



BOSTON REGION METROPOLITAN PLANNING ORGANIZATION

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

WORK PROGRAM

MBTA DI/DB POLICY UPDATE SUPPORT

DECEMBER 16, 2021

Proposed Motion

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

Project Identification

Unified Planning Work Program (UPWP) Classification

Agency and Other Client Transportation Planning Studies and Technical Analyses

Project Number 13802

Client

MBTA

Client Supervisor: Lynsey Heffernan/Anna Sangree

Project Supervisors

Principal: Rebecca Morgan

Manager: Paul Christner

Funding Source

MassDOT Directed PL Funds

Schedule and Budget

Schedule: 6 months from notice to proceed

Budget: \$83,340

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

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

The MBTA's current Disparate Impact/Disproportionate Burden (DI/DB) policy was issued on January 30, 2017. This policy complies with the guidelines and requirements defined in the Federal Transit Administration's (FTA) Title VI Circular 4702.1B, which requires transit providers to evaluate the equity of the impacts of proposed fare changes and major service changes. The FTA is in the process of updating the Title VI Circular.

The MBTA plans to update its current DI/DB policy to better evaluate the equity of the impacts of fare changes and major service changes. The updated policy will be based on new FTA guidance, input from peer transit agencies, and the MBTA's experience with implementing the current policy since 2017.

Objective

Support the MBTA with the goal of developing an updated DI/DB policy.

Work Description

Central Transportation Planning Staff (CTPS) will help the MBTA with the goal of creating an updated DI/DB policy that better evaluates the equity of the impacts of fare changes and major service changes and complies with federal standards. CTPS will support this effort by conducting interviews with MBTA staff and peer transit agencies, reviewing relevant documents, and summarizing the findings that the MBTA will use to draft the new DI/DB policy.

Task 1 Identify Strengths and Weaknesses of the MBTA's Current DI/DB Policy

CTPS will conduct a review of the MBTA's current DI/DB policy to identify key strengths and weaknesses. CTPS will review all relevant documents including FTA Title VI Circular 4702.1B, the MBTA's current DI/DB policy, other relevant FTA documents, and previous complaints received about the MBTA equity analyses.

Staff will also conduct seven to 10 interviews of MBTA staff and relevant local stakeholders. Possible interviewees would include representatives from CTPS who have conducted previous equity analyses for the MBTA, MBTA Service Planning, MBTA Operations, MassDOT Office of Performance Management and Innovation, the MBTA Policy Team, MassDOT Office of Diversity and Civil Rights, the MBTA Rider Oversight Committee, and the MBTA Advisory Board.

Possible interview questions would include the following:

- What has your involvement been with Title VI equity analyses?
- What projects did you work on that required a Title VI equity analysis?
- What was the methodology for the equity analysis that you conducted?

- Do you think the current DI/DB policy properly measures the equity of major service changes?
- Does the DI/DB policy clearly indicate the process for evaluating Title VI equity?
- What aspects of the existing DI/DB policy would you keep in an updated policy?
- What problems have you noticed with the current DI/DB policy?
- Do you have any recommendations for improving the policy?

Goals of this task will be to understand and document the key requirements of a DI/DB policy, how the MBTA wants to define equity for the DI/DB policy, which metrics the MBTA would consider using in the DI/DB policy, the methodology and reporting of past equity analyses, and past equity mitigation efforts.

Products of Task 1

A memorandum describing the strengths and weaknesses of the current policy, details on the sources of the weaknesses, and potential definitions of equity and associated metrics for the DI/DB policy.

Task 2: Review of Peer Agencies' DI/DB Policies

CTPS will research at least five peer transit agencies' DI/DB policies. This work will be done by conducting interviews with similar transit agencies in the United States and by conducting a literature review of relevant documents, including the written DI/DB policies of peer transit agencies.

Products of Task 2

A memorandum describing common elements in other agencies' DI/DB policies, a comparison of the current MBTA DI/DB policy to other agencies' DI/DB policies, and recommendations on aspects of other agencies' policies for the MBTA to consider including in the MBTA's own DI/DB policy.

Task 3: Support the Update of the MBTA's DI/DB Policy

Based on the results of Tasks 1 and 2, and in consideration of new FTA guidance, CTPS will provide options for updated metrics, suggested language, and thresholds to be reviewed by the MBTA. Staff will maintain frequent communication with the MBTA and will review draft policy language as requested by the MBTA.

Product of Task 3

A memorandum with options for updated metrics and thresholds.

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 DI/DB Policy Update Support

Task	Month					
	1	2	3	4	5	6
1. Identify Strengths and Weaknesses of the MBTA's Current DI/DB Policy						A
2. Review of Peer Agencies' DI/DB Policies						B
3. Support the Update of the MBTA's DI/DB Policy					C	

Products/Milestones

- A: Memorandum Describing Strengths and Weaknesses
- B Memorandum Review of Peer Agencies
- C Memorandum with Options for Updated Metrics and Thresholds

Exhibit 2
ESTIMATED COST
MBTA DI/DB Policy Update Support

Direct Salary and Overhead	\$83,340
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Task	Person-Weeks					Direct Salary	Overhead (109.09%)	Total Cost
	M-1	P-5	P-4	P-2	Total			
1. Identify Strengths and Weaknesses of the MBTA's Current DI/DB Policy	1.2	0.5	2.0	7.0	10.7	\$14,893	\$16,247	\$31,140
2. Review of Peer Agencies' DI/DB Policies	1.2	0.5	2.0	7.0	10.7	\$14,893	\$16,247	\$31,140
3. Support the Update of the MBTA's DI/DB Policy	1.2	0.5	2.0	3.0	6.7	\$10,072	\$10,988	\$21,060
Total	3.6	1.5	6.0	17.0	28.1	\$39,859	\$43,482	\$83,340

Other Direct Costs	\$0
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Travel	\$0
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TOTAL COST	\$83,340
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Funding
 MassDOT Directed PL Funds