experience and Engagement Officer  <b>Implementation Date:</b> January 31, 2025</p>

# Capital Metropolitan Transit Authority

## FY 2020–2023 Quadrennial Performance Audit

### Appendix E: Recommendations for Management Matrix

Report Date: January 7, 2025

Ref	Issue Identified	Effect / Risk Exposure	Recommendation	Management's Response
<b>TASK 3 - Administration and Management of the Authority</b>				
REC 5	<p><b>Authority-Wide Contract/Third-Party Management Framework</b></p> <p>CapMetro's primary transit operations are outsourced to third parties and require effective, efficient, and timely contract management by internal contract managers. The authority has various contract management practices and tools that are adapted to the requirements of the contract and carried out by the internal contract managers on a daily basis. Additionally, Contract Managers maintain collaborative relationships with their third-party contacts to ensure timely updates on status, incidents, and corrective actions to ensure alignment and compliance with the contract. However, contract administration practices deployed for the managing of the various contracts across the authority, including those with differing objectives and monitoring needs, are not consistently approached and applied for each contract.</p> <p>While contracts inherently have differing objectives and monitoring requirements, there is an opportunity for the evaluated CapMetro departments to adopt and integrate effective practices from each other to improve the accuracy and completeness of quality assurance processes through formalized guidance and procedures on the authority's expectations for contract administration. This formal guidance can assist contract managers in assessing compliance and performance of each third-party more uniformly across the authority.</p> <p>Furthermore, CapMetro does not have an effective method or tool in place to systematically and centrally input and track performance outputs, indicators, and other documentation and data to provide transparency in service delivery by key contractors over the entirety of the contract and assist with the development of trends in performance that may need corrective action by management.</p>	<p>Inconsistent contract administration expectations and practices across the authority's various departments, contract managers, and operations may negatively impact its effectiveness and efficiency to achieve strategic objectives with its current model of outsourcing primary transit operations. Additionally, inconsistent documentation of contract performance can hinder accountability measures and actions to correct performance timely. Lastly, differing objectives and monitoring requirements of each contract inherently lead departments responsible for contractor oversight to focus on their individual efforts, which may limit opportunities for collaboration and the exchange of information on performance monitoring best practices to contract manager counterparts across the authority.</p>	<p>Management should design and implement a comprehensive contract management framework, in collaboration with its contract managers, that can be modified by each department to meet the needs of the contract but also incorporate performance measures, budget to actual financial data, tracking of quality assurance measures performed, central and electronic collection and documentation of QASPs, and dashboards for monitoring compliance and performance of the data being received from each third-party, which will ensure a more uniform and consistent practice and methodology across the authority. In addition, a contract management tool should be developed and used to make decisions related to each operational service provider with evidence of performance and outcomes driven and supported through data that can be verified by management. Further, departments responsible for contract oversight should collaborate and share their existing quality assurance processes to exchange best practices, thereby enhancing the accuracy and completeness of quality assurance efforts.</p>	<p><b>Management's Response:</b> Though CapMetro has processes to actively monitor contracts, CapMetro management agrees with the recommendation to refine and further develop an agency-wide framework for the management of third-party contractors. Many of CapMetro's services are provided by a third-party contractor and are actively managed within each mode. Refining our overarching monitoring framework will ensure consistency across the agency while allowing for differences based on specifics of a particular mode or service provided. <i>See additional detail in CapMetro Management's detailed response.</i></p> <p><b>Responsible Party:</b> CapMetro Chief Administrative Officer</p> <p><b>Implementation Date:</b> July 1, 2025</p>
REC 6	<p><b>Departmental Procedure Management</b></p> <p>CapMetro does not currently have in place a formal management process to ensure department specific procedures are current, reflect established practices that are unique to the department, and routinely assessed by key stakeholders to ensure compliance and proper dissemination. Although the Authority has a formal policy management process and personnel to assess, update, approve, and disseminate the authority-wide policies, there is not central support and guidance to ensure all departmental procedures are assessed annually by management to ensure they meet the current business practices.</p>	<p>Without regular reviews and updates, the procedures may no longer reflect CapMetro's current state, potentially hindering the procedural relevance and applicability in guiding day-to-day operations. Furthermore, the lack of timely updates could lead to gaps in ensuring that practices are aligned with evolving organizational needs and regulatory requirements.</p>	<p>Management should consider developing and disseminating formal guidance and tools to departments on the expected processes, cadence, and structure of the departmental procedure review process to ensure procedure documents are regularly updated and remain aligned with current organization practices, needs, and conditions. This process could incorporate centrally developed templates, guidance, and training on performing the assessment, documenting the updates, disseminating and collecting acknowledgement from staff on the updated procedures. By doing so, the authority can improve operational efficiency, ensure relevance to evolving practices, and validate acknowledgment by staff of the procedural updates and expectations.</p>	<p><b>Management's Response:</b> CapMetro Management will provide guidance and recommendations to staff regarding procedures.</p> <p><b>Responsible Party:</b> CapMetro Deputy Chief Executive Officer</p> <p><b>Implementation Date:</b> December 31, 2025</p>

# Capital Metropolitan Transit Authority

## FY 2020–2023 Quadrennial Performance Audit

### Appendix E: Recommendations for Management Matrix

Report Date: January 7, 2025

Ref	Issue Identified	Effect / Risk Exposure	Recommendation	Management's Response
REC 7	<p><b>Post-Integration Analysis of New Operations and FTEs</b>  CapMetro should consider a post-integration analysis of the organizational changes of January 2022 and report those findings to leadership. CapMetro staffing and organization changed significantly between fiscal years 2021 and 2022 when bus operations and maintenance responsibilities were shifted in-house with the new contractual agreement with MV Transportation. Additionally, strategic staffing decisions to augment resources in Demand Response Operations, Control Center, and Public Safety and Emergency Management saw growth during the scope period. With the growth of 131 salaried employees and 70 hourly employees over the scope period, CapMetro had to ensure those departments established cultural norms, adhered to processes and procedures, managed risk, delegated responsibilities, ensured professional development, and evaluated operations to meet expectations. Therefore, an analysis could be performed in-house or by a third-party to assess the integration of the employees and functions acquired over the period and three years of data and observation is adequate to determine the impact of the change. The analysis should include:</p> <ul style="list-style-type: none"> <li>- Changes in recruitment and professional development strategies between January 2022 and January 2025</li> <li>- Three-year retention rates of former contract employees compared to overall retention rates</li> <li>- Performance comparison of former contract employees to appropriate CapMetro internal peer groups</li> <li>- Impact on Key Performance Indicators</li> <li>- Efficiency Gains</li> <li>- Unintended Consequences</li> </ul> <p>Currently, management has hired a consultant to perform a span of control review, which will incorporate many of these elements identified to evaluate and compare to other similar transportation authorities.</p>	<p>Significant changes to an organization without timely and effective assessment of their integration can result in long-term inefficiencies, effectiveness, and impacts to culture and operations that meet the Authority's expectations.</p>	<p>Management should continue current efforts to perform and complete a span of control review and comparison of its review to other similar transportation authorities. Additionally, management should consider a post-integration analysis of the organizational changes of January 2022 and report those findings to leadership. Such an analysis could be performed in house or by a third-party. Three years of data and observation is adequate to determine the impact of the change. The analysis should include:</p> <ul style="list-style-type: none"> <li>- Changes in recruitment and professional development strategies between January 2022 and January 2025</li> <li>- Three-year retention rates of former contract employees compared to overall retention rates</li> <li>- Performance comparison of former contract employees to appropriate CapMetro internal peer groups</li> <li>- Impact on Key Performance Indicators</li> <li>- Efficiency Gains</li> <li>- Unintended Consequences</li> </ul>	<p><b>Management's Response:</b> As the recommendation acknowledges, CapMetro made significant changes to the fixed route operational structure in 2022 with a primary goal of enhancing efficiency and CapMetro's ownership of key service decisions. CapMetro is in a constant state of reflection, analysis and improvement with respect to the changes made and agrees with the recommendation to continue to assess the effectiveness of the organizational changes made in 2022. It is important to note that Operations Management collaborates regularly with each service provider to align the deployment of staffing resources to address service issues in real time and improve operational efficiencies. <i>See additional detail in CapMetro Management's detailed response.</i></p> <p><b>Responsible Party:</b> CapMetro Chief Administrative Officer</p> <p><b>Implementation Date:</b> December 31, 2025</p>
REC 8	<p><b>Professional Development Opportunities</b>  CapMetro should consider additional professional development opportunities tied to job responsibilities within the eight departments evaluated within the scope of the Quadrennial Performance Audit. CapMetro should continue several best practice leadership development programs initiated in FY 2024, including a formal commitment to succession planning within departments.</p>	<p>Continued professional development opportunities for each defined job title, position, and succession for future roles can ensure continued growth for the individual and positively impact the effectiveness and maturity of the organization.</p>	<p>Management should continue current initiatives around professional development and succession planning that were developed in FY24 to address management identified gaps. This training includes defined training and professional development opportunities for each job responsibility that will continue to promote their growth. Additionally, management should continue efforts to formalize succession planning within each department.</p>	<p><b>Management's Response:</b> During the review period, CapMetro did offer defined professional development opportunities to employees, and we continue to enhance our development programs. <i>See additional detail in CapMetro Management's detailed response.</i></p> <p><b>Responsible Party:</b> CapMetro Chief Administrative Officer</p> <p><b>Implementation Date:</b> ongoing</p>

# **Appendix E**

## CapMetro Management's Detailed Response

## CapMetro Detailed Management Responses

*Quadrennial Performance Audit – January 2025*

The following contains detailed Management Responses from the Capital Metropolitan Transportation Authority (CapMetro), regarding the January 2025 Quadrennial Performance Audit for the Fiscal Year 2020 through Fiscal Year 2023. These detailed responses are supplemental to summary responses provided within the *Quadrennial Findings and Recommendations for Management* matrix included within the Quadrennial report.

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- VIII. [Recommendation 8 – Professional Development Opportunities](#)

## Findings

### *Finding 1 – Quadrennial Performance Audit Delivery*

<b>Issue Identified</b>	Quadrennial Performance Audit Report Delivery Texas Transportation Code § 451.457, requires the quadrennial performance audit reports be delivered to specific recipients (e.g. Texas Governor, Lt. Governor, etc.) by February 1st following the completion of the report in the fiscal year immediately following the quadrennial scope period. CapMetro was unable to locate and provide the required documentation evidencing the distribution of the report to the recipient list for the previous 2020 quadrennial performance audit report. Retaining evidence of the delivery and receipt of the quadrennial performance audit report was also identified as a recommendation in the 2020 quadrennial performance audit report for the 2017 quadrennial performance audit.
<b>Effect / Risk Exposure</b>	Failure to provide documentation evidencing the delivery of the 2020 quadrennial report as required by Texas Transportation Code § 451.457 poses a risk of noncompliance with statutory obligations.
<b>Recommendation</b>	Management should implement a standardized procedure for documenting the submission and receipt of quadrennial performance audit reports to those recipients identified within the Texas Transportation Code. This could include creating a submission log, obtaining formal acknowledgments from recipients (e.g., email confirmations, certified mail receipts), and retaining these records in a centralized, accessible system for compliance tracking. Additionally, management should assign responsibility for overseeing this process to ensure adherence to statutory requirements.

**Responsible Party:** CapMetro Deputy Chief Executive Officer

**Implementation Date:** Completed

**Summary of Management Response:**

Management has assigned the Government Affairs Department to be the department responsible for overseeing and documenting compliance with 451.457. Government Affairs has implemented a centralized process and system to retain PDF copies of all letters sent and will be sending the formal transmittals by certified mail, with an accompanying digital scan of the receipt filed once received to provide proof of compliance.

**Detailed Management Response:**

Though CapMetro is confident that previous CapMetro Quadrennial Reviews have been provided to those specified under 451.457, CapMetro was unable to find documentation demonstrating delivery, (such as a courier receipt or email).

Government Affairs will 1) draft all transmittal letters for signature by the President & CEO or designee; 2) maintain a digital copy of all signed and executed letters as a PDF in the Government Affairs Shared library on SharePoint to ensure the department, Executive Office, and Audit team has access to these letters in

the future; 3) will send all physical copies of letters to the designated list of individuals in accordance with Texas Transportation Code 451 under certified mail with the United States Postal Service and 4) will maintain digital copies of all certified mail receipts in the same shared library file referenced under 2 for audit verification purposes. All letters and mail receipts will be completed and date stamped prior to February 1 each second odd-number year as required in the statute.

## RECOMMENDATIONS

### *Recommendation 1 – Declines in Service Reliability*

<b>Issue Identified</b>	Over the quadrennial performance audit scope period, CapMetro experienced increased collisions per 100,000 miles, reduced miles between road calls, and deteriorating cost efficiency as operating costs per hour and per mile surged. Increased costs were experienced as CapMetro internalized the parts function and required the purchasing of parts supplies to address timely service reliability issues. Mileage between road calls are a measure of service reliability and provides a way to monitor the quality of the vehicle maintenance program and the general state of repair of the fleet. The declines in service reliability provides an indicator to increase oversight of operations and assess root causes to ensure standards and expectations are being met. As CapMetro utilizes a contracted service model for service delivery of multiple service modes, including motor bus, demand response, and rail, untimely identification of declines in service delivery indicators may decrease timely corrective action.
<b>Effect / Risk Exposure</b>	Decline in service reliability could lead to increased liabilities, service disruptions, and rising operational costs, all of which may put public safety at risk, and erode public trust and customer satisfaction.
<b>Recommendation</b>	Management should continue to assess and improve its service reliability by working with its third-parties and internal operations to determine measures to reduce collisions and miles between road calls, which will assist with cost efficiency and improve rider experience. Management should also integrate safety and maintenance performance measures into its current and future contracts to address declines in service. Additionally, aligning agency performance metrics with NTD and state performance indicators will ensure that management focuses on key areas evaluated by external agencies.

**Responsible Party:** CapMetro Chief Operating Officer

**Implementation Date:** Ongoing

**Summary of Management Response:**

CapMetro will continue to work collaboratively with its various service providers to improve service reliability and cost-effectiveness. CapMetro contracts already include safety and performance measures in service provider contracts.

**Detailed Management Response:**

CapMetro will continue to work collaboratively with its various service providers to improve service reliability and cost- effectiveness. Working with our service provider partners, we develop and implement action plans to improve service reliability. Our present contracting model for both fixed route and demand response is based on service reliability being a shared responsibility between both the service provider and CapMetro staff with each party having responsibility for different levers that impact the metric. In this model, CapMetro makes all service-related decisions such as maintenance plans,

specific repairs performed on vehicles, how operators are dispatched and utilized, the training of front-line staff, route and schedule design, service standards and operating policies. Service providers provide for and manage the workforce to accomplish the desired outcomes and service levels laid out by CapMetro. This includes refining the roles and responsibilities established between CapMetro staff and the service provider teams.

## *Recommendation 2 – Varying Cost Effectiveness*

<b>Issue Identified</b>	Over the quadrennial performance audit period, CapMetro showed mixed results in cost-effectiveness, which closely aligns with trends identified across the industry for the period reviewed. We identified that the agency's fare recovery rate, at approximately 5%, lags behind the peer group average of 7%, highlighting an area for potential improvement. However, CapMetro outperforms its peers in the cost per passenger performance indicator, with an average cost per passenger of \$14.23 compared to the peer group's \$14.61. Additionally, CapMetro has maintained relatively stable vehicle occupancy rates, decreasing only slightly from 5.34 in 2020 to 5.28 in 2023.
<b>Effect / Risk Exposure</b>	A decline in recovery rates could impact financial sustainability.
<b>Recommendation</b>	Management should continue to assess and improve its cost effectiveness through ongoing efforts to increase fare recovery and prevent its cost per passenger from growing. CapMetro and Austin's Project Connect initiatives and impacts should be considered through strategies to improve cost effectiveness in the future. Additionally, aligning agency performance metrics with NTD, state performance indicators, and peer groups will ensure that management has appropriate benchmark data to continually assess and to assist with the focusing of their efforts.

**Responsible Party:** CapMetro Chief Financial and Risk Officer

**Implementation Date:** Ongoing

### **Summary of Management Response:**

CapMetro recognizes the challenges posed by declining fare recovery rates and reduced average vehicle occupancy, issues that are impacting the entire transit industry. CapMetro is committed to continuing to improve cost-effectiveness, despite these challenges, by continuing collaboration between CapMetro Operations staff and service providers, monitoring budgetary controls, and aligning key performance metrics to industry best practices. This work is already well underway through revisions to CapMetro's operating model made in 2022 and 2023.

### **Detailed Management Response:**

CapMetro Management acknowledges the importance of addressing fare recovery rates and maintaining cost-effectiveness while navigating the challenges reflective of broader national and regional industry trends. To that end CapMetro has already been working through these challenges and will address some of the many initiatives below.

While the fare recovery rate of approximately 5% is lower than the peer group average of 7%, CapMetro outperforms its peers in cost per passenger, with a rate of \$14.23 compared to \$14.61. Additionally, CapMetro's vehicle occupancy rates have remained stable, with only a slight decline from 5.34 in 2020 to 5.28 in 2023. These results underscore CapMetro's commitment to cost management and operational efficiency despite significant headwinds, including:

- A) Labor Costs: Labor expenses have risen by over 30% since 2020 due to necessary wage adjustments in response to a competitive job market in Austin. These adjustments were critical to addressing staffing shortages and ensuring service reliability.
- B) Supply Chain Disruptions: The U.S. transit industry faces limited bus manufacturers and a 50% surge in parts costs, which have significantly impacted operational expenses.
- C) Inflationary Pressures: CapMetro has also contended with inflation-driven increases in the cost of goods and services, further straining operating budgets.

To enhance cost-effectiveness, CapMetro continues to prioritize the following strategies begun prior to this audit:

1. Operational Efficiencies: Working closely with service providers to identify and implement cost-saving measures.
2. Budgetary Controls: Employing robust budgeting processes and financial controls to optimize resource allocation.
3. Aligned metrics: Aligning performance metrics with NTD, state indicators, and peer benchmarks to guide targeted improvements.

Further, CapMetro has a variety of initiatives underway to enhance customer experience, and therefore build further ridership. This includes Project Connect, improvements to customer payment technology and systems, providing new service and evaluating service to ensure quality experience, and more.

CapMetro remains committed to addressing these challenges proactively and will continue to refine strategies to support operational performance and fiscal responsibility.

### *Recommendation 3 – Personal Identifying Information Disclosure*

<b>Issue Identified</b>	Texas Transportation Code § 451.061(g) enables authorities to disclose customer personal identifying information to governmental agencies or higher education institutions for research or statistical purposes, with restrictions against publication, redisclosure, or contact use. This disclosure language is not documented explicitly in CapMetro's published policy, but the disclosure is referred to on their website as being subject to the code.
<b>Effect / Risk Exposure</b>	The absence of this disclosure language in CapMetro's online Privacy Policy hinders transparency in communicating how personal information is collected and used.
<b>Recommendation</b>	Management should consider updating CapMetro's policy on the authority's website to include the language outlined in Texas Transportation Code § 451.061(g). This update will clarify the authority's ability to disclose customer information for research purposes while maintaining compliance with restrictions on redisclosure, publication, or use for contact purposes.

**Responsible Party:** CapMetro Deputy Chief Executive Officer

**Implementation Date:** January 31, 2025

**Summary of Management Response:**

Management agrees with this recommendation. The Legal Department will update CapMetro's privacy policy on the website to include language that advises the public of the possibility that personal information might be shared as provided by Texas Transportation Code 451.061(g).

**Detailed Management Response:**

The Legal Department will draft updated language for the privacy policy and will work with the Experience and Engagement Department to ensure that the website is updated by the end of January 2025.

#### *Recommendation 4 – Right-of-Way Penalty Publication*

<b>Issue Identified</b>	Texas Transportation Code § 451.113(d) requires that unauthorized driving on the authority's Right-of-Way around the rail lines is subject to a penalty classified as a Class C misdemeanor. Currently, this penalty information is located near the rights-of-way but is not included on the authority's website to restate the physically posted information and clarify the severity of unauthorized driving on the authorities right-of- way.
<b>Effect / Risk Exposure</b>	The absence of penalty information on the website may limit public awareness and hinder compliance with Texas Transportation Code § 451.113(d).
<b>Recommendation</b>	Management should consider incorporating language on the authority's website and rider rules, that reflects the language posted at the physical right-of-way location, to inform the public of the penalty for unauthorized driving on the Right-of-Way, as required by Texas Transportation Code § 451.113(d). The inclusion of the penalty may raise awareness of the severity of such actions and deter potential acts.

**Responsible Party:** Chief Experience and Engagement Officer

**Implementation Date:** January 31, 2025

**Summary of Management Response:**

CapMetro Management agrees with this recommendation and will update the website to clarify the penalty for trespassing in CapMetro right of way. CapMetro Management maintains that the best method for deterring trespassing is the Agency maintaining an active presence in our right of way, and the posting of signs on-site for awareness of people in the moment.

**Detailed Management Response:**

CapMetro's website includes Rules of Conduct and Safety for CapMetro services. The rules note that "CapMetro has a zero-tolerance policy for trespassing within the railroad right-of-way," echoing posted signage along the right-of-way. CapMetro is in the process of completing a comprehensive update to the Rules of Conduct and Safety, including reviewing how rules are communicated online and onboard CapMetro services. As part of this review, all rules that are enforceable under state or local law will be denoted as such for clarity to customers and the community.

In the short term, this specific rule violation will be clarified online to include a reference to the applicable law and legal penalty. This will be completed by the end of January 2025.

## *Recommendation 5 – Authority-Wide Contract/Third-Party Management Framework*

<b>Issue Identified</b>	<p>CapMetro's primary transit operations are outsourced to third parties and require effective, efficient, and timely contract management by internal contract managers. The authority has various contract management practices and tools that are adapted to the requirements of the contract and carried out by the internal contract managers on a daily basis. Additionally, Contract Managers maintain collaborative relationships with their third-party contacts to ensure timely updates on status, incidents, and corrective actions to ensure alignment and compliance with the contract. However, contract administration practices deployed for the managing of the various contracts across the authority, including those with differing objectives and monitoring needs, are not consistently approached and applied for each contract.</p> <p>While contracts inherently have differing objectives and monitoring requirements, there is an opportunity for the evaluated CapMetro departments to adopt and integrate effective practices from each other to improve the accuracy and completeness of quality assurance processes through formalized guidance and procedures on the authority's expectations for contract administration. This formal guidance can assist contract managers in assessing compliance and performance of each third-party more uniformly across the authority.</p> <p>Furthermore, CapMetro does not have an effective method or tool in place to systematically and centrally input and track performance outputs, indicators, and other documentation and data to provide transparency in service delivery by key contractors over the entirety of the contract and assist with the development of trends in performance that may need corrective action by management.</p>
<b>Effect / Risk Exposure</b>	<p>Inconsistent contract administration expectations and practices across the authority's various departments, contract managers, and operations may negatively impact its effectiveness and efficiency to achieve strategic objectives with its current model of outsourcing primary transit operations. Additionally, inconsistent documentation of contract performance can hinder accountability measures and actions to correct performance timely.</p> <p>Lastly, differing objectives and monitoring requirements of each contract inherently lead departments responsible for contractor oversight to focus on their individual efforts, which may limit opportunities for collaboration and the exchange of information on performance monitoring best practices to contract manager counterparts across the authority.</p>

<b>Recommendation</b>	<p>Management should design and implement a comprehensive contract management framework, in collaboration with its contract managers, that can be modified by each department to meet the needs of the contract but also incorporate performance measures, budget to actual financial data, tracking of quality assurance measures performed, central and electronic collection and documentation of QASP's, and dashboards for monitoring compliance and performance of the data being received from each third-party, which will ensure a more uniform and consistent practice and methodology across the authority. In addition, a contract management tool should be developed and used to make decisions related to each operational service provider with evidence of performance and outcomes driven and supported through data that can be verified by management. Further, departments responsible for contract oversight should collaborate and share their existing quality assurance processes to exchange best practices, thereby enhancing the accuracy and completeness of quality assurance efforts.</p>
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**Responsible Party:** CapMetro Chief Administrative Officer

**Implementation Date:** July 1, 2025

**Summary of Management Response:**

Though CapMetro has processes to actively monitor contracts, CapMetro management agrees with the recommendation to refine and further develop an agency-wide framework for the management of third-party contractors. Many of CapMetro's services are provided by a third-party contractor and are actively managed within each mode. Refining our overarching monitoring framework will ensure consistency across the agency while allowing for differences based on specifics of a particular mode or service provided.

**Detailed Management Response:**

CapMetro will establish a centralized framework and guidance whereby specific requirements are met within each contract monitoring plan (CMP), but specifics within the contract monitoring plan can be modified for each department or modes' use, based on the service provided under the contract. All CMPs would include base information such as performance measures, budget to actual data, quality assurance data, and a centralized warehouse of documentation. This base information will also include evidence of performance and outcomes driven and supported through data that management can verify. CapMetro will work to collect the various CMPs, review each for completeness, understand commonalities, and establish a centralized framework for all CMPs. This will include the steps required to establish, review, and modify CMPs. A centralized approach will be established for CMP documentation storage. The framework will also include developing requirements for invoice review and Quality Assurance Surveillance Plans.

## *Recommendation 6 – Departmental Procedure Management*

<b>Issue Identified</b>	CapMetro does not currently have in place a formal management process to ensure department specific procedures are current, reflect established practices that are unique to the department, and routinely assessed by key stakeholders to ensure compliance and proper dissemination. Although the Authority has a formal policy management process and personnel to assess, update, approve, and disseminate the authority-wide policies, there is not central support and guidance to ensure all departmental procedures are assessed annually by management to ensure they meet the current business practices.
<b>Effect / Risk Exposure</b>	Without regular reviews and updates, the procedures may no longer reflect CapMetro's current state, potentially hindering the procedural relevance and applicability in guiding day-to-day operations. Furthermore, the lack of timely updates could lead to gaps in ensuring that practices are aligned with evolving organizational needs and regulatory requirements.
<b>Recommendation</b>	Management should consider developing and disseminating formal guidance and tools to departments on the expected processes, cadence, and structure of the departmental procedure review process to ensure procedure documents are regularly updated and remain aligned with current organization practices, needs, and conditions. This process could incorporate centrally developed templates, guidance, and training on performing the assessment, documenting the updates, disseminating and collecting acknowledgement from staff on the updated procedures. By doing so, the authority can improve operational efficiency, ensure relevance to evolving practices, and validate acknowledgment by staff of the procedural updates and expectations.

**Responsible Party:** CapMetro Deputy Chief Executive Officer

**Implementation Date:** December 31, 2025

**Summary of Management Response:**

CapMetro Management will provide guidance and recommendations to staff regarding procedures.

**Detailed Management Response:**

As noted in the recommendation, CapMetro has a robust process to review and maintain all CapMetro policies. This process includes review from subject matter experts (policy owners), legal counsel, and impacted departments, before ultimately being completed with signature from identified executive vice presidents.

This process specifically does not include departmental procedures which are mostly documenting how a specific agency function performs a given responsibility (i.e., payroll processes, operational procedures, human resources-related functions). CapMetro management believes each functional owner is empowered to know their business area and be mindful of how their procedures impact other departments. However, CapMetro Management also agrees guidelines to business area owners will assist

in ensuring consistency and collaboration across the organization. The guidelines for procedures may include: a template to standardize procedure documentation; recommended approach for ensuring collaboration between business area owners and impacted departments for those procedures that impact more than one group; recommended review timelines; and an expectation of centralized posting of all procedures in one area on CapMetro's intranet for ease of access for employees.

*Recommendation 7 – Post-Integration Analysis of New Operations and Full Time Equivalents (FTE)s*

<b>Issue Identified</b>	<p>CapMetro should consider a post-integration analysis of the organizational changes of January 2022 and report those findings to leadership. CapMetro staffing and organization changed significantly between fiscal years 2021 and 2022 when bus operations and maintenance responsibilities were shifted in-house with the new contractual agreement with MV Transportation. Additionally, strategic staffing decisions to augment resources in Demand Response Operations, Control Center, and Public Safety and Emergency Management saw growth during the scope period. With the growth of 131 salaried employees and 70 hourly employees over the scope period, CapMetro had to ensure those departments established cultural norms, adhered to processes and procedures, managed risk, delegated responsibilities, ensured professional development, and evaluated operations to meet expectations. Therefore, an analysis could be performed in-house or by a third-party to assess the integration of the employees and functions acquired over the period and three years of data and observation is adequate to determine the impact of the change. The analysis should include:</p> <ul style="list-style-type: none"> <li>- Changes in recruitment and professional development strategies between January 2022 and January 2025</li> <li>- Three-year retention rates of former contract employees compared to overall retention rates</li> <li>- Performance comparison of former contract employees to appropriate CapMetro internal peer groups - Impact on Key Performance Indicators</li> <li>- Efficiency Gains</li> <li>- Unintended Consequences</li> </ul> <p>Currently, management has hired a consultant to perform a span of control review, which will incorporate many of these elements identified to evaluate and compare to other similar transportation authorities.</p>
<b>Effect / Risk Exposure</b>	<p>Significant changes to an organization without timely and effective assessment of their integration can result in long-term inefficiencies, effectiveness, and impacts to culture and operations that meet the Authority's expectations</p>
<b>Recommendation</b>	<p>Management should continue current efforts to perform and complete a span of control review and comparison of its review to other similar transportation authorities. Additionally, management should consider a post-integration analysis of the organizational changes of January 2022 and report those findings to leadership. Such an analysis could be performed in house or by a third-party. Three years of data and observation is adequate to determine the impact of the change. The analysis should include:</p> <ul style="list-style-type: none"> <li>- Changes in recruitment and professional development strategies between January 2022 and January 2025</li> </ul>

	<ul style="list-style-type: none"> <li>- Three-year retention rates of former contract employees compared to overall retention rates</li> <li>- Performance comparison of former contract employees to appropriate CapMetro internal peer groups</li> <li>- Impact on Key Performance Indicators</li> <li>- Efficiency Gains</li> <li>- Unintended Consequences</li> </ul>
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**Responsible Party:** CapMetro Chief Administrative Officer

**Implementation Date:** December 31, 2025

**Summary of Management Response:**

As the recommendation acknowledges, CapMetro made significant changes to the fixed route operational structure in 2022 with a primary goal of enhancing efficiency and CapMetro's ownership of key service decisions. CapMetro is in a constant state of reflection, analysis and improvement with respect to the changes made and agrees with the recommendation to continue to assess the effectiveness of the organizational changes made in 2022. It is important to note that Operations Management collaborates regularly with each service provider to align the deployment of staffing resources to address service issues in real time and improve operational efficiencies.

**Detailed Management Response:**

CapMetro continues to assess the successes and opportunities of the transition in its fixed route operating model in 2022. For example, CapMetro has recently made adjustments to some of the positions included in the initial changes, realigning Bus Inspectors and Road Supervisors to increase efficiency and performance. Further, CapMetro used lessons learned from the initial changes in 2022 with Keolis for fixed-route bus to better inform the scope and procurement of the demand response contract procurement, which was awarded to MTM in 2024.

In response to this recommendation, CapMetro will compare the service delivery metrics in 2020 and 2021 to 2022 and 2023 that were still under the contract with MV as an assessment of the impact of the changes. In addition, CapMetro is in the process of completing a Span of Control analysis across the organization and a specific realignment within fixed route operations to optimize the utilization of staff.

CapMetro will complete this work and continue a partnership of review and improvement with contracted service provider, to inform the next service-related procurement for rail transit service.

## *Recommendation 8 – Professional Development Opportunities*

<b>Issue Identified</b>	CapMetro should consider additional professional development opportunities tied to job responsibilities within the eight departments evaluated within the scope of the Quadrennial Performance Audit. CapMetro should continue several best practice leadership development programs initiated in FY 2024, including a formal commitment to succession planning within departments.
<b>Effect / Risk Exposure</b>	Continued professional development opportunities for each defined job title, position, and succession for future roles can ensure continued growth for the individual and positively impact the effectiveness and maturity of the organization.
<b>Recommendation</b>	Management should continue current initiatives around professional development and succession planning that were developed in FY24 to address management identified gaps. This training includes defined training and professional development opportunities for each job responsibility that will continue to promote their growth. Additionally, management should continue efforts to formalize succession planning within each department.

**Responsible Party:** CapMetro Chief Administrative Officer

**Implementation Date:** Ongoing

**Summary of Management Response:**

During the review period, CapMetro did offer defined professional development opportunities to employees, and we continue to enhance our development programs.

**Detailed Management Response:**

During the period from October 1, 2019, through September 30, 2023, CapMetro had a professional development program called Leaders in Motion, which was paused after January 2019 as the agency focused on Project Connect followed by the COVID-19 pandemic. Additionally, we conducted an Inclusive Leadership Series involving 26 leaders. This program was shaped by interviews with key stakeholders and included five one-hour virtual sessions tailored to the agency's needs. The topics were:

- An Individual Growth Plan Template
- A Career Development Guide with suggested development activities aligned to CapMetro's capabilities
- An Oracle System Tutorial

CapMetro now has a revamped professional development program in place with growth plans developed for specific functions within the agency. Growth plans are housed within the HRIS to ensure transparency and accountability. Succession planning and key talent identification has also resumed and will continue to be rolled out across the organization throughout FY25.



# Quadrennial Performance Audit (2025)

*Public Hearing*

January 27, 2025

# Background

- Texas Transportation Code 451.454 – Performance Audit mandates an audit every four years
  - Purpose: evaluate and inform oversight functions by the state and local officers and provide information to the Agency to assist in making changes that improve efficiency and effectiveness
- CapMetro's Internal Auditor contracted with Weaver and Tidwell, LLP, to complete a performance Audit

# Scope



## Task 1:

Review state-mandated performance indicators such as fare recovery, on-time performance, number of collisions per 100,000 miles, etc.



## Task 2:

Ensure compliance with applicable state law



## Task 3:

Review administration and management, transit operations or system maintenance

**Review Period:** Fiscal Year 2020 – 2023 (October 1, 2019 – September 30, 2023)

## Summary of Review

- Task 1: CapMetro met Chapter 451 requirements for performance indicators;
  - Task 2: CapMetro had one potential area of non-compliance with state law;
  - Task 3: CapMetro generally operated in an efficient and effective manner despite challenges related to the COVID-19 pandemic and impact of workforce changes in the transit environment.
- 1 Finding and 8 Recommendations for Management

# Task 1: Review of Performance Indicators



*CapMetro appropriately calculates and reports nine key indicators required by statute.*

- Performance indicators demonstrated a decline during the review period
  - CapMetro has taken steps to address each, while managing pandemic response and industry-wide impacts
  - Example:
    - Increasing wages to attract and retain operators + slow growth in ridership during review period = negative impact on cost efficiency
    - Parts are more expensive and CapMetro is storing more parts to reduce vehicle down time = negative impact on cost efficiency
    - Fare recovery decline attributable to pandemic fare waivers, fare system changes, etc. Multiple steps taken post review period to improve fare system comprehensively.

# Task 1: Review of Performance Indicators



Findings			
No Findings			
Recommendations to Management			
1. Declines in Service Reliability	<ul style="list-style-type: none"><li>Continue to assess and improve service reliability</li><li>Integrate safety and maintenance performance measures into current and future contracts</li><li>Align agency KPIs with NTD and state</li></ul>	<ul style="list-style-type: none"><li>CapMetro will continue to work collaboratively with its various service providers to improve service reliability and cost-effectiveness.</li><li>CapMetro contracts already include safety and performance measures in service provider contracts.</li></ul>	Ongoing
2. Varying Cost Effectiveness	<ul style="list-style-type: none"><li>Continue to assess cost effectiveness</li><li>Continue implementation of Project Connect &amp; other initiatives</li><li>Align agency KPIs with NTD and state</li></ul>	<ul style="list-style-type: none"><li>CapMetro will continue to collaborate with industry partners to manage costs</li><li>CapMetro will continue implementation of initiatives aimed at increasing ridership through improving customer experience and access</li></ul>	Ongoing

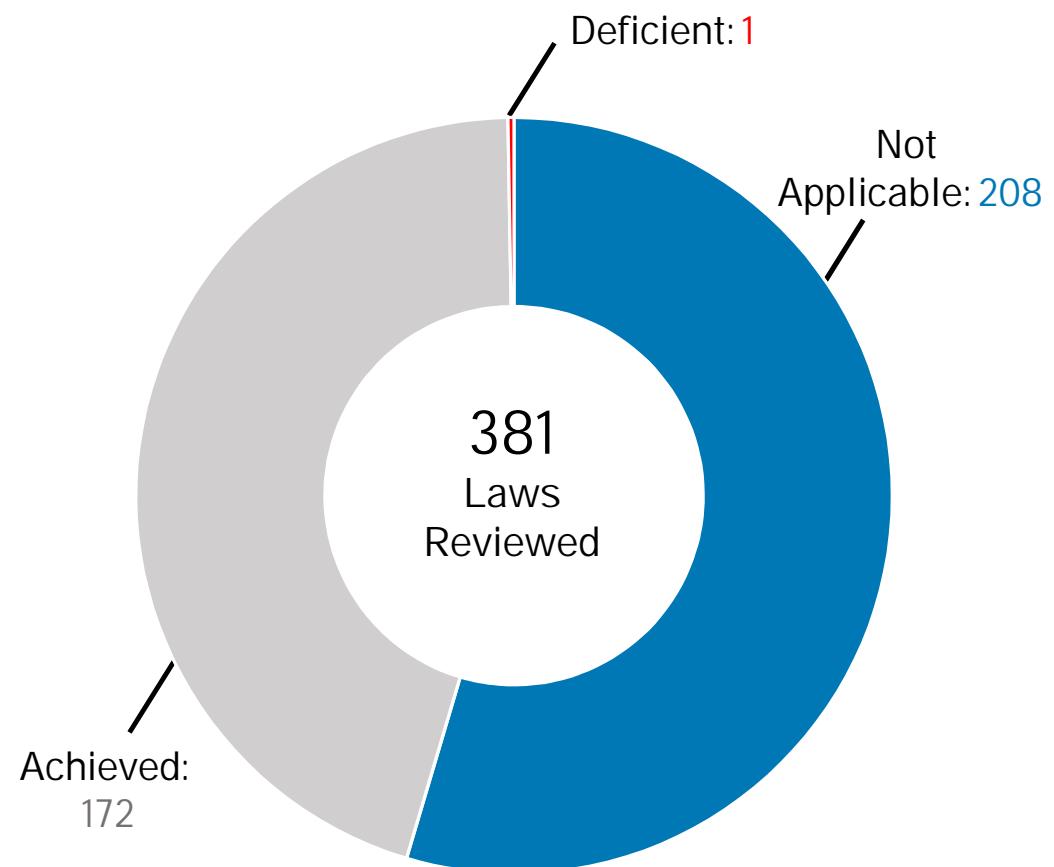


## Task 2: Compliance with State Law

CapMetro complies with all applicable state law.

- Texas Transportation Code
- Texas Local Government Code
- Texas Government Code
- Texas Property Code
- Texas Health & Safety Code
- Texas Penal Code

CapMetro was unable to produce documentation demonstrating completion of all tasks related to 2022 Quadrennial Review delivery



CapMetro

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# Task 2: Compliance with State Law



Findings			
1. Quadrennial Performance Audit Report Delivery	<ul style="list-style-type: none"><li>Failure to provide documentation evidencing the delivery of the 2020 quadrennial report as required by Texas Transportation Code</li></ul>	<ul style="list-style-type: none"><li>CapMetro has implemented a centralized process and system to retain copies of all letters sent; utilize certified mail; and retain copies of certified mail receipt.</li></ul>	Completed
Recommendations to Management			
3. Personal Identifying Information Disclosure	<ul style="list-style-type: none"><li>CapMetro's website and privacy statement lack certain language.</li></ul>	<ul style="list-style-type: none"><li>CapMetro will update the website privacy language.</li></ul>	Completed
4. Right of Way Penalty Publication	<ul style="list-style-type: none"><li>CapMetro's website does not make clear that trespassing in the right of way is illegal and punishable by a Class C Misdemeanor.</li></ul>	<ul style="list-style-type: none"><li>CapMetro will update the website with a notation of the penalty.</li></ul>	To be completed by 1/31/2025

## Task 3: Review of Administration



The review of the administration focused on the following departments

- Demand Response Oversight
- Bus Operations & Maintenance Oversight
- Paratransit Eligibility
- Demand Response Control and Call Center
- Public Facilities
- Rail Commuter Operations
- Safety
- Public Safety and Emergency Management

Generally, CapMetro maintained appropriate personnel to achieve the mission, goals and functions of each department.

Opportunities to enhance monitoring of contracted work were identified, alongside a recommended review of recent integration of certain positions.

# Task 3: Review of Administration



## Findings

No Findings.

## Recommendations to Management

5. Authority-Wide Contract/Third Party Management	<ul style="list-style-type: none"><li>Management should design and implement a comprehensive framework for contract management.</li></ul>	<ul style="list-style-type: none"><li>CapMetro does actively monitor contracts</li><li>CapMetro agrees that a refined agency-wide framework will be beneficial.</li></ul>	To be completed by 7/1/2025
6. Department Procedure Management	<ul style="list-style-type: none"><li>CapMetro lacks centralized controls and guidance on departmental procedures.</li></ul>	<ul style="list-style-type: none"><li>CapMetro will develop guidance for Departmental procedures.</li></ul>	To be completed by 12/31/2025



# Task 3: Review of Administration

## Findings

No Findings.

## Recommendations to Management

7. Post Integration of New Operations and FTEs	<ul style="list-style-type: none"><li>CapMetro should compete a review of activities that integrated key operations staff, and transitioned them from contracted service providers to CapMetro</li></ul>	<ul style="list-style-type: none"><li>CapMetro is in a constant state of reflection and has already integrated lessons learned into processes for new service provider contracts</li><li>Further lessons learned will be incorporated into the Rail Transit procurement process.</li></ul>	To be completed by 12/31/2025
8. Professional Development Opportunities	<ul style="list-style-type: none"><li>Management should continue current initiatives around professional development (initiatives launched after the review period)</li></ul>	<ul style="list-style-type: none"><li>CapMetro will continue to offer professional development and a comprehensive suite of programs for employees.</li></ul>	Ongoing



CapMetro leadership looks forward to the opportunity to improve outcomes and efficiencies for the community, customers and team members.

**CapMetro**



# Public Comment