



OUR MISSION

To ensure that the District makes effective use of bridge toll revenue and other revenue and operates efficiently, effectively, and in compliance with applicable federal and state laws (Cal. Pub. Util. Code §28840)

How to File a Complaint of Fraud, Waste, or Abuse

Anyone may file a complaint regarding allegations of fraud, waste, or abuse by BART employees or contractors doing business with BART. We have multiple ways for you to file:

- Email: Download and fill out the complaint available form at www.bart.gov/sites/default/files/docs/Whistleblower%20Complaint%20PDF%20Form.pdf; email completed form and supporting documentation to InspectorGeneral@bart.gov
- Phone: 510.464.6132
- Stop by our office. Please call and make an appointment to discuss your complaint with us.



OFFICE OF THE INSPECTOR GENERAL

Report of Activities

August 2019 – December 2019

ACTIVITIES AND ACCOMPLISHMENTS

The first quarter of activity focused on establishing the foundation for the Office of the Inspector General (OIG), but also involved activity specific to the legislative mandates:

- Received five complaints
 - Completed one investigation – M-Line Tunnel Lighting Upgrade
 - Declined to investigate one complaint for an issue that had already been investigated
 - Three complaints in progress
- Drafted job descriptions for Assistant Inspector General and Deputy Inspector General positions
 - Recruited for and selected a candidate for Assistant Inspector General; candidate expected to start in February
 - Recruitment for Deputy Inspector General on hold pending Human Resources' approval of the draft job description and confirmation of whether BART will assess overhead charges to the Bay Area Toll Authority for the OIG function
- Developed narrative for an OIG website; Communications team uploaded it to BART's website in December
- Obtained the InspectorGeneral@bart.gov email address and requested a hotline phone number
- Developed complaint input form; began researching options for an investigation case management system, in coordination with the Office of the Independent Police Auditor and Office of Civil Rights
- Worked with Office of Chief Information Officer regarding information needed to develop SharePoint site
- Developed scope of work for District-wide risk assessment and began the procurement process; risk assessment will inform OIG audit plan for next two to three years

STATUS OF RECOMMENDATIONS

The OIG made five recommendations to BART management as a result of the M-Line Tunnel Lighting Upgrade investigation:

RECOMMENDATIONS	STATUS
1. Rescind approval of the light fixture that did not meet contract specifications	Although BART management verbally agreed to rescind its approval of the light fixture that did not meet contract specifications, they instead terminated for convenience the entire M-Line Tunnel Lighting Upgrade contract and stated that BART staff will now do the work. BART will negotiate a settlement agreement with the prime contractor and requested delivery of all parts, supplies, and other material produced or acquired to perform the work as of the date of contract termination. It is not yet clear how management intends to select and acquire a new light fixture that meets the contract specifications or when they intend to initiate doing the work in-house.
2. Request new fixture submittals	
3. Review the new fixture submittals	
4. Provide appropriate time extensions to complete contract	
5. Improve service to contractors by responding appropriately to requests for information	BART management stated that they were unable to verify the assertion regarding staff not being responsive to contractors but had reminded staff of the importance of timely communication and adherence to timelines and guidelines specified in the contract.

NEXT STEPS

Upcoming activities for the OIG include:

- Develop investigation policies and procedures
- Complete the three open investigations
- Initiate investigation activity on new complaints received, if any
- Implement the fraud, waste, and abuse hotline
- Select and implement investigation case management software, which will include an online complaint form that provides users the ability to identify multiple subjects and/or witnesses and allows users to upload supporting documentation
- Issue the Request for Quotations for the District-wide risk assessment, select a consultant, and begin conducting the assessment
- Develop audit policies and procedures
- Develop protocol document regarding expectations and responsibilities for coordination between BART management and the OIG regarding requests for information and responses to investigations and audits
- Recruit for and hire a Deputy Inspector General if a determination is made to not assess overhead charges to the Bay Area Toll Authority