

STATUS OF IMPLEMENTING AUDIT REPORT RECOMMENDATIONS

Audit Title: An Audit of Emergency Contract Extensions for Paratransit Services Negotiated by Milwaukee Transport Services, Inc. **File Number:** 13-381
for a 3-Year Period Effective November 1, 2012

Number & Recommendation		Status Report Date: October 2015				Department: Department of Transportation	
		Deadlines Established		Deadlines Achieved		Implementation Status	
		Yes	No	Yes	No	Completed	Further Action Required
1. Work with MTS to obtain guidance from the Milwaukee County Corporation Counsel regarding all aspects of its appeals process, including appropriate criteria for allowing public input.		X					Auditee Response October 2013: The department and Corporation Counsel have not reviewed the appeal process due to the pending nature of the transit management service request for proposal issued by Milwaukee County and changes in the Corporation Counsel office. After resolution of the management contract, the department and corporation counsel will review all aspects of the appeal process and determine the appropriateness of public input on appeals outside the county's established process. October 2015 Update: The MTS process follows FTA guidance for an established and effective policy for Protest and Appeals. The Protest and Appeals process has been reviewed by MTS's external legal counsel (Quarles and Brady LLP). The next step will be review by Corporation Counsel which will take place in early 2016.
2. Work with MTS to include continuation of service provisions in paratransit service contracts that ensure no interruption in service before subsequent contracts are awarded.						X	(Closed – previously completed) Auditee: The Department has worked with MTS to establish a continuation clause that has been included in its procurement manual. This clause will be included in future paratransit contracts and any other contracts deemed appropriate.
3. Work with MTS management to codify its scoring protocol in its procurement procedures.						X	(Closed - previously completed) Auditee: The Department has worked with MTS to codify scoring protocol and MTS has updated its procurement manual accordingly.

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	Yes	No	Yes	No	Completed	Further Action Required	
4. Establish a suitable timeframe for procurements that include hard internal deadlines, formal agreements for turnaround times on inter-agency interactions, and ample cushion for unforeseen delays.					X		(Closed – previously completed) Auditee: The Department has worked with MTS to establish suitable timeframes for turnaround times on inter-agency interactions. This has been updated in the MTS procurement manual and a copy is attached.
5. Establish formal protocols for notification of the MCDOT Contract Administrator when above deadlines are missed.					X		(Closed – previously completed) Auditee: The Department has worked with MTS to establish notification protocols for missed deadlines. This has been updated in the MTS procurement manual and a copy is attached.
6. Limit emergency contracts/extension to one year.					X		(Closed – previously completed) Auditee: The Department has worked with MTS to establish language related to limiting emergency extensions to one year. This has been updated in the MTS procurement manual and a copy is attached.
7. Require formal written notification of the County Executive and County Board Chair within 48 hours of any emergency contract/extensions with a detailed explanation of the nature and extent of the emergency, as well as the fiscal impact of the action taken.					X		(Closed – previously completed) Auditee: The Department has worked with MTS to establish language related to written notification to the County Executive and County Board Chair with 48 hours of any emergency contract or extension. This has been updated in the MTS procurement manual and a copy is attached.

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8. Work with Corporation Counsel and representatives of the Federal Transit Administration to review all options for terminating the emergency contract extensions for paratransit van service without disrupting the service for Milwaukee County's Transit Plus clients.										Auditee Response October 2013: The department and Corporation Counsel have informed representatives of the FTA with regard to a review of all options for terminating the emergency contract extensions. Initial conversations were held regarding this topic and representatives of the FTA indicated that, from a federal procurement standpoint, it is unlikely that there is a satisfactory remedy for Milwaukee County. We are still pursuing options with the FTA to see if there is any way to terminate the contracts that does not jeopardize federal funding. October 2015 Update: MCTS contract language includes a Contract Continuation Clause that allows for MCTS to extend any contract for up to an additional 120 days. Contract also include standard Terms and Conditions that allow for termination of contracts, including a 30 day Termination for Convenience Clause. During summer of 2015, MCTS successfully completed an RFP for Paratransit services and new contracts will commence effective 11/01/2015 to be in effect for a five year period with up to three one-year extension option.