



Metropolitan Transportation Authority

Diversity Committee Meeting

May 2014

Committee Members

J. Molloy, Chairman

S. Metzger

J. Banks III

R. Bickford

D. Paterson

F. Ferrer



MEETING AGENDA

MTA DIVERSITY COMMITTEE

May 19, 2014 – 2:45 p.m.

347 Madison Avenue
Fifth Floor Board Room
New York, NY

AGENDA ITEMS

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MTA DIVERSITY COMMITTEE
Meeting Minutes
347 Madison Avenue, Fifth Floor Board Room
New York, NY 10017
Wednesday, March 26th, 2014
8:30 a.m.

The following Committee members were present:

Hon. John Molloy, Chairman
Hon. Fernando Ferrer
Hon. Robert C. Bickford
Hon. David Paterson

The following Committee members were absent:

Hon. Susan G. Metzger
Hon. John Banks III

The following were also present:

Carmen Bianco, President, MTA New York City ("NYC") Transit
Helena Williams, President, MTA Long Island Rail Road ("LIRR")
Michael J. Garner, Chief Diversity Officer, MTA Department of Diversity and Civil Rights ("DDCR")
Heidi Lemanski, Chief of Staff, MTA Bus
Joel Andrews, Chief Equal Employment Opportunity ("EEO") Officer, Office of EEO, NYC Transit
Dawn Pinnock, Vice President, Human Resources, NYC Transit
Michael Fyffe, Director, Diversity Management, LIRR
Dennis Mahon, Chief Procurement & Logistics Officer, LIRR
Christine Norman, Manager, Procurement & Material Management, MTA Metro-North Railroad ("MNR")
Robert Rodriguez, Director, Diversity & EEO, MNR
Anthony Gardner, Deputy Director, Operation Procurement, Procurement & Material Management, MNR
Naeem U. Din, Deputy Director, DDCR
Zenaida Chape, Assistant Director, Business and Diversity Initiatives, DDCR
Shawn Moore, Assistant Director, EEO and Title VI Compliance, DDCR
Carolyn Greene, Assistant Director Certification, DDCR
George Cleary, Deputy Director, Small Business Mentoring Program ("SBMP"), DDCR

MTA Diversity Committee Meeting Minutes, Wednesday, March 26th

Ray Burke, Assistant Director, Minority, Women-owned and Disadvantaged Business Enterprise ("MWDBE") Contract Compliance, DDCR
Gloria Colon, Chief EEO Officer, MTA Bridges & Tunnels ("B&T")
David Cannon, Director, Procurement & Risk Management, MTA Capital Construction

1. Public Speakers:

Murray Bodin stated that the public should be made aware of any changes to the schedule of MTA Committee meetings. He said recently the MNR and Finance Committee meetings commenced before their regularly scheduled time.

2. Minutes

Upon motion duly made and seconded, the committee unanimously approved the minutes of the meeting held on November 12, 2013.

3. Overview of Today's Meeting

2013 Diversity Committee Work Plan

Chairman Molloy asked if there were any changes to the work plan. Mr. Din responded that there were no changes.

2014 Departmental Goals Update

Mr. Garner stated that the Small Business Development Program resumed its ten-week training course on March 13, 2014.

The goal of the MTA Mentor/Graduate Mentor Program was to award \$26.65 million during the third year of the Program (July 2012 to July 2013). A total of \$27 million was actually awarded for this period. As of December 31, 2013, \$65 million has been awarded.

The goal of the MTA Small Business Federal Program ("SBFP") is to award \$10 million during the first year of the Program. Since Program inception in March, 2013, \$24 million has been awarded.

DDCR is continuing to work with New York State Empire State Development to formulate procurement strategies to maximize opportunities for M/WBEs.

The implementation of the M/W/DBE Contract Compliance Tracking System and the MTA's Minority Supplier Development Program for subway car and bus manufacturers is being finalized.

MTA has a projected 20% M/WBE goal and 17% DBE goal. For the first three quarters of New York State Fiscal Year 2013/2014, MWBE participation was 23%. For the first quarter of Federal Fiscal Year 2014, DBE participation was 16%.

The implementation of a mentoring program within Paratransit is in its planning stages while the creation of a Mentor/Protégé Program focusing on signal projects is ongoing.

Business and Diversity Initiatives

Ms. Chape reported on Outreach initiatives for the first quarter of 2014. In January, DDCR participated in the New York Women Chamber of Commerce's Women of Excellence Networking Event, the Super Bowl XLVIII Business Leadership Forum, and the Caribbean American Chamber of Commerce Business Power Networking Breakfast Meeting.

In February 2014, DDCR attended AMENY's¹ 38th Annual Legislative Business Development Conference, the 43rd NYS Black and Puerto Rican Annual Legislative Conference in Albany, and the National Minority Business Council's 34th Annual Awards Luncheon.

In March 2014, DDCR hosted the MTA's Fix & Fortify -- Sandy Recovery Work Opportunities Conference, which was held at McGraw Hill Headquarters. Additionally, DDCR participated in the following events: Somos El Futuro 27th Annual Spring Conference, Regional Alliance for Small Contractors Clearinghouse, and NYC Hispanic Chamber of Commerce Economic Development and Small Business Seminar. Ms. Chape said that MTA's 5th Annual MWDBE Conference will be held on May 8, 2014 at McGraw Hill Headquarters. Mr. Garner added that the MTA is committed to MWDBE participation in the post Hurricane Sandy repair work and the May 8 MWDBE Conference is a great opportunity for MWDBE firms to learn about upcoming contracting opportunities.

Ms. Moore reported on MTA Agency-wide Diversity Programs. In February 2014, MTAHQ along with MNR and LIRR celebrated African-American Heritage Month.

In March 2014, LIRR celebrated Women's History Month, and MNR celebrated Irish-American Heritage Month.

Certification Activity Report

Ms. Greene reported on the certification activity for calendar year 2013. She also provided an update on the number of applications received and processed per year from 2010 to 2013. The number of applications received has steadily increased as has the number of firms that are certified. Certification activity for 2013 is as follows: 94 certified, 18 applications returned for failure to cooperate, 12 withdrawn, and 8 firms denied certification.

Out of a total of 312 firms certified for the period 2010 through 2013, 30 firms received 49 prime and/or subcontracts on federally funded projects. Approximately \$41 million was awarded to certified DBE firms for this period. There were also 19 DBE firms certified with dual M/WBE certification which received 46 prime and/or subcontract awards on New York State funded projects for the same time period, totaling approximately \$26 million.

Year-End 2013 EEO Activities

Ms. Moore reported that the first phase of obtaining the latest Census data has been completed; workforce utilization reports for the upcoming Diversity Committee Meeting in May 2014 will be

¹ AMENY is the Association of Minority Enterprises of New York.

based on the 2010 Census data. The second phase of this project involves obtaining a consultant to develop a business process to automate census data extraction.

As of December 31, 2013, women, Hispanics and employees classified as others are underrepresented in some of the job categories. A majority of the underrepresentation occurred in the administrative support, skilled craft and service maintenance job categories. Mr. Garner added that at the May 2014 Diversity Committee meeting, the MTA agency presidents will report on their respective agency's workforce data and efforts to address underutilization.

Ms. Moore also reported on underutilization within the MTA Police Department. Mr. Ferrer asked what it meant to be underutilized by a certain number. Ms. Moore explained that DDCR determines, based on the Census data, the availability in the applicable labor force for specific categories. If the actual number of employees in a given job category is below a certain percentage of availability, a numerical underutilization is provided in the report.

Ms. Moore also reported that between January and December of 2013, MTA and its agencies hired a total of 5,344 employees, of which approximately 21% are women and 70% are minorities. Of the total number hired, approximately 40% are African American and 17% are Hispanics. MTAHQ hired the highest percentage of women (51%), while MTA Bus hired the highest percentage of minorities (82%).

During 2013, MTA and its agencies handled a total of 392 EEO complaints, citing 604 separate allegations. Out of the 392 EEO complaints, 205 were filed with outside agencies and 187 filed internally. The majority of internal complaints cited race/color discrimination, miscellaneous discrimination and sexual harassment as basis for the complaints. The majority of external complaints cited race/color discrimination, disability discrimination and miscellaneous discrimination as basis for the complaint. During 2013, the MTA agencies handled 68 Title VI complaints citing 69 separate allegations. Of these 68 complaints, race discrimination was most frequently cited as the basis for the complaint. Mr. Ferrer asked about the forum of the external EEO complaints. Mr. Din said the external complaints are filed with outside agencies, *i.e.*, the New York State Division of Human Rights or the U.S. Equal Employment Opportunity Commission.

Chairman Molloy asked for a comparison of 2013 complaint numbers with the number of complaints filed in previous years. Mr. Din stated that a three-year trend analysis will be presented during the next Committee meeting.

Mr. Ferrer inquired if MTA can track the number of MWDBE firms that learn about contracting opportunities through the MTA website. Mr. Garner said staff will ask the MTA Business Service Center and report back to the Committee. Mr. Garner also said that we are currently in the process of implementing the certification module of the MTA Contract Compliance System so that applicant firms can apply online for DBE certification. He added that firms can download the application from the website for SBMP and SBFP prequalification.

Ms. Moore also reported on EEO/Title VI complaint disposition which showing the number of cases resolved by each agency and the manner of their resolution. As of December 31, 2013 there were a total of 130 EEO cases resolved: 54 external, and 76 internal. There were also 29 Title VI cases resolved. Mr. Ferrer asked the forum for filing Title VI complaints. Mr. Din replied Title VI complaints are filed with MTA and its agencies.

Small Business Mentoring Program Update

Mr. Cleary provided an update on the SBMP. Since the commencement of the program in November of 2010, a total of 104 contracts have been awarded, totaling \$ 65 million. Eighty of these contracts were awarded to 56 New York State certified MWBE firms totaling \$ 49.3 million. Out of these 56 MWBE firms, 16 were also certified DBEs.

A total of 127 firms have been pre-qualified and 40 firms are pending pre-qualification. A total of 24 loans have been approved totaling a little over \$ 2.3 million. Participating firms are now allowed to apply for small business loans totaling the lesser of \$ 150,000, or 30% of contract value.

Small Business Federal Program Update

Mr. Cleary provided an update on the SBFP. Since program inception in March 2013, 12 projects totaling \$ 23.7 million have been awarded to MTA certified DBE firms. Twenty-one firms have been prequalified and 24 are pending prequalification. One loan was approved and closed for \$ 100,000. Firms participating in the program can apply for loans up to lesser of \$900,000, or 30% of contract value. Through the Surety Bond Assistance Program, firms are also eligible for surety bonding assistance of up to \$3 million through Willis/Centaur. Mr. Garner added that the number of loans has dramatically increased, from three in the first year to 30 this year. MTA has hired Willis to assist firms in the SBMP with bonding. Mr. Bickford asked who is providing the loans. Mr. Garner replied that loans are being provided by Carver Federal Savings Bank. Mr. Bickford asked if we know about Carver's experience with making loans. Mr. Garner said Carver has worked with the School Construction Authority. Mr. Bickford asked if the loans are being repaid. Mr. Garner said there has been zero default. MTA uses two-party checks until the loan is paid off.

M/W/DBE Contract Compliance

Mr. Din reported on federal and state contract awards for the period October to December 2013. The overall DBE goal for Federal Fiscal Year 2014 is 17%. Between October 2013 and December 2013 approximately \$184 million in federally funded contracts was awarded with \$29 million (16%) being awarded to certified DBEs. Over \$376 million was paid to prime contractors, with DBE participation of \$53 million (14%).

Regarding New York State contracts, the MTA set an overall MWBE goal of 20% for New York State Fiscal Year 2013/2014. From April to December 2013, over \$552 million was awarded in New York State funded contracts with MWBE participation of \$134 million (24%). For the same period, over \$955 million was paid on prime contracts, with MWBE participation of \$224 million (23%).

Mr. Din also reported on discretionary procurement awards. From April 2013 to December 2013, MTA and its agencies awarded \$231.6 million in discretionary procurements with over \$10 million (4%) being awarded to MWBEs. Mr. Garner said this area needs improvement. In order to establish a more diverse pool of firms, MTA is issuing a series of Requests for Proposals ("RFP"). A RFP has recently been issued for outside counsel. Additional RFPs will be issued for architects and engineers and IT services.

Mr. Garner reported on financial and legal services for the period of April 2013 through September 2013. MBEs were awarded 2% in outside counsel fees, while 15.8% was awarded to WBEs. MWBE participation in underwriter fees is 25%, with 23% awarded to MBEs and 2% awarded to WBEs.

With respect to the MABSTOA pension plan, MWBE participation is 33.7% and in the MTA Defined Benefit Pension Plan, MWBE participation is 22% within the traditional asset funds. Mr. Garner said MTA will focus on getting a more diverse pool of asset fund managers.

Mr. Din reported on MWDBE participation on MTA's Capital projects. For calendar year 2013, the DBE participation on federally funded contracts was 16%, while on state funded contracts, MBE participation was 13% and WBE participation was 11%.

Mr. Garner introduced Mr. Burke as the newest staff member to join DDCR. Mr. Garner also thanked the DDCR staff for their hard work.

Adjournment

Chairman Molloy concluded the meeting and upon a motion duly made and seconded, the meeting was adjourned.

Respectfully submitted,
Jeana Titre
Department of Diversity and Civil Rights



2014 Diversity Committee Work Plan

I. RECURRING AGENDA ITEMS

Responsibility

Approval of Minutes	Committee Chair & Members
Committee Work Plan	Committee Chair & Members
MTA Agency-wide Diversity, Business and Diversity Initiatives and EEO Programs Activities	Dept. of Diversity/Civil Rights
MTA DBE Certification Program Activities	Dept. of Diversity/Civil Rights
M/W/DBE Contract Compliance Activities	Dept. of Diversity/Civil Rights
Departmental Goals Update	Dept. of Diversity/Civil Rights
Action Items (if any)	As listed

II. SPECIFIC AGENDA ITEMS

Responsibility

March 2014

Recommitment to EEO Policy Statements	Dept. of Diversity/Civil Rights
2014 Departmental Goals	
2013 Year-End Report on EEO	

May 2014

1st Quarter 2014 Report	Dept. of Diversity/Civil Rights
Approval of MTA's Title VI Program	Committee Chairs & Members

July 2014

2013 Mid-Year Report on EEO	Dept. of Diversity/Civil Rights
EEO Program Update	
Approval of MTA's Overall DBE Goal for Federal Fiscal Years ("FFYs") 2015-2017	Committee Chair & Members

November 2014

3 rd Quarter 2014 Report	Dept. of Diversity/Civil Rights
Status Report on MTA Inter-Agency M/W/DBE Task Force	
Diversity Committee Charter Review	Committee Chair & Members
2015 Diversity Committee Work Plan	Dept. of Diversity & Civil Rights

2014 Diversity Committee Work Plan

Detailed Summary

I. RECURRING

Approval of Minutes

Approval of the official proceedings of the previous month's Committee meeting.

Diversity Committee Work Plan

An update of any edits and/or changes in the work plan.

MTA Agency-wide Business and Diversity Initiatives Program Activities

The MTA Department of Diversity and Civil Rights update of planned Agency-wide Business and Diversity Initiatives Programs activities.

MTA Agency-wide EEO Program Activities

The MTA Department of Diversity and Civil Rights update of agency-wide workforce analysis, new hires and EEO and Title VI complaints.

MTA DBE Certification Program Activities

MTA Department of Diversity and Civil Rights update of DBE Certification Program activities.

M/W/DBE Contract Compliance Activities

MTA Department of Diversity and Civil Rights update of M/W/DBE contract activities and program initiatives.

Departmental Goals Update

MTA Department of Diversity and Civil Rights will provide an update on Departmental goals.

Action Items

Staff summary documents presented to the Board for approval of items affecting business standards and practices.

II. SPECIFIC AGENDA ITEMS

March 2014

Recommitment to EEO Policy Statements

Each year, the MTA disseminates Policy Statements addressing the Americans with Disabilities Act, Sexual and Other Discriminatory Harassment Prevention and Equal Employment Opportunity. We disseminate these Policy Statements to all MTA employees

to reaffirm MTA's commitment to ensuring a work place environment free from illegal discrimination and to ensure continued compliance with all applicable laws.

Overview of 2014 MTA Department of Diversity/Civil Rights Departmental Goals

The MTA Department of Diversity and Civil Rights will present an overview of Departmental goals and objectives.

2013 Year-End Report on EEO

The Department of Diversity and Civil Rights will present an update on MTA Agency-wide EEO activities.

May 2014

1st Quarter 2014 Report

The Department of Diversity and Civil Rights will present an update on Business and Diversity Initiatives. The Department of Diversity and Civil Rights will also present an update on DBE Certification and M/W/DBE Contract Compliance Programs activities.

Approval of MTA's Title VI Program

The Department of Diversity and Civil Rights will present MTA's Title VI Program for approval of the Diversity Committee.

July 2014

2014 Mid-Year Report on EEO

The Department of Diversity and Civil Rights will present an update on Business and Diversity Initiatives and EEO Programs activities. The Department of Diversity and Civil Rights will also present an update on DBE Certification and M/W/DBE Contract Compliance Programs activities.

Approval of MTA's DBE Goal for FFY 2015-2017

In addition, the Department of Diversity and Civil Rights will present MTA's overall DBE Goal for FFYs 2015-2017 for approval of the Diversity Committee.

EEO Program Update

The MTA Department of Diversity and Civil Rights will present an update on the EEO Program.

November 2014

3rd Quarter 2014 Report

The Department of Diversity and Civil Rights will present an update on Business and Diversity Initiatives and EEO Programs activities. The Department of Diversity and Civil Rights will also present an update on the activities of DBE Certification and M/W/DBE Contract Compliance Programs activities.

Status Report on MTA Inter-Agency M/W/DBE Task Force

The Department of Diversity and Civil Rights report will address progress made by the Task Force to improve M/W/DBE participation.

Diversity Committee Charter Review

The Diversity Committee will review and assess the adequacy of its charter and recommend changes as necessary.

2015 Diversity Committee Work Plan

The Department of Diversity and Civil Rights will present an updated Diversity Committee Work Plan for 2015.



MTA DIVERSITY COMMITTEE MEETING *A NEW DAY AT THE MTA*

MAY 19, 2014
2:45 P.M.



**MTA Department of Diversity/Civil Rights
Business and Diversity Initiatives**

May 19, 2014

BUSINESS AND DIVERSITY INITIATIVES

April 2014

Monthly DBE Certification Workshop
MTA Small Business Development Program Training
A & E Design RFP Informational Session
Transportation Diversity Council and Infrastructure Summit
New York City Housing Authority MWBE Trade Show
The Blue Book Building & Construction Network Showcase
Women Builders Council 10th Anniversary Champion Award Dinner

May 2014

Monthly DBE Certification Workshop
MTA Small Business Development Program Training
Bronx Hispanic Chamber of Commerce: Grow Your Business
NYS Surety Bonding Assistance Program Meeting
MTA 5th Annual Agency-Wide MWDBE Conference at McGraw Hill
NYC Hispanic Chamber of Commerce presents Economic Development and Small Business Seminar
NYS Hispanic Coalition Chamber of Commerce/Consulate of Ecuador "How to Do Business with the MTA"
6th Annual General Contractors Association MWDBE One-on-One Networking Conference

MTA Agency-Wide Diversity Programs

May 2014

MTA Headquarters Diversity Council and MTA Metro-North Railroad celebrates
Jewish-American Heritage Month

MTA Headquarters Diversity Council celebrates Asian Heritage Month

June 2014

MTA Headquarters Diversity Council, MTA New York City Transit, MTA Bus Company,
and MTA Metro-North Railroad celebrate Caribbean-American Heritage Month

MTA Department of Diversity/Civil Rights Certification Activity Report

May 19, 2014

**CERTIFICATION APPLICATIONS RECEIVED – 1st QUARTER
2014– 2012**

	2014	2013	2012
January	14	9	5
February	4	9	7
March	6	13	12
Total	24	31	24

**CERTIFICATION ACTIVITY FOR NEW APPLICATIONS – 1ST QUARTER
2014 - 2012**

	2014	2013	2012
CERTIFIED	15	12	15
DENIED	1	0	3
RETURNED	4	4	4
WITHDRAWN	3	2	2
TOTAL	23	18	24

MTA SMALL BUSINESS MENTORING PROGRAM UPDATE

May 19, 2014

MTA Small Business Mentoring Program Update

January to March 2014

- **Seven contracts have been awarded, totaling \$4.7 million.**
- **Six of these contracts were awarded to New York State certified M/WDBE firms, totaling over \$3.6 million.**
- **55 firms were pending pre-qualification.**
- **Two loans were approved and closed, totaling \$250,000. Participating firms may apply for small business loans, the maximum value of the loan shall be the lesser of \$150,000, or 30% of contract value.**

MTA SMALL BUSINESS FEDERAL PROGRAM UPDATE

May 19, 2014

MTA Small Business Federal Program Update

January to March 2014

- **One project was awarded, totaling \$2.4 million.**
- **Twenty-two firms are prequalified, and 15 firms were pending prequalification.**
- **Participating firms may apply for small business loans, the maximum value of the loan shall be the lesser of \$900,000, or 30% of contract value.**
- **A Surety Bond Assistance Program is being finalized with Willis/ACE Surety. Participating firms are eligible for surety bond assistance up to \$3 million.**

M/W/DBE CONTRACT COMPLIANCE

First Quarter 2014 Update

May 19, 2014

DBE Participation in Federally Funded Contracts
Federal Fiscal Year 2014*
(October 1, 2013 to March, 2014)

- Each year, MTA reports to the Federal Transit Administration on a semi-annual basis DBE participation in federally funded contracts.
- Reports are submitted on June 1st -- covering October through March, and December 1st -- covering April through September. The December report also summarizes data for the entire federal fiscal year ("FFY").
- Reports include data on DBE participation in new awards and payments on completed contracts.
- For FFY 2014, MTA set an overall DBE goal of 17%.
- From October 2013 through March 2014, \$843.6 million was awarded as the federally funded portion of contracts, with over \$169.6 million (20%) being awarded to certified DBEs.
- From October 2012 through March 2014, \$608.5 million was paid to prime contractors, with payments to certified DBEs totaling approximately \$92 million (15%).

* Dollar amounts represent the federally funded portion of contracts. The Federal Fiscal Year runs from October 1st through September 30th.

**FEDERALLY-FUNDED CONTRACTS
DBE CONTRACT ACTIVITY
FEDERAL FISCAL YEAR 2014 (OCTOBER 2013 - MARCH 2014)**

AWARDS*

CONTRACT AWARDS	PRIME AWARDS		DBE PARTICIPATION			OVERALL FTA GOAL
	Number of Contracts	Award Amount	Number of DBE Contracts	DBE Award Amount	% To Agency Total	
1st SEMI-ANNUAL REPORT October 2013-March 2014	34	\$843,643,502	59	\$169,962,001	20%	17%
TOTAL	34	\$843,643,502	59	\$169,962,001	20%	17%

PAYMENTS

CONTRACT PAYMENTS	PAYMENTS TO PRIMES		DBE PARTICIPATION			OVERALL FTA GOAL
	Number of Contracts	Payment Amount	Number of DBE Subcontracts	DBE Payment Amount	% To Agency Total	
1st SEMI-ANNUAL REPORT October 2013 - March 2014	410	\$608,532,033	2,552	\$91,976,131	15%	17%
TOTAL	410	\$608,532,033	2,552	\$91,976,131	15%	17%

*Dollar amounts represent the federally-funded portion of contracts.

DBE CONTRACT AWARDS
FEDERAL FISCAL YEAR 2011
October 2010 - September 2011

	Total Awards	Total DBE Awards	DBE%
October 2010 - March 2011	\$747,606,517	\$79,800,552	11%
April 2011 - September 2011	\$210,145,463	\$24,262,919	12%
Total 2011	\$957,751,980	\$104,063,471	11%

DBE CONTRACT AWARDS
FEDERAL FISCAL YEAR 2012
October 2011 - September 2012

	Total Awards	Total DBE Awards	DBE%
October 2011 - March 2012	\$307,074,469	\$34,327,000	11%
April 2012 - September 2012	\$156,564,018	\$21,416,153	14%
Total 2012	\$463,638,487	\$55,743,153	12%

DBE CONTRACT AWARDS
FEDERAL FISCAL YEAR 2013
October 2012 - September 2013

	Total Awards	Total DBE Awards	DBE%
October 2012 - March 2013	\$845,238,320	\$109,007,346	13%
April 2013 - September 2013	\$699,047,960	\$97,557,356	14%
Total 2013	\$1,544,286,280	\$206,564,702	13%

DBE CONTRACT AWARDS
FEDERAL FISCAL YEAR 2014
October 2013 - March 2014

	Total Awards	Total DBE Awards	DBE%
October 2013 - March 2014	\$843,643,502	\$169,962,001	20%
Total 2014	\$843,643,502	\$169,962,001	20%

DBE CONTRACT PAYMENTS
FEDERAL FISCAL YEAR 2011
October 2010 - September 2011

	Total Prime Payments	Total DBE Payments	DBE%
October 2010 - March 2011	\$601,662,839	\$85,665,553	14%
April 2011 - September 2011	\$754,426,914	\$87,309,466	12%
Total 2011	\$1,356,089,753	\$172,975,019	13%

DBE CONTRACT PAYMENTS
FEDERAL FISCAL YEAR 2012
October 2011 - September 2012

	Total Prime Payments	Total DBE Payments	DBE%
October 2011 - March 2012	\$652,219,929	\$100,229,968	15%
April 2012 - September 2012	\$812,570,064	\$90,441,254	11%
Total 2012	\$1,464,789,993	\$190,671,222	13%

DBE CONTRACT PAYMENTS
FEDERAL FISCAL YEAR 2013
October 2012 - September 2013

	Total Prime Payments	Total DBE Payments	DBE%
October 2012 - March 2013	\$586,192,865	\$62,515,499	11%
April 2013 - September 2013	\$573,253,404	\$75,451,916	13%
Total 2013	\$1,159,446,269	\$137,967,415	12%

DBE CONTRACT PAYMENTS
FEDERAL FISCAL YEAR 2014
October 2013 - March 2014

	Total Prime Payments	Total DBE Payments	DBE%
October 2013-March 2014	\$608,532,033	\$91,976,131	15%
Total 2014	\$608,532,033	\$91,976,131	15%

**MWBE Participation in State Funded Contracts
New York State Fiscal Year 2013-2014
(April 2013 to March 2014)***

- Each year, MTA reports to the Empire State Development Corporation on a quarterly basis MWBE participation on state funded contracts.
- Reports are submitted 15 days after the end of each quarter, on January 15th, April 15th, July 15th, and October 15th.
- Reports include data on contracts with goals and MWBE contract payments.
- MTA established an overall MWBE goal of 20% for State fiscal year 2013-2014, starting on April 1, 2013.
- For NYS Fiscal Year 2013-2014, \$639.4 million was awarded in NY State funded contracts, with approximately \$167 million (26%) awarded to certified MWBEs.
- For NYS Fiscal Year 2013-2014, over \$1.2 billion was paid on prime contracts with \$286.6 million (23%) paid to MWBEs.

*The State Fiscal Year runs from April 1st through March 31st.

NYS CONTRACTS*
MWBE CONTRACT ACTIVITY
APRIL 2013 - MARCH 2014
AWARDS

CONTRACT AWARDS	PRIME AWARDS		MWBE AWARDS			NYS Goal
	Number of Contracts	Award Amount	Number of Subcontracts	MWBE Award Amount	MWBE %	
FIRST QUARTER APRIL 2013-JUNE 2013	740	\$116,955,585	778	\$41,507,410	35%	20%
SECOND QUARTER JULY 2013-SEPTEMBER 2013	99	\$195,012,501	153	\$35,562,098	18%	20%
THIRD QUARTER OCTOBER 2013-DECEMBER 2013	128	\$240,110,260	206	\$57,368,815	24%	20%
FOURTH QUARTER JANUARY 2014-MARCH 2014	98	\$87,365,455	152	\$32,445,227	37%	20%
TOTAL	1,065	639,443,801	1,289	166,883,549	26%	20%

PAYMENTS

CONTRACT PAYMENTS	PAYMENTS TO PRIMES		MWBE PARTICIPATION			NYS Goal
	Number of Contracts	Payment Amount	Number MWBE Contracts	MWBE Payment Amount*	MWBE %	
FIRST QUARTER APRIL 2013-JUNE 2013	1,300	\$341,714,029	1,942	\$73,665,416	22%	20%
SECOND QUARTER JULY 2013-SEPTEMBER 2013	1,651	\$292,881,193	2,078	\$75,970,936	26%	20%
THIRD QUARTER OCTOBER 2013-DECEMBER 2013	1,435	\$320,491,973	1,894	\$74,313,852	23%	20%
FOURTH QUARTER JANUARY 2014-MARCH 2014	1,690	\$283,143,437	2,040	\$62,645,543	22%	20%
TOTAL	6,076	1,238,230,632	7,954	286,595,747	23%	20%

*This amount includes payments made to MWBE prime and subcontractors.

FY 2010 - 2014 MWBE AWARDS

FY 2010 - 2011 MWBE AWARDS

April 2010 - March 2011

	AGENCY	AGENCY PRIME AWARDS	MBE AWARDS	MBE%	WBE AWARDS	WBE %	Total MWBE	Total MWBE %
QTR 1	MTA	\$297,041,320.00	\$20,706,207.93	7%	\$5,209,733.93	2%	\$25,915,941.86	9%
QTR 2	MTA	\$917,140,458.07	\$23,821,940.07	3%	\$22,300,092.39	2%	\$46,122,032.46	5%
QTR 3	MTA	\$385,554,535.14	\$12,956,724.39	3%	\$7,437,970.04	2%	\$20,394,694.43	5%
QTR 4	MTA	\$2,472,567,055.91	\$48,452,610.07	2%	\$34,764,694.97	1%	\$83,217,305.04	3%
TOTALS		\$4,072,303,369.12	\$105,937,482.46	3%	\$69,712,491.33	2%	\$175,649,973.79	4%

FY 2011 - 2012 MWBE AWARDS

April 2011 - March 2012

	AGENCY	AGENCY PRIME AWARDS	MBE AWARDS	MBE%	WBE AWARDS	WBE %	Total MWBE	Total MWBE %
QTR 1	MTA	\$366,342,216.15	\$12,418,881.74	3%	\$6,861,257.88	2%	\$19,280,139.62	5%
QTR 2	MTA	\$360,271,682.25	\$17,787,455.35	5%	\$11,549,549.71	3%	\$29,337,015.06	8%
QTR 3	MTA	\$1,032,607,348.91	\$67,793,667.99	7%	\$44,284,801.56	4%	\$112,078,469.55	11%
QTR 4	MTA	\$79,386,110.72	\$4,205,168.61	5%	\$2,830,735.04	4%	\$7,035,903.65	9%
TOTALS		\$1,838,607,358.03	\$102,205,183.69	6%	\$65,526,344.19	4%	\$167,731,527.88	9%

FY 2012 - 2013 MWBE AWARDS

April 2012 - March 2013

	AGENCY	AGENCY PRIME AWARDS	MBE AWARDS	MBE%	WBE AWARDS	WBE %	Total MWBE	Total MWBE %
QTR 1	MTA	\$127,257,439.59	\$20,261,495.39	16%	\$18,869,068.95	15%	\$39,130,564.34	31%
QTR 2	MTA	\$215,936,782.18	\$25,266,811.23	12%	\$21,435,174.37	10%	\$46,701,985.60	22%
QTR 3	MTA	\$246,752,495.71	\$39,483,610.43	16%	\$28,740,691.79	12%	\$68,224,302.22	28%
QTR 4	MTA	\$128,226,361.58	\$28,785,207.73	22%	\$22,036,570.88	17%	\$50,821,778.61	40%
TOTALS		\$718,173,079.06	\$113,797,124.78	16%	\$91,081,505.99	13%	\$204,878,630.77	29%

FY 2013 - 2014 MWBE AWARDS

April 2013 - March 2014

	AGENCY	AGENCY PRIME AWARDS	MBE AWARDS	MBE%	WBE AWARDS	WBE %	Total MWBE	Total MWBE %
QTR 1	MTA	\$116,955,584.95	\$23,349,641.43	20%	\$18,157,768.33	16%	\$41,507,409.76	35%
QTR 2	MTA	\$195,012,501.37	\$20,680,851.21	11%	\$14,881,246.39	8%	\$35,562,097.60	18%
QTR 3	MTA	\$240,110,260.25	\$31,353,894.35	13%	\$26,014,920.27	11%	\$57,368,814.62	24%
QTR 4	MTA	\$87,365,454.79	\$20,812,616.50	24%	\$11,632,610.17	13%	\$32,445,226.67	37%
TOTALS		\$639,443,801.36	\$96,197,003.49	15%	\$70,686,545.16	11%	\$166,883,548.65	26%

FY 2010 - 2011 MWBE PAYMENTS

April 2010 - March 2011

	AGENCY	AGENCY EXPENDITURE	MBE Utilization	MBE%	WBE Utilization	WBE %	Total M/WBE	Total M/WBE %
QTR. 1	MTA	\$414,102,581.35	\$15,512,913.87	4%	\$14,753,548.46	4%	\$30,376,462.33	7%
QTR. 2	MTA	\$424,177,910.35	\$14,061,508.46	3%	\$9,170,294.18	2%	\$23,231,802.64	5%
QTR. 3	MTA	\$542,212,151.16	\$24,538,471.02	5%	\$13,569,937.39	3%	\$38,128,408.41	7%
QTR. 4	MTA	\$461,104,816.60	\$15,032,845.43	3%	\$8,214,175.56	2%	\$23,247,021.99	5%
TOTALS		\$1,841,597,459.45	\$69,245,738.78	4%	\$45,737,956.59	2%	\$114,983,695.37	6%

FY 2011 - 2012 MWBE PAYMENTS

April 2011 - March 2012

	AGENCY	AGENCY EXPENDITURE	MBE Utilization	MBE%	WBE Utilization	WBE %	Total M/WBE	Total M/WBE %
QTR. 1	MTA	\$209,773,476.37	\$21,098,721.89	10%	\$9,293,370.71	4%	\$30,392,092.60	14%
QTR. 2	MTA	\$253,958,630.00	\$17,459,063.82	7%	\$16,619,780.35	7%	\$34,078,844.17	13%
QTR. 3	MTA	\$338,892,027.99	\$21,557,860.35	6%	\$20,427,398.26	6%	\$41,995,258.61	12%
QTR. 4	MTA	\$271,257,277.77	\$23,657,516.59	9%	\$28,459,076.23	10%	\$52,116,592.82	19%
TOTALS		\$1,073,881,412.13	\$83,783,162.65	8%	\$74,799,625.55	7%	\$158,582,788.20	15%

FY 2012 - 2013 MWBE PAYMENTS

April 2012 - March 2013

	AGENCY	AGENCY EXPENDITURE	MBE Utilization	MBE%	WBE Utilization	WBE %	Total M/WBE	Total M/WBE %
QTR. 1	MTA	\$359,154,511.76	\$30,152,592.82	8%	\$35,714,722.73	10%	\$65,867,315.55	18%
QTR. 2	MTA	\$279,965,924.79	\$33,642,857.51	12%	\$32,348,288.72	12%	\$65,991,146.23	24%
QTR. 3	MTA	\$267,401,198.55	\$37,756,662.97	14%	\$26,350,594.79	10%	\$64,107,257.76	24%
QTR. 4	MTA	\$303,256,313.54	\$34,305,801.85	11%	\$30,939,263.99	10%	\$65,245,065.84	22%
TOTALS		\$1,209,787,948.63	\$135,857,915.15	11%	\$125,352,870.23	10%	\$261,210,785.37	22%

FY 2013 - 2014 MWBE PAYMENTS

April 2013 - March 2014

	AGENCY	AGENCY EXPENDITURE	MBE Utilization	MBE%	WBE Utilization	WBE %	Total M/WBE	Total M/WBE %
QTR. 1	MTA	\$341,714,029.48	\$40,020,062.27	12%	\$33,645,353.40	10%	\$73,665,415.67	22%
QTR. 2	MTA	\$292,881,192.58	\$41,026,933.68	14%	\$34,944,002.41	12%	\$75,970,936.09	26%
QTR. 3	MTA	\$320,491,973.00	\$39,377,640.00	12%	\$34,935,213.00	11%	\$74,313,852.00	23%
QTR. 4	MTA	\$283,143,437.00	\$32,883,478.00	12%	\$29,762,065.00	11%	\$62,645,543.00	22%
TOTALS		\$1,238,230,632.06	\$153,308,113.95	12%	\$133,287,633.81	11%	\$286,595,746.76	23%

MTA ALL AGENCY
DISCRETIONARY PROCUREMENT REPORT*
April 2013 - March 2014

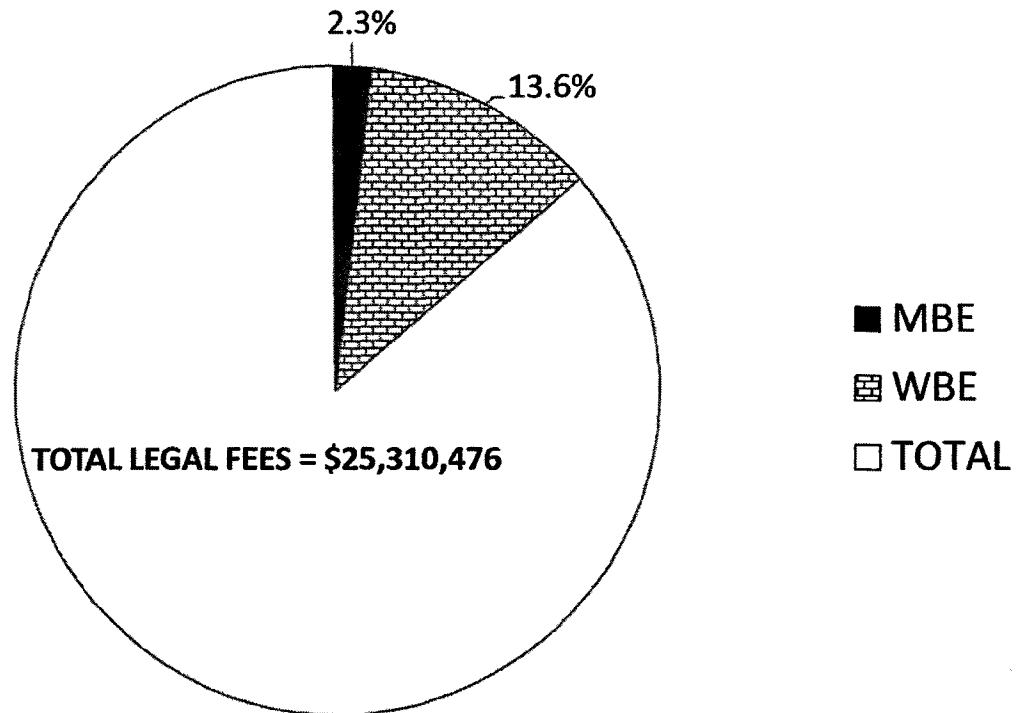
Agency	Total Award Amount	Total MWBE Awards	MWBE %	MWBE Discretionary Awards	Discretionary MWBE%
MTA NYCTA	\$183,191,612	\$16,252,720	9%	\$8,714,427	5%
MTA MNR	\$44,363,689	\$5,603,819	13%	\$2,435,959	5%
MTA B&T	\$8,162,865	\$1,959,380	24%	\$667,389	8%
MTA LIRR	\$45,370,634	\$4,588,545	10%	\$1,506,108	3%
MTA HQ	\$9,887,221	\$1,044,802	11%	\$354,857	4%
MTA CC	\$421,176	\$192,954	46%	\$7,084	2%
MTA BUS	\$23,860,100	\$1,180,136	5%	\$683,546	3%
Total	\$315,257,297	\$30,822,356	10%	\$14,369,369	5%

* Discretionary procurements include purchases for goods, miscellaneous procurements, personal or miscellaneous services that do not exceed \$200,000, which are not federally funded and may be awarded under the New York State Public Authorities Law, to qualified small business concerns or NYS certified Minority and Woman-owned Business Enterprises.

FINANCIAL AND LEGAL SERVICES

May 19, 2014

**MTA ALL AGENCY LEGAL FEES
April 2013- March 2014**



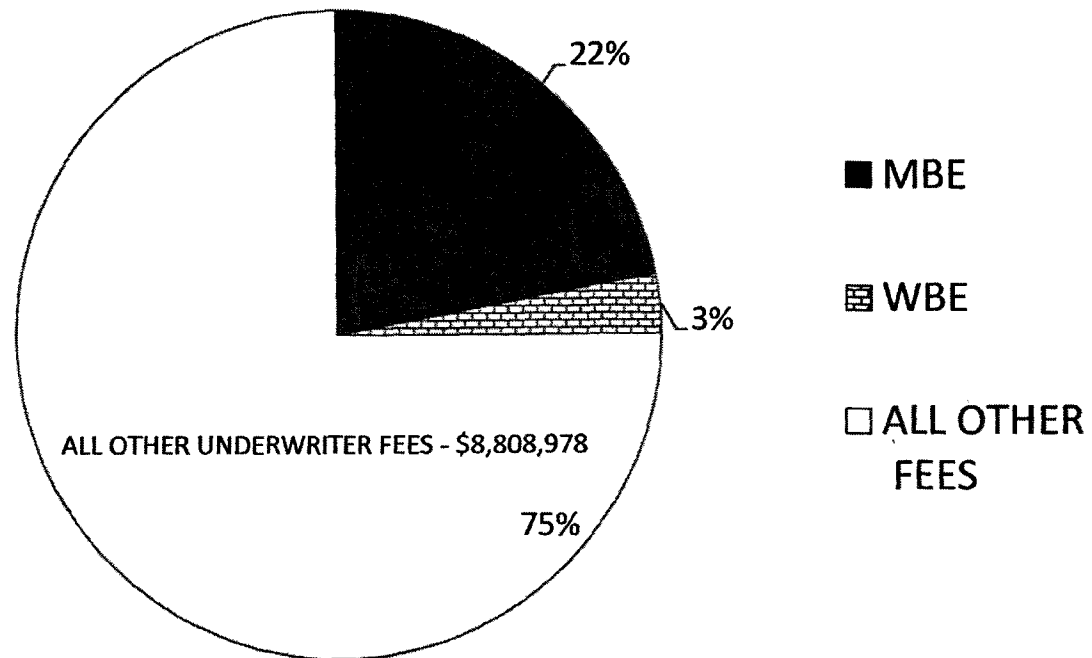
**10% MBE GOAL
10% WBE GOAL**

**Actual MBE Participation = \$574,608 or 2.3%
Actual WBE Participation = \$3,450,772 or 13.6%**

MTA ALL AGENCY LEGAL FEES PAID
APRIL THROUGH MARCH 2014

AGENCY	All Fees Paid	MBE Fees Paid	Agency MBE Participation	WBE Fees Paid	Agency WBE Participation
B & T	\$822,959	\$0	0.0%	\$96,094	11.7%
LIRR	\$922,429	\$135,998	14.7%	\$2,400	0.3%
MTABUS	\$3,153,186	\$78,657	2.5%	\$462,834	14.7%
MTACC	\$2,935,591	\$0	0.0%	\$1,431,184	48.8%
MTAHQ	\$7,331,602	\$7,824	0.1%	\$234,768	3.2%
MNR	\$1,568,395	\$46,247	2.9%	\$7,186	0.5%
NYCTA	\$8,576,315	\$305,881	3.6%	\$1,216,306	14.2%
TOTAL	\$25,310,476	\$574,608	2.3%	\$3,450,772	13.6%

MTA ALL AGENCIES UNDERWRITER FEES April 2013-MARCH 2014



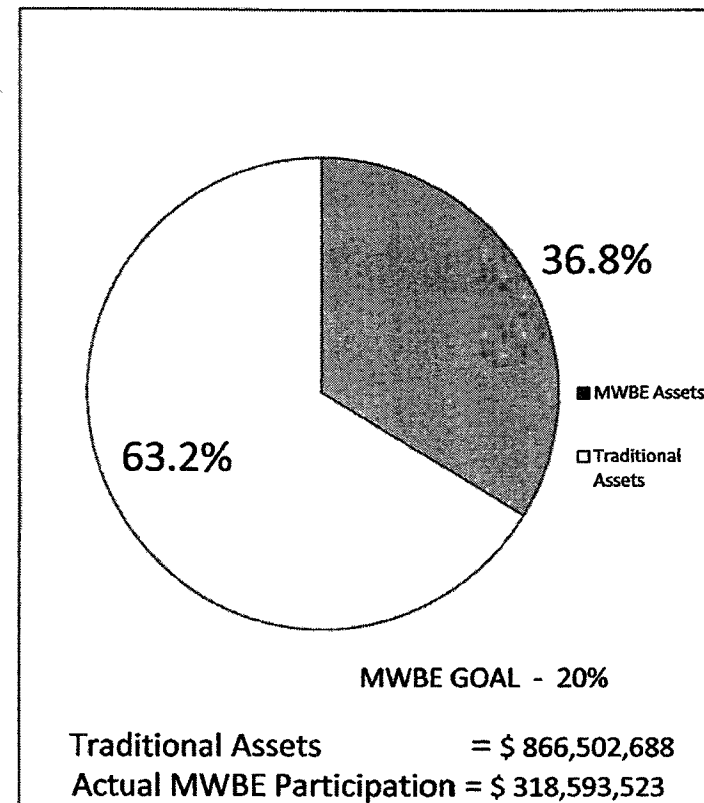
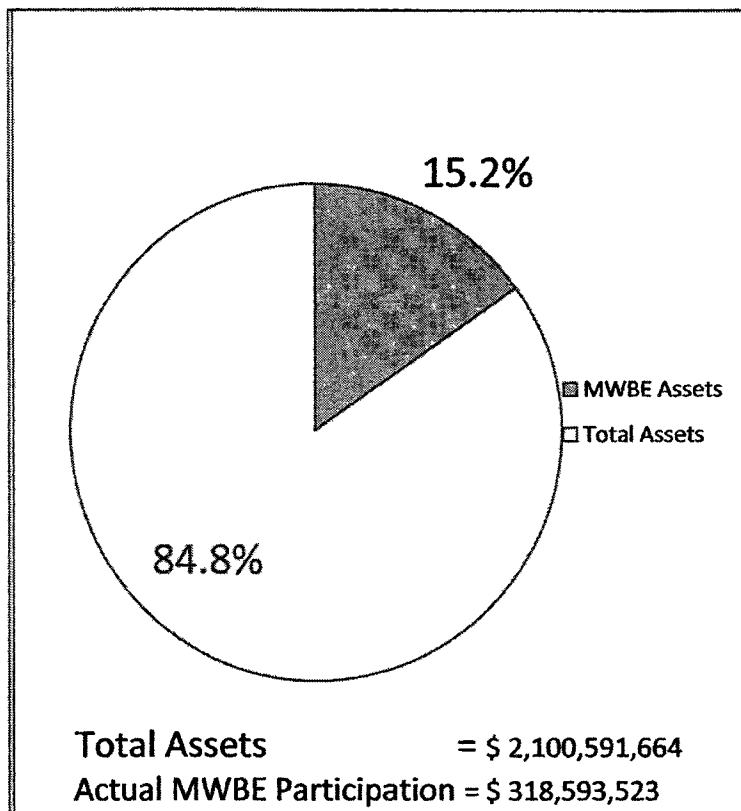
10% MBE GOAL
10% WBE GOAL

Total Underwriter Fees = \$11,860,828 or 100%
Actual MBE Participation = \$2,649,694 or 22%
Actual WBE Participation = \$402,156.26 or 3%

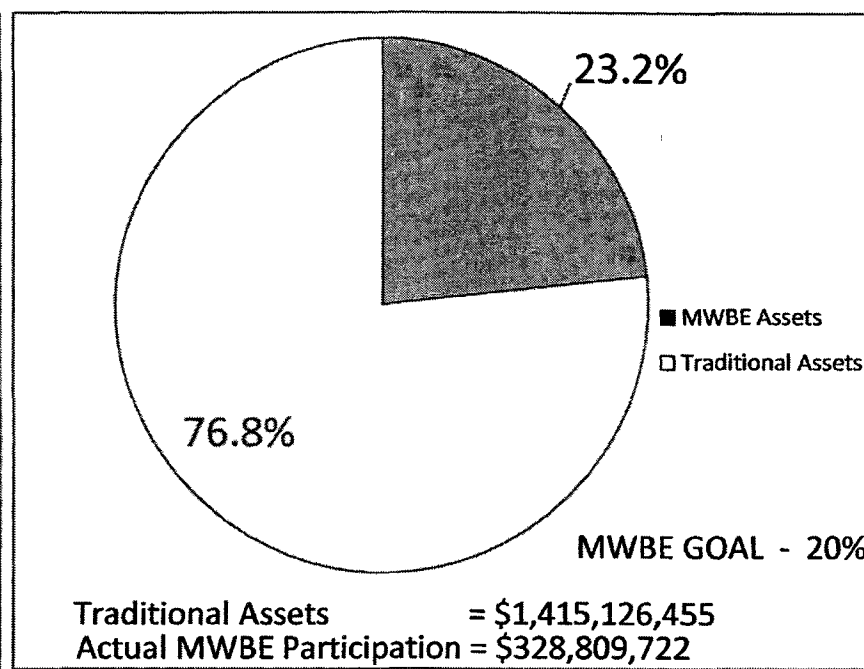
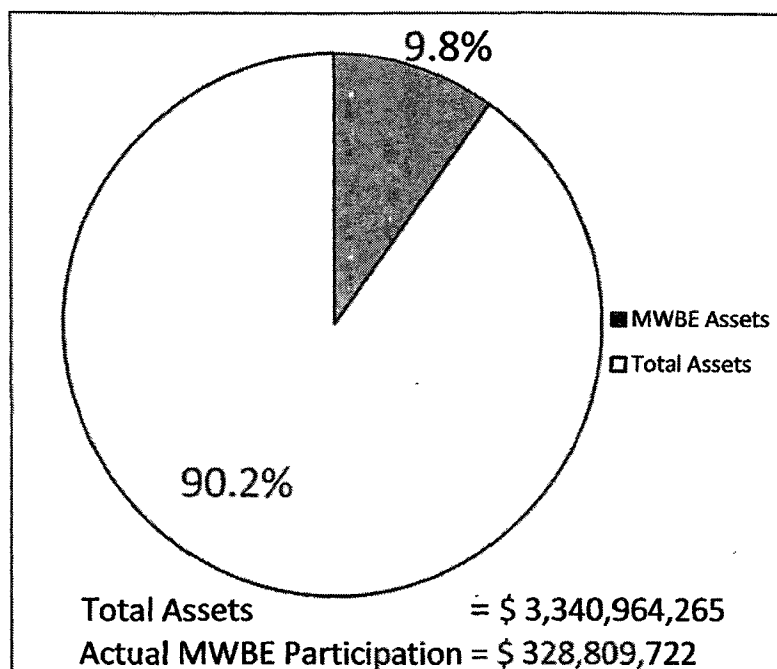
MTA ASSET FUND MANAGERS

May 19, 2014

Asset Fund Managers MTA MaBSTOA Pension Plan As of 03/31/2014



Asset Fund Managers
MTA Defined Benefit Pension Plan
Including LIRR Additional Plan
As of 03/31/2014



* Traditional assets include domestic equities, international equities, emerging market equities as well as fixed income. In previous presentations, international equities and emerging market equities were excluded from the group of traditional assets.			

**MTA CAPITAL PROJECTS
M/W/DBE AWARDS
JANUARY- MARCH 2014**

May 19, 2014

M/W/DBE AWARDS ON CAPITAL PROJECTS WITH GOALS JANUARY 2014 - MARCH 2014

FEDERALLY FUNDED	JANUARY 2014 (in millions)			FEBRUARY 2014 (in millions)			MARCH 2014 (in millions)			TOTAL (in millions)		
DBE Participation Goal: 17%	Total Awards	Total DBE Awards	DBE Participation (%)	Total Awards	Total DBE Awards	DBE Participation (%)	Total Awards	Total DBE Awards	DBE Participation (%)	Total Awards	Total DBE Awards	DBE Participation (%)
Construction	\$ -	\$ -	0.0%	\$ -	\$ -	0.0%	\$ 642.5	\$ 14.7	22.4%	\$ 642.5	\$ 14.7	22%
Professional Services												
Other												
TOTAL	\$ -	\$ -	0.0%	\$ -	\$ -	0.0%	\$ 642.5	\$ 14.7	22.4%	\$ 642.5	\$ 14.7	22%
Additional MWBE Participation:	Total Awards	Total MWBE Awards		Total Awards	Total MWBE Awards		Total Awards	Total MWBE Awards		Total Awards	Total MWBE Awards	
Construction	\$ -	\$ -		\$ -	\$ -		\$ 642.5	\$ 134.0	20.8%	\$ 642.5	\$ 134.0	
Professional Services												
Other												
Total	\$ -	\$ -		\$ -	\$ -		\$ 642.5	\$ 134.0		\$ 642.5	\$ 134.0	

STATE FUNDED	JANUARY 2014 (in millions)			FEBRUARY 2014 (in millions)			MARCH 2014 (in millions)			TOTAL (in millions)		
MBE Participation Goal: 10%	Total Awards	Total MBE Awards	MBE Participation (%)	Total Awards	Total MBE Awards	MBE Participation (%)	Total Awards	Total MBE Awards	MBE Participation (%)	Total Awards	Total MBE Awards	MBE Participation (%)
Construction	\$ -	\$ -	0.0%	\$ 12.3	\$ 3.40	27.6%	\$ 2.9	\$ 0.4	13.8%	\$ 15.2	\$ 3.8	25%
Professional Services	\$ 2.4	\$ 0.04	1.6%	\$ 1.0	\$ 0.4	40%	\$ -	\$ -	0.0%	\$ 3.4	\$ 0.44	12.9%
Other	\$ 2.3	\$ 0.3	13.0%	\$ -	\$ -	0.0%	\$ -	\$ -	0.0%	\$ 2.3	\$ 0.3	13.0%
MBE Participation of STA-Lined Projects												
TOTAL	\$ 4.7	\$ 0.34	7.1%	\$ 13.3	\$ 3.8	28.6%	\$ 2.9	\$ 0.4	13.8%	\$ 26.5	\$ 4.6	17%
WBE Participation Goal: 10%	Total Awards	Total WBE Awards	WBE Participation (%)	Total Awards	Total WBE Awards	WBE Participation (%)	Total Awards	Total WBE Awards	WBE Participation (%)	Total Awards	Total WBE Awards	WBE Participation (%)
Construction	\$ -	\$ -	0.0%	\$ 12.3	\$ 2.4	19.5%	\$ 2.9	\$ 0.4	13.8%	\$ 15.2	\$ 2.8	18.4%
Professional Services	\$ 2.4	\$ 1.4	58.3%	\$ 1.0	\$ 0.2	20%	\$ -	\$ -	0.0%	\$ 3.4	\$ 1.6	47.1%
Other	\$ 2.3	\$ 0.2	8.7%	\$ -	\$ -	0.0%	\$ -	\$ -	0.0%	\$ 2.3	\$ 0.2	8.7%
WBE Participation of STA-Lined Projects												
TOTAL	\$ 4.7	\$ 1.6	33.6%	\$ 13.3	\$ 2.6	19.4%	\$ 2.9	\$ 0.4	13.8%	\$ 26.5	\$ 4.6	17%
Additional DBE Participation:	Total Awards	Total DBE Awards		Total Awards	Total DBE Awards		Total Awards	Total DBE Awards		Total Awards	Total DBE Awards	
Construction	\$ -	\$ -		\$ 12.3	\$ 4.9	39.8%	\$ 2.9	\$ 1.1	37.9%	\$ 15.2	\$ 6.0	39.5%
Professional Services	\$ 2.4	\$ 1.4	58.3%	\$ 1.0	\$ 0.2	20%	\$ -	\$ -	0.0%	\$ 3.4	\$ 1.6	47.1%
Other	\$ 2.3	\$ 0.2	8.7%	\$ -	\$ -	0.0%	\$ -	\$ -	0.0%	\$ 2.3	\$ 0.2	8.7%
Additional DBE Participation Total	\$ 4.7	\$ 1.9		\$ 13.3	\$ 5.1		\$ 2.9	\$ 1.1		\$ 26.5	\$ 7.8	

MTA's Title VI Program

May 2014

Title VI Program

- **Title VI was enacted as part of the landmark Civil Rights Act of 1964. 42 U.S.C. §§2000d et seq. It prohibits discrimination on the basis of race, color and national origin in administering the benefits of programs and activities receiving federal financial assistance.**
- **U.S. Department of Transportation (“DOT”) regulations, 49 CFR Part 21, and guidance issued by the Federal Transit Administration (“FTA”), Circular 4702.1B, require recipients of federal assistance to comply with the requirements of Title VI.**

The Importance of Title VI

- **Ensures that public services, including transportation, are provided in a nondiscriminatory manner.**
- **Requires opportunities for public participation activities without regard to race, color or national origin, including those with limited English proficiency.**
- **Requires removal of barriers, if any, to public participation for persons who are limited in English proficiency.**
- **Title VI is included as part of FTA Triennial Reviews.**
- **Non-compliance with Title VI may lead to withholding of federal assistance.**

Title VI Program Components

- **Policies on fare and major service changes, as well as service standards and service policies, which were updated and adopted by the Board on June 3, 2013, governing the following:**
 - **Vehicle Load**
 - **Ratio of passengers to the total number of seats on a vehicle.**
 - **Vehicle Headway (Frequency of Service)**
 - **Interval between two vehicles traveling in the same direction.**
 - **Vehicle Assignment**
 - **Assignment of vehicles into service in depots and on routes throughout the transit system due to variations such as age, type or size.**

Title VI Program Components

- Service Availability**
 - A measure of the distribution of routes within a transit system.**
- On-Time Performance**
 - A measure of trips completed as scheduled.**
- Transit Amenities**
 - Items of comfort and convenience.**
- Title VI complaint procedures for handling customer complaints.**

Title VI Program Components

- **Demographic analysis of transit service area, with demographic maps and charts.**
- **Data regarding customer demographics and travel patterns.**
- **Notice to customers informing them about their rights under Title VI.**
- **Public participation plan, including outreach to minorities and those with limited English proficiency.**
- **Language assistance plan for providing assistance to those with limited English proficiency.**

Title VI Program Components

- **Monitoring compliance with service standards and service policies to ensure service is provided without discrimination on the basis of race, color or national origin and without adverse impact being disproportionately borne by minority or low-income populations.**
- **Equity analyses for major service changes and all fare changes to evaluate their impact on minority and low income populations.**
- **Approval of the Program by the governing board.**
- **Submission of the Program to FTA every three years.**

Results of Assessment of Compliance

Board approved policies were followed to assess the following:

- **Vehicle Load**
 - **No disparities found.**

- **Vehicle Headway (Frequency of Service)**
 - **Disparity found in service provided by MNR to station service areas that have significant low-income population. Mitigation included adjustment of service, *e.g.*, extra station stop added. No disparities found in service provided by other agencies.**

- **Vehicle Assignment**
 - **Disparity found in age of Connecticut Department of Transportation (“CDOT”) owned Shore Line East trains which serve New Haven, Bridgeport and Stamford. New cars are being delivered. No disparities found in service provided by other agencies.**

Results of Assessment of Compliance

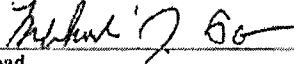
- **Service Availability**
 - **No disparities found.**
- **On-Time Performance**
 - **No disparities found.**
- **Transit Amenities**
 - **No disparities found.**

Results of Assessment of Compliance

- **Agencies continue to follow Board approved policies on fare and major service changes. Public hearings are conducted prior to fare increases and major service changes.**
- **Agencies have adopted and continue to follow procedures for handling Title VI complaints. Record of complaints handled is maintained and reported to the Diversity Committee.**
- **Title VI Notice is placed on MTA's website as well as posted in stations and timetables.**
- **Notices concerning safety, security and general public information are posted in various languages, including Spanish, Chinese, Korean, Russian and Creole.**
- **Customer Service representatives can contact Language Line, a contracted language assistance service, when assisting a customer with limited English proficiency.**




Staff Summary

Page 1 of 1

Subject Title VI Program
Department Department of Diversity and Civil Rights
Department Head Name Michael J. Garner
Department Head Signature 
Project Manager/Division Head Nacem Din

Date May 13, 2014
Vendor Name
Contract Number
Contract Manager Name
Table of Contents Ref #

Board Action					
Order	To	Date	Approval	Info	Other
1	Diversity Committee.	5/19/14	X		
2	Board	5/21/14	X		

Internal Approvals			
Order	Approval	Order	Approval
3	Chief of Staff 		Diversity and Civil Rights 
		2	Legal 

PURPOSE

To obtain Board approval of MTA's Program under Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§2000d *et seq.* ("Title VI Program"), for MTA Headquarters, MTA New York City Transit ("NYC Transit"), MTA Bus Company ("MTA Bus"), MTA Long Island Rail Road ("LIRR"), MTA Capital Construction ("CC") and MTA Metro-North Railroad ("MNR") (the "Agencies"), in satisfaction of Federal Transit Administration's ("FTA") requirements set forth in its Title VI Circular, (Circular 4702.1B, effective October 1, 2012), prior to its submission to the FTA by June 1, 2014.

DISCUSSION

Title VI was enacted as part of the landmark Civil Rights Act of 1964. It prohibits discrimination on the basis of race, color and national origin in administering the benefits of programs and activities receiving federal financial assistance. As a condition of receiving ongoing federal assistance, the MTA is required to comply with Title VI regulations issued by the U.S. Department of Transportation ("DOT"), 49 CFR Part 21. Every three years, FTA requires MTA, on its own behalf and on behalf of the Agencies, to submit a new Title VI Program in accordance with DOT's regulations. The current FTA Title VI Circular requires, among other things, that the MTA's governing board approve its Title VI Program prior to submission to the FTA.

The Circular requires that MTA as part of its Title VI Program, review and update its Title VI policies, which include existing policies for evaluation of fare and service changes as well as existing service standards and service policies. Pursuant to the requirements of the Circular, the MTA Agencies updated their Title VI Policies and organized them by mode of service. For example, there is a set of policies for commuter rail service provided by LIRR and MNR. There is a parallel set of policies for subway and bus service provided by NYC Transit and MTA Bus. These policies are organized in the manner conforming to the current Circular, while remaining substantially the same in content as the pre-existing Title VI policies of the operating agencies. The Board approved these updated Title VI policies at their meeting in June 2013.

MTA and its operating agencies have used the updated Title VI policies to monitor service provided to and to evaluate fare and service changes to determine their impact on minority and low income populations. MTA's monitoring of its service demonstrate that MTA is in compliance with FTA guidelines and service is provided without discrimination on the basis of race, color or national origin and without adverse impacts being disproportionately borne by minority or low-income passengers. The Board has been provided with a briefing on the contents of the Title VI Program.

RECOMMENDATION:

It is recommended that the Board approve MTA's Title VI Program in satisfaction of the requirements of the FTA Title VI Circular.

BOARD RESOLUTION

WHEREAS, Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d *et seq.* ("Title VI"), the U.S. Department of Transportation ("DOT") regulations, 49 CFR Part 21, and the Federal Transit Administration ("FTA") Circular 4702.1B prohibit discrimination on the basis of race, color or national origin by recipients of federal financial assistance in administering the benefits of their programs; and

WHEREAS, as a recipient of federal funds, MTA is required to comply with the requirements of Title VI, the applicable DOT regulations, and the FTA Circular; and

WHEREAS, pursuant to FTA Circular 4702.1B, MTA is required to submit its Title VI Program to the MTA Board for approval; and

WHEREAS, the MTA Board has been briefed on the contents and findings of MTA's Title VI Program;

NOW, THEREFORE IT IS RESOLVED that the Board approves MTA's Title VI Program as described in the attached Staff Summary.