



Metropolitan Transportation Authority

State of New York

February 19, 2020

Ms. Carmen Maldonado
Audit Director
The Office of the State Comptroller
Division of State Government Accountability
59 Maiden Lane, 21st Floor
New York, NY 10038

Re: Final Report #2019-F-16 (Safety at Stations)

Dear Ms. Maldonado:

This is in reply to your letter requesting a response to the above-referenced final report.

I have attached for your information the comments of Andy Byford, President, MTA NYC Transit, which address this report.

Sincerely,

A handwritten signature in black ink that reads "Pat Foye".

Patrick J. Foye
Chairman and Chief Executive Officer

c: Anni Zhu, Acting MTA Chief of Staff
Michele Woods, Acting Auditor General, MTA Audit Services

The agencies of the MTA

MTA New York City Transit
MTA Long Island Rail Road

MTA Metro-North Railroad
MTA Bridges and Tunnels

MTA Construction & Development
MTA Bus Company

Memorandum



Date February 13, 2020
To Patrick Foye, Chairman, MTA
From Andy Byford, President, New York City Transit
Re **New York State Comptroller Report #2019-F-16 (Follow-Up Report) – Safety at Stations (SIR)**

This information is provided in response to the State Comptroller's final audit report on Safety at Stations (SIR) Crews (2019-F-16). The stated purpose of this follow-up audit was to assess the extent of implementation, as of December 18, 2019, of the two recommendations included in their initial report (2016-S-91, issued June 2017).

Comptroller Recommendation #1: Develop written policies and procedures pertaining to SIR's response to safety-related incidents at the stations, including, but not limited to:

- *How the incident is routed to the Engineering Department, MOW, or other unit;*
- *Supporting documents required for all incidents, including those where the incidents are addressed immediately and no work order is issued; and*
- *When multiple inspections of an incident area result in different findings, reconcile the differences, and document what final conclusion has been reached.*

Status per Comptroller: Partially Implemented

Status per NYCT: Implemented

NYCT Response: SIR developed written procedures to respond to safety-related incidents at stations, which were provided to the auditors on December 30, 2019. SIR would like to provide additional information for clarification:

- *Four forms were not provided.*
Under SIR procedures Inspection Forms are not required in the three recorded incidences. Two matters related to trespassers for which no defect forms are required. One incident was a slip and fall on property owned and maintained by DOT, therefore no form is required. For one of the dates provided by the Comptroller, SIR has no record of any slip/trip/fall incidents. Because SIR has no such record, no form would have been completed.
- *Eighteen of the 27 work orders were still outstanding as of December 16, 2019; 15 of the 18 priority B defects were not repaired within 180 days, as required.*
The 180 days referenced in the report is not a mandate but a policy guideline. Priority B and C defects are scheduled for repair based on availability of maintenance personnel. However, SIR

New York State Comptroller Report #2019-F-16

Safety at Stations (SIR)

February 13, 2020

Page 2 of 2

re-inspects these defects monthly to ensure their condition has not degraded and prioritizes the work with other high volume necessary work performed by SIR maintenance personnel (installs, plumbing, steel, concrete, carpentry, etc.). That said, SIR is developing a plan to accelerate the repair rate. SIR continues to prioritize for immediate repair any safety related defects.

- *We found six folders contained 28 defects but only one work order.*
Work Orders are completed when a defect is assigned to a maintenance crew. So, while all defects are recorded, only those that are assigned generate work orders. Per the Station Defect Procedure, “when a repair is performed, it will be documented through labor sheets and a work order will be generated for the work performed.”
- *SIR officials could not locate three work orders.*
SIR has taken a corrective measure to now scan all work orders and retain them electronically.

Comptroller Recommendation #2: Establish a formal timeline for the complete activation of the CAI system.

Status per Comptroller: Implemented

Status per NYCT: Implemented

NYCT Response: The audit found all CAIs working.

THOMAS P. DINAPOLI
COMPTROLLER



110 STATE STREET
ALBANY, NEW YORK 12236

STATE OF NEW YORK
OFFICE OF THE STATE COMPTROLLER

January 6, 2020

Mr. Patrick J. Foye
Chairman
Metropolitan Transportation Authority
2 Broadway
New York, NY 10004

Re: Safety at Stations
Report 2019-F-16

Dear Mr. Foye:

Pursuant to the State Comptroller's authority as set forth in Article X, Section 5 of the State Constitution and Section 2803 of the Public Authorities Law, we have followed up on the actions taken by officials of the Metropolitan Transportation Authority – Staten Island Railway to implement the recommendations contained in our audit report, *Safety at Stations* (Report 2016-S-91).

Background, Scope, and Objective

Staten Island Railway (SIR) is a subsidiary of the Metropolitan Transportation Authority (MTA). Administratively, SIR is a separate operating unit, reporting to New York City Transit's Department of Subways. SIR operates a single rapid transit line, which runs the length of Staten Island (about 14 miles) from St. George Terminal to the southern terminal at Tottenville. Riders can connect with New York City Transit system buses at many of SIR's 21 stations or to the Staten Island Ferry. SIR operates 24 hours a day with service every 30 minutes, and more frequently during weekday rush hours.

From July 1, 2017 to December 3, 2019, SIR's Maintenance of Way (MOW) Infrastructure Department (Infrastructure) records show at least one safety-related incident was reported on 142 dates. The process of responding to an incident starts when the Rail Control Center receives the call, prepares an Exception Report, and notifies MOW and/or the Engineering Department of the incident, requiring a field inspection and/or investigation of the issue. A foreman is dispatched to the site of the incident and prepares a SIR Infrastructure Department Station Inspection Form (Form). The completed Form is reviewed and, depending on the severity of the defect, Infrastructure determines the appropriate action. There are four types of defect priorities, ranging from "A" defects, which affect safety, security, and revenue and must be made safe or repaired upon immediate

response, to “P” defects, which are non-safety project-type work requiring longer duration and planning to complete.

We issued our initial audit report on June 15, 2017. The objective of our audit was to determine whether SIR has taken appropriate steps to address safety-related issues at all of its train stations, including determining if Customer Assistance Intercoms (CAIs) are operational and accessible to all. We found that SIR documented its inspections of facilities where safety-related incidents occurred and the actions taken to remediate conditions that might have contributed to such incidents. However, in certain instances, responses to safety-related incidents were not documented. A lack of pertinent policies and procedures as well as staffing shortages likely contributed to lapses in documenting incidents and the related SIR responses. Also, we noted that SIR’s CAI system was not operational system-wide.

The objective of our follow-up was to assess the extent of implementation, as of December 18, 2019, of the two recommendations included in our initial report.

Summary Conclusions and Status of Audit Recommendations

SIR officials made progress in addressing the problems we identified in the initial audit report. Of the two audit recommendations, one was implemented and one was partially implemented.

Follow-Up Observations

Recommendation 1

Develop written policies and procedures pertaining to SIR’s response to safety-related incidents at the stations, including, but not limited to:

- *How the incident is routed to the Engineering Department, MOW, or other unit;*
- *Supporting documents required for all incidents, including those where the incidents are addressed immediately and no work order is issued; and*
- *When multiple inspections of an incident area result in different findings, reconcile the differences, and document what final conclusion has been reached.*

Status – Partially Implemented

Agency Action – The 90-day response to our initial audit stated that written procedures were developed, drafted, and implemented. On December 3, 2019, we received a copy of the written procedures. To determine if they were implemented, we sampled 30 of the 142 folders containing information about safety-related incidents and the actions taken to address the conditions. Four Forms were not provided. We found six folders contained 28 defects but only one work order. SIR provided five additional work orders. Eighteen of the 27 work orders were still outstanding as of December 16, 2019; 15 of the 18 priority “B” defects were not repaired within the 180 days, as required. SIR officials advised us that “B” defects remain outstanding

for longer periods of time because they have to focus on "A" priority defects and they have a limited number of staff. SIR officials could not locate three work orders. Lastly, for one defect, SIR officials informed us the New York City Department of Transportation (DOT) is responsible for addressing the defect because it is on Staten Island Ferry property, which is owned and operated by DOT.

Recommendation 2

Establish a formal timeline for the complete activation of the CAI system.

Status – Implemented

Agency Action – The 90-day response to our initial audit stated that all CAIs are active and available for public use. On December 10, 2019, we randomly selected two stations (Clifton Park and Tompkinsville) to test the audio and video functions on four CAIs. Based on our observations at the Rail Control Center, all four CAIs were working.

Contributors to this report were Robert C. Mehrhoff, Joseph F. Smith, Netash Phull, and Jim Cherian.

We would appreciate your response to this report within 30 days, indicating any actions planned to address the unresolved issues discussed in this report. We thank the management and staff of Metropolitan Transportation Authority – Staten Island Railway for the courtesies and cooperation extended to our auditors during this review.

Very truly yours,



Carmen Maldonado
Audit Director

cc: M. Woods, MTA
D. Jurgens, MTA
Division of the Budget