



BOSTON REGION METROPOLITAN PLANNING ORGANIZATION

Jamey Tesler, MassDOT Secretary and CEO and MPO Chair
Tegin L. Teich, Executive Director, MPO Staff

WORK PROGRAM

MBTA 2022 TITLE VI PROGRAM MONITORING

OCTOBER 21, 2021

Proposed Motion

The Boston Region Metropolitan Planning Organization (MPO) votes to approve this work program.

Project Identification

Unified Planning Work Program (UPWP) Classification

Agency and Other Client Transportation Planning Studies and Technical Analyses

Project Number 11429

Client

Massachusetts Bay Transportation Authority (MBTA) and Massachusetts Department of Transportation Office of Diversity and Civil Rights
Client Supervisor: Gregory Sobczynski

Project Supervisors

Principal: Paul Christner
Manager: Bradley Putnam

Funding Source

Future MBTA Contract

Schedule and Budget

Schedule: 24 months from notice to proceed

Budget: \$79,700

Schedule and budget details are shown in Exhibits 1 and 2, respectively.

This budget was developed using a billing overhead rate of 109.09 percent as approved by the Boston Region MPO for state fiscal year (SFY) 2022. Beginning with July 1, 2022, and each July 1 thereafter, the overhead rate will be adjusted to reflect the SFY rate approved by the MPO.

Relationship to MPO Work

This study is supported in full with non-MPO funding. Committing MPO staff to this project will not impinge on the quality or timeliness of MPO-funded work.

Background

Every three years, the MBTA is required to submit a report to the Federal Transit Administration's (FTA) Office of Civil Rights detailing the MBTA's efforts to comply with Title VI of the Civil Rights Act of 1964. The purpose of this Title VI report is to ensure that, as a recipient of federal funds, the MBTA provides a comparable level and quality of transportation services to all customers without regard to race, color, or national origin. The requirements for demonstrating compliance with Title VI are outlined in FTA Circular 4702.1B.

The most recent triennial Title VI report was provided by the MBTA to the FTA in 2020. For years in which the MBTA does not submit a triennial report, the FTA requires the MBTA to complete annual Title VI monitoring and internal reporting to identify and address problems early and to ensure ongoing Title VI compliance. Under the MBTA's service monitoring schedule, data collection and analysis are completed annually for most service indicators and every two years for others. When possible, the results of annual monitoring are reported in subsequent triennial Title VI reports for the FTA. The most recent triennial report outlined an ongoing process of Title VI data collection and analysis, documented the results of current assessments of compliance, and indicated responsive action that would be taken with respect to Title VI concerns in the interim years (2021 and 2022) before the issuance of the 2023 report.

Central Transportation Planning Staff (CTPS) has performed data collection and analysis for MBTA Title VI reporting since the 1980s, and has been responsible for producing the MBTA's Title VI triennial reports for submittal to the FTA since 2005. CTPS has also completed annual internal reports for the MBTA since 2005, and quarterly reports for the FTA, as required. This work program represents a continuation of CTPS's involvement in the MBTA's Title VI monitoring efforts, and it outlines the monitoring that will be completed in calendar year 2022, which will provide some of the data for the analyses that will be reported in the 2023 triennial report.

Objectives

CTPS will assist the MBTA by collecting data and assessing performance (based on existing MBTA service standards and policies) of specific service indicators, according to the MBTA's monitoring schedule. CTPS will then compare the performance of services rendered to predominantly minority riders with the performance of services rendered to predominantly nonminority riders, as required by the MBTA's Disparate

Impact and Disproportionate Burden Policy, to determine if there are disparate impacts on the basis of race, color, or national origin.

Work Description

FTA Circular 4702.1B identifies several indicators for service monitoring for which a comparative analysis must be completed. The MBTA monitors most service indicators annually, including vehicle load, vehicle headway, on-time performance, service availability, span of service, platform accessibility, vehicle accessibility, vehicle assignment, and the distribution or operability of two types of transit amenities: 1) automated fare collection gates, fare vending machines, and retail sales outlets; and 2) station escalators. For reporting in even-numbered years, the MBTA monitors rapid transit and commuter rail station conditions and amenities; distribution of neighborhood maps and bus transfer maps; and distribution and operability of variable-message signs. For reporting in odd-numbered years, the MBTA monitors bus shelter and bench placement and bus shelter conditions and amenities.

Most service analyses rely on demographic ridership data maintained by CTPS. These data are derived from results from the 2015–17 MBTA systemwide passenger survey, and allow CTPS to discern which MBTA services support predominantly minority or low-income riders.

Task 1 Monitor Service Performance

The first step in service performance monitoring is to assess the performance or distribution of specified services against established service standards and policies. The performance or distribution of the services provided for predominantly minority riders is then compared with the performance or distribution of services provided for predominantly nonminority riders to determine if there are disparate impacts on the basis of race, color, or national origin, as required by the MBTA's Disparate Impact and Disproportionate Burden Policy. The service indicators for which CTPS will collect or analyze data, and the actions that CTPS will take, are described below.

- *Vehicle Load*: CTPS will use SFY 2021 bus and commuter rail vehicle-load data compiled by the MBTA.
- *Vehicle Headway*: CTPS will use SFY 2021 bus, rapid transit, and commuter rail vehicle-headway data compiled by the MBTA.
- *On-Time Performance*: CTPS will use SFY 2021 bus, rapid transit, and commuter rail vehicle on-time performance data compiled by the MBTA.
- *Service Availability*: Using its geographic information system (GIS) database, CTPS will determine the availability of transit service in SFY 2021 to all customers in the MBTA's service area.

- *Span of Service:* CTPS will use SFY 2021 span of service data compiled by the MBTA for bus, rapid transit, and commuter rail.
- *Platform Accessibility:* For gated rapid transit stations, CTPS will use SFY 2021 elevator operability data provided by the MBTA to measure the percentage of platform hours that were accessible in each station. For commuter rail stations, CTPS will use station accessibility data provided by the MBTA.
- *Vehicle Accessibility:* At this time, the MBTA lacks the data to assess full commuter rail vehicle accessibility (as measured by the percentage of stops where the accessible bathroom-equipped coaches [on trains with bathrooms] line up at an accessible boarding location at each station). Should this data become available, CTPS will use it.
- *Service Operated:* CTPS will use the MBTA's SFY 2021 data on dropped bus trips and canceled commuter rail trains, and SFY 2021 rapid transit Daily Service Reports.
- *Distribution of Transit Amenities:* CTPS will monitor the following transit amenities: the condition of rapid transit and commuter rail stations, including provision of seating fixtures, timetables, trash and recycling receptacles, system and line maps, neighborhood maps, variable message signs, and Title VI notices in the stations; distribution or operability of automated-fare-collection fare gates, fare vending machines, and retail sales terminals; distribution and operability of station escalators; and distribution of bicycle storage facilities.
- *Vehicle Assignment:* For bus vehicle assignment and air conditioning operability, CTPS will obtain MBTA garage pullout and maintenance records for at least one sampled hot day during the summer 2020. For commuter rail vehicle assignment, CTPS will obtain commuter rail vehicle-age data from the MBTA.

Products of Task 1

- Compliance summaries for each service indicator listed in Task 1, including data summarized for each route, line, station, or population, and grouped by minority classification
- Results of a disparate impact analysis for each service indicator listed in Task 1, including the figures that form each disparate impact ratio for comparison to the MBTA's disparate impact threshold

Task 2 Document Findings in a Memorandum to the MBTA

CTPS will compile the results of Task 1 into the 2022 Title VI memorandum to the MBTA. This memorandum will provide the data needed for the MBTA to determine whether any corrective actions need to be taken to ensure that services rendered to predominantly minority riders are comparable to services rendered to predominantly nonminority riders.

Products of Task 2

2022 Title VI service monitoring memorandum to the MBTA

Task 3 Provide Ongoing Technical Support to the MBTA

CTPS will provide ongoing technical assistance to the MBTA to address Title VI issues, as necessary, including support to the MBTA's Title VI Working Group.

Products of Task 3

Technical support to the MBTA's Title VI Working Group, and other technical support provided to the MBTA, as necessary

The Boston Region Metropolitan Planning Organization (MPO) operates its programs, services, and activities in compliance with federal nondiscrimination laws including Title VI of the Civil Rights Act of 1964 (Title VI), the Civil Rights Restoration Act of 1987, and related statutes and regulations. Title VI prohibits discrimination in federally assisted programs and requires that no person in the United States of America shall, on the grounds of race, color, or national origin (including limited English proficiency), be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives federal assistance. Related federal nondiscrimination laws administered by the Federal Highway Administration, Federal Transit Administration, or both, prohibit discrimination on the basis of age, sex, and disability. The Boston Region MPO considers these protected populations in its Title VI Programs, consistent with federal interpretation and administration. In addition, the Boston Region MPO provides meaningful access to its programs, services, and activities to individuals with limited English proficiency, in compliance with U.S. Department of Transportation policy and guidance on federal Executive Order 13166.

The Boston Region MPO also complies with the Massachusetts Public Accommodation Law, M.G.L. c 272 sections 92a, 98, 98a, which prohibits making any distinction, discrimination, or restriction in admission to, or treatment in a place of public accommodation based on race, color, religious creed, national origin, sex, sexual orientation, disability, or ancestry. Likewise, the Boston Region MPO complies with the Governor's Executive Order 526, section 4, which requires that all programs, activities, and services provided, performed, licensed, chartered, funded, regulated, or contracted for by the state shall be conducted without unlawful discrimination based on race, color, age, gender, ethnicity, sexual orientation, gender identity or expression, religion, creed, ancestry, national origin, disability, veteran's status (including Vietnam-era veterans), or background.

A complaint form and additional information can be obtained by contacting the MPO or at http://www.bostonmpo.org/mpo_non_discrimination. To request this information in a different language or in an accessible format, please contact

Title VI Specialist
Boston Region MPO
10 Park Plaza, Suite 2150
Boston, MA 02116
civilrights@ctps.org

By Telephone:

857.702.3702 (voice)

For people with hearing or speaking difficulties, connect through the state MassRelay service:

- **Relay Using TTY or Hearing Carry-over:** 800.439.2370
- **Relay Using Voice Carry-over:** 866.887.6619
- **Relay Using Text to Speech:** 866.645.9870

For more information, including numbers for Spanish speakers, visit <https://www.mass.gov/massrelay>.

Exhibit 1
ESTIMATED SCHEDULE
MBTA 2022 Title VI Program Monitoring

Task	Month																							
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
1. Monitor Service Performance																								
2. Document Findings in a Memorandum to the MBTA											A													
3. Provide Ongoing Technical Support to the MBTA																								

Products/Milestones

A: Technical memorandum

Exhibit 2
ESTIMATED COST
MBTA 2022 Title VI Program Monitoring

Direct Salary and Overhead	\$78,700
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Task	Person-Weeks					Direct Salary	Overhead (109.09%)	Total Cost
	M-1	P-3	P-2	Temp	Total			
1. Monitor Service Performance	1.9	16.0	0.3	10.3	28.4	\$31,308	\$34,154	\$65,463
2. Document Findings in a Memorandum to the MBTA	0.7	1.3	0.0	0.0	2.0	\$3,111	\$3,394	\$6,505
3. Provide Ongoing Technical Support to the MBTA	0.3	2.0	0.0	0.0	2.3	\$3,220	\$3,513	\$6,732
Total	2.8	19.3	0.3	10.3	32.7	\$37,639	\$41,061	\$78,700

Other Direct Costs	\$1,000
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Travel	\$1,000
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TOTAL COST	\$79,700
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Funding

Future MBTA Contract