

FINAL REPORT

FY 2016 TRIENNIAL REVIEW

of the

**Long Beach Public Transportation Company /
Long Beach Transit (LBT)
Long Beach, CA
Recipient ID: 1652**

Performed for:

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

Prepared by:

Calyptus Consulting Group, Inc.

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I. Executive Summary

This report documents the Federal Transit Administration’s (FTA) Triennial Review of the Long Beach Public Transportation Company, which operates Long Beach Transit (LBT). The review was performed by Calyptus Consulting Group, Inc. During the site visit, administrative and statutory requirements were discussed and documents were reviewed. LBT’s transit and maintenance facilities were toured to provide an overview of activities related to FTA-funded projects.

The Triennial Review focused on LBT’s compliance in 17 areas. Deficiencies were found in the areas listed below.

Review Area	Deficiencies	
	Code	Description
Americans With Disabilities Act (ADA)	D.165	Insufficient oversight of ADA complementary paratransit service requirements
Procurement	D.183	No verification that excluded parties are not participating. Closed 2/22/2016
	D.349	Qualifications-based procurement deficiencies. Closed 3/12/2016
Disadvantaged Business Enterprise (DBE)	D.41	No approved DBE program
	D.303	Inadequate staff to administer DBE program
	D.308	DBE goal achievement analysis not completed or not submitted

As part of this year’s Triennial Review of LBT, FTA incorporated Enhanced Review Modules (ERMs) in the Maintenance and Disadvantaged Business Enterprise (DBE) areas. The purpose of an ERM is to conduct a more comprehensive review of underlying or contributing issues identified during the pre-assessment stage of the Triennial Review. Deficiencies resulting from the ERMs are presented in the Maintenance and DBE sections of the report that follows.

II. Review Background and Process

1. Background

The United States Code, Chapter 53 of Title 49, requires the 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(f) (2). This review was performed in accordance with FTA procedures (published in FTA Order 9010.1B, April 5, 1993). At least once every three years, the Secretary shall review and evaluate completely the performance of a grantee in carrying out its program, specifically referring to compliance with statutory and administrative requirements.

The Triennial Review includes a review of the grantee's compliance in 17 areas. The basic requirements for each of these areas are summarized in Section IV.

This report presents the findings from the Triennial Review of LBT. The review concentrated 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. The specific documents reviewed are referenced in this report and are available at FTA's regional office or at the grantee's office.

2. Process

The Triennial Review process includes a pre-review assessment, a review scoping meeting with the FTA Region IX Los Angeles Metropolitan Office, and an on-site visit to the grantee's location. The review scoping meeting was conducted with the Region IX Los Angeles Metropolitan Office on January 8, 2016. Necessary files retained by the Region IX Los Angeles Metropolitan Office were sent to the reviewer electronically. A grantee information request and review package was sent to LBT advising it of the site visit and indicating information that would be needed and issues that would be discussed. The site visit to LBT occurred on February 2-3, 2016.

The onsite portion of the review began with an entrance conference, at which the purpose of the Triennial Review and the review process were discussed. The remaining time was spent discussing administrative and statutory requirements and reviewing documents. A tour of LBT's transit and maintenance facilities was conducted to provide an overview of activities related to FTA-funded projects. A sample of maintenance records for FTA-funded vehicles was also examined during the site visit. Upon completion of the review, a summary of preliminary findings was provided to LBT at an exit conference. The individuals participating in the review are listed in Section VI of this report.

3. Metrics

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

- *Not Deficient*: An area is considered not deficient if, during the review, no findings were noted with the grantee's implementation of the requirements.
- *Deficient*: An area is considered deficient if any of the requirements within the area reviewed were not met.
- *Not Applicable*: An area can be deemed not applicable if, after an initial assessment, the grantee does not conduct activities for which the requirements of the respective area would be applicable.

III. Grantee Description

Organization

The Long Beach Transit Public Transportation Company (Long Beach Transit or LBT) is a non-profit corporation formed in 1963 to provide public transportation services to the City of Long Beach and its neighboring cities. LBT is governed by a seven-member Board of Directors appointed by the Mayor of Long Beach and confirmed by the City Council.

LBT provides fixed-route bus service to 29 million annual boarding customers within a 100-square-mile area, which includes 13 cities in southern Los Angeles County and a portion of Orange County.

LBT provides approximately seven million service miles annually during 700,000 service hours, using 248 fixed-route buses, which are low-floor mobility-device accessible, deployed from two (2) operating divisions across 35 routes. Transit service is provided weekdays from 4:10 a.m. to 1:20 a.m.; Saturdays 5 a.m. to 1:25 a.m.; and Sundays 5 a.m. to 1:17 a.m.

The regular fare for bus service is \$1.25. Senior citizens, persons with disabilities and Medicare card holders are offered a reduced fare of 60¢ during all hours of service. Inter-agency transfers are 50¢. Transit service is free for customers who are legally blind, or wheelchair users, as well as children four years of age or younger. The fare for Dial-A-Lift paratransit service is \$2.00 per trip.

LBT offers a curb-to-curb, shared-ride transit service exclusively for persons who are unable to use LBT's fixed-route bus system under contract with Access Services, Inc. LBT also provides a separate, locally funded, demand response service in addition to the required complementary paratransit service under contract with Global Paratransit, Inc. Members must reside in and travel through the cities of Long Beach, Lakewood, and Signal Hill to use this service, which are tracked separately from the complementary paratransit service. The service is provided with 10 locally funded vans.

LBT provides water taxi service seven days a week from Memorial Day through Labor Day weekend under contract with Catalina Express. The AquaBus serves Queensway Bay near downtown Long Beach, providing point-to-point service to destinations including the Queen Mary, Hotel Maya, The Aquarium of the Pacific, Pine Avenue Circle and Shoreline Village. The service is provided by two (2) 40-foot boats with seating for 49 customers. The AquaLink extends water taxi service from Queensway Bay across the outer harbor to Alamitos Bay on the east side of Long Beach. Passage is made on two (2) 69-foot catamarans with seating for 73 customers and storage for mobility devices and bicycles. Providing point-to-point service, the AquaLink serves the Aquarium of the Pacific, the Queen Mary, Belmont Pier and Alamitos Bay Landing.

LBT has two (2) operating/maintenance facilities, one (1) is located at 1963 E. Anaheim St., which serves as its administration headquarters, and the other is located at 6860 Cherry St. in north Long Beach.

Services

LBT's National Transit Database Report for FY2014 provided the following financial and operating statistics for its fixed-route and paratransit service:

	Fixed-Route Service	Demand Response - Taxi
Unlinked Passengers	28,480,560	52,000
Revenue Hours	680,205	10,232
Operating Expenses	\$78,698,225	\$1,071,043

Grant Activity

Below is a list of LBT's open grants at the time of the review:

Grant Number	Grant Amount	Year Executed	Description
CA-04-0184	\$2,863,280	2012	FY10(IS,CFM) & FY11 (Lifts) 5309 SGR
CA-37-X124	\$4,169,296	2012	FY09(7 th , 171Wknd)&FY12(176Wkdy)JARC
CA-88-0004	\$6,700,000	2012	FY11 5309 TIGGER All-Electric Prjct.
CA-90-Y798	\$13,994,380	2010	FY10 5307+15% Disc + 1% TEA
CA-90-Y880	\$15,774,862	2011	FY11 5307+15% Disc+ C/O FY10 15%Disc+1%T
CA-90-Y957	\$16,248,527	2012	FY12 5307+15% Disc+ C/O FY11 15%Disc
CA-90-Z053	\$17,391,081	2013	FY13 5307+15%Disc+1%TEA+C/OFY12 15%Disc
CA-90-Z120	\$20,701,104	2014	FY14 5307+15% Disc+1%
CA-90-Z232	\$14,113,447	2015	FY15 5307 +1% TEA

Completed Projects

The following projects were completed during the past three (3) years:

- Replacement of 12 underground bus lifts
- Acquisition of CNG buses (40-foot and 60-foot)
- Installation of new phone system
- Improvements to bus stops
- Replacement of air conditioner

Projects Underway

Ongoing projects include:

- Fleet Replacement including 10 zero-emission buses and charging station
- Software Technology Upgrades
- Installation of Automatic Passenger Counters
- Trapeze Upgrade
- TranSmart Signs Upgrade

Future Projects

Future projects for LBT include:

- Fleet Replacement
- Installation of Photovoltaic Panels on Maintenance, Operations and Administrative buildings
- HASTUS Upgrade
- Bus Stop Improvements, including zero-emission bus stop and bus stop cassettes upgrade
- Customer Facing Technology upgrades
- Facility Projects including roofing and site lighting

IV. Results of the Review

1. Financial Management and Capacity

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

Finding: During this Triennial Review of LBT, no deficiencies were found with the FTA requirements for Financial Management and Capacity.

2. Technical Capacity

Basic Requirement: The grantee must be able to implement 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 LBT, no deficiencies were found with the FTA requirements for Technical Capacity.

3. Maintenance

Basic Requirement: Grantees and subrecipients must keep federally funded vehicles, equipment and facilities in good operating condition. Grantees and subrecipients must keep ADA accessibility features on all vehicles, equipment and facilities in good operating order.

Enhanced Review Module Conducted on Maintenance

Areas Covered:

- Maintenance and Asset Management Plans for Vehicle and Facilities
- Maintenance Budget and Resources
- Maintenance Organization and Training
- Fleet Maintenance
- Preventive Maintenance
- Warranty Procedures
- Contracted Maintenance

Process

The review consisted of an analysis of LBT's bus and facilities maintenance plans along with supporting documentation and reports, discussions with LBT staff, inspection of LBT's main maintenance facility and fleet, and an examination of bus and facility maintenance records. An inspection was also performed of the LBT vessels operated by Catalina Express as well as

associated maintenance records. Interviews were conducted with the Vice President of Maintenance and Infrastructure and the Vice President of Transit Services Delivery and Planning.

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

4. Americans with Disabilities Act

Basic Requirement: Titles II and III of the Americans with Disabilities Act of 1990 (ADA) 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.

During this Triennial Review of LBT, one (1) deficiency was found with the USDOT requirements for ADA.

Finding 165: LBT relies on another public entity to complete the required complimentary paratransit services related to their fixed route transit service. LBT does not have a process for obtaining performance data specific to their service area that would allow them to ensure that ADA complementary paratransit is being operated free of capacity constraints. Reports are currently provided at the regional level only. Additionally, there is no process for LBT to engage the paratransit provider when there are concerns regarding capacity constraints nor is there a process explaining how the provider will address capacity constraints and inform LBT of actions taken and related outcomes (DEFICIENCY CODE 165: Insufficient oversight of ADA complementary paratransit service requirements).

Corrective Action and Schedule: The grantee must submit to the FTA RCRO procedures for obtaining from its paratransit provider performance data specific to the service provided on its behalf, within ninety (90) days from the date of the final report.

5. Title VI

Basic Requirement: The grantee 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 grantee must ensure that federally supported transit services and related benefits are distributed in an equitable manner.

Note: The 2016 triennial review covers a three-year period in which the FTA issued a revised circular for Title VI, which provided more information on how to comply and changed requirements for some grantees with populations over 200,000. FTA Circular 4702.1B became effective October 1, 2012. Title VI programs submitted to FTA after this date must comply with the requirements of this circular. The triennial review will look at compliance with the requirement of FTA Circular 4702.1A for the period prior to October 1, 2012, and compliance with the revised circular for activities after this date.

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

6. Procurement

Basic Requirement: 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.”

During this Triennial Review of LBT, two (2) deficiencies were found with the FTA requirements for Procurement.

Finding 183: The grantee’s policies and procedures for undertaking FTA procurements include the requirement to check the SAM.gov website prior to awarding contracts; however, a review of procurement file documentation determined that the required check of SAM.gov is not documented in all cases (DEFICIENCY CODE 183: No verification that excluded parties are not participating).

Corrective Action and Schedule: The grantee must submit to the FTA Region IX Los Angeles Metropolitan Office evidence of training on the new procedures, within thirty (30) days from the date of the final report. For the next procurement, the grantee must also submit documentation that the required process was implemented. After the site visit, the grantee submitted documentation of training on the new procedures and evidence that the required process was implemented. No additional action is required. This Finding is closed.

Finding 349: The grantee did not include the evaluation criteria to be used in determining the most qualified firm in a solicitation for architectural and engineering services (DEFICIENCY CODE 349: Qualifications-based procurement deficiencies).

Corrective Action and Schedule: The grantee must submit to the FTA Region IX Los Angeles Metropolitan Office revised procedures for following the Brooks Act when using FTA assistance to contract for A&E services and evidence of training on the new procedures, within thirty (30) days from the date of the final report. After the site visit, the grantee submitted documentation of revised procedures for following the Brooks Act. No additional action is required. This Finding is closed.

7. Disadvantaged Business Enterprise

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.

Enhanced Review Module conducted on Disadvantaged Business Enterprise:

Areas Covered:

- Management of the DBE Program
- Project Specific Goals
- Certification
- Overconcentration
- Race-Neutral Measures
- Business Development and Fostering Small Business
- Goal Setting and Reporting
- Good Faith Efforts
- Required Contract Provisions
- Record Keeping and Enforcement

Process:

The review consisted of an analysis of documentation and reports and extensive interviews with LBT's Deputy CEO, Purchasing Manager and a consultant from PDA Consulting Group that is currently supporting the DBE program. The interviews were performed using the FTA Disadvantaged Business Enterprise ERM Worksheet included in the FY2016 Triennial Review Package.

Results:

Only those areas that were reviewed and resulted in a finding are included in this section of the report.

Management of the DBE Program

LBT's DBELO retired in February 2015. A new DBELO was hired in 2015, but left in 2016. At the time of the site visit no LBT staff member had been designated as the agency's DBELO. A consultant was hired to develop LBT's FY 2016-18 goal methodology and this individual is currently advising LBT on DBE related matters. LBT is evaluating how best to fill the DBELO role.

The EAMS indicates that LBT submitted a DBE program plan on 6/1/12, which is currently in review. This program plan is not uploaded on the EAMS. LBT staff provided a copy of the 2005 DBE program plan, but did not have documentation of the 2012 submission. LBT is in the process of revising their DBE program plan and shared a draft with the review team.

Two (2) findings were made in this area as a result of these issues as noted in the findings section below.

Goal Setting and Reporting

LBT achieved 0.35% DBE participation during FY 2015, when LBT's race-neutral goal was 13%. An analysis of the reasons for the shortfall and a corrective action plan were not provided. LBT was listed as a top 50 transit grantee in March 2015. No shortfall analysis was submitted to FTA.

One (1) finding was made in this area as a result of these issues as noted in the findings section below.

Findings:

During this Triennial Review of LBT, three (3) deficiencies were found with the USDOT requirements for DBE.

Finding 41: The grantee did not have documentation of the last DBE program plan submitted to FTA on 6/1/12. The program plan is not uploaded on the EAMS. No evidence of a completed overconcentration analysis and implemented small business program was provided, and it is not possible to verify the inclusion of these elements in the DBE program submitted to FTA in 2012. LBT does not have implemented procedures for use of contract goals where applicable. The grantee does not have an updated DBE program on file with FTA as required by 49 CFR 26.21 (DEFICIENCY CODE 41: No approved DBE program).

Corrective Action and Schedule: The grantee must submit an updated DBE program in the EAMS and notify to the FTA RCRO of the submission, within ninety (90) days from the date of the final report.

Finding 303: The grantee does not have a designated DBELO. The grantee does not have adequate staff to administer the DBE program, as required by 49 CFR 26.25 (DEFICIENCY CODE 303: Inadequate staff to administer DBE program).

Corrective Action and Schedule: The grantee must submit to the FTA RCRO evidence of corrective actions taken to apply adequate resources to implement the DBE program and designate DBE responsibilities properly, and submit an updated DBE program in the EAMS, within ninety (90) days from the date of the final report.

Finding 308: The grantee did not develop and submit to FTA a shortfall analysis and corrective action plan after their DBE goal was not met in FY 2015, as required by 49 CFR 26.47 (DEFICIENCY CODE 308: DBE goal achievement analysis and corrective action plan not completed or not submitted).

Corrective Action and Schedule: The grantee must submit to the FTA RCRO the required analysis and a description of the actions taken to implement future shortfall analyses, as applicable, within ninety (90) days from the date of the final report.

8. 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. Grantees must comply with Restrictions on Lobbying requirements.

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

9. Satisfactory Continuing Control

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

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

10. Planning/Program of Projects

Basic Requirement: The grantee must participate in the transportation planning process in accordance with FTA requirements, MAP-21, and the metropolitan and statewide planning regulations. Each recipient of a Section 5307 grant shall 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 LBT, no deficiencies were found with the FTA requirements for Planning/POP.

11. Public Comment on Fare Increases and Major Service Reductions

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 LBT, no deficiencies were found with the FTA requirements for Public Comment on Fare Increases and Major Service Reductions.

12. Half Fare

Basic Requirement: For fixed route service supported with Section 5307 assistance, fares charged elderly persons, 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: During this Triennial Review of LBT, no deficiencies were found with the FTA requirements for Half Fare.

13. Charter Bus

Basic Requirement: 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 LBT, no deficiencies were found with the FTA requirements for Charter Bus.

14. 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 LBT, no deficiencies were found with the FTA requirements for School Bus.

15. Security

Basic Requirement: As recipients of Section 5307 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.

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

16. Drug Free Workplace and Drug and Alcohol Program

Basic Requirement: All grantees are required to maintain a drug-free workplace for all transit-related employees and to have an ongoing drug-free awareness program. Grantees receiving Section 5307, 5309 or 5311 funds that have safety-sensitive employees must have a drug and alcohol testing program in place for such employees.

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

17. Equal Employment Opportunity

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 LBT, no deficiencies were found with the FTA requirements for Equal Employment Opportunity (EEO).

V. Summary of Findings

Review Area	Finding	Deficiency	Corrective Action	Response Date	Date Closed
1. Financial Management and Capacity	ND				
2. Technical Capacity	ND				
3. Maintenance	ND				
4. ADA	D.165	Insufficient oversight of ADA complementary paratransit service requirements	The grantee must submit to the FTA RCRO procedures for obtaining from its paratransit provider performance data specific to the service provided on its behalf.	7/7/16	
5. Title VI	ND				
6. Procurement	D.183	No verification that excluded parties are not participating	The grantee must submit to the FTA Region IX Los Angeles Metropolitan Office evidence of training on the new procedures. For the next procurement, the grantee must also submit documentation that the required process was implemented	5/9/16	2/22/16
	D.349	Qualifications-based procurement deficiencies	The grantee must submit to the FTA Region IX Los Angeles Metropolitan Office revised procedures for following the Brooks Act when using FTA assistance to contract for A&E services and evidence of training on the new procedures.	5/9/16	3/12/16
7. DBE	D.41	No approved DBE program	The grantee must submit an updated DBE program in the EAMS and notify to the FTA RCRO of the submission and upload it to the EAMS, within ninety (90) days from the date of the final report.	7/7/16	
	D.303	Inadequate staff to administer DBE program	The grantee must submit to the FTA RCRO evidence of corrective actions taken to apply adequate resources to implement the DBE program and designate DBE responsibilities properly, and submit an updated the DBE program in the EAMS, within ninety (90) days from the date of the final report.	7/7/16	
	D.308	DBE goal achievement analysis and corrective action plan not completed or not submitted	The grantee must submit to the FTA RCRO the required analysis and a description of the actions taken to implement future shortfall analyses.	7/7/16	
8. Legal	ND				
9. Satisfactory Continuing Control	ND				

Review Area	Finding	Deficiency	Corrective Action	Response Date	Date Closed
10. Planning/ POP	ND				
11. Public Comment on Fare Increase and Major Service Reductions	ND				
12. Half Fare	ND				
13. Charter Bus	ND				
14. School Bus	ND				
15. Security	ND				
16. Drug-Free Workplace/ Drug and Alcohol Program	ND				
17. EEO	ND				

VI. Attendees

Name	Title	Phone Number	E-mail Address
<i>Long Beach Public Transportation Company</i>			
Debra Johnson	Deputy Chief Executive Officer	(562)599-8501	djohnson@lbtransit.com
Lisa Patton	Executive Director/VP Finance and Budget	(562)599-8511	lpatton@lbtransit.com
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Lee Burner	Executive Director/VP Transit Service Delivery Planning	(562)599-8753	lburner@lbtransit.com
Patrick Pham	Executive Director/VP Information Technology	(562)599-8583	ppham@lbtransit.com
Rolando Cruz	Executive Director/VP Maintenance and Infrastructure	(562)599-8506	rcruz@lbtransit.com
Jennifer Abro	Controller	(562)599-8544	jabro@lbtransit.com
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VII. Appendices

No appendices included in this report.