



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

REGION VI  
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Texas

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April 18, 2012

Mr. Gilbert Andrew Garcia  
Chairman of the Board  
Metropolitan Transit Authority of Harris County  
1900 Main Street  
P.O. Box 61429  
Houston, Texas 77208-1429

Re: FTA FY 2012 Triennial Review Final Report

Dear Mr. Garcia:

Enclosed is a copy of the final report of the Federal Transit Administration's (FTA) Triennial Review of the Metropolitan Transit Authority of Harris County (METRO), as required by 49 USC 5307(i). Although less exacting than an audit, the Triennial Review is the FTA's assessment of grantee compliance with the Federal requirements determined by the examination of grant management practices and program implementation. As such, the Triennial Review is not intended as, nor does it constitute a comprehensive and final review of compliance with grant requirements.

The report documents the 24 areas that were reviewed. No deficiencies were found with the FTA requirements in the 24 areas. METRO is to be commended for its fine performance during this Triennial Review.

Please convey our sincere appreciation to the METRO staff for their assistance and cooperation to the FTA review team. If you have any questions or comments, please contact Ms. Cheryle Tyson, Regional Engineer, at (817) 978-0568, or [cheryle.tyson@dot.gov](mailto:cheryle.tyson@dot.gov).

Sincerely,

Robert C. Patrick  
Regional Administrator

Enclosure

cc w/enclosure: George Greanias, President & CEO, Metro

***FINAL REPORT***

**FY2012 TRIENNIAL REVIEW**

of the

**Metropolitan Transit Authority of Harris County  
(METRO)  
Houston, Texas**

**Recipient ID: 1547**

**Desk Review: October 26, 2011  
Site Visit: April 10 – 12, 2012**

**April 2012**

**Prepared for the  
Federal Transit Administration  
Region VI  
Fort Worth, Texas**

by

**Advanced Systems Technology and Management, Inc.**

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## **I. TRIENNIAL REVIEW BACKGROUND**

The United States Code, chapter 53 of title 49, requires the Federal Transit Administration (FTA) of the United States Department of Transportation (USDOT) to perform reviews and evaluations of Urbanized Area Formula Grant activities at least every three years. This requirement is contained in 49 U.S.C. 5307(i).

1. At least once every three years, the Secretary shall review and evaluate completely the performance of a recipient in carrying out the recipient's program, specifically referring to compliance with statutory and administrative requirements and the extent to which actual program activities are consistent with the activities proposed under subsection (d) of this section and the planning process required under sections 5303-5306 of this title.
2. The Secretary may take appropriate action consistent with the review, audit and evaluation under this subsection, including making an appropriate adjustment in the amount of a grant or withdrawing the grant.

The Triennial Review includes a review of the grantee's compliance in 24 areas. The basic requirements for each of these areas are summarized below.

This report presents the findings from the Triennial Review of the Metropolitan Transit Authority of Harris County (METRO) Houston, Texas. This review was performed in accordance with FTA procedures (published in FTA Order 9010.1B, April 5, 1993) and included preliminary reviews of documents on file at the Region 6 Office in Fort Worth, TX and on-site discussions and review of the procedures, practices, and records of METRO as deemed necessary. The review concentrated primarily on procedures and practices employed during the past three years; however, coverage was extended to earlier periods as needed to assess the policies in place and the management of grants. During the site visit, administrative and statutory requirements were discussed, documents were reviewed, and facilities were toured. Specific documents examined during the Triennial Review are available in FTA's and METRO's files.

## **II. REVIEW PROCESS**

The desk review was conducted in the Region VI Office on October 26, 2011. Following the desk review, a review package was sent to METRO advising it of the site visit and indicating additional information that would be needed and issues that would be discussed.

The site visit to METRO in Houston, Texas occurred on April 10 – 12, 2012. The individuals participating in the review are listed in Section VII of this report.

At the entrance conference, the purpose of the Triennial Review and the review process were discussed. During the site visit, administrative and statutory requirements were discussed and documents were reviewed. METRO's transit facilities were toured to provide an overview

of activities related to FTA-funded projects. A sample of maintenance records for FTA-funded vehicles, facilities and equipment were examined during the site visit.

Upon completion of the review, an exit conference was held with METRO staff to discuss findings, corrective actions, and schedules. This information is summarized in the table in Section V of this report. A draft copy of this report was provided to METRO at the exit conference.

### **III. DESCRIPTION OF THE GRANTEE**

METRO provides transit service in the communities of the Cities of Houston, Bellaire, Bunker Hill Village, El Lago, Hedwig Village, Hilshire Village, Humble, Hunters Creek Village, Katy, Missouri City, Piney Point Village, Southside Place, Spring Valley, Taylor Lake Village, West University Place and certain portions of unincorporated Harris County. The population of its service area is approximately 3,527,625. METRO is an independent regional transit authority pursuant to the provisions of Article 1118x of the Texas Revised Civil Statutes. Its enabling legislation has been recodified as Chapter 451.1.1 Texas Transportation Code. METRO began service in 1979.

METRO provides bus, light rail, paratransit, and van pool services. METRO operates bus services from six operations/maintenance locations of which five are directly operated by METRO. The sixth, Northwest BOF, is contracted out to First Transit, Inc. METRO directly operates its light rail line, and completely contracts out its paratransit service. This service is provided by five operators. Two operators, MV Transportation and Greater Houston Transportation Company (Yellow Cab), provide scheduled vehicles for the ADA complementary paratransit service (METROLift). In addition to Yellow Cab, three other taxi cab companies; United Cab Company, Fiesta Cab Company and Liberty Cab Company, also operate on-demand paratransit service. This on-demand service is a supplemental service for the complementary ADA paratransit service or a separate non-ADA required service that provides same day on-demand through a voucher system implemented by METRO. This voucher service is known as METROLift Subsidy Program (MSP).

Currently, METRO operates a network of 102 weekday, 43 Saturday, and 33 Sunday fixed routes. Service is provided weekdays from 3:41 a.m. to 1:05 a.m. (next day). Weekend service is operated on Saturday from 4:19 a.m. to 12:59 a.m. and Sunday from 4:18 a.m. to 1:06 a.m. The ADA complementary paratransit service operates from 1:00 a.m. to midnight, seven days a week. The METROLift Subsidy Program (MSP) service is available before and after the hours listed above for those who require late night and early morning service.

The basic adult fare for bus service is \$1.25. A reduced fare of \$0.60 is offered at all times for senior citizens, persons with disabilities, Medicare card holders, and students. Children below 5 years and seniors aged 70 and older with a 70+ Lifetime Pass ride for free. METRO offers a rider discount through its METRO Q Fare Card pass program of five free rides for every 50 paid. The fare for the complementary paratransit service is \$1.15. The MSP service is jointly funded by METRO and the passenger. The passenger pays the first \$1 and METRO pays up to the next \$8.00 of the meter fare. The passenger pays any fare amount over \$9.00.

METRO's National Transit Database Report for FY2011 provided the following financial and operating statistics for its fixed-route and paratransit service:

	<b>Fixed-Route Service - DO</b>	<b>Fixed-Route Service -PT</b>	<b>Paratransit Service</b>	<b>Light Rail Service</b>
Unlinked Passengers	53,406,213	12,995,479	1,471,628	10,618,061
Revenue Hours	2,268,395	580,559	859,171	74,235
Operating Expenses	\$280,168,281	\$48,719,454	\$36,809,795	\$17,500,396

Over the past three years, METRO has completed the following procurements/projects:

- METRO replaced 118 METRO Lift vans.
- 223 new buses were put into fixed route service during the review period (2009-2011).
- Completed University rail line DEIS/FEIS with a ROD in July 2010.
- CAF was selected to produce the rail cars for the new rail lines.
- A new contract was entered into for purchase of 19 Siemens rail cars.

On-going projects at METRO include:

- North, Southeast and East rail lines continued utility and road construction, land purchase and design. A FFGA was signed for the North and SE lines. All are under construction.
- Brazoria Park & Ride and El Dorado Park & Ride will move forward with design and construction.
- A State of Good Repair Asset Management System will be completed.
- 19 Siemens and 39 CAF light rail cars will be delivered .
- HOT Lanes will be operational on five corridors.
- 100 buses per year will be delivered and put into revenue service.
- Annual bus shelter installations.
- Complete Kashmere and Hiram Clarke Bus Operating Facility rehabilitation projects (SGR grant).

Projects that METRO has planned for the next three to five years include:

- A new Park & Ride at Missouri City.
- Continue Federal Project development of University and US 90A rail lines. Advance US 90A through receipt of ROD entry into Final Design and commitment of Federal dollars. Advance University into Final design and commitment of Federal dollars.
- TMC/ Palm, Tidwell, and Westheimer Quickline signature bus route improvements will continue to coincide with scheduled operation of new rail service.

- New South Freeway, Town & Country and Willowbrook Transit Center projects will be initiated and North Line Transit Center completed.
- LRT truck overhaul program will be initiated.
- Replacement of 118 METROLift vans will be initiated.
- Replacement of hybrid bus batteries, as necessary, will be initiated.
- Development of SOGR Program will continue.

METRO was awarded ARRA grant, TX-96-X017. Projects funded by that grant include:

- Acquire light rail cars for expanded service on the Main Street (Red) light rail line.
- Purchase/Install approximately 99 bus shelters within METRO's service area.
- High Occupancy Toll (HOT) lane project engineering/design, construction/equipment installation.
- Construction management and project management.

METRO also has a fixed guideway ARRA grant, TX-56-0002. This grant is specifically for Main Street LRT improvements which included the following projects:

- Communications system improvements.
- Bar signal overrun system rehabilitation.
- Project administration for the Main Street Light Rail Line System.

#### **IV. RESULTS OF THE REVIEW**

The Triennial Review focused on METRO's compliance in 24 areas. This section provides a discussion of the basic requirements and findings in each area. No deficiencies were found with the FTA requirements in the 24 areas.

##### **1. Legal**

Basic Requirement: The grantee must be eligible and authorized under state and local law to request, receive, and dispense FTA funds and to execute and administer FTA funded projects. The authority to take actions and responsibility on behalf of the grantee must be properly delegated and executed.

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

##### **2. Financial**

Basic Requirement: The grantee must demonstrate the ability to match and manage FTA grant funds, cover cost increases and operating deficits, financially maintain and operate FTA funded facilities and equipment, and conduct and respond to applicable audits.

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

### **3. Technical**

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

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

### **4. Satisfactory Continuing Control**

Basic Requirement: The grantee must maintain control over real property, facilities, and equipment and ensure that they are used in transit service.

Finding: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for Satisfactory Continuing Control.

### **5. Maintenance**

Basic Requirement: Grantees and their subrecipients must keep Federally funded equipment and facilities in good operating order and maintain ADA accessibility features.

Findings: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for Maintenance.

### **6. Procurement**

Basic Requirement: FTA grantees use their own procurement procedures that reflect applicable state and local laws and regulations, provided that the process ensures competitive procurement and the procedures conform to applicable Federal law, including 49 CFR Part 18 (specifically Section 18.36) and FTA Circular 4220.1F, “Third Party Contracting Guidance.”

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

### **7. Disadvantaged Business Enterprise (DBE)**

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



Finding: During this Triennial Review of METRO, no deficiencies were found with the USDOT requirements for DBE.

## **8. Buy America**

Basic Requirement: Federal funds may not be obligated unless steel, iron, and manufactured products used in FTA funded projects are produced in the United States. Grantees must conduct pre-award and post-delivery audits of purchases of revenue rolling stock in order to verify that Buy America provisions, Federal Motor Vehicle Safety Standards, and purchaser's requirements are met.

Finding: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for Buy America.

## **9. Debarment and Suspension**

Basic Requirement: Debarment and suspension are tools used to protect the public from fraud, waste, and abuse in Federal transactions. Grantees and subgrantees must not make any award or permit any award (subgrant or contract) at any tier to any party that is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs

Finding: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for Debarment and Suspension.

## **10. Lobbying**

Basic Requirement: Recipients of Federal grants and contracts exceeding \$100,000 must certify compliance with Restrictions on Lobbying before they can receive funds.

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

## **11. Planning/Program of Projects**

Basic Requirement: The grantee must participate in the transportation planning process in accordance with FTA requirements, SAFETEA-LU, and the metropolitan and statewide planning regulations.

Grantees must develop and/or participate in a locally developed, coordinated public transit-human services transportation plan that identifies the transportation needs of individuals with disabilities, older adults, and people with low incomes, provides strategies for meeting those local needs, and prioritizes transportation services for funding and implementation.

Each recipient of a Section 5307 grant shall have complied with the public participation requirements of Section 5307(c)(1) through (7). Each grantee is required to develop, publish, afford an opportunity for a public hearing on, and submit for approval a Program of Projects (POP).

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

## **12. Title VI**

Basic Requirement: The grantee must ensure that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participating in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance. The grantee must ensure that Federally supported transit services and related benefits are distributed in an equitable manner.

Finding: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for Title VI.

## **13. Public Comment on Fare and Service Changes**

Basic Requirement: Section 5307 grantees are expected to have a written locally developed process for soliciting and considering public comment before raising a fare or carrying out a major transportation service reduction.

Finding: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for Fare Increases and Service Reductions.

## **14. Half Fare**

Basic Requirement: During non-peak hours for fixed route service supported with Section 5307 assistance, fares charged elderly persons, persons with disabilities or an individual presenting a Medicare card will not be more than half the peak hour fare.

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

## **15. ADA**

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

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

## **16. Charter Bus**

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

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

## **17. School Bus**

Basic Requirement: Grantees are prohibited from providing exclusive school bus service unless the service qualifies and is approved by the FTA Administrator under an allowable exemption. Federally funded equipment or facilities cannot be used to provide exclusive school bus service. School tripper service that operates and looks like all other regular service is allowed.

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

## **18. National Transit Database (NTD)**

Basic Requirement: Grantees that receive 5307 and 5311 grant funds must collect, record, and report financial and non-financial data in accordance with the Uniform System of Accounts (USOA) and the *National Transit Database (NTD) Reporting Manual* as required by 49 USC 5335(a).

Finding: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for National Transit Database.

## **19. Safety and Security**

Basic Requirement: Under the safety authority provisions of the Federal transit laws, the Secretary has the authority to investigate the operations of the grantee for any conditions that appear to create a serious hazard of death or injury, especially to patrons of the transit service.

As recipients of Urbanized Area Formula Grant Program funds, grantees must annually certify that they are spending at least one percent of such funds for transit security projects or that such expenditures for security systems are not necessary.

FTA and the Department of Homeland Security's (DHS) Transportation Security Administration (TSA) have developed a list of 17 Security and Emergency Management Action Items for Transit Agencies. The action items aim to elevate security readiness throughout the public transportation industry by establishing baseline measures that transit agencies should employ.

The goal of FTA's Safety and Security Program is to achieve the highest practical level of safety and security in all modes of transit. To this end, FTA continuously promotes the awareness of safety and security throughout the transit community by establishing programs to collect and disseminate information on safety/security concepts and practices. In addition, FTA develops guidelines that transit systems can apply in the design of their procedures and by which to compare local actions. Many of the questions in this review area are designed to determine what efforts grantees have made to develop and implement safety, security, and emergency management plans. While there may not be specific requirements associated with all of the questions, grantees are encouraged to implement the plans, procedures, and programs referenced in these questions. For this reason, findings in this area will most often result in advisory comments rather than deficiencies.

Finding: A summary, of METRO's expenditures of Section 5307 funds for security projects, is provided in Section VI of this report.

During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for Safety and Security.

## **20. Drug-Free Workplace**

Basic Requirement: FTA grantees are required to maintain a drug-free workplace for all employees and to have an ongoing drug-free awareness program.

Finding: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for Drug-free Workplace.

## **21. Drug and Alcohol Program**

Basic Requirement: Grantees receiving Urbanized Area Formula Program (Section 5307), Non-Urbanized Area Formula Program (Section 5311), or Capital Investment Program (Section 5309) funds must have a drug and alcohol testing program in place for all safety-sensitive employees.

Finding: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for the Drug and Alcohol Program.

## **22. Equal Employment Opportunity (EEO)**

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

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

## **23. ITS Architecture**

Basic Requirement: Intelligent Transportation Systems (ITS) projects funded by the Highway Trust Fund and the Mass Transit Account must conform to the National ITS Architecture, as well as to United States Department of Transportation adopted ITS Standards.

Finding: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for ITS Architecture.

## **24. American Recovery and Reinvestment Act (ARRA)**

Basic Requirement: Grantees must have the legal, financial and technical capacity to carry out the proposed program of projects and meet the additional reporting requirements for its ARRA-funded grant activities.

METRO was awarded ARRA grant, TX-96-X017. Projects funded by that grant include:

- Acquire light rail cars for expanded service on the Main Street (Red) light rail line.
- Purchase/Install approximately 99 bus shelters within METRO's service area.
- High Occupancy Toll (HOT) lane project engineering/design, construction/equipment installation.
- Construction management and project management.

METRO also has a fixed guideway ARRA grant, TX-56-0002. This grant is specifically for Main Street LRT improvements which included the following projects:

- Communications system improvements.
- Bar signal overrun system rehabilitation.
- Project administration for the Main Street Light Rail Line System.

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

## V. SUMMARY OF FINDINGS AND CORRECTIVE ACTIONS

Review Area	Finding	Deficiency	Corrective Action	Response Date	Date Closed
1. Legal	ND				
2. Financial	ND				
3. Technical	ND				
4. Satisfactory Continuing Control	ND				
5. Maintenance	ND				
6. Procurement	ND				
7. Disadvantaged Business Enterprise	ND				
8. Buy America	ND				
9. Debarment and Suspension	ND				
10. Lobbying	ND				
11. Planning/POP	ND				
12. Title VI	ND				
13. Public Comment on Fare and Service Changes	ND				
14. Half Fare	ND				
15. ADA	ND				
16. Charter Bus	ND				
17. School Bus	ND				
18. National Transit Database	ND				
19. Safety and Security	ND				
20. Drug-Free Workplace	ND				
21. Drug and Alcohol Program	ND				
22. Equal Employment Opportunity	ND				
23. ITS Architecture	ND				
24. ARRA	ND				

Findings: ND = No Deficiencies; D = Deficient; AC = Advisory Comment; NA = Not Applicable

## VI. TRANSIT SECURITY EXPENDITURES

Does the grantee expend one percent or more of its Section 5307 Urbanized Area Formula Grant funds for transit security?

FY2009:	Yes:		No:	X
FY2010:	Yes:		No:	X
FY2011:	Yes:		No:	X

If no, why does the grantee consider such expenditure unnecessary (check all that apply):

	No deficiency found from a threat and vulnerability assessment
	TSA/FTA Security and Emergency Management Action Items met or exceeded
X	Other (please describe): METRO's in-house security (police) force greater than 1% of Section 5307. The police are funded with local sales tax dollars.

Security Funding	FTA Section 5307 Funds		
	FY 2009	FY 2010	FY 2011
Total amount of 5307 funds expended	\$ 73,027,000	\$ 69,890,661	\$ 123,054,238
Amount of 5307 funds expended on security	\$ 0	\$ 0	\$ 0
Percent of 5307 funds expended on security	0%	0%	0%
<b>Infrastructure/Capital Improvement Security Projects:</b>			
Lighting, fencing & perimeter control	\$ 139,134	\$ 137,543	\$ 0
CCTV and surveillance technology	\$ 5,447	\$ 0	\$ 0
Communications systems	\$ 291,211	\$ 1,848	\$ 0
Security planning	\$ 239,462	\$ 0	\$ 0
Drills & tabletop exercises	\$ 0	\$ 0	\$ 0
Employee security training	\$ 0	\$ 561	\$ 0
Other security-related infrastructure & capital improvements (please list)	\$ 1,686,029	\$ 2,313,507	\$ 4,632,579
<b>Operating/Personnel Expenditures (for agencies in areas with populations under 200,000):</b>			
Contracted security force			
In-house security force	\$ 20,549,791	\$ 18,035,370	\$ 18,123,520
Other security-related operating expenditures (please list)			

## VII. ATTENDEES

Name	Title/Organization	Phone Number	E-mail Address
<b>METRO</b>			
George Greanias	President & CEO	713.739.4899	george.greanias@ridemetro.org
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