

STATE OF MINNESOTA

Office of the State Auditor



Rebecca Otto
State Auditor

METROPOLITAN COUNCIL
METROPOLITAN TRANSPORTATION SERVICES
TWIN CITIES AREA, MINNESOTA

AGREED-UPON PROCEDURES

FOR THE YEAR ENDED DECEMBER 31, 2012

Description of the Office of the State Auditor

The mission of the Office of the State Auditor is to oversee local government finances for Minnesota taxpayers by helping to ensure financial integrity and accountability in local governmental financial activities.

Through financial, compliance, and special audits, the State Auditor oversees and ensures that local government funds are used for the purposes intended by law and that local governments hold themselves to the highest standards of financial accountability.

The State Auditor performs approximately 160 financial and compliance audits per year and has oversight responsibilities for over 3,300 local units of government throughout the state. The office currently maintains five divisions:

Audit Practice - conducts financial and legal compliance audits of local governments;

Government Information - collects and analyzes financial information for cities, towns, counties, and special districts;

Legal/Special Investigations - provides legal analysis and counsel to the Office and responds to outside inquiries about Minnesota local government law; as well as investigates allegations of misfeasance, malfeasance, and nonfeasance in local government;

Pension - monitors investment, financial, and actuarial reporting for approximately 730 public pension funds; and

Tax Increment Financing - promotes compliance and accountability in local governments' use of tax increment financing through financial and compliance audits.

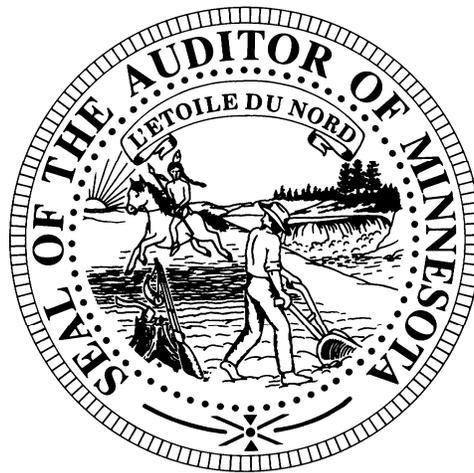
The State Auditor serves on the State Executive Council, State Board of Investment, Land Exchange Board, Public Employees Retirement Association Board, Minnesota Housing Finance Agency, and the Rural Finance Authority Board.

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**METROPOLITAN COUNCIL
METROPOLITAN TRANSPORTATION SERVICES
TWIN CITIES AREA, MINNESOTA**

For the Year Ended December 31, 2012



Agreed-Upon Procedures

**Audit Practice Division
Office of the State Auditor
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INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES

Metropolitan Council
Twin Cities Area, Minnesota

We have applied the procedures, as described below, to the data used for the Federal Funding Allocation Statistics forms included in the Metropolitan Council's National Transit Database (NTD) report for the year ended December 31, 2012.

When comparing the suggested procedures listed in Exhibit 24, "Federal Funding Allocation Data Review - Suggested Procedures," in the Declaration section of the *2012 Reporting Manual* to the same exhibit in the *2011 Reporting Manual*, we noted there were no substantive changes to the procedures themselves. However, the Federal Transit Administration (FTA) acknowledged errors in the lettering of the procedures in the *2012 Reporting Manual* as compared to the *2011 Reporting Manual*. The FTA has indicated that these errors will be corrected for subsequent Reporting Manuals. In order to remain consistent with past and future reports, when referring to specific Federal Funding Allocation tests *a* through *y* in subsequent paragraphs of this report, we will be using the lettering as it appears in the *2011 Reporting Manual*.

Such procedures, which were agreed to and specified by the Federal Transit Administration (FTA) in the Declarations section of the *Reporting Manual* and were agreed to by the Metropolitan Council, were applied solely to assist in evaluating whether the Metropolitan Council complied with the FTA standards. The Metropolitan Council's management is responsible for the records and reporting. We have also reviewed the Sources of Funds - Funds Expended and Funds Earned form, the Uses of Capital form, and the Operating Expenses forms required under 49 U.S.C. § 5335(a) and included in the NTD report for conformity, in all material respects, with the FTA requirements as set forth in the NTD *Uniform System of Accounts*. This agreed-upon procedures engagement was performed in accordance with attestation standards established by the American Institute of Certified Public Accountants.

This report is intended solely for your information and that of the FTA in determining that the information to be included in the NTD report Federal Funding Allocation Statistics forms for the year ended December 31, 2012, conforms, in all material respects, with the FTA requirements of the *Uniform System of Accounts and Records and Reporting System; Final Rule*, as specified in 49 C.F.R. pt. 630, *Federal Register*, January 15, 1993, and as presented in the *Reporting Manual*, and is not intended to be, and should not be, used for any other purpose. The sufficiency of the procedures is solely the responsibility of those parties specified in the report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

The procedures described in this report were applied separately to each of the information systems used to develop the reported actual vehicle revenue miles, fixed guideway directional route miles, passenger miles traveled, commencement date of revenue service, and operating expenses of the Metropolitan Council's purchased transportation service motorbus, demand response, and vanpool modes for the year ended December 31, 2012.

The procedures performed and findings are as follows:

1. We read the Federal Transit Administration *National Transit Database Reporting Manual* (Reporting Manual), in particular Exhibit 24, "Federal Funding Allocation Data Review - Suggested Procedures."

The Reporting Manual describes the following standards established by the FTA regarding the data reported in the Federal Funding Allocation Statistics forms of the Metropolitan Council's National Transit Database report:

- A system is in place and maintained for recording data in accordance with NTD definitions. The correct data are being measured, and no systematic errors exist.
- A system is in place to record data on a continuing basis, and the data gathering is an ongoing effort.
- Source documents are available to support the reported data and will be maintained for FTA review and audit for a minimum of three years following the FTA's receipt of the NTD report. The data are fully documented and securely stored.
- A system of internal control is in place to ensure the accuracy of the data collection process and that the recording system and reported documents are not altered. Documents are reviewed and signed by a supervisor as required.
- The data collection methods are those suggested by the FTA or meet FTA requirements.

- The deadhead miles computed as the difference between the reported total actual vehicle miles data and the reported total actual vehicle revenue miles data appear to be accurate.
 - Data are consistent with prior reporting periods and other facts known about transit agency operations.
2. We applied specific procedures tailored to the Metropolitan Council, listed as Procedures 3 through 27 of this report, based on the FTA's suggested procedures for the Federal Funding Allocation Data Review as set forth in the *Reporting Manual*.
 3. We reviewed the Metropolitan Council's procedures related to the system for reporting and maintaining data in accordance with the NTD requirements and definitions set forth in 49 C.F.R. pt. 630, *Federal Register*, January 15, 1993, and as presented in the *Reporting Manual* (Reporting Manual, Federal Funding Allocation Test a).
 4. We discussed with the personnel assigned responsibility for supervising the preparation and maintenance of NTD data the procedures referenced in Procedure 3 above. We inquired whether the Metropolitan Council followed such procedures on a continuous basis and whether it believed such procedures result in accumulation and reporting of data consistent with the NTD definitions and requirements set forth in 49 C.F.R. pt. 630, *Federal Register*, January 15, 1993, and as presented in the *Reporting Manual*. We were informed that, to the best of its knowledge, the Metropolitan Council has followed such procedures on a continuous basis and that the procedures result in the accumulation and reporting of data consistent with the NTD definitions and requirements set forth in 49 C.F.R. pt. 630, *Federal Register*, January 15, 1993, and as presented in the *Reporting Manual* (Reporting Manual, Federal Funding Allocation Test b).
 5. Personnel assigned the responsibility of supervising the preparation and maintenance of NTD data were asked about the retention policy followed by the Metropolitan Council with respect to source documents supporting the NTD data reported on the Federal Funding Allocation Statistics forms. We were informed that source documents are retained for at least three years following the FTA's acknowledged receipt of the NTD report (Reporting Manual, Federal Funding Allocation Test c).
 6. Based on a description of the Metropolitan Council's procedures obtained in Procedures 3 and 4 above, the following source documents were identified that will be retained by the Metropolitan Council for a minimum of three years:
 - general ledger support,
 - accounts payable voucher support,
 - billing invoices,
 - purchased transportation provider reports (fares and expenses),
 - vehicle mileage reports (revenue and service miles),

- vehicle hours reports (revenue and service hours),
- fixed guideway support,
- GIS database,
- published timetables/schedules,
- driver manifests and trip sheets (passenger miles traveled support),
- purchased transportation contracts,
- fleet inventory reports, and
- cost allocation worksheets.

We selected the months of February, August, and December for the year ended December 31, 2012, and observed that each type of source document exists for each of these periods (Reporting Manual, Federal Funding Allocation Test *d*).

7. We discussed the system of internal controls with the Metropolitan Council's staff. We inquired as to whether individuals, independent of the individuals preparing the source documents and posting the data summaries, review the source documents and data summaries for completeness, accuracy, and reasonableness, and how often such reviews are performed. We were informed that individuals, independent of the individuals preparing the source documents and posting the data summaries, review the source documents and data summaries for completeness, accuracy, and reasonableness on a regular basis (Reporting Manual, Federal Funding Allocation Test *e*).
8. We selected a sample of the Metropolitan Council's source documents and determined that supervisors' signatures or other evidence of independent review exists as required by a system of internal controls (Reporting Manual, Federal Funding Allocation Test *f*).
9. We obtained from staff the worksheets utilized by the Metropolitan Council to prepare the final data that are transcribed on the Federal Funding Allocation Statistics forms. We compared the periodic data included on the worksheets to the periodic summaries prepared by the Metropolitan Council and proved the arithmetical accuracy of the summarizations.

We noted several months where no shows had been included in the unlinked passenger trips for two providers. This error was not corrected and resulted in unlinked passenger trips being overstated by 50 for the demand response mode (Reporting Manual, Federal Funding Allocation Test *g*).

10. We discussed with the Metropolitan Council's staff the procedure for accumulating and recording passenger miles traveled data in accordance with NTD requirements. We were informed that the procedures used are designed to estimate passenger miles traveled based on statistical sampling meeting the FTA's 95 percent confidence and 10 percent precision requirements. The Metropolitan Council conducts a statistical sample for estimating passenger miles traveled based on the procedures set forth in FTA Circular 2710.2A for its demand response and vanpool modes and the procedures set forth in FTA Circular 2710.1A for its motorbus mode (Reporting Manual, Federal Funding Allocation Test *h*).

11. We discussed with staff the eligibility of the Metropolitan Council to conduct statistical sampling for passenger miles traveled data every third year. We were informed that the Metropolitan Council is eligible to conduct statistical sampling for passenger miles traveled data every third year because it directly operates fewer than 100 revenue vehicles in all modes in annual maximum revenue service (in any size urbanized area).

We reviewed the NTD documentation for demand response, motorbus, and vanpool modes for the most recent mandatory sampling year (2011). For the current report year, the Metropolitan Council estimated annual passenger miles traveled for demand response, motorbus, and vanpool modes by using average trip length as determined in 2011 and multiplying it by actual unlinked passenger trips reported for 2012 (Reporting Manual, Federal Funding Allocation Test *i*).

12. We determined in Procedure 11 that the Metropolitan Council is eligible to conduct statistical sampling to estimate passenger miles traveled data every third year. We determined the extent the Metropolitan Council followed the stated sampling procedures for demand response and motorbus for the 2011 report year, which was the most recent sampling year.

The Metropolitan Council did not follow its stated sampling procedures for its demand response and motorbus modes for the 2011 report year. For demand response mode, the universe of runs was to be the sampling frame, but two contractors were not included in the population for the entire year. However, the Metropolitan Council was able to obtain the data for these contractors and include it in the sample results at a later date. For motorbus mode, the sampling procedures set forth in FTA Circular 2710.1A required that a total of 208 motorbus trips be selected to accumulate and record passenger miles traveled; only 204 were actually chosen.

We were unable to determine the extent the Metropolitan Council followed the stated sampling procedures for vanpool mode because source documents for accumulating passenger miles traveled data are maintained by the outside service provider and were not provided for review (Reporting Manual, Federal Funding Allocation Test *j*).

13. We determined in Procedure 11 that the Metropolitan Council is eligible to conduct statistical sampling to estimate passenger miles traveled data every third year. We determined the extent the Metropolitan Council followed the stated sampling procedures for demand response, motorbus, and vanpool modes for the 2011 report year, which was the most recent sampling year.

We noted several instances of data entry and formula errors in electronic spreadsheets used to compile data for motorbus and demand response modes. For motorbus mode, (1) formula errors resulted in double counting of some passengers and exclusion of some passenger miles; (2) a data entry error resulted in the stop distances for one route to be

entered in feet instead of miles; and (3) two routes were included but should not have been because the wrong direction had been sampled. All of these errors were subsequently corrected and, as a result, the number of passengers decreased by seven and passenger miles traveled decreased by 47,679.

For demand response mode, data entry errors caused an incorrect route to be entered, an incorrect ending odometer reading to be entered, a single passenger trip to be entered twice, and the exclusion of five passenger trips. In addition, formula errors resulted in some passengers and passenger miles traveled to be excluded. All of these errors were subsequently corrected and, as a result, the number of passengers increased by 121 and passenger miles traveled increased by 1,720.61 miles. In addition, the average trip length for demand response mode was incorrectly calculated based on passengers as the sampling unit; the run should have been used as the sampling unit instead. Although this error was subsequently corrected, it resulted in a decrease of the average trip length from 8.50 miles to 8.28 miles.

We were unable to determine the accuracy of the accumulation of passenger miles traveled for vanpool mode because source documents for the data are maintained by the outside service provider and were not provided for review (Reporting Manual, Federal Funding Allocation Test *k*).

14. We discussed with staff the procedures for systematic exclusion of charter, school bus, and other ineligible vehicle miles from the calculation of vehicle revenue miles. We were informed that the Metropolitan Council did not operate charter, school bus, or other ineligible service (Reporting Manual, Federal Funding Allocation Test *l*).
15. We discussed with staff the procedures for collecting and recording vehicle revenue mile data. We were informed that the Metropolitan Council calculates motorbus mode vehicle revenue miles based on schedules. Adjustments are made for significant scheduling changes. Missed trips are reported by providers and monitored by the Metropolitan Council. We tested a sample of missed trips to determine that they were excluded from the calculation of vehicle revenue miles. We noted no exceptions.

We were informed that the Metropolitan Council demand response providers report total miles and revenue miles to the Metropolitan Council on a monthly basis. The difference between total miles and revenue miles equals deadhead miles. The Metropolitan Council's contractors use Metropolitan Council's scheduling software, which excludes beginning and end-of-day deadhead miles, but does not exclude deadhead miles for breaks. As a result, the Metropolitan Council was unable to provide us with a means for testing and verifying that all deadhead miles were systematically excluded from demand response mode vehicle revenue mile data.

We were informed that the Metropolitan Council calculates vanpool mode vehicle revenue miles on a monthly basis by taking the ending odometer and subtracting the beginning odometer and personal miles driven. The Metropolitan Council was unable to provide us with a means for testing and verifying that deadhead miles were systematically excluded from vanpool mode vehicle revenue mile data (Reporting Manual, Federal Funding Allocation Test *m*).

16. We inquired of Metropolitan Council personnel and determined that the Metropolitan Council does not have rail modes. Thus, locomotive miles are not included in the computation for vehicle revenue miles (Reporting Manual, Federal Funding Allocation Test *n*).
17. We discussed with the personnel responsible for maintaining and reporting the NTD data the Metropolitan Council's procedures for accumulating and reporting fixed guideway directional route miles. We were informed that the Metropolitan Council's purchased transportation motorbus operation meets the FTA's definition of fixed guideway service. As such, the service is bus service operating over exclusive or controlled access rights-of-way where (1) access is restricted; (2) there is a legitimate need for restricted access as demonstrated by peak period level of service D or worse on the parallel adjacent highways; (3) restricted access is enforced for freeways, and priority lanes used by other high occupancy vehicles (HOV) demonstrate safe operation; and (4) high occupancy/toll (HO/T) lanes meet FHWA requirements for traffic flow and use of toll revenues.

We discussed with the personnel responsible for maintaining and reporting the NTD data whether the Metropolitan Council has provided to the NTD a copy of the State's certification to the U.S. Secretary of Transportation that it has established a program for monitoring, assessing, and reporting on the operation of the HOV facility with HO/T lanes. We were informed that the Metropolitan Council has provided to the NTD a copy of the State's certification to the U.S. Secretary of Transportation that it has established a program for monitoring, assessing, and reporting on the operation of the HOV facility with HO/T lanes (Reporting Manual, Federal Funding Allocation Test *o*).

18. We discussed with the personnel responsible for reporting the NTD data the measurement of fixed guideway directional route miles. We were informed that fixed guideway directional route mileage is computed in accordance with the FTA's definitions of fixed guideway and directional route miles. We were informed that service changes during the year resulted in a decrease in directional route miles. We recomputed the average monthly directional route miles and reconciled the total to the fixed guideway directional route miles reported on the Federal Funding Allocation Statistics form.

We discussed with the personnel responsible for reporting the NTD data whether there were any temporary interruptions in transit service that occurred during the report year and if the interruptions were due to maintenance or rehabilitation improvements to a fixed guideway segment. We were informed that there were no interruptions in transit service that lasted more than 12 months (Reporting Manual, Federal Funding Allocation Test *p*).

19. We inquired of the personnel responsible for maintaining and reporting the NTD data about additions to fixed guideway directional route miles. We were informed that there were no additions to fixed guideways in 2012, and thus, no testing of fixed guideway directional route miles was necessary (Reporting Manual, Federal Funding Allocation Test *q*).
20. We inquired of the personnel responsible for reporting the NTD data whether other public transit agencies operate service over the same fixed guideways as the Metropolitan Council. We were informed that Metro Transit operates service over some of the same fixed guideways. Both the Metropolitan Council and Metro Transit identify all fixed guideway directional route miles over which they operate. The Metropolitan Council will claim only those it operates over exclusively on its Federal Funding Allocation Statistics form (Reporting Manual, Federal Funding Allocation Test *r*).
21. We discussed with the personnel responsible for maintaining and reporting the NTD data the information reported on the Transit Way Mileage form. We were informed that the commencement date is the date when revenue service began. We determined that the Metropolitan Council correctly entered the required data on the Fixed Guideway Segments form supporting the Transit Way Mileage form and that reported fixed guideways are summarized by like characteristics (Reporting Manual, Federal Funding Allocation Test *s*).
22. We compared operating expenses as reported on the Operating Expenses Summary forms to operating expense information in the Metropolitan Council's audited financial statements, taking into account reconciling items, in accordance with the procedures discussed in the Reporting Manual. We noted one instance where \$175,595 in expenses were erroneously excluded from other costs incurred by buyer for the demand response mode. This error was subsequently corrected by the Metropolitan Council (Reporting Manual, Federal Funding Allocation Test *t*).
23. We inquired of the personnel responsible for reporting the NTD data about the amount of purchased transportation generated fare revenues. We reconciled purchased transportation fare revenues as reported on the Contractual Relationship form to purchased transportation fare revenues reported on the Sources of Funds - Funds Expended and Funds Earned form and to worksheets supporting these amounts (Reporting Manual, Federal Funding Allocation Test *u*).

24. We inquired of staff whether the Metropolitan Council's NTD report contains data for purchased transportation services and were informed that it does. The Metropolitan Council does not have a certification of the purchased services Federal Funding Allocation data by an independent auditor (Reporting Manual, Federal Funding Allocation Test *v*).
25. We reviewed the contracts for purchased transportation services and read them to determine that the contracts specify the specific public transportation services to be provided; the monetary consideration obligated by the Metropolitan Council for the service; the period covered by the contract and determined that this period is the same as, or a portion of, the period covered by the Metropolitan Council's NTD report; and is signed by representatives of both parties to the contracts. We noted no exceptions.

We inquired of staff regarding the retention of the executed contracts and determined that copies of the contracts are retained for a minimum of three years (Reporting Manual, Federal Funding Allocation Test *w*).

26. We were informed that the Metropolitan Council provides service to one urbanized area and a nonurbanized area. We inquired of staff responsible for maintaining the NTD data about the procedures for allocation of statistics between the urbanized area and the nonurbanized area. We reviewed the worksheets, route maps, and urbanized area boundaries used for allocating the statistics and determined that the stated procedure was followed and that the computations are correct (Reporting Manual, Federal Funding Allocation Test *x*).
27. We compared the data reported on the Federal Funding Allocation Statistics forms for the year ended December 31, 2012, to comparable data for the year ended December 31, 2011, and calculated the percentage change from the prior year to the current year. Actual vehicle revenue miles, passenger miles traveled, and operating expenses for motorbus mode did not increase or decrease by more than ten percent. Fixed guideway directional route miles for motorbus mode decreased.

Actual vehicle revenue miles, passenger miles traveled, and operating expenses for demand response mode did not increase or decrease by more than ten percent. Fixed guideway directional route data is not applicable to demand response mode.

Actual vehicle revenue miles increased more than ten percent for vanpool mode. Passenger miles traveled and operating expenses did not increase or decrease by more than ten percent. Fixed guideway directional route data is not applicable to vanpool mode.

We inquired of the Metropolitan Council regarding the specifics of operations that led to the changes in the data relative to the prior reporting period. The explanation of the changes appeared reasonable and consistent with other information we obtained in performing the procedures referred to on this report (Reporting Manual, Federal Funding Allocation Test y).

* * * * *

We were not engaged to and did not perform an audit, the objective of which would be the expression of an opinion. Accordingly, we do not express such an opinion. However, for the items reviewed, the Sources of Funds - Funds Expended and Funds Earned form, the Uses of Capital form, and the Operating Expenses forms conform, in all material respects, with the FTA requirements as set forth in the NTD *Uniform System of Accounts*. In connection with performing the agreed-upon procedures, except for the findings described earlier in this report, the information included in the NTD report on the Federal Funding Allocation Statistics forms for the year ended December 31, 2012, is presented, in all material respects, in conformity with the requirements of the FTA's *Uniform System of Accounts and Records and Reporting System; Final Rule*, as specified in 49 C.F.R. pt. 630, *Federal Register*, January 15, 1993, and as presented in the *Reporting Manual*. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the Metropolitan Council and the FTA and is not intended to be, and should not be, used by anyone other than those specified parties.

/s/Rebecca Otto

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STATE AUDITOR

/s/Greg Hierlinger

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June 11, 2013