



Iowa Department of Transportation

FTA Title VI Program

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Fixed-Route Public Transit System

Marshalltown Municipal Transit

905 East Main Street Marshalltown, Iowa 50158

Telephone 641-754-5719 fax 641-754-4148

Iowa Department of Transportation
800 Lincoln Way
Ames, IA 50010

Revised Sep. 2023

This program to be submitted every three years to the Iowa Department of Transportation Office of Public Transit.

Recipient Profile

Recipient: Marshalltown Municipal Transit

Administrative Head:	<u>Kevin Pigors</u>	<u>Transit Administrator</u>
	Name	Title

Recipient Title VI Coordinator:	<u>Heather Thomas</u>	<u>Public Works Director</u>
	Name	Title

Address: 905 East Main Street

City/State: Marshalltown, Iowa Zip Code/County: 50158 / Marshall County

Phone: 641-754-5719 Fax: 641-754-4148

Email: hthomas@marshalltown-ia.gov

Website: www.marshalltown-ia.gov

Has the recipient signed and submitted its Title VI Assurances? **Yes**

General Requirements

1.

Attach a copy of recipient's Title VI notice to the Public.

Required elements:

X A statement that the agency operates programs without regard to race, color, or national origin **See Attachment A – Assurance of Nondiscrimination Section 2**

X A description of the procedures that members of the public should follow in order to request additional information on the recipient's Title VI obligations

See Attachment B – Title VI Program Overview Section 3

X A description of the procedures that members of the public shall follow in order to file a Title VI discrimination complaint against the recipient

See Attachment C – Title VI Complaint Process

See Attachment D- Title VI Complaint Form

List locations where the notice is posted:

This policy is posted in the transit office, on the city's website, under the city bus section and on each bus.

2.

Please attach a copy of the recipient's instructions to the public regarding how to file a Title VI discrimination complaint, including a copy of the complaint form.

See Attachment C – Title VI Complaint Process

See Attachment D- Title VI Complaint Form

Are complaint procedures and the complaint form posted on the recipient's website? Please provide the URL: **Yes, the complaint procedures and form are both on the city's website. The address is www.marshalltown-ia.gov**

3.

Please list and describe any transit-related Title VI investigations, complaints, or lawsuits filed with, concerning, or naming the recipient in the last three years.

	Date Filed (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
Investigations				
1.	None			
2.				
Lawsuits				
1.	None			
2.				
Complaints				
1.	None			
2.				

4.

- Please attach a public participation plan that includes an outreach plan to engage minority and limited English proficient populations, as well as a summary of outreach efforts made in the last three years.

See Attachment E Section 2

Please describe the methods used to inform low-income and minority populations of planning efforts for transportation-related services and/or improvements:

See Attachment E Section 3

List minority and/or community media utilized to ensure notification of public meetings or public review of recipient documents for residents in minority and low-income areas:

We use The Times Republican newspaper, radio station KFJB, and we also put up a notice inside each of the buses to promote transit meetings, which normally occur during city council meetings.

When was the public participation plan last reviewed? Please describe how.

Prior to this revision the Public Participation Plan was reviewed January of 2022

5.

- Please attach a copy of the recipient's plan for providing language assistance to persons with limited English proficiency, based on the DOT LEP Guidance, *Federal Register*, Volume 70, Number 239, <http://www.gpo.gov/fdsys/pkg/FR-2005-12-14/html/05-23972.htm>.

See Attachment F – The Language Assistance Plan

What steps has the recipient taken to ensure meaningful access to the benefits, services, information, and other important components of its programs and services to persons with limited English proficiency?

The transit administrator, office assistant/dispatcher, a driver and the mechanic have reviewed our Language Assistance Plan to ensure that every segment of our ridership is getting equal, and very good, access to services and benefits from what we do daily.

6.

List all non-elected committees and councils, the membership of which is selected by the recipient:

None

Describe the process the recipient uses to encourage the participation of minorities on such committees.

None

Racial/Ethnic Breakdown of the Non-Elected Committees and Councils:

Group	Number
Male	None
Female	None
White	None
Black or African American	None
American Indian or Alaskan Native	None
Asian	None
Native Hawaiian or other Pacific Islander	None
Other	None

7.

If applicable, describe the efforts the recipient uses to ensure subrecipients are complying with Title VI:

MMT reviews subrecipients Title VI policy annually.

MMT reviews all paratransit rides monthly for any denials that might be caused by discrimination.

Include a schedule of sub-recipient Title VI program submissions:

8.

Has the recipient constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc., with Federal Transit Administration funds? ____ Yes ____ **X** No

If yes, please attach the Title VI equity analysis conducted during the planning stage with regard to the location of the facility.

9.

Please attach a copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions reviewed and approved the Title VI Program.

Please See Attached G – The City Council Resolution and Meeting Minutes

Requirements of Fixed Route Transit Providers

1. System-wide service standards

- Please attach quantitative service standards for each fixed route mode of transit that the agency provides. Service standards should be set for the following four quantities for each mode:
- Vehicle load
 - Vehicle headways
 - On-time performance
 - Service availability

These standards, defined in FTA C 4702.1B, Appendix G, may be expressed in writing or tabular format.

[See Appendix H – System-wide Service Standards](#)

2. System-wide service policies

- Please attach qualitative service policies for each fixed route mode of transit that the agency provides. Service policies should be set for each mode for the following two indicators:
- Transit amenities
 - Vehicle assignment

These policies should be expressed in writing. Examples are provided in FTA C 4702.1B, Appendix H.

[See Attachment I – System-wide Service Amenities](#)

[See Attachment J – System-wide Service: Vehicle Assignments](#)

[See Attachment K – Disparate Impact Policy](#)

[See Attachment L – Disadvantaged Business Enterprise](#)

[See Attachment M – Program Monitoring and Review Process](#)

Declaration of the Respondent

I declare that I have provided information as a part of the Title VI Program to the best of my knowledge and believe it to be true, correct, and complete.

Respondent Kevin Pigors

Date 9/26/2023

Declaration of the Administrative Head

I declare that I have reviewed and approved the information provided in the Title VI Program and to the best of my knowledge believe it to be true, correct, and complete.

Respondent Heather Thomas

Date 09/26/23

Notice of Rights Under Title VI and Assurance of Nondiscrimination

As a landmark piece of legislation, the Civil Rights Act of 1964 outlawed major forms of discrimination. Marshalltown Municipal Transit uses the Civil Rights Act as a basis to enforce a strict nondiscrimination policy.

Marshalltown Municipal Transit operates its programs and services without regard to race, age, disability (physical or cognitive), religion, creed, color, gender, sexual orientation, marital status, national origin, veteran status or any other basis in accordance with Title VI of the Civil Rights Act.

For more information on Marshalltown Municipal Transit's civil rights program and the procedures to file a complaint, contact MMT at 641-754-5719; email Transit@marshalltown-ia.gov; or visit www.marshalltown-ia.gov.

If a person believes that he or she has been excluded from participation in, denied the benefits of, or subjected to discrimination, they should file a written complaint with Marshalltown Municipal Transit's Transportation Administrator Attention: Transit Administrator, 905 East Main St., Marshalltown, IA 50158. A complaint must be filed within 180 days after the date of the alleged discrimination.

All complaints will be investigated promptly. Reasonable measures will be undertaken to preserve any information that is confidential. At a minimum, the inquiry will identify and review all relevant documents, practices and procedures, and identify and interview persons with knowledge of the civil rights violation. A written statement of findings and proposed remedies will be provided to the complainant by the transit administrator within thirty business days of receipt of the complaint.

A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590. If information is needed in another language, contact 641-754-5719. Si necesita información en otro idioma, llame al 641-754-5719

Title VI Program Overview for Marshalltown Municipal Transit

1) Introduction:

The purpose of this document is to ensure that transit services in the City of Marshalltown are in compliance with the Federal Transit Administration Circular 4702.1B and Title VI of the Civil Rights Act of 1964, which states:

“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 otherwise subjected to discrimination under any program or activity that receives Federal financial assistance.”

2) Title VI Assurances:

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with D.O.T.’s Title VI regulations. This is done annually with the Iowa DOT.

3) Title VI Obligations:

If you are unsure about specific Title VI civil rights obligations regarding Marshalltown Municipal Transit you can contact the transit administrator for clarification. This can be done by calling 641-754-5719, faxing 641-754-4148 or by writing “Transit Administrator, 905 East Main Street, Marshalltown, Iowa 50158”.

4) Translation Services:

MMT utilizes “Big Word” (Attachment B.1) which is a telephone accessed translation service. We also use the “I Speak” (Language Identification) sheets (Attachment B.2), Relay Iowa telephone number: 7-1-1 (or 800-735-2942) (Attachment B.3) and pictograms (Attachment B.4). MMT uses the “Safe Harbor” provision to determine which ethnic groups in Marshalltown the transit system translates important documents into their languages. Currently the only language meeting the five percent level is Spanish.

5) System Information Availability:

Bus schedules and brochures from Marshalltown Municipal Transit are available in both English and Spanish. Schedules are available upon for those with visual disabilities.

6) Accommodations During Meetings:

MMT will provide accommodations for those with hearing or speech impairments that attend meetings, provided it is done in advance. Please call the office at least two business days ahead of the scheduled event at 641-754-5719.

Title VI Complaint Process

A person can receive a copy of the complaint form by contacting the transit administrator by either calling 641-754-5719, by faxing the request via fax machine at 641-754-4148 or by mailing in the request to the administrator at 905 East Main Street, Marshalltown, Iowa 50158.

Once the document is received by the transit administrator:

- Enter and record the tracking/document number
- The complaint document is reviewed to ensure that it has been filled out correctly and completely.
- If it is not, contact will be attempted with the complainant to fill out the form more completely.
- A fact-finding investigation around the event will be pursued, including confirmation that the transit employee allegedly involved was actually at work that day, on the specific route or run.
- The security camera footage will be removed from the bus, reviewed and saved on a SD card.
- The GPS data for the specific bus will be checked to confirm that it was near the scene of the event.
- There will be an interview with the complainant, the accused employee and witnesses.
- The information will be compiled, reviewed, followed up and then reviewed again.
- There will be a "Letter of Finding" issued within thirty calendar days of confirmation of all information received.

Marshalltown Municipal Transit Title VI Complaint Form

Title VI of the 1964 Civil Rights Act requires that "No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

The following information is necessary to assist us in processing your complaint. Should you require any assistance in completing this form, please contact the Transit Administrator at (641) 754-5719.

Complete and return this form to: Marshalltown Municipal Transit, Transit Administrator, 905 E Main St, Marshalltown, IA 50158.

1. Complainant's Name _____
2. Address _____
3. City _____ State _____ Zip _____
4. Telephone (home) _____ (cell) _____
5. Person discriminated against (if someone other than the complainant):
Name _____
Address _____
City _____ State _____ Zip _____
6. Which of the following best describes the reason you believe the discrimination took place? Was it because of your (please circle one):
A. Race/Color B. National Origin C. Age
D. Gender E. Income
7. What date did the alleged discrimination take place? _____
8. In your own words, describe the alleged discrimination. Explain what happened and who you believe was responsible. If you need more room please use the back of this sheet. _____

9. Have you filed this complaint with any other federal, state, or local agency, or with any federal or state court? Yes _____ No _____
If yes, please circle each one that applies:
Federal Agency Federal Court State Agency
State Court Local Agency

10. Please provide information about a contact person at the agency/court where the complaint was filed
Name _____
Address _____
City _____ State _____ Zip _____
Telephone Number _____

11. Please sign below. You may attach any written materials or other information that you think is relevant to your complaint.

Complainant's Signature

Date

Public Participation Plan

1) The goal of Marshalltown Municipal Transit's Public Participation Plan is to get meaningful input from the public, including LEP (Limited English Proficiency) persons when making major decisions effecting Marshalltown's city bus system.

2) Public Notification:

MMT will put a notice in the newspaper, the Times Republican, pertaining to service changes. Notices will also be posted in the buses and at the bus shelters. In an effort to reach the LEP population, these notices will also be posted in Spanish. Included in the notice will be the topic, date, time and location of the meeting. For those planning to attend that need assistance with getting to the meets, or special accommodations during the meetings, please contact the transit administrator so that your involvement can be as positive as possible. For those wanting to provide input but cannot attend, you can mail, fax or call the transit office. We value your thoughts, so please be involved. MMT will provide reasonable opportunities for public involvement in the transportation planning process at key points. If you require special assistance in getting to or participating in these meetings please call the transit office one or two days ahead of time to allow us to best accommodate you.

3) Public Participation Process:

MMT will meet at various times, dates, locations, different meeting sizes and formats to make it as convenient and inviting as possible for anyone from the public, including LEP persons to be able to participate in the decision-making process and to give their input on major changes with the transit system. Public meetings are held whenever there are fare increases, service reductions, and at the annual public hearing. MMT will encourage faith, cultural and social service-based organizations to be involved in this community wide decision-making process.

4) Public Outreach:

MMT has met with local human services groups and local radio stations, including a Spanish station, to provide education on how to ride public transit. Larger, easier to read maps have been created to help individuals better understand the routes, available upon request. In addition, bus schedules are now available in Spanish.

Language Assistance Plan

A.) Purpose:

The purpose of this Language Assistance Plan is to meet the Federal Transit Administration's requirements to comply with Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color or national origin. As a sub recipient of FTA funding, Marshalltown Municipal Transit has pledged to take reasonable steps to provide meaningful access to its transit services for persons who do not speak English as their primary language and who have a limited ability to read, speak or understand English. The FTA refers to these persons as Limited English Proficient (LEP) persons.

The U.S. Department of Transportation, Federal Transit Administration Office of Civil Rights' publication "Implementing the Department of Transportation's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons – A Handbook for Public Transportation Providers" was used in the preparation of this plan.

B.) Content:

This plan includes:

1. A needs assessment based on the four-factor analysis
2. Language assistance measures
3. A staff training plan
4. Methods for notifying LEP persons about available language assistance
5. Methods for monitoring, evaluating and updating this plan

B.1) - LEP Needs Assessment – the Four-factor Analysis

B.1.A.) Factor 1 - The number or proportion of LEP persons in our service area who may be served or are likely to encounter a transit program, activity or service.

MMT assessed the following information (as checked) about LEP persons to determine the number or proportion of LEP persons who might use or want to use our transit services:

- GIS map showing the transit service area and concentrations of LEP persons
- 2020 US Census data
- Survey results
- Reports from drivers, dispatchers and others about contact with LEP persons
- Local school district data
- Human Services Dept. data
- Information from local organizations (examples: religious, social service, etc.)
- Other information Describe:
According to data provided from the 2010 U.S.

Census:

The total number of LEP persons in our service area: 7,500

Spanish: 6,308 (25.3%)

Other Asian, Pacific Island, and Indo-European Languages: 1192 (4.7%)

The total eligible population in our service area: 24,966

The proportion of LEP persons to the total eligible service population: 30%

B.1.B.) Factor 2 – The frequency with which LEP persons come in contact with our transit services, programs and activities.

We do not have any data regarding requests from LEP persons: however, since the transit routes serve a large portion of the City of Marshalltown, as well as a number of non-profit agencies, it is likely that we are providing services to LEP persons.

The main language spoken by LEP persons in Marshalltown is Spanish.

B.1.C.) Factor 3 – The nature and importance of services, programs or activities provided to the LEP population.

MMT considers our transit services to be an important and essential service for many people living in our service area.

B.1.D.) Factor 4 – The resources available to our transit system and the overall cost to provide language assistance.

MMT's creates marketing material for our community with LEP persons in their language about transit services that are available to them. We also have key documents available in Spanish. Since it's done in-house the cost is minimal. Google Translate is available for each driver.

B.2) – Language Assistance Measures

Language measures currently used and planned to be used by MMT to address the needs of LEP persons include:

- X Translating key documents into the following language(s): Spanish
- X Arranging for availability of oral translators whenever possible
- X Communicating with LEP persons' groups about transit services
- X Posting notices in appropriate languages informing LEP persons of available services

___ Other – Describe:

B.3) – Staff Training

To ensure effective implementation of this plan, MMT will schedule training at orientations for new staff and annually for all employees with contact with the public on how to handle verbal requests for transit services in a foreign language.

B.4) – Notice to LEP Persons about Available Language Assistance

MMT plans to notify LEP persons in their own language about the language assistance available to them without cost by using the following methods:

brochures

sending information to local organizations that work with LEP persons

website notices

Other, describe:

B.5) – Monitoring, Evaluating and Updating This Plan

MMT will review this plan annually by:

Assessing the sufficiency of staff training and budget for language assistance.

Reviewing current sources for assistance to ensure continuing availability.

Reviewing any complaints, comments and suggestions from LEP persons, or agencies that serve them, that were received during the past year.

This plan will be reviewed annually by MMT staff. Revisions of this plan will be approved by the transit administrator and dated accordingly.

C – Dissemination of Plan

C.1) This Language Assistance Plan is available on our website at marshalltown-ia.gov

This plan is also available at no cost in English or Spanish upon request by telephone, fax, mail, e-mail or in person.

If requested to be provided in another language and it is feasible to have it translated, it shall be provided at no cost to the requester.

D) – Contact Information

Questions or comments about this plan may be submitted to:

Name: Kevin Pigors

Title: Transit Administrator

Address: 905 East Main Street, Marshalltown, Iowa 50158

Telephone Number: 641-754-5719

Fax Number: 641-754-4148

RESOLUTION APPROVING THE 2023 UPDATE OF THE TITLE VI PROGRAM FOR MARSHALLTOWN MUNICIPAL TRANSIT (MMT)

WHEREAS, there is herewith submitted to the City Council of Marshalltown, Iowa, a proposed 2023 Update to the Title VI program for Marshalltown Municipal Transit; and

WHEREAS, this program and associated policies shall replace in their entirety those adopted in 2020, as part of Resolution 2020-149; and

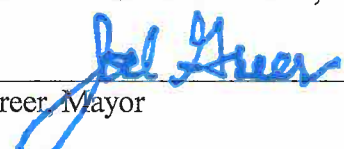
WHEREAS, the City Council finds this program and policies to be within the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA, AS FOLLOWS:

Section 1. That the Title VI Program for Marshalltown Municipal Transit is hereby adopted and effective October 1, 2023.


Passed this 25th day of September 2023 and signed this 26th day of September 2023.

CITY OF MARSHALLTOWN, IOWA



Joel Greer, Mayor

ATTEST:



Alicia Hunter, City Clerk

System-wide Service Standards

System-wide Service Standards:

Vehicle Load Standard:

Vehicle Type	Average Passenger Capacities			
	Seated	Standing	Total	Maximum Load Factor
29' Gillig	23	20	42	1.8
40' Gillig	36	40	76	2.1
40' Gillig Phantom	44	20	64	1.4
40" Gillig Low Floor	38	45	83	2.1
214" Glaval LF	17	0	17	1

The average of all loads during the peak operating period should not exceed vehicles' achievable capacities, which are 42 passengers for the Gillig 29' vehicles, 76 Passengers for the Gillig 40' vehicles, 64 passengers for the 40' Gillig Phantom, and 17 passengers for the Glaval Cut-away.

Vehicle Headway Standard:

Tabular Format:

Policy Headways and Periods of Operation		
Fixed Route Service	Runs	Minutes
Early Morning	2	75
Weekday	38	30
Seasonal AM	1	50
Seasonal PM	2	50
Express (Purple Route)	10	30

Written Format:

The first fixed route runs of each weekday takes seventy-five minutes. The rest of the fixed route runs for each day take thirty minutes. Service begins at 7:15 AM and ends at 5:00 PM

Complementary Paratransit service trip length will be the same or less than a similar trip would be using the fixed route system.

On-Time Performance Standard:

95% of Marshalltown Municipal Transit's fixed routes will complete their established runs no more than five minutes early or late in comparison to the published schedule timetables.

95% of Marshalltown Municipal Transit's paratransit service will deliver passengers by their scheduled appointment time.

Service Availability Standard:

The listed bus stops will not be more than thirteen blocks apart on the primary fixed routes. However, we do have bus stop signs at intersections along the paths at closer intervals. Also, it is the written policy that MMT will pick up or drop off any passengers at any street corner along the fixed routes. We have one secondary fixed route, the Purple Route. It has greater than thirteen blocks between listed bus stops. This is because it is set up as an express service to the southern-most part of the city. The Complementary Paratransit service covers anywhere within city limits.

System-wide Service Policies:

The Vehicle Assignment Policy is a document that explains why specific buses are assigned to specific driving tasks, whether fixed or subscription service routes.

System-wide Service Amenities

(Required before purchase of vehicle without access features required in 49 CFR, Part 38)

I hereby certify that when viewed in its entirety, the demand-responsive passenger transportation program of Marshalltown Municipal Transit provides disabled persons with access equal to that afforded to any other persons in terms of the following criteria.

- 1) Response time
- 2) Fares
- 3) Geographic area of service
- 4) Hours and days of service
- 5) Restrictions based on trip purpose
- 6) Availability of information and reservations capabilities
- 7) Constraints on capacity or service availability

Certified this ____ day of September, 2023 (Signature) **Joel Greer** (Typed/Printed name) **Mayor** (Title)

Please complete the ADA Needs Analysis for Demand Response Public Transit information.

Americans with Disabilities Act (ADA) Needs Analysis for Demand Responsive Public Transit

The ADA requires demand-responsive public transit systems to provide program accessibility for persons with disabilities. Such features and services of your transit system must be provided in the most integrated manner possible. Unlike fixed-route systems, a demand-responsive system is not required to buy only accessible vehicles, but may purchase non-accessible transit vehicles once it has reached the point where it can assure that an individual with a disability calling in for service on any part of the system can be transported via an accessible vehicle as quickly as a nondisabled person requesting service in the same area. Trip purpose restrictions, advance reservations requirements, etc., are allowable so long as they do not impact disabled persons any differently than they do others.

Although the vehicle accessibility standards are probably the most noticeable of the ADA access requirements, for the demand-responsive system access to the ride-request/dispatch function is every bit as critical and must be considered a priority in programming. An analysis should be completed documenting how ride requests/ reservations are handled for all parts of the public transit system. (For brokered systems such an analysis must cover all vehicles purchased with U.S. DOT funding plus any other vehicles for which statistics are counted for funding purposes). In each case, access to phone-in facilities must be provided for hearing impaired persons and access to face-to-face reservation facilities must be provided for persons with mobility impairments, whether these requirements are currently met and, if not, how they will be met in the future including a listing of any capital improvements needed to accomplish that. (It may not always be necessary for the transit system to own telephone equipment for hearing impaired persons, but arrangements must be made which do not involve considerably more effort.)

Access to system information is also a critical need under ADA. Any alternate phone number(s) for hearing disabled persons must be prominently featured in system literature. All literature must also be available in Braille or taped cassette formats for visually impaired persons. (Remember that all system services must be described in system literature and that such literature must include the information that **these services are open to the public, including persons with disabilities, without discrimination**).

Outlets for ticket/pass sales or locations for obtaining eligibility identification cards must be accessible to all persons with disabilities. The analysis should identify any such outlets/locations for the system. For each, an assessment should be made of whether it is currently accessible or, if not, what will need to be done to provide access. (Remember that sometimes it is more sensible to change the location than to do any kind of major retrofitting of a facility.)

Access to public transit vehicles by disabled persons is the heart of the ADA's transportation title. As mentioned earlier, fixed-route transit systems must buy only vehicles that are accessible to persons with a wide array of disabilities that would prevent their usage of today's (or yesterday's) "standard buses." Demand-responsive transit systems must also buy only accessible vehicles, unless they can already provide accessible service to any disabled person requesting to ride on any part of the system just as quickly as a nondisabled person.

At first reading this would appear to have little impact on Iowa's demand-responsive public transit systems because most have had significant numbers of "lift-equipped" vehicles in their fleets to carry persons in wheelchairs. The ADA rules, however, set a higher standard of accessibility that most existing vehicles do not meet. Under ADA, to be considered accessible vehicles must have longer platforms on their lifts so that they can carry the popular three-wheel scooter mobility devices as well as traditional wheelchairs. They must have a double handrail on lift to support standees throughout the operation of the lift process.

The lifts are used to carry persons unable to comfortably climb stairs, but not yet using a wheelchair. They must transport the mobility devices in a forward or rearward facing orientation, instead of the more dangerous but cheaper side-facing positions, and the securement systems used must provide better protection than most of those currently in use. They must also allow either 56 or 68 inches of headroom from the lift to the securement location. There are also other minor new requirements.

The first step in analyzing whether vehicles to be purchased by a demand-responsive transit provider must be accessible is to evaluate the existing fleet. How many existing vehicles meet the accessibility standards? Are there any others, which can with only minor changes be brought into compliance?

Next, the various services provided under the auspices of the system should be examined. In each case an assessment should be made whether the service is currently provided with an accessible vehicle, and if it is not, whether there is some other accessible vehicle available to provide the service if someone in a scooter, for instance, might request a ride. The assessment may involve programming a retrofit of existing vehicles to meet the accessibility standard, but prior to the system programming purchase of any non-accessible vehicles. The assessment should document the way by which the system is able to respond to a request for accessible transportation on any of its services in a way that matches the response time for nondisabled ride requests.

Other facets of the transit program are also affected by ADA. All transit board meetings, advisory meetings, planning meetings, etc., are required to be open to the public. The meeting locations must be fully accessible to persons with disabilities. Such access must include access to water fountains, restrooms, vending machines or other amenities available to others involved in the meeting. As with other functions such as ticket sales, etc., the remedy need not involve changes to the current site, but could instead merely involve scheduling the meetings at a different location where accessibility features are available. Thought should also be given to scheduling meetings when accessible transit service is available or providing special service for persons wishing to attend the meetings.

Even once all transit functions, which involve interfacing with the public, are made accessible to persons with disabilities there may still remain workplace accessibility concerns under ADA. This might be especially true if some of the public functions have been made accessible by relocating them to a different site. Workplace accessibility for both office and garage facilities becomes a factor if any new construction, additions or modifications are anticipated. The new areas must be designed for full accessibility and with additions or modifications, to the extent that cost is not disproportionate to the overall project total. It is required that restrooms, drinking fountains, etc., serving the new or remodeled areas must also be made accessible. Even in the absence of any planned additions or remodeling, the employment provisions of ADA require that reasonable accommodations be made in existing work sites to allow a qualified employment candidate with disability to access the workplace and perform their job duties.

Access to vehicle dispatch/ride reservations

What arrangements have been made to allow access to dispatch service by persons with hearing impairments? (Examples: equipping dispatch with a Telecommunications Device for the Deaf (TDD), having calls relayed by other agency with TDD, etc.)

Do the above-described arrangements cover all transportation services provided as part of the transit program and do they avoid imposing any greater cost or inconvenience on such disabled persons than on other riders? (i.e., toll call vs. toll-free call or shorter hours). [The complementary paratransit service is open to the public the same hours as the fixed routes.](#)

Are these arrangements prominently publicized in all system literature or media advertising? [We display it on system literature.](#)

Describe any special outreach conducted to inform hearing-impaired persons of this access to the dispatch function. [None recently.](#)

Access to system information

What efforts have been undertaken to make system information (such as brochures, schedules, etc.) accessible to persons with visual impairments (examples: audiotape version available, Braille version available, large print version available)? [MMT has large print and available upon request.](#)

Does all literature/advertising include information that all services are **open to the general public, including persons with disabilities**? [Yes, this includes bus signage, bus schedules, city council meeting agendas and our passenger handbooks.](#)

Describe any special outreach conducted to inform various segments of the disabilities community of service accessibility. [The transit administrator has met with disabled people and the agencies that work with them, throughout the year.](#)

Access to ticket/token/pass/identification (ID) outlets

If your system allows or requires users to pay fares or obtain ID's at any location other than aboard a transit vehicle, describe each such location, what function it is used for, and whether the site itself is accessible to persons with disabilities as well as whether any public restrooms, drinking fountains, etc., serving the site are accessible.

Location	Public Transit Function(s)	Site Accessible	Amenities Available	Public amenities available
City Hall	Ticket Outlet	Ramp & electric door	Drinking fountain, restrooms, chairs	The Same
Hy-Vee	Ticket Outlet	Automatic doors	Drinking fountain, restrooms, chairs and vending machines	The Same
Mid-Iowa Workshop	Ticket Outlet	Automatic doors	Drinking fountain, restrooms, chairs and vending machines	The Same
Iowa Veterans Home	Ticket Outlet	Automatic doors	Drinking fountain, restrooms, chairs and vending machines	The Same
Marshalltown High School	Ticket Outlet	Automatic doors	Drinking fountain, restrooms, chairs and vending machines	The Same
Lenihan Intermediate School	Ticket Outlet	Automatic doors	Drinking fountain, restrooms, chairs and vending machines	The Same
Miller Middle School	Ticket Outlet	Automatic doors	Drinking fountain, restrooms, chairs and vending machines	The Same

Fleet Accessibility

List all passenger vehicles in the public transit fleet, including both vehicles bought with state or federal transit funds and vehicles bought with any other funds that are used to provide services counted toward public transit formula funding. For each, list ID number and length, then indicate whether the vehicle meets the various ADA standards for accessibility (see Appendix M in your Agreement Binder).

Fleet ID#	101	109	121	131
Vehicle Length	29'	29'	29'	29'
Lift	No	No	No	No
Ramp	Lift-U LU11-08-04	Lift-U LU11-06-02	Lift-U LU11-08-05	Lift-U LU18-02-03
Headroom	78"	78"	78"	78"
Securement Locations	Two / Same Side	Two / Same Side	Two / Same Side	Two / Same Side
Securement Systems	Q-Straint	Q-Straint	Q-Straint	Q-Straint
Lighting	Yes	Yes	Yes	Yes
Priority Seating	Yes	Yes	Yes	Yes
Handrails	Yes	Yes	Yes	Yes

Fleet ID#	181	011	013	014	191
Vehicle Length	29'	40'	40'	40'	28'
Lift	No	Lift-U LU0-51-08	Lift-U LU0-51-19	No	No
Ramp	Lift-U LU18-02-09	No	No	Lift-U LU5-02-03	Ricon BR2E
Headroom	78"	78"	78"	78"	78"
Securement Locations	Two / Same Side	Two / Opposite Each Other	Two / Opposite Each Other	Two / Opposite Each Other	Three / Two Same Side, One Opposite Side
Securement Systems	Q-Straint	Q-Straint	Q-Straint	Q-Straint	Q-Straint
Lighting	Yes	Yes	Yes	Yes	Yes
Priority Seating	Yes	Yes	Yes	Yes	Yes
Handrails	Yes	Yes	Yes	Yes	Yes

Service accessibility

List each distinct service provided by the public transit program (i.e., all services performed by vehicle listed previously). This should include a separate listing for each contract, and if a contract involves different services provided by different vehicles or covers different service areas serviced by different vehicles, these should be broken out. For each service element listed, indicate whether it is currently provided by an existing ADA accessible vehicle. For each service element that is not served by an ADA accessible vehicle, indicate, if possible, how you would be able to respond to a request to carry a 48-inch long scooter, or an individual with a walker needing lift assistance, on such service with a response time and fare matching those available for current riders.

Service	Accessible vehicle	Means for providing access	Accessible amenities
Fixed Routes	ADA Compliant	Ramps and lifts	Benches and ADA Compliant Shelters, Route Maps and Schedules
Seasonal Routes	ADA Compliant	Ramps and lifts	Benches and ADA Compliant Shelters, Route Maps and Schedules
Complimentary Para Transit Subscription	ADA Compliant	Ramps and lifts	
Complimentary Para Transit Service	ADA Compliant	Ramps and lifts	

Transit meeting access

List all meetings relating to the transit program such as board meetings, transit advisory meetings, planning advisory meetings, budget meetings, public hearings, etc., and their normal location. For each location, note whether the site itself is accessible to persons with disabilities and whether any amenities (restrooms, drinking fountains, vending areas, etc.) available to persons attending the meetings at the site are accessible.

Meeting	Location	Accessible Site	Accessible amenities
Typical Business Meetings	Public Works Facility	Yes	ADA access to front door, restrooms and drinking fountain
Board Meetings	City Hall Council Chambers	Yes	ADA front door, elevator, restrooms and drinking fountain
Public Hearings	City Hall Council Chambers	Yes	ADA front door, elevator, restrooms and drinking fountain
Planning Advisory Meetings	Courthouse, second floor	Yes	ADA front door, elevator, restrooms and drinking fountain

Access to workplace

List all locations where persons involved in any aspects of providing the transportation services listed previously work. This would include administrative offices, dispatching areas, driver staging areas, vehicle maintenance areas, purchasing offices, coordinator or outreach offices if supported by transit, etc. For each, note whether the persons working at this site are employees of the transit system or employees of subcontractors, then note whether the site is accessible to persons with disabilities and whether the amenities available at the site for people working there are accessible.

Worksite	System employee or contractors	Site accessible	Amenities accessible
Administrative Offices	Employees and contractor	Yes, ADA front door	Restrooms, drinking fountain, chairs
Dispatcher / Office Assistant	Employees and Contractor	Yes, ADA front door	Restrooms, drinking fountain, chairs
Conference Room	Employees, Contractors and General Public	Yes, ADA front door	Restrooms, drinking fountain, chairs

Driver Staging	Employees Only	Yes, ADA front door	Restrooms, drinking fountain, chairs
Maintenance Area	Employees Only	Yes, ADA front door	Restrooms, drinking fountain, chairs

Transit Amenities Policy

The decision of where to place amenities is decided by the decision-making authority of the property. For example, ticket outlets are not owned by MMT. Amenities, such as benches and shelters, that are placed on terraces owned by the City, are strategically placed based on pedestrian traffic and passenger demand along bus routes.

System-wide Service: Vehicle Assignment Policy

All vehicles are able to run any service MMT offers. When assigning buses to different routes there are a several things to take into consideration:

- 1) Mileage
- 2) Preventative Maintenance
- 3) Bus Capacity
- 4) Ramp style & accessibility
- 5) Personnel/Operator Disabilities (ADA)
- 6) Break-downs

It is essential to our fleet to maintain the mileage of daily use; ensuring that all buses are getting the fiscal miles met for the year end. In doing so it is easier to keep track of our preventative maintenance procedures in knowing which buses are ready to be pulled into the maintenance shop.

Knowing the routes and which bus to send on the routes per the capacity of the buses available is crucial considering the safety of the passengers. Capacities to allow for are: walk-on, standing and mobility devise segments in each type/style of bus. In our current fleet we have 1 - Low Floor Glaval, 2 – Gillig Phantom, and 6 - Low Floor Gilligs.

Again, knowing the routes, the ramp or lift style, and accessibility of the buses for our disabled patrons is another vital key to vehicle assignment. Most vehicles in our fleet have a 2 position capacity for mobility devises.

Also, a key component in vehicle assignment is the accommodations made for our Operators per the Americans with Disabilities Act. The ADA requires that our Marshalltown Municipal Transit system make reasonable accommodations to allow our drivers to operate the vehicles with minimal incident.

Finally, unexpected break-downs cause the vehicle assignments to shift from time-to-time.

Disparate Impact Policy

The purpose of Marshalltown Municipal Transit's Disparate Impact Policy is to determine if current practices and potential changes have a negative effect on people within the community that are Limited English Proficient or of low-income.

MMT will compare existing service to proposed service, and calculate the absolute change as well as the percent of change in travel time. If it is determined that the increase in travel time from the proposed service change is more than 15 minutes for any minority or low-income transit route then the change will be deemed to have a disparate impact.

Additionally, all new routes will require an equity analysis with the exception of supplemental services designed to reduce potential overcrowding on regular transit routes.

For the discontinuation of a minority or low-income transit route or portion of a route, the analysis will determine the availability of an alternate route or service within one-quarter mile. If there is no alternative within one-quarter mile, then the route or service discontinuation will be deemed to have a disparate impact.

In addition to the thresholds triggering an equity analysis, a service change proposal may be submitted for equity analysis and public hearing at the discretion of the City of Marshalltown City Council, even if the proposed service change does not meet the threshold for a major service change.

Disparate Impact Analysis

A disparate impact analysis will review any change of more than 25% of the revenue hours or route miles on a given transit route, or a branch of a route for an individual day (weekday) as happening at one time or within a single year. Route branch is defined as one of the two or more route segments served by a single route.

Any change to the span of service on a given transit route of one hour or more for an individual weekday. A span of service is defined as the time from the start of the first trip to the start of the last trip on a given route.

The introduction of any new transit route with the exception of supplemental service designed to reduce potential overcrowding on regularly scheduled transit routes will be reviewed through a disparate impact analysis.

For all routes with proposed changes that meet the major service change threshold, MMT will conduct a social equity analysis to:

- determine the benefits of a potential negative impact on minority and low-income populations;

- quantify the expected effects (positive and negative);

- and determine the appropriate course of action to prevent, minimize or mitigate the impacts as warranted.

Minority Threshold

According to the Federal Transit Administration, “minority persons” include those classified as (1) American Indian and Alaska Native, (2) Asian, (3) Black or African American, (4) Hispanic or Latino and (5) Native Hawaiian and Other Pacific Islander.

MMT defines a minority transit route as one in which at least one-third of the revenue miles are located in a Census block or block group, or traffic analysis zone where the percentage minority population is equal to or greater than the percentage minority population in the service area.

Low Income

According to the Federal Transit Administration, “low income” means a person whose median household income is at or below the Department of Health and Human Services poverty guidelines. These guidelines are based on a household income and household size.

MMT defines a low-income transit route as one in which at least one-third of the revenue miles are located in a Census block or block group, or a traffic analysis zone where the percentage low-income population is equal to or greater than the percentage low-income population in the service area.

MMT

MARSHALLTOWN MUNICIPAL TRANSIT

POLICY STATEMENT DISADVANTAGED BUSINESS ENTERPRISES

It is the policy of Marshalltown Municipal Transit to purchase the highest quality goods and services at the best possible price. In doing so, MMT will not discriminate on the basis of race, color, national origin, sex, or any other factor in the award and administration of any purchase or contract. It is our policy to create a level playing field for disadvantaged businesses, ensure that only businesses that are actually certified DBEs are covered under this policy and program, whenever possible help to remove barriers for these businesses, and to provide narrowly tailored opportunities when in accordance with applicable laws to assist socially and/or economically disadvantaged businesses participate in either capital or operational endeavors.

The DBELO (Disadvantaged Business Enterprise Liaison Officer), who is the transit administrator, is responsible for developing, implementing and monitoring the D.B.E. program. This includes setting overall annual goals, determine contractor compliance with good faith efforts, looking for ways to improve MMT participation, improvement of the D.B.E. program, maintain a current copy of the Iowa D.O.T.'s directory of D.B.E. businesses and identifies contracts and procurements so that D.B.E. goals are included in solicitations.

MMT will take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of D.O.T. assisted contracts. The recipient's DBE Program, as required by 49 CFR Part 26 and as approved by the Iowa D.O.T. 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 MMT of its failure to carry out its approved program, the Department of Transportation may impose sanction 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.).

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Prime Contractors

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 remedy as the recipient deems appropriate. MMT will include the following clause in each D.O.T. assisted prime contract:

The prime contractor agrees to pay each subcontractor under this prime contract for satisfactory performance of its contract no later than 30 days from the receipt of each payment from the prime contract received from MMT. Any delay or postponement of payment from the above referenced time frame may occur only for good cause following written approval of MMT. This clause applies to both D.B.E. and non-D.B.E. subcontracts.

MMT has established the following procedures to monitor and enforce that prompt payment and return of retainage are in fact occurring:

1) Request verification from prime contractors that subcontractors were paid within the timeframe specified in 49 CFR Part 26.29.

2) Hold payment of prime contractor until subcontractor is paid.

3) If payments were still not made, MMT would consider any future bids non-compliant due to a lack of good faith.

Financial Institutions:

While there are no certified DBE financial institutions in Iowa, West Bank of Des Moines is willing to work with them. The contact person is Vice-president Michele Belden.

MMT utilizes the Iowa D.O.T. D.B.E. directory identifying all firms eligible to participate as D.B.E.s

The IDOT DBE program is described online at http://www.dot.state.ia.us/contracts/dbe_program.pdf.

The directory of certified businesses is located at <http://www.ia.bidx.com/lettings/dbealpha.pdf>

MMT does not have overconcentration in one or more types of work. We will re-evaluate the need for such a program every two years.

Monitoring and Enforcement Mechanism

- 1) MMT will bring to the attention of the Iowa D.O.T. any false, fraudulent or dishonest conduct in connection with the program, so that I.D.O.T. can take the steps provided in 26.109

A. MMT will consider similar action under our own legal authority, including responsibility determinations in future contracts.

B. Remedies to enforce the D.B.E. requirements in its contracts include

- 1) Breach of contract, pursuant to the terms of the contract;
- 2) Breach of contract, pursuant to Iowa state code;

- 3) **Federal Government options include:**
 - a) **Suspension or debarment proceedings pursuant to 49d CFR Part 26;**
 - b) **Enforcement action pursuant to 49 CFR Part 31;**
 - c) **and/or prosecution pursuant to 18 USC 1001.**

C. MMT will provide a monitoring and enforcement mechanism to verify that work committed to DBEs at contract award is actually performed by the DBEs. This will be accomplished through the bidding process, on-site monitoring, payroll reviews and maintenance of reports through the accounting department for quarterly DBE progress.

D. MMT will keep a running tally of actual payments to DBE firms for work committed to them at the time of contract awards.

Goal Setting Accountability

If the awards and commitments shown on MMT'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;
- 3) Retain information/records the analysis and efforts made for at least three years.

MMT will establish contract goals only on those DOT-assisted contracts that have subcontracting possibilities.

MMT will use contract goals to meet any portion of the overall goal MMT does not project being able to meet using 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 our overall goal that is not projected to be met through the use of race-neutral means.

Good Faith Efforts

The process used to determine whether good faith efforts have been made by a bidder include:

- 1 Soliciting should be made through all reasonable and available means, including attendance at pre-bid meetings, advertising and/or using written notices and the interest of all certified DBEs who have the capability to perform the work of the contract. The bidder must solicit this interest within sufficient time to allow the DBEs to respond to the solicitation. The bidder must determine with certainty if the DBEs are interested by taking appropriate steps to follow up initial solicitations.

2 Selecting portions of the work to be performed by DBEs, in order to increase the likelihood that the DBE goals will be achieved. This includes, where appropriate, breaking out contract work items into economically feasible units to facilitate DBE participation, even when the prime contractor might otherwise prefer to perform these work items with its own employees.

3 Providing interested DBEs with adequate information about the plans, specifications and requirements of the contract in a timely manner to assist them in responding to a solicitation.

Information to be submitted:

MMT treats bidder compliance with good faith efforts' requirements as a matter of responsibility. Each solicitation for which a contract goal has been established will require the bidder to submit the following:

- 1) The names and addresses of DBE firms 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 firm participating,**
- 4) Written and signed documentation of commitment to use a DBE subcontractor whose participation it submits to meet a contract goal,**
- 5) Written and signed confirmation from the DBE that it is participating in the contract as provided in the prime contractors commitment and**

- 6) If the contract goal is not met, evidence of good faith efforts.

Administrative Reconsideration

Within 30 days of being informed by MMT that it is not responsible because it has not documented sufficient good faith efforts, the contractor may request administrative reconsideration in writing to the city administrator at 24 North Center Street, Marshalltown, Iowa 50158. The city administrator will not have played any role in the original determination that the contractor did not document sufficient good faith efforts. The contractor will have the opportunity to meet in person, explaining whether it met the goal or made adequate good faith efforts. The city administrator's decision is final, and is not appealable to the DOT.

Good Faith Efforts when a DBE is terminated or replaced

MMT requires that the prime contractor not terminate a DBE subcontractor listed on a bid/contract with a DBE contract goal without MMT's 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 regulations.

Before transmitting to MMT its request to terminate, the prime contractor must give written notice to the DBE of its intent to do so. A copy of this document should be given to MMT prior to the DBE receiving their notice. The DBE will then have five business days to respond and advise MMT of why it objects to the proposed termination. Where "good cause" exists to terminate a

DBE's contract, MMT will require the prime contractor to make good faith efforts to replace a DBE with another certified DBE, and provide amended subcontracts. If the contractor fails or refuses to comply in the time specified, MMT will issue an order to stop all or part of the payments until satisfactory action has been taken.

Record Keeping

MMT requires prime contractors to retain records and documents of payments to DBEs for three years following the completion of a project.

Program Monitoring and Review Process

The purpose of this section is to provide guidance on how the Title VI program at Marshalltown Municipal Transit is monitored, reviewed and improved upon. It is our goal to eliminate any and all discrimination that might occur within our transit system.

When there is a statement or complaint of discrimination the transit administrator will follow up on it. The claim can come from a passenger, someone from the general public or a staff person at MMT. Once there is a clear picture of the event there will be a documented process on how the situation will be corrected. The goal here is to eliminate unfair treatment.

MMT will review its Title VI program annually. Also, we will submit a revised copy of our program and policies to the Iowa D.O.T. every three years.