



BOSTON REGION METROPOLITAN PLANNING ORGANIZATION

Monica Tibbits-Nutt, MPO Chair | Secretary and CEO, Massachusetts Department of Transportation
Tegin Leigh Teich, Executive Director, MPO Staff

WORK PROGRAM

MBTA 2024 AND 2025 TITLE VI PROGRAM MONITORING

FEBRUARY 1, 2024

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 Client-Funded Transportation Studies

Project Number 11432

Client

Massachusetts Bay Transportation Authority (MBTA) and Massachusetts Department of Transportation Office of Diversity and Civil Rights

Client Supervisor: Gregory Sobczynski

Project Supervisors

Principal: Rose McCarron

Manager: Bradley Putnam

Funding Source

Future MBTA Contract

Schedule and Budget

Schedule: 24 months from notice to proceed

Budget: \$197,964

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

The overhead rate used to calculate the budget is subject to change every July 1 based on the approved projected overhead rate for the state fiscal year (SFY).

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 Massachusetts Bay Transportation Authority (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.¹

The most recent triennial Title VI program was provided by the MBTA to the FTA in 2023. 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 (2024 and 2025) before the issuance of the 2026 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

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

¹ If FTA issues a new version of the Title VI circular, CTPS and the MBTA will work with FTA to determine what changes would need to be made.

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

The Title VI Circular 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 from the MBTA's systemwide passenger survey. These passenger survey data allow CTPS to discern which MBTA services support predominantly minority or low-income riders.

Task 1 Monitor SFY 2023 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 2023 bus and commuter rail vehicle-load data compiled by the MBTA.
- *Vehicle Headway*: CTPS will use SFY 2023 bus, rapid transit, and commuter rail vehicle headway data compiled by the MBTA.
- *On-Time Performance*: CTPS will use SFY 2023 bus, rapid transit, and commuter rail vehicle on-time performance data compiled by the MBTA.
- *Service Availability*: CTPS will determine the availability of transit service to all customers in the MBTA's service area.
- *Span of Service*: CTPS will use SFY 2023 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 2023 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 2023 data on dropped bus trips and canceled commuter rail trains, and SFY 2023 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 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 operability of station escalators.
 - CTPS will conduct field observations on the provision of amenities at rapid transit and commuter rail stations.
 - The MBTA will provide CTPS with data on the condition of rapid transit and commuter rail stations and the location and operability of all other amenities.
- *Vehicle Assignment:* For bus vehicle assignment, CTPS will obtain MBTA garage pullout and maintenance records for at least one sampled day in SFY 2023. 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 SFY 2023 Findings in a Memorandum to the MBTA

CTPS will compile the results of Task 1 into the 2024 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.

Product of Task 2

2024 Title VI service monitoring memorandum to the MBTA

Task 3 Monitor SFY 2024 Service Performance

CTPS will analyze MBTA service data from SFY 2024 using the procedures described in Task 1. All of the service indicators listed in Task 1 are monitored annually, except for the provision of amenities at rapid transit and commuter rail stations, which is monitored in even-numbered years. In 2025, CTPS will collect and analyze data on the location and condition of bus shelters and the distribution of bus shelter amenities, including provision of proper seating fixtures.

Products of Task 3

- Compliance summaries for each service indicator, 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, including the figures that form each disparate impact ratio for comparison to the MBTA's disparate impact threshold

Task 4 Document SFY 2024 Findings in a Memorandum to the MBTA

CTPS will compile the results of Task 3 into the 2025 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.

Product of Task 4

2025 Title VI service monitoring memorandum to the MBTA

Task 5 Provide Ongoing Technical Support to the MBTA

CTPS will provide ongoing technical assistance to the MBTA to address Title VI issues as necessary.

Product of Task 5

Technical support to the MBTA as necessary

Exhibit 1
ESTIMATED SCHEDULE
MBTA 2024 and 2025 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 SFY 2023 Service Performance																									
2. Document SFY 2023 Findings in a Memorandum to the MBTA												A													
3. Monitor SFY 2024 Service Performance																									
4. Document SFY 2024 Findings in a Memorandum to the MBTA																							B		
5. Provide Ongoing Technical Support to the MBTA																									

Products/Milestones

- A: 2024 Title VI service monitoring memorandum
- B: 2025 Title VI service monitoring memorandum

Exhibit 2
ESTIMATED COST
MBTA 2024 and 2025 Title VI Program Monitoring

Direct Salary and Overhead							\$196,964		
Task	Person-Weeks by Pay Grade						Direct Salary	Overhead (120.3%)	Total Cost
	G-9	G-8	G-6	G-2	G-1	Total			
1. Monitor SFY 2023 Service Performance	0.0	1.0	19.0	2.0	5.0	27.0	\$38,601	\$46,437	\$85,038
2. Document SFY 2023 Findings in a Memorandum to the MBTA	0.2	0.2	1.2	0.0	0.0	1.6	\$2,792	\$3,359	\$6,151
3. Monitor SFY 2024 Service Performance	0.0	1.0	20.0	2.0	5.0	28.0	\$40,162	\$48,315	\$88,478
4. Document SFY 2024 Findings in a Memorandum to the MBTA	0.2	0.2	1.7	0.0	0.0	2.1	\$3,573	\$4,298	\$7,871
5. Provide Ongoing Technical Support to the MBTA	0.0	0.5	2.0	0.0	0.0	2.5	\$4,279	\$5,147	\$9,426
Total	0.4	2.9	43.9	4.0	10.0	61.2	\$89,407	\$107,556	\$196,964
Other Direct Costs							\$1,000		
Travel									\$1,000
TOTAL COST							\$197,964		

Funding
 Future MBTA Contract

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:

857.702.3700 (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>.