



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

REGION IX
Arizona, California,
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American Samoa,
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July 17, 2026

The Honorable Martha R. McQueen-Legohn
Mayor, City of Port Hueneme
Chair, Ventura County Transportation Commission
250 N Ventura Rd
Port Hueneme, CA 93041

Attn: Martin R. Erickson, Executive Director

Re: FY 2026 Triennial Review Final Report

Dear Mayor McQueen-Legohn:

I am pleased to provide you with a copy of this Federal Transit Administration (FTA) Final Report which documents the results of FTA's Fiscal Year (FY) 2026 Triennial Review of the recipient, Ventura County Transportation Commission (VCTC), in Camarillo, California. Although not an audit, this Triennial Review is FTA's review and evaluation of the recipient's compliance with federal requirements, determined by examining award management and program implementation practices. As such, this review is not a comprehensive and final review of compliance with program funding requirements. The FTA may engage in further compliance reviews, audits, or evaluations appropriate to determine the recipient's compliance with federal law and the terms and conditions of its funding agreements.

The review focused on VCTC's compliance in up to 21 areas.

Deficiencies were found in one (1) area:

9. Procurement

The VCTC had one (1) repeat deficiency from the FY 2023 Triennial Review in the area of Procurement.

This report contains proposed corrective actions that, if implemented within the provided timeframes, will resolve FTA's finding of non-compliance. Failure to implement the corrective actions within the stated timeframes may result in remedial measures including, possibly, an adjustment to the amount of an FTA-funded grant or the withdrawal of such grant.

Thanks to the staff of VCTC for their cooperation and assistance during this Triennial Review. If you have any questions, please contact your award manager, Luis Lopez, General Engineer, at 213-629-8615 or l.lopez@dot.gov.

Sincerely,

For Ray Tellis
Regional Administrator

Attachment

FINAL REPORT

**FISCAL YEAR 2026
TRIENNIAL REVIEW**

Of

**Ventura County Transportation Commission
VCTC
Camarillo, CA
Recipient ID 5579**

Performed for:

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION
REGION 9**

Prepared By:

Tuba Group, Inc.

Desk Review/Scoping Meeting: March 30, 2026

Site Visit Entrance Conference: May 4, 2026

Virtual Exit Conference: May 12, 2026

Draft Report: June 11, 2026

Final Report: July 17, 2026

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I. Executive Summary

This report documents the Federal Transit Administration's (FTA) Triennial Review of the Ventura County Transportation Commission (VCTC) of Camarillo, California. The FTA wants to ensure that awards are administered in accordance with the requirements of federal public transportation law at [Title 49 U.S.C. Chapter 53](#). The review was performed by Tuba Group, Inc. (contractor/reviewer). During the site visit, the reviewers discussed the administrative and statutory requirements and reviewed recipient documents.

1. Metric

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

- Not Deficient (ND): An area is considered not deficient if, during the review, nothing came to light that would indicate the requirements within the area reviewed were not met.
- Deficient (D): An area is considered deficient if any of the requirements within the area reviewed were not met.
- Not Applicable (NA): An area can be deemed not applicable if, after an initial assessment, the recipient does not conduct activities for which the requirements of the respective area would be applicable.

2. Summary of Findings

The Fiscal Year (FY) 2026 Triennial Review focused on VCTC's compliance in up to 21 areas. Deficiencies related to the COVID-19 Relief funds have been clearly identified as part of the deficiency description in the respective review area.

There was one (1) repeat deficiency from the FY 2023 Triennial Review in the area of 9. Procurement.

Deficiencies were found in the areas identified in the table below. The details of the required response – the corrective action(s) – are presented at the end of each deficient review area in the body of this report.

Review Area	Finding	Deficiency		Response Due Date	Date Closed
		Code	Description		
1. Legal	ND				
2. Financial Management and Capacity	ND				
3. Technical Capacity – Award Management	ND				
4. Technical Capacity – Program Management and Subrecipient Oversight	ND				
5. Technical Capacity – Project Management	ND				
6. Transit Asset Management	ND				
7. Satisfactory Continuing Control	ND				
8. Maintenance	ND				
9. Procurement	D	P11-1*	Missing FTA clauses	10/14/2026	
	D	P19-1	Deficiency with bus model testing requirements	10/14/2026	
10. [Reserved]	NA				
11. Title VI	ND				
12. Americans with Disabilities Act (ADA) – General	ND				
13. ADA – Complementary Paratransit	ND				
14. [Reserved]	NA				
15. School Bus	ND				
16. Charter Bus	ND				
17. Drug-Free Workplace	ND				
18. Drug and Alcohol Program	ND				
19. Section 5307 Program Requirements	ND				
20. Section 5310 Program Requirements	ND				
21. Section 5311 Program Requirements	ND				
22. Public Transportation Agency Safety Plan	ND				
23. Cybersecurity	NA				

The metrics used to evaluate whether a recipient is meeting the requirements for each of the areas reviewed are: Deficient (D) / Not Deficient (ND) / Not Applicable (NA)

* Denotes a repeat finding from the earlier review.

II. Review Background and Process

1. Review Background

The [United States Code, Chapter 53 of Title 49](#) [49 U.S.C. 5307(f)(2)] requires that “At least once every 3 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...”

The Triennial Review includes a review of the recipient’s compliance in up to 21 areas. The basic requirements for each of these areas are summarized in Section IV. FTA contracts with experienced reviewers to lead and conduct the Triennial Reviews, in partnership with the staff of the regional office.

This report presents the findings from the Triennial Review of the recipient. The review concentrated on procedures and practices employed since the recipient’s previous Triennial Review; however, when appropriate, FTA may have reviewed activities and policies from earlier periods to assess policies and the management of award funds during the review period. The specific documents reviewed and referenced in this report are available at the FTA regional office or the recipient’s location.

2. Process

The Triennial Review includes a pre-review assessment, a desk review and scoping meeting with FTA staff, and a site visit to the recipient’s location. The review activities occurred between December 23, 2025, and July 16, 2026, as indicated in the table below.

The review began with the regional office transmitting to the recipient a notification of the review and a *Recipient Information Request* (RIR). Thereafter, FTA conducted a desk review and scoping meeting, which included review of FTA files and recipient information in FTA’s electronic systems: Transit Award Management System (TrAMS) and Oversight Tracking System (OTrak). Following the desk review and scoping meeting, the reviewers and the recipient corresponded and exchanged information and documentation in preparation for the site visit. Prior to the site visit, the reviewer sent to the recipient an agenda package indicating the issues that would be discussed, records to be reviewed, and interviews to be conducted.

The site visit began with an entrance conference, at which the reviewers and FTA staff discussed the purpose of the Triennial Review and the review process. The reviewers conducted additional interviews and reviewed documentation to evidence the recipient’s compliance with FTA requirements.

A Section 5307 subrecipient was reviewed to provide an overview of activities related to FTA-funded projects. The reviewer also examined a sample of records during this review.

A Section 5310 subrecipient was reviewed to provide an overview of activities related to FTA-funded projects. The reviewer also examined a sample of procurement files during this review.

Upon completion of the site visit, the reviewers and FTA staff discussed preliminary findings with the recipient. Afterwards, about a week later, the reviewers and FTA staff presented the findings in the virtual exit conference. The table below summarizes key review dates. Section V of this report lists the individuals who participated in the review.

Date	Process
December 23, 2025	FTA transmittal of the Recipient Information Request (RIR)
February 27, 2026	Recipient Transmittal of RIR to Reviewers
March 30, 2026	FTA and Reviewers Scoping Meeting/Desk Review
April 20, 2026	Reviewer Transmittal of the Agenda Package
May 4-5, 2026	Entrance Conference & Site Visit
May 12, 2026	Exit Conference (virtual)
June 11, 2026	FTA Transmittal of the Draft Report
July 17, 2026	Final Report to be sent to the recipient within 45 business days from the Exit Conference

III. Recipient Description

1. Organization

Ventura County Transportation Commission (VCTC), located at 751 East Daily Drive in Camarillo, California, is the regional transportation planning agency and congestion management agency for Ventura County. The organization is governed by a commission primarily composed of elected officials representing Ventura County and its incorporated cities, along with supporting professional staff responsible for finance, administration, planning, programming, and transit operations. The VCTC serves as both a transportation planning body and a transit oversight agency responsible for coordinating regional transportation initiatives and administering state and federal transportation funding programs.

The VCTC provides a variety of regional transportation services and functions, including administration of intercity and regional transit services, transportation planning, congestion management, grant administration, rail coordination, mobility planning, and support for bicycle and pedestrian transportation programs. The VCTC also participates in regional rail coordination activities associated with commuter and freight rail services and works closely with local transit operators throughout Ventura County to support coordinated public transportation services.

The Commission utilizes third-party contractors and consultants for a variety of operational, engineering, legal, planning, and professional services necessary to support transportation operations and capital projects. Contractors may provide services related to transit operations, infrastructure maintenance, engineering support, environmental review, legal counsel, rail operations, technology systems, and transportation planning activities.

As a direct recipient of Federal Transit Administration (FTA) funding, VCTC also administers and oversees funding distributed to local transit providers and other eligible entities within Ventura County that function as subrecipients. These subrecipients may include municipal transit operators, nonprofit transportation providers, and other local agencies receiving federally funded transit assistance through VCTC-administered programs. The VCTC is responsible for ensuring subrecipient compliance with applicable federal requirements, including procurement, asset management, civil rights, and grant administration obligations.

FTA-funded assets utilized in support of VCTC-administered services may include transit buses, support vehicles, passenger facilities, bus stops, communication and dispatch systems, transit technology systems, mobility management tools, and certain rail-related transportation infrastructure. These assets support regional transit mobility, passenger transportation services, and coordinated transportation activities throughout Ventura County.

Additional pertinent information includes VCTC's role in administering multiple transportation funding sources and programs, including federal transit grants, Local Transportation Funds, State Transit Assistance funds, State of Good Repair funding, and regional transportation improvement programming. The agency also develops long-range transportation plans and coordinates transportation investments intended to improve mobility, safety, and regional transportation connectivity within Ventura County.

2. Award and Project Activity

Below is a list of VCTC's open awards at the time of the review.

Award Number	Amount	Year Executed	Description
CA-2018-076-00	\$9,047,164	2018	Sec.5307/CMAQ Activities Including Operating Assistance, Maintenance, Capital Leases, Planning, Replacement Vehicles, Expansion Vehicles, Operating Equipment
CA-2018-088-00	\$4,970,039	2018	Sec 5307/5339 Activities Including Operating Assistance, Maintenance, Capital Leases, Planning, Operating Equipment
CA-2019-039-00	\$2,052,650	2019	FY 2018 5307-CMAQ Projects Including Bus Purchases, Bus Stop Improvements, and Outreach
CA-2019-095-00	\$874,704	2019	FFY 2018 Section 5339 Activities including Bus Leases/Rebuilds, Operating Equipment
CA-2019-099-00	\$6,880,535	2019	FY 2018 & 2019 5307 Projects Including Capital Projects, Maintenance, JARC, Operating Assistance and Planning
CA-2020-012-00	\$1,925,000	2020	FY 2019 5307-CMAQ Projects Including Bus Stop Improvements, Operating Assistance, and Outreach
CA-2020-076-00	\$7,059,442	2020	FY 24019 & 2020 5307 Projects Including Capital Project, Maintenance, JARC, Operating Assistance, and Planning
CA-2021-186-00	\$6,103,080	2021	FY 2020 & 2021 5307 Projects Including Capital Contracting, Preventive Maintenance, Planning, ADA Paratransit, and Operating Assistance
CA-2022-061-00	\$621,563	2022	SEC 5310 FY 21 Capital Leases, Mobility Management, Operating Assistance, Program Administration
CA-2022-074-00	\$280.000	2022	FFY 2021 Section 5339 Activities Including Electric Charging Infrastructure, and Paratransit Vehicle Replacement
CA-2022-195-00	\$6,883,298	2022	FY 2021 & 2022 5307 Projects Including Capital Contracting, Preventive Maintenance, Planning, ADA Paratransit Operating Assistance, and JARC
CA-2023-135-00	\$1,981,414	2023	FFY 2020-23 Section 5339 Activities Including Bus Washer Replacement, Transit Vehicle Replacement, Bus Shelter Replacement, Capital Cost of Contracting and Bus Rebuilds
CA-2023-144-00	\$642,695	2023	FY 2021 & 2022 Section 5310 Capital Leases, Operating Assistance, Program Administration
CA-2023-194-00	\$9,442,361	2023	FY 2022 & 2023 5307 Projects Including Vehicle Purchases, Capital Contracting, Preventive Maintenance, Planning, ADA Paratransit, Operating Assistance, and JARC
CA-2024-068-00	\$7,751,826	2024	FFY 2022 - 2023 CMAQ Section 5307 Projects including Bus Purchases, Transit Outreach, Operating Assistance for Demonstration Service, and Charging Infrastructure
CA-2024-109-00	\$11,392,720	2024	FY 2023 & 2024 5307 Projects Including Vehicle Purchases, Capital Contracting, Preventive Maintenance, Capital Projects, Planning, ADA Paratransit, Operating Assistance, and JARC
CA-2024-147-00	\$1,105,533	2024	FY2023 & FY2024 Section 5310 Capital Leases, Mobility Management, Operating Assistance, Program Administration

Award Number	Amount	Year Executed	Description
CA-2025-019-00	\$1,062,160	2025	FY 22-24 5307 CRP and STBG Thousand Oaks Microgrid Transit Project
CA-2025-025-00	\$739,136	2025	FY22-FY24 5339 Projects Including Capital Contracting, Capital Infrastructure, and Rolling Stock Purchases
CA-2025-131-00	\$807,000	2025	FY24 CMAQ Section 5307 Project - Transit Outreach

The VCTC did not have active awards with Supplemental Funds at the time of the review. This is not the first Triennial Review in which VCTC received operating assistance from FTA.

Projects Completed

In the past few years, VCTC has completed the following noteworthy projects:

- Stabilized and enhanced transit operations following the COVID-19 pandemic while continuing to advance capital improvements and customer programs.
- Fully implemented the contactless open loop fare payment system on VCTC Intercity and Valley Express, and will be launched regionally, making it easier and less confusing to use transit.

Ongoing Projects

The VCTC is currently implementing the following noteworthy projects:

- Completed the countywide Transit Integration and Efficiency Study (TIES), which examines opportunities to enhance coordination among transit providers and improve service effectiveness. The Short-Range Transit Plan (SRTP) and Demand Response Integration Plan (DRIP) were implementation items outlined in the TIES and are nearing completion.
- Engaged in fleet modernization activities, including the deployment and integration of zero-emission commuter coaches procured through a state-funded program administered by the Santa Barbara County Association of Governments. These vehicles are intended for use in regional commuter service between Ventura County and Santa Barbara County. Staff have also worked to repair or replace 15 VCTC Intercity buses and 15 Valley Express buses (the entire fleet). The last of these nine vehicles will be delivered in 2026.

Future Projects

The VCTC plans to pursue the following noteworthy projects in the next three to five years: fleet modernization, accessibility improvements, and regional mobility.

Consistent with State of California requirements, VCTC is prioritizing the transition to zero-emission transit vehicles. VCTC is updating its Zero Emission Bus Plan for both VCTC Intercity

and Valley Express to address the changed landscape in California respective to hydrogen and address infrastructure needs and other considerations associated with zero-emission technology.

Improvements are also planned at the Camarillo rail station area. The City of Camarillo is developing plans for a pedestrian undercrossing to improve access and safety. Separately, VCTC is advancing accessibility improvements at the station to address obligations under a U.S. Department of Justice consent decree. These modifications are intended to enhance ADA compliance and improve access for persons with disabilities.

The VCTC also plans to continue a countywide farebox replacement project, support new morning rail service between Ventura and Santa Barbara counties, and continue implementation of recommendations from the TIES, SRTP, DRIP, and the Coordinated Plan.

IV. Results of the Review

1. Legal

Basic Requirement: The recipient must promptly notify FTA of legal matters and additionally notify the USDOT Office of Inspector General (OIG) of any instances relating to false claims under the False Claims Act or fraud. Recipients must comply with restrictions on lobbying requirements.

Finding: No deficiency

2. Financial Management and Capacity

Basic Requirement: The recipient must have financial policies and procedures; an organizational structure that defines, assigns, and delegates fiduciary authority; and financial management systems in place to manage, match, and charge only allowable costs to the award. The recipient must conduct required Single Audits, as required by 2 CFR 200, and provide financial oversight of subrecipients.

Finding: No deficiency

3. Technical Capacity – Award Management

Basic Requirement: The recipient must report progress of projects in awards to FTA and close awards timely.

Finding: No deficiency

4. Technical Capacity – Program Management & Subrecipient Oversight

Basic Requirement: Designated Recipients and states must document and follow a public involvement process for the development of the long-range statewide transportation plan and State Transportation Improvement Program (STIP). Designated Recipients of Section 5310 funds and states receiving funds from Sections 5310, 5311, and 5339(a) National Distribution allocation must develop and submit a State Management/Program Management Plan to FTA for approval. Recipients must enter into an agreement with each subrecipient, obtain required certifications from subrecipients, report SAM.gov on subawards, and ensure subrecipients comply with the terms of the award.

Finding: No deficiency

5. Technical Capacity – Project Management

Basic Requirement: The recipient must implement FTA-funded projects in accordance with the award application, FTA Master Agreement, and applicable laws and regulations using sound management practices.

Finding: No deficiency

6. Transit Asset Management

Basic Requirement: Recipients must comply with 49 CFR 625 to ensure public transportation providers develop and implement transit asset management (TAM) plans.

Finding: No deficiency

7. Satisfactory Continuing Control

Basic Requirement: The recipient must ensure that FTA-funded property will remain available and used for its originally authorized purpose throughout its useful life until disposition.

Finding: No deficiency

8. Maintenance

Basic Requirement: Recipients must keep federally-funded vehicles, equipment, and facilities in good operating condition. Recipients must keep Americans with Disabilities Act (ADA) accessibility features on all vehicles, equipment, and facilities in good operating order.

Finding: No deficiency

9. Procurement

Basic Requirement: The recipient and subrecipient must use its own documented procurement procedures which reflect applicable state, local, and tribal laws and regulations, and conform to applicable federal law and the standards identified in 2 CFR 200.

Finding: Two (2) deficiencies were found with FTA requirements for Procurement.

Deficiency Description: P11-1: Missing FTA clauses

During the review, seven procurement files related to rolling stock, operations, construction and materials and supplies were examined. The following clauses were missing from procurement files during the 2026 triennial review:

- Prohibition on certain telecommunications and video surveillance services or equipment as required by 2 CFR200.216; and

- Notice to FTA and U.S. DOT Inspector General of information related to fraud, waste, abuse, or other legal matters as required by the FTA Master Agreement (30) Section 39(b).

This was a repeat finding from the FY 2023 Triennial Review of VCTC.

Corrective Actions and Schedule:

By October 14, 2026, the recipient must submit in OTrak:

1. Revised procurement procedures that ensure annual review of:
 - a. FTA Master Agreement – <https://www.transit.dot.gov/funding/grantee-resources/sample-fta-agreements/fta-grant-agreements>
 - b. 2 CFR 200 – <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200?toc=1>
 - c. *Comprehensive Review Contractor's Manual* – linked from <https://www.transit.dot.gov/regulations-and-guidance/program-oversight/program-oversight>

to confirm the inclusion of all FTA-required third-party contract clauses through use of a clause checklist or other mechanism.

The revised procedures should also include a step to utilize ProcurementPRO <https://www.nationalrtap.org/Technology-Tools/ProcurementPRO> to generate the clauses for each applicable procurement document.

2. Evidence of staff training in the new procedures.

Deficiency Description: P19-1: Deficiency with bus model testing requirements

During the review, four procurement files related to rolling stock were examined. Each involved exercising options under existing state contracts, a process similar to piggybacking. The recipient did not provide current bus testing certifications verifying vehicles were still in compliance as required by 49 CFR 665.7.

Corrective Action and Schedule:

By October 14, 2026, submit in OTrak revised procurement procedures for only accepting vehicles that were tested and received a passing score.

10. [Reserved]

11. Title VI

Basic Requirement: The recipient must ensure that no person shall, on the grounds of race, color, or national origin, be excluded from participating in, or be denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance without regard to whether specific projects or services are federally-funded. The recipient must ensure that all transit services and related benefits are distributed in an equitable manner.

Finding: No deficiency

12. Americans with Disabilities Act (ADA) – General

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: No deficiency

13. ADA – Complementary Paratransit

Basic Requirement: Under 49 CFR 37.121(a), 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. “Comparability” is determined by 49 CFR 37.123-37.133. Requirements for complementary paratransit do not apply to commuter bus, commuter rail, or intercity rail systems.

Finding: No deficiency

14. [Reserved]

15. School Bus

Basic Requirement: Recipients are prohibited from providing school bus service in competition with private school bus operators 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.

Finding: No deficiency

16. Charter Bus

Basic Requirement: Recipients are prohibited from using FTA-funded equipment and facilities to provide charter service that unfairly competes with private charter operators. Recipients may operate charter only when the service meets a specified exception defined in rule.

Finding: No deficiency

17. Drug Free Workplace Act

Basic Requirement: Recipients are required to maintain a drug free workplace for all award-related employees; report any convictions occurring in the workplace timely; and have an ongoing drug free awareness program.

Finding: No deficiency

18. Drug and Alcohol Program

Basic Requirement: Recipients receiving Section 5307, 5309, 5311, or 5339 funds that have safety-sensitive employees must have a drug and alcohol testing program in place for such employees.

Finding: No deficiency

19. Section 5307 Program Requirements

Basic Requirement: The recipient must participate in the transportation planning process in accordance with FTA requirements and the metropolitan and statewide planning regulations.

Recipients shall develop, publish, afford an opportunity for a public hearing on, and submit for approval, a program of projects (POP).

Recipients 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.

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

Finding: No deficiency

20. Section 5310 Program Requirements

Basic Requirement: Recipients must expend Section 5310 funds on eligible projects that meet the specific needs of seniors and individuals with disabilities. Projects selected for funding must be included in a locally-developed and coordinated public transit–human services transportation plan. Recipients must approve all subrecipient leases of Section 5310-funded vehicles. Leases of Section 5310-funded vehicles must include required terms and conditions. Either the recipient or subrecipient must hold the title to the leased vehicles.

Finding: No deficiency

21. Section 5311 Program Requirements

Basic Requirement: States must expend Section 5311 funds on eligible projects to support rural public transportation services and intercity bus transportation.

Finding: Not applicable. This section only applies to recipients that receive Section 5311 funds directly from FTA.

22. Public Transportation Agency Safety Plan

Basic Requirement: Recipients must comply with the Public Transportation Agency Safety Plan (PTASP) regulation (49 CFR 673) to ensure public transportation providers develop and implement an Agency Safety Plan (ASP). The PTASP Final Rule published in the Federal Register April 11, 2024 became effective May 13, 2024. The FTA expects transit agencies to address the regulatory changes in the new PTASP Final Rule in their next Agency Safety Plan (ASP) annual update.

The FTA requires applicable recipients to certify that they have established an ASP that meets the requirements of the PTASP regulation and 49 U.S.C. 5329(d) as part of the annual Certifications and Assurances for FTA grants and cooperative agreements. The FTA notes that, per 49 U.S.C. 5307(c)(1)(L), this certification is a required condition of receiving Section 5307 funding (though noncompliance can impact access to 5307 funding as well as other grant funds where 5307 requirements apply). The FTA monitors these certifications in its Transit Award Management System (TrAMS).

Finding: No deficiency

23. Cybersecurity

Basic Requirement: Recipients that operate rail fixed guideway public transportation systems must certify compliance with the requirements for establishing a cybersecurity process under

49 U.S.C. 5323(v).

Finding: Not applicable. This section only applies to recipients that operate rail fixed guideway public transportation systems.

V. Participants

Name	Title	Phone	Email
Ventura County Transportation Commission			
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Contractors: MV Transportation			
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FTA Region 9			
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Tuba Group, Inc.			
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Appendix – Governing Directives

Procurement - P11-1: Missing FTA clauses

Governing Directives

2 CFR 200.216 Prohibition on certain telecommunications and video surveillance services or equipment.

(a) Recipients and subrecipients are prohibited from obligating or expending loan or grant funds to:

(1) Procure or obtain;

(2) Extend or renew a contract to procure or obtain; or

(3) Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public Law 115–232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

(i) For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).

(ii) Telecommunications or video surveillance services provided by such entities or using such equipment.

(iii) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

(b) In implementing the prohibition under Public Law 115–232, section 889, subsection (f), paragraph (1), heads of executive agencies administering loan, grant, or subsidy programs shall prioritize available funding and technical support to assist affected businesses, institutions and organizations as is reasonably necessary for those affected entities to transition from covered communications equipment and services, to procure replacement equipment and services, and to ensure that communications service to users and customers is sustained.

(c) See Public Law 115–232, section 889 for additional information.

(d) See also § 200.471.]

FTA Master Agreement (30) Section 39(b).

Notification to FTA; Flow Down Requirement. If a current or prospective legal matter that may affect the Federal Government emerges, the Recipient must promptly notify the FTA Chief Counsel and FTA Regional Counsel for the Region in which the Recipient is located. The Recipient must include a similar notification requirement in its Third Party Agreements and must require each Third Party Participant to include an equivalent provision in its subagreements at every tier, for any agreement that is a “covered transaction” according to 2 C.F.R. §§ 180.220 and 1200.220.

dispute, breach, default, litigation, or naming the Federal Government as a party to litigation or a legal disagreement in any forum for any reason.

(2) Matters that may affect the Federal Government include, but are not limited to, the Federal Government’s interests in the Award, the accompanying Underlying Agreement, and any Amendments thereto, or the Federal Government’s administration or enforcement of federal laws, regulations, and requirements.

(3) Additional Notice to U.S. DOT Inspector General. The Recipient must promptly notify the U.S. DOT Inspector General in addition to the FTA Chief Counsel or Regional Counsel for the Region in which the Recipient is located, if the Recipient has knowledge of potential fraud, waste, or abuse occurring on a Project receiving assistance from FTA. The notification provision applies if a person has or may have submitted a false claim under the False Claims Act, 31 U.S.C. § 3729, et seq., or has or may have committed a criminal or civil violation of law pertaining to such matters as fraud, conflict of interest, bid rigging, misappropriation or embezzlement, bribery, gratuity, or similar misconduct involving federal assistance. This responsibility occurs whether the Project is subject to this Agreement or another agreement between the Recipient and FTA, or an agreement involving a principal, officer, employee, agent, or Third Party Participant of the Recipient. It also applies to subcontractors at any tier. Knowledge, as used in this paragraph, includes, but is not limited to, knowledge of a criminal or civil investigation by a Federal, state, or local law enforcement or other investigative agency, a criminal indictment or civil complaint, or probable cause that could support a criminal indictment, or any other credible information in the possession of the Recipient. In this paragraph, “promptly” means to refer information without delay and without change. This notification provision applies to all divisions of the Recipient, including divisions tasked with law enforcement or investigatory functions

Procurement P19-1: Deficiency with bus model testing requirements

Governing Directive:

49 CFR 665.7 Certification of compliance

(a) In each application to FTA for the purchase or lease of any new bus model, or any bus model with a major change in configuration or components to be acquired or leased with funds obligated by the FTA, the recipient shall certify that the bus was tested at the Bus Testing Facility and that the bus received a passing test score as required in this part. The recipient shall receive the appropriate full Bus Testing Report and any applicable partial testing report(s) before final acceptance of the first vehicle.