

OFFICE OF THE STATE AUDITOR

DIANA DIZOGLIO

Official Audit Report – Issued March 17, 2023

Pioneer Valley Transit Authority

For the period October 1, 2019 through September 30, 2021



OFFICE OF THE STATE AUDITOR

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March 17, 2023

Sandra Sheehan, Administrator
Pioneer Valley Transit Authority
55 Frank B. Murray Street
Springfield, MA 01103

Dear Ms. Sheehan:

I am pleased to provide this performance audit of the Pioneer Valley Transit Authority. This report details the audit objectives, scope, methodology, findings, and recommendations for the audit period, October 1, 2019 through September 30, 2021. My audit staff discussed the contents of this report with management of the agency, whose comments are reflected in this report.

I would also like to express my appreciation to the Pioneer Valley Transit Authority for the cooperation and assistance provided to my staff during the audit. This audit was conducted under the oversight of former State Auditor Suzanne M. Bump. However, Auditor DiZoglio is available to discuss the audit if there are any questions.

Sincerely,



Diana DiZoglio
Auditor of the Commonwealth

cc: Gina Fiandaca, Secretary of Transportation of the Massachusetts Department of Transportation
Douglas Slaughter, Advisory Board Chairman of the Pioneer Valley Transit Authority

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EXECUTIVE SUMMARY

In accordance with Section 12 of Chapter 11 of the Massachusetts General Laws, the Office of the State Auditor has conducted a performance audit of the Pioneer Valley Transit Authority (PVTA) for the period October 1, 2019 through September 30, 2021.

In this performance audit, we assessed whether PVTA delivered on-time paratransit services required by the Americans with Disabilities Act (ADA) in accordance with its *Paratransit Operating Procedures Manual*. We also examined PVTA's complaint resolution procedures to determine whether it responded to ADA paratransit complaints in accordance with ADA requirements and its policies.

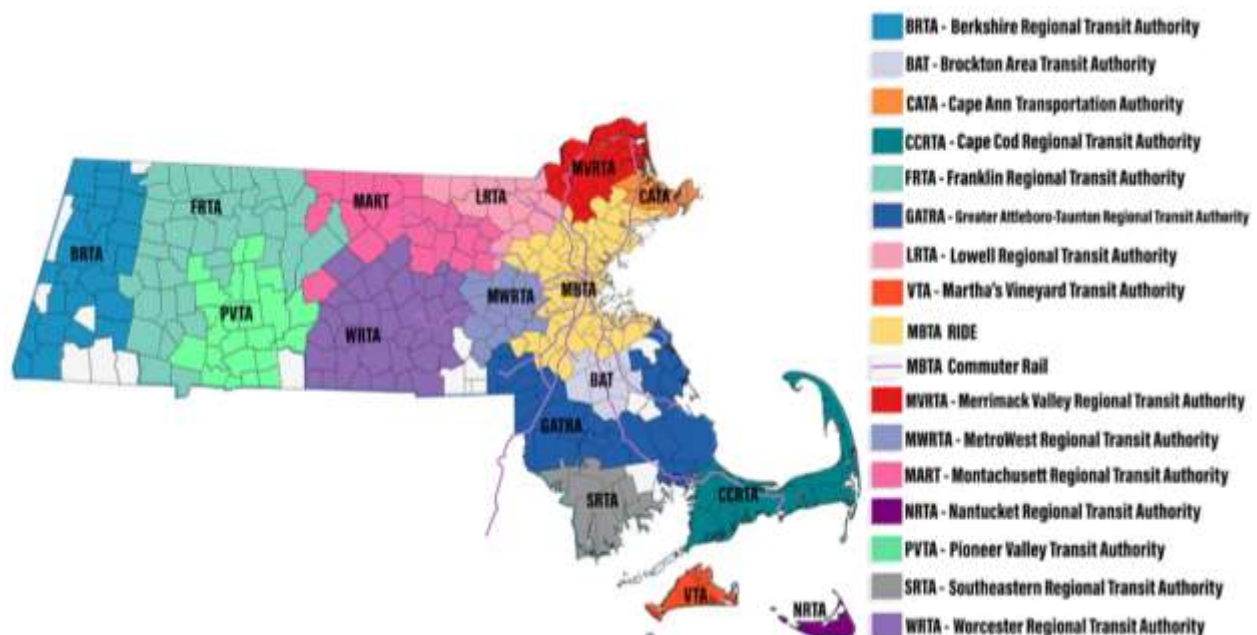
Our audit revealed no significant issues that must be reported under generally accepted auditing standards.

OVERVIEW OF AUDITED ENTITY

Massachusetts Regional Transit Authorities

Chapter 161B of the Massachusetts General Laws established regional transit authorities (RTAs) and defined the roles and responsibilities for these authorities, the municipalities in which they operate, and the Commonwealth. According to Chapter 161B of the General Laws, RTAs are controlled by the municipalities in which they operate. Each RTA is governed by an advisory board composed of elected officials in the community (e.g., city manager or mayor), as well as one representative of the disabled commuter population¹ and one representative of the local rider community. The advisory boards appoint administrators, establish bylaws, and approve budgets and changes to RTA services.

Section 53 of Chapter 6C of the General Laws makes the Rail and Transit Division of the Massachusetts Department of Transportation “responsible for overseeing, coordinating and planning all transit and rail matters throughout the commonwealth,” including intercity buses, the Massachusetts Bay Transportation Authority, and RTAs.



Source: Massachusetts Department of Transportation—Rail and Transit Division (<https://www.mass.gov/info-details/public-transportation-in-massachusetts>)

1. According to Section 5 of Chapter 161B of the General Laws, “This representative shall be mobility impaired, have a family member who is mobility impaired, be a caretaker of a person who is mobility impaired or work for an organization that serves the needs of the physically disabled.”

Currently, there is a network of 15 RTAs operating in the Commonwealth, in addition to the transit services provided by the Massachusetts Bay Transportation Authority. These RTAs serve a total of 272 cities and towns outside the greater Boston area. RTAs are funded through a combination of state appropriations, federal grants, local governments, transit fares, and other sources. State appropriations for the 15 RTAs increased from approximately \$80 million in fiscal year 2018 to approximately \$94 million in fiscal years 2021 and 2022.

Americans with Disabilities Act—Required Paratransit Services

The Americans with Disabilities Act (ADA) of 1990 recognized that some individuals' disabilities prevent them from using a fixed-route transit system. Section 37(F) of Title 49 of the Code of Federal Regulations, which covers the transportation and related stipulations of ADA, states,

Each public entity operating a fixed route system shall provide paratransit or other special service to individuals with disabilities that is comparable to the level of service provided to individuals without disabilities who use the fixed route system.

The above regulation also establishes minimum levels of service that RTAs must provide for complementary paratransit services.

Pioneer Valley Transit Authority

The Pioneer Valley Transit Authority (PVTa) was established in 1974 and reports to the Rail and Transit Division of the Massachusetts Department of Transportation under Chapter 25 of the Acts of 2009. According to PVTa's website, it "is committed to providing the highest quality of convenient and accessible public transportation service that meets the needs of our customers in an efficient, cost effective manner." PVTa's operations are overseen by an advisory board. PVTa's administrator, hired by the advisory board, is responsible for the day-to-day administration of the agency.

During our audit period, PVTa contracted with two private operating companies to provide fixed-route transportation services:² DRG Management, Inc., which owns two subsidiaries (Springfield Area Transit Company and Valley Area Transit Company), and University of Massachusetts Transit.

2. Fixed-route transportation services have established routes, schedules, and stops.

Additionally, PVTA provides ADA-required paratransit and demand response transportation services³ for individuals who cannot use PVTA's fixed-route bus services. During our audit period, PVTA contracted with two private operating companies—National Express Transit Corporation, from October 1, 2019 through June 30, 2021, and MV Transportation, from July 1, 2021 through September 30, 2021—to provide ADA-required paratransit and demand response transportation services. The operating companies' responsibilities include scheduling trips as close to the riders' requested times as possible, preparing the daily schedules for the vehicles' drivers, and making any necessary adjustments to trips. PVTA oversees the operating companies and manages ADA-required paratransit and demand response service rider eligibility at its administrative offices. PVTA managed all ADA-required paratransit and demand response services provided during the audit period using a transit software called ADEPT.⁴

ADA Paratransit Complaints

ADA paratransit complaints are complaints related to ADA-required paratransit services. According to Section 27.13 of Title 49 of the Code of Federal Regulations, transportation programs that receive federal funding must adopt complaint procedures and designate a responsible employee to coordinate these procedures.

A customer service representative (at PVTA or the contracted paratransit provider) inputs ADA paratransit complaints (received in-person, by phone or email, or by completing a complaint form online) from paratransit riders or the general public into PVTA's complaint management system (the Feedback System). It is the responsibility of the contracted paratransit provider to investigate the complaint and determine whether the complaint warrants further action. The operating company reports the investigation results to PVTA's customer service manager and documents the results in the Feedback System. Complainants have the option to appeal a determination within 30 days if they do not agree with the resolution.

PVTA Paratransit Ridership Information

During the 2019 coronavirus pandemic, PVTA's ridership and number of drivers decreased substantially. The table below summarizes PVTA's paratransit information for fiscal years 2019, 2020, and 2021.

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3. Demand response transportation services do not have fixed routes, schedules, or stops. They must be requested by riders and scheduled by dispatchers through a transportation service.
 4. ADEPT is an industry demand response software developed by StrataGen that facilitates scheduling and dispatching paratransit and on-demand transportation.
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	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021
Number of Unique Riders	1,896	1,677	945
Number of Trips	253,105	196,606	109,449
Number of Miles	2,626,645	2,095,653	1,252,761
Number of Drivers	113	121	69
Number of Vehicles Used	102	93	71

PVTA Funding Sources

In fiscal years 2019, 2020, and 2021, PVTA received revenue from a variety of sources, including fares and federal, state, and local assistance. State assistance was the largest source, followed by local assistance and federal assistance. The table below shows the types of funding PVTA received during fiscal years 2019, 2020, and 2021.

Type of Funding	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021
State Assistance	\$ 25,233,938	\$ 25,483,838	\$ 25,962,099
Local Assistance	8,947,886	9,171,583	9,400,873
Federal Assistance	6,283,734	7,055,374	7,607,847
Fixed-Route Income	6,713,061	5,090,852	3,002,979
Paratransit Income	794,068	586,382	276,208
Other Operating Assistance*	803,396	510,297	538,010
Other Income**	577,822	621,613	486,641
Shuttle Service Income	19,539	12,259	10,748
Total	<u>\$ 49,373,444</u>	<u>\$ 48,532,198</u>	<u>\$ 47,285,405</u>

* Other operating assistance is from grants and contracts for specific services.

** Other income is from advertising, miscellaneous sources, and interest.

AUDIT OBJECTIVES, SCOPE, AND METHODOLOGY

In accordance with Section 12 of Chapter 11 of the Massachusetts General Laws, the Office of the State Auditor has conducted a performance audit of certain activities of the Pioneer Valley Transit Authority (PVTa) for the period October 1, 2019 through September 30, 2021.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those 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 objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Below is a list of our audit objectives, indicating each question we intended our audit to answer and the conclusion we reached regarding each objective.

Objective	Conclusion
1. Does PVTa deliver the paratransit services required by the Americans with Disabilities Act (ADA) on time in accordance with Section B of the Performance Standards section of PVTa's <i>Paratransit Operating Procedures Manual</i> ?	Yes
2. Does PVTa resolve all ADA paratransit complaints according to PVTa's "American with Disabilities Act (ADA) Concern/Complaint Policy & Resolution Procedures" on its website?	Yes

To achieve our audit objectives, we gained an understanding of PVTa's internal control environment related to the objectives by reviewing applicable agency policies and procedures, as well as conducting inquiries with PVTa's employees and management. We evaluated the design of controls over ADA-required paratransit services and ADA paratransit complaints.

We performed the following procedures to obtain sufficient, appropriate audit evidence to address the audit objectives.

On-Time Performance

- To determine whether PVTa delivered ADA-required paratransit services on time in accordance with Section B of the Performance Standards section of PVTa's *Paratransit Operating Procedures Manual*, we first analyzed 100% of the trips conducted during the audit period. Our population

consisted of 195,746 total trips, with 172,676 trips conducted by National Express Transit and 23,070 trips conducted by MV Transportation.

- We then separated the population of trips into 24 months and divided them into groups by the two paratransit contractors. One group consisted of the first 21 months of the audit period, in which the National Express Transit Corporation was PVRTA's contractor, and another group consisted of the last 3 months of the audit period, in which MV Transportation was PVRTA's contractor. We selected a random, nonstatistical sample of 10 months, comprising 7 randomly selected months from the National Express Transit Corporation group and all 3 months from the MV Transportation group.
- To determine whether PVRTA accurately calculated and identified trips with riders who were picked up late, using the data we extracted from ADEPT, we calculated the percentage of late trips for each day during the sampled months and compared the results to PVRTA's ADA On-Time Performance Reports. We then reviewed the contracts between PVRTA and each contractor to verify that the percentage of late trips was acceptable according to contract requirements.

ADA Paratransit Complaints

To determine whether PVRTA resolved all ADA paratransit complaints from riders in accordance with the "American with Disabilities Act (ADA) Concern/Complaint Policy & Resolution Procedures" on its website, we stratified our population of 63 ADA paratransit complaints submitted during the audit period into two strata. Stratum one consisted of the 50 complaints where the investigation was completed within five calendar days. Stratum two consisted of the 13 complaints where the investigation was completed after more than five calendar days. We selected a random, nonstatistical sample of 10 complaints from stratum one and all 13 complaints from stratum two.

- For our sample from stratum one, to determine whether PVRTA investigated and resolved these complaints in accordance with its policy, we reviewed each complaint in PVRTA's Feedback System to determine whether PVRTA sent an acknowledgement letter to the complainant and whether the investigation was completed and reported back to PVRTA's customer service manager within five calendar days.
- For stratum two, we reviewed the information in PVRTA's Feedback System to determine whether there were documented reasons that these complaints were not resolved within the required timeframe.
- For all 23 complaints in our sample, we also determined whether PVRTA sent decision letters to the complainants within seven calendar days and whether remedial actions were recommended for the complaints.

When using nonstatistical sampling, we could not project the results to the entire population.

Data Reliability

To determine the reliability of the data in ADEPT, we verified selected information system controls (access controls, security management, configuration management, contingency planning, and segregation of duties). We conducted interviews with PVRTA officials who had knowledge about the data and verified the completeness and accuracy of the ADEPT ADA-required paratransit trip data by testing the data for missing and duplicate records, as well as records outside of the audit period. We compared the ADA-required paratransit service rides conducted during the audit period to the complete list of PVRTA-approved ADA-required paratransit riders to determine whether all rides were provided to approved riders. We traced the ADA-required paratransit applications to the list of PVRTA-approved ADA-required paratransit riders and then traced from the list of PVRTA-approved ADA-required paratransit riders to the ADA-required paratransit services applications. We analyzed a sample of 20 routes for a specific day and filtered and sorted by time of day to determine logical progression. We also compared the number of trips to the number of trips in the performance reports compiled by PVRTA to assess contractor penalties. To determine whether PVRTA calculated a 20-minute pickup window, we tested the application controls.

To determine the reliability of the data in PVRTA's Feedback System, we verified selected information system controls (access controls, security management, configuration management, contingency planning, and segregation of duties). We also verified the completeness and accuracy of the complaint data by testing the data for missing and duplicate records, as well as records outside the audit period. We tested the complaint data from PVRTA's Feedback System for gaps in the case identification numbers and followed up on instances of inconsistencies in the numbering to verify that there were no deleted complaints.

As a result of these procedures, we found the data were sufficiently reliable for the purpose of our audit objectives.

Conclusion

Our audit revealed no significant instances of noncompliance that must be reported under generally accepted government auditing standards.