



BOSTON REGION METROPOLITAN PLANNING ORGANIZATION

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

WORK PROGRAM

MBTA 2023 TRIENNIAL TITLE VI PROGRAM

APRIL 14, 2022

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 11497

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: \$145,800

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 program 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 program 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 (referred to as the Title VI Circular hereafter).¹

The most recent triennial Title VI program was provided by the MBTA to the FTA in 2020. For years in which the MBTA does not submit a triennial program, 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 programs for the FTA. The most recent triennial program 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 program.

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 programs 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.

Objectives

The primary objective of this work is to produce a triennial Title VI program for the MBTA that meets all of the requirements set forth in the Title VI Circular, so that the

¹ If the FTA issues a new version of the Title VI Circular prior to the MBTA's submission of the 2023 program, CTPS and the MBTA will work with FTA to determine what changes would need to be made.

FTA can make a determination about the MBTA's compliance with Title VI regulations. The MBTA's triennial Title VI program is comprehensive documentation of all of the MBTA's Title VI activities in the past three years. To produce the program, CTPS will work closely with the MBTA to collect and analyze transit service data as they relate to minority populations within the MBTA's service area. CTPS will submit a draft program to the MBTA by February 1, 2023 and a final program by March 1, 2023.

Work Description

In addition to the general reporting requirements, the Title VI Circular sets forth a specific set of reporting requirements for transit providers that operate 50 or more fixed-route vehicles in peak service and are located in an urbanized area with a population of 200,000 or more. As one of these transit providers, the MBTA is required to collect and report data through a series of demographic and service profile maps and charts, monitor and report transit service through comparative analysis based on the MBTA's systemwide service standards and service policies, and evaluate major service and fare changes with regard to equity.

The production of demographic and service profile maps and charts relies heavily on up-to-date data coverages of MBTA transit routes and amenities in the geographic information system (GIS) database maintained by CTPS. These coverages, which are based on 2020 Census data, allow CTPS to designate the transit routes that serve, and the transit amenities that are located in, predominantly minority areas.

CTPS will collect data for the comparative analysis of transit service according to the MBTA's service-monitoring schedule. Most indicators are monitored annually, while some are monitored every two years. The analyses conducted for the 2023 Triennial Title VI Program will utilize the most recent data available for each of the indicators.

Task 1 Produce Demographic and Service Profile Maps and Charts

CTPS will produce the following maps, overlays, and summary statistics for the MBTA service area by census tract using demographic data from the 2020 Census. CTPS will also provide narrative explanations of the maps. This task will consist of the following steps:

- Produce a base map of the MBTA's service area that includes each census tract, major streets and highways, the MBTA's fixed-guideway services, and MBTA stations.
- Produce demographic maps displaying all of the above, highlighting the census tracts that are defined as predominantly minority. Areas that are predominantly low-income will also be identified for the purpose of any environmental justice analyses that may be required for the analysis of the impact of major service or fare changes.

- Summarize statistics on the number and percentage of minority and low-income populations in each census tract, and indicate which census tracts are defined as predominantly minority or predominantly low income.
- Produce additional overlays to the demographic maps showing all of the following:
 - MBTA depots, maintenance and garage facilities, and administrative buildings (highlighting those that were recently modernized or are scheduled for modernization in the next five years)
 - Major activity centers or other transit trip generators, including the central business district, outlying high-employment areas, schools, and hospitals
 - The locations of bus shelters
- Produce additional maps and summary statistics as needed to satisfy the requirements of Title VI reporting.

Products of Task 1

Base maps, demographic maps, and all required map overlays, as well as summary statistics and written descriptions and interpretations of the maps and overlays

Task 2 Monitor Service Performance

Many of the service-monitoring analyses associated with Title VI reporting rely on up-to-date data coverages of MBTA transit routes and amenities in the GIS database maintained by CTPS. These coverages allow CTPS to designate amenities as being located in, and routes as serving, predominantly minority or nonminority areas as defined by FTA Title VI guidelines. The minority and nonminority designations are used to compare service performance in minority and nonminority areas.

Subtask 2.1 Document Service Standards and Service Policies

For the service-monitoring analysis, CTPS will first document the MBTA's service standards and service policies as specified in the Title VI Circular. CTPS will use existing documentation when available and will work with the applicable MBTA departments to document additional service standards and service policies, as necessary.

Subtask 2.2 Collect Service-Monitoring Data

For each of the indicators specified in the Title VI Circular, CTPS will either directly collect data to perform the required service-monitoring analyses described in Subtask 2.3 below or will work with the MBTA to obtain the

necessary data. Data collection activities that are not described here will be completed by the MBTA, and the results will be provided to CTPS for inclusion in the final program. The data sources are as follows:

- *Vehicle Load*: CTPS will use SFY 2022 bus and commuter rail vehicle-load data compiled by the MBTA.
- *Vehicle Headway*: CTPS will use SFY 2022 bus, rapid transit, and commuter rail vehicle-headway data compiled by the MBTA.
- *On-Time Performance*: CTPS will use SFY 2022 bus, rapid transit, and commuter rail vehicle on-time performance data compiled by the MBTA.
- *Service Availability*: Using its GIS database, CTPS will determine the availability of transit service to all customers in the MBTA's service area.
- *Span of Service*: CTPS will use SFY 2022 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 2022 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 2022 data on dropped bus trips and canceled commuter rail trains, and SFY 2022 rapid transit Daily Service Reports.
- *Availability and Condition of Transit Amenities*: CTPS will monitor the following transit amenities in the context of this work program: the distribution of bus shelters and benches; condition of bus shelters, including provision of proper seating fixtures inside of bus shelters; 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 and/or operability of automated fare collection fare gates, fare vending machines, and retail sales terminals; and distribution and operability of station escalators.

- CTPS will use data that were collected as part of the MBTA's 2022 Title VI monitoring program for the distribution of amenities at rapid transit and commuter rail stations.
- For the location and condition of bus shelters and the distribution of bus shelter amenities, CTPS will use data that were collected as part of the MBTA's 2021 Title VI monitoring program. As part of this work program, CTPS will also conduct new field observations for the location and condition of bus shelters and the distribution of bus shelter amenities.
- The MBTA will provide data on the condition of rapid transit and commuter rail stations and the location and operability of all other amenities to CTPS.
- *Vehicle Assignment:* For bus vehicle assignment, CTPS will obtain MBTA garage pullout and maintenance records for at least one sampled day in SFY 2022. For commuter rail vehicle assignment, CTPS will obtain commuter rail vehicle age data from the MBTA.

Subtask 2.3 Conduct Service-Monitoring Analyses

For each of the indicators specified in the Title VI Circular, CTPS will use the data discussed in Subtask 2.2 to assess the performance of all services by applying the service standards and service policies documented in Subtask 2.1 and comparing the performance of the services provided to predominantly minority areas with the performance of services provided to nonminority areas. If the assessment shows a potential disparate impact on the basis of race, color, or national origin, CTPS will work with the MBTA to determine why the disparity exists and will assist in developing corrective actions to remedy the disparity to the greatest extent possible. CTPS will include in the program a discussion of any corrective actions.

Products of Task 2

Summaries from the MBTA's service standards and service policies, tables and charts displaying collected data and results from service-monitoring analyses, and written descriptions of all procedures and findings

Task 3 Document Service and Fare Equity Analyses

Since the submittal of the MBTA's 2020 Triennial Title VI Program, CTPS has conducted service and fare equity analyses for the SFY 2021 and SFY 2022 fare changes, the 2021 Forging Ahead service changes, and the Green Line Extension. The following documentation will be included in the MBTA's 2023 Triennial Title VI Program:

- The service and fare equity analyses listed above and any additional service or fare equity analyses that may be performed before completion of the work outlined in this work program
- The MBTA board's approval of each service and fare equity analysis
- The public engagement process for setting the major service change policy and disparate impact policy
- The MBTA board's approval of the major service change policy and the disparate impact policy

Product of Task 3

Documentation of any service or fare equity analyses that have been completed between the submittal of the MBTA's 2020 and 2023 Triennial Title VI programs and the MBTA board's approval of those analyses

Task 4 Document Fulfillment of General Reporting Requirements

In addition to the program-specific data collection and analysis requirements outlined above, the Title VI Circular also includes general reporting requirements that are completed by departments within the MBTA. These include, for example, public notification of protection under Title VI, Title VI complaint procedures and forms, a policy for providing access for limited-English-speaking populations based on the US Department of Transportation's limited-English-proficiency (LEP) guidance on inclusive public participation processes; a breakdown of minority representation on planning and advisory bodies; and equity analyses for evaluating the siting of proposed transit facilities. The MBTA will provide CTPS with documentation related to these general reporting requirements, and CTPS will design and lay out these elements to be incorporated into documentation of the MBTA's 2023 Triennial Title VI Program.

Product of Task 4

Documentation in the 2023 Triennial Title VI Program of the fulfillment of FTA general reporting requirements

Task 5 Assemble the 2023 Triennial Title VI Program

In addition to the summary statistics, maps, and documentation produced in Tasks 1–3, CTPS will assemble and format all of the documentation provided by individual MBTA departments to produce the MBTA's Triennial Title VI Program. CTPS will produce the final program in a format that is accessible to people with disabilities and is acceptable to the FTA. The program will have a cover with a graphical design and include graphical presentations of materials contained in the program, as appropriate. Subsequent to this submission, CTPS will provide follow-up assistance

to MBTA staff to respond to issues raised by the FTA in its review of the MBTA's 2023 Title VI Program.

Product of Task 5

MBTA 2023 Triennial Title VI Program

Task 6 Provide Ongoing Technical Support to the MBTA

CTPS staff 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.

Product of Task 6

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 2023 Triennial Title VI Program

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. Produce Demographic and Service Profile Maps and Charts	█																							
2. Monitor Service Performance	█																							
3. Document Service and Fare Equity Analyses	█																							
4. Document Fulfillment of General Reporting Requirements	█																							
5. Assemble the 2023 Triennial Title VI Program								█																
6. Provide Ongoing Technical Support to the MBTA	█																							

Products/Milestones

A: MBTA 2023 Triennial Title VI Program

Exhibit 2
ESTIMATED COST
MBTA 2023 Triennial Title VI Program

Direct Salary and Overhead										\$144,800
Task	Person-Weeks						Direct Salary	Overhead (109.09%)	Total Cost	
	M-1	P-4	P-3	P-2	Temp	Total				
1. Produce Demographic and Service Profile Maps and Charts	0.1	0.0	1.0	4.0	0.0	5.1	\$5,962	\$6,504	\$12,467	
2. Monitor Service Performance	2.0	0.0	8.6	0.0	13.0	23.6	\$23,070	\$25,167	\$48,237	
3. Document Service and Fare Equity Analyses	0.2	0.0	1.5	0.0	0.0	1.7	\$2,178	\$2,376	\$4,555	
4. Document Fulfillment of General Reporting Requirements	1.0	0.0	5.4	0.0	0.0	6.4	\$8,338	\$9,095	\$17,433	
5. Assemble the 2023 Triennial Title VI Program	6.2	2.6	2.8	0.0	0.0	11.6	\$18,359	\$20,028	\$38,386	
6. Provide Ongoing Technical Support to the MBTA	3.8	0.0	3.8	0.0	0.0	7.6	\$11,345	\$12,376	\$23,722	
Total	13.3	2.6	23.1	4.0	13.0	56.0	\$69,252	\$75,547	\$144,800	
Other Direct Costs										\$1,000
Travel									\$1,000	
TOTAL COST										\$145,800

Funding
 Future MBTA Contract