AGENDA

TRANSIT PROVIDERS MEETING

North Central Texas Council of Governments
Transportation Council Room
616 Six Flags Drive, Arlington, TX 76011
Tuesday, February 11, 2020: 8:30 AM – Meet and Greet; 9:00 AM – Meeting

1. Meet and Greet......................................................................................................................................................... All

2. Welcome and Introductions................................................................................................................................. Shannon Stevenson

3. NCTCOG Mobility Management Team Overview.............................................................................................. Gypsy Gavia

4. Fast Facts................................................................................................................................................................. Robby Sprosty
   a. FY2019 Triennial Review Update
   b. Cooperative Vehicle Procurement
   c. Quarterly and Biannual Meetings

5. Fiscal Year 2020 Apportionment of Funding/FTA Items.................................................................................... Edgar Hernandez

6. Oversight and Compliance Discussion................................................................................................................. Shawn Dintino

7. Break

8. Disadvantaged Business Enterprise Program................................................................................................. Emily Beckham
   Allysha Mason

9. Title VI and Transit................................................................................................................................................. Kate Zielke
   Taylor Benjamin

10. Questions & Answers............................................................................................................................................ All
HISTORICAL APPROACH

- NCTCOG DBE Program and Goal developed without Transit Subrecipient procurement expectations
- NCTCOG reports Subrecipient procurements and purchases in DBE Semi-Annual reports
- Results in Shortfall in NCTCOG’s DBE goal attainment
- Triennial Review Findings related to DBE
  - Shortfall Analysis and Corrective Action
  - Prompt Payment
FY2020-FY2022 DBE GOAL UPDATE

- Met with Transit Subrecipients
- Identified Contract awards for 2020-2022 (NCTCOG & Subs)
- Categorized purchases & Assigned NAICS Codes
- Reviewed 2016 County Business Pattern Data by Market Area (DFW MSA & Rural Counties)
- Searched TUCP by Market Area (DFW MSA & Rural Counties)
- Calculated Proposed DBE Goals
- Submitted FY2020-FY2022 Goals to FTA
- Implementation of DBE Goals
# FY2020-2022 DBE GOAL UPDATE POTENTIAL CONTRACTS AWARDS

**(FTA – NCTCOG & SUBS)**

<table>
<thead>
<tr>
<th>Procurement Type</th>
<th>Potential Awards (in $1,000s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Construction</td>
<td>$275</td>
</tr>
<tr>
<td>Marketing, Advertising, and Public Relations</td>
<td>$268</td>
</tr>
<tr>
<td>Office Supplies &amp; Equipment (Rental &amp; Purchase)</td>
<td>$587</td>
</tr>
<tr>
<td>Operational Administrative, Communications, Support Services</td>
<td>$2,476</td>
</tr>
<tr>
<td>Planning/Engineering</td>
<td>$6,830</td>
</tr>
<tr>
<td>Software and Ancillary Information Technology Professional Services</td>
<td>$383</td>
</tr>
<tr>
<td>Vehicle Maintenance and Operations Support</td>
<td>$4,998</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$15,796</strong></td>
</tr>
</tbody>
</table>
# FY2020-2022 DBE Goal Update: DBE Availability Analysis (FTA Funding – NCTCOG & Subs)

<table>
<thead>
<tr>
<th>Procurement Type</th>
<th>Potential Awards (in $1,000s)</th>
<th>DBE Firms</th>
<th>Total Firms</th>
<th>DBE Goal</th>
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</thead>
<tbody>
<tr>
<td>Building Construction</td>
<td>$275</td>
<td>235</td>
<td>791</td>
<td>29.7%</td>
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<tr>
<td>Marketing, Advertising, and Public Relations</td>
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<td>261</td>
<td>1734</td>
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<tr>
<td>Office Supplies &amp; Equipment (Rental &amp; Purchase)</td>
<td>$587</td>
<td>29</td>
<td>997</td>
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<tr>
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<td>406</td>
<td>8205</td>
<td>4.9%</td>
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<tr>
<td>Planning/Engineering</td>
<td>$6,830</td>
<td>524</td>
<td>1673</td>
<td>31.3%</td>
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<tr>
<td>Software and Ancillary Information Technology Professional Services</td>
<td>$383</td>
<td>219</td>
<td>2635</td>
<td>8.3%</td>
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<tr>
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<td>30</td>
<td>2569</td>
<td>1.2%</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$15,796</strong></td>
<td>1,712</td>
<td>18,708</td>
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<tr>
<td><strong>Total Weighted Summary</strong></td>
<td></td>
<td></td>
<td></td>
<td>15.8%</td>
</tr>
<tr>
<td>Procurement Type</td>
<td>Potential Awards (in $1,000s)</td>
<td>DBE Goal</td>
<td>Total Anticipated DBE Contract Value</td>
<td></td>
</tr>
<tr>
<td>-------------------------------------------------------</td>
<td>------------------------------</td>
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<td>-------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Building Construction</td>
<td>$275</td>
<td>29.7%</td>
<td>$81,700</td>
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<td>$58,129</td>
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<tr>
<td>TOTAL</td>
<td>$8,776</td>
<td>7.9%</td>
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<tr>
<td>Total Weighted Summary</td>
<td></td>
<td>3.2%</td>
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</tbody>
</table>
FY2020-FY2020 DBE GOAL IMPLEMENTATION

- Notify NCTCOG of Adoption of DBE Program & FY2020-2022 Goal
- Procurement Review and Confirmation of DBE Goals
- Ongoing Reporting
- Documentation of good faith efforts
IMPLEMENTATION BY PROCUREMENT TYPE
MICRO-PURCHASES & QUOTES

Micro-Purchases

- Subrecipients should maximize purchases at DBEs, where feasible
- Subrecipients can confirm if a company is a DBE through the Texas Unified Certification Program (TUCP)

Quotes

- Subrecipients should send Request for Quotes to DBEs, where feasible
- Subrecipients can look for DBE firms through the TUCP and/or request DBE vendors from NCTCOG vendor database
IMPLEMENTATION BY PROCUREMENT TYPE

COMPETITIVE PURCHASE

- Subrecipients should identify if subcontracting opportunities are available
- If subcontracting opportunities are available, appropriate DBE contract goal should be established in Invitation to/for Bid and/or Request for Proposal
- Subrecipient should search the TUCP and/or request for DBE list from NCTCOG vendor database for applicable project type
  - Include in notification of solicitation
  - Include list in solicitation documentation to alert Prime Contractors for teaming opportunities

Example procurement language:
The Disadvantaged Business Enterprise participation goal must meet the XX percentage goal identified for this type of procurement. Failure on the part of the majority contractor to meet this goal or demonstrate meaningful good faith efforts may be grounds for finding the proposal nonresponsive.
Subrecipients can access the TUCP here: https://www.txdot.gov/business/partnerships/tucp.html

Entities who have a valid Certification as a DBE will be included in the TUCP DBE Directory

Resources
- TUCP DBE Directory
- Amended TUCP Standard Operating Procedures
- TUCP Standard Operating Procedures
- TUCP Memorandum of Agreement (MOA)
- DBE Application
- Personal Net Worth Statement (PNW)
- DBE Annual Update Affidavit

Search by Certification Type

<table>
<thead>
<tr>
<th>Certifications</th>
</tr>
</thead>
<tbody>
<tr>
<td>☐ Airport Concessionaire Disadvantaged Business Enterprise (ACDBE)</td>
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<tr>
<td>☑ Disadvantaged Business Enterprise (DBE)</td>
</tr>
<tr>
<td>☐ Small Business Enterprise (SBE)</td>
</tr>
</tbody>
</table>

Search by Business Name or DBA

Business Name/DBA
Tip: Try just a few letters of the firm's name.

Search by Business Description

Business Description
Tip: Try just a few letters of a keyword.
DBE REPORTING REQUIREMENTS

- DBE reports are required for submission semi-annually:
  - Purchases between Oct. 1st and March 31st submitted through Period 1 reporting
  - Purchases between April 1st and September 30th submitted through Period 2 reporting
- FTA funding programs: 5307, 5310, JARC, New Freedom
DBE REPORTING REQUIREMENTS CONT’D

- **Period 1 Due Dates:**
  - Project Managers will communicate with subrecipients the due dates for drafts and final DBE report submission
  - i.e., 1st draft may be due second week of April
  - Final report may be due no later than 1st week of May
- **Note:** Attach “raw” data (general ledger or other detailed financial statement) in **Excel** form.
CHANGES TO THE REPORT FORM

- Signature has been moved to the “Instructions” tab
  - Subrecipient and Project Manager signatures
- Included an Urban Split tab
- Submittal Form has been extended, additional column
North Central Texas Council of Governments (NCTCOG) subrecipients that receive Federal Transit Administration (FTA) grant funding through NCTCOG must comply with Disadvantaged Business Enterprise (DBE) requirements found within 49 CFR 26, the NCTCOG-FTA Master Agreement, and executed interlocal agreements.

Please provide your agency’s monthly urban split percentage in the table below. (Note: This percentage split is different from the “Federal Reimbursement Rate” on the Submittal Form tab.) The urban split percentage should match the urban percentage requested for reimbursement on your agency’s monthly invoice.

<table>
<thead>
<tr>
<th>Month</th>
<th>Urban Split (%)</th>
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</thead>
<tbody>
<tr>
<td>October</td>
<td>34%</td>
</tr>
<tr>
<td>November</td>
<td>37%</td>
</tr>
<tr>
<td>December</td>
<td>36%</td>
</tr>
<tr>
<td>January</td>
<td>42%</td>
</tr>
<tr>
<td>February</td>
<td>41%</td>
</tr>
<tr>
<td>March</td>
<td>35%</td>
</tr>
</tbody>
</table>

Please be sure to input the correct months for the reporting period.

Report Period 1: October 1st to March 31st
Report Period 2: April 1st to September 30th
North Central Texas Council of Governments (NCTCOG) subrecipients that receive Federal Transit Administration (FTA) grant funding through NCTCOG must comply with Disadvantaged Business Enterprise (DBE) requirements found within 49 CFR 26, the NCTCOG-FTA Master Agreement, and executed interlocal agreements.

<table>
<thead>
<tr>
<th>AGENCY INFORMATION</th>
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<tbody>
<tr>
<td>Transit Agency:</td>
<td>Safety First Transportation</td>
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<tr>
<td>Date:</td>
<td>4/17/2020</td>
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<tr>
<td>Current FY DBE Goal:</td>
<td>10%</td>
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</table>

<table>
<thead>
<tr>
<th>Funding Program</th>
<th>Procurement Type</th>
<th>Description of Procurement</th>
<th>DBE Goal</th>
<th>Award Date</th>
<th>Award Completed Date</th>
<th>Total Award Amount</th>
<th>Total DBE Expenditure</th>
<th>Total Procurement Expenditure</th>
<th>Federal Clauses Included</th>
<th>Federal Reimbursement Rate</th>
<th>Urban Split (%)</th>
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</thead>
<tbody>
<tr>
<td>5307</td>
<td>Micropurchase</td>
<td>Vehicle Maintenance</td>
<td>0%</td>
<td>10/30/2019</td>
<td>10/30/2019</td>
<td>$ 1,568.00</td>
<td>$ -</td>
<td>$ 1,568.00</td>
<td>No</td>
<td>100%</td>
<td>34%</td>
</tr>
<tr>
<td>5307</td>
<td>Micropurchase</td>
<td>Tire Purchase</td>
<td>0%</td>
<td>1/27/2020</td>
<td>1/27/2020</td>
<td>$ 1,127.64</td>
<td>$ -</td>
<td>$ 1,127.64</td>
<td>No</td>
<td>100%</td>
<td>42%</td>
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</tbody>
</table>

Note: Urban Split (%) refers to the percentage of the total award amount that is spent on urban areas.
CONTACT INFORMATION

Emily Beckham
Grants and Contracts Manager
Legal Services
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817-608-2308

Allysha Mason
Transportation Planner III
Transit Management and Planning
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682-433-0441
TRANSIT MANAGEMENT AND PLANNING
(Page 2 of 2)

Gypsy Gavia
Senior Transportation Planner

Barb Walsh
Senior Administrative Assistant

Vivian Fung
Transportation Planner I

Dora Kelly
Transportation Planner III

David Garcia
Transportation Planner II

Ezra Pratt
Transportation Planner I

Shannon Stevenson
Senior Program Manager

FTA Program Administration
Transit Funding
Transit Project Implementation and Management
Transit Oversight and Compliance
FTA Triennial Review

Regional Coordination
Local Coordination

Mobility as a Service (MaaS) and Mobility Management

Short Range Planning and Special Studies

My Ride North Texas
FTA Mobility Management Grant
Access North Texas
Strategic Partnerships Funding Program
Special Olympics Partnership
New Denton Workforce Center
Frisco Pilot
Uber Circulator/Transit Passes
Equitable Transit Fares Program
Mobility on Demand Working Group
Regional Integrated Platform
Regional Mobility Management Working Group

Travel Demand Management Strategies
Regional Vanpool Program
Transportation Management Associations
Southern Dallas Inland Port
Community College Partnerships
First/Last Mile Connections (Collin Creek Mall Circulator, Western Extrusions, etc.)
TxDOT Public Transportation Advisory Committee

 Guaranteed Transit/High intensity Bus
Transit Studies: Collin, S Dallas, Tarrant,
and E Dallas, Kaufman & Rockwall,
and Denton Counties
M-Line Extension Study
Performance Measures
ArcGIS Projects/Maps for Transit Website

College Intermodal Transportation Hub Study
Burleson Stacked Commuter Rail
Special Projects/Studies (Oak Farm Dairy,
Fort Worth Transit Tech Advisory Com, etc)
Mobility Plan
Short-Range Transit & Corridor Planning
Competitive Grant Opportunities
Transit Agencies & Local Govts Technical Assistance & Coordination
TRANSIT TEAMS CONNECTIONS

MPO Role
- Transit Modeling: Long-Range

MPO Role & Designated Recipient Role
- Mobility Management & MaaS
- Program Award Management & Reporting

Designated Recipient Role
- Subrecipient Implementation & Management
- Subrecipient Oversight & Compliance

Metropolitan Transportation Plan

Transit Management & Planning
Mobility Management is an innovative approach for managing and delivering coordinated transportation services to customers, including older adults, people with disabilities, and individuals with lower incomes. Mobility management focuses on meeting individual customer needs through a wide range of transportation options and service providers. It also focuses on coordinating these services and providers to achieve a more efficient transportation service delivery system.

Source: https://www.transit.dot.gov/ccam/resources/mobility-management-brochure
To identify transit gaps, coordinate regional resources, and promote partnerships with governments, transit providers, and stakeholders in order to serve the transportation needs of the region including disadvantaged populations.
THEMES FOR MOBILITY MANAGEMENT

- Innovative Solutions
- Coordination and Partnership
- Filling Gaps
- Sustainability of Service
- Increased Choice and Opportunity
Received FY19 Access and Mobility Grant to implement a regional mobility management program

Project has two main goals:
1. Implement regional call center to provide travel counseling for 16-county region
2. Coordinate with transit partners and stakeholders to improve services and share resources

Transit partners will be invited to participate to roundtable meetings. Anticipate first meeting in March/April 2020
Strategic Partnerships (Summer 2020)

What’s New?

- Accepting proposals on rolling basis
- Encouraging non-service providers to partner with existing transit providers
- Not intended to make up for operating shortfalls, but to pilot services in urbanized area
- Information will be sent to subrecipients and posted online
Strategic Partnerships vs. Traditional Calls For Projects

**Strategic Partnerships**
- Address Access North Texas Priorities
- Identify Gaps in Service
- Responsive to Immediate Needs
- Leverage Funding when it’s Available
- Proactive

**Traditional Calls for Projects**
- May Not Address Access North Texas Priorities
- Trust Gaps in Service are Proposed
- Responsive to Requests Every Two Years
- Limited Opportunities to Leverage Funding
- Reactive
Funding Programs

Job Access/Reverse Commute Program (§5307)

Supports low income individuals to/from employment

**Eligible Expenses**
- Capital, Operating, Planning

**Eligible Applicants**
- Non-Profits
- Non-Traditional Transportation Providers
- State/Local Governments
- Public Transit Operators

Enhanced Mobility of Seniors and Individuals with Disabilities Program (§5310)

Serve seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable

**Eligible Expenses**
- Capital, Operating

**Eligible Applicants**
- Non-Profits
- Non-Traditional Transportation Providers
- State/Local Governments
- Public Transit Operators
Access North Texas

The Access North Texas Plan

- Identifies public transportation needs of low-income individuals, older individuals, and those with disabilities
- Notes specific strategies to address needs and current challenges.
- Avoids duplication of transit services
- Eliminates gaps in service
- Meets Federal and State requirements for regional transit coordination
- Encourages non-traditional transit solutions

Access North Texas Does Not

- Provide feasibility studies
- Provide funding
- Provide service
Gypsy Gavia
Senior Transportation Planner
Transit Management and Planning
 ggavia@nctcog.org
 817-695-9134
2020 APPORTIONMENT FUNDING AND PROGRAM OF PROJECTS DEVELOPMENT

EDGAR HERNANDEZ, SENIOR TRANSPORTATION PLANNER
DYLAN HERNANDEZ, TRANSPORTATION PLANNER
Authorization Act passed (FAST Act); Apportionments authorized annually

Authorization Act signed; Annual apportionments signed

Apportionment funds distributed to Department of Transportation
Funding appropriated through federal formula process

Funding to urbanized areas distributed using Census data, transit service metrics (NTD), and agency need

North Central Texas Urbanized Areas

Dallas-Fort Worth-Arlington Urbanized Area

Denton-Lewisville Urbanized Area

McKinney Urbanized Area

Congress

President

Department of Transportation

Federal Transit Administration

North Central Texas Council of Governments
A LOOK BACK: 2019 APPORTIONMENT DISTRIBUTION

DISTRIBUTION BY PROJECT TYPE

Maintenance: 75%
Vehicles: 8%
Operations: 6%
Other Capital Items: 11%
## Summary of Available 2019 Formula Funds

<table>
<thead>
<tr>
<th>Program</th>
<th>Dallas-Fort Worth-Arlington</th>
<th>Denton-Lewisville</th>
<th>McKinney</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urbanized Area Formula (Section 5307)</td>
<td>$79.8M</td>
<td>$6.3M</td>
<td>$3.3M</td>
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<tr>
<td>Enhanced Mobility (Section 5310)</td>
<td>$3.2M</td>
<td>$205K</td>
<td>TxDOT Award</td>
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<tr>
<td>State of Good Repair (Section 5337)</td>
<td>$31.7M</td>
<td>$2.2M</td>
<td>N/A</td>
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<tr>
<td>Bus and Bus Facilities (Section 5339)</td>
<td>$7.2M</td>
<td>$531K</td>
<td>TxDOT Award</td>
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</table>
### Summary of Available 2020 Formula Funds

<table>
<thead>
<tr>
<th>Program</th>
<th>Dallas-Fort Worth-Arlington</th>
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<th>McKinney</th>
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<tbody>
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<td>$3.4M*</td>
<td>$217K*</td>
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<tr>
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<tr>
<td>Bus and Bus Facilities (Section 5339)</td>
<td>$7.6M</td>
<td>$538K</td>
<td>TxDOT Award</td>
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*Amounts listed do not include funds set-aside for Strategic Partnerships, to be awarded to eligible Job Access/Reverse Commute and Enhanced Mobility projects
# FTA 2020 APPORTIONMENT FUNDING

## Funding Level Changes from 2019

<table>
<thead>
<tr>
<th>Program</th>
<th>Dallas-Fort Worth-Arlington</th>
<th>Denton-Lewisville</th>
<th>McKinney</th>
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<td>![Right Arrow]</td>
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<td>Enhanced Mobility (Section 5310)</td>
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<tr>
<td>State of Good Repair (Section 5337)</td>
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<tr>
<td>Bus and Bus Facilities (Section 5339)</td>
<td>![Up Arrow]</td>
<td>![Up Arrow]</td>
<td>TxDOT Awards</td>
</tr>
</tbody>
</table>
What is POP Development?

- Process by which traditional transit providers work with NCTCOG to determine funding needs based on current funding levels once the FTA apportionment is released
- Traditional Transit Providers – agencies providing public transportation services and recognized by the state as rural or urban transit districts
- NCTCOG staff review funding requests and work with providers to accommodate those requests within the confines of the current year apportionment in accordance with applicable regulations
- Per NCTCOG’s Regional Transportation Council policy, small provider urbanized needs will continue to be met first with the transit authorities receiving the remainder of the funds
- Awarded funding will be communicated through the Split Letter sent out by NCTCOG
  - Split Letter – establishes the allocation of apportionment funds
## POP DEVELOPMENT SCHEDULE

<table>
<thead>
<tr>
<th>Activity</th>
<th>Timeframe/Deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020 Full Apportionment Published</td>
<td>February 3, 2020</td>
</tr>
<tr>
<td>Prepare Sub-Allocation Tables and Matrices</td>
<td>February – March 2020</td>
</tr>
<tr>
<td><strong>2020 POP Development</strong></td>
<td></td>
</tr>
<tr>
<td>Submit Proposed POPs</td>
<td>April 2020</td>
</tr>
<tr>
<td>POP Review</td>
<td>April 17, 2020</td>
</tr>
<tr>
<td>November TIP Cycle Due Date</td>
<td>April 20 – July 10, 2020</td>
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<tr>
<td>Public Meeting</td>
<td>July 31, 2020</td>
</tr>
<tr>
<td>RTC Action of November TIP Cycle</td>
<td>Week of September 7, 2020</td>
</tr>
<tr>
<td>Executive Board (Action Item)</td>
<td>October 8, 2020</td>
</tr>
<tr>
<td>2020 Apportionment: 1(^{st}) Split Letter*</td>
<td>October 22, 2020</td>
</tr>
<tr>
<td>2020 Apportionment: 2(^{nd}) Split Letter</td>
<td>April 2020</td>
</tr>
<tr>
<td></td>
<td>October 2020</td>
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</table>

*1\(^{st}\) Split Letter will address 2020 POP placeholders submitted through the May 2020 TIP modification cycle
KEYS TO POP DEVELOPMENT

Only expenses attributable to the urbanized area will be eligible for reimbursement.

Two Split Letter Process

Subrecipients: 2020 Apportionment will account for capital expenditures through June 2022.

Subrecipients: List of anticipated procurements will need to be submitted before award if requesting funding for project administration and capital projects.

Subrecipients: Procurement timelines, 3-5 year Capital Improvement Plans, Cost Allocation Plans, and Architectural statements for Intelligent Transportation Systems projects.
KEYS TO FORMULA FUNDS

- Focus on National Transit Database reporting
  - More service provided and reported in the urbanized area = More urban funds for the region

- Plan ahead on how formula funds will be used for urban services
  - Ensure financial resources are proportionate to the federal funding requested
  - Ensure a local match is in place for the federal funding requested

- NCTCOG requirements to continue receiving formula funds
  - Work with your Project Managers to develop your Program of Projects
  - Submission of annual audits
  - Adequate financial controls carried out by qualified personnel with checks and balances in place

- FTA requirements must be met to continue receiving formula funds
  - FTA’s Certifications and Assurances
  - Direct recipients can reach out to their FTA planner for further information
RESOURCES

- FTA Grant Program Information
- 2 CFR 200
- TIP Webpage
- TIP Modification Cycle Schedule
- TrAMS Guidance and Training
- Scope and Activity Line Item Codes
- NCTCOG Staff
- FTA Staff
NCTCOG has submitted an Annual NTD Report for The City of Cleburne Transportation, Public Transit Services, SPAN Inc., and STAR Transit to the National Transit Database (NTD), meeting the reporting deadline of January 30th for agencies with a fiscal year ending in August or September.

- CTS’ Report Year 2019 NTD report will be submitted on or before April 30th

What to expect after the initial submission of your NTD report

- NCTCOG will request each of our subrecipients submit the final audit for all federal grant programs once available. This audit will be reviewed and the financial data for each NTD report will be updated accordingly.
- NCTCOG will work diligently to close out each NTD report upon receipt and subsequent review of the final audit. Upon closeout, each transit agency will be provided with a copy of their NTD report closeout letter confirming the report was officially accepted by the FTA.
Beginning in Report Year 2018, all recipients of FTA funding are required to submit an IAS-FD once every 10 years.

What is the Independent Auditor Statement for Financial Data?

The Independent Auditor Statement for Financial Data (IAS-FD) is a written statement provided by an independent firm which states all financial data presented in the NTD report is compliant with the Uniform System of Accounts (USOA) and as such, conforms to the accrual basis of accounting per FTA’s USOA Section 1.4.

Agency’s will be required to renew their IAS-FD if their accounting system undergoes major changes prior to the decennial benchmark.

- Major changes to an accounting system would include any deviation from the following NTD requirements,
  - The reporting agency records revenues and expenses using the accrual basis of accounting, per USOA Policy Manual
  - The reporting agency has followed the accounting guidance specified throughout the USOA Policy Manual
  - The reporting agency has crosswalked its chart of accounts to the object classes employed in the USOA and has adequately documented this crosswalk

This requirement is not retroactive. As such, any agency that submitted a waiver for this requirement in Report Year 2018 will be required to submit an IAS-FD with their Annual NTD Report in Report Year 2019 and will still be required to renew their IAS-FD in Report Year 2028.
City of Cleburne Transportation, Public Transit Services, and SPAN Inc., submitted an IAS-FD with their Report Year 2018 NTD Report. Each agency will be required to renew their IAS-FD in Report Year 2028.

As a full reporter, STAR Transit has continued to comply with NTD reporting requirements and most recently submitted an IAS-FD for Report Year 2011. STAR will be required to renew their IAS-FD in Report Year 2021.

CTS was granted a small systems waiver for the IAS-FD requirement in Report Year 2018. CTS will submit their IAS-FD in Report Year 2019. CTS will be required to renew their IAS-FD in Report Year 2028.
Beginning with Annual Reports to be submitted for Report Year 2020, NCTCOG will request supporting documentation for funds earned and expended on operations and capital projects be submitted in conjunction with your financial data. This would include items such as Request-for-Reimbursement forms submitted to TxDOT, and documentation regarding TDCs used in lieu of local match.

- All supporting documentation submitted should detail the federal, state, and local match.
- Draft Audits have become a necessary component of our initial review. When available, this documentation should be submitted with all other supporting documents pertaining to the financial data being reported by your agency.
- NCTCOG will request a copy of the final audit prior to submitting the final version of your NTD report.
- Annual Reporting will kick-off in October to allow subrecipients and NCTCOG more time to meet reporting deadlines.
- Communication/Responsiveness
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Transit Management and Planning  
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817-704-5640

Dylan Hernandez  
Transportation Planner II  
Transit Management and Planning  
dhernandez@nctcog.org  
817-704-5641
OVERSIGHT AND COMPLIANCE UPDATE

Shawn Dintino
Transportation Planner III
North Central Texas Council of Governments
FY 2019 TRIENNIAL REVIEW OVERSIGHT

- Subrecipient oversight performed in Fall 2019 for both ADA-General and Complementary Paratransit

- Subrecipients are meeting most ADA requirements

- January 31, 2020 corrective action deadline
OVERSIGHT AND COMPLIANCE PROGRAM

• Covers all 21 Triennial Review subject areas in 2020 and 2021

<table>
<thead>
<tr>
<th>Year</th>
<th>Review Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>11</td>
</tr>
<tr>
<td>2021</td>
<td>10</td>
</tr>
</tbody>
</table>

• Cycle starts over in 2022
• Covers all 21 areas over a three-year period

<table>
<thead>
<tr>
<th>Year</th>
<th>Review Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>2022</td>
<td>7</td>
</tr>
<tr>
<td>2023</td>
<td>7</td>
</tr>
<tr>
<td>2024</td>
<td>7</td>
</tr>
</tbody>
</table>
COMPLIANCE PROGRAM SCHEDULE

2020

Legal
Financial Management and Capacity
Technical Capacity-Award Management
Technical Capacity-Program Management
Technical Capacity-Project Management
Transit Asset Management
Satisfactory Continuing Control
Maintenance
Procurement
ADA-General
ADA-Complementary Paratransit

2021

Disadvantaged Business Enterprise
Title VI
Equal Employment Opportunity
School Bus
Charter Bus
Drug Free Workplace Act
Drug and Alcohol Program
Section 5307 Program Requirement
Section 5310 Program Requirements
PTASP (Coming soon)
COMPREHENSIVE REVIEW GUIDE

• Essential compliance reference tool
• Each review area is a separate chapter with a series of Review Area Questions
  • Focus on the Explanation for Recipient and Indicators of Compliance under each Review Area Question

• Link: https://www.transit.dot.gov/fy19-comprehensive-review-guide
• Transit operators must implement Agency Safety Plans, including safety performance targets, by **July 20, 2020**

• Applies to providers who receive funding through an open Section 5307 grant

• Larger transit providers must draft and implement their own plan

• Smaller transit providers may draft their own plan or join Texas Department of Transportation plan

• Transit provider is responsible for plan implementation
• Plans require development of seven performance targets in four measures

• Coordinate with NCTCOG in development of provider performance targets

• Coordinate with NCTCOG in development of MPO performance targets

<table>
<thead>
<tr>
<th>MEASURE</th>
<th>TARGET</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fatalities</td>
<td><strong>Total number of reportable fatalities</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Rate</strong> per total vehicle revenue miles by mode</td>
</tr>
<tr>
<td>Injuries</td>
<td><strong>Total number of reportable injuries</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Rate</strong> per total vehicle revenue miles by mode</td>
</tr>
<tr>
<td>Safety Events</td>
<td><strong>Total number of reportable events</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Rate</strong> per total vehicle revenue miles by mode</td>
</tr>
<tr>
<td>System Reliability</td>
<td><strong>Mean distance between major mechanical failures by mode</strong></td>
</tr>
</tbody>
</table>
PTASP RESOURCES AND NEXT STEPS

• PTASP Technical Assistance Center: https://www.transit.dot.gov/PTASP-TAC

• FTA offers two PTASP Workshops in Fort Worth March 17 and March 18, 2020
  • Registration: https://www.planitnow.com/FTA_FY20_PTASP_Workshops.php

• NCTCOG will host PTASP performance target coordination meeting in March, details forthcoming
QUESTIONS?

Shawn Dintino
Transportation Planner III
sdintino@nctcog.org
(817) 704-5605
DISADVANTAGED BUSINESS ENTERPRISE

EMILY BECKHAM, GRANTS AND CONTRACTS MANAGER
ALLYSHA MASON, TRANSPORTATION PLANNER III
HISTORICAL APPROACH

- NCTCOG DBE Program and Goal developed without Transit Subrecipient procurement expectations
- NCTCOG reports Subrecipient procurements and purchases in DBE Semi-Annual reports
- Results in Shortfall in NCTCOG’s DBE goal attainment
- Triennial Review Findings related to DBE
  - Shortfall Analysis and Corrective Action
  - Prompt Payment
FY2020-FY2022 DBE GOAL UPDATE

- Met with Transit Subrecipients
- Identified Contract awards for 2020-2022 (NCTCOG & Subs)
- Categorized purchases & Assigned NAICS Codes
- Reviewed 2016 County Business Pattern Data by Market Area (DFW MSA & Rural Counties)

- Searched TUCP by Market Area (DFW MSA & Rural Counties)
- Calculated Proposed DBE Goals
- Submitted FY2020-FY2022 Goals to FTA
- Implementation of DBE Goals
### FY2020-2022 DBE GOAL UPDATE POTENTIAL CONTRACTS AWARDS (FTA – NCTCOG & SUBS)

<table>
<thead>
<tr>
<th>Procurement Type</th>
<th>Potential Awards (in $1,000s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Construction</td>
<td>$275</td>
</tr>
<tr>
<td>Marketing, Advertising, and Public Relations</td>
<td>$268</td>
</tr>
<tr>
<td>Office Supplies &amp; Equipment (Rental &amp; Purchase)</td>
<td>$587</td>
</tr>
<tr>
<td>Operational Administrative, Communications, Support Services</td>
<td>$2,476</td>
</tr>
<tr>
<td>Planning/Engineering</td>
<td>$6,830</td>
</tr>
<tr>
<td>Software and Ancillary Information Technology Professional Services</td>
<td>$383</td>
</tr>
<tr>
<td>Vehicle Maintenance and Operations Support</td>
<td>$4,998</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$15,796</strong></td>
</tr>
</tbody>
</table>
### FY2020-2022 DBE GOAL UPDATE DBE AVAILABILITY ANALYSIS
(FTA FUNDING – NCTCOG & SUBS)

<table>
<thead>
<tr>
<th>Procurement Type</th>
<th>Potential Awards (in $1,000s)</th>
<th>DBE Firms</th>
<th>Total Firms</th>
<th>DBE Goal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Construction</td>
<td>$275</td>
<td>235</td>
<td>791</td>
<td>29.7%</td>
</tr>
<tr>
<td>Marketing, Advertising, and Public Relations</td>
<td>$268</td>
<td>261</td>
<td>1734</td>
<td>15.1%</td>
</tr>
<tr>
<td>Office Supplies &amp; Equipment (Rental &amp; Purchase)</td>
<td>$587</td>
<td>29</td>
<td>997</td>
<td>2.9%</td>
</tr>
<tr>
<td>Operational Administrative, Communications, Support Services</td>
<td>$2,476</td>
<td>406</td>
<td>8205</td>
<td>4.9%</td>
</tr>
<tr>
<td>Planning/Engineering</td>
<td>$6,830</td>
<td>524</td>
<td>1673</td>
<td>31.3%</td>
</tr>
<tr>
<td>Software and Ancillary Information Technology Professional Services</td>
<td>$383</td>
<td>219</td>
<td>2635</td>
<td>8.3%</td>
</tr>
<tr>
<td>Vehicle Maintenance and Operations Support</td>
<td>$4,998</td>
<td>30</td>
<td>2569</td>
<td>1.2%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$15,796</strong></td>
<td><strong>1,712</strong></td>
<td><strong>18,708</strong></td>
<td><strong>9.2%</strong></td>
</tr>
<tr>
<td><strong>Total Weighted Summary</strong></td>
<td></td>
<td></td>
<td></td>
<td>15.8%</td>
</tr>
<tr>
<td>Procurement Type</td>
<td>Potential Awards (in $1,000s)</td>
<td>DBE Goal</td>
<td>Total Anticipated DBE Contract Value</td>
<td></td>
</tr>
<tr>
<td>------------------------------------------------------</td>
<td>------------------------------</td>
<td>----------</td>
<td>-------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Building Construction</td>
<td>$275</td>
<td>29.7%</td>
<td>$81,700</td>
<td></td>
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<tr>
<td>Marketing, Advertising, and Public Relations</td>
<td>$218</td>
<td>5.7%</td>
<td>$12,460</td>
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<tr>
<td>Office Supplies &amp; Equipment (Rental &amp; Purchase)</td>
<td>$537</td>
<td>1.0%</td>
<td>$5,636</td>
<td></td>
</tr>
<tr>
<td>Operational Administrative, Communications, Support Services</td>
<td>$2,476</td>
<td>4.9%</td>
<td>$122,502</td>
<td></td>
</tr>
<tr>
<td>Planning/Engineering</td>
<td>$80</td>
<td>26.7%</td>
<td>$21,399</td>
<td></td>
</tr>
<tr>
<td>Software and Ancillary Information Technology Professional Services</td>
<td>$213</td>
<td>1.6%</td>
<td>$3,432</td>
<td></td>
</tr>
<tr>
<td>Vehicle Maintenance and Operations Support</td>
<td>$4,998</td>
<td>1.2%</td>
<td>$58,129</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$8,776</strong></td>
<td><strong>7.9%</strong></td>
<td><strong>$58,129</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Total Weighted Summary</strong></td>
<td></td>
<td><strong>3.2%</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
FY2020-FY2020 DBE GOAL IMPLEMENTATION

- Notify NCTCOG of Adoption of DBE Program & FY2020-2022 Goal
- Procurement Review and Confirmation of DBE Goals
- Ongoing Reporting
- Documentation of good faith efforts
IMPLEMENTATION BY PROCUREMENT TYPE
MICRO-PURCHASES & QUOTES

Micro-Purchases
- Subrecipients should maximize purchases at DBEs, where feasible
- Subrecipients can confirm if a company is a DBE through the Texas Unified Certification Program (TUCP)

Quotes
- Subrecipients should send Request for Quotes to DBEs, where feasible
- Subrecipients can look for DBE firms through the TUCP and/or request DBE vendors from NCTCOG vendor database
IMPLEMENTATION BY PROCUREMENT TYPE

COMPETITIVE PURCHASE

- Subrecipients should identify if subcontracting opportunities are available
- If subcontracting opportunities are available, appropriate DBE contract goal should be established in Invitation to/for Bid and/or Request for Proposal
- Subrecipient should search the TUCP and/or request for DBE list from NCTCOG vendor database for applicable project type
  - Include in notification of solicitation
  - Include list in solicitation documentation to alert Prime Contractors for teaming opportunities

Example procurement language:
The Disadvantaged Business Enterprise participation goal must meet the XX percentage goal identified for this type of procurement. Failure on the part of the majority contractor to meet this goal or demonstrate meaningful good faith efforts may be grounds for finding the proposal nonresponsive.
TEXAS UNIFORM CERTIFICATION PROGRAM

- Subrecipients can access the TUCP here:
  https://www.txdot.gov/business/partnerships/tucp.html

- Entities who have a valid Certification as a DBE will be included in the TUCP DBE Directory

Resources

- TUCP DBE Directory
- Amended TUCP Standard Operating Procedures
- TUCP Standard Operating Procedures
- TUCP Memorandum of Agreement (MOA)
- DBE Application
- Personal Net Worth Statement (PNW)
- DBE Annual Update Affidavit

### Search by Certification Type

<table>
<thead>
<tr>
<th>Certification Type</th>
<th>Checkbox</th>
</tr>
</thead>
<tbody>
<tr>
<td>Airport Concessionaire Disadvantaged Business Enterprise (ACDBE)</td>
<td>☐</td>
</tr>
<tr>
<td>Disadvantaged Business Enterprise (DBE)</td>
<td>☑</td>
</tr>
<tr>
<td>Small Business Enterprise (SBE)</td>
<td>☐</td>
</tr>
</tbody>
</table>

### Search by Business Name or DBA

Business Name/DBA

Tip: Try just a few letters of the firm's name.

### Search by Business Description

Business Description

Tip: Try just a few letters of a keyword.
DBE REPORTING REQUIREMENTS

- DBE reports are required for submission semi-annually:
  - Purchases between Oct. 1st and March 31st submitted through Period 1 reporting
  - Purchases between April 1st and September 30th submitted through Period 2 reporting
- FTA funding programs: 5307, 5310, JARC, New Freedom
DBE REPORTING REQUIREMENTS CONT’D

- **Period 1 Due Dates:**
  - Project Managers will communicate with subrecipients the due dates for drafts and final DBE report submission
    - i.e., 1st draft may be due second week of April
    - Final report may be due no later than 1st week of May
  - **Note:** Attach “raw” data (general ledger or other detailed financial statement) in *Excel* form.
CHANGES TO THE REPORT FORM

- Signature has been moved to the “Instructions” tab
  - Subrecipient and Project Manager signatures
- Included an Urban Split tab
- Submittal Form has been extended, additional column
North Central Texas Council of Governments (NCTCOG) subrecipients that receive Federal Transit Administration (FTA) grant funding though NCTCOG must comply with Disadvantaged Business Enterprise (DBE) requirements found within 49 CFR 26, the NCTCOG-FTA Master Agreement, and executed interlocal agreements.

Please provide your agency’s monthly urban split percentage in the table below. (Note: This percentage split is different from the “Federal Reimbursement Rate” on the Submittal Form tab.) The urban split percentage should match the urban percentage requested for reimbursement on your agency’s monthly invoice.

<table>
<thead>
<tr>
<th>Month</th>
<th>Urban Split (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>October</td>
<td>34%</td>
</tr>
<tr>
<td>November</td>
<td>37%</td>
</tr>
<tr>
<td>December</td>
<td>36%</td>
</tr>
<tr>
<td>January</td>
<td>42%</td>
</tr>
<tr>
<td>February</td>
<td>41%</td>
</tr>
<tr>
<td>March</td>
<td>35%</td>
</tr>
</tbody>
</table>

Please be sure to input the correct months for the reporting period.

Report Period 1: October 1st to March 31st
Report Period 2: April 1st to September 30th
**DBE REPORTING FORM-SUBMITTAL FORM**

North Central Texas Council of Governments (NCTCOG) subrecipients that receive Federal Transit Administration (FTA) grant funding through NCTCOG must comply with Disadvantaged Business Enterprise (DBE) requirements found within 49 CFR 26, the NCTCOG-FTA Master Agreement, and executed interlocal agreements.

---

<table>
<thead>
<tr>
<th>AGENCY INFORMATION</th>
<th>Safety First Transportation</th>
<th>Report Period 1:</th>
<th>Oct 1st to March 31st</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date:</td>
<td>4/17/2020</td>
<td>Report Period 2:</td>
<td>Apr 1st to Sep 30th</td>
</tr>
<tr>
<td>Current FY DBE Goal:</td>
<td>10%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Funding Program</th>
<th>Procurement Type</th>
<th>Description of Procurement</th>
<th>DBE Goal</th>
<th>Award Date</th>
<th>Award Completed Date</th>
<th>Total Award Amount</th>
<th>Total DBE Expenditure</th>
<th>Total Procurement Expenditure</th>
<th>Federal Clauses Included</th>
<th>Federal Reimbursement Rate</th>
<th>Urban Split (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>S307</td>
<td>Micropurchase</td>
<td>Vehicle Maintenance</td>
<td>0%</td>
<td>10/30/2019</td>
<td>10/30/2019</td>
<td>$1,568.00</td>
<td>$-</td>
<td>$-</td>
<td>No</td>
<td>100%</td>
<td>34%</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>S307</td>
<td>Micropurchase</td>
<td>Tire Purchase</td>
<td>0%</td>
<td>1/27/2020</td>
<td>1/27/2020</td>
<td>$1,127.64</td>
<td>$-</td>
<td>$-</td>
<td>No</td>
<td>100%</td>
<td>42%</td>
</tr>
</tbody>
</table>
CONTACT INFORMATION

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817-608-2308

Allysha Mason
Transportation Planner III
Transit Management and Planning
amason@nctcog.org
682-433-0441
Title VI Requirements for Transit Subrecipients

Annual Transit Provider Meeting
February 11, 2020
Agenda

Defining Title VI

Prohibited Discrimination

Who Must Comply

Title VI Program
  —Language Assistance Plan

Additional Resources
Civil Rights Act of 1964

“No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”
Defining Title VI
Regulatory Framework

1964
Title VI of Civil Rights Act
Prohibits discrimination based on race, color, or national origin

1987
Civil Rights Restoration Act of 1987
Clarifies covered activities and definition of “person”

2000
Executive Order 13166
Calls for meaningful engagement of individuals with limited English proficiency

2007
FTA Circular 4702.1A
Superseded by 4702.1B

2012
FTA Circular 4702.1B
Addresses Title VI only, clarifies guidance, includes appendices
National origin includes protection for individuals for whom English is not their primary language, and who have limited ability to read, write, or speak English.

Individuals with limited English proficiency (LEP) have additional protection under Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency.
Federal financial assistance can include grants, property, personnel.

Civil Rights Restoration Act of 1987 amended Title VI, clarifying that Title VI applies to any programs or activities implemented by an entity that receives federal financial assistance.

The 1987 act also clarified the definition of person to include non-citizens.
Disparate treatment, where people are intentionally treated differently because of their race, color, or national origin
  • The person or group alleging discrimination may file a lawsuit

Disparate impact, where a facially neutral policy or practice disproportionately affects members of a group identified by race, color, or national origin, and
  • The policy lacks a substantial legitimate justification
  • The policy is implemented despite the existence of an alternative that would serve the same objective and less disproportionately affect members of a group identified by race, color, or national origin
    • The person or group alleging discrimination may not file a lawsuit, but the federal agency may enforce nondiscrimination

Retaliation is prohibited
Defining Title VI
Disparate impact

9:00 to 12:10
<table>
<thead>
<tr>
<th>Action</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deny an individual a benefit</td>
<td>Deny participation on planning or advisory board</td>
</tr>
<tr>
<td>Provide different benefits</td>
<td>When determining benefits, use criteria that subjects an individual to discrimination</td>
</tr>
<tr>
<td>Subject an individual to segregation or separate treatment</td>
<td>When determining benefits, defeat or impair the ability to receive a benefit</td>
</tr>
<tr>
<td>Restrict individual of enjoyment or privilege enjoyed by others</td>
<td>When determining facility site or location, select with the effect of excluding individuals</td>
</tr>
<tr>
<td>Base qualification on different sets of criteria</td>
<td>When determining facility site or location, select with the purpose of defeating or impairing individuals from participating</td>
</tr>
</tbody>
</table>
Who Must Comply

Recipients and subrecipients, who all must have a Title VI Program

Recipients’ and subrecipients’ contractors, including private corporations and nonprofits, who must comply with the Title VI Program of the recipient or subrecipient

Beneficiaries, such as people riding on a bus, do not need to comply
### Who Must Comply

**Basic Recipient Requirements**

<table>
<thead>
<tr>
<th>Shall submit a Title VI compliance report</th>
<th>Shall apprise beneficiaries of the protections afforded to them by Title VI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Are expected to take affirmative action to assure non-discrimination and to take affirmative action to remove or overcome the effects of the prior discriminatory practice or usage.</td>
<td>Shall <strong>not</strong> determine frequency of service, age, and quality of vehicles assigned, quality of stations, and locations of routes on the basis of race, color, or national origin.</td>
</tr>
</tbody>
</table>

Title VI is not an administrative exercise of creating a Title VI Program. It requires taking action to implement that program to ensure nondiscrimination, including preventing disparate impact (nonintentional discrimination).
Title VI Program

Monitor subrecipient activity, including Title VI Programs
Provide sample notices, complaint procedures, and complaint form
Provide sample procedures for tracking and investigating Title VI complaints
Provide demographic information of residents served by the subrecipient
Provide any other recipient-generated or obtained data
Accept assurances with each subrecipient application for financial assistance for FTA; language is on FTA website
Title VI Program – may not adopt NCTCOG’s, but may use some elements

Provide signed assurances with each application for financial assistance for FTA; language is on FTA website
Title VI Program
Overview

4:34 to 14:00

Four Factor Analysis
Different requirements for:

• Demand-response only

• Small fixed-route provider

• Large fixed-route (50 or more vehicles peak, in urbanized area >200,000) – we won’t review these requirements today
Title VI Program (cannot adopt NCTCOG’s)

Program adopted by Board of Directors or similar body, with resolution or meeting minutes included in Program

Enforcement of contractors’ implementation of subrecipient’s Title VI Program
<table>
<thead>
<tr>
<th>Components of Title VI Program</th>
<th>Can you adopt NCTCOG’s?</th>
<th>Suggested changes if adopting NCTCOG’s</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notice to the Public, including nondiscrimination statement, procedures to request additional information, and procedures to file a Title VI complaint</td>
<td>Yes</td>
<td>NCTCOG’s notice covers discrimination policy above and beyond Title VI. NCTCOG’S notice would not include your address for filing a complaint directly with your agency. Your notice may need to be translated into more or fewer languages, depending on your Language Assistance Plan.</td>
</tr>
<tr>
<td>Complaint Procedures and Form</td>
<td>Yes</td>
<td>NCTCOG’S complaint form covers discrimination above and beyond Title VI. NCTCOG’S complaint form would not include your agency as a recipient of the complaint.</td>
</tr>
<tr>
<td>Components of Title VI Program</td>
<td>Can you adopt NCTCOG’s?</td>
<td>Suggested changes if adopting NCTCOG’s</td>
</tr>
<tr>
<td>-------------------------------------------------------------------</td>
<td>--------------------------</td>
<td>----------------------------------------------------------------</td>
</tr>
<tr>
<td>List of Title VI investigations, complaints, or lawsuits</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Public Participation Plan that includes plan to engage minority and LEP populations</td>
<td>Yes</td>
<td>You may want to provide a plan that is more specific to the service you provide and to your community. NCTCOG’s plan does not have a process for soliciting and considering public comment before raising a fare or carrying out a major reduction of transportation; such a process may be required for federal grants.</td>
</tr>
<tr>
<td>Components of Title VI Program</td>
<td>Can you adopt NCTCOG’s?</td>
<td>Suggested changes if adopting NCTCOG’s</td>
</tr>
<tr>
<td>-------------------------------</td>
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<td>---------------------------------------</td>
</tr>
<tr>
<td>Language Assistance Plan</td>
<td>Yes</td>
<td>Your community may have fewer requirements for translation. Your four-factor results will be different. Different language assistance measures may be sufficient to ensure meaningful access to different types of programs or activities.</td>
</tr>
<tr>
<td>Table depicting racial breakdown of transit-related, non-elected planning boards, committees, etc.</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Components of Title VI Program</td>
<td>Can you adopt NCTCOG’s?</td>
<td>Suggested changes if adopting NCTCOG’s</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>--------------------------</td>
<td>---------------------------------------</td>
</tr>
<tr>
<td>Title VI equity analysis from planning stage of constructed facility</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>System-wide service standards and policies (fixed route)</td>
<td>No</td>
<td>N/A</td>
</tr>
</tbody>
</table>
An implementation plan for timely and reasonable language assistance that complies with Title VI, including the following components:

Four-factor analysis

Language assistance measures

Strategies for providing notice to LEP individuals about free language services

Training and guidance for staff

Strategies for monitoring and updating the plan as needed
  • LEP population in service area changes,
  • Frequency of encounters changes, nature and importance of activities change
  • New resources become available,
  • Current plan is identified as not meeting needs of LEP individuals....
Language Assistance Plan
Meaningful Access Example

15:20 to 19:42
For all fixed-route providers, including those with fewer than 50 vehicles in peak service or located in urbanized area with fewer than 200,000 residents

Additional requirements only apply to fixed-route service, even if provider also provides demand response:

• System-wide service standards
• System-wide service policies

Specifics provided in Title VI Fixed Route Transit Requirements video from FTA
System-wide service standards (applies only to fixed-route services, not demand response) include:

• Vehicle load for each mode (in NCTCOG subrecipients’ case, this is probably only one mode, bus)
• Vehicle headway for each mode
• On-time performance for each mode
• Service availability for each mode

Include in Title VI Program
System-wide service policies (applies only to fixed-route services, not demand response) include:

• Distribution of transit amenities for each mode
• Vehicle assignment for each mode

Include in Title VI Program
Complete Title VI equity analysis during planning stage for construction of storage facilities, maintenance facilities, operation centers, etc.

Analysis *not* required for bus shelters, transit stations, power substations, etc.

Must:
• Compare equity impacts of different site alternatives
• Conduct outreach to potentially affected communities
• Consider cumulative adverse impacts of existing facilities in area

Opportunity for using demographic data
If disparate impact, can still be located at site if there is legitimate justification and no alternatives exist that have less disparate impact
This presentation draws directly from many of the resources on the following slides. These resources are more comprehensive than what was provided in this presentation. Federal law and FTA guidance, not NCTCOG, provide the final word on Title VI requirements.

FTA Title VI Circular 4702.1B includes appendices with sample checklists, templates, etc., for transit providers to review as they develop their Title VI programs.
Additional Resources
Title VI

National Transit Institute Training Course: Title VI and Public Transit
https://www.ntionline.com/courses/
Free for public agencies!

FTA Title VI Circular 4702.1B

FTA Training (Presentations, Videos)

FTA Training Email Address
FTATitleVItraining@dot.gov

Department of Justice Training Video

Code of Federal Regulations Title 49 → Subtitle A → Part 21
https://www.ecfr.gov/cgi-bin/text-idx?SID=397def600bdb738a9244ee7bd47a4f04&mc=true&node=pt49.1.21&rgn=div5
Executive Order 13166
https://www.govinfo.gov/content/pkg/FR-2000-08-16/pdf/00-20938.pdf

Department of Transportation LEP Guidance
https://www.govinfo.gov/content/pkg/FR-2005-12-14/html/05-23972.htm

Federal Interagency Website
https://www.lep.gov/

“I Speak” Card
https://www.lep.gov/resources/resources.html#ispeak
Additional Resources
NCTCOG Contacts

Kate Zielke, Title VI Coordinator, Principal Transportation Planner
817-608-2395
kzielke@nctcog.org

Taylor Benjamin, Transportation Planner
817-704-5672
tbenjamin@nctcog.org

www.nctcog.org/EJ
(sample notices, complaint procedures, and complaint form)

https://www.nctcog.org/trans/plan/transit/transit-providers/transit-provider-resources
(demographic data)
Additional Resources
Transit Accessibility Improvement Tool
THE TAIT TOOL

Transit Accessibility Improvement Tool

Annual Transit Provider Meeting | February 11, 2020
Agenda

About the TAIT Tool

TAIT Layer

Additional Layers

How to Use the TAIT Tool
About the TAIT Tool

• Transit Accessibility Improvement Tool highlights demographic groups who may be more likely than others to rely on public transit services to meet their daily needs

• National Cooperative Highway Research Program (NCHRP) Report 532, Effective Methods for Environmental Justice Assessment
TAIT LAYER

- Percent of the population below poverty (also referred to as low income)
- Percent of the population with a disability
- Percent of the population age 65 and over

<table>
<thead>
<tr>
<th>Symbology</th>
<th>Relationship to TAIT Variables Regional Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Color</td>
<td>( \leq ) Regional Percentage for All Variables</td>
</tr>
<tr>
<td>Gray</td>
<td>( &gt; ) Regional Percentage for One Variable</td>
</tr>
<tr>
<td>Mauve</td>
<td>( &gt; ) Regional Percentage for Two Variables</td>
</tr>
<tr>
<td>Purple</td>
<td>( &gt; ) Regional Percentage for Three Variables</td>
</tr>
</tbody>
</table>
Additional Layers

- Potential Transit Need:
  - Zero-Car Households
  - Persons Aged 14 and Under
  - Veteran Population
- Population Density
- Transit Service Areas
- Title VI Layers
Additional Layers

Potential Transit Need

Population Density

Transit Service Areas

Title VI Layers
HOW TO USE THE TAIT TOOL