



**REGIONAL  
TRANSIT AUTHORITY**  
OF SOUTHEAST MICHIGAN

**Board of Directors**

Thursday, November 17, 2022

1:00 PM

**AGENDA**

1. Call to order
2. Approval of Agenda
3. Approval of the September Board Meeting Summary
4. Public Comment
5. 2022 Year End Financial Report – ACTION
6. October 2022 Financial Reports - ACTION
7. American Rescue Plan (ARP) Process – ACTION
8. Triennial Update
9. Disadvantaged Business Enterprise Program (DBE): 2023-2025 - ACTION
10. Title VI Program – ACTION
11. Regional Master Transit Plan Update
12. Michigan Ride Paratransit Pilot Final Report
13. Communications Report
14. Staff Report
15. New Business
16. Adjourn

*The Board may, at its discretion, revise this agenda or take up any other issues as need and time allow.*

*Request for reasonable accommodations at RTA meetings require advance reservations. Individuals with disabilities requiring assistance should contact RTA Information Services at least 48 hours in advance of the meeting. Contact Virginia Lickliter at 313-402-1020.*

*Documents and information are available in a variety of formats. Contact the RTA Information Center at [info@rtamichigan.org](mailto:info@rtamichigan.org) or call 313-402-1020 to discuss your format need. Further information can be found at [www.rtamichigan.org](http://www.rtamichigan.org).*



**REGIONAL  
TRANSIT AUTHORITY**  
OF SOUTHEAST MICHIGAN

**Proposed Meeting Summary  
Board of Directors**

Thursday, September 15, 2022  
1:00 PM

**1. Call to order at 1:04PM**

**Board Members Present:**

Paul Hillegonds; Don Morandini; Alma Smith; Freman Hendrix; Jeannette Bradshaw;  
Ned Staebler; Jon Moore; June Lee; Dr. Erica Robertson; Helaine Zack (virtual)

**RTA Representatives Present:**

Ben Stupka; Harmony Lloyd; Virginia Lickliter; Khalil Davis; Corri Wofford; Shauna  
Morris

**Other Meeting Participants:**

Mario Morrow and Associates – Contractor to RTA

**2. Fiscal Year 2023 Budget Public Hearing opened at 1:05PM.**

Prior to the introduction of the FY 2023 Budget, Mr. Hillegonds introduced the RTA's  
new Chief Operating Officer, Harmony Lloyd. Mr. Hillegonds also acknowledged the  
RTA's Community Relations Manager, Corri Wofford.

Mr. Stupka provided a brief introduction for the FY 2023 Budget. Robert Pawlowski gave  
public comment. The full public hearing transcript is [here](#).

The public hearing concluded at 1:16PM.

**3. Approval of Agenda**

RTA Board Members introduced themselves to Ms. Lloyd and Ms. Wofford prior to  
approval.

Moved by Dr. Erica Robertson and supported by Alma Smith. The September 15, 2022,  
Agenda was unanimously approved.

**4. Approval of the July 21, 2022, Board Meeting Summary**

Moved by Jeannette Bradshaw and supported by Alma Smith. The July 21, 2022,  
Meeting Summary was unanimously approved.

**5. Public Comment**

- Robert Pawlowski provided public comment in relation to the AAATA millage  
and the hopeful expansion of transit throughout the region.
- Megan Owens gave a brief update on the efforts of Transportation Riders  
United (TRU) in the support and promotion of Macomb County and Oakland

County millage renewals. TRU has hosted several town hall meetings and given many presentations to various community groups throughout the region, advocating services and the benefits of public transportation.

**6. Financial Reports for July 2022 and August 2022 - Action**

Ms. Lickliter presented the July and August financial reports, as included in the meeting packet. There was a slight increase in legal expenses in July for assistance with the Triennial Review and employment offers. The Area Agency on Aging (AA1B) quarterly invoice was also paid in July. Ms. Lickliter further advised that there were additional staffing, travel, and computer expenses due to the hiring of new staff, RTA representation at the MPTA Conference, and the purchase of new computers.

Moved by Alma Smith and supported by Jon Moore. The July 2022 and August 2022 Financial Reports were unanimously approved.

**7. Fiscal Year 2023 Budget - Action**

Moved by Don Morandini and supported by Alma Smith. The FY 2023 Budget was unanimously approved.

**8. Directors and Officers Liability Insurance Renewal - Action**

Mr. Stupka introduced the standard, annual insurance renewal. Moved by Ned Staebler and supported by Jeannette Bradshaw. The Directors and Officers Liability Insurance renewal was unanimously approved.

**9. Fiscal Year 2023 WSP Task Order Update - Action**

Moved by Freman Hendrix and supported by Don Morandini. The FY 2023 WSP task order for program management services was unanimously approved.

**10. Fiscal Year 2023 HNTB Task Order Update - Action**

Moved by Erica Robertson and supported by Jeannette Bradshaw. The FY 2023 HNTB task order for regional master planning services was unanimously approved.

**11. Fiscal Year 2022 Triennial Audit and Disadvantaged Business Enterprise (DBE) Program Draft**

Mr. Stupka presented an overview of the FY 2022 Triennial Review findings, conducted by the Federal Transit Administration (FTA). All deficiencies related to policy and procedure updates, including the DBE program, are currently being addressed and updated by RTA staff. The Final Triennial Review Report and the DBE Program Draft were included in the meeting packet.

**12. Program Manager Report**

Mr. Stupka presented the Program Manager Report, as included in the meeting packet. Mr. Stupka also mentioned that possibly in January 2023 the RTA will put out a call for projects in relation to 5310 funding. In addition, Harmony Lloyd (RTA Chief Operating Officer) and Corri Wofford (RTA Community Relations Manager) introduced themselves to the Board and provided brief summaries of their professional experience.

**13. New Business**

There was no new business.

**14. Meeting adjourned at 2:23PM**

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**Regional Transit Authority of Southeast Michigan**  
**Income Statement**  
 Month ended September 30, 2022

	Sep 2022	Total			% of Budget
	Actual	Actual	Budget	over Budget	
<b>Revenue</b>					
410.00 Grant Revenue		0.00	0.00	0.00	
410.01 Federal Grant Revenue	254,190.62	1,893,613.25	2,701,423.00	-807,809.75	70.10%
410.02 State Grant Revenue	70,869.35	891,595.62	2,202,032.00	-1,310,436.38	40.49%
410.03 State Matching Revenue	19,745.05	349,328.79	74,016.00	275,312.79	471.96%
410.09 Other Grant Revenue		46,638.40	0.00	46,638.40	
410.93 Project match revenue		-2,939.94	0.00	-2,939.94	
Total 410.00 Grant Revenue	<b>\$ 344,805.02</b>	<b>\$ 3,178,236.12</b>	<b>\$ 4,977,471.00</b>	<b>-\$ 1,799,234.88</b>	<b>63.85%</b>
440.00 Interest Income	2.61	22.16	0.00	22.16	
Total Revenue	<b>\$ 344,807.63</b>	<b>\$ 3,178,258.28</b>	<b>\$ 4,977,471.00</b>	<b>-\$ 1,799,212.72</b>	<b>63.85%</b>
<b>Expenditures</b>					
Total 501.00 LABOR	<b>\$ 51,079.67</b>	<b>\$ 183,679.16</b>	<b>\$ 166,050.00</b>	<b>\$ 17,629.16</b>	<b>110.62%</b>
Total 502.00 FRINGE BENEFITS	<b>\$ 29,193.03</b>	<b>\$ 115,625.86</b>	<b>\$ 83,025.00</b>	<b>\$ 32,600.86</b>	<b>139.27%</b>
Total Cost of Labor	<b>\$ 80,272.70</b>	<b>\$ 299,305.02</b>	<b>\$ 249,075.00</b>	<b>\$ 50,230.02</b>	<b>120.17%</b>
503.00 SERVICES		0.00	0.00	0.00	
503.01 Legal	18,427.50	64,329.20	75,000.00	-10,670.80	85.77%
503.02 Audit		15,400.00	20,000.00	-4,600.00	77.00%
503.03 Accounting	10,000.00	10,000.00	0.00	10,000.00	
503.04 Communications	6,750.00	81,000.00	81,000.00	0.00	100.00%
503.06 Technical Contracts	117,312.69	756,877.56	1,416,369.00	-659,491.44	53.44%
503.08 Legislative Services	3,000.00	36,000.00	36,000.00	0.00	100.00%
503.09 Transportation Services		0.00	0.00	0.00	
503.29 Transportation Services - Operations	97,666.11	1,653,700.65	2,870,080.00	-1,216,379.35	57.62%
503.39 Transportation Services - Marketing		97,294.28	0.00	97,294.28	
Total 503.09 Transportation Services	<b>\$ 97,666.11</b>	<b>\$ 1,750,994.93</b>	<b>\$ 2,870,080.00</b>	<b>-\$ 1,119,085.07</b>	<b>61.01%</b>
503.11 Project match		-2,939.94	0.00	-2,939.94	
503.99 Other Services		-6,616.67	0.00	-6,616.67	
503.990 Public Education Initiatives		47,469.89	75,000.00	-27,530.11	63.29%
503.992 User Satisfaction Survey		0.00	50,000.00	-50,000.00	0.00%
503.999 Other Contract	250.00	74,335.00	22,000.00	52,335.00	337.89%
Total 503.99 Other Services	<b>\$ 250.00</b>	<b>\$ 115,188.22</b>	<b>\$ 147,000.00</b>	<b>-\$ 31,811.78</b>	<b>78.36%</b>
Total 503.00 SERVICES	<b>\$ 253,406.30</b>	<b>\$ 2,826,849.97</b>	<b>\$ 4,645,449.00</b>	<b>-\$ 1,818,599.03</b>	<b>60.85%</b>

**Regional Transit Authority of Southeast Michigan**  
**Income Statement**  
**Month ended September 30, 2022**

	Sep 2022	Total			% of Budget
	Actual	Actual	Budget	over Budget	
<b>504.00 MATERIAL AND SUPPLIES</b>		0.00	0.00	0.00	
504.02 PC & Computers		10,504.12	7,500.00	3,004.12	140.05%
504.03 Printing	1,000.00	1,000.00	25,000.00	-24,000.00	4.00%
504.04 Office Supplies	1,177.93	1,686.53	2,500.00	-813.47	67.46%
504.99 Other Supplies	167.70	167.70	0.00	167.70	
<b>Total 504.00 MATERIAL AND SUPPLIES</b>	<b>\$ 2,345.63</b>	<b>\$ 13,358.35</b>	<b>\$ 35,000.00</b>	<b>-\$ 21,641.65</b>	<b>38.17%</b>
<b>505.00 UTILITIES</b>		0.00	0.00	0.00	
505.01 Telephone	616.67	4,673.50	7,500.00	-2,826.50	62.31%
505.02 Online Services	985.28	6,639.46	0.00	6,639.46	
<b>Total 505.00 UTILITIES</b>	<b>\$ 1,601.95</b>	<b>\$ 11,312.96</b>	<b>\$ 7,500.00</b>	<b>\$ 3,812.96</b>	<b>150.84%</b>
<b>506.00 INSURANCE</b>		0.00	0.00	0.00	
506.01 D&O Liability Insurance		12,774.00	14,264.00	-1,490.00	89.55%
506.03 Other Insurance		554.00	683.00	-129.00	81.11%
<b>Total 506.00 INSURANCE</b>	<b>\$ 0.00</b>	<b>\$ 13,328.00</b>	<b>\$ 14,947.00</b>	<b>-\$ 1,619.00</b>	<b>89.17%</b>
<b>507.00 TRAVEL</b>		0.00	0.00	0.00	
507.01 Travel Expenses	1,182.57	2,401.49	5,000.00	-2,598.51	48.03%
507.02 Mileage	278.71	604.96	0.00	604.96	
507.03 Conferences	1,250.00	1,660.00	0.00	1,660.00	
<b>Total 507.00 TRAVEL</b>	<b>\$ 2,711.28</b>	<b>\$ 4,666.45</b>	<b>\$ 5,000.00</b>	<b>-\$ 333.55</b>	<b>93.33%</b>
<b>509.00 MISCELLANEOUS EXPENSES</b>		0.00	0.00	0.00	
509.01 Subscriptions/Memberships	4,121.00	5,021.00	5,000.00	21.00	100.42%
509.02 Meeting /Retreats		852.16	10,000.00	-9,147.84	8.52%
509.03 Board Reimbursement		0.00	3,000.00	-3,000.00	0.00%
509.09 Bank Fees	73.00	786.00	0.00	786.00	
509.99 Other Miscellaneous Expenses	806.20	2,756.20	2,500.00	256.20	110.25%
<b>Total 509.00 MISCELLANEOUS EXPENSES</b>	<b>\$ 5,000.20</b>	<b>\$ 9,415.36</b>	<b>\$ 20,500.00</b>	<b>-\$ 11,084.64</b>	<b>45.93%</b>
<b>Total Expenditures</b>	<b>\$ 345,338.06</b>	<b>\$ 3,178,236.11</b>	<b>\$ 4,977,471.00</b>	<b>-\$ 1,799,234.89</b>	<b>63.85%</b>
<b>Net Revenue over Expenditures</b>	<b>-\$ 530.43</b>	<b>\$ 22.17</b>	<b>\$ 0.00</b>	<b>\$ 22.17</b>	

**Regional Transit Authority of Southeast Michigan**  
**Income Statement Comparison**  
October 2021 - September 2022

	Total		
	Oct 2021 - Sep 2022	Oct 2020 - Sep 2021 (PY)	% Change
<b>Revenue</b>			
410.00 Grant Revenue			
410.01 Federal Grant Revenue	1,893,613.25	945,313.33	100.32%
410.02 State Grant Revenue	891,595.62	692,664.52	28.72%
410.03 State Matching Revenue	349,328.79	58,871.40	493.38%
410.09 Other Grant Revenue	46,638.40	48,764.48	-4.36%
410.93 Project match revenue	(2,939.94)	10,484.72	-128.04%
Total 410.00 Grant Revenue	<b>\$ 3,178,236.12</b>	<b>\$ 1,756,098.45</b>	<b>80.98%</b>
440.00 Interest Income	22.16	14.50	52.83%
Total Revenue	<b>\$ 3,178,258.28</b>	<b>\$ 1,756,112.95</b>	<b>80.98%</b>
<b>Expenditures</b>			
Total 501.00 LABOR	<b>\$ 183,679.16</b>	<b>\$ 114,671.40</b>	<b>60.18%</b>
Total 502.00 FRINGE BENEFITS	<b>\$ 115,625.86</b>	<b>\$ 88,950.27</b>	<b>29.99%</b>
Total Cost of Labor	<b>\$ 299,305.02</b>	<b>\$ 203,621.67</b>	
503.00 SERVICES			
503.01 Legal	64,329.20	47,824.00	34.51%
503.02 Audit	15,400.00	15,399.50	0.00%
503.03 Accounting	10,000.00		
503.04 Communications	81,000.00	81,000.00	0.00%
503.06 Technical Contracts	756,877.56	934,932.55	-19.04%
503.08 Legislative Services	36,000.00	36,000.00	0.00%
503.09 Transportation Services			
503.29 Transportation Services - Operations	1,653,700.65	275,961.52	499.25%
503.39 Transportation Services - Marketing	97,294.28		
Total 503.09 Transportation Services	<b>\$ 1,750,994.93</b>	<b>\$ 275,961.52</b>	<b>534.51%</b>
503.11 Project match	(2,939.94)	10,484.72	-128.04%
503.99 Other Services	(6,616.67)	6,616.67	-200.00%
503.990 Public Education Initiatives	47,469.89	37,735.05	25.80%
503.999 Other Contract	74,335.00	121,162.84	-38.65%
Total 503.99 Other Services	<b>\$ 115,188.22</b>	<b>\$ 165,514.56</b>	<b>-30.41%</b>
Total 503.00 SERVICES	<b>\$ 2,826,849.97</b>	<b>\$ 1,567,116.85</b>	<b>80.39%</b>

**Regional Transit Authority of Southeast Michigan**  
**Income Statement Comparison**  
October 2021 - September 2022

	Total		
	Oct 2021 - Sep 2022	Oct 2020 - Sep 2021 (PY)	% Change
<b>504.00 MATERIAL AND SUPPLIES</b>			
504.01 Postage		0.89	-100.00%
504.02 PC & Computers	10,504.12	1,023.75	926.04%
504.03 Printing	1,000.00		
504.04 Office Supplies	1,686.53	797.78	111.40%
504.99 Other Supplies	167.70		
<b>Total 504.00 MATERIAL AND SUPPLIES</b>	<b>\$ 13,358.35</b>	<b>\$ 1,822.42</b>	<b>633.00%</b>
<b>505.00 UTILITIES</b>			
505.01 Telephone	4,673.50	4,718.07	-0.94%
505.02 Online Services	6,639.46	5,461.82	21.56%
<b>Total 505.00 UTILITIES</b>	<b>\$ 11,312.96</b>	<b>\$ 10,179.89</b>	<b>11.13%</b>
<b>506.00 INSURANCE</b>			
506.01 D&O Liability Insurance	12,774.00	13,698.00	-6.75%
506.03 Other Insurance	554.00	648.00	-14.51%
<b>Total 506.00 INSURANCE</b>	<b>\$ 13,328.00</b>	<b>\$ 14,346.00</b>	<b>-7.10%</b>
<b>507.00 TRAVEL</b>			
507.01 Travel Expenses	2,401.49	29.30	8096.21%
507.02 Mileage	604.96		
507.03 Conferences	1,660.00	25.00	6540.00%
<b>Total 507.00 TRAVEL</b>	<b>\$ 4,666.45</b>	<b>\$ 54.30</b>	<b>8493.83%</b>
<b>509.00 MISCELLANEOUS EXPENSES</b>			
509.01 Subscriptions/Memberships	5,021.00	6,116.00	-17.90%
509.02 Meeting /Retreats	852.16	350.00	143.47%
509.09 Bank Fees	786.00	692.00	13.58%
509.99 Other Miscellaneous Expenses	2,756.20	3,287.60	-16.16%
<b>Total 509.00 MISCELLANEOUS EXPENSES</b>	<b>\$ 9,415.36</b>	<b>\$ 10,445.60</b>	<b>-9.86%</b>
<b>Total Expenditures</b>	<b>\$ 3,178,236.11</b>	<b>\$ 1,807,586.73</b>	<b>75.83%</b>
<b>Net Revenue over Expenditures</b>	<b>\$ 22.17</b>	<b>-\$ 51,473.78</b>	<b>100.04%</b>

**Regional Transit Authority of Southeast Michigan**  
**Balance Sheet**  
As of September 30, 2022

	<u>Total</u>
<b>ASSETS</b>	
Current Assets	
Bank Accounts	
101.00 Cash and Cash Items	
101.01 Cash in Bank - Huntington	34,591.07
Total 101.01 Cash in Bank - Huntington	<u>\$ 34,618.47</u>
101.02 Huntington Bank Money Market - RTA Leave Fund	1,611.03
Total 101.00 Cash and Cash Items	<u>\$ 36,229.50</u>
1072 Bill.com Money Out Clearing	0.00
Total Bank Accounts	<u>\$ 36,229.50</u>
Accounts Receivable	
102.00 Receivables	
102.01 Accounts Receivable	1,869,752.80
Total 102.00 Receivables	<u>\$ 1,869,752.80</u>
Total Accounts Receivable	<u>\$ 1,869,752.80</u>
Other Current Assets	
103.00 MATERIAL AND SUPPLIES INVENTORY	
103.01 Prepaid Postage	27.03
103.02 Prepaid Insurance	0.00
103.03 Pre-paid Fringe Benefits	0.00
Total 103.00 MATERIAL AND SUPPLIES INVENTORY	<u>\$ 27.03</u>
Total Other Current Assets	<u>\$ 27.03</u>
Total Current Assets	<u>\$ 1,906,009.33</u>
Fixed Assets	
112.00 TANGIBLE PROPERTY OTHER THAN FO	
112.011 Hardware/Software	2,230.95
112.02 Tangible Property - Accum. Dep	-2,230.94
Total 112.00 TANGIBLE PROPERTY OTHER THAN FO	<u>\$ 0.01</u>
Total Fixed Assets	<u>\$ 0.01</u>
<b>TOTAL ASSETS</b>	<u>\$ 1,906,009.34</u>

# Regional Transit Authority of Southeast Michigan Balance Sheet

As of September 30, 2022

	<u>Total</u>
<b>LIABILITIES AND FUND BALANCE</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Accounts Payable</b>	
201.01 Accounts Payable	1,530,828.38
<b>Total Accounts Payable</b>	<b>\$ 1,530,828.38</b>
<b>Other Current Liabilities</b>	
<b>Total 212.00 Payroll Liabilities</b>	<b>\$ 23,739.01</b>
<b>213.00 Deferred Revenue</b>	
213.02 Deferred Revenue - State Grants	400,000.00
213.09 Deferred Revenue - Other Grants	0.00
<b>Total 213.00 Deferred Revenue</b>	<b>\$ 400,000.00</b>
<b>Total Other Current Liabilities</b>	<b>\$ 424,049.86</b>
<b>Total Current Liabilities</b>	<b>\$ 1,954,878.24</b>
<b>Total Liabilities</b>	<b>\$ 1,954,878.24</b>
<b>Fund Balance</b>	
<b>Fund Balance</b>	-48,891.07
<b>Net Revenue</b>	22.17
<b>Total Fund Balance</b>	<b>-\$ 48,868.90</b>
<b>TOTAL LIABILITIES AND FUND BALANCE</b>	<b>\$ 1,906,009.34</b>

**Regional Transit Authority of Southeast Michigan**  
**Income Statement**  
Month ended October 31, 2022

	Oct 2022	Total			
	Actual	Actual	Budget	over Budget	% of Budget
<b>Revenue</b>					
410.00 Grant Revenue		0.00	0.00	0.00	
410.01 Federal Grant Revenue	1,516,902.42	1,516,902.42	28,538,974.00	-27,022,071.58	5.32%
410.02 State Grant Revenue	39,483.47	39,483.47	952,000.00	-912,516.53	4.15%
410.03 State Matching Revenue	7.80	7.80	488,091.00	-488,083.20	0.00%
<b>Total 410.00 Grant Revenue</b>	<b>\$ 1,556,393.69</b>	<b>\$ 1,556,393.69</b>	<b>\$ 29,979,065.00</b>	<b>-\$ 28,422,671.31</b>	<b>5.19%</b>
440.00 Interest Income	17.88	17.88	0.00	17.88	
<b>Total Revenue</b>	<b>\$ 1,556,411.57</b>	<b>\$ 1,556,411.57</b>	<b>\$ 29,979,065.00</b>	<b>-\$ 28,422,653.43</b>	<b>5.19%</b>
<b>Expenditures</b>					
Total 501.00 LABOR	\$ 28,032.70	\$ 28,032.70	\$ 556,603.00	-\$ 528,570.30	5.04%
Total 502.00 FRINGE BENEFITS	\$ 10,981.52	\$ 10,981.52	\$ 278,302.00	-\$ 267,320.48	3.95%
Total Cost of Labor	\$ 39,014.22	\$ 39,014.22	\$ 834,905.00	-\$ 795,890.78	
503.00 SERVICES		0.00	0.00	0.00	
503.01 Legal		0.00	75,000.00	-75,000.00	0.00%
503.02 Audit		0.00	15,500.00	-15,500.00	0.00%
503.03 Accounting	10,000.00	10,000.00	155,000.00	-145,000.00	6.45%
503.04 Communications	6,750.00	6,750.00	81,000.00	-74,250.00	8.33%
503.06 Technical Contracts		0.00	1,022,000.00	-1,022,000.00	0.00%
503.08 Legislative Services	3,000.00	3,000.00	0.00	3,000.00	
503.09 Transportation Services		0.00	0.00	0.00	
503.29 Transportation Services - Operations	1,477,857.00	1,477,857.00	27,440,457.00	-25,962,600.00	5.39%
<b>Total 503.09 Transportation Services</b>	<b>\$ 1,477,857.00</b>	<b>\$ 1,477,857.00</b>	<b>\$ 27,440,457.00</b>	<b>-\$ 25,962,600.00</b>	<b>5.39%</b>
503.99 Other Services		0.00	0.00	0.00	
503.990 Public Education Initiatives		0.00	100,000.00	-100,000.00	0.00%
503.992 User Satisfaction Survey		0.00	50,000.00	-50,000.00	0.00%
503.999 Other Contract	2,500.00	2,500.00	75,000.00	-72,500.00	3.33%
<b>Total 503.99 Other Services</b>	<b>\$ 2,500.00</b>	<b>\$ 2,500.00</b>	<b>\$ 225,000.00</b>	<b>-\$ 222,500.00</b>	<b>1.11%</b>
<b>Total 503.00 SERVICES</b>	<b>\$ 1,500,107.00</b>	<b>\$ 1,500,107.00</b>	<b>\$ 29,013,957.00</b>	<b>-\$ 27,513,850.00</b>	<b>5.17%</b>

**Regional Transit Authority of Southeast Michigan**  
**Income Statement**  
 Month ended October 31, 2022

	Oct 2022	Total			
	Actual	Actual	Budget	over Budget	% of Budget
<b>504.00 MATERIAL AND SUPPLIES</b>		0.00	0.00	0.00	
<b>504.02 PC &amp; Computers</b>		0.00	7,500.00	-7,500.00	0.00%
<b>504.03 Printing</b>		0.00	25,000.00	-25,000.00	0.00%
<b>504.04 Office Supplies</b>		0.00	2,500.00	-2,500.00	0.00%
<b>504.05 Furniture</b>		0.00	10,000.00	-10,000.00	0.00%
<b>504.99 Other Supplies</b>	18.49	18.49	0.00	18.49	
<b>Total 504.00 MATERIAL AND SUPPLIES</b>	<b>\$ 18.49</b>	<b>\$ 18.49</b>	<b>\$ 45,000.00</b>	<b>-\$ 44,981.51</b>	<b>0.04%</b>
<b>505.00 UTILITIES</b>		0.00	0.00	0.00	
<b>505.01 Telephone</b>	537.78	537.78	10,000.00	-9,462.22	5.38%
<b>505.02 Online Services</b>	884.26	884.26	5,000.00	-4,115.74	17.69%
<b>Total 505.00 UTILITIES</b>	<b>\$ 1,422.04</b>	<b>\$ 1,422.04</b>	<b>\$ 15,000.00</b>	<b>-\$ 13,577.96</b>	<b>9.48%</b>
<b>506.00 INSURANCE</b>		0.00	0.00	0.00	
<b>506.01 D&amp;O Liability Insurance</b>	12,777.00	12,777.00	14,000.00	-1,223.00	91.26%
<b>506.03 Other Insurance</b>	-4.00	-4.00	703.00	-707.00	-0.57%
<b>Total 506.00 INSURANCE</b>	<b>\$ 12,773.00</b>	<b>\$ 12,773.00</b>	<b>\$ 14,703.00</b>	<b>-\$ 1,930.00</b>	<b>86.87%</b>
<b>507.00 TRAVEL</b>		0.00	5,000.00	-5,000.00	0.00%
<b>507.01 Travel Expenses</b>	2,000.44	2,000.44	0.00	2,000.44	
<b>507.02 Mileage</b>	165.00	165.00	0.00	165.00	
<b>507.03 Conferences</b>	-25.00	-25.00	0.00	-25.00	
<b>Total 507.00 TRAVEL</b>	<b>\$ 2,140.44</b>	<b>\$ 2,140.44</b>	<b>\$ 5,000.00</b>	<b>-\$ 2,859.56</b>	<b>42.81%</b>
<b>509.00 MISCELLANEOUS EXPENSES</b>		0.00	0.00	0.00	
<b>509.01 Subscriptions/Memberships</b>	169.00	169.00	5,000.00	-4,831.00	3.38%
<b>509.02 Meeting /Retreats</b>		0.00	10,000.00	-10,000.00	0.00%
<b>509.03 Board Reimbursement</b>		0.00	3,000.00	-3,000.00	0.00%
<b>509.09 Bank Fees</b>	73.00	73.00	0.00	73.00	
<b>509.99 Other Miscellaneous Expenses</b>	676.50	676.50	2,500.00	-1,823.50	27.06%
<b>Total 509.00 MISCELLANEOUS EXPENSES</b>	<b>\$ 918.50</b>	<b>\$ 918.50</b>	<b>\$ 20,500.00</b>	<b>-\$ 19,581.50</b>	<b>4.48%</b>
<b>512.00 LEASE AND RENTALS</b>		0.00	0.00	0.00	
<b>512.01 Rent</b>		0.00	30,000.00	-30,000.00	0.00%
<b>Total 512.00 LEASE AND RENTALS</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 30,000.00</b>	<b>-\$ 30,000.00</b>	<b>0.00%</b>
<b>Total Expenditures</b>	<b>\$ 1,556,393.69</b>	<b>\$ 1,556,393.69</b>	<b>\$ 29,979,065.00</b>	<b>-\$ 28,422,671.31</b>	<b>5.19%</b>
<b>Net Revenue over Expenditures</b>	<b>\$ 17.88</b>	<b>\$ 17.88</b>	<b>\$ 0.00</b>	<b>\$ 17.88</b>	

**Regional Transit Authority of Southeast Michigan**  
**Income Statement Comparison**  
October 2022

	Total		
	Oct 2022	Oct 2021 (PY)	% Change
<b>Revenue</b>			
410.00 Grant Revenue			
410.01 Federal Grant Revenue	1,516,902.42	7,875.99	19159.83%
410.02 State Grant Revenue	39,483.47	82,354.44	-52.06%
410.03 State Matching Revenue	7.80	-1,089.83	100.72%
410.09 Other Grant Revenue		3,000.00	-100.00%
410.93 Project match revenue		-6,786.16	100.00%
<b>Total 410.00 Grant Revenue</b>	<b>\$ 1,556,393.69</b>	<b>\$ 85,354.44</b>	<b>1723.45%</b>
440.00 Interest Income	17.88	0.45	3873.33%
<b>Total Revenue</b>	<b>\$ 1,556,411.57</b>	<b>\$ 85,354.89</b>	<b>1723.46%</b>
<b>Expenditures</b>			
<b>Total 501.00 LABOR</b>	<b>\$ 28,032.70</b>	<b>\$ 9,932.65</b>	<b>182.23%</b>
<b>Total 502.00 FRINGE BENEFITS</b>	<b>\$ 10,981.52</b>	<b>\$ 9,353.97</b>	<b>17.40%</b>
Total Cost of Labor	<b>\$ 39,014.22</b>	<b>\$ 19,286.62</b>	
<b>503.00 SERVICES</b>			
503.03 Accounting	10,000.00		
503.04 Communications	6,750.00	6,750.00	0.00%
503.08 Legislative Services	3,000.00	3,000.00	0.00%
503.09 Transportation Services			
503.29 Transportation Services - Operations	1,477,857.00		
<b>Total 503.09 Transportation Services</b>	<b>\$ 1,477,857.00</b>	<b>\$ 0.00</b>	
503.11 Project match		-6,786.16	100.00%
503.99 Other Services		-6,616.67	100.00%
503.999 Other Contract	2,500.00	55,797.50	-95.52%
<b>Total 503.99 Other Services</b>	<b>\$ 2,500.00</b>	<b>\$ 49,180.83</b>	<b>-94.92%</b>
<b>Total 503.00 SERVICES</b>	<b>\$ 1,500,107.00</b>	<b>\$ 52,144.67</b>	<b>2776.82%</b>
<b>504.00 MATERIAL AND SUPPLIES</b>			
504.99 Other Supplies	18.49		
<b>Total 504.00 MATERIAL AND SUPPLIES</b>	<b>\$ 18.49</b>	<b>\$ 0.00</b>	
<b>505.00 UTILITIES</b>			
505.01 Telephone	537.78	386.80	39.03%
505.02 Online Services	884.26	699.35	26.44%
<b>Total 505.00 UTILITIES</b>	<b>\$ 1,422.04</b>	<b>\$ 1,086.15</b>	<b>30.92%</b>
<b>506.00 INSURANCE</b>			
506.01 D&O Liability Insurance	12,777.00	12,774.00	0.02%
506.03 Other Insurance	-4.00		
<b>Total 506.00 INSURANCE</b>	<b>\$ 12,773.00</b>	<b>\$ 12,774.00</b>	<b>-0.01%</b>
<b>507.00 TRAVEL</b>			
507.01 Travel Expenses	2,000.44		
507.02 Mileage	165.00		
507.03 Conferences	-25.00		
<b>Total 507.00 TRAVEL</b>	<b>\$ 2,140.44</b>	<b>\$ 0.00</b>	
<b>509.00 MISCELLANEOUS EXPENSES</b>			
509.01 Subscriptions/Memberships	169.00		
509.09 Bank Fees	73.00	63.00	15.87%
509.99 Other Miscellaneous Expenses	676.50		
<b>Total 509.00 MISCELLANEOUS EXPENSES</b>	<b>\$ 918.50</b>	<b>\$ 63.00</b>	<b>1357.94%</b>
<b>Total Expenditures</b>	<b>\$ 1,556,393.69</b>	<b>\$ 85,354.44</b>	<b>1723.45%</b>
<b>Net Revenue over Expenditures</b>	<b>\$ 17.88</b>	<b>\$ 0.45</b>	<b>3873.33%</b>

**Regional Transit Authority of Southeast Michigan**  
**Balance Sheet**  
As of October 31, 2022

	<u>Total</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Bank Accounts</b>	
101.00 Cash and Cash Items	
101.01 Cash in Bank - Huntington	4,428.11
Total 101.01 Cash in Bank - Huntington	\$ 4,428.11
101.02 Huntington Bank Money Market - RTA Leave Fund	1,601.68
Total 101.00 Cash and Cash Items	\$ 6,029.79
1072 Bill.com Money Out Clearing	0.00
Total Bank Accounts	\$ 6,029.79
<b>Accounts Receivable</b>	
102.00 Receivables	
102.01 Accounts Receivable	3,237,026.40
Total 102.00 Receivables	\$ 3,237,026.40
Total Accounts Receivable	\$ 3,237,026.40
<b>Other Current Assets</b>	
103.00 MATERIAL AND SUPPLIES INVENTORY	
103.01 Prepaid Postage	27.03
103.02 Prepaid Insurance	0.00
103.03 Pre-paid Fringe Benefits	0.00
Total 103.00 MATERIAL AND SUPPLIES INVENTORY	\$ 27.03
Total Other Current Assets	\$ 27.03
Total Current Assets	\$ 3,243,083.22
<b>Fixed Assets</b>	
112.00 TANGIBLE PROPERTY OTHER THAN FO	
112.011 Hardware/Software	2,230.95
112.02 Tangible Property - Accum. Dep	-2,230.94
Total 112.00 TANGIBLE PROPERTY OTHER THAN FO	\$ 0.01
Total Fixed Assets	\$ 0.01
<b>TOTAL ASSETS</b>	\$ 3,243,083.23

**Regional Transit Authority of Southeast Michigan**  
**Balance Sheet**  
As of October 31, 2022

	<u>Total</u>
<b>LIABILITIES AND FUND BALANCE</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Accounts Payable</b>	
201.01 Accounts Payable	2,876,776.70
<b>Total Accounts Payable</b>	<b>\$ 2,876,776.70</b>
<b>Other Current Liabilities</b>	
<b>Total 212.00 Payroll Liabilities</b>	<b>\$ 14,846.70</b>
<b>213.00 Deferred Revenue</b>	
213.02 Deferred Revenue - State Grants	400,000.00
213.09 Deferred Revenue - Other Grants	0.00
<b>Total 213.00 Deferred Revenue</b>	<b>\$ 400,000.00</b>
<b>Total Other Current Liabilities</b>	<b>\$ 415,157.55</b>
<b>Total Current Liabilities</b>	<b>\$ 3,291,934.25</b>
<b>Total Liabilities</b>	<b>\$ 3,291,934.25</b>
<b>Fund Balance</b>	
Fund Balance	-48,868.90
Net Revenue	17.88
<b>Total Fund Balance</b>	<b>-\$ 48,851.02</b>
<b>TOTAL LIABILITIES AND FUND BALANCE</b>	<b>\$ 3,243,083.23</b>




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## BOARD OF DIRECTORS MEMORANDUM

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**TO:** Board of Director Members

**FROM:** Ben Stupka, Program Manager

**SUBJECT:** Regional Project American Rescue Plan Funding

**DATE:** November 17, 2022

**REQUESTED ACTION:** Action Item – RTA Board Approval

### Summary

In August 2021, RTA Board approved the programming strategy for \$161.9 million in American Rescue Plan (ARP) funds. ARP was the third of three COVID-19 related stimulus funding packages that have provided funding for transit in the Ann Arbor and Detroit Urbanized Areas. The overall purpose of the funding is to support the nation's public transportation systems as they continue to respond to the COVID-19 pandemic. The general focus is to use the funding to maintain and restore operations, invest in measures which makes transit safe for passengers and workers, and to make investments that will aide in the overall economic recovery from the impacts of COVID-19.

The ARP programming framework was as follows:

- 80% (\$129 million) programmed directly to providers for use on their own priority projects to stabilize and improve service.
- 5% (\$8 million) programmed directly to the RTA as an investment in stabilizing and expanding agency staff to develop and implement the region's vision for improved transit.
- 15% (\$25 million) set aside for the development of a joint program of regional projects. The intention was to develop a program for distributing this funding within six months of the adoption of the updated Regional Master Transit Plan (summer of 2022).

Set-Aside Total	Ann Arbor UZA	Detroit UZA
\$24,988,080	\$4,215,185	\$20,772,895

The purpose of this memorandum is to outline a proposed program for selecting and advancing the joint program of regional projects that would be funded by the remaining 15% of the ARP funding.

### Project Categories

In December 2021, the RTA Board approved the updated Regional Master Transit Plan, Advance 2021. Advance 2021 included five goals and 21 strategies that set out an agenda to guide the future transit planning and projects in Southeast Michigan. That effort was supported by extensive community engagement throughout Southeast Michigan, including a general public

survey, rider survey, online survey; nine virtual open house meetings; and 15 listening sessions with special interest groups. That engagement was built on years of engagement that the RTA has conducted support previous planning effort, all of which is documented in the Regional Transit Briefing Book.

As a next step, in March 2022, the RTA Board approved a Business Plan that laid out the key initiatives from Advance 2021 that it would seek to advance in the short and mid-term to achieve the goals of Advance 2021. That Business Plan was reaffirmed in September 2022. The RTA selected these initiatives by examining the strategies and action in Advance 2021 through a series of guiding principles laid out in Business Plan that can be used to assess if an initiative best meets the needs of the region and supports transit providers.

- Regional – does the decision advance the Mission and Vision of the agency and the Goals in the RMTP, and is it within the Core Business Functions of the RTA?
- Coordinated – does the decision advance the priorities of regional transit providers as defined in their planning documents? Does the decision build or deepen partnerships?
- Equitable – does the decision advance equity by improving service for riders in regionally defined equity communities or for marginalized populations? Does the decision advance equity within the RTA as an organization?
- Innovative – does the decision introduce or accelerate the implementation of a new or innovative concept, technology, or service type for the region that might benefit riders?
- Sustainable – is the decision sustainable within existing funding sources, or does it lay the groundwork for future funding?

The priority initiatives are as follows:

- Regional Corridor Strategic Investment - Advancing the regional corridor capital projects that were developed and supported as Locally Preferred Alternatives in the 2016 Regional Master Transit Plan. This includes the following:
  - Woodward Avenue Locally Preferred Alternative (adopted in November 2015)
  - Gratiot Avenue Locally Preferred Alternative (adopted in May 2016)
  - Michigan Corridor Locally Preferred Alternatives (included Michigan Avenue Bus Rapid Transit, Washtenaw Avenue Bus Rapid Transit, and Regional Rail) (adopted in May 2016)

These studies need to be updated to reflect contemporary conditions along the corridors, and with a focus on defining minimum operable segments that can be developed into competitive projects for larger federal funding programs like the Capital Investment Grant (CIG) program, RAISE Grants, funding from updated infrastructure bills, or future earmarks.

- Regional Fare Modernization - In 2018, the RTA completed a Concept of Operations and Business Plan for developing an integrated fare system. The studies also highlighted the need to have system in place that could achieve the following:
  - Best Fare pricing policies
  - Large farecard distribution network
  - Availability to add public, non-profit, and for-profit providers
  - Ability to expand to ADA paratransit services

SMART and DDOT have made strides on aligning their fare policies and developing a regional farecard (Dart). They also have existing funding programmed for farebox

replacement. AAATA has made strides in integrating mobile payment technology into its system. The next step is to implementation track that will lead us to a regional integrated fare system.

- **Workforce Development** – The COVID-19 pandemic has impacted public transportation’s workforce, creating shortages at many positions across the industry. While the workforce shortage issue has been on the industry’s radar for some time, it has been pushed to new levels in the pandemic recovery period. Strategies that could help workforce recovery include marketing for open positions, incentives for new and current employees, and partnerships with workforce agencies.
- **Bus Stop Improvements** - RTA completed the Mobility Oriented Development study in December 2020. The study included a series of recommendations for improving access to transit stops and leveraging transit stops as hubs that integrate mobility and development. The RTA will look for opportunities to build on that study by investing in stop upgrades to provide a safer and more pleasant experience for transit riders.
- **Zero-Emission Transition Plans** - The Bipartisan Infrastructure Law requires applicants to FTA's Low or No Emission Program to submit a zero-emission fleet transition plan to be eligible for funding. It is the RTA’s understanding that the providers have moved forward with their own Zero-Emission Bus Transition Plans. Given that this technology is new to the marketplace and new the providers there is a great opportunity for pilots.
- **Strategic Service Pilots** - RTA and the providers have been very successful in securing funding for service pilots. There are many potential options for expanding pilots, creating new partnerships, and testing new services. RTA's priority focus is to pilot service in areas that are not currently served by transit geographically or temporally, or areas where small expansions and partnerships would address job access equity issues identified in the RTA’s Detroit Workforce Mobility Equity Report (e.g., job shuttles, late night services, new express bus routes).

#### Proposed Process

RTA staff is recommending that we program the funding as follows:

RTA will retain \$10 million for funding the advancement of regional efforts with a focus on regional corridor projects, fare modernization, and ongoing technical assistance. It is crucial that this funding remain flexible as we see how the new local, state, and federal funding opportunities come online. This will allow the RTA to be responsive to these project needs come together. Any implementation of work through contracts will go through the standard procurement process and Board approval. Some examples of projects are below:

- **Regional Corridors** – Use funding advance project development efforts for corridor projects to enter the FTA Capital Investment Grant program.
- **Fare Modernization** – Use funding to advance fare modernization through updating the 2018 Concept of Operations and Business Plan and identifying at least one key investment to the system (e.g., validators, integrated backend management system/mobility wallet).
- **Technical Assistance** – Use funding to support a bench of on-call consultant to provide quick technical assistance to any agency or local government that needs help addressing mobility planning issues. This could include small master planning documents, technical studies, corridor plans, and management of technical pilots and program integration associated with projects selected below and beyond.

### *Project Process*

RTA will be the direct recipient of this funding and manage these projects in collaboration with the providers. This will include joint development and approval of project delivery strategies (e.g., project scopes, schedules, and budgets); participating in the selection of any contractors that may support the work; and joint approval of major deliverables.

RTA will make \$14.9 million available for providers to apply for projects in the following categories: service improvements/pilots, zero-emission bus pilots, workforce development efforts, bus stop improvements/mobility hubs.

It is critical that projects submitted for funding have a strong regional focus. Applicants will be required to demonstrate how they have coordinated with at least one partner organization outside of their service area to ensure projects are regionally based, and they must be explicit about how the project advances a regional Goal and Strategy from the RMTP.

### *Application Process*

**Eligible Applicants** – Applicants must be direct recipients of federal transit funds or be a subrecipient that has a direct recipient as an identified and committed partner that will pass the funding through using a federally compliant subrecipient process. Projects must be completely within the federally designated urbanized areas.

**Eligible Projects** – Applicants have discretion to develop projects that are within the categories described above. All eligibility is ultimately controlled by FTA Circular 9030.1E (Urbanized Area Formula Program: Program Guidance and Application Instructions).

**Programming Process** – RTA will work with providers to determine the best grant management strategy, which may include allocating funding directly to providers or developing a subrecipient agreement with RTA as a direct recipient. Any process will include an RTA Board adopted resolution that codifies the programming and includes conditions related to ongoing reporting on project status. The RTA reserves the right to reprogram funding if projects are delayed to the point that the region may lose the funding all together.

The RTA will also work with the providers to ensure that the ARP funding benefit is split equitably between the Ann Arbor and Detroit UZAs based on the amounts of federal apportionment assigned to those urbanized areas.

**Schedule** – Once this process is approved by the RTA Board, the staff will develop a detailed application schedule with the goal of getting all the funding assigned in summer 2023.

**Project Screening** – RTA will develop a committee and use evaluation criteria based in the RMTP and Business Plan to evaluate projects and project readiness. The focus will be greater on project eligibility and readiness to reduce the risk of losing the funds to the region.

**Application Form** - RTA will develop an application form that will require the providers to present the following information.

- Project Scope
  - Must include specific information on how the project advances the Goals and Strategies of Advance 2021.
- Schedule

- Must show how project will be obligated in a grant by September 30, 2024 and must be disbursed by September 30, 2029.
- Must include a description of the project delivery process and resources that will be used (staff or consultant) to deliver the project. This must include a clear strategy for complying with the National Environmental Policy Act (NEPA).
- Budget and Funding Plan
  - A critical element of that guidance is when a recipient is eligible to use ARP funds for activities outside of operations. Items outside of operations would be capital projects. The FTA states that “Funds to be directed to payroll and operations of public transit (including that of private providers of public transportation) unless the recipient certifies to FTA that the recipient has not furloughed any employees since March 27, 2020.” For providers to be eligible for these funds, as a direct or subrecipient, they will have to provide the RTA with proof that they comply with this guidance, or a strategy for using these funds for eligible activities and other eligible funds for these projects.
  - If the applicant is including additional funding to complete this project, then they must identify the specific source of funding and information on the availability of those funds.
- Coordination
  - Applicants must make every attempt to coordinate projects with other transit providers. This could include joint applications or references to specific coordination elements within applications.

#### Next Steps

The RTA will follow the schedule below to ensure that the providers and the RTA Board have appropriate opportunities for input into how this programming process will take shape.

- July 21 – Discussion (not Action) of Draft Memorandum at RTA Board
- November 14 – Finalized Memorandum to RTA Board
- November 17 – RTA Board Approval of Regional Set-aside Strategy
- Spring 2023 – Application process for funding requests will begin



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## BOARD OF DIRECTORS MEMORANDUM

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**TO:** Board of Director Members

**FROM:** Ben Stupka, Program Manager

**SUBJECT:** Fiscal Year 2022 Triennial Update

**DATE:** November 17, 2022

**REQUESTED ACTION:** No Action - Information Item

### Summary

The Federal Transit Administration (FTA) is conducted a Triennial Review of the RTA in May 2022. The review determines whether a recipient is administering its FTA-funded programs in accordance with 49 U.S.C. Chapter 53, Federal transit law provisions. It assesses the recipient's management practices and program implementation to ensure that the programs are administered in accordance with FTA requirements and are meeting program objectives. The audit conference was completed on June 9. The draft report was received on July 12 and the final report was received on August 15.

The original letter of deficiencies listed a deadline of November 14, 2022, however on October 25, 2022, RTA received approval from FTA for an extension until November 25, 2022. This new deadline is reflected in the attached letter of corrective actions. The attached letter to the FTA will serve as the documentation of the corrective actions.

RTA staff has updated several policies and procedures to address the deficiencies identified in the report. In addition to the attached response letter, the submission to FTA will include: the FY2023 – 2025 Title VI Program (requires Board approval); the Procurement Policies and Procedures Manual (no material changes made that require Board approval); the Grants and Financial Policies and Procedures Manual (no material changes made that require Board approval); and the FY2023 – 2025 DBE Program (requires Board approval).

The FY2023 – 2025 Title VI Program and the FY2023 – 2025 DBE Program are the subject of subsequent Board actions on the November 17, 2022, agenda. Those programs are required to be updated and re-approved every three years, in addition to the corrective actions made because of the Triennial review.



**REGIONAL  
TRANSIT AUTHORITY**  
OF SOUTHEAST MICHIGAN

Ms. Lisa Joiner  
Transportation Program Specialist  
Federal Transit Administration  
200 West Adams, Suite 320  
Chicago, IL 60606

Dear Ms. Joiner,

The FY2022 Triennial Review of the RTA of Southeast Michigan identified 18 deficiencies in the areas of: Financial Management and Capacity; Technical Capacity – Award Management; Technical Capacity – Program Management and Subrecipient Oversight; Procurement; Disadvantaged Business Enterprise; and Title VI. Below and attached is the documentation of the RTA completing the identified corrective actions.

The original letter of findings listed a deadline of November 14, 2022, however on October 25, 2022, RTA received approval from FTA for an extension until November 25, 2022. This new deadline is reflected in the corrective actions listed below.

#### **Financial Management and Capacity**

There were three deficiencies within the Financial Management and Capacity review category:

##### **F1-1 – Lacking/missing required written financial management policies and procedures**

Corrective Action: By November 25, 2022, RTA must develop and submit to the FTA regional office financial policies and procedures for managing FTA award funds in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. This must include procedures for determining allowability of cost and timely distribution of funds. The recipient must submit documentation that it has trained appropriate staff on the new policies and procedures.

**RTA Action:** RTA has extensively reviewed and revised its financial management policies and procedures to add required elements, including procedure for determining allowability of costs; ensuring funds are distributed in a timely manner; subrecipients financial oversight; and separation of duties. Staff has been trained on new policies and procedures and the procedures have been implemented. Confirmation of staff training is attached.

##### **F4-1 – ECHO documentation deficient**

Corrective Action: By November 25, 2022, RTA must submit to the FTA regional office procedures for documenting ECHO draws. The recipient must implement and submit to the FTA regional office documentation of training conducted of the appropriate staff on new policies and procedures.

**RTA Action:** RTA has revised its Grant and Financial Policy and Procedures Manual to clearly describe procedures for documenting ECHO drawdowns (page 21). Staff has been trained in the new procedure and it has been implemented.

#### **F4-3 – Federal funds not returned**

Corrective Action: By November 25, 2022, RTA must submit to the FTA regional office documentation related to the Federal funds owed and must adhere to the direction provided by the FTA regional office.

**RTA Action:** RTA has researched the drawdowns in question and has determined the funds were returned to FTA through a reduced drawdown on November 4, 2021. The attached memo provides detail and backup for the initial error and the subsequent correction of error through the reduced drawdown. RTA has repaid the funds in question and does not owe any additional funds due to this error.

#### **Technical Capacity – Award Management**

There was one deficiency in the Technical Capacity – Award Management review area:

##### **TC-AMS-1 – Inactive award/untimely closeouts**

Corrective Action: By November 25, 2022, RTA must work with the FTA regional office to take appropriate actions with each of these awards, so that RTA will be able to close them.

**RTA Action** – The following awards have been closed:

MI-39-0006-00 - Alternatives Analysis Planning (Master Plan and Corridor Studies)  
 MI-2016-028-01 - Corridor Express Bus (Reflex)  
 MI-2021-001-00 - M1 Rail (CARES Act)

The closeout process has been initiated for the following awards:

MI-2020-058-00 - RTA CARES  
 MI-2021-017-00 - RTA CRRSAA  
 MI-2016-033-00 - Woodward TOD

#### **Technical Capacity – Program Management & Subrecipient Oversight**

There were two deficiencies in the Technical Capacity – Program Management & Subrecipient Oversight review area:

##### **TC-PgM3-2 – Written agreements missing required elements**

Corrective action: By November 25, 2022, RTA must submit to the FTA regional office an amended subrecipient award document template that includes missing FTA requirements. The recipient must submit documentation to the regional office that the amended award document has been used in the next project application cycle.

**RTA Action:** On August 29, 2022, RTA submitted an amended subrecipient award document template that included the missing items. It was approved by Lisa Joiner in an email on September 14, 2022. The RTA will submit documentation that the approved amended agreement was used in RTA's next project application cycle.

### **TC-PgM6-1: FFATA reporting deficiencies**

Corrective action – By November 25, 2022, the RTA must report all missing information to FSRS and notify the FTA regional office when complete. The recipient must also submit to the FTA regional office procedures for reporting future subawards to FSRS in a timely manner.

**RTA Action:** The FSRS reports have been completed and the details for each are below:

MI-2017-031 - MyRide2 (AAA1-B subrecipient)

- Grant is in the process of being amended. RTA will adjust subaward amount when the amendment is approved (anticipated in December 2022).

MI-2021-001 - QLine Rail Ops CARES Act (M1 Rail subrecipient)

- A new entry will be completed for the Qline Rail Ops funded by CRRSSA when that grant is awarded (anticipated in December 2022).

MI-2021-036 - D2A2 Ops (AAATA subrecipient)

- Includes a recent amendment to additional funding.

The Finance and Grants Manual has been updated to include a procedure for submitting FFATA report (page 33).

### **Procurement**

There were six deficiencies in the Procurement review area:

#### **P1-3: Procurement policies and procedures**

Corrective Action: By November 25, 2022, RTA must develop and submit to the FTA regional office revised procurement policies that define and describe procedures for conducting micro and small purchases and managing change orders which are not contrary to 2 CFR 200.318 through 200.327.

**RTA Action:** RTA's Procurement Policy and Procedures Manual has been updated to include procedures for conducting micro and small purchases and managing change orders.

#### **P2-2: Incomplete standards of conduct**

Corrective Action: By November 25, 2022, RTA must develop and submit to the FTA regional office written standards of conduct that include disciplinary actions for conflict-of-interest violations by RTA's officers, employees, or agents.

**RTA Action:** RTA has revised its written standards of conduct to include disciplinary actions for conflict-of-interest violations.

#### **P4-1: Responsibility determination deficiencies**

Corrective action: By November 25, 2022, RTA must submit to the FTA regional office evidence that it has verified the responsibility of the contractor that conducted the Mobility Oriented Development Study, including documentation of an implemented process for making that responsibility determination.

**RTA Action:** RTA has verified the responsibility of the contractor and has added the responsibility determination to the Procurement Policy and Procedures Manual and checklist.

**P11-1: Missing FTA Clauses**

Corrective Action: By November 25, 2022, RTA must submit to the FTA regional office revised procurement procedures that address inclusion of all FTA-required third-party contract clauses through a clause checklist or other mechanism. For the next procurement, the recipient must submit to the FTA regional office documentation that the required process was implemented.

**RTA Action:** RTA has created a procurement checklist that includes a clause checklist of all FTA-required third-party contract clauses. RTA will submit evidence it has used this process when it conducts its next procurement.

**P12-2: Lobbying certifications not included in the procurement solicitations or signed by bidders**

Corrective Action: By November 25, 2022, RTA must submit to FTA regional office procedures for obtaining signed lobbying certifications. The recipient must submit to the FTA regional office a copy of the signed lobbying certification with the next applicable procurement.

**RTA Action:** The Procurement Policy and Procedures Manual has been updated to address lobbying certification. Lobbying certifications will be collected during the procurement process; completion of the lobbying certification is listed on the procurement checklist and will be verified by the RTA staff member completing the procurement file. RTA will submit a signed lobbying certification with its next procurement.

**P14-1: Insufficient documentation to support change orders**

Corrective Action: By November 25, 2022, RTA must submit to the FTA regional office compliant change order procedures. For the next change order, it must submit to the FTA regional office that the required process was implemented.

**RTA Action:** The Procurement Policy and Procedures Manual has been updated to clearly state RTA's change order procedures. The next time there is a change order, RTA will submit documentation of the required process.

**Disadvantaged Business Enterprise**

There were five deficiencies and corrective actions within the DBE review category:

**DBE5-1: DBE uniform reports contain inaccuracies and/or are missing required information**

Corrective Action: By November 25, 2022, RTA must submit corrected semi-annual reports for FY2019, FY2020, and FY2021 to the FTA RCRO, along with implemented procedures for correctly completing Uniform Reports of DBE Awards or Commitments and Payments.

**RTA Action:** On October 10, RTA submitted corrected semi-annual reports through TrAMS. The attached FY 2023-2025 DBE Program Update includes an updated procedure for completing the Uniform Reports (p. 5). This includes switching the RTA internal reporting template to the FTA reporting template.

**DBE8-1: Inadequate implementation of race-neutral measures**

Corrective Action: By November 25, 2022, RTA must submit to the FTA RCRO an implementation plan, which includes coordination with the recipient's procurement office, for applying race-neutral measures and evidence that these measures have been implemented.

**RTA Action:** The attached FY 2023-2025 DBE Program Update includes an updated program for implementing race-neutral measures (p. 14, pp. 23-25). The RTA has already started this process by reaching out to all fifteen groups identified in the DBE program, and posting information about its DBE Program and Goals in the Michigan Chronicle, Detroit Free Press, Detroit News, and the RTA website. The attached Race Neutral Measure packet shows evidence of these efforts.

**DBE9-2: Inadequate good faith efforts determination****DBEERM6-1: Inadequate good faith effort consideration**

Corrective Action: By November 25, 2022, RTA must submit to the FTA RCRO a method for determining "good faith efforts" in compliance with the regulation and/or evidence that it has included documentation in applicable procurement files. The RTA should ensure that the good faith effort process includes a reconsideration process for instances when it determined that the apparent awardee did not make good faith efforts.

**RTA Action:** The attached FY 2023-2025 DBE Program Update includes an updated program for determining "good faith efforts" (pp. 14-16, Appendix C).

**DBE12-1: Insufficient documentation of monitoring DBE compliance of contractors.**

Corrective Action: By November 25, 2022, RTA must submit to the FTA RCRO documentation that it has updated the DBE program to reflect current monitoring procedures for contractors, along with evidence of implementation, including a process for making written certifications of monitoring.

**RTA Action:** The attached FY 2023-2025 DBE Program Update includes an updated program for monitoring contractors and a process for making written certification of monitoring (pp. 10 -11, Appendix B)

**DBE12-4: Recipient not ensuring prompt payment**

Corrective Action: By November 25, 2022, RTA must submit to the FTA RCRO documentation of a monitoring and enforcement process to ensure prompt payment and evidence of its efforts to ensure compliance with prompt payment and return of retainage requirement for all subcontractors work on FTA assisted contracts.

**RTA Action:** The attached FY 2023-2025 DBE Program Update includes an updated program for monitoring prompt payment and an updated prompt payment form (pp. 9 - 11, Appendix C)

**Title VI**

There was one deficiency in the Title VI review area:

**TV16-1: Subrecipient Title VI plans not reviewed or not reviewed for required elements**

Corrective Action: By November 25, 2022, RTA must prepare and submit to the FTA RCRO a schedule for reviewing subrecipients' Title VI Programs along with evidence of its implementation.

**RTA Action:** RTA has developed a subrecipient monitoring process that includes an annual desk review to ensure subrecipients have Title VI plans in place and RTA has copies of the plans. The subrecipient monitoring checklist is included as Appendix B in the FTA's Title VI Plan.

RTA believes that it has adequately addressed the corrective actions and considers this submission compliant with the due date assigned to these actions in the FY2022 Triennial Review final report.

If you have any questions, please contact Ben Stupka, Program Manager, 313-402-1020, [bstupka@rtamichigan.org](mailto:bstupka@rtamichigan.org), or Harmony Lloyd, Chief Operating Officer, 313-402-1020, [hlloyd@rtamichigan.org](mailto:hlloyd@rtamichigan.org).

Sincerely,

A handwritten signature in black ink, appearing to read 'B. Stupka', with a stylized flourish at the end.

Ben Stupka, AICP  
Regional Transit Authority of Southeast Michigan



**REGIONAL  
TRANSIT AUTHORITY**  
OF SOUTHEAST MICHIGAN



## **Disadvantaged Business Enterprise Program: 2023-2025**

**Updated: October 2022**



Revision Log		
Revision Name:	Adopted On:	Update Notes:
Original	May 19, 2016	Updated to reflect staff changes and other RTA updates and added 2017-2019 DBE goals
Updated (Version 2)	November 18, 2018	Updated to reflect staff changes and other RTA updates and added 2020-2022 DBE goals
Update (Version 3)	October 20, 2022	Updated to reflect staff changes and other RTA updates and added 2023-2025 DBE goals



## PREFACE

The US DOT on February 2, 1999, published in the *Federal Register* its final rule, 49 CFR part 26, entitled "*Participation by Disadvantaged Business Enterprises in Department of Transportation Programs*". This final rule became effective on March 4, 1999. It superseded all DBE regulations, orders, circulars, and administrative requirements concerning financial assistance programs issued by US DOT before March 4, 1999. This rule requires RTA to implement programs to encourage the participation of DBEs in its federal aid contracting activities.

In addition to procedures outlined in this program, RTA will adhere to all current federal and state laws, regulations, and Executive Orders concerning the DBE program, and shall continue to do so subject to the availability of federal and state funds.



## TABLE OF CONTENTS

GENERAL REQUIREMENTS	5
OBJECTIVES AND POLICY STATEMENT (Section 26.1 and 26.23)	5
APPLICABILITY TO THE RTA (Section 26.3)	5
DEFINITIONS (Section 26.5)	5
NON-DISCRIMINATION REQUIREMENTS (Section 26.7)	6
RECORD KEEPING REQUIREMENTS (Section 26.11)	6
BIDDERS LIST (26.11(c))	6
RTA AND CONTRACTOR ASSURANCES (Section 26.13)	7
ADMINISTRATIVE REQUIREMENTS	8
DBE PROGRAM UPDATES (Section 26.21)	8
DBE LIAISON OFFICER (DBELO) (Section 26.25)	8
DBE FINANCIAL INSTITUTIONS (Section 26.27)	9
PROMPT PAYMENT MECHANISMS (Section 26.29)	9
MONITORING AND ENFORCEMENT MECHANISMS (PART 26.37)	10
DIRECTORY (Section 26.31)	11
OVERCONCENTRATION (Section 26.33)	11
BUSINESS DEVELOPMENT PROGRAMS (Section 26.35)	12
FOSTERING SMALL BUSINESS PARTICIPATION (Section 26.39)	12
GOALS, GOOD FAITH EFFORTS, AND COUNTING	13
SET-ASIDES or QUOTAS (Section 26.43)	13
OVERALL GOAL AND PUBLIC PARTICIPATION (Section 26.45)	13
GOAL SETTING AND ACCOUNTABILITY (Section 26.47)	13
TRANSIT VEHICLE MANUFACTURERS (Section 26.49)	13
MEETING OVERALL GOALS/CONTRACT GOALS (Section 26.51)	14
GOOD FAITH EFFORTS PROCEDURES (Section 26.53)	14
ADMINISTRATIVE RECONSIDERATION (Section 26.53(d))	15
COUNTING DBE PARTICIPATION (Section 26.55)	16
CERTIFICATION STANDARDS AND PROCEDURES	17
CERTIFICATION (Sections 26.61-26.91)	17
COMPLIANCE AND ENFORCEMENT	18
INFORMATION. CONFIDENTIALITY. COOPERATION. (Section 26.109)	18
MONITORING PAYMENTS TO DBES	18
	3



DBE GOALS	19
APPENDIX	26
Appendix A: RTA ORGANIZATION CHART	27
Appendix B: MONITORING AND ENFORCEMENT MECHANISMS	28
Appendix C: DBE COMMITMENT FORMS FOR RTA VENDORS	31
Appendix D: MUCP DBE DIRECTORY	33
Appendix E: REGULATIONS 49 CFR PART 26	34

NOTE: Section references above and throughout the document refer to the sections of 49 CFR Part 26 that the RTA is responding to with a policy or procedure.

# GENERAL REQUIREMENTS

## OBJECTIVES AND POLICY STATEMENT (Section 26.1 and 26.23)

The Regional Transit Authority for Southeast Michigan, hereinafter referred to as “RTA” has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. The RTA has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, the RTA has signed an assurance that it will comply with 49 CFR Part 26.

It is the policy of the RTA to ensure that DBEs, as defined in part 26, have an equal opportunity to receive and participate in DOT–assisted contracts. It is also our policy:

1. To ensure nondiscrimination in the award and administration of DOT – assisted contracts;
2. To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
3. To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
4. To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
5. To help remove barriers to the participation of DBEs in DOT assisted contracts;
6. To assist the development of firms that can compete successfully in the market place outside the DBE Program.

The RTA’s Regulatory Compliance Officer acts as the DBE Liaison Officer (DBELO). In that capacity, the Regulatory Compliance Officer is responsible for implementing all aspects of the DBE Program. Implementation of the DBE Program is accorded the same priority as compliance with all legal obligations incurred by the RTA in its financial assistance agreements with the DOT.

The RTA has disseminated this Policy Statement to its Board of Directors, all the component of its organization, and the general public. It has also distributed this statement to DBE and non-DBE business communities that perform work for the RTA on DOT-assisted contracts by posting it on the RTA website ([www.rtamichigan.org](http://www.rtamichigan.org)) and incorporating it into our procurement processes.

## APPLICABILITY TO THE RTA (Section 26.3)

The RTA is the recipient of federal transit funds authorized by Titles I, III, V, and VI of ISTEA, Pub. L. 102-240 or by Federal transit laws in Title 49, U.S. Code, or Titles I, II, and V of the TEA-21, Pub. L. 105-178.

## DEFINITIONS (Section 26.5)

The terms used in this Program have the meanings ascribed to them in Part 26.5.

## **NON-DISCRIMINATION REQUIREMENTS (Section 26.7)**

The RTA will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR part 26 on the basis of race, color, sex, or national origin.

In administering the DBE program, the RTA will not, directly or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE program with respect to individuals of a particular race, color, sex, or national origin.

## **RECORD KEEPING REQUIREMENTS (Section 26.11)**

The RTA will report DBE participation on June 1 and December 1 of each Federal Fiscal Year in TRAMs, using the DOT Uniform Report of DBE Awards and Commitments and payments Form, or any successor form(s) prescribed by DOT. These reports will reflect payments actually made to DBEs on DOT-assisted contracts. These reports will be developed through the following process:

1. DBELO will maintain a list of federal funded contractors that includes contractors awarded during the most recent period, payments to ongoing contracts, and actual payments on completed projects.
2. List will be reviewed and updated by the DBELO and COO when initial reminder for semi-annual reporting is received from FTA (generally three months before report is due); this review will include making sure all invoices from the reporting have been received.
3. DBELO will fill out RTA DBE Tracker form (FTA version); COO will review form for accuracy and check it against Title 49 Subtitle A Part 26 Appendix B.

Additionally, the RTA will maintain a small business bidders list, which will include for each firm, the name, address, DBE (or non-DBE status), age of the firm, and information concerning the annual gross receipts of all DBEs and non-DBEs that submit bids or quotes to a prime bidder/offer or on DOT assisted contracts. The RTA collects this information by requiring all of its prime contractors to complete and submit a bidders' list in its response to RTA's request for bids or proposals, thereby providing the RTA with the relevant small business and DBE information either directly, in the case of a DBE-or small business certified bidder, or indirectly, through the prime contractor.

## **BIDDERS LIST (26.11(c))**

The RTA maintains a bidders list, consisting of information about all DBE and non-DBE firms that bid or quote on DOT-assisted contracts. The purpose of this requirement is to allow the use of the bidder's list approach to calculating overall goals. The bidder list will include the name, address, DBE non-DBE status, age, and annual gross receipts of firms.

The RTA will collect this information in the following ways:

1. Contract clause requiring prime bidders to report the names/addresses, and possibly other information, of all firms who quote to them on subcontracts
2. A notice in all solicitations, and otherwise widely disseminated, request to firms quoting on subcontracts to report information directly to the recipient, etc.

### **RTA AND CONTRACTOR ASSURANCES (Section 26.13)**

The RTA has signed the following assurances, applicable to all DOT-assisted contracts and their administration:

#### **Assurance: 26.13(a)**

The RTA shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT assisted contract or in the administration of its DBE Program or the requirements of 49 CFR part 26. The recipient shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of DOT assisted contracts. The RTA's DBE Program, as required by 49 CFR part 26 and as approved by DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the RTA of any failure to carry out its approved program, the Department may impose sanctions as provided for under part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 *et seq.*).

This language will appear in financial assistance agreements with sub-recipients, and be used verbatim in every DOT-assisted contract and subcontract.

#### **Contract Assurance: 26.13(b)**

Additionally, the RTA will ensure that the following clause is placed in every DOT-assisted contract and subcontract:

#### **Disadvantaged Business Enterprise Assurance**

In accordance with 49 CFR Part 26.13(a), the contractor, sub-recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate, which may include, but is not limited to:

- (1) Withholding monthly progress payments;
- (2) Assessing sanctions;
- (3) Liquidated damages; and/or
- (4) Disqualifying the contractor from future bidding as non-responsible.

# ADMINISTRATIVE REQUIREMENTS

## DBE PROGRAM UPDATES (Section 26.21)

Since the RTA has received a grant of \$250,000 or more in FTA planning capital, and or operating assistance in a federal fiscal year, the RTA will continue to carry out this Program until all funds from DOT financial assistance have been expended, and will provide updates to DOT regarding any significant changes to the Program.

## DBE LIAISON OFFICER (DBELO) (Section 26.25)

The RTA has designated the following individual as its DBE Liaison Officer (DBELO):

Mrs. Virginia Lickliter, Executive Administrator/DBE Coordinator  
1001 Woodward Avenue, Suite 1400  
Detroit, MI 48226  
(313) 402-1020 Office  
(313) 961-4869 Fax  
[vlickliter@rtamichigan.org](mailto:vlickliter@rtamichigan.org)

In the event that Mrs. Lickliter no longer serves in the capacity of DBE Coordinator, her successor will assume the role of DBELO.

In this capacity, the DBELO is responsible for implementing all aspects of the DBE program and ensuring that the RTA complies with all provision of 49 CFR Part 26. The DBELO has direct, independent access to the RTA leadership concerning DBE program matters. An organization chart displaying the DBELO's position in the organization is found in Appendix A.

The DBELO is responsible for developing, implementing and monitoring the DBE program, in coordination with other appropriate officials. The duties and responsibilities include the following:

1. Gathers and reports statistical data and other information as required by DOT.
2. Reviews third party contracts and purchase requisitions for compliance with this program.
3. Sets overall annual goals in cooperation with the Procurement Administrator.
4. Ensures that bid notices and requests for proposals are available to DBEs in a timely manner.
5. Identifies contracts and procurements so that DBE goals are included in solicitations (both race-neutral methods and contract specific goals)
6. Analyzes RTA's progress toward attainment and identifies ways to improve progress.
7. Participates in pre-bid meetings.
8. Advises the CEO\Board of Directors on DBE matters and achievement.
9. Refers DBEs to the Michigan Unified Certification Program staff to seek information and assistance in the DBE certification process, preparing bids, obtaining bonding and insurance.
10. Participates in DBE training seminars.

Additionally, the RTA maintains records of contract expenditures and commitments and, within that, DBE specific expenditures and commitments, which can be utilized to generate DBE-specific contract reports. These reports are used to measure DBE goal attainment, and are used to provide required reports to the Board of Directors, General Manager and the relevant federal and state regulatory bodies.

## **DBE FINANCIAL INSTITUTIONS (Section 26.27)**

It is the policy of the RTA to investigate the full extent of services offered by financial institutions owned and controlled by socially and economically disadvantaged individuals in the community, to make reasonable efforts to use these institutions, and to encourage prime contractors on DOT-assisted contract to make use of these institutions. We have made the following efforts to identify and use such institutions.

The RTA reviewed the Federal Reserve listing for Minority Owned Banks and determined that there were three operating within the RTA region.

To date we have identified the following such institutions:

- First Independence Bank – 1001 Woodward Avenue, Detroit, MI
- Lotus Bank – 44350 Twelve Mile Rd, Novi, MI 48377 and 37000 Grand River Ave #100, Farmington Hills, MI 48335
- Liberty Bank and Trust - 9108 Woodward Ave, Detroit, MI 48202

Information on the availability of such institutions can be obtained from FTA's DBE Liaison Officer.

The RTA will also re-evaluate the availability of DBE financial institutions every three years.

## **PROMPT PAYMENT MECHANISMS (Section 26.29)**

The RTA ensures that the following clause is placed in every DOT-assisted contract and subcontract:

**Prompt Payment.** The prime contractor agrees to pay each subcontractor under this Agreement for satisfactory performance of its subcontract no later than fourteen (14) calendar days from the receipt of each payment the Contractor receives from the RTA. A delay in or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the RTA. This clause applies to both DBE and non-DBE subcontractors. Failure to comply with these prompt payment requirements is a breach of this Agreement which may lead to any remedies permitted under law, including, but not limited to, suspension of payment and/or termination or cancellation of contract. In addition, Contractor's failure to promptly pay its subcontractors is subject to the provisions Section 9 of the Local Government Prompt Payment Act (50 ILCS 505/9).

RTA will use the form in Appendix C to monitor ongoing compliance with prompt payment

provisions.

### **Retainage 26.29(b,c)**

The prime contractor agrees to return retainage payments to each subcontractor within fourteen (14) days after the subcontractors work is satisfactorily completed. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of the RTA. This clause applies to both DBE and non-DBE subcontracts. A subcontractor's work is satisfactorily completed when all the tasks called for in the subcontract have been accomplished and documented as required by the recipient. When a recipient has made an incremental acceptance of a portion of a prime contract, the work of a subcontractor covered by that acceptance is deemed to be satisfactorily completed.

### **Monitoring and Enforcement 26.29 (d)**

The RTA has established the following mechanisms to monitor and enforce that prompt payment and return of retainage is in fact occurring.

If RTA determines that the prime contractor has failed to comply with the prompt payment provisions set forth in the contract, RTA shall give written notice to the prime contractor that if the default is not remedied within a specified period of time (at least 5 days), the contract may be terminated. The Contract may be terminated for cause in accordance with the Contract Article XIV, entitled TERMINATION.

RTA shall also impose penalties and sanctions for non-compliance with the prompt payment clause contained in Section 26.37, MONITORING AND ENFORCEMENT MECHANISMS, and as contained in the Contract Compliance Manual (Federal) and other requirements of State law.

#### On-Site Performance Monitoring

During the course of any contract with DBE participation, RTA will conduct on-site monitoring to ensure that work committed to DBEs are actually being performed by the DBEs. The observed work will be reconciled against the DBE subcontractor agreement(s) and Prime Contractor. The review will be in accordance with the RTA DBE Compliance, Commercially Useful Function report found in Appendix C.

#### Written Certification

Worksite monitoring, review of contracting records and written certification of DBE performance will be conducted on all RTA contracts, within the state, in which a DBE firm(s) is performing.

### **MONITORING AND ENFORCEMENT MECHANISMS (PART 26.37)**

The RTA will engage in the following monitoring and enforcement mechanisms to ensure compliance with 49 CFR Part 26:

1. Bring to the attention of the DOT any false, fraudulent, or dishonest conduct in connection with the Program, so that DOT can take the steps (e.g., referral to the Department of Justice for criminal prosecution, referral to the DOT Inspector General, action under suspension and debarment or Program Fraud and Civil Penalties rules) provided in Part 26.109.
2. Consider similar actions under state legal authorities, including negative responsibility determinations on future contracts, removal of firms from certain qualified lists, and recommending firms' DBE or small business certifications be revoked.
3. Require prime contractors to maintain records and documents of payments to DBE and small business subcontractors for three years following the performance of any contract, and further require that these records and documents will be made available for inspection upon request by any authorized representative of RTA or DOT.
4. Monitor compliance and verify that work committed to DBEs and small businesses at contract award is actually performed by those DBEs and small businesses. This will be accomplished by requiring prime contractors to submit DBE subcontract agreements/purchase orders and periodic DBE reports, reviewing and tracking all invoices received and keeping records of all payments made to DBEs and small businesses.
5. Certifying that work committed to DBEs at contract award or subsequently (e.g., as the result of modification to the contract) is actually performed by the DBE in which the work was committed.
6. Perform interim audits of contract payments to DBEs and small businesses, which will review payments to subcontractors to ensure that the amount actually paid to those subcontractors (a) equals or exceeds the dollar amounts stated in the derivation of cost proposal and (b) are made in a timely manner.
7. Provide professional development opportunities to the DBELO, as necessary, to ensure that the RTA maintains competent compliance professionals.

Appendix B contains the standards, policies, practices, and procedures RTA uses to assess whether a contractor is in compliance with regulatory and contract requirements applicable to DOT-assisted projects.

### **DIRECTORY (Section 26.31)**

The RTA utilizes the State of Michigan's Unified Certification Program directory to identify all firms eligible to participate as DBEs. The directory lists the firm's name, address, phone number, date of the most recent certification, and the type of work the firm has been certified to perform as a DBE. The Directory may be found using the following link <http://mdotjboss.state.mi.us/UCP/HomePageServlet>.

### **OVERCONCENTRATION (Section 26.33)**

The RTA has not identified that overconcentration exists in the types of work that DBEs perform. The RTA will re-evaluate if overconcentration exists every three years.



### **BUSINESS DEVELOPMENT PROGRAMS (Section 26.35)**

The RTA has not established a business development program. RTA coordinates with the Michigan Department of Transportation who has a robust business development program. RTA will evaluate the need for such a program annually as the overall size of the RTA program expands.

### **FOSTERING SMALL BUSINESS PARTICIPATION (Section 26.39)**

The RTA awards very few contracts and has not maintained its own program while fully supporting the programs maintained by the Detroit Department of Suburban Mobility Authority for Regional Transportation (SMART), Ann Arbor Area Transportation Authority (AAATA), the Detroit Transportation Corporation (DTC- People Mover), and M-1 RAIL (QLine).

# GOALS, GOOD FAITH EFFORTS, AND COUNTING

## SET-ASIDES or QUOTAS (Section 26.43)

The RTA does not use quotas in any way in the administration of this DBE program.

## OVERALL GOAL AND PUBLIC PARTICIPATION (Section 26.45)

In accordance with Part 26.45, the RTA will submit its triennial overall DBE goal to the FTA by August 1 at three-year intervals, based on the schedule established by the FTA. The RTA will also request use of project-specific DBE goals as appropriate and/or will establish project specific DBE goals as directed by FTA when applicable.

The process generally used by RTA to establish overall DBE goals is defined in the DBE Goal Methodology Report, under the section in this update titled “DBE Goals.”

Once established, the RTA's overall goal submission to DOT will include the goal (including the breakout of estimated race-neutral and race-conscious participation, as appropriate), a copy of the methodology used to develop the goal; a summary of information and comments received during this public participation process and RTA's responses, and proof of publication of the goal on RTA's website and media outlets listed above. The RTA will begin using the established overall goal immediately (on October 1 of the specified years), unless the RTA has received other instructions from DOT. Our goal will remain effective for the duration of the three-year period established and approved by FTA.

## GOAL SETTING AND ACCOUNTABILITY (Section 26.47)

If the awards and commitments shown on the RTA's Uniform Report of Awards or Commitments and Payments at the end of any fiscal year are less than the overall applicable to that fiscal year, we will:

1. Analyze in detail the reason for the difference between the overall goal and the actual awards/commitments;
2. Establish specific steps and milestones to correct the problems identified in the analysis; and
3. Maintain information and records regarding the analysis and efforts made for three years, and make it available to the FTA on request for review.
4. Document the short fall reasons in a short-fall analysis that will be kept on file.

## TRANSIT VEHICLE MANUFACTURERS (Section 26.49)

All Transit Vehicle Manufacturers (TVM), as a condition of being authorized to bid or propose on RTA-FTA assisted transit vehicle procurements, shall certify that it has complied with the

requirements of 49 CFR Section 26.49, including the establishment of an annual overall DBE participation goal that has been submitted to the FTA for concurrence. Each TVM shall complete and submit in its bid or proposal a DBE Certification form acknowledging it has complied with this section and a concurred overall DBE goal on file with the FTA. RTA shall not include the amount of FTA assistance used in transit vehicle procurements in the base amount from which RTA's overall goal is established.

### **MEETING OVERALL GOALS/CONTRACT GOALS (Section 26.51)**

The RTA will meet the maximum feasible portion of its overall goal using race-neutral means of facilitating DBE participation.

The RTA will use contract goals to meet any portion of the overall DBE goal that it does not anticipate being able to meet through the use of race-neutral means. Contract goals are established so that, over the period to which the overall goal applies, they will cumulatively result in meeting any portion of the overall goal that is not projected to be met through the use of race-neutral means. These contract goals will only be utilized on contracts that have subcontracting possibilities, and the size of any particular contract goals, if any, will be adapted to the circumstances of each contract (i.e., type and location of work, availability of DBEs to perform the particular type of work). When utilized, the RTA will express contract goals as a percentage of the total amount of the contract.

Race-neutral measures are described in the DBE Goals section.

### **GOOD FAITH EFFORTS PROCEDURES (Section 26.53)**

In those instances where a contract-specific DBE goal is included in a procurement/solicitation, RTA will not award the contract to a bidder who does not either (1) meet the contract goal with verified, countable DBE participation; or (2) documents it has made adequate good faith efforts to meet the DBE contract goal, even though it was unable to do so. It is the obligation of the bidder to demonstrate that it has made sufficient good faith efforts prior to submission of its bid.

The RTA treats the Bidder's compliance with good faith efforts requirements as a matter of responsibility. The Bidder can demonstrate its compliance either by documenting that it has secured sufficient DBE participation or documenting that it made sufficient good faith efforts to meet the DBE contract goal or a combination of the two. Determination of the sufficiency of good faith efforts shall be determined by the guidance found in Appendix A of 49 CFR 26.

The Procurement Administrator is responsible for determining whether a Bidder who has not met a contract goal has documented sufficient good faith efforts to be regarded as responsible. In each case in which the RTA determines the Bidder has documented good faith efforts, the RTA will have ensured that all information submitted by the Bidder was complete, accurate, and clearly sufficient to document the Bidder's good faith efforts as outlined in the guidance found in Appendix A to Part 26. Guidance concerning the evaluation of good faith efforts made by

bidder/offerors to adequately meet contracts goals can be found in Appendix D.

Each procurement for which a contract goal has been established will require the bidders/offerors to submit the following documentation at the time of submission:

1. The names and addresses of DBEs that will participate in the contract;
2. A description of the work that each DBE will perform;
3. The dollar amount of the participation of each DBE;
4. Written and signed documentation of a commitment to use any DBE contractor it submits to meet a contract goal; and
5. Written and signed confirmation from the DBE that it is participating in the contract as provided in the Bidder's commitment.

Or, if the contract goal will not be entirely met through participation, sufficient evidence of good faith efforts made by the Bidder made to meet the contract DBE goal.

Prior to the execution of a contract, if any of the information called for in the paragraph above has changed, the RTA will require the bidder to submit updated documentation establishing compliance with the contract goal.

#### **ADMINISTRATIVE RECONSIDERATION (Section 26.53(d))**

Within 14 days of being informed by the RTA that it is not responsible because it has not documented sufficient good faith efforts, a Bidder may request administrative reconsideration. To do so, Bidders must make this request in writing to the following reconsideration official: Chief Executive Officer, Regional Transportation Authority, 1001 Woodward Avenue, Detroit, MI 48226, (313) 402-1020. The CEO is the Reconsideration Officer for the Agency. If the CEO played any role in the original determination that the Bidder did not document sufficient good faith efforts, the reconsideration officer for that procurement shall be the Chairman of the Executive and Policy Committee, Mr. Paul C. Hillegonds.

As part of this reconsideration, the Bidder will have the opportunity to provide written documentation or argument concerning the issue of whether it met the contract goal through participation, good faith efforts, or both. Any written documentation or argument must explain the good faith efforts made by the Bidder at the time of submission and evidence of efforts made subsequent to submission will not be considered. Upon request, the Bidder will have the opportunity to meet in person with the reconsideration official to discuss the issue of whether it made good faith efforts to meet the contract goal. Upon reaching a determination, the reconsideration official will send the Bidder a written determination on reconsideration, explaining the basis for finding that the Bidder did or did not exercise good faith efforts meet the contract goal. This determination shall be final and the reconsideration process is not administratively appealable to the Department of Transportation (DOT).

#### **SAMPLE RFP SPECIFICATIONS**

The requirements of 49 CFR Part 26, Regulations of the U.S. Department of Transportation, apply

to this contract. It is the policy of the RTA to practice nondiscrimination based on race, color, sex, or national origin in the award or performance of this contract. All firms qualifying under this solicitation are encouraged to submit bids/proposals. Award of this contract will be conditioned upon satisfying the requirements of this bid specification. These requirements apply to all bidders/offerors, including those who qualify as a DBE. A DBE contract goal of \_ percent has been established for this contract. The bidder/offeror shall make good faith efforts, as defined in Appendix A, 49 CFR Part 26, to meet the contract goal for DBE participation in the performance of this contract.

The bidder/offeror will be required to submit the following information: (1) the names and addresses of DBE firms that will participate in the contract; (2) a description of the work that each DBE firm will perform; (3) the dollar amount of the participation of each DBE firm participating; (4) written documentation of the bidder/offeror's commitment to use a DBE subcontractor whose participation it submits to meet the contract goal; (5) written confirmation from the DBE that it is participating in the contract as provided in the commitment made under (4); and (5) if the contract goal is not met, evidence of good faith efforts.

#### **DBE REPLACEMENT DURING A CONTRACT**

The RTA requires that prime contractors not terminate a DBE subcontractor listed on a bid/contract with a DBE contract goal without the RTA's prior written consent. Prior written consent will only be provided where there is "good cause" for termination of the DBE firm, as established by Section 26.53(f)(3) of the DBE regulation.

Before transmitting to the RTA its request to terminate, the prime contractor must give notice in writing to the DBE of its intent to do so. A copy of this notice must be provided to the RTA prior to consideration of the request to terminate. The DBE will then have five (5) days to respond and advise the RTA of why it objects to the proposed termination.

In those instances where "good cause" exists to terminate a DBE's contract, the RTA will require that the prime contractor make good faith efforts to replace a DBE that is terminated or has otherwise failed to complete its work on a contract with another certified DBE, to the extent needed to meet the contract goal. If a DBE is unable or unwilling to perform, the prime contractor must notify the DBELO immediately and provide reasonable documentation of the same.

In any situation described above, the RTA will require the prime contractor (a) to obtain RTA's prior approval of any substitute DBE, and (b) to provide copies of new or amended subcontracts or documentation of good faith efforts. Failure to abide by these procedures shall be viewed as a breach of contract and the prime contractor will be subject to such sanctions and penalties as are allowed by the contract and law as outlined in Appendix B.

#### **COUNTING DBE PARTICIPATION (Section 26.55)**

The RTA will count DBE participation toward overall and contract goals as provided in Part 26.55.



# **CERTIFICATION STANDARDS AND PROCEDURES**

## **CERTIFICATION (Sections 26.61-26.91)**

The RTA relies upon the DBE certifications issued pursuant to the Michigan Unified Certification Program, as discussed above under the heading DIRECTORY (PART 26.31).

The RTA is a member of the Michigan Unified Certification Program. The UCP will meet all of the requirements of this section. The RTA will use and count for DBE credit only those DBE firms certified by the Michigan UCP.

For information about the certification process or to apply for DBE certification, firms or individuals should contact the Michigan UCP at: <https://mdotjboss.state.mi.us/MUCPWeb/>

Any firm or complainant may appeal a Michigan UCP's decision in a certification matter to DOT. Such appeals may be sent to:

**U.S. Department of Transportation  
Office of Civil Rights Certification Appeals Branch  
1200 New Jersey Avenue. SE  
West Building, 7<sup>th</sup> Floor  
Washington, D.C. 20590**

# COMPLIANCE AND ENFORCEMENT

## **INFORMATION. CONFIDENTIALITY. COOPERATION. (Section 26.109)**

The RTA follows procedures to safeguard from disclosure to third parties information that is confidential, consistent with federal, state, and local law, including the Michigan Freedom of Information Act (FOIA). All information will be subject to disclosure under FOIA.

Notwithstanding any contrary provisions of federal, state, or local law, the RTA will not release personal or business financial information submitted in response to the personal net worth requirement to a third party (other than DOT) without the written consent of the submitter.

## **MONITORING PAYMENTS TO DBES**

The RTA will perform audits of contract payments to Disadvantaged Business Enterprises (DBE) and Small Business Enterprises (SBE). The audit will review payments to DBE/SBE subcontractors to ensure that the actual amount paid to DBE subcontractors equals, or exceeds, the dollar amounts stated in the contracts that include DBE or SBE participation. DBE Department staff will also monitor the prompt payment by prime contractors to DBE or SBE subcontractors on any RTA project.

RTA will require prime contractors to maintain records and documents of payments to DBE/SBE subcontractors for three years following the performance of the contract. These records will be made available for inspection upon request by an authorized representative of RTA or DOT. This reporting requirement also extends to any certified DBE subcontractor

# DBE GOALS

## OVERALL GOAL CALCULATION (26.45)

### FISCAL YEARS 2023 – 2025

As required in 49 CFR Part 26 of the Code of Federal Regulations, Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs, the Regional Transit Authority (RTA) of Southeast Michigan has completed its triennial review and set an overall goal for Disadvantaged Business Enterprise (DBE) participation for Fiscal Years (FYs) 2023 – 2025 contracts funded in whole or in part with Federal Transit Administration (FTA) funds. The recommended goal of 8.20% attained through 5.31% from race neutral participation and 2.89% from race-conscious measures reflects the relative availability of DBEs to participate in contracts and procurements projected by the RTA of Southeast Michigan.

The term “Marketplace” is defined as businesses located in the State of Michigan, that are both Disadvantaged Business Enterprises (DBE) and Non-Disadvantaged Business Enterprises, who are ready, willing and able to participate in RTA of Southeast Michigan contracts.

In accordance with 49 CFR Section 26.45, RTA’s proposed goal will be published in media outlets.

### METHODOLOGY

RTA considered a two-step process defined below to determine its DBE participation goal for FY2023-2025.

#### **STEP 1) Determine the Base Figure for the overall goal:**

- Calculate the relative availability of DBEs to perform the types of work forecasted by RTA of Southeast Michigan.
- Weight the respective contract dollars to be expended in each type of federally-assisted project or procurement.
- Determine the weighted DBE relative availability in the projected types of work.
- Aggregate the weighted availability figures to determine the base figure.

#### **STEP 2) Adjustments to the Base Figure:**

- Due to the difference in types of projects and projected costs of projects, the RTA will be making no adjustments to the Base Figure based on historical data or disparity studies.

Additionally, the methodology includes an explanation of how the forecasted overall goal will be achieved.

## **Goal Calculation for FY2023-2025**

### **STEP 1) Determine the Base Figure for the Overall Goal**

The RTA of Southeast Michigan determined that the Michigan Unified Certification Program (MUCP) database of Michigan DBEs and the 2020 United States (U.S.) Census Bureau data for Michigan provided relevant and reliable data to assess RTA's marketplace availability to DBEs operating within the state, and for identifying DBEs capable of completing or contributing to future RTA opportunities. This approach was taken for the following reasons:

- All DBEs certified to work in Michigan are tracked by type of work and by their approved North American Industry Classification System (NAICS) codes on the web-based MUCP database located at <https://mdotjboss.state.mi.us/MUCPWeb/>
- The U.S. 2020 Economic Census data provides economy-wide statistics for Michigan, including the number of vendors by NAICS code on both a state-wide and county-wide basis. The statewide data serves as the RTA coverage area for the DBE calculation.

The RTA's core services that are funded with partial/full federal funding is currently and anticipated during the triennial period to be limited to communications, public relations, engineering, planning/landscape architecture, consulting, accounting/payroll, and environmental consulting services. As such the following NAICS codes were used to determine the base figure for RTA services:

- 541840 Media Representatives
- 541820 Public Relations
- 541330 Engineering
- 541320 Landscape Architectural Services
- 541611 General Management Consulting Services
- 541199 All Other Legal Services
- 541211 Offices of Certified Public Accountants
- 541214 Payroll Services
- 541219 Other Accounting Services
- 541620 Environmental Consulting Services

Table 1.0 lists the number of DBE firms willing and able to work in the market area for the defined RTA practice areas listed in the MUCP. Table 1.0 also lists the overall firms willing and able to work in the RTA coverage area defined by 2020 Census Data.

**Table 1.0 - DBE & Total Firms Working in the RTA Market Area**

<b>Base Goal Calculation (FY2023-FY2025)</b>		A	B
<b>NAICS Code</b>	<b>Project description</b>	<b># of DBE ONLY firms willing and able to work in market area (Statewide)</b>	<b># of overall firms willing and able to work in market area (Statewide)</b>
541840	Media representatives	7	18
541820	Public Relations	17	128
541330	Engineering	42	1738
541320	Landscape Architecture Services	7	113
541611	General Management Consulting Services	70	1473
541199	All Other Legal Services	1	145
541211	Offices of Certified Public Accountants	5	1404
541214	Payroll Services	3	194
541219	Other Accounting Services	10	1101
541620	Environmental Consulting Services	18	198
	<b>Total</b>	<b>180</b>	<b>6512</b>

The following section provides a breakdown of available work for each of these areas:

- a) **Media Representatives** - For the defined triennial period, the RTA anticipates using \$182,500 of federal dollars for communications services. This amount represents 2.13% of RTA's total projected FTA budget. The DBE relative availability for Media Representatives is 38.89%. The weighted DBE relative availability for this project is 0.83%. **(see Table 2.0)**
- b) **Public Relations** - An estimated \$386,363 is projected for FTA-assisted public relations opportunities during the defined period. This amount represents 4.51% of RTA's total projected FTA budget. The DBE relative availability for Public Relations projects is 13.28%. The weighted DBE relative availability for Public Relations Projects is 0.60%. **(See Table 2.0)**
- c) **Engineering** - An estimated \$3,500,000 is projected for FTA-assisted Engineering Activities, representing 40.86% of RTA's total projected FTA budget. The DBE relative availability for Engineering Activities is 2.42%. The weighted DBE relative availability for Engineering Activities is 0.99%. **(See Table 2.0)**
- d) **Planning/Landscape Architecture** - An estimated \$2,000,000 is projected for FTA-assisted Landscape Architecture activities, representing 23.35% of RTA's total projected FTA budget. The DBE relative availability for Engineering Activities is 6.19%. The weighted DBE relative availability for Landscape Architecture is 1.45%. **(See Table 2.0)**

- e) **General Management Consulting Services** - An estimated \$788,600 is projected for FTA-assisted General Management Consulting Services, representing 9.81% of RTA's total projected FTA budget. The DBE relative availability for Engineering Activities is 4.75%. The weighted DBE relative availability for Engineering Activities is 0.44%. **(See Table 2.0)**
- f) **All Other Legal Services** - An estimated \$159,181 is projected for FTA-assisted Legal Services, representing 1.86% of RTA's total projected FTA budget. The DBE relative availability for Legal Services is 0.69%. The weighted DBE relative availability for Legal Services is 0.01%. **(See Table 2.0)**
- g) **Offices of CPAs** - An estimated \$463,635 is projected for FTA-assisted CPA activities, representing 5.41% of RTA's total projected FTA budget. The DBE relative availability for CPA activities is 0.36%. The weighted DBE relative availability for CPA activities is 0.02%. **(See Table 2.0)**
- h) **Payroll Services** - An estimated \$36,000 is projected for FTA-assisted Payroll Services activities, representing 0.42% of RTA's total projected FTA budget. The DBE relative availability for Payroll Services activities is 1.55%. The weighted DBE relative availability for Payroll Services activities is 0.01%. **(See Table 2.0)**
- i) **Other Accounting Services** - An estimated \$49,028 is projected for FTA-assisted activities identified as other accounting services representing 0.57% of RTA's total projected FTA budget. The DBE relative availability for other accounting activities is 0.91%. The weighted DBE relative availability for other accounting activities is 0.01%. **(See Table 2.0)**
- j) **Environmental Consulting Services** - An estimated \$1,000,000 is projected for FTA-assisted Environmental Consulting activities, representing 11.68% of RTA's total projected FTA budget. The DBE relative availability for Environmental Consulting activities is 9.09%. The weighted DBE relative availability for Environmental Consulting activities is 1.06%. **(See Table 2.0)**

**Table 2.0 Anticipated RTA Availabilities**

RTA of Southeast Michigan  
Base Goal Calculation (FY2023-FY2025)

NAICS Code	Project description	A # of DBE ONLY firms willing and able to work in market area (Statewide)	B # of overall firms willing and able to work in market area (Statewide)	C # DBE firms/ # all Firms (A/B)	D Step 1 FTA Contracting opportunities	E Step 1 Weighted % Contract (D/ Total Contract Value)	F Step 1 Weighted % DBE Goal (C x E)
541840	Media representatives	7	18	38.89%	\$ 182,500	2.13%	0.83%
541820	Public Relations	17	128	13.28%	\$ 386,363	4.51%	0.60%
541330	Engineering	42	1738	2.42%	\$ 3,500,000	40.86%	0.99%
541320	Landscape Architecture Services	7	113	6.19%	\$ 2,000,000	23.35%	1.45%
541611	General Management Consulting Services	70	1473	4.75%	\$ 788,600	9.21%	0.44%
541199	All other legal services	1	145	0.69%	\$ 159,181	1.86%	0.01%
541211	Offices of certified public accountants	5	1404	0.36%	\$ 463,635	5.41%	0.02%
541214	Payroll services	3	194	1.55%	\$ 36,000	0.42%	0.01%
541219	Other accounting services	10	1101	0.91%	\$ 49,028	0.57%	0.01%
541620	Environmental consulting services	18	198	9.09%	\$ 1,000,000	11.68%	1.06%
<b>Total</b>		<b>180</b>	<b>6512</b>		<b>\$ 8,565,307</b>	<b>100.00%</b>	<b>5.40%</b>

2.76%

Goal without weighting

5.40%

Weighted Goal

Based on the above data, the Step One base figure for FTA-assisted funds was calculated to be **8.26%**. (See Table 3.0)

<b>Table 3.0 – Step One Base Figure</b> <b>Projected weighted dollar value x DBE relative availability = Weighted DBE relative availability</b>	
<b>Types of Work Forecast for FY2023 – 2025</b>	<b>Weighted DBE Relative Availability</b>
Media Representatives	0.83%
Public Relations	0.60%
Engineering	0.99%
Landscape Architecture	1.45%
General Management Consulting Services	0.44%
All other legal services	0.01%
Offices of CPAs	0.02%
Payroll Services	0.01%
Other Accounting Services	0.01%
Environmental Consulting Services	1.06%
<b>FTA Step One Base Figure (Sum of Types of Work)</b>	<b>5.40%</b>

## STEP 2: Adjustments to the Base Figure

RTA made adjustments to the base figure based on historical data, using information about past participation. The past DBE participation median for FY 2020-2022 was 11%, and averaged with the weighted base figure (5.40%) the adjusted goal comes out to 8.20%. This number was not adjusted for a disparity study because none have been conducted in the region.

**RTA has set a DBE goal of 8.20% for FY2023-2025**

## **RECOMMENDATION for RACE-NEUTRAL (RN) MEANS**

The RTA expects to meet the maximum feasible portion of its overall goal by using race-neutral means of facilitating DBE participation. We estimate that in meeting the overall goal of **8.20%**, the RTA of Southeast Michigan will obtain **5.31%** from race neutral participation and **2.89%** from race-conscious measures.

The following is a summary of the basis of our estimated breakout of race-neutral and race-conscious DBE participation:

- In the previous triennial period, the RTA's DBE goal was 8.26% of which 4.51% was projected to be obtained from race-neutral participation and 3.75 through race-conscious measures.
- During this period, the RTA had an actual DBE participation of 11.00% of which 7.12% was race neutral.

The RTA will consistently examine the effectiveness of using race-neutral means to ensure proper DBE participation and will continue to evaluate the rational for establishing a race neutral goal.

### **Outreach to Minority and Women's Groups**

The RTA conducted consultation with the following minority, women's, and business organizations were coordinated with when establishing the RTA's DBE goals. RTA sent correspondence out to the following groups to seek input on the FY2023 – 2025 goal. Consultation is intended to review the proposed overall DBE goal, receive comments, to obtain information concerning the availability of disadvantaged and non-disadvantaged businesses, the effects of discrimination on opportunities for DBEs, and help the RTA build long-term contracting relationships with DBEs in the market area. In addition, staff commits to participate in local events in the upcoming year to increase awareness of future RTA opportunities including those identified below.

- Detroit Regional Chamber
- Conference of Minority Transportation Officials
- Michigan Department of Transportation
  - Including participation in MDOT's Annual DBE Conference
- Michigan Hispanic Chamber of Commerce
- Women Impacting Public Policy
- Southwest Detroit Business Association
- Great Lakes Women's Business Council
- Michigan Association for Female Entrepreneurs
- Michigan Minority Business Development Association
- Metro Detroit Black Business Alliance
- National Business League
- Chaldean Chamber of Commerce
- National Association of Women Business Owners Greater Detroit Chapter
- Asian Pacific American Chamber of Commerce
- Arab American Chamber of Commerce

The RTA will also hold pre-bid conferences on all proposed contracts over \$100,000. The RTA will invite DBEs certified by the Michigan Unified Certification Program (MUCP) to attend the pre-bid/proposal meetings where they can network with prime contractors, and request clarification on any questions that they may have concerning future RTA opportunities.

The RTA attends the Michigan Department of Transportation's DBE conference and presents upcoming projects to DBE vendors, as well as networks with DBEs interested in bidding on RTA projects. RTA staff also attend Michigan Unified Certification Program (MUCP) quarterly meetings. The meetings are attended by DBE certifying agencies and other FTA covered entities in the State of Michigan. During these meetings any changes to the FTA's DBE program are discussed, along with any ongoing DBE program related issues entities are experiencing.

## **Media**

RTA's announcement of its proposed DBE participation goal for FY2023 – 2025 will be published in the following media sources:

- **The Michigan Chronicle**
- **Detroit News/Detroit Free Press**

Web sites:

- [www.rtamichigan.org](http://www.rtamichigan.org)

## **Outreach Communications**

### **Public Notice:**

### **RTA of Southeast Michigan Proposed DBE Goals for FY 2023 – FY2025**

The Regional Transit Authority of Southeast Michigan (RTA) has established a goal of **8.20%** for its Disadvantaged Business Enterprises (DBE) Program for fiscal years 2023 through FY 2025. This goal will be attained through **5.31%** from race neutral participation and **2.89%** from race-conscious measures which reflects the relative availability of DBEs to participate in contracts and procurements projected by the RTA.

The proposed goal and its methodology have been developed in accordance with the Federal Transit Administration's regulations 49 CFR Part 26.

The goal and the methodology used to develop it are available for inspection from 8:30 a.m. to 4:30 p.m. Monday through Friday at RTA's offices located at 1001 Woodward Avenue, Suite 1400, Detroit, Michigan. These materials will be available for 30 days following the date of this notice.

The RTA will accept comments on the goal for 45 days from the date of this notice. Inquiries may be directed to the following:

#### **RTA of Southeast Michigan**

1001 Woodward Avenue, Suite 1400

Detroit, Michigan 48226

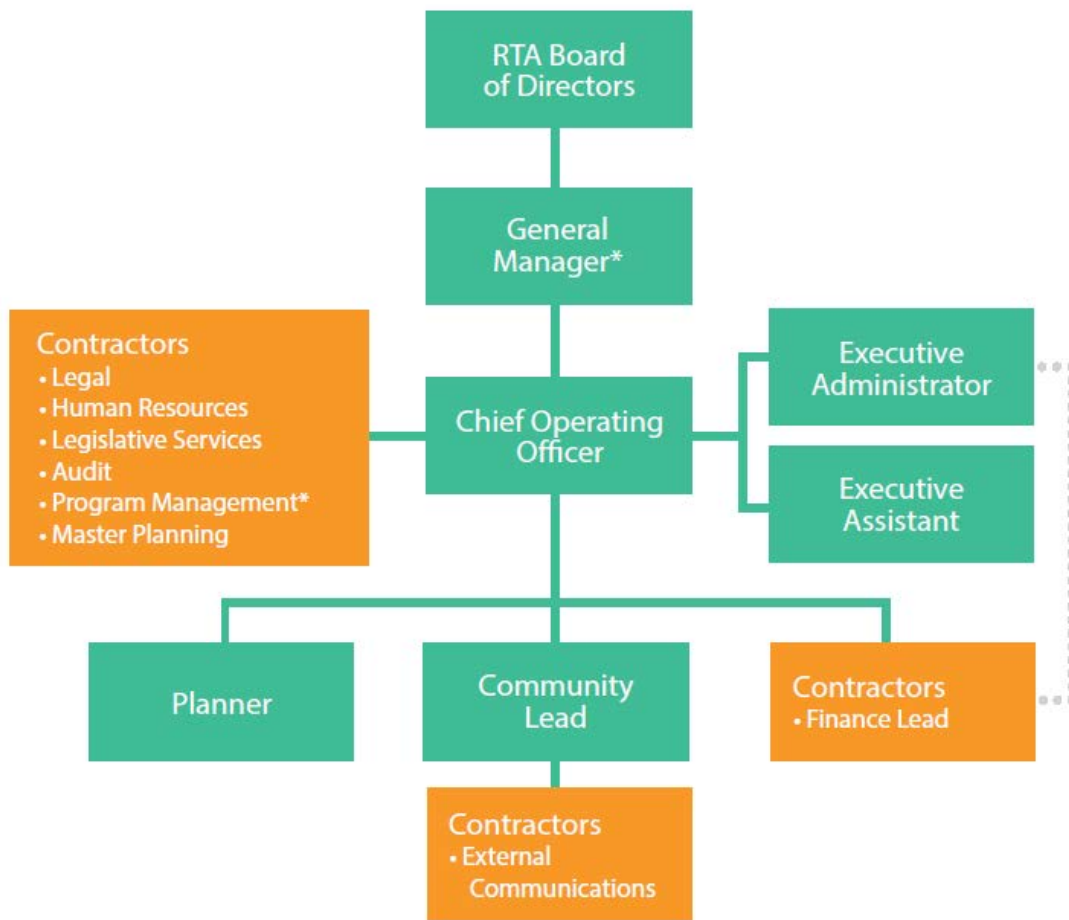
Or e-mail to: [info@rtamichigan.org](mailto:info@rtamichigan.org)



# APPENDIX

Appendix A	RTA Organizational Chart
Appendix B	Monitoring and Enforcement Mechanisms
Appendix C	DBE Commitment Forms
Appendix D	DBE Directory
Appendix E	Regulations 49 CFR Part 26

## Appendix A: RTA ORGANIZATION CHART



Executive Administrator is the DBELO. That position will report directly to the General Manager on DBE issues.

## Appendix B: MONITORING AND ENFORCEMENT MECHANISMS

The following sections contain the standards, policies, practices and procedures RTA uses to assess whether a contractor is in compliance with regulatory and contract requirements applicable to DOT-assisted projects:

### A. Contract Requirements and Remedies

Contract requirements and remedies are provided in this DBE program and by administrative policies, practices and procedures requirements in each contract. All contractors, as a condition of participation in any DOT-assisted contract, shall agree to the terms of this DBE program, and shall incorporate the DBE program and the DBE administrative policies, practices and procedures requirements into their contracts and subcontracts at all tiers.

1. Contracts Provisions - The RTA requires each project supported by DOT-assisted funds to include in its contract terms and conditions set forth in the RTA's contract with the Contractor.
2. Auditing and Inspection - RTA reserves the right to audit the records and of its Contractors and any Subcontractors of any tier for the purpose of verifying the DBE participation and/or adherence to the DBE Program requirements. Contractors and Subcontractors shall permit access to their records at the request of RTA.

### B. Regulatory Provisions

The federal government has available several enforcement mechanisms that it may apply to firms participating in the DBE program, including, but not limited to, the following:

1. 49 CFR Part 26 – Participation by Disadvantaged Business Enterprises Department of Transportation Financial Assistance Programs; particularly, Subpart F, Compliance and Enforcement
2. 49 CFR Part 31 – Program Fraud Civil Remedies
3. 49 CFR Part 29 – Government-wide Debarment and Suspension (Non-Procurement) and Government-wide Requirements for Drug-Free Workplace
4. Prosecution pursuant to 18 USC 1001.

### **C. Findings of Non-Compliance and Administrative Sanctions**

Contractors found not to be compliant with any part of the DBE program requirements shall be notified of RTA's finding of Non-Compliance, in writing. The notice shall cite the DBE program requirement under which the contractor is noncompliant, state the date of the findings and the grounds on which the finding was made and state the category of sanctions being imposed.

Upon a finding of noncompliance, RTA may choose to impose sanctions including, but not limited to:

1. Suspension of Payment - RTA may suspend payment to the contractor of any monies held by it.
2. Termination of the Contract for Default.
3. Suspension and Debarment (49 CFR Part 29) - Information concerning the existence of a cause for suspension or debarment shall be reported, investigated and referred, when appropriate, to the proper official for consideration. After consideration, the official will issue the appropriate notice of proposed action.

### **D. Enforcement Mechanisms**

The federal government has available several enforcement mechanisms that it may apply to firms participating in the DBE program, including, but not limited to, the following:

1. Suspension or debarment proceedings pursuant to 49 CFR Part 26
2. Enforcement action pursuant to 49 CFR Part 31, and
3. Prosecution pursuant to 18 USC 1001.

### **E. Resolution of Disputes**

In the event of a dispute between RTA and Contractor, the aggrieved party shall notify the other party of the dispute within fourteen (14) days after such dispute arises. If the parties cannot thereafter resolve the dispute, each party shall identify a senior member of its management to meet to resolve the dispute by direct negotiation or, if agreed to by the Parties, through mediation with a neutral third parties selected by the Parties. See Contract Article V, entitled DISPUTES.

If a vendor is found to comply with the provisions above. The DBELO will fill out and file the form below.



### Disadvantaged Business Enterprise Monitoring Certification

Date:

\_\_\_\_\_ hereby certifies that the DBE firm,  
\_\_\_\_\_, working on Project No. \_\_\_\_\_  
entitled \_\_\_\_\_,

has been monitored for compliance and meets the regulatory requirements and conditions  
set forth in **49 CFR Part 26** and the RTA Disadvantaged Business Enterprise Program Plan, as  
amended May 2016 Update.

Attest: Witness:

\_\_\_\_\_  
DBE Contract Compliance Officer



## Appendix C: DBE COMMITMENT FORMS FOR RTA VENDORS

### FORM 1: DISADVANTAGED BUSINESS ENTERPRISE (DBE) UTILIZATION

The undersigned bidder/offeror has satisfied the requirements of the bid specification in the following manner (please check the appropriate space):

\_\_\_\_\_ The bidder/offeror is committed to a minimum of \_\_\_\_\_ % DBE utilization on this contract.

\_\_\_\_\_ The bidder/offeror (if unable to meet the DBE goal of \_\_\_\_\_%) is committed to a minimum of \_\_\_\_\_% DBE utilization on this contract a submits documentation demonstrating good faith efforts.

Name of bidder/offeror's firm: \_\_\_\_\_

State Registration No. \_\_\_\_\_

By \_\_\_\_\_

(Signature) Title

### FORM 2: LETTER OF INTENT

Name of bidder/offeror's firm: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Name of DBE firm: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

Description of work to be performed by DBE firm:

The bidder/offeror is committed to utilizing the above-named DBE firm for the work described above. The estimated dollar value of this work is \$ \_\_\_\_\_.

#### Affirmation

The above-named DBE firm affirms that it will perform the portion of the contract for the estimated dollar value as stated above.

By \_\_\_\_\_

(Signature) (Title)

**If the bidder/offeror does not receive award of the prime contract, any and all representations in this Letter of Intent and Affirmation shall be null and void. (Submit this page for each DBE subcontractor.)**



Prompt Payment DBE/SBE Review				
Contract Number:		Project Number:		
Contract#:	Is the Prime Contractor a DBE?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
Contractor's Address:				
City:	State:		Zip:	
Contractor's P.O.C:		Phone Number:		
Project Manager:		Phone Number:		
Contract Begin Date:		Est. Completion Date:		
Records Provided by the Prime Contractor		Bank Statements <input type="checkbox"/>	Copies of Invoices <input type="checkbox"/>	Proof of payment <input type="checkbox"/>
Payments by RTA to Prime Contractor				
Date of Payment	Invoice	Check Number	Amount	% of Contract
TOTAL AMOUNT:				
Payments by Prime Contractor to Subcontractor				
TOTAL AMOUNT:				
Contract Amount:		Contract DBE Participation % Goal:		
EST. DBE Participation:				
Was the DBE promptly paid after the completion of work performed?			Yes <input type="checkbox"/>	No <input type="checkbox"/>
If no, what was the reason cited for the delay of payment?				
What was the date of the final payment:				
Was the DBE promptly paid after the completion of work performed?			Yes <input type="checkbox"/>	No <input type="checkbox"/>
Date reviewed:		Reviewed by:		Phone:

## **Appendix D: MUCP DBE DIRECTORY**

The following link will provide the reader with access to the Michigan Unified Certification Program, DBE searchable database - <http://mdotjboss.state.mi.us/UCP/>



## **Appendix E: REGULATIONS 49 CFR PART 26**

The following link will provide the reader with all of the requirements of the Code of Federal Regulations with regard to Disadvantaged Business Enterprise:





## **Title VI Plan: 2023-2025**

### **Updated: October 2022**

*Information found in this document can be provided in an alternative format upon request. Please contact the Regional Transit Authority at 313-402-1020 to speak to a representative or e-mail [info@rtamichigan.org](mailto:info@rtamichigan.org). The RTA will do its best to provide the requested alternative format within a reasonable time.*



Contents

SECTION A-INTRODUCTION .....	5
Overview of General RTA Activities .....	6
RTA Governance.....	7
SECTION B- REQUIREMENT TO PREPARE AND SUBMIT A TITLE VI PROGRAM .....	7
SECTION C- NOTICE TO THE PUBLIC.....	7
SECTION D- COMPLAINT PROCEDURES .....	8
Filing:.....	8
Receipt and Acceptance:.....	9
Dismissal: .....	9
Investigation of Complaints: .....	9
Submission of Complaint to the Federal Transit Administration.....	9
SECTION E- INVESTIGATIONS, COMPLAINTS, AND LAWSUITS.....	10
SECTION F- PUBLIC PARTICIPATION PLAN .....	10
Purpose of the Public Participation Plan.....	10
Environmental Justice Populations.....	10
Techniques for Public Information Access.....	11
Techniques for Garnering Public Input .....	11
Tools for Measuring Effectiveness .....	11
Role of the Southeast Michigan Council of Governments (SEMCOG) .....	12
Summary of Outreach from October 2019 through September 2022 .....	12
SECTION G- LANGUAGE ASSISTANCE PLAN .....	15
Introduction .....	15
Four Factor Analysis .....	16
Factor 1: Proportion, Numbers and Distribution of LEP Persons .....	16
Factor 2: Frequency of Contact with LEP Individuals.....	18
Factor 3: Nature and Importance of the Program, Activity, or Service to LEP .....	18
Factor 4: Resources Available to RTA and Overall Cost .....	18
Safe Harbor Stipulation.....	19
Providing Notice to LEP Persons .....	20
LEP Complaint Procedures.....	22



Monitoring and Updating the LAP Plan .....	22
RTA Staff Training.....	22
LAP Plan Access.....	22
SECTION H- ADVISORY BOARDS.....	23
SECTION I- SUBRECIPIENT MANAGEMENT .....	24
Providing Assistance .....	24
Monitoring Subrecipients .....	24
SECTION J- RTA TITLE VI PROGRAM APPROVAL.....	24
APPENDIX.....	25
Appendix A.....	25
Appendix B .....	27



**Regional Transit Authority  
Board of Directors**

**Paul Hillegonds, Chair  
Freman Hendrix  
June Lee  
Dr. Erica Robertson  
Ned Staebler  
Alma Wheeler Smith  
Helaine Zack  
Jeannette Bradshaw  
Donald Morandini  
Jon Moore**

## SECTION A-INTRODUCTION

The Regional Transit Authority (the “RTA”) for Southeast Michigan was created through state legislation on December 19, 2012 (MI P.A. 387, 2012). The RTA service area comprises the counties of Macomb, Oakland, Washtenaw, and Wayne. The mission of the RTA is to manage and secure transportation resources that significantly enhance mobility options, to improve quality of life for the residents and to increase economic viability of the four-county area and the city of Detroit.

The Federal Transit Administration’s Title VI circular (FTA C 4702.1B) requires that “no person in the United States shall, on the grounds 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.” National origin includes those individuals that are limited-English proficient. As such, the RTA is obligated to comply with these requirements for all programs, policies, transit service and activities. FTA requires that RTA document this compliance by submitting a Title VI Program to their FTA Regional Civil Rights Officer (RCRO) once every three years. The Title VI Program must be approved by the RTA Board of Directors who is responsible for policy decisions prior to the submission of the program to FTA.

The RTA does not operate any transit services. Therefore, it is only responsible for to follow the “General Requirements” set forth in Chapter III FTA C 47002.1B. Since the RTA does not operate transit service, it is not required to report on any additional requirements within Chapter IV (collect/report data, evaluate service and fare equity changes, and monitor transit service) as described in Chapter IV. Only transit providers that operate fifty or more fixed route vehicles in peak service AND are in a UZA of 200,000 or more in population are required to meet these additional requirements.

The Title VI Officer is responsible for ensuring implementation of the Title VI plan. The Officer will be responsible for the overall management of the day-to-day administration of the Title VI Plan. The current information for this individual is as follows:

Harmony Lloyd, Chief Operating Officer /Title VI Officer  
Regional Transit Authority of Southeast Michigan  
1001 Woodward Avenue, Suite 1400  
Detroit, MI 48226  
Phone: (313) 402-1020  
Email: [hlloyd@rtamichigan.org](mailto:hlloyd@rtamichigan.org)

The Title VI Officer is responsible for Title VI compliance and is assigned the responsibility for implementing, monitoring, and ensuring RTA's compliance with the Title VI regulations. The Title VI responsibilities are as follows:

- Maintain knowledge of Title VI requirements.
- Attend training on Title VI and other nondiscrimination authorities when offered, and when feasible, by FTA or any other regulatory agency.
- Disseminate Title VI information to the public including in languages other than English, when necessary.
- Develop a process to collect data related to race, gender, and national origin of service area population to ensure low income, minorities, and other underserved groups are included and not discriminated against.
- Implement procedures for the prompt processing of Title VI complaints.
- Investigate and/or resolve Title VI complaints.

#### Overview of General RTA Activities

The purpose of the RTA is to coordinate the activities of the existing transit agencies within its jurisdiction and secure funding to improve and enhance public transportation within the four-county area and the city of Detroit. Functionally, the RTA is responsible for developing and updating a Regional Master Transit Plan, engaging in coordinated planning activities with the existing transit providers, partnering on service improvements with the existing transit providers, administering regional programs, and programming a portion of the state and federal transportation funds that are apportioned to the Detroit and Ann Arbor urbanized areas.

The RTA's activities are largely interdependent with several other organizations operating within southeast Michigan, as listed below. The RTA endeavors to work with these organizations to coordinate public information and engagement. In the case of SEMCOG, the RTA is reliant on its public outreach process to support the annual 5307 program of projects (POP). That process is described in Appendix B of this document.

- Ann Arbor Area Transportation Authority (AAATA)
- Detroit Department of Transportation (DDOT)
- Detroit Transit Corporation (DTC) (aka People Mover)
- M-1 RAIL (operator of the QLINE)
- Michigan Department of Transportation (MDOT)
- Southeast Michigan Council of Governments (SEMCOG)
- Suburban Mobility Authority for Regional Transportation (SMART)
- Washtenaw Area Transportation Study (WATS)

## RTA Governance

The RTA is governed by a ten-member board with two representatives from each of the participating counties, one representative from the City of Detroit, and one non-voting member appointed by the governor who serves as the chair. The purpose of these committees is to set the direction of the RTA through policy making, budget considerations, and coordination of existing transit services.

## SECTION B- REQUIREMENT TO PREPARE AND SUBMIT A TITLE VI PROGRAM

The RTA is required to submit an updated Title VI program every three years. This report covers Fiscal Year 2023 through Fiscal Year 2025.

RTA's Title VI submission contains the following:

- Title VI notice to the public
- Instructions to the public on how to file a Title VI complaint
- List of transportation related Title VI investigations, complaints, or lawsuits
- Public Participation Plan
- LAP Plan- Language Assistance Plan for Persons with Limited English Proficiency
- Table of Non-Elected Planning Boards, Advisory Councils or Committees
- Monitoring Subrecipients
- RTA Title VI Program Approval

This report was reviewed and approved by the RTA Board of Directors on November 17, 2022.

## SECTION C- NOTICE TO THE PUBLIC

The RTA has developed a public notice to inform customers of their rights under 49 CFR Section 21.9(d), which is posted on the RTA's web site as well at the locations identified below:

Location Name	Address	City
Main Office	1001 Woodward, Suite 1400	Detroit

The public notice states the following:

The Regional Transit Authority of Southeast Michigan (RTA) is committed to ensuring that no person is excluded from participation in or denied the benefits of its programs and services on the basis of race, color, and national origin in accordance with Title VI of the Civil Rights Act of 1964.

For information about the RTA's non-discrimination obligations, or to file a complaint if you believe you have been subjected to unlawful discrimination, please contact the RTA by mail

at the Regional Transit Authority of Southeast Michigan, 1001 Woodward, Suite 1400, Detroit, MI 48226; or by email at [TitleVI@rtamichigan.org](mailto:TitleVI@rtamichigan.org).

For translation assistance, call 313-402-1020.

Para asistencia de traducción, llame 313-402-1020.

للمساعدة 1020-402-313 للترجمة

#### SECTION D- COMPLAINT PROCEDURES

RTA has in place a Title VI Complaint Procedure, which outlines a process for local disposition of Title VI complaints and is consistent with guidelines found in Chapter VII of the Federal Transit Administration Circular 4702.1A, dated May 13, 2007. If a person believes that RTA's federally funded programs have violated their civil rights on the basis of race, color, or national origin they may file a written complaint by following the procedure outlined below:

##### Filing:

Any person who believes that he or she or any specific class of persons has been subjected to discrimination or retaliation prohibited by Civil Rights authorities, based upon race, color, and/or national origin may file a written complaint to RTA's Title VI Officer. A formal complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant. The complaint must meet the following requirements:

- Complaints must be in writing and signed by the complainant(s) or his/her/their representative, and will include the complainant's name, address, and telephone number
- Complaints must include the date of the alleged act(s) of discrimination (date when the complainant(s) became aware of the alleged discrimination; or the date on which the conduct was discontinued or the latest instance of the conduct.
- Complaint must present a detailed description of the issues, including names, job titles, and addresses of those individuals perceived as parties in the action complained against. - Complaint must be completed in the RTA Complaint form, which is attached as Appendix A, and on the RTA website ([www.rtamichigan.org](http://www.rtamichigan.org)).
- In the case where assistance is requested filing a Title VI complaint customers may contact RTA offices by phone (313) 402-1020, come in person to RTA offices, or file through our website About – RTA of Southeast Michigan ([rtamichigan.org](http://rtamichigan.org))

Signed complaints should be mailed to:

Title VI Officer

Regional Transit Authority of Southeast Michigan

1001 Woodward Avenue, Suite 1400

Detroit, MI 48226

Note: If a Title VI complaint is received on a Michigan Department of Transportation (MDOT) related contract against RTA, MDOT will be responsible for conducting the investigation of the complaint. Upon receipt of a complaint filed against RTA, the complaint and any pertinent information will be immediately forwarded to the MDOT, Office of Civil Rights Programs.

### Receipt and Acceptance:

Upon receipt of the complaint, the Title VI Officer will determine its jurisdiction, and need for additional information.

In order to be accepted, a complaint must meet the following criteria:

- The complaint must be filed within 180 calendar days of the alleged occurrence or when the alleged discrimination became known to the complainant.
- The allegation(s) must involve a covered basis such as race, color, and/or national origin.
- The allegation(s) must involve a program or activity that receives Federal financial assistance.

### Dismissal:

A complaint may be recommended for dismissal for the following reasons:

- The complainant requests withdrawal of the complaint.
- The complainant fails to respond to repeated requests for additional information needed to process the complaint.
- The complainant cannot be located after reasonable attempts to contact the complainant.

### Investigation of Complaints:

Upon receipt of the complaint, RTA's General Manager, or designee, shall appoint one or more staff, as appropriate, to evaluate and investigate the complaint, in consultation with RTA legal counsel. If necessary, the Complainant shall meet with the staff to further explain his or her complaint. The staff shall complete their review no later than sixty calendar days after the receipt of the complaint. If more time is required, the General Manager, or designee, shall notify the Complainant of the estimated timeframe for completing the review. Upon completion of the review, staff shall make a recommendation regarding the merit of the complaint and whether remedial actions are available to provide redress. If the General Manager, or designee, concurs, he or she shall issue the written response to the Complainant.

### Submission of Complaint to the Federal Transit Administration

If the Complainant is dissatisfied with the resolution of the complaint, he or she may also submit a written complaint within 60 days after the alleged date of discrimination to the Federal Transit Administration for further investigation.

FTA Office of Civil Rights  
1200 New Jersey Avenue SE  
Washington, DC 20590

## SECTION E- INVESTIGATIONS, COMPLAINTS, AND LAWSUITS

In accordance with 49 CFR 21.9(b), RTA must record and report any investigations, complaints, or lawsuits involving allegations of discrimination. The records of these events shall include the date the investigation, lawsuit, or complaint was filed; a summary of the allegations; the status of the investigation, lawsuit, or complaint; and actions taken by the RTA in response; and final findings related to the investigation, lawsuit, or complaint. The records for the previous three (3) years shall be included in the Title VI Plan when it is submitted to the FTA

The RTA has had no Title VI complaints between October 2019 and September 2022.

## SECTION F- PUBLIC PARTICIPATION PLAN

### Purpose of the Public Participation Plan

This plan specifies the RTA's underlying goals as well as strategies and techniques to be considered and employed in achieving the goals of the public participation process.

- Define the tools the RTA uses to provide the public access to information on its programs and projects.
- Define the tools RTA uses to receive input into its programs and projects.
- Define measures of effectiveness for RTA's public engagement.

The RTA does not directly provide transit services, but it may provide funding to existing transit providers to augment service. Therefore, the RTA will collaborate with the existing providers to ensure that they are following all the appropriate Title VI processes that govern major service changes and fare equity.

### Environmental Justice Populations

Based on regional totals developed by SEMCOG, minority persons make up 30.8 percent of the region's total population. In addition, 13.2 percent of households in the region are living at or below the poverty level. For both minority populations and low-income households, 2020 U.S. Census block groups where the percentage population of either group meets or exceeds the regional average are identified as EJ block groups.

Because of the importance of public involvement, RTA will endeavor to meet with representatives from various EJ populations and encourage involvement in the planning process. Specific actions taken by RTA to reach out to EJ populations include placing advertisements in various news publications reaching African American, Asian-American, Native American, and Hispanic persons and low-income residents and focusing efforts to meet with and present information to these various groups. Information is also disseminated through transit providers, local block clubs, libraries, and various grass roots organizations.

### Techniques for Public Information Access

The RTA will use a variety of methods to educate and inform the public. Holding public meetings is an essential part of the PPP. Therefore, the RTA endeavors to ensure that all venues are accessible and in close vicinity to major bus routes for ease in travel. The methods will include:

- Providing information at RTA's standing Committee and Board meetings
- Holding additional public meetings/hearings at convenient and accessible locations and times
- Making public information available in electronically accessible format and means, such as social media, Website ([www.rtamichigan.com](http://www.rtamichigan.com)), press releases, and E-Blast notices
- With the permission of the transit providers, posting information through Rider Alerts, interior bus, and train signage, and stop and station signage

### Techniques for Garnering Public Input

The RTA will use a variety of methods to garner public input. The methods will include:

- Verbal public comments at the RTA Board meetings, and additional public meetings
- Written comments at RTA Board meetings, and additional public meetings; through RTA general email, or project specific email
  - Verbal comments by RTA general phone, or project specific phone
  - Social Media discussions and dedicated surveys
  - General-public, or targeted stakeholder surveys
  - Charrette-style discussions
  - Virtual meetings

### Tools for Measuring Effectiveness

As part of future updates to this policy, the RTA will evaluate its public involvement process, ensuring that the RTA is effective in facilitating full and open access to the regional planning process for all citizens. This requirement will be done in the form of an evaluation that identifies the following:

- Public meeting dates versus actual meetings held
- Public meetings: locations, promotion, number of comments generated (if requested at the meeting)
- Number of additional comments received and the means of receipt at official public hearings
- If applicable, the RTA will supplement this report with more detailed reports on large-scale public outreach efforts (e.g., the Regional Master Transit Plan)

### Role of the Southeast Michigan Council of Governments (SEMCOG)

The Southeast Michigan Council of Governments (SEMCOG) is designated by the Federal government as the Metropolitan Planning Organization (MPO) for the southeast region of the state of Michigan. SEMCOG is responsible for coordinating transportation planning activities within the MPO boundary which includes all of Wayne, Oakland, Macomb, and Washtenaw counties. SEMCOG works with Federal and local governments, state departments of transportation, transit agencies, area stakeholders, and customers to ensure that the plans and projects developed enhance the region toward achieving consistent quality-of-life measures that are beneficial to all.

The public is included in the planning process through informational meetings, public hearings, community meetings, surveys and/or one-on-ones. As stated, the RTA coordinates efforts with SEMCOG to solicit public response on major projects, as well as the annual funded program of projects. SEMCOG incorporates RTA projects into the Transportation Improvement Program (TIP) and the Regional Transportation Plan (RTP). Via SEMCOG's various committee meetings, participants review, discuss, comment, and recommend actions relevant to transportation planning on transit projects. In addition to notices, SEMCOG publicizes the final program of projects and provides notice of scheduled meetings. Public comment is ongoing and is received via public hearings, letters, phone calls, e-mails, and verbally.

Federal legislation requires MPOs to produce documents that govern the regional transportation investments and planning activities, including the development of the Unified Planning Work Program, the Long-Range Transportation Plan, the Transportation Improvement Program, and the Public Participation Plan.

### Summary of Outreach from October 2019 through September 2022

#### **Coordinated Human Services Transportation Plan (OnHand Study)**

Note: State funded

September 2019 – August 2020

Engagement activities included:

- Technical Working Group
- Stakeholder Interviews
- User Survey

#### Technical Working Group

The OnHand project was guided by a Technical Working Group comprised of stakeholders from each transit agency within the OnHand's four-county region, as well as regional governments (the Southeast Michigan Council of Governments (SEMCOG), WATS, RTA), and other organizations. The TWG met eight times over the course of this project to guide the research process and ground truth the project team's findings.

#### Stakeholder Interviews

In the early phase of this project (Fall 2019), the OnHand project team conducted in-person and phone interviews with representatives from fixed-route transit agencies, local and community transit

providers, non-profit agencies, and other social service organizations. The study team also made a series of presentations to the Detroit Local Advisory Council (LAC) and Washtenaw Technical Coordinating Council (TCC). Stakeholders shared valuable insights rooted in first-hand experience about what is needed to improve human services transportation.

#### User Survey

In Winter 2019-2020, the OnHand project team launched a survey to understand transportation patterns, needs, challenges and barriers, especially related to ADA paratransit and demand response services. TWG members and other human and social service industry stakeholders helped distribute the survey to collect over 1,100 responses, including over seven hundred responses from people representing OnHand target populations (e.g., older adults, people with disabilities, and low-income individuals).

### **Detroit to Ann Arbor Express Bus Service (D2A2)**

January 2020 – February 2020

Engagement activities:

- Public Hearing

#### Public Hearing

RTA held two formal public hearings on January 8, 2020 (Detroit and Ann Arbor) to receive public comments on the new pilot express bus service connecting Detroit and Ann Arbor. To ensure people had access hearing was hosted at Wayne County Community College Downtown Campus which is centrally located near public transportation and is in Detroit, a majority minority community.

### **Mobility Oriented Development Study**

February 2020 – October 2020

Engagement activities included:

- Stakeholder and Focus Area Workshops

#### Stakeholder and Focus Area Workshops

The Mobility Oriented Development study engagement was focused on stakeholders like planning and community development staff, government agencies involved in development and housing, and other technical experts. The process included seven focused stakeholder workshops with a focus on communities in each corridor (Woodward and Ann Arbor/Detroit Rail). RTA also conducted two topic workshops for all stakeholders (Affordable Housing and Mobility Hubs). . To ensure people had access hearing was hosted at Wayne County Community College Downtown Campus which is centrally located near public transportation and is in Detroit, a majority minority community.

## **Regional Master Transit Plan**

May 2021 – September 2021

### **Engagement activities included:**

- Virtual Open Houses
- Listening Sessions
- Ridership Engagement

#### **Virtual Open Houses**

Nine open house meetings – held virtually due to COVID-19 – allowed RTA to share information with metro Detroit residents and gather input on what individuals view as future public transit needs. Each county hosted two virtual events, and another event was staged in the city of Detroit to ensure minority and low-income populations were heard.

#### **Listening Sessions**

Fifteen small group listening sessions were held to hear from specific groups about their unique needs and priorities for public transit. Participation varied widely among organizations, but more than two hundred people participated across all listening sessions. The small-group setting was more comfortable for many participants and encouraged them to ask questions and engage with others.

#### **Ridership Engagement**

A dedicated effort to hear from transit riders was made during the public engagement phase. Riders were invited to take a brief survey – available in English, Spanish and Arabic – about their expectations for regional transit in the future and today. Riders were encouraged to complete the survey via six hundred in-bus ads on SMART buses and by volunteers asking for participation at 10 transit hubs during five days in August.

## SECTION G- LANGUAGE ASSISTANCE PLAN

### **LANGUAGE ASSISTANCE PLAN (LAP) FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY (LEP)**

#### Introduction

The purpose of this plan is to document RTA’s strategy to serve Limited English Proficient (LEP) persons in accordance with Title VI of the Civil Rights Act of 1964 and Executive Order 13166. An LEP person is one who does not speak English as their primary language and who has limited ability to read, write, or understand English. Title VI prohibits discrimination on the basis of race, color, or national origin under any program that receives federal financial assistance. Executive Order 13166 titled “Improving Access to Services for Persons with Limited English Proficiency”, defines national origin discrimination to include different treatment based upon a person’s inability to speak, read, write, or understand English. Under these provisions, RTA is required to take reasonable steps to ensure meaningful access for LEP persons to RTA programs and services.

This plan details how RTA staff can identify a person who may need language assistance, the ways in which assistance may be provided, training provided to staff, how to notify LEP persons that assistance is available, and information for future updates.

In developing the plan, RTA undertook a U.S. Department of Transportation four factor LEP analysis which considers the following: 1) the number or proportion of LEP persons in the RTA service area who may be served by or encounter a RTA program, activity or service; 2) the frequency with which LEP individuals come in contact with a RTA program, activity, or service; 3) the importance of the program, activity or service provided by RTA to the LEP population; and 4) the resources available to RTA and overall costs to provide LEP assistance. A brief description of these considerations is provided in the following section.

## Four Factor Analysis

### Factor 1: Proportion, Numbers and Distribution of LEP Persons

The RTA service area includes all of Macomb, Oakland, Washtenaw, and Wayne Counties. Per the 2021 American Community Survey, there are 4,049,175 persons of five years and older within the RTA service area. 82,658, 2%, speak English “not well”, or “not at all”. See table below for a breakdown by county:

AGE BY LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER						
	Macomb County, Michigan	Oakland County, Michigan	Washtenaw County, Michigan	Wayne County, Michigan	Total	Percentage
Label	Estimate	Estimate	Estimate	Estimate		
<b>Total Over age 5:</b>	<b>830,334</b>	<b>1,204,503</b>	<b>352,079</b>	<b>1,662,259</b>	<b>4,049,175</b>	
"Not Well"	15,473	12,105	2,527	32,317	62,422	1.54%
"Not well at all"	4,993	2,908	1,327	11,008	20,236	0.50%
% (per county )	2.5%	1.2%	1.1%	2.6%		
<b>Total</b>					82,658	2.04%

The RTA also analyzed the different languages spoken within the service area to determine which were most likely to be encountered within the service area. The RTA used the Detailed Household Language by Household Limited English-Speaking Status: American Community Survey 2021 to get a more detailed survey of languages. See the table below for a breakdown of the top ten most common languages spoken throughout the region by county:

DETAILED HOUSEHOLD LANGUAGE BY HOUSEHOLD LIMITED ENGLISH-SPEAKING STATUS						
	Macomb County, Michigan	Oakland County, Michigan	Washtenaw County, Michigan	Wayne County, Michigan	Total	Percentage
Label	Estimate	Estimate	Estimate	Estimate		
<b>Total Over age 5:</b>	<b>830,334</b>	<b>1,204,503</b>	<b>352,079</b>	<b>1,662,259</b>	<b>4,049,175</b>	
Total:	358,011	530,383	149,133	695,038	1,732,565	
English only	303,946	439,358	123,615	591,383	1,458,302	
Spanish:	6,855	15,845	5,385	28,546	56,631	1.40%
Arabic:	9,957	8,630	1,783	34,704	55,074	1.36%
Russian, Polish, or other Slavic languages:	6,599	7,461	1,764	5,146	20,970	0.52%
Chinese (incl. Mandarin, Cantonese):	1,582	7,901	4,690	3,223	17,396	0.43%
German or other West Germanic languages:	1,680	4,580	1,207	1,898	9,365	0.23%
French, Haitian, or Cajun:	1,303	2,426	825	2,300	6,854	0.17%
Korean:	817	3,181	1,856	636	6,490	0.16%
Tagalog (incl. Filipino):	1,833	1,821	386	1,492	5,532	0.14%
Vietnamese:	884	1,001	314	1,449	3,648	0.09%

Based on this analysis, RTA determined that it is likely that staff will encounter individuals that speak English, Spanish, and/or Arabic. It is less likely that staff will encounter individuals that speak other languages listed in the above table as they represent less than 1% of the overall population.

#### Factor 2: Frequency of Contact with LEP Individuals

RTA informally surveyed its employees, SEMCOG Title VI coordinators, and RTA-affiliated transit providers (DDOT, SMART, AAATA, and DTC) on the nature and frequency of their contact with LEP persons while performing daily job functions and anticipates that further interaction with LEP persons is limited. However, the RTA office is publicly accessible, and numerous public engagement events are part of the public transit planning processes. Programs, services, and activities that have potential impact for LEP persons include, but are not limited to:

- Public involvement and public engagement meetings/hearings for transit projects affecting LEP communities or individuals.
- Federal funding sub-recipients (transit providers).
- Internet access: Websites must be accessible to LEP persons.
- Phone communications: notices/greetings in languages other than English.

#### Factor 3: Nature and Importance of the Program, Activity, or Service to LEP

The RTA is responsible for completing a Regional Master Transit Plan, planning, and coordinating public transportation in the four-county region, including the City of Detroit. The nature of the RTA's planning activities is especially important to LEP communities. Given the number of LEP individuals in the region, we will ensure reasonable accessibility to all our programs, services, and activities consistent with DOT Guidance.

#### Factor 4: Resources Available to RTA and Overall Cost

U.S. Department of Transportation Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons published in the Federal Register: December 14, 2005 (Volume 70, Number 239) states:

*"A recipient's level of resources and the costs imposed may have an impact on the nature of the steps it should take in providing meaningful access for LEP persons. Smaller recipients with more limited budgets are not expected to provide the same level of language services as larger recipients with larger budgets. In addition, "reasonable steps" may cease to be reasonable where the costs imposed substantially exceed the benefits. Recipients should carefully explore the most cost-effective means of delivering competent and accurate language services before limiting services due to resource concerns."*

Based on this guidance, RTA has reviewed its resources and deemed that, upon request, it will translate vital documents into the language requested to ensure accessibility. At a minimum RTA's Title VI Notice to the public, Complaint Procedures, Complaint Forms, Notice of Denials, LAP policy, and complaint forms will be available in English, Spanish, and Arabic.

RTA-funded planning activities have funds dedicated for interpreter services at public meetings and translation of documents. Contractor and subcontractor activities are also covered under these resources. The RTA will provide translation and interpreter services if given sufficient notice.

### Safe Harbor Stipulation

Federal law provides a "Safe Harbor" situation so that recipients can ensure with greater certainty that they comply with their obligation to provide written translations in languages other than English. A "Safe Harbor" means that if a recipient provides written translation in certain circumstances, such action will be considered compelling evidence of compliance with the recipient's written-translation obligations under Title VI. RTA defines an interpreter as "a person who translates spoken language orally," as opposed to a translator, who translates written language or who transfers the meaning of written text from one language into another. The person who translates orally is not a translator, but an interpreter. RTA will, upon request, make an interpreter available, in circumstances where written translations are not required.

Failure to provide written translations under the circumstances does not mean there is non-compliance but provides a guide for recipients that would like greater certainty of compliance than can be provided by an RTA.

**Definition - Vital Document:** The RTA will consider the following documentation as vital unless otherwise requested by the public:

A document, record or file that is necessary to create, recreate or organize operations and survival of an organization. It shall include but not be limited to:

- Consent and complaint forms
- Notice of denials, losses, or decreases in benefits or services
- Notice of person's rights under Title VI

Compelling evidence of compliance with the recipient's written translation obligations under "Safe Harbor" includes providing written translations of vital documents for each eligible LEP language group that constitutes five percent or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally.

This "Safe Harbor" provision applies to the translation of written documents only. It does not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and reasonable.

The languages that trigger the Safe Harbor threshold are: Spanish and Arabic. Thus, RTA will translate upon request all vital documents which include, but are not limited to, complaint forms, complaint procedures, and all public meeting notices. The RTA has Identification Language Cards and Translation Services (interpreters) available on-demand. On average, written translation requests of vital documents will be made available within five to seven business days.

#### Providing Notice to LEP Persons

U.S. DOT LEP guidance says:

Once an agency has decided, based on the four factors, that it will provide language service, it is important that the recipient notify LEP persons of services available free of charge. Recipients should provide this notice in languages LEP persons would understand.

The guidance provides several examples of notification including:

1. Signage in languages that an LEP individual would understand when free language assistance is available with advance notice.
2. Stating in outreach documents that free language services are available from the agency.
3. Working with community-based organizations and other stakeholders to inform LEP individuals of the recipient's services, including the availability of language assistance services.

Statements in languages that an LEP individual would understand will be placed in public information and public notices informing LEP individuals that those requiring language assistance and/or special accommodations will be provided the requested service free of charge, with reasonable advance notice to the RTA.

#### Options and Proposed Actions

##### *Options*

Federal fund recipients have two (2) ways to provide language services: oral interpretation either in person or via telephone interpretation service, and written translation. The correct mix should be based on what is both necessary and reasonable considering the four-factor analysis.

Considering the size of the RTA planning area, the concentration of LEP individuals in the service area, and RTA's financial resources, it is necessary to limit language aid to the most basic and cost-effective services. Other than the previously mentioned vital documents, if there are additional language assistance measures required for LEP individuals, RTA shall proceed with interpretation options to meet all requests for those language groups to ensure equal access, while also complying with LEP regulations.

##### *Proposed Actions*

**RTA definition - Interpreter** is "a person who translates spoken language orally," as opposed to a translator, who translates written language or who transfers the meaning of written text from one language into another. The person who translates orally is not a translator, but an interpreter.

- Notify the public that interpreter services are available upon request, with seven-day advanced notice
- With advanced notice of seven calendar days, RTA will provide interpreter services at public meetings, including language translation and signage for the hearing impaired.
- RTA will utilize the Translators Resource List as provided by MDOT for translation services and verbal interpretation
- The Census Bureau “I-speak” Language Identification Card will be distributed to all employees that may potentially encounter LEP individuals.
- Once the LEP individual’s language has been identified, an agency from the Translators Resource List will be contacted to provide interpretation services.
- RTA’s Title VI webpage will be published in English, Spanish, and Arabic.
- Publications of RTA’s Title VI Complaint Form and Title VI Plan will be made available on RTA’s website in English, Spanish, and Arabic, as well as other languages upon request.
- Translation of other vital RTA documents will be made available upon request.
- In the event that an RTA employee encounters a LEP individual, they will follow the procedure listed below:

*Office Encounter:*

1. Provide an I-speak language identification card to determine the language spoken of the LEP individual.
2. Once the foreign language is determined, provide information to the Title VI coordinator who will contact an interpreter from MDOT’s Translators Resource List.
3. If the need is for a document to be translated, the Title VI Officer will have the document translated and provided to the requestor as soon as possible.

*In Writing:*

1. Once a letter has been received it will be immediately forwarded to the Title VI Officer.
2. The Title VI Officer will contact a translator from the MDOT’s Translators Resource List to determine the specifics of the letter request information.
3. The Title VI Officer will work with the selected agency to provide the requested service to the individual in a timely manner.

*Over the Phone:*

1. If someone calls into RTA’s office speaking another language, every attempt will be made to keep that individual on the line until an interpreter can be conferenced into the line and, if possible, determine the language spoken of the caller.
2. Once the language spoken by the caller has been identified, RTA will proceed with providing the requested assistance to the LEP individual.

### LEP Complaint Procedures

Complaints of discrimination involving LEP, Title VI, and related statutes will be investigated using the Title VI complaint procedures and form described in the Title VI Plan.

### Monitoring and Updating the LAP Plan

This plan is subject to revision based on the changes in demographics as reported by the Census and any Environmental Justice (EJ) analysis done by the RTA or SEMCOG. It is viewed as a work in progress and will be updated every three years, and reviewed annually. RTA will also use self-reported information from public meeting sign-in sheets during LAP Plan updates. The LAP will be examined and updated based on the following:

- How the needs of LEP persons have been addressed
- Whether local language assistance programs have been effective and sufficient to meet the needs of LEP persons
- Whether RTA's financial resources are sufficient to fund language assistance resources
- Whether complaints have been received concerning the agency's failure to meet the needs of LEP individuals.

### RTA Staff Training

RTA staff will receive training on the requirements for providing meaningful access to services for LEP persons. RTA employees will be trained or made aware of the Title VI and LAP policies and complaint procedures through regular staff training. Key staff with the higher potential to interact with LEP persons will receive in-depth training on their roles and responsibilities related to LEP persons.

### LAP Plan Access

A copy of the LAP plan document can be requested at RTA's central office during normal business hours and RTA will make the plan available on the website at [www.rtamichigan.org](http://www.rtamichigan.org). Any person or agency may also request a copy by contacting:

Regional Transit Authority of Southeast Michigan  
1001 Woodward Avenue, Suite 1400  
Detroit, MI 48226  
313-402-1020

## SECTION H- ADVISORY BOARDS

The RTA has two advisory committees to assist in the decision making and development of the organization. The Public Transportation Provider's Advisory Council consists of each transit provider that falls under the jurisdiction of the RTA. Their purpose is to discuss opportunities for coordination and evaluate the impacts of decisions being made by the RTA on their respective organizations. A Citizens Advisory Committee (CAC) was formed as part of the development of the Board of Directors by-laws to ensure that the public is represented across the jurisdiction of the RTA and that advocates for ADA, elderly, faith-based, business, civic leadership and transit riders would have the opportunity to provide the RTA with feedback.

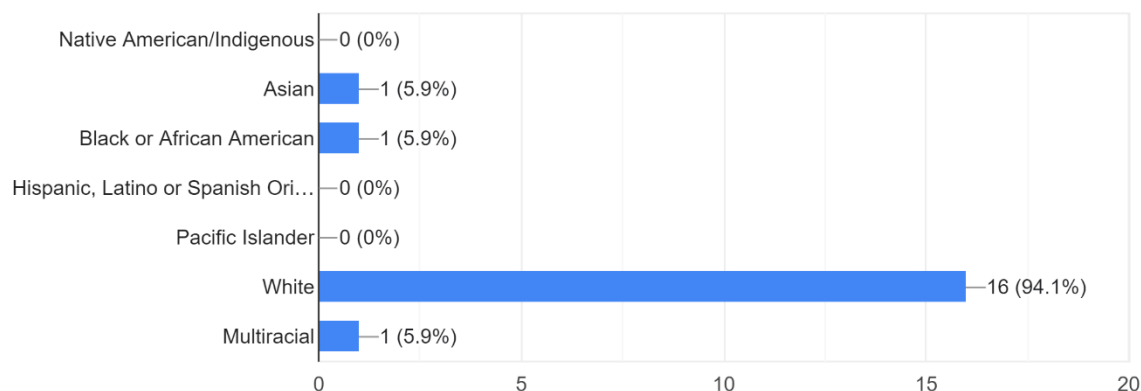
### Membership of Non-Elected Committees and Councils

The only transit-related, non-elected planning board, advisory council, or committee for which the Regional Transit Authority of Southeast Michigan selects the members is the Citizen Advisory Committee (CAC). The Citizen Advisory Committee shall consist of public transit region residents and shall be composed of senior citizens or persons with disabilities, and two users of public transportation from each : Oakland, Macomb, Wayne and Washtenaw counties. The CAC advises the RTA Board of Directors on issues of concern to people with disabilities and senior citizens. Meetings occur every other month and are open to anyone who wishes to attend, and all who attend are encouraged to participate. CAC membership is conferred on anyone who attends more than one meeting. The table below presents the minority representation on committees and councils selected out of the thirty members asked about demographics, seventeen completed the questionnaire.

The table below presents the minority representation on committees and councils selected by RTA CAC.

Which category best describes you? Please select all that apply

17 responses



## SECTION I- SUBRECIPIENT MANAGEMENT

### Providing Assistance

To ensure that all subrecipients comply with Title VI regulations, RTA provides its subrecipients with sample notices and procedures for tracking Title VI complaints. RTA will also provide its subrecipients demographic information and any other information pertinent to Title VI upon request.

### Monitoring Subrecipients

The RTA requires all subrecipients to sign an agreement that ensures that they comply with Title VI regulations. In addition, the Title VI Coordinator monitors the performance of subrecipients annually. The subrecipient monitoring process is summarized below.

- Ensure that project agreements with subrecipients contain all required federal clauses. - Request subrecipients provide us with a copy of a Title VI plan.
- File copy of agreement/contract and Title VI plan, if available, with RTA.
- 

RTA of Southeast Michigan monitored compliance to the Title VI requirements for three subrecipients since 2020. RTA subrecipients included:

- Ann Arbor Area Transportation Authority (AATA)
- Area Agency on Aging 1-B (AAA1- B)
- M1-Rail

There have been no Title VI complaints, investigations, or lawsuits for RTA subrecipients over the past three years. RTA uses the attached questionnaire as part of the monitoring program. ( Appendix B)

## SECTION J- RTA TITLE VI PROGRAM APPROVAL

WILL BE FILLED IN AFTER BOARD APPROVAL



## APPENDIX

### Appendix A

**Title VI of the 1964 Civil Rights and related nondiscrimination statutes and regulations require that no person in the United States shall on the grounds of race, color or national origin be excluded in participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.**

The following information is necessary to assist us in processing your complaint. Should you require any assistance in completing this form, please let us know.

Complete and return this form to: Regional Transit Authority of Southeast Michigan COO:  
Harmony Lloyd, Title VI Officer, 1001 Woodward Avenue, Suite 1400 Detroit, MI 48226

#### RTA DISCRIMINATION COMPLAINT FORM

Last Name	First Name	Male Female	Other: <input type="text"/>
Mailing Address	City/State	Zip	
Home Telephone	Other Telephone	E-mail Address	
Do you wish to remain anonymous? <b>Yes No</b>			
Alleged Discrimination: <b>Race Color National Origin</b>			
Race of Complainant: <b>Black, White Hispanic Asian American Indigenous Alaska Native Pacific Islander</b> <b>Other</b> _____			

How were you discriminated against? Please explain your complaint as clearly as possible. Include how other persons were treated differently. Use additional sheet(s), if necessary. Attach supporting documents if available.

Date and place of the alleged discriminatory action(s). Please include the earliest date of discrimination and the most recent date(s) of discrimination.

The law prohibits intimidation or retaliation against anyone because they have either acted, or participated in action, to secure rights protected by the laws. **If you feel that you have been retaliated against, separate from the discrimination alleged above,** please explain the circumstances below. Describe the action you took which you believe was the cause for the alleged retaliation.

Name(s) of individual(s) responsible for the discriminatory action(s).

Name(s) of person(s) who may be contacted for additional information to support or clarify your complaint. (Attach additional sheets, if necessary).

## Appendix B

Subrecipients of Federal funds are required to complete an annual desk review questionnaire as part of RTA's risk-based subrecipient monitoring procedure. You may find several topics are not applicable to your agency for FY22; please enter n/a. Please enter your responses into the light blue highlighted cells and return to [hlloyd@rtamichigan.org](mailto:hlloyd@rtamichigan.org) along with copies of any agency plans and policies that have changed. RTA will review your responses and may request additional documentation or schedule a meeting/site visit as needed.

### Section 1

#### Agency Information

Q. Please provide your organizations name.

Q. Please provide a staff contact for federally funded projects

### Section 2

#### Legal/Lobbying

Federal Requirement: Subrecipients are prohibited from using appropriated Federal funds to lobby for Federal funds. If the subrecipient uses local funds to lobby for transit purposes, subrecipients must file OMB Standard Form LLL quarterly.

Q. Did your organization pay for lobbying activities during the reporting period?

Q. If yes, what type of funds were used?

### Section 3

#### Financial Management and Capacity

Federal Requirement: Subrecipients must have financial management systems that meet standards for financial reporting, accounting records, internal control, budget control, allowable cost, source documentation, and cash management. Requirements for use of indirect cost when reimbursement is sought from a federal award program must be met.

Q.: Describe your organization's financial management systems, especially the method of accounting, how financial reports are prepared, and systems for internal control and cash management.

Q.: Does your organization use Federal funds to pay for indirect operating costs? (If yes, someone from the RTA will contact you to review the calculation method.)

### SECTION 4

#### Satisfactory Continuing Control

Federal Requirement: Subrecipients must use FTA-funded property for project purposes

Q. What vehicles, equipment, and property has your agency acquired with the assistance of FTA funds (e.g., Section 5310/5311), and how are these items being used in accordance with their intended project purpose?

Q: Has your agency used any FTA-funded property for purposes other than purposes identified in a grant contract or subrecipient agreement?

## SECTION 5

### Maintenance

*Federal Requirement: Subrecipients that use FTA assistance to purchase assets must have maintenance programs for those assets. Such assets must be maintained in good condition and good operating order.*

Q: Does your organization have a maintenance program for FTA-funded assets? (If yes, please ensure a copy has been provided to the RTA .)

Q: Does the program address maintenance of wheelchair lifts and other accessibility features?

Q: Is your organization following your program for preventive maintenance inspections? (Please attach any relevant documentation.)

Q: Are your organization's FTA-funded assets under warranty, and are warranty claims pursued?

## SECTION 6

### Title VI (Civil Rights Act of 1964)

*Federal Requirement: Subrecipients must ensure that no person, on the basis of race, color, or national origin, be excluded from participating in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal funds. All transit services and related benefits must be distributed in an equitable manner.*

Q: Does your organization have a Title VI program in place? (If yes, please ensure your current Title VI Plan has been provided to the RTA.)

Q: If yes, have the Language Assistance Plan, complaint procedures, and/or public participation procedures been implemented as described?

Q: How does your organization notify the public of its rights under Title VI?

Q: Has your organization received any discrimination complaints in the past three years, FY2019-2022? (If yes, please describe the nature of the complaint and the outcome and attach any relevant documentation.)

## SECTION 7

### Americans with Disabilities Act (ADA)

*Federal Requirement: Subrecipients must comply with ADA. No entity shall discriminate against an individual with a disability in connection with the provision of public transportation service. Subrecipients must track, resolve, and respond to ADA-related complaints. All new bus vehicles purchased or leased for use in fixed-route service by public entities must be accessible. Used bus vehicles must be made accessible for use to the maximum extent feasible. Vehicles used in contracted fixed-route service must be accessible. Vehicles used in demand-responsive service must be accessible unless equivalent service is provided. Newly constructed and altered facilities must meet US DOT accessibility requirements. Service must comply with the US DOT ADA regulations and be accessible to and usable by persons with disabilities.*

Q: How does your agency track, resolve, respond to, and retain records of ADA-related complaints?

Q: Has your organization received any ADA-related complaints in the past three years, FY2019-2022? (If yes, please describe the nature of the complaint and the outcome and attach any relevant documentation.)

Q: Are public transportation facilities constructed or altered during the reporting period accessible to and usable by individuals with disabilities?

Q: Describe how your organization follows ADA provision of service requirements (e.g., lift/ramp availability, priority seating, stop identification, employee training, accessible information formats, reasonable modification requests).

## SECTION 8

### Equal Employment Opportunity (EEO)

*Federal Requirement: A full EEO program must be submitted to the RTA if your organization employs 100 or more transit-related employees and requests or receives capital or operating assistance > \$1 million in a fiscal year, or requests or receives planning assistance > \$250,000 in a fiscal year. An abbreviated program must be submitted to the RTA if your organization employs 50-99 transit-related employees and requests or receives capital or operating assistance in excess of \$1 million in a fiscal year, or requests or receives planning assistance in excess of \$250,000 in a fiscal year.*

Q: Is your organization required to submit an EEO program based on the thresholds above? (If yes, please ensure it has been submitted to the RTA.)

## SECTION 9

### Drug and Alcohol Program

*Federal Requirement: Subrecipients must have a board-adopted anti-drug and alcohol misuse policy. Subrecipients are required to provide at least 60 minutes of drug and alcohol training for covered employees and at least 120 minutes of training for supervisors and other officers authorized by the employer to make reasonable suspicion determinations. Subrecipients must obtain previous drug and alcohol testing program records from prior employers for employees performing safety-sensitive functions and must retain drug and alcohol testing program records for all covered employees in a secure location with controlled access. Medical Review Officers, substance abuse professionals, breath alcohol technicians, and collectors in the drug and alcohol program must have required certifications.*

Q: Does your agency have a board-adopted drug and alcohol misuse policy? (If yes, please ensure it has been submitted to the RTA.)

Q: Does the policy include the following elements: proof of policy adoption by governing body, identification of D&A program contact, employee categories subject to testing, prohibited behavior, testing circumstances, consequences for refusing tests/positive tests with alcohol concentrations of 0.04 or greater, consequences for positive tests with alcohol concentrations of 0.02 or higher but lower than 0.04?

Q: Does your organization provide the minimum required trainings and reasonable suspicion testing?

Q: Does your organization obtain drug and alcohol testing records from prior employers, and are records stored in a secure location with controlled access?

Q: Do all medical review officers, substance abuse professionals, breath alcohol technicians, and collectors in the drug and alcohol testing program have the required qualifications, and are the qualifications records kept on file by your agency?

## SECTION 10

### Additional Requirements

*Please indicate below if the following service types are applicable to your agency, and someone from the RTA will reach out to you for additional information.*

Q: Does your organization operate School Bus or School Tripper service?

Q: Does your organization operate Charter Bus service?

Q: Does your organization provide ADA Complementary Paratransit (required of public transit agencies operating fixed routes)?

## SECTION 11

### Conclusion

Q: Do you have any questions, concerns, or additional information to share regarding your agency's compliance with Federal requirements and capacity to carry out Federally funded projects?

Q: Will you be sending any attachments with your response or as a follow-up? (If so, please summarize the contents so files can be collated.)



# Regional Master Transit Plan 2022 Annual Update

November 17, 2022

The logo for the Regional Transit Authority of Southeast Michigan, featuring the letters "RTA" in a bold, black, sans-serif font. To the left of the text is a tall, dark teal vertical bar, and below the text is a smaller, dark teal square.

**REGIONAL  
TRANSIT AUTHORITY**  
OF SOUTHEAST MICHIGAN

# Annual RMTP Update Process

- **An opportunity to track progress, highlight accomplishments, review industry trends, and make updates to goals, strategies, and actions.**
- **Plan Outline:**
  - Review major industry trends
  - Consider recent public engagement conducted by transit agencies
  - Highlight 2022 Accomplishments
  - Updates to goals, strategies, and actions
  - Actions progress matrix
  - Next steps

# Review major industry trends

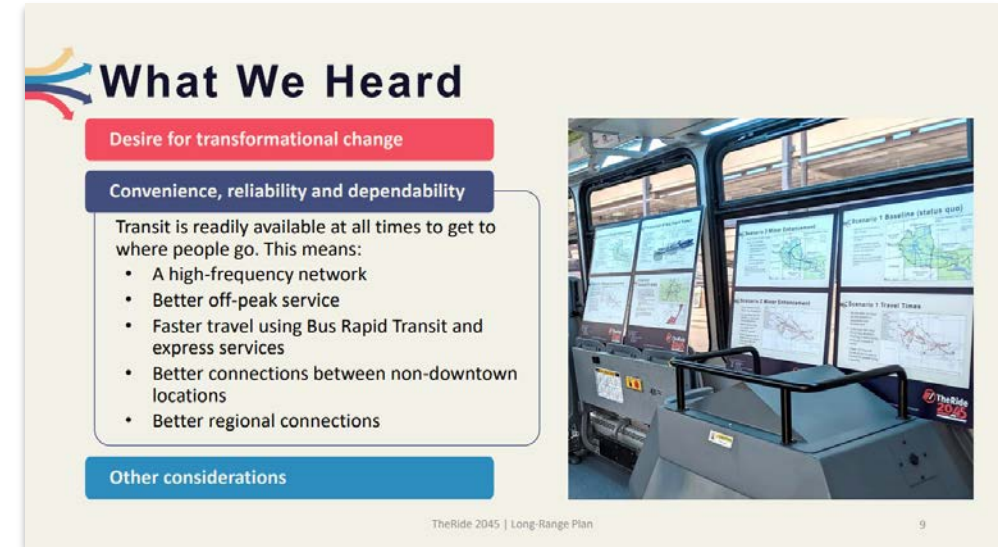
- National workforce challenges
- New work from home induced travel patterns
- Record levels of federal funding (BIL) and new local funding
- Increasing popularity of transit corridor projects funded by FTA Capital Investment Grant program
- Technology deployments and pilot projects (from zero-emission fleets to mobility wallets)



# Recent public engagement

RTA will support local efforts and use institutional communication strategies (e.g., newsletter, social media)

- **AAATA** and **DDOT** conducted outreach as part of their planning processes
  - Reinforced desire for:
    - Frequent service
    - More weekend/evening service
- **SMART** and **Oakland County** will conduct outreach as part of their service expansion



## What We Heard

**Desire for transformational change**

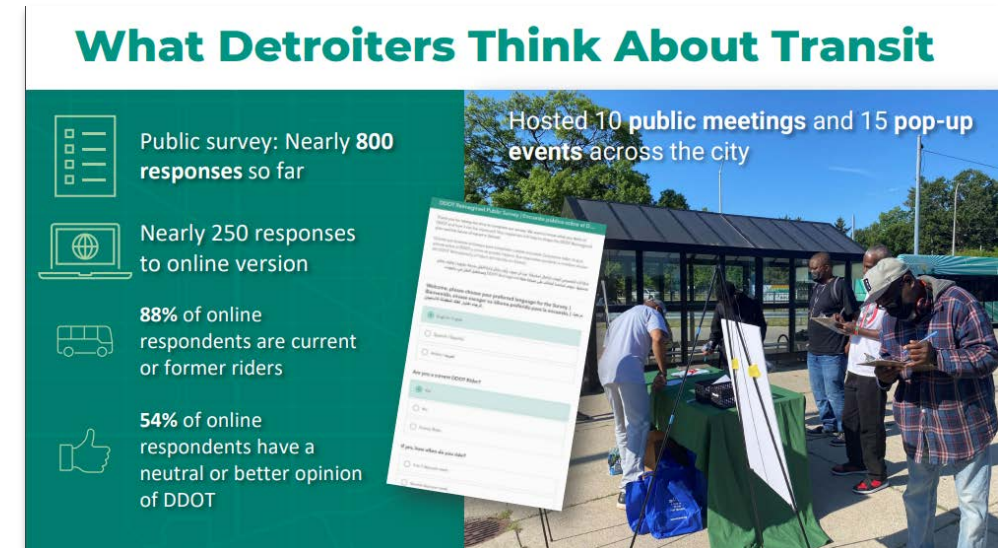
**Convenience, reliability and dependability**

Transit is readily available at all times to get to where people go. This means:

- A high-frequency network
- Better off-peak service
- Faster travel using Bus Rapid Transit and express services
- Better connections between non-downtown locations
- Better regional connections

**Other considerations**

TheRide 2045 | Long-Range Plan



## What Detroiters Think About Transit

Public survey: Nearly **800** responses so far

Nearly 250 responses to online version

**88%** of online respondents are current or former riders

**54%** of online respondents have a neutral or better opinion of DDOT

Hosted 10 public meetings and 15 pop-up events across the city

# 2022 Accomplishments – Major Highlights

## EXPAND

- D2A2 surpassed 4,000 rides/month
- *Detroit Workforce Mobility Equity Analysis*
- SMART Flex zone expansions and Metropark Express
- Awarded funding to pilot an airport express service

## ENHANCE

- *The Ride 2045 & DDOT Reimagined*
- Woodward Avenue dedicated lane pilot and Transit Signal Priority
- Gratiot and Washtenaw Avenue PELs
- *Regional Transit Corridor Strategy & Gratiot Avenue Transit Capital Funding Blueprint*
- TC1 Zoning in Ann Arbor
- Regional 5310 Funding Call for Projects: in 2022, \$4M+ to community transit providers for capital improvements and operating assistance.
- Richmond-Lenox EMS now offers same-day service

## INNOVATE

- DDOT/SMART electric bus deployment and additional funding
- Mobility Wallet Application

## PARTNER

- Access to Transit Program to fund and implement transit stop improvements

## FINANCE

- Increased AAATA Millage
- SMART Millage
- Oakland County Millage (no more opt-outs)
- Michigan Avenue RAISE Grant BCA
- RTA Business Plan
- Funding for new staff

# Plan Updates

- Gaps Identified:
  - Safety & Security
  - Downtown Detroit role in regional transit (wayfinding, Transportation Demand Management, circulation)
  - ZEV implementation and deployment
- Will add/amend strategies/actions to incorporate these items

## Example Update

**INNOVATE** // develop innovative and adaptable

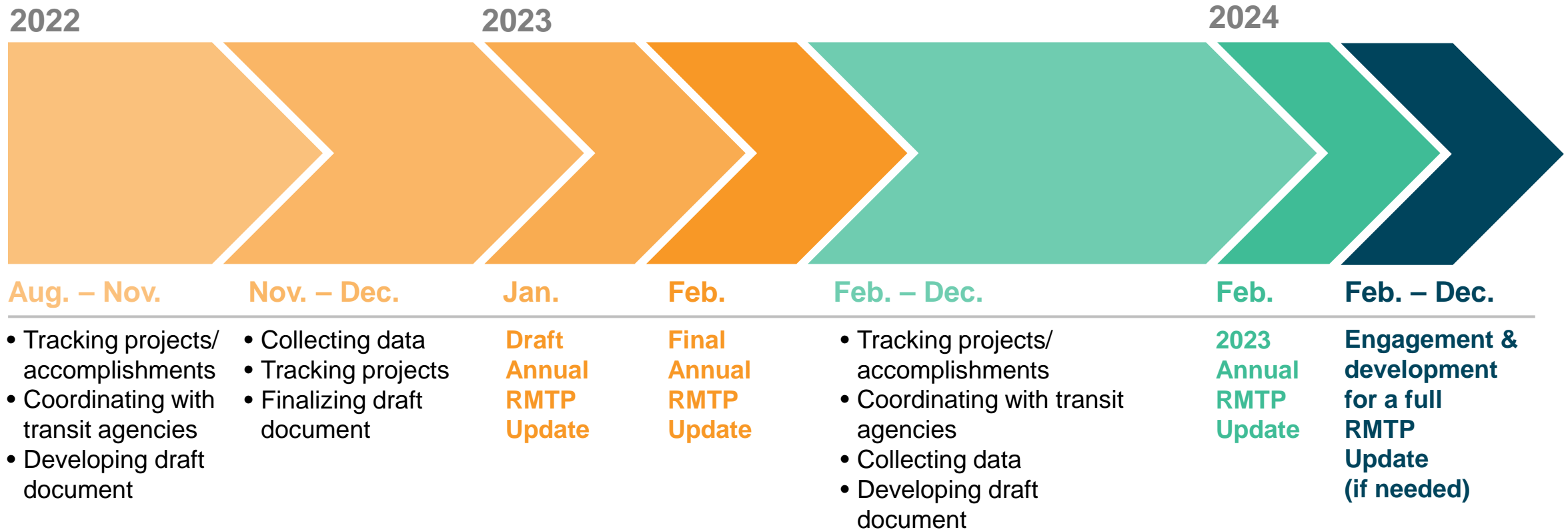
**15//Develop and implement a zero-emissions fleet transition plan**

**EDIT: Providers** develop **their own fleet-specific** ~~a regional~~ zero-emissions fleet transition plans.

Develop and submit competitive grant applications to purchase zero-emissions buses and infrastructure.

**NEW: Explore opportunities for shared zero-emissions vehicle infrastructure.**

# Annual RMTP Update Schedule and Status



# QUESTIONS & FEEDBACK

# Michigan Ride Paratransit Pilot Final Summary

Board of Directors  
November 17, 2022

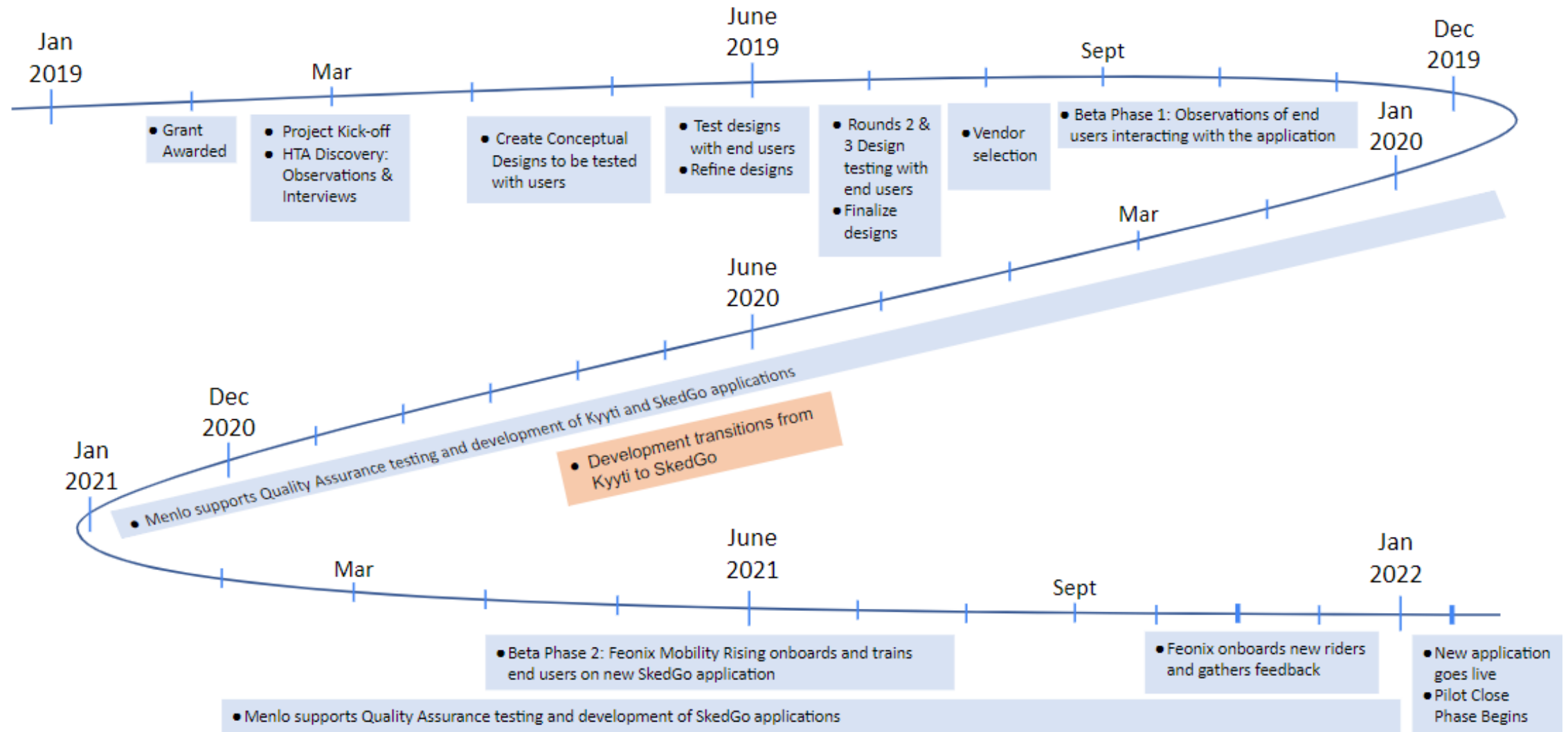
**RTA**

**REGIONAL  
TRANSIT AUTHORITY**  
OF SOUTHEAST MICHIGAN

# Project Overview

- January 2019 - MDOT awards a \$1 million Michigan Mobility Challenge grant to a partnership of AAATA, DDOT, RTA and SMART to pilot an innovative technology solution that would allow users to manage and book ADA paratransit rides more accurately and expediently.
- March 2019 – Project kicks off with Menlo Innovations as the Project Manager
- August 2019 - Feonix Mobility was selected as the technology vendor; used Kyyti app developer, Kyyti went out of business in spring 2021; app switched to SkedGo.
- January 2020 – September 2021 – Pilot Deployment (delay in summer 2021 during app switch)

# Project Journey



# High-Tech Anthropology® Framework

Conducted by Menlo Innovations

What problem are we trying to solve?

- Studying users in their native environment in order to get first-hand accounts of users' experiences and problems.

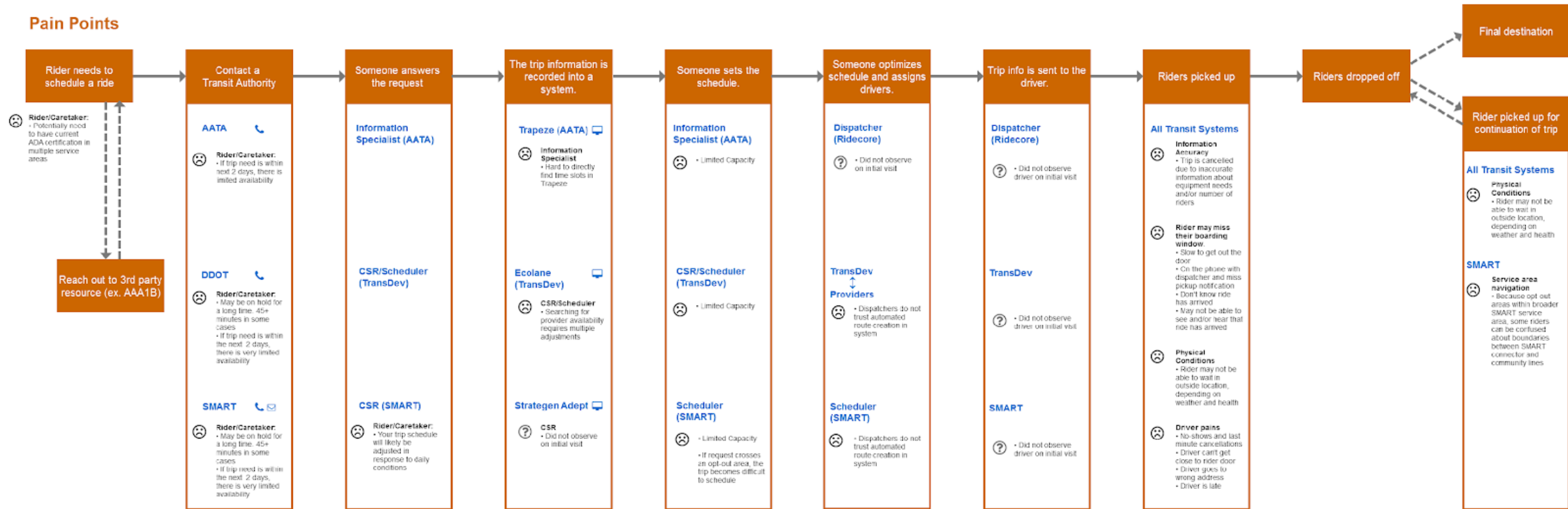
Who are we solving it for?

- Creating personas based on end-user characteristics and having the business prioritize in order to focus and scope the design effort.

What is the best solution for the problem?

- Creating multiple design ideas and assessing with end-users in order to validate design prior to investing in development.

# ADA Paratransit Booking – Typical Workflow



# Primary Persona

I was chosen because:

- I am an independent rider, who travels often and for a variety of reasons
- As a blind person, if I can use the application, It will likely be accessible to others



Carol Weather

60 years old

Paratransit rider on & off for 8 yrs.

***"I'm at y'all's mercy out here."***

## About

- Carol became blind after her heart condition worsened 6 years ago. Sudden cold air can stop her heart and she has to be very careful getting to & from her shift at Motor City Casino in the winter
- She relies on her sister to take her to church and to drive her whenever Metro Lift can't take her
- She gets frustrated when no one at work tells her that the van has arrived

## Goals

- Retire in the next five years
- Get home with enough time to fix dinner
- Surprise her sister with a birthday present

# Hypothesis

Based on initial observations, interviews, and discussions with the project stakeholders, we hypothesized that Carol needed a solution that empowered her to solve her scheduling needs without getting on the phone. We believed this would reduce current pain around:

- Long waiting times
- High volume of support calls
- Last minute cancellations
- Needing extensive knowledge about how the transit system works

# Validated Hypothesis

To validate that our hypothesis is true, we crafted several design concepts and tested them with riders. Using the feedback and insights gathered, we refined the designs, repeated our testing with riders, and produced a final recommended design based the data gathered. The final design was used to help inform the selection of the software vendor.

The testing validated our hypothesis and made it clear that a successful solution must include:

- Simple, conversational language and instructions
- A linear workflow
- The ability to save locations
- Reminders for the user to schedule the return trip
- The ability for users to manage the scheduled rides
- Text notifications of ride status

# Project Goals

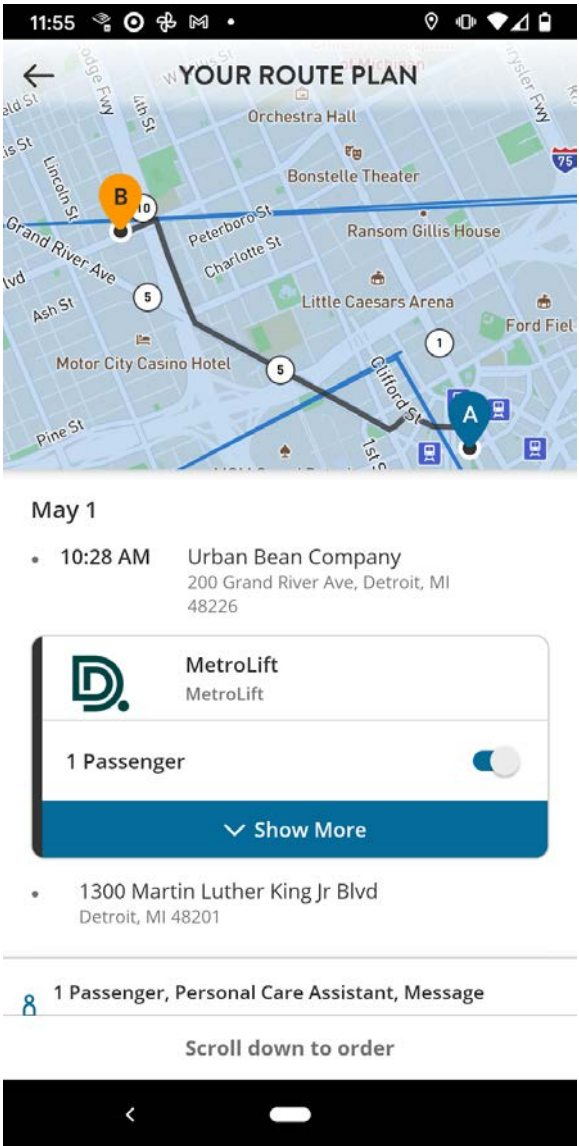
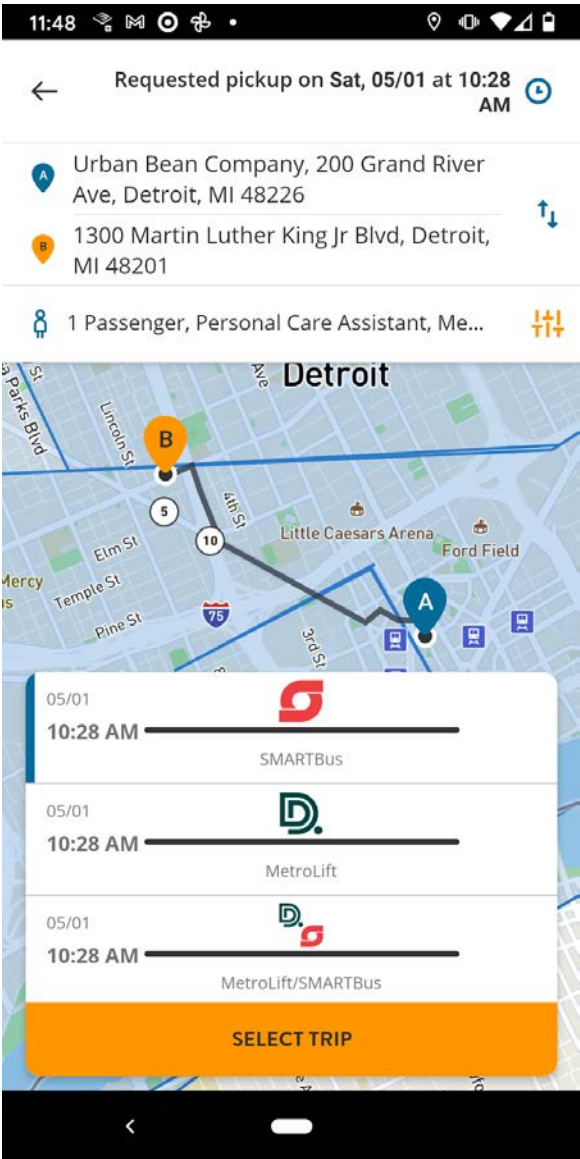
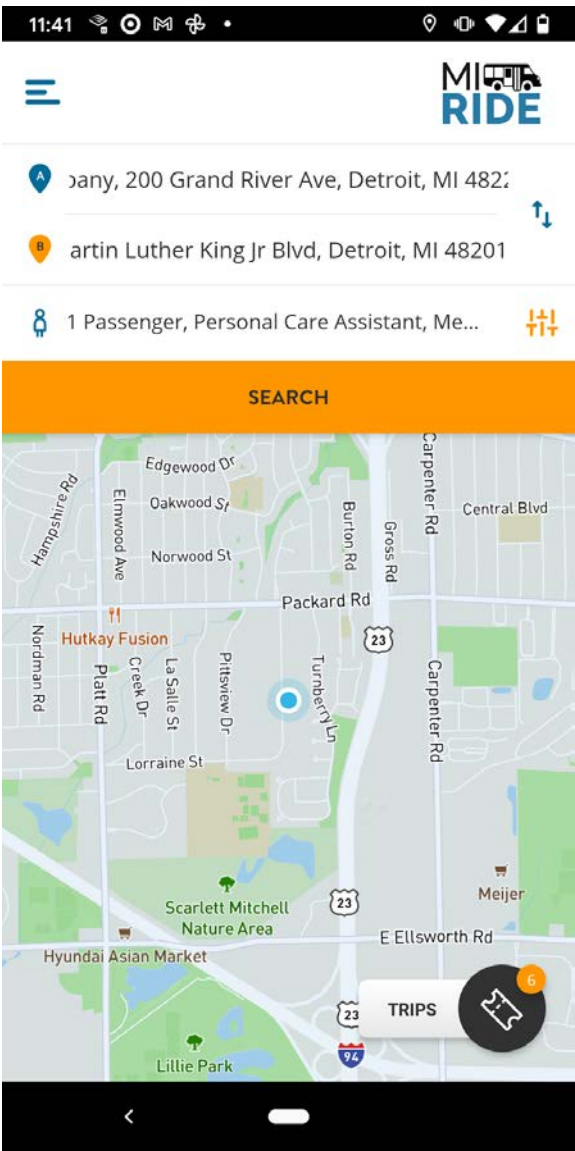
## Primary Goals

- Enhance Passenger Experience in Requesting Rides
- Reduce Call Handling Time
- Improve Ride Coordination for Cross Agency Trips for both Dispatch & Passenger
- Enhanced Reminders for Passengers Reduces No-Shows & Confusion on Pick-up Times

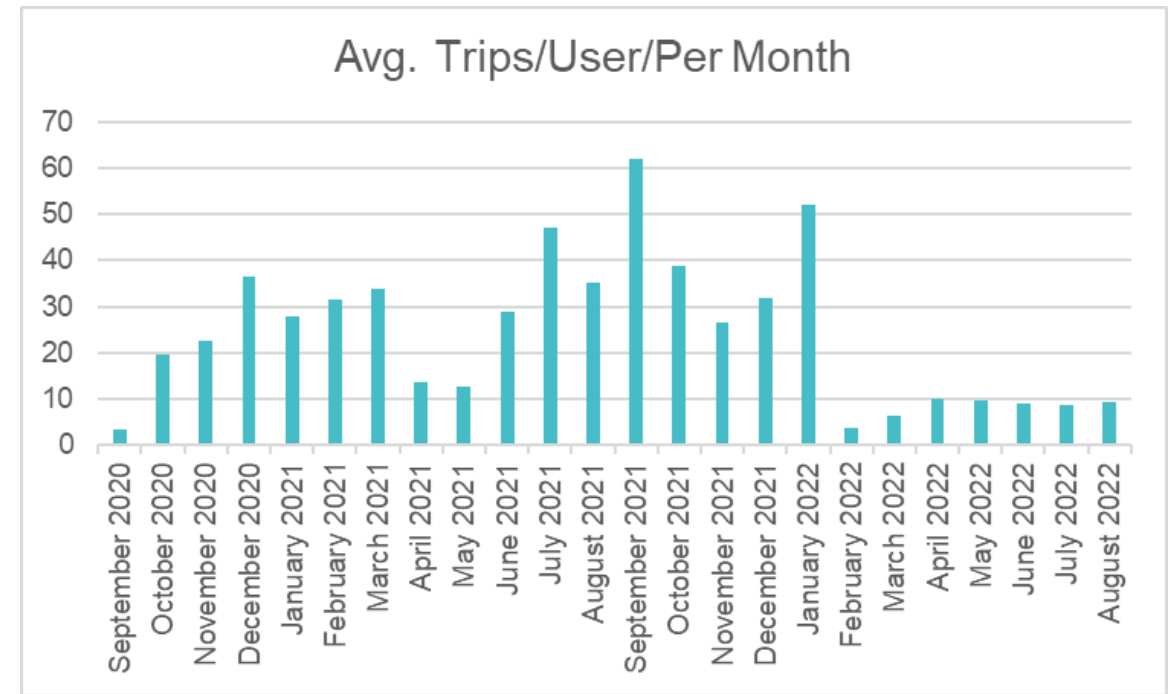
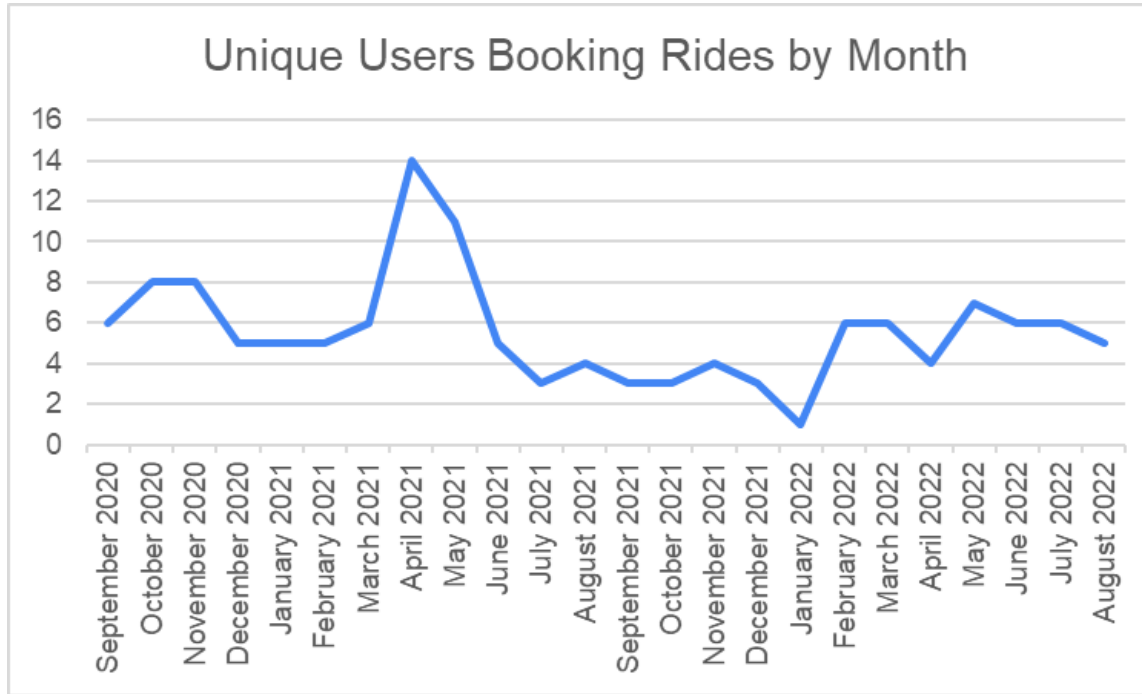
## Secondary Goals

- Transit Contractor/Staff Accountability to Rider Requests
- Enhance Efficiency of Call Takers – Able to Work App Requested Rides During Lower Call Volume Times
- More Efficient Cancellation for Passengers & Dispatchers

# Michigan Ride Paratransit App

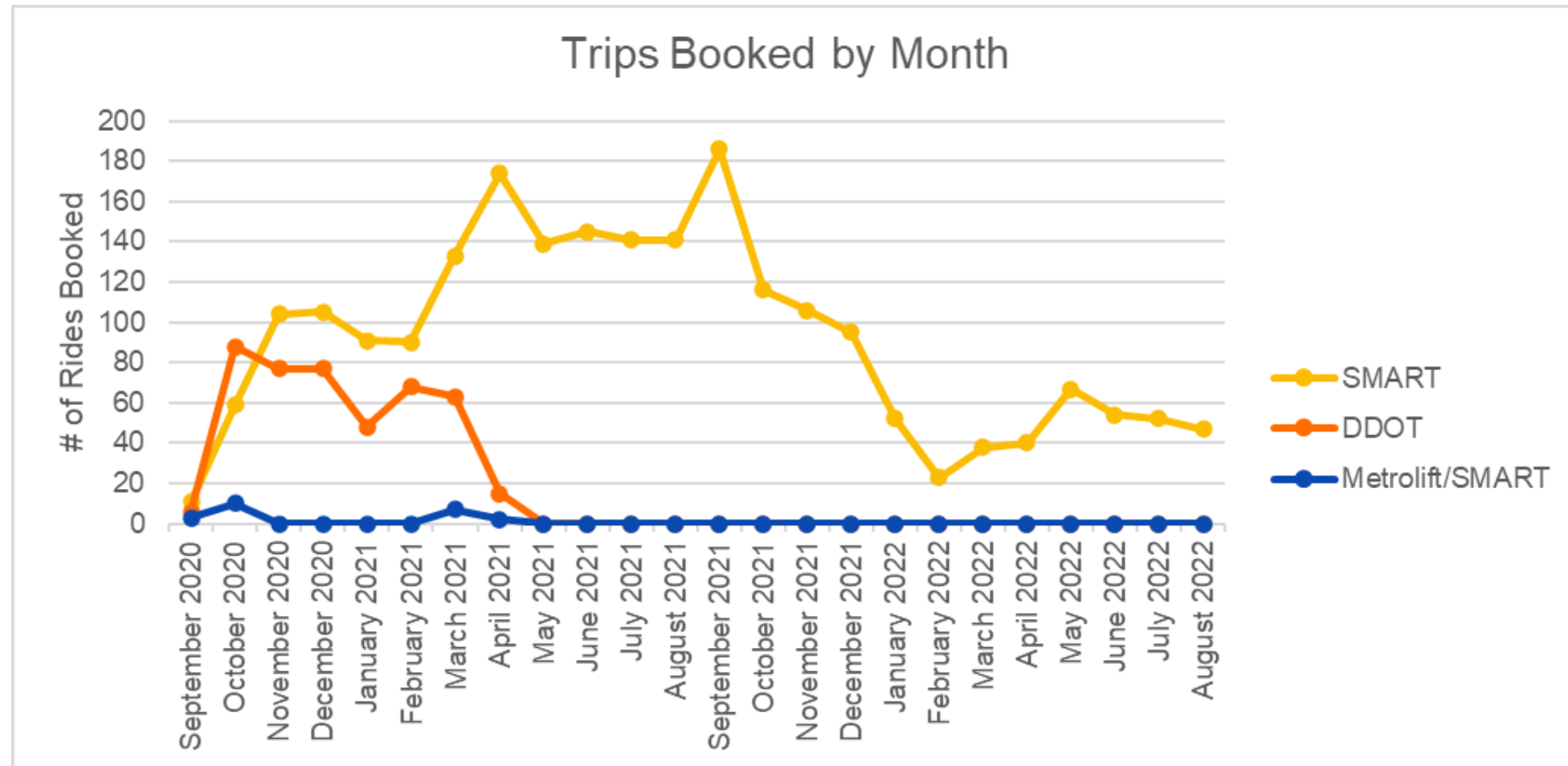


# Michigan Ride Paratransit App – User Data



*In February 2022 riders transitioned from Kyyti to SkedGo using the technology to book rides on the paratransit and DDOT did not continue with the pilot due to changes with their paratransit contractor.*

# Michigan Ride Paratransit App – User Data



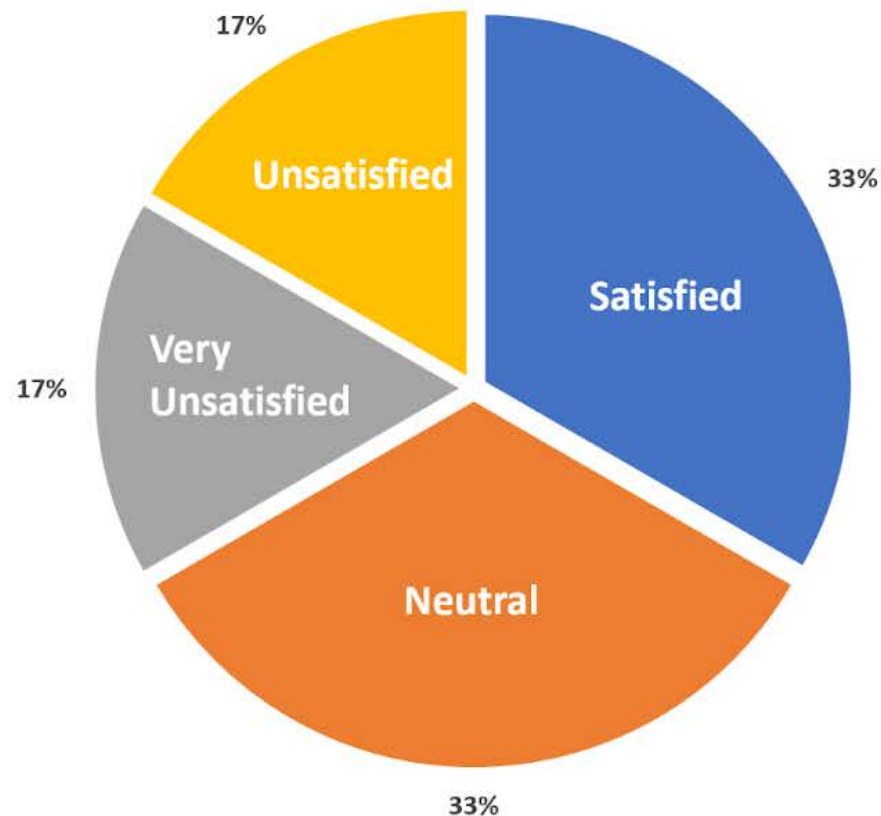
2,673 rides booked during the pilot

# Michigan Ride Paratransit App – User Experience

- Angelo uses the app to book rides in seconds even with the voice accessibility option, and it has allowed him to “gain months of his life back”. The app has enabled him to experience even more services and opportunities despite the pandemic.
- Dovenetta – Uses the app to schedule weekly physical therapy trips – went from 3-5 hours a week on the phone to schedule 6 trips to 15 minutes to confirm details with dispatch.
- Brandii & Katherine – Brandii uses the app to schedule her daily rides to work, and her mom, Katherine is able to oversee the rides are scheduled and confirmed. Brandii is gaining independence and Katherine is elated to regain hours of her life back from waiting on hold hours every week and see her daughter claim this freedom.
- Elveretta & Nioka – Nioka uses the app as a caregiver for Elveretta to book rides for her Aunt to get to rides to work and to the doctor. Nioka is a fulltime nurse and using this app during the pandemic has been a life saver – with

# Michigan Ride Paratransit App – User Experience

How satisfied were you with the trip booking process before MI Ride Paratransit?



How satisfied were you with the trip booking process after MI Ride Paratransit?



# Where are we now?

- Closed app in September 2022
- Further uptake/expansion is limited by:
  - Scheduling API (three vendors, non wanted to connect to this custom-made app)
  - Providers are working through larger paratransit changes (service delivery and software)
  - App ownership and maintenance
  - Training for an expanded user base
- Final Deliverables
  - Final Report (in-depth review of pilot design process)
  - White Papers:
    - Transportation App User Accessibility Testing Best Practices & Checklist
    - Five Key Factors to Consider in Cross-Agency Ride Coordination with Technology Integration
    - Seven Recommended Steps to Making Transit Technology Accessible for All

# What did we learn?

- Pilot users really liked the app! There is absolutely a market and need for this type of technology.
- Human-centered design is the right approach to address these complex policy and technology issues.
- Holding a coalition together requires shared vision, steady participation, and the ability to celebrate small wins.
- Technology is constantly changing and keeping an app up-to-date is a full-time job.
- Implementation would require a large marketing effort, and a sustained additional training and customer management program.
- Service deployment model and program management alignment is crucial for a unified technology.
- Unique/custom software is not warmly embraced by long-time vendors. It requires the owners pushing for the change they want to see.

# QUESTIONS & FEEDBACK



## Staff Report

November 2022

Overview: The purpose of this report is to provide the Board information and updates on advancement of the RTA's work program.

### Oakland County Millage

On Nov. 8, 2022, voters approved a 10-year, .95 mill measure to maintain and expand public transit services, connecting people and communities across Oakland County.

- The Oakland Transit millage will expand and maintain existing public transit services, including transportation provided by the SMART bus system, Western Oakland Transportation Authority, North Oakland Transportation Authority and Older Persons Commission in the Rochester area.
- The millage funds new service to key areas, including major employment centers, health care campuses and local colleges and universities.
- The millage will expand reservation-based service – flexible transportation for seniors, people with disabilities, and veterans who need to make essential trips, such as doctor's appointments and grocery shopping.
- The millage will expand app-based service – on-demand transportation open to the general public, using small vehicles.
- Funds from the millage will support services that specifically benefit Oakland County residents and businesses.
- Local service details will be developed collaboratively with members of the public, community organizations, transit providers, local governments and county leadership.

The Oakland Transit millage will be a countywide levy and will serve as the replacement for the SMART millage that is levied now in 24 communities across Oakland County.

### Staff

- **RTA Office Space** – SEMCOG is currently providing RTA staff access to its shared office space. The SEMCOG space is well appointed and very useful for RTA staff in a hybrid working arrangement. Staff has been engaged in an active conversation with the Detroit Transportation Corporation (DTC, People Mover), which is in the process of seeking new office space, about sharing dedicated office space downtown instead of a hybrid office. RTA would have to fund its share of that space. Staff will continue to update the Board as this evolves.

### Funding and Grants

- **Fund Programming**
  - American Rescue Plan - RTA staff is working with the transit providers to develop a programming strategy for the remaining 15% of American Rescue Plan (ARP) funds (~\$25 million). This was the subject of a Board discussion at today's meeting.
  - Section 5310 Program Management – RTA staff began working with direct recipients of Fiscal Year 2021 and 2022 5310 funding to develop the first annual compliance report as

outlined in the 5310 Program Management Plan (PMP). The report will not be due until winter 2023, but the early review will allow us to build out how the reporting will be implemented and may include some adjustments to the PMP. In addition, we will be using that information to build out the next 5310 Call for Projects in early 2023.

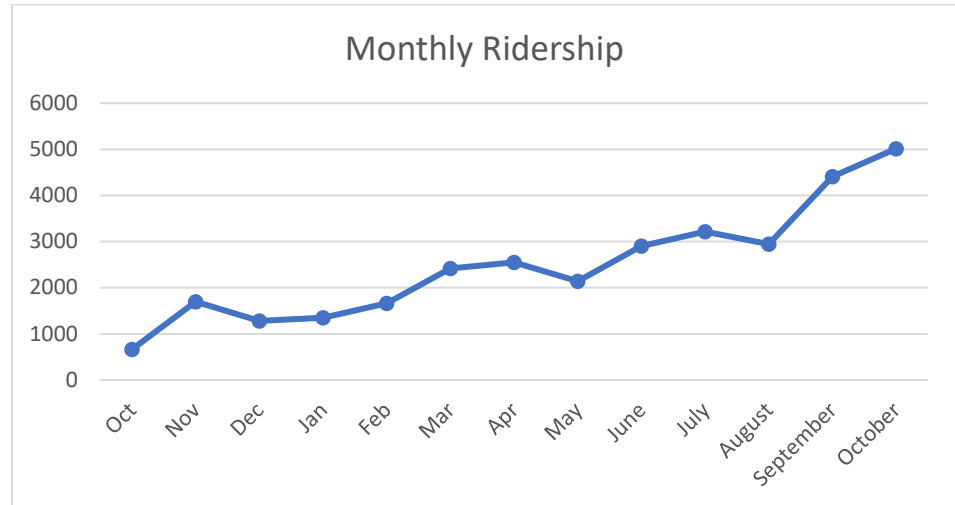
- **Grants Management** – RTA Staff completed the following grants management activities:
  - Working on an amendment to the AAA1-B grant for additional 5310 funding from the 2021 Call for Projects; this requires an update the existing subrecipient agreement.
  - Working on the administrative paperwork for the M1 Rail pass-through funding approved in May 2022; this requires an update the existing subrecipient agreement.
  - Submitted all necessary progress and financial reports that were due at the end of Fiscal Year 2022.
- **New Grants/Funding** – RTA Staff completed the following activities to access new funding, or to support providers and partners in accessing new funding:
  - RTA received a \$2,500,000 in federal Carbon Reduction funding (\$2,000,000) and associated state match (\$500,000) to fund a pilot downtown Detroit to the Airport Express Bus service. This will be a complex pilot to set up and we will take our time to get it implemented properly. The first step will be booking the federal funding, which we expect to do in winter 2023.
  - RTA submitted a \$1,150,00 grant application to the MDOT Mobility Wallet Challenge program of a Universal Basic Mobility pilot that seeks to do the following:
    - Expand knowledge of and access to shared mobility options through an integrated mobility fare and payment platform (the mobility wallet).
    - Enable direct transportation subsidy payments to the region’s jobseekers, other public service beneficiaries, and employees at participating partners.
    - Facilitate future fare capping to improve affordability for all travelers and operational cost savings for transit providers.

RTA partnered with DDOT, DTC, SMART, M1 Rail, Detroit Office of Mobility Innovation, Downtown Detroit Partnership, Detroit Employment Services Corporation, United Way Southeast Michigan, Menlo Innovations, and HNTB on this application.

## Projects

- **Regional Master Transit Plan Update** – The final Regional Master Transit Plan (Advance 2021) was adopted in December 2021. RTA staff posted an Executive Summary of Advance 2021 on the RTA website. Staff is developing an administrative update to Advance 2021 that will be presented to the Board in early 2023.
- **Ongoing Projects**
  - D2A2 Service Pilot - In February 2020, the RTA established the following performance metrics that we will use to measure the success of the service:
    - Quantitative (set before the onset of the COVID-19 pandemic)
      - Ridership: An average of 400-500 riders each weekday would produce about 102,000-127,500 annual trips. It may take 1-2 years to reach this level.
        - Average daily ridership since inception = 82/day

- Average daily ridership last month = 160/day.
- Monthly ridership is increasing at ~25%/month (increased 2,000 riders over the last two months)



- Farebox Recovery: For the D2A2 services a reasonable range of financial performance would be 15%-25% of operating costs covered by fares. It may take 1-2 years to reach this level.
  - Farebox recovery since inception = 9%
  - Farebox recovery last month = 14%
- Qualitative
  - Customer Satisfaction: An on-board rider survey will be conducted after 1 year of service to measure the effectiveness of service.
  - Community Value: After 1 year of service, a survey will be circulated to business, educational and entertainment institutions within both Ann Arbor and Detroit to evaluate the value of the proposed service.
- Support for Continuing the Service
  - If, after 2 years, there is little or no support for the service, or value for the service within the community this is a sign it is not succeeding. At that time a decision will be made to continue with the pilot or shut down service.
- Michigan Ride Paratransit App – This project is complete. The final report was the subject of a Board item this month.
- MyRide2 – The MyRide2 program continues to provide mobility management services to seniors and people with disabilities throughout the RTA region. The service assisted over 4,600 callers/users in Fiscal Year 2021, which is the highest amount to-date. Fiscal Year 2022 callers/user is on track to exceed Fiscal Year 2021.

### **Other Activities**

- Established and conducted multiple staff and stakeholder meetings.
- Coordinated with Communications, Legal, and Legislative contractors.



- Worked to finalize contract with Rehmann for Financial Operations services and got those services up and running.

**Monthly Board Schedule Look Ahead**

Month	Funding	Administration	Projects
November	ARP Regional Set-aside	Triennial Audit (End) DBE Program Update Title VI Program Update	Michigan Ride Paratransit Pilot (Complete)
December	5310 Program Report	FY 2023 – 2024 Unified Work Plan	