

EXECUTIVE SUMMARY
Reports and Presentation
Item 6b
 FTA Triennial Review

Objective:
 Present FTA Triennial Draft Report

Considerations:

Federal Transit Administration’s (FTA) conducted a Triennial Review of Collier County Board of County Commissioners *d/b/a* Collier Area Transit (CAT) in October 2019. 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...” This Triennial Review was performed in accordance with FTA procedures (published in FTA Order 9010.1B, April 5, 1993). FTA wants to ensure that awards are administered in accordance with the requirements of Federal public transportation law 49 U.S.C. Chapter 53. The review was performed by Milligan & Company, LLC.

The Triennial Review process includes a pre-review assessment, a desk review and review scoping meeting with the FTA regional office, and a site visit to the recipient’s location. During the site visit, administrative and statutory requirements were discussed, and documents were reviewed. Collier Area Transit’s facilities were toured to obtain an overview of activities related to FTA-funded projects. The review concentrated on procedures and practices employed during the past three years (2016, 2017 and 2018). The Triennial Review focused on Collier Area Transit’s compliance in 21 areas.

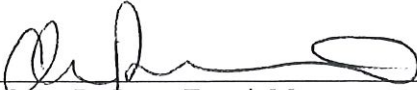
Review Area	
1. Legal	12. Americans with Disabilities Act (ADA) – General
2. Financial Management and Capacity	13. ADA – Complementary Paratransit
3. Technical Capacity – Award Management	14. Equal Employment Opportunity
4. Technical Capacity – Program Management and Subrecipient Oversight	15. School Bus
5. Technical Capacity – Project Management	16. Charter Bus
6. Transit Asset Management	17. Drug-Free Workplace
7. Satisfactory Continuing Control	18. Drug and Alcohol Program
8. Maintenance	19. Section 5307 Program Requirements
9. Procurement	20. Section 5310 Program Requirements
10. Disadvantaged Business Enterprise	21. Section 5311 Program Requirements
11. Title VI	

After the review, there were no deficiencies found in any of the 21 areas.

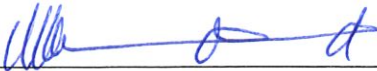
Recommendation:
 None.

Attachment:

04_FL_Collier County_TR19_Draft Report

Prepared by:  _____
Omar De Leon, Transit Manager

Date: 12/12/19

Approved by:  _____
Michelle Arnold, PTNE Division Director

Date: 12-12-19



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

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November 4, 2019

Ms. Michelle Arnold
Transit Director
Collier County Board of County Commissioners
3299 Tamiami Trail East, Suite 103
Naples, FL 34112

Re: Federal Transit Administration (FTA) Fiscal Year 2019 Triennial Review – Draft Report

Dear Ms. Arnold:

I am pleased to provide you with a copy of this FTA report as required by 49 U.S.C. Chapter 53 and other Federal requirements. The enclosed draft report documents the FTA's Triennial Review of the Collier County Board of County Commissioners *d/b/a* Collier Area Transit in Naples, Florida. Although not an audit, the Triennial Review is the FTA's assessment of the Collier Area Transit's compliance with Federal requirements, determined by examining a sample of award management and program implementation practices. As such, the Triennial Review is not intended as, nor does it constitute, a comprehensive and final review of compliance with award requirements.

The Triennial Review focused on the Collier Area Transit's compliance in 21 areas. No deficiencies were found with FTA requirements in any areas.

Please review this draft report for accuracy and provide your comments to both the reviewer and your FTA Program Manager **within ten business days from the date of this letter**. A final report that incorporates your comments to the draft report will be provided to you within 14 business days of your response.

Thank you for your cooperation and assistance during this Triennial Review and congratulations on having a perfect review. If you need any technical assistance or have any questions, please do not hesitate to contact Mr. Christopher White, P.E., General Engineer, at (404) 865-5619 or by email at christopher.white@dot.gov, or Mr. John Clare, your reviewer, at (267) 608-1062 or by email at jclare@milligancpa.com.

Sincerely,

Robert Buckley, AICP
Director, Office of Financial Management and Program Oversight

Enclosure

cc: Christopher White, P.E., General Engineer, FTA
John Clare, Milligan & Company, LLC

DRAFT REPORT

**FISCAL YEAR 2019
TRIENNIAL REVIEW**

of

**Collier County Board of County Commissioners
d/b/a
Collier Area Transit
Naples, Florida**

Recipient ID: 1032

Performed for:

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

Prepared By:

Milligan & Company, LLC

**Desk Review Date: June 25, 2019
Scoping Meeting Date: June 27, 2019
Site Visit Date: October 24-25, 2019
Draft Report Date: November 4, 2019**

Table of Contents

I. Executive Summary	1
II. Review Background and Process	2
1. Background.....	2
2. Process	2
3. Metrics.....	3
III. Recipient Description	4
1. Organization	4
2. Services	4
3. Award and Project Activity.....	5
IV. Results of the Review	7
1. Legal	7
2. Financial Management and Capacity	7
3. Technical Capacity – Award Management	7
4. Technical Capacity – Program Management & Subrecipient Oversight	7
5. Technical Capacity – Project Management.....	8
6. Transit Asset Management.....	8
7. Satisfactory Continuing Control.....	8
8. Maintenance.....	8
9. Procurement	8
10. Disadvantaged Business Enterprise (DBE).....	9
11. Title VI	9
12. Americans with Disabilities Act (ADA)- General	9
13. ADA – Complementary Paratransit.....	10
14. Equal Employment Opportunity	10
15. School Bus	10
16. Charter Bus	10
17. Drug Free Workplace Act.....	11
18. Drug and Alcohol Program	11
19. Section 5307 Program Requirements	11

20. Section 5310 Program Requirements	11
21. Section 5311 Program Requirements	12
V. Summary of Findings.....	13
VI. Attendees.....	15
VII. Appendices	16

I. Executive Summary

This report documents the Federal Transit Administration's (FTA) Triennial Review of Collier County Board of County Commissioners *d/b/a* Collier Area Transit in Naples, Florida. FTA wants to ensure that awards are administered in accordance with the requirements of Federal public transportation law 49 U.S.C. Chapter 53. The review was performed by Milligan & Company, LLC. During the site visit, administrative and statutory requirements were discussed and documents were reviewed. Collier Area Transit's facilities were toured to obtain an overview of activities related to FTA-funded projects.

The Triennial Review focused on Collier Area Transit's compliance in 21 areas. There were no deficiencies found in any of the 21 areas.

II. Review Background and Process

1. 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...” This Triennial Review was performed in accordance with FTA procedures (published in FTA Order 9010.1B, April 5, 1993).

The Triennial Review includes a review of the recipient’s compliance in 21 areas. The basic requirements for each of these areas are summarized in Section IV.

This report presents the findings from the Triennial Review of Collier Area Transit. 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 award funds. The specific documents reviewed and referenced in this report are available at the FTA’s regional office or the recipient’s office.

2. Process

The Triennial Review process includes a pre-review assessment, a desk review and review scoping meeting with the FTA regional office, and a site visit to the recipient’s location. The desk review and review scoping meeting were conducted with the Region IV Office on June 25 and 27, 2019, respectively. Necessary files retained by the regional office were sent to the reviewers electronically. A recipient information request was sent to Collier Area Transit advising it of the site visit and indicating information that would be needed and issues that would be discussed. The site visit to Collier Area Transit occurred on October 24-25, 2019.

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. The reviewers visited the Collier Area Transit’s facility to obtain an overview of activities related to FTA-funded projects. The reviewers examined a sample of maintenance records for FTA-funded vehicles and equipment.

Upon completion of the review, FTA and the reviewers provided a summary of preliminary findings to Collier Area Transit at an exit conference. Section VI of this report lists the individuals participating in the review.

3. Metrics

The metrics used to evaluate whether a recipient 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 recipient'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 recipient does not conduct activities for which the requirements of the respective area would be applicable.

III. Recipient Description

1. Organization

Collier County Board of County Commissioners established the Collier Area Transit (CAT) in 2001 to provide public transit service for the entire County including the three municipalities, the City of Naples, Marco Island and Everglades City. The Transit System is managed by the Collier County Public Transit and Neighborhood Enhancement (PTNE) Division. The PTNE Division includes the Director, Transit Manager, and four other staff responsible for the planning, construction, and internal operations of the system. The PTNE staff is supported by Fleet Maintenance staff who maintain County purchased vehicles. The County contracts with MV Transportation, Inc. for the management of the operations system. The MV Transportation, Inc. contract includes the services of a General Manager, managerial staff, drivers, dispatchers, schedulers, and other customer service personnel. The County's PTNE Division retains authority over financial management and grant administration. The population of the service area is approximately 350,000.

2. Services

CAT operates a network of 19 fixed routes with a fleet of 28 vehicles for fixed-route service. The fleet consists of 30, 35, and 40-foot buses. Service is provided weekdays and Saturdays from 3:45 a.m. to 8:50 p.m. Sunday service operates from 6:58 a.m. to 7:25 p.m. Collier Area Paratransit, known as CAT Connect, consists of Americans with Disabilities Act (ADA) complementary paratransit service and Transportation Disadvantage service for the population without direct access to the fixed route or alternative transportation. CAT Connect, operates during the same days and hours as fixed-route service with a fleet of 29 buses. All vehicles operated by CAT Connect are federally funded. The Contract Vendor, MV Transportation, provides four buses to supplement the CAT Connect service.

The basic adult fare for fixed route bus service is \$2.00. A reduced fare of \$1.00 is offered to senior citizens, veterans, persons with disabilities, and Medicare cardholders at all times. CAT also offers 15-day and 30-day passes, with additional discounts for passengers. The fare for the CAT Connect service is up to \$4.00 one way.

CAT operates from its main facility at 8300 Radio Road. There is a maintenance facility, an administration building and a Transfer Center on the premises at the Radio Road location. The main Intermodal Transfer Center is located at the County's Government Complex on Tamiami Trail. Fixed-route service is oriented around the Transfer Center and the Intermodal Transit Center.

The Collier Area Transit's National Transit Database Report for fiscal year (FY) 2018 provided the following financial and operating statistics for its service:

Statistics	Fixed-Route Service	ADA Complementary Paratransit Service
Unlinked Passengers	840,961	106,256
Revenue Hours	73,056	67,298
Operating Expenses	\$6,013,801	\$4,300,676

3. Award and Project Activity

Below is a list of the Collier Area Transit's open awards at the time of the review.

Award Number	Award Amount	Year Executed	Description
FL-2019-088	\$2,611,614	2019	Section 5307 Funds; Capital, ADA, Ops., Planning
FL-2019-041	\$545,068	2019	Congestion Mitigation System (CMS) FLEX to Section 5307, Intelligent Transportation System (ITS) Phase IV; Traffic Signal Priority
FL-2019-028	\$286,180	2019	Section 5307 Flex, Bus Shelters
FL-2018-084	\$411,466	2018	FY18 Section 5339 Urban Funds
FL-2018-098	\$2,590,120	2018	FY18 Section 5307 Formula Funds
FL-2018-024	\$274,000	2018	2017-18 Section 5307 Flex Funds, Bus Shelters
FL-2018-025	\$316,250	2018	CMS Flex FY17/18 ITS Phase III
FL-2018-034	\$2,472,948	2017	FY17 Section 5307 Formula Funds
FL-2018-008	\$299,889	2017	FY17 Section 5339 Urban Funds
FL-2017-055	\$80,000	2016	Section 5307 Flex Funds
FL-2017-035	\$2,956,705	2016	Section 5307 Formula Funds FY 16
FL-2017-044	\$497,000	2015	FY15 ITS Flex Funds
FL-90-X853	\$2,888,127	2015	5307 Formula Funds FY14
FL-95-X085	\$294,000	2015	CMS Shelter Flex FY14
FL-95-X086	\$287,124	2015	CMS Shelter Flex FY14
FL-95-X062	\$336,872	2013	Flex CMS Shelter
FL-90-X766	\$2,504,638	2011	Section 5307 Capital Assistance

Noteworthy Projects

Since the last Triennial Review, Collier Area Transit completed several projects including refurbishments to its administration and maintenance buildings; replacing the mobile data terminals (MDT) on the paratransit vehicles with tablets; and purchasing necessary equipment to perform the services with necessary amenities for the passengers.

At the time of the site visit, Collier Area Transit's on-going projects include bus stop improvements, enhancing bus stops to meet ADA requirements, and constructing shelters.

In the next three to five years, CAT will complete the refurbishment of the maintenance building including completing repairs to the structure that was damaged during Hurricane Irma in 2017. The exterior of the administration and maintenance buildings will be painted the same color to provide some uniformity for all the structures on the property.

CAT was the recipient of a Transportation Investment Generating Economic Recovery (TIGER) award for the Immokalee Community. The award includes funding for the construction of a small transfer facility for the area. The facility will consist of bus bays, shelter structure and restroom facilities for the passengers; space for fare media sales; and office space for management.

IV. Results of the Review

1. Legal

Basic Requirement: The recipient must promptly notify the FTA of legal matters and additionally notify the U.S. DOT 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: During this Triennial Review of Collier Area Transit, no deficiencies were found with the FTA requirements for Legal.

2. Financial Management and Capacity

Basic Requirement: The recipient must have financial policies and procedures; an organizational structure that defines, assigns and delegates authority; and financial management systems in place to match, manage, and charge only allowable cost to the award. The recipient must conduct required single audits and provide financial oversight of subrecipients.

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

3. Technical Capacity – Award Management

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

Finding: During this Triennial Review of Collier Area Transit, no deficiencies were found with the FTA requirements for Technical Capacity – Award Management.

4. Technical Capacity – Program Management & Subrecipient Oversight

Basic Requirement: The recipient must follow the public involvement process for transportation plans; develop and submit a State Management Plan to the FTA for approval; report in the Federal Funding Accountability and Transparency Act Subaward Reporting System (FSRS) on subawards; and ensure subrecipients comply with the terms of the award.

Finding: During this Triennial Review of Collier Area Transit, no deficiencies were found with the FTA requirements for Technical Capacity – Program Management & Subrecipient Oversight.

5. Technical Capacity – Project Management

Basic Requirement: The recipient must be able to implement FTA-funded projects in accordance with the award application, FTA Master Agreement, and all applicable laws and regulations, using sound management practices; and prepare force account plans.

Finding: During this Triennial Review of Collier Area Transit, no deficiencies were found with the FTA requirements for Technical Capacity – Project Management.

6. Transit Asset Management

Basic Requirement: Recipients must comply with 49 CFR Part 625 to ensure public transportation providers develop and implement transit asset management (TAM) plans. Recipients' TAM plans must include an asset inventory, condition assessments of inventoried assets, and a prioritized list of investments to improve the state of good repair of their capital assets.

Finding: During this Triennial Review of Collier Area Transit, no deficiencies were found with the FTA requirements for Transit Asset Management.

7. Satisfactory Continuing Control

Basic Requirement: The recipient 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 Collier Area Transit, no deficiencies were found with the FTA requirements for Satisfactory and Continuing Control.

8. Maintenance

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

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

9. Procurement

Basic Requirement: States: When procuring property and services under a Federal award, a state must follow the same policies and procedures it uses for procurements from its non-Federal funds. The state will comply with 2 CFR §200.322 (Procurement of Recovered Materials) and ensure that every purchase order or other contract includes any clauses required by section 2 CFR §200.326 (Contract Provisions). All other non-Federal entities, including subrecipients of a state, will follow 2 CFR §§200.318 (General Procurement Standards) through 200.326 (Contract Provisions).

Non-state recipients: The non-Federal entity 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 part 200.

Where FTA funds are used in procurements for services or supplies, or where FTA-funded facilities or assets are used in revenue contracts, FTA Circular 4220.1F applies. FTA funds, even operating assistance, can be segregated from local funds. FTA Circular 4220.1F does not apply to wholly locally-funded capital procurements.

Finding: During this Triennial Review of Collier Area Transit, no deficiencies were found with the FTA requirements for Procurement.

10. Disadvantaged Business Enterprise (DBE)

Basic Requirement: Recipients must comply with 49 CFR Part 26 to ensure nondiscrimination in the award and administration of USDOT assisted contracts. Recipients also must create a level playing field on which DBEs can compete fairly for US DOT-assisted contracts.

Finding: During this Triennial Review of Collier Area Transit, no deficiencies were found with the US DOT requirements for DBE.

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: During this Triennial Review of Collier Area Transit, no deficiencies were found with the FTA requirements for Title VI.

12. Americans with Disabilities Act (ADA) – General

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: During this Triennial Review of Collier Area Transit, no deficiencies were found with the US DOT requirements for ADA – General.

13. ADA – Complementary Paratransit

Basic Requirement: Titles II and III of the ADA 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: During this Triennial Review of Collier Area Transit, no deficiencies were found with the US DOT requirements for ADA – Complementary Paratransit.

14. Equal Employment Opportunity

Basic Requirement: The recipient 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: Equal Employment Opportunity Commission’s regulation only identifies/recognizes religion and not creed as one of the protected groups.)

Finding: During this Triennial Review of Collier Area Transit, no deficiencies were found with the FTA requirements for Equal Employment Opportunity.

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: During this Triennial Review of Collier Area Transit, no deficiencies were found with the FTA requirements for School Bus.

16. Charter Bus

Basic Requirement: Recipients 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. Recipients are allowed to operate community based charter services excepted under the regulations.

Finding: During this Triennial Review of Collier Area Transit, no deficiencies were found with the FTA requirements for Charter Bus.

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: During this Triennial Review of Collier Area Transit, no deficiencies were found with the FTA requirements for Drug-Free Workplace Act.

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: During this Triennial Review of Collier Area Transit, no deficiencies were found with the FTA requirements for Drug and Alcohol Program.

19. Section 5307 Program Requirements

Basic Requirement: For fixed-route service supported with Section 5307 assistance, fares charged 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. 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. Recipients shall develop, publish, afford an opportunity for a public hearing on, and submit for approval, a program of projects (POP). Recipients 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. Recipients must ensure that least one percent of such funds are expended on associated transit enhancement projects.

Finding: During this Triennial Review of Collier Area Transit, no deficiencies were found with the FTA requirements for Section 5307 Program Requirements.

20. Section 5310 Program Requirements

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

Finding: This section only applies to recipients that receive Section 5310 funds directly from FTA; therefore, the related requirements are not applicable to the review of the Collier Area Transit.

21. Section 5311 Program Requirements

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

Finding: This section only applies to recipients that receive Section 5311 funds directly from FTA; therefore, the related requirements are not applicable to the review of Collier Area Transit.

V. Summary of Findings

Review Area	Finding	Deficiency Codes	Corrective Actions	Response Due Dates	Date Closed
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	ND				
10. Disadvantaged Business Enterprise	ND				
11. Title VI	ND				
12. Americans with Disabilities Act (ADA) – General	ND				
13. ADA – Complementary Paratransit	ND				
14. Equal Employment Opportunity	ND				
15. School Bus	ND				

Review Area	Finding	Deficiency Codes	Corrective Actions	Response Due Dates	Date Closed
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	NA	This section only applies to recipients that receive Section 5310 funds directly from FTA; therefore, the related requirements are not applicable to the review of Collier Area Transit.			
21. Section 5311 Program Requirements	NA	This section only applies to recipients that receive Section 5311 funds directly from FTA; therefore, the related requirements are not applicable to the review of Collier Area Transit.			

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)

VI. Attendees

Name	Title	Phone Number	E-mail Address
<i>Collier Area Transit</i>			
Michelle Arnold	Director	239-252-5841	michelle.arnold@colliercountyfl.gov
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<i>FTA</i>			
Christopher White	General Engineer	404-865-5619	christopher.white@dot.gov
<i>Milligan & Company, LLC</i>			
John Clare	Lead Reviewer	267-608-1062	jclare@milligancpa.com
Curiya Webber	Reviewer	267-546-5224	cwebber@milligancpa.com

VII. Appendices

No appendices included in this report.