

11 MASSDOT COMMUNITY TRANSIT GRANT PROGRAM

INTRODUCTION

The Federal Transit Administration (FTA) provides financial assistance to states through a number of programs to develop new transit systems and improve, maintain, and operate existing systems. The Governor of the Commonwealth of Massachusetts has designated the Massachusetts Department of Transportation (MassDOT) as the agency of authority and responsibility for administering assistance received in Massachusetts through Title 49 USC Sections 5310, 5311, and 5339 (Small-Urban & Statewide portions only) funding programs.

The Commonwealth of Massachusetts, through the Rail & Transit Division (RTD) within MassDOT, provides financial assistance to eligible organizations through several programs to provide a state financial match to federally funded capital, operating, and planning projects. RTD distributes financial assistance through the Mobility Assistance Program (MAP) to provide transportation services to elderly persons and persons with disabilities as defined in Chapter 637 Sec. 13 of the Acts of 1983.

In State Fiscal Year 2014 (SFY2014), the MassDOT Community Transit Grant program was responsible for awards of \$14,940,022 in five different program areas, which included: Section 5310, Transportation for Elderly Persons and Persons with Disabilities and the Massachusetts Mobility Access Program (MAP); Section 5316, Jobs Access Reverse Commute (JARC); Section 5317, New Freedom; Section 5311(f), Intercity Bus; and Section 5339, Bus & Bus Facilities program areas. The majority of the funding for the MassDOT Community Transit Grant program was directed to the Section 5310 and MAP program area representing 58% of awarded monies. The remaining funds were directed as follows:

- JARC, 18%
- New Freedom, 12%
- Section 5339, Bus and Bus Facilities, 9%
- Section 5311(f), 3%

At the close of the SFY 2014 community transit grant application process, the Rail & Transit Division (RTD) of the MassDOT analyzed the funding disbursements in relation to Title VI and Environmental Justice (EJ) populations.

As stated in FTA Title VI Circular 4702.1B:

In order to comply with 49 CFR Section 21.5, the general nondiscrimination provision, States shall document that they pass through FTA funds under the Enhanced Mobility for Seniors and Individuals with Disabilities (Section 5310) program, the Formula Grants for Rural Areas (Section 5311) program, and any other FTA funds, to subrecipients without regard to race, color, or national origin, and assure that minority populations are not being denied the benefits of or excluded from participation in these programs.

This review serves to assess MassDOT administration of FTA funds in a manner that assures that minority populations are not being denied benefits or are excluded participation in these programs.

Functionally, MassDOT's Rail and Transit Division's Community Transit Programs Unit is responsible for the management of these funds. The Community Transit Programs Unit manages all FTA and state funding programs for the 15 regional transit authorities and nearly 200 public nonprofit agencies that provide public transportation service throughout the commonwealth. This unit manages both the capital and operations funding programs that deliver fixed-route, paratransit, and community transit services for over 30 million annual customers.

The Community Transit Grant program employs an extensive outreach program to reach diverse stakeholders regarding the availability of funding. In addition to its own extensive outreach efforts, MassDOT requires the Regional Planning Agencies (RPAs) to conduct broad solicitations to attract diverse applicants.

MassDOT has developed and implemented an impartial and consistent evaluation process to ensure fair and equal treatment of all applicants. The MassDOT evaluation team considers a number of factors in making a decision on funding an application including: project effectiveness, applicant experience and competence, and the potential benefit of each project. The scoring guide, which lists all of the factors the evaluation team uses to score the grant applications, is provided in the appendix to Chapter 13 (Appendix 13-A).

This document is structured to examine the possible denial of benefits from or exclusion from participation in state and federal funding programs and reviews the following areas:

- Proportions of awarded funds to projects serving minority areas
- Rates of funding success for projects serving minority areas
- Ratios of successful funding to requested funding for projects serving minority areas
- Project-level analysis of unsuccessful funding requests

The following definitions are used:

- Minority projects have a proposed service area that includes one or more minority areas¹.
- “Successful” funding request are projects that receive 80% or more of the funding requested in the application.

FUNDING AWARDED IN AMOUNTS AND PROPORTION TO MINORITY AND NON-MINORITY PROJECTS

Table 1 shows the results of an analysis of the funding disbursements in relation to Title VI and Environmental Justice (EJ) populations. As indicated in the table, 90% of awarded funding for all programs went to projects serving minority areas and thus 10% of the awarded funding went to projects serving non-minority areas. Furthermore, grants were awarded to projects serving minority areas at

1 A “minority area” was identified as an area in which the minority percentage of the population exceeds the statewide average minority population. At the time of submission, grant recipients identified proposed service areas based on demographic maps provided by RTD. The RTD-provided maps depicted minority concentrations at the Census block level. Grant applicants were instructed to overlay the transit service for which they were seeking FTA funding on these maps and determine if the proposed service would pass through or operate near a minority area.

proportions greater than 60% for all programs. In particular, MassDOT awarded more than 88% of each of the programs' total funding for the Section 5310 & MAP, JARC, New Freedom, and Section 5339 program areas to projects serving minority areas. This suggests that a significant percentage of the proposed projects reached minority areas and that there do not appear to have been barriers to participation in the Community Transit Grant Program.

Table 1 – Funding Awarded and Proportion to Projects Serving Minority Areas

| Program | Award | Amount for Minority Projects | % Funding for Minority Projects |
|--------------------------------|--------------|-------------------------------------|--|
| 5310 & MAP | \$8,637,311 | \$7,676,922 | 89% |
| JARC² | \$2,672,729 | \$2,392,557 | 90% |
| New Freedom³ | \$1,831,291 | \$1,737,736 | 95% |
| 5311(f) | \$425,500 | \$265,500 | 62% |
| 5339 | \$1,373,191 | \$1,373,191 | 100% |
| Total | \$14,940,022 | \$13,445,906 | 90% |

APPLICATION SUCCESS RATES FOR PROJECTS SERVING MINORITY AREAS

Due to the discretionary nature of the Community Transit Grant funding, a Title VI analysis must be conducted to determine if applications for funding relating to projects serving minority areas succeeded in securing funding at rates similar to those of applications for services in non-minority areas. For the purpose of this analysis, “success” is defined as having received at least 80% of the requested funding.

Table 2 - Application Success Rates by Minority Status

² Grants funded under the JARC and New Freedom programs were funded with prior year apportionments. This program was discontinued with MAP-21.

³ Grants funded under the JARC and New Freedom programs were funded with prior year apportionments. This program was discontinued with MAP-21.

| Program | Acceptance Rate for Minority Applications | Acceptance Rate for Non-Minority Applications |
|-----------------------|--|--|
| 5310 & MAP | 77% | 100% |
| JARC | 67% | 50% |
| New Freedom | 43% | 67% |
| 5311(f) | 100% | 100% |
| 5339 | 100% | --* |
| Average | 77% | 63% |

* No applications met this criterion

Overall, 75% of the applications were successful in attaining at least 80% of requested funding. Applications for projects serving minority areas (minority applications) had a higher average rate of success than those that do not (non-minority applications), with an average 77% of minority applications and an average 63% of non-minority applications attaining 80% funding.

For individual program areas, the success rate of minority applications was higher than that of non-minority applications for JARC and Section 5339 program-eligible projects. Applications for Section 5311(f)-eligible projects were equally accepted when comparing minority and non-minority applications. The success rate for minority applications was below that of non-minority applications for Section 5310 & MAP and New Freedom-eligible projects.

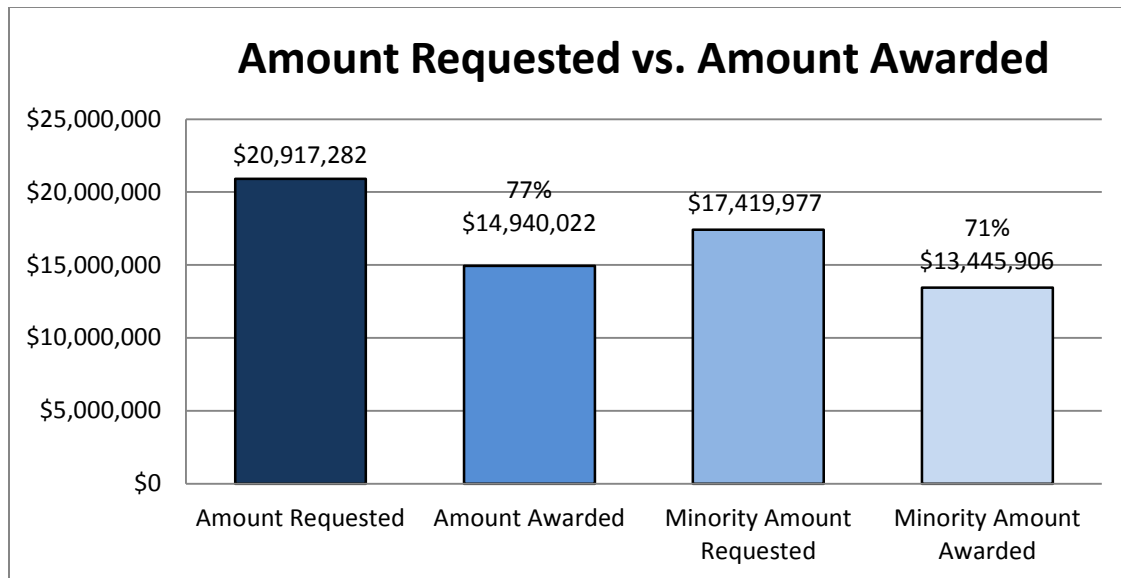
For the Section 5310 & MAP and New Freedom program areas, minority projects received a smaller proportion of requested funding than that received for the non-minority projects. In particular, for the Section 5310 & MAP program area, minority projects received 83% of requested funding, while non-minority projects received 100% of funding. For the New Freedom program area, minority projects received an average of 50% of funding requested, while non-minority projects received 58% of funding requested.

In SFY 2014, in order to prevent barriers to participation in the Community Grant Program, MassDOT and the MPOs conducted significant outreach to encourage

project applications for projects serving all areas of the state, including specific efforts to reach applicants planning to serve minority and low-income areas. This outreach was successful, drawing requests for funding under the New Freedom and 5310 and MAP programs which exceeded the amounts available to each geographic region. Because the grant requests exceeded the amount available, some applicants were not awarded the full amount of funding requested and, in certain program areas, some funding requests were denied. MassDOT used the results of the evaluation process, which was designed to accomplish fair and equal treatment of all applicants, in combination with its policy to fund as many proposals as possible to increase the geographic distribution of funding when deciding which applicants to fund and the level at which they would be funded. Therefore, applicants who ranked the highest were more likely to receive funding and a larger portion of the funding they requested than others, regardless of whether they served minority or nonminority areas. Given the extensive outreach, the nature of the competitive grant process, the needs expressed in the applications, and the impartial criteria used to make funding decisions, the lower success rates of applications for projects serving minority areas does not provide evidence that minority populations have been denied benefits or are excluded from participating in these programs.

AMOUNT REQUESTED VS. AMOUNT AWARDED

Significant differences between the ratios of the total amount of FTA funding requested versus actually awarded and the total amount of FTA funding requested for minority projects versus actually awarded for minority projects might indicate a potential disparity. However, as the analysis presented in the following table shows, 77% of the funding requested for projects serving minority areas was awarded, while 71% of total requested funding was awarded. This indicates that minority populations are not being denied the benefits of or excluded from participation in these programs.



PROGRAM-BY-PROGRAM ANALYSIS

RTD also reviewed detailed information regarding each application by program category, request and award amounts, and the presence of minority areas in the project's service area. This information is presented in the tables on the following pages. Projects which did not "succeed" (i.e. did not receive awards of at least 80% of the requested amount) are indicated with orange shading and projects which received no funding are indicated with red shading.

Examining projects across program areas that were unsuccessful at achieving funding, we see that projects serving minority areas account for 84% of projects that did not achieve 80% funding. Further, across program areas, projects serving minority areas account for 71% of all projects that received zero funding. As outlined in previous sections of this document, MassDOT has an evaluation process which is fair and provides equal treatment of all applicants and engages with agencies and non-profit organizations to encourage participation in the Community Transit Grant program. MassDOT also maintains a process that rank orders projects based on technical, benefit, and individual applicant criteria. Further, in the SFY 2014 round of applicants, a majority of the applications for projects in the Community Transit Grant program were for those serving minority areas. The difference noted in funding rates are related to the amount of funding requested, the ranking of the applications, and the limited amount of funding available rather than barriers to participation. In SFY 2014, several of the program areas had funding requests in excess of the amounts available to individual UZAs.

Further, in cases such as in SFY 2014 where amount requested exceeds amount available, MassDOT prioritizes providing funding to a larger number of applicants over providing full funding for a smaller pool of applicants.

**Transportation for Elderly Persons and Person with Disabilities (§5310)
/ Mobility Assistance Program**

| Organization | Amount Requested | Amount Awarded | Contains Minority Area? | Project Type |
|---|-------------------------|-----------------------|--------------------------------|------------------------|
| MetroWest Regional Transit Authority | \$1,220,319 | \$1,220,319 | Yes | Capital |
| Worcester Regional Transit Authority | \$916,854 | \$916,854 | Yes | Capital |
| Pioneer Valley Transit Authority | \$681,768 | \$681,768 | Yes | Capital |
| MetroWest Regional Transit Authority | \$637,140 | \$637,140 | Yes | Capital |
| Montachusett Regional Transit Authority | \$581,190 | \$581,190 | Yes | Capital |
| Cape Cod Regional Transit Authority | \$509,712 | \$509,712 | Yes | Capital |
| Southeastern Regional Transit Authority | \$481,737 | \$481,737 | Yes | Capital |
| Berkshire Regional Transit Authority | \$454,512 | \$454,512 | Yes | Capital |
| Brockton Area Transit Authority | \$445,998 | \$445,998 | Yes | Capital |
| South Shore Community Action Council | \$879,700 | \$441,224 | Yes | Capital/ Operations |
| Lowell Regional Transit Authority | \$375,768 | \$375,768 | No | Capital |
| Franklin Regional Transit Authority | \$348,714 | \$348,714 | No | Capital |
| Human Resources Unlimited | \$561,026 | \$278,971 | Yes | Capital |
| SCM Community Transportation | \$278,971 | \$278,971 | Yes | Capital |
| SCM Community Transportation | \$986,034 | \$225,602 | Yes | Operations |
| Greater Attleboro-Taunton Regional Transit Authority | \$126,297 | \$126,297 | Yes | Capital |
| Manchester Council on Aging | \$91,946 | \$91,946 | No | Capital |
| Franklin Regional Transit Authority | \$63,714 | \$63,714 | Yes | Capital |
| Martha's Vineyard Transit Authority | \$58,119 | \$58,119 | Yes | Capital |
| Abington Council on Aging | \$50,971 | \$50,971 | No | Capital |
| Human Resources Unlimited | \$85,449 | \$46,495 | Yes | Capital |
| Lutheran Social Services, Inc. | \$46,495 | \$46,495 | No | Capital |
| Westport Council on Aging | \$46,495 | \$46,495 | Yes | Capital |
| Millville Council on Aging | \$46,495 | \$46,495 | No | Capital |
| Health Care Options, Inc. | \$136,353 | \$45,451 | Yes | Capital |
| Salem Council on Aging | \$45,451 | \$45,451 | Yes | Capital |
| Halifax Council on Aging | \$45,451 | \$45,451 | Yes | Capital |
| West Springfield Council on Aging | \$45,451 | \$45,451 | Yes | Capital |

Intercity Bus (§ 5311 f)

| Organization | Requested | Awarded | Contains Minority Area? | Project Type |
|------------------------------------|-----------|-----------|-------------------------|--------------|
| Plymouth & Brockton Street Railway | \$265,500 | \$265,500 | Yes | Operations |
| Peter Pan Bus Lines | \$160,000 | \$160,000 | No | Capital |

Job Access and Reverse Commute (§ 5316)

| Organization | Requested | Awarded | Contains Minority Area? | Project Type |
|---|-------------|-----------|-------------------------|--------------|
| Lowell Regional Transit Authority | \$540,715 | \$540,715 | Yes | Capital |
| Franklin Regional Transit Authority | \$1,600,000 | \$0 | No | Capital |
| Southeastern Regional Transit Authority | \$500,000 | \$500,000 | Yes | Capital |
| Montachusett Regional Transit Authority | \$232,476 | \$232,476 | Yes | Capital |
| Montachusett Regional Transit Authority | \$100,000 | \$100,000 | Yes | Capital |

New Freedom (§ 5317)

| Organization | Requested | Awarded | Contains Minority Area? | Project Type |
|--|-----------|-----------|-------------------------|------------------------|
| Greater Lynn Senior Services | \$619,568 | \$430,737 | Yes | Capital |
| Greater Lynn Senior Services | \$551,101 | \$386,445 | Yes | Capital/ Operations |
| EOHHS | \$266,710 | \$266,710 | Yes | Capital |
| UMass Amherst / MBTA | \$238,321 | \$238,321 | Yes | Capital |
| UMass Medical | \$607,783 | \$0 | Yes | Capital |
| Greater Attleboro-Taunton Regional Transit Authority | \$96,800 | \$0 | Yes | Operations |
| Greater Attleboro-Taunton Regional Transit Authority | \$68,000 | \$0 | No | Operations |
| SCM Community Transportation | \$175,200 | \$0 | Yes | Operations |
| SCM Community Transportation | \$144,000 | \$0 | Yes | Operations |
| North Shore Career Center | \$252,425 | \$0 | Yes | Capital/ Operations |
| Berkshire Regional Transit Authority | \$112,320 | \$112,320 | Yes | Operations |
| MetroWest Regional Transit Authority | \$106,003 | \$106,003 | Yes | Capital |
| Mystic Valley Elder Services | \$80,000 | \$80,000 | Yes | Capital |
| Old Colony Planning Council | \$73,200 | \$73,200 | Yes | Operations |
| Montachusett Regional Transit Authority | \$53,955 | \$53,955 | No | Operations |
| Town of Acton | \$135,000 | \$44,000 | Yes | Operations |
| Brockton Area Transit Authority | \$39,600 | \$39,600 | No | Operations |

Bus and Bus Facilities (§ 5339)

| Organization | Requested | Awarded | Contains Minority Area? | Project Type |
|--------------------------------------|------------------|----------------|--------------------------------|---------------------|
| Lowell Regional Transit Authority | \$818,340 | \$540,436 | Yes | Operations |
| North Shore Career Center | \$468,790 | \$468,790 | Yes | Capital /Operations |
| MetroWest Regional Transit Authority | \$600,000 | \$400,000 | Yes | Operations |
| Brockton Area Transit Authority | \$516,000 | \$351,347 | Yes | Operations |
| Berkshire Regional Transit Authority | \$351,000 | \$351,000 | Yes | Operations |
| Franklin Regional Transit Authority | \$584,641 | \$249,452 | No | Operations |
| Brockton Area Transit Authority | \$132,000 | \$132,000 | Yes | Operations |
| 128 Business Council | \$128,740 | \$128,740 | Yes | Capital |
| Town of Foxborough | \$30,720 | \$30,720 | No | Capital |
| Town of Acton | \$16,000 | \$16,000 | Yes | Capital |
| Lowell Regional Transit Authority | \$4,244 | \$4,244 | Yes | Operations |

Note: Amounts shaded in the Awarded column denote success or lack of success in achieving 80% of requested funding. Orange shading denotes applications which received less than 80% of requested funding; red shading received no funding.

MOVING FORWARD

In its oversight of the administration of FTA funds, MassDOT has gone through significant program changes in the SFY 2014 round of applications. RTD noted last year that SFY 2014 would see the following:

- Addition of the new 5339 Bus & Bus Facilities program, which will provide capital assistance to Regional Transit Authorities and private non-profits
- Removal of the 5311 program from the competitive process and instead disbursing the funding directly to eleven Regional Transit Authorities (the 5311(f) program will continue to be awarded on a competitive basis)
- Provision of operating funds through the 5310 program
- The final round of 5316 & 5317 (JARC and New Freedom) programs, due to program consolidations under MAP-21.

Furthermore, The SFY 2014 Title VI analysis of Community Transit Grant Program is a substantial step forward from the SFY 2013 analysis. The Title VI analysis for SFY 2014 included further exploration and discussion of the Community Transit Grant Program and the funding results. In looking toward the future, MassDOT

has identified some areas of improvement in data collection which will be implemented for the SFY 2015 Title VI analysis of the Community Transit Grant Program. Before the FY2015 grant application cycle, the Office of Diversity and Civil Rights, the Rail and Transit Division, the Office of Transportation Planning, the MassDOT Title VI Working Group, and the Title VI technical support staff from the Central Transportation Planning Staff will be further refining the data collected as part of the application process to permit a more thorough Title VI analysis going forward. Title VI will continue to be a subject covered during training sessions with potential subrecipients and a factor in application scoring, as described above.