



BOSTON REGION METROPOLITAN PLANNING ORGANIZATION

Stephanie Pollack, MassDOT Secretary and CEO and MPO Chair
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WORK PLAN

TRANSPORTATION EQUITY PROGRAM: FEDERAL FISCAL YEAR 2019

SEPTEMBER 20, 2018

Proposed Action

The Boston Region Metropolitan Planning Organization (MPO) reviews this work plan.

Project Identification

Project Number TBD

Client

Boston Region MPO

Project Supervisors

Principal: Betsy Harvey

Manager: Alexandra Kleyman

Funding Source

MPO Planning Contract #105757, MPO §5303 Contract #102694, and subsequent MPO §5303 contract

Schedule and Budget

Schedule: 12 months after work commences

Budget: \$149,790

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

Background

The purpose of the MPO's Transportation Equity (TE) Program is to ensure that the MPO considers the transportation needs of populations that have been traditionally underrepresented in the transportation planning process or underserved by the transportation system, as required by federal and state regulations. Based on federal mandates, these populations include people who identify as minorities, have limited English proficiency (LEP), are 75 years old or older or 17 years old or younger, or have a disability; or are members of low-income households. These mandates include

- Title VI of the Civil Rights Act of 1964 (Title VI) prohibits discrimination on the basis of race, color, and national origin by recipients of federal funding in their activities, programs, and services. Executive Order 13166 extends national origin protections to people who have limited English proficiency.
- The Environmental Justice (EJ) Executive Order requires each federal agency to identify and address disproportionately high and adverse human health or environmental effects of its programs, policies, and activities, including social and economic effects, on minority and low-income populations
- The Americans with Disabilities Act (ADA) provides protections for people with disabilities in all areas of public life. Specifically, it prohibits discrimination against persons with disabilities in all programs, activities, and services of public agencies, whether or not they receive federal financial assistance.
- Additional federal statutes extend federal protections based on sex and age: the Federal-Aid Highway Act of 1973 and the Age Discrimination Act of 1975, respectively

Both the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA) impose specific requirements on recipients of federal financial assistance for complying with the above directives. FTA's Title VI Circular (4702.1B) specifies requirements for people who identify as minority or have LEP; and its EJ Circular (4703.1) specifies requirements for people who identify as minority or low-income. FHWA has issued various guidelines that describe its requirements under its Title VI/Nondiscrimination Program, with protections based on minority status, income, age, sex, and disability. To comply with these regulations, the MPO's Title VI Program falls within the Transportation Equity (TE) Program.

Core Objectives of TE Program

1. Ensure that the MPO complies with all federal and state Title VI, EJ, and nondiscrimination regulations and guidance, and implements the MPO's Title VI Program

2. Coordinate development and implementation of analyses used to select MPO investments that serve protected populations to evaluate the potential impacts of these investments, individually and in the aggregate
3. Provide traditionally underserved populations with meaningful opportunities to participate in the MPO's planning and decision-making processes

Work Description

The Transportation Equity Program for federal fiscal year (FFY) 2019 is structured to reflect the three core objectives cited above. In general, these objectives remain the same from year to year, but the subtasks and work products listed below may vary based on the MPO's specific needs, or certain research, analysis, and outreach work recommended by MPO staff to enhance the TE Program. The TE Program also supports other MPO programs, including the Long-Range Transportation Plan (LRTP), Transportation Improvement Program (TIP), Unified Planning Work Program (UPWP), and specific studies undertaken by MPO staff. Because of the cross-cutting nature of FTA and FHWA requirements, some of the MPO's Title VI activities are undertaken within multiple TE Program tasks—such as completing required equity analyses and public outreach; or under other MPO work plans—such as providing materials in accessible formats and translations of vital documents into languages other than English. These are described within each task as appropriate.

Task 1 Document Compliance with FTA Title VI and FHWA Title VI, EJ, and Nondiscrimination Requirements

Each year, the MPO documents its compliance with FTA's and FHWA's Title VI, EJ, and nondiscrimination requirements. Every three years, the MPO compiles a triennial Title VI report that documents its compliance with these regulations during the preceding three years. The MPO submitted the most recent triennial report in FFY 2017. As FFY 2019 is not a triennial year, the Massachusetts Department of Transportation's (MassDOT) Office of Diversity and Civil Rights (ODCR) will develop annual work plans for all Massachusetts MPOs to ensure consistency in Title VI activities statewide. The MPO's FFY 2019 compliance effort will consist of

- Developing and making available to the public notices and documents regarding civil rights, as needed
- Translating vital documents, as identified in the MPO's Language Assistance Plan (LAP), which will be done under the MPO's Direct Support budget
- Providing MPO documents in accessible formats, which will be done under 3C Planning and MPO Support
- Producing an annual report documenting the MPO's compliance with ODCR's FFY 2019 work plan for the MPO

Products of Task 1

- Annual Title VI report documenting the MPO's compliance with ODCR's annual work plan

Task 2 Develop and Implement Transportation Equity-related Analyses

The activities in this task develop and implement the analytical components of the TE Program, both those conducted to ensure compliance with federal and state regulations, and those that are not required but which further the MPO's equity goals and objectives. The latter analyses are typically done to support other MPO programs, including the LRTP, TIP, UPWP, and studies undertaken by MPO staff, to ensure that the transportation needs of TE populations are better understood and are reflected in the MPO's activities, programs, and policies. Staff also updates demographic, socioeconomic, and other relevant data to ensure that analyses use the most current data. This task includes convening a multi-disciplinary internal committee, the Transportation Equity Analysis Committee (TEAC), to improve collaboration and decision making on equity-related analyses throughout the agency. Specific work to be completed in FFY 2019 under this task is described in the subtasks that follow.

Subtask 2.1 Gather Demographic Data

As is done every year, staff will continue to collect and analyze demographic and socioeconomic data from a variety of sources. The data collected will relate to the populations that are protected by federal and state mandates; they support analyses developed and implemented in subtasks 2.3 and 2.4. Staff will update the appropriate equity-related analyses as these data become available.

Subtask 2.2 Manage the MPO Staff's Transportation Equity Analysis Committee

Staff will continue to coordinate the activities of an internal technical committee to help ensure that equity-related analyses are consistently implemented across the agency, and to promote integration of EJ and Title VI principles in all MPO activities. This task will include meeting with agency staff who have the relevant expertise to develop strategies for updating various components of the equity-related analyses. Decisions made by this committee will be implemented in the appropriate equity analyses described in subtasks 2.3 and 2.4.

Product of Subtask 2.2

- As appropriate, a memorandum identifying the topics covered in TEAC meetings and decisions made by the MPO regarding Title VI and EJ analysis methods

Subtask 2.3 Develop and Implement Federally Required Title VI, EJ, and Nondiscrimination Analyses

Under this subtask, staff will develop new (and refine existing) analytical approaches to federally required Title VI, EJ, and nondiscrimination analyses. The decisions made by TEAC in subtask 2.4 will support development of these analyses. In FFY 2019, work completed under subtask 2.3 will include

- Analyzing distribution of the MPO's federal funds through the TIP, LRTP, and UPWP
- Developing metrics and analytical approaches with which to assess the equity of the TIP program of projects
- Developing and implementing a draft version of a Disparate Impact and Disproportionate Burden (DI/DB) Policy that describes how the MPO will identify potential disparate impacts and disproportionate burdens in the LRTP program of projects

Products of Subtask 2.3

- Memo describing how the MPO will identify potential disparate impacts and disproportionate burdens in its LRTP program of projects using a DI/DB Policy, and the metrics that will be analyzed for disparate impacts and disproportionate burdens
- Analysis of the distribution of state and federal funds in the aggregate for public transportation purposes in the TIP, LRTP, and UPWP

Subtask 2.4 Coordinate the Development of Equity Analyses to Support MPO Programs

The goal of this subtask will be to coordinate with other MPO programs to develop analyses that help the MPO to identify and address the transportation needs of populations protected by federal and state mandates, as well as the potential impacts of MPO investments on these populations. Staff will incorporate input from TEAC under task 2.2, as necessary. Staff will also ensure that the MPO remains up-to-date on federal and state guidance and industry best practices for analyzing the equity-related needs and potential impacts of transportation investments. Activities may include, but are not limited to

- Tracking transportation, demographic, and socioeconomic trends related to the MPO's equity goal and objectives
- Developing analyses that identify potential impacts of TIP projects to support TIP project evaluation criteria

Task 3 Conduct Public Outreach to Traditionally Underserved Populations

Staff will continue to conduct public outreach targeted specifically to the populations protected by federal and state mandates to ensure that they have meaningful opportunities to engage with the MPO's planning and decision-making processes. In FFY 2019, the main activities of this task will be to

- Build new and strengthen existing relationships with organizations that serve populations protected by state and federal mandates in order to improve their awareness of the MPO and opportunities to participate in the MPO's transportation planning and decision-making processes
- Gather information about the transportation needs of populations protected by federal mandates and incorporate it into the MPO's planning documents

Products of Task 3

- Database documenting transportation needs of populations protected by federal and state mandates, as identified through outreach
- Transportation equity newsletter to highlight MPO equity-related activities and communicate opportunities for involvement with MPO activities
- Blog posts, as appropriate, about activities undertaken by staff related to the TE Program

Task 4 Provide Ongoing Support to MassDOT

Periodically, MassDOT, via ODCR, requests that the MPO provide information in various formats so that MassDOT and the MPO remain compliant with federal regulations. Staff will respond to these requests as they arise. These activities will include assisting MassDOT's Rail and Transit Division's solicitation for projects and project scoring for several state and federal programs, as requested. As in the previous FFY, it is anticipated that MassDOT will ask the MPO to participate in scoring project proposals that seek funding through FTA Section 5310 grants, which provide capital and operating assistance for addressing the mobility needs of the elderly and people with disabilities.

Product of Task 4

- FTA Section 5310 grant scoring of project proposals

Task 5 Coordinate Update of the MPO Coordinated Public Transit-Human Services Transportation (CPT-HST) Plan

Pursuant to FTA Circular 9070.1G, projects selected for funding under the Section 5310 program must be consistent with the transportation needs identified in a CPT-HST. The CPT-HST identifies the transportation needs of people who have a disability, or are 75 years of age or older, or are members of low-income households; provides strategies for meeting those needs; and prioritizes

transportation services and projects for funding. The Boston Region MPO is responsible for updating the CPT-HST for this region. Circular 9070.1G stipulates that the CPT-HST follow the update cycles for the LRTP, which is every four years. Given that the MPO's last CPT-HST was fulfilled in January 2015, staff will conduct the outreach necessary to update the CPT-HST and produce a final CPT-HST document.

Product of Task 5

- Updated Coordinated Public Transit-Human Services Transportation Plan for the Boston MPO region

Exhibit 1

ESTIMATED SCHEDULE

Transportation Equity Program: Federal Fiscal Year 2019

Task	Month											
	1	2	3	4	5	6	7	8	9	10	11	12
1. Title VI/Nondiscrimination Compliance	A											
2. Complete Transportation Equity-related Analyses	B						C			D		
3. Conduct Public Outreach												
4. Provide Ongoing Support to MassDOT	E											
5. Update Coordinated Public Transit - Human Services Transportation Plan								F				

Products/Milestones

- A: FFY 2018 MPO Title VI Report
- B: Memorandum describing MPO's Disparate Impact and Disproportionate Burden Policy and Analysis
- C: Analysis of the distribution of state and federal funds in the aggregate for public transit purposes
- D: Memorandum describing topics covered in Transportation Equity Analysis Committee meetings and decisions made regarding Title VI and EJ analysis methods
- E: FTA Section 5310 grant scoring of project proposals
- F: Updated Coordinated Public Transit - Human Services Transportation Plan

Exhibit 2**ESTIMATED COST****Transportation Equity Program: Federal Fiscal Year 2019****Direct Salary and Overhead** **\$149,790**

Task	Person-Weeks							Direct Salary	Overhead (99.00%)	Total Cost
	M-1	P-5	P-4	P-3	P-2	Temp	Total			
1. Title VI/Nondiscrimination Compliance	4.1	1.0	0.6	5.0	0.0	0.0	10.7	\$16,640	\$16,473	\$33,113
2. Complete Transportation Equity-related Analyses	1.2	1.3	7.3	18.0	1.0	0.2	29.0	\$38,840	\$38,452	\$77,292
3. Conduct Public Outreach	0.0	0.6	0.0	4.0	0.0	0.0	4.6	\$6,202	\$6,140	\$12,343
4. Provide Ongoing Support to MassDOT	0.0	0.0	0.0	1.0	0.0	0.0	1.0	\$1,256	\$1,243	\$2,499
5. Update Coordinated Public Transit - Human Services Transportation Plan	2.3	0.0	0.4	6.0	0.0	0.0	8.7	\$12,334	\$12,210	\$24,544
Total	7.6	2.9	8.3	34.0	1.0	0.2	54.0	\$75,271	\$74,519	\$149,790

Other Direct Costs **\$0****TOTAL COST** **\$149,790****Funding**

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