# CapMetro

# DEMAND RESPONSE OPS (23-05)

# Terry Follmer, VP of Internal Audit

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# **Executive Summary**

As part of our Fiscal Year 2023-24 Internal Audit Plan approved by the Capital Metro Board, we performed an audit to determine whether CMTA has sufficient controls in place to effectively monitor MTM's contract compliance. The audit results including the objective, scope, and conclusion are as follows.

# **Background**

Demand Response provides two services: paratransit services branded as MetroAccess and on-demand, shared-rider services branded as Pickup. The services are provided by a third-party vendor, MTM. MetroAccess paratransit program is for people who have a disability or medical condition that limits or prevents them from independently using accessible bus service as defined in the Americans with Disabilities Act. People certified by CapMetro under this program may ride Metro Access within three-quarters of a mile of CapMetro's non-commuter fixed-route bus service on the same days and during the same hours as the fixed-route service in their area. Pickup is an on-demand transit service introduced in 2019 that operates in 11 geographic zones in the Greater Austin Metro Area. This service takes multiple riders heading in the same direction and schedules them into a shared vehicle. There is no set route for the service, customers can be picked up and transported anywhere within a zone, and all vehicles are wheelchair accessible. Five of the 11 Pickup zones are collaborations with the Austin Transit Partnership (ATP).

In 2023, the Spare system was implemented and is used to track MetroAccess driver, vehicle and route scheduling, route creation, and customer trip information while Pickup uses the Via system is used to track driver, vehicle and customer trip information. The DR South base location includes 140 revenue vehicles and 266 MTM employees.

The contract with MTM for the South base operations was initiated in October 2018 and expires in September 2024. Modification #12 was signed in December of 2023 extending the contract to December 2024 for a total contract value of \$137,465,606. In April 2024, a request for proposal (RFP) was issued for services to begin January 2025.

CapMetro's Demand Response Oversight department has developed a Quality Assurance Surveillance Plan (QASP) which identified 67 key MTM service provider performance requirements from the contract related to overall program management which consists of administrative, quality assurance (field reviews), vehicle maintenance and building maintenance metrics. The department uses a QASP Audit Tracker spreadsheet to document their quality assurance (QA) evaluations of the contractual requirements. See excerpt of QASP Audit Tracker spreadsheet at **Appendix A**. CapMetro's Vehicle Maintenance department has developed an independent methodology using the Hexagon Asset Management System to document their QA of service provider's vehicle maintenance requirements which does not tie into the QASP Tracker. See **Appendix B**. CapMetro's Facilities department has not developed a methodology to evaluate the Building Maintenance requirements.

Most of the requirements of the QASP directly affect the amount paid to the service provider through incentives or disincentives (PDCs) based on the service provider's performance. The Program Manager (PM) is responsible for ensuring that the QA evaluations are performed to substantiate the monthly amounts submitted by MTM on their invoice. The PM has one quality analyst staff member to assist with the metric evaluations.

See excerpt from the January 2024 invoice at **Appendix D.** It is important to note that the variable hourly rate is only applied to the number of vehicle hours, not the number of employees or employee labor hours incurred. The monthly invoice incorporates incentives and/or performance deficiency

credits (PDCs) based on the level of service achieved during the month compared to benchmarks established in the contract. See excerpt of PDCs assessed for the January invoice at **Appendix E**.

# **Audit Objective & Scope**

The objective of the audit was to evaluate CapMetro's vendor contract compliance process which includes reviewing CapMetro's quality assurance testing process for the South Base operations and reviewing the vendor's monthly invoice for accuracy. We tested MTM's January 2024 invoice for appropriate CapMetro review and approval of the MTM charges, performance metrics and PDCs assessed. The North Base operations were scoped out of the review. The CapMetro MetroAccess eligibility processes were also excluded from this review.

# **Opinion**

In our opinion, internal controls are generally in place and properly functioning for Demand Response. We identified some areas where internal controls could be further enhanced as follows (see finding table below for full listing):

- Determine if a dedicated Facilities resource can be assigned to develop a Building Maintenance checklist that supports the QASP Audit Tracker
- Align Vehicle Maintenance QA Scorecard with the QASP Audit Tracker
- Define evidence that should be reviewed/collected for each compliance steps of the QASP Audit Tracker
- Establish standardized criteria and thresholds for approving PDC exemptions with approval levels based on the dollar value of the exemption request
- Investigate billing discrepancies and correct on next vendor invoice

More details regarding the issues/risks and recommendations can be found below in the detailed audit report.

This audit was conducted in accordance with US Government Accountability Office's Generally Accepted Government Auditing Standards (GAGAS) and the Institute of Internal Auditor's International Standards for the Professional Practice of Internal Auditing. These standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. The audit was conducted by the following staff members in the Capital Metro Internal Audit Department:

- Robert Moreno, Manager of Internal Audit
- Terry Follmer, VP of Internal Audit

Recommendations to strengthen controls and improve accountability were provided to management. Management agrees with the internal audit recommendations and has provided target completion dates which are included in the detailed audit report below. A follow-up audit is performed semi-annually (i.e., May and November) to ensure management action plans for all issued audit reports are completed in a timely manner.

We appreciate the cooperation and assistance provided to us throughout this audit.

# **Audit Report**

Issues & Risk	Recommendation	Management Action Plan
1. QASP Audit Tracker – Completion and Evidence CapMetro's contract with MTM clearly outlines the key activities and requirements that MTM must perform. DR has developed an excellent QASP Audit Tracker (see Appendix A) that covers 67 different activities and deliverables (e.g. exhicle/building maintenance, etc.) that MTM must perform, and the QASP Audit Tracker (QASP) is used to monitor contract performance and compliance. We reviewed the May 2024 monthly FYTD QASP and noted the following opportunities for improvement:  • Completion – For the first 6 months of FY24, the QASP has not been maintained to fully document all the testing performed. Because documentation was not updated on the QASP, it appears that only 6 % of monthly and 41% of quarterly QASP have been tested and documented each month. See Appendix C.  • Building Maintenance (BM) – a BM QA resource has not been assigned to DR BM and related activities, therefore 0% (0 out of 11) QASP have been checked. Additionally, BM has not developed a BM QA Checklist.  • Vehicle Maintenance (VM) – VM has developed an independent monthly QA Checklist (see Appendix B) and assigned a resource. VM has completed their QA, but the test results have not been consolidated into the QASP. As a result, the QASP does not indicate that any VM tests were performed as 0% (0 out of 18) have been listed as completed for this fiscal year.  • Evidence – we noted that brief notes are recorded on the QASP Audit Tracker for steps performed, however, in general, evidence (e.g. pictures, Hexagon/Spare Reports, etc.) or links to review documentation are maintained is not recorded to support the compliance activities performed.  • Criteria & Ratings – clear ratings like Pass/Fail and criteria to achieve the rating have not been defined. Instead, the QASP Audit Tracker has three ratings (Good/Acceptable/Unsatisfactory) and the Vehicles QA Checklist has four ratings (Good/Acceptable/Unsatisfactory) and the Vehicles QA Checklist has four ratings (Good/Acceptable/Unsatisfactory) and the Vehi	The VP of Demand Response and Director of DR Operations & Contract Oversight should consider the following enhancements QASP Audit Tracker and contract compliance program:  a) Facilities Maintenance – work with executive management to see if a dedicated Facilities resource can be assigned and a Facilities QA Checklist can be developed that supports the QASP Audit Tracker  b) Vehicles Maintenance – work with Vehicles Maintenance to align their Vehicles QA Checklist with the QASP Audit Tracker From here ensure the vehicles section of the monthly FYTD QASP Audit Tracker is being properly completed and evidence (e.g. pictures, Hexagon/Spare Reports, etc.) is collected as needed.  c) Evidence – define which evidence (e.g. pictures, Hexagon/Spare Reports, etc.) should be reviewed/collected for each of the contract compliance steps in the QASP Audit Tracker and provide links to appropriate file locations  d) Criteria & Ratings – simplify, define and align the rating systems used in the QASP Audit Tracker, the Vehicles QA Checklist, and to be developed Facilities QA Checklist.	Target Completion Date: Jan 1st, 2025  Key Action:  Demand Response is working diligently on a Contract Monitoring Plan (CMP) that will replace the QASP for FY25 contract. This CMP will capture all contractor and internal CapMetro audits/deliverables for the contracted services. This plan will resolve each of the opportunities found from this audit related to the QASP.  Detailed Actions:  A. The Facilities Leadership is working assigning a resource to support Demand Response facilities. There will be a dedicated Facilities resource in place and an organized Facilities QA checklist that is reviewed Quarterly between DR & Facilities throughout the contract lifecycle.  B. Vehicle Maintenance has been completing their deliverables for the contract on time and documenting their findings in their own designated SharePoint location. Demand Response will ensure the Vehicle Maintenance Audits and other contract deliverables are effectively tracked within the FY25 Contract Monitoring Plan.  C. Any contract compliance items that require evidence will be properly documented by each department supporting the contract scope area and will be integrated back to Demand Response's FY25 Contract Monitoring Plan is developed with supporting departments, Demand Response will ensure proper criteria & ratings are defined based on the contract compliance requirements. These criteria & ratings are defined based on the contract compliance requirements. These criteria & rating systems specific to each compliance area will be represented in the FY25 Contract Monitoring Plan.
		1

Issues & Risk	Recommendation	Management Action Plan
2. Enhance Approval Process for PDC Exemption Requests  The PM is responsible for reviewing and approving the South base MTM's monthly invoice, which is more than \$2 million per month, approving any PDC exemptions which reduce the invoiced amount, and submitting the final invoice to Accounts Payable. DR does not have a process for PDC exemption approvals based on the PDC dollar amounts, PDC recurrence, or PDC duration.  We noted that MTM was assessed with a PDC in November 2023 for \$15,000 related to an unfilled key employee position. An exemption was requested and granted and the PDC was reversed in January 2024. The PDC was not assessed in December though the position was filled in December. The exemption was approved by the PM.  The current process allows the opportunity for inconsistent application and approval of PDC exemptions.	The VP of DR and the Director DR Ops & Contract Oversight develop an approval process to include  a) Establishing standardized criteria and threshold for approving PDC exemptions, with approval level increasing based on the dollar value of the exemption request. b) Establishing a process to document all PDC exemption requests, justifications and the final determination of the exemption.  Standardized criteria will help ensure that all exemptions are evaluated equally.	A. Demand Response does have a process for exception requests and an exception request form. DR will update this process to include thresholds for approval (based on dollar value). It will have a threshold for the Director to approve, and a threshold for the VP to approve.  B. Demand Response will ensure all exception requests, justifications, and determination
		documentation are effectively posted in SharePoint based on the month of the request.

Issues & Risk	Recommendation	Management Action Plan
3. Ensure Details of Invoices Are Double Checked by Second Employee  The Program Manager (PM) is responsible for checking all Invoices details, but there is no formal detailed review by a second employee and the monthly Invoices are \$2 million plus.  The PM is the only one who checks and documents the review of the Invoice, therefore, if the PM fails to identify mischarges, the Invoice will get processed and paid at the incorrect amount.	The Director Ops & Contract Oversight and the Program Manager, Paratransit Contracts should consider the following:  a) Ensure two employees within DR perform a detailed documented review and approval of each monthly MTM Invoice before submitting the invoice to Accounts Payable for payment.	Target Completion Date: Immediate  Demand Response will ensure after the Program Manager's review of the invoice that a DR QA also conducts a review to ensure the invoice is complete and accurate to the best of their knowledge.  In addition, before invoice is submitted to Accounts Payable (AP), Program Manager will submit invoice to DR Budget Analyst for review of financial dimensions and budget impacts. Once the invoice is submitted
		Once the invoice is submitted into Oracle, the DR Director, Contract Oversight will review
		the invoice and backup one last time in detail in a final attempt to mitigate any discrepancies.

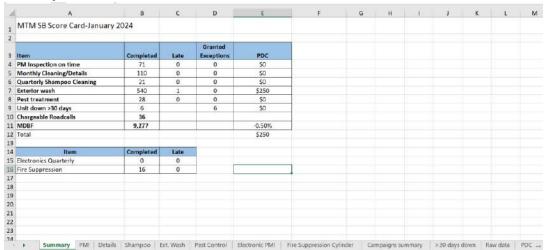
# **Appendices**

# Appendix A QASP Audit Tracker

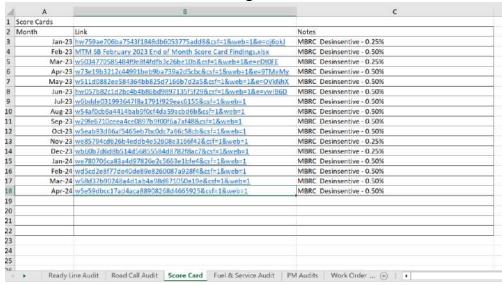
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# Appendix B - Vehicle Maintenance QA Review

# **Monthly Score Card**



# **Historical Score Card Results Tracking**



# Appendix C - QASP Metrics

Table 1: Metric Frequency by Responsible Area

Responsible	Metric Frequency										
Area	Monthly	Quarterly	Annually	As Needed	Other	Total					
Program Management	10	3	4	7	1	25					
DR Quality Assurance	6	10	-	1	-	17					
Vehicle Maintenance	9	-	-	5	14	13					
Building Maintenance	7	4	-	-	-	11					
Total	32	17	4	13	1	67					

Table 2: Metrics Completed for 2024 through 2 quarters of activity

Responsible Area		Mon	thly QA		Quarterly QA					
	QA metrics documented as completed	QA metrics per month	Potential monthly (QA X 6 months)	Percentage Completed	QA metrics documented as completed	QA metrics per month	Potential quarterly (QA X 2 quarters)	Percentage Completed		
Program Management	2	10	60	3.3%	1	3	6	16.7%		
DR Quality Assurance	10	6	36	27.8%	13	10	20	65%		
Vehicle Maintenance	0	9	54	0%	n/a	n/a	n/a	n/a		
Building Maintenance	0	7	42	0%	0	4	8	0%		
Total	12	32	192	6.25%	14	17	34	41%		

# Appendix D - MTM Invoice January 2024

### Capital Metro Invoice Review Service Provider MTM South 600013 Purchase Order 45012024 Invoice ID Service Period Jan-24 Remittance Addre 16 Hawk Ridge Drive Lake Address Line 2 Saint Louis, MO. 63367 Leave blank for AP Received Datesamp Fized & Para Line Desc Accounting Code Units **CMTA REVIEW** Rate Amount Paratransit Fixed Costs 510-620-5080325-031540 \$ 487,905.63 1.00 487,905.63 24,03,04 - RS REVIEWED 024.03.04 - RS REVIEWED Paratransit Hourly 510-620-5080325-031540 60.07 21.369.41 1,283,660.46 Para Charter / Special Event Set 510-620-5080325-031540 60.07 0.00 \$4,851,37 for Dec OTLL and -\$6,990 for Dec Missed d Paratransit PDCs 510-620-5080325-031540 See PDCs (28,556.37) Service Maintenance PDCs 510-620-5080325-031540 (5,322.50) 24.03.04 - RS REVIEWED See PDCs Other Service PDCs 510-620-5080325-031540 See PDCs (16,167.50) 24.03.04 - RS REVIEWED Not Used Not Used Not Used Not Used 0.00 PEPM Health and Wellness 510-620-5080325-031540 1,554.27 217.00 337,276.59 024.03.04 - RS REVIEWED \$ 2.058,796,31 \*\$71,815,30 Pickup Line Desc Accounting Code Rate Units Amount Pickup Hourly 510-615-5080411-031519 60.07 2.545.27 152,894.37 024.03.04 - RS REVIEWED Pickup Charter / Special Event \$ 510-615-5080411-031519 60.07 Pickup PDCs 510-615-5080411-031519 (907.00) 024.03.04 - RS REVIEWED Not Used Not Used Not Used Not Used Not Used 151.987.37 8 ATP Costs Rate Units **Accounting Code** Amount ATP Fixed Costs 510-920-5080411-177998-XPC230 024.03.04 - RS REVIEWED 024.03.04 - RS REVIEWED ATP Hourly Costs (Pickup) 510-920-5080411-177998-XPC2307 \$ 510-920-5080411-177998-XPC2307 60.07 1.740.30 104,539.82 ATP PDCs Not Used Not Used 104,539.82 COVID Para & Supplement Accounting Code Food Deliveries 510-620-5080325-031540-CDV2019 Cleaning Supplies 510-620-5080325-031540-CDV2019 Rate Units Amount Cleaning Supplies COVID Vehicle Cleanings 510-620-5080325-031540-COV2019 Vaccine PTO 510-620-5080325-031540-COV2019 Not Used Not Used Not Used Not Used Only enter into the below if charging against a budget line not represented above Misc Charges Desc Accounting Code Rate Units Amount (3,165.93) 18,089.05 Radio Maintenance 510-620-5030507-041519 Reconciling radio repairs, see chart on Unique Reimbursement tab Other Payment Requests 510-620-5080325-031540 18,089.05 4.03.06 - RS approving Holiday Overtime Delta reimbursement, New Years + MLK 510-620-5080325-031540 24.03.06 - RS Rejected billing for 700 series repairs, not enough information from MTM Other Payment Requests 34,364.88 Other Payment Requests 510-620-5080325-031540 15,000.00 15,000.00 <mark>24.03.08 - RS partial approval</mark> of exception request for Safety Key personnel Vacancy Not Used Not Used Not Used Not Used 29,923.12 **GRAND TOTAL** \$ 2,345,246.62

# Appendix E - Excerpt of January 2024 Invoice PDC Detail

