ConnDOT

Title VI
Limited English Proficiency
Environmental Justice

Connecticut Department of Transportation
Division of Contract Compliance

STATE OF CONNECTICUT

DEPARTMENT OF TRANSPORTATION

TITLE VI PLAN

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Section I
Introduction

SECTION I: INTRODUCTION, POLICY STATEMENT AND ASSURANCE

The Connecticut Department of Transportation (ConnDOT) is a recipient of federal financial assistance. As a federal-aid recipient, the ConnDOT will ensure full compliance with *Title VI of the Civil Rights Act of 1964, as amended* (referred to as Title VI) and related statutes and regulations in all ConnDOT programs and activities. Specifically, Title VI provides 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.* Additionally, the *Civil Rights Restoration Act of 1987* (FHWA Notice 4720.6) clarified the original intent of Congress with respect to Title VI, 23 USC 324 (sex), the *Age Discrimination Act of 1975*, and *Section 504 of the Rehabilitation Act of 1973* by restoring the broad, institution-wide scope and coverage of the non-discrimination statutes to include **all** programs and activities of federal-aid recipients, whether or not such programs and activities are federally-assisted.

To satisfy the legal and regulatory requirements as defined in the following cites, the ConnDOT has created and implemented a DOT-wide Title VI Program:

- Title VI of the Civil Rights Act of 1964, as amended (42 USC 2000d to 2000d-4);
- Federal Transit Laws, as amended (FTA C 4702.1A) – This Circular delineates the Federal Transit Administration's (FTA) Title VI requirements;
- Title VIII of the Civil Rights Act of 1968, as amended (42 USC 3601-3619) – This Act is known as the Fair Housing Act and Title VIII of this Act prohibits discrimination with respect to the sale or renting of housing;
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 USC 4601-4655) – This Act is known as the Uniform Act and provides for the uniform and equitable treatment of persons displaced from their homes, businesses, or farms by Federal and federally assisted programs and establishes uniform and equitable land acquisition policies for Federal and federally assisted programs;
- Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794) – "*No otherwise qualified individual with a disability in the United States shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance"* (cite taken from 49 CFR 27.1);
- 23 USC 109(h) – Requires the promulgation of guidelines intended to ensure that "*possible adverse economic, social, and environmental effects relating to any proposed project on any Federal-aid system have been fully considered in developing such project, and that the final decision on the project are made in the best overall public interest....*";
- 23 USC 324 – Prohibits discrimination on the basis of sex;
- 23 CFR 200 – This part delineates the Federal Highway Administration's (FHWA) Title VI regulation;
- 23 CFR 450 & 49 CFR 613 – Joint FTA/FHWA regulation: "Planning Assistance and Standards" (October 28, 1993, unless otherwise noted);

- 23 CFR 771 – Joint FTA/FHWA regulation: "Environmental Impact and Related Procedures" (August 28, 1987);
- FHWA Order 6640.23 – Actions to Address Environmental Justice in Minority Populations and Low-Income Populations;
- 28 CFR 42, Subpart F (Department of Justice regulation) – "Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs" (December 1, 1976, unless otherwise noted);
- 49 CFR 21 – "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964, as amended" (June 18, 1970, unless otherwise noted);
- DOT Order 5610.2 – "U.S. DOT Order on Environmental Justice to Address Environmental Justice in Minority Populations and Low-Income Populations" (EJ) (April 15, 1997);
- DOT Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons (LEP) (December 14, 2005);
- Section 12 of FTA's Master Agreement, FTA MA 13 (October 1, 2006).

ConnDOT has executed a Non-Discrimination & State Assurances Agreement with the FHWA dated August 8, 2007, detailing the Title VI and Americans With Disabilities Act of 1990 (ADA) assurances that the ConnDOT Commissioner has committed the agency to fulfilling (***see Attachment A***). Also, ConnDOT has issued a Title VI Policy Statement dated September 22, 2008 (***see Attachment B***). The FAA has reviewed and accepted the Agreement and Policy Statement as well. Additionally, on an annual basis, the Bureau of Public Transportation electronically executes assurances required by the FTA. Finally, ConnDOT makes available to members of the public a brochure entitled *Your Rights Under Title VI Of The Civil Rights Act Of 1964* (***see Attachment C***). These documents assure FHWA, FTA, and FAA that the ConnDOT Commissioner is committed to implementing all programs, projects, and activities in a non-discriminatory manner.

Section II
Organization

SECTION II: ORGANIZATION AND STAFF RESPONSIBILITIES

Introduction

The Division of Contract Compliance (DCC) has the primary responsibility for implementing ConnDOT's Title VI Program. The DCC Manager administratively reports to the Office of Equal Opportunity & Diversity Director and periodically briefs the Commissioner's Office regarding Title VI issues in the role of the ConnDOT Title VI Specialist. As the ConnDOT Title VI Specialist, the DCC Manager initiates and monitors day-to-day Title VI activities, processes Title VI and Title VIII complaints, and prepares requisite reports. The ConnDOT Commissioner has delegated the responsibility for Title VI implementation to each Bureau Manager through the issuance of a Policy Statement and Assurance.

To assist the ConnDOT Title VI Specialist, each Bureau Manager has appointed a Bureau Program Area Designee. This individual is responsible for performing periodic Title VI reviews within the Bureau and coordinates with the ConnDOT Title VI Specialist regarding Title VI Review observations/recommendations, data collection, and data reporting. The Bureau Program Area Designee will have a responsible position within the Bureau's program area and will have the support of the Bureau Manager when performing Title VI reviews and performing data collection, analysis and reporting. The Bureau Program Area Designee will meet periodically with the ConnDOT Title VI Specialist; and will submit to the Title VI Specialist periodic Title VI reports.

The ConnDOT Title VI Specialist will meet periodically with the Bureau Managers. The Bureau Managers will coordinate with the ConnDOT Title VI Specialist in the dissemination of information specific to their oversight responsibilities. The six ConnDOT Bureaus are as follows:

- Highway Operations;
- Engineering and Construction
- Finance & Administration;
- Aviation & Ports;
- Public Transportation; and
- Policy & Planning.

The federal-aid special emphasis Program areas are as follows:

- Planning;
- Project Development/Environment;
- Rights-of-Way;
- Construction/Maintenance (Includes Contract/Agreement Processing, Pre-qualification, & Award);
- Research;
- Safety; and
- Training.

Responsibilities/Authority For Title VI Activities

The ConnDOT Title VI Specialist has a direct reporting relationship with the Commissioner's Office concerning Title VI issues. The ConnDOT Title VI Specialist administratively reports to the Office of Equal Opportunity & Diversity Director. The DCC currently has (two) Equal Employment Opportunity Specialist 1 positions, (one) Equal Employment Opportunity Specialist 2 position, (one) Equal Employment Opportunity Leadership position, (one) Equal Employment Opportunity Assistant and (one) Secretary 2 position.

The ConnDOT Title VI Specialist shall be responsible for the following:

- Develop and coordinate the implementation of the ConnDOT's overall Title VI Program. These activities include the coordination and monitoring of ConnDOT's Bureaus to ensure continuous and timely completion of Title VI activities;
- Be thoroughly familiar with, and knowledgeable of the federal statutory and regulatory requirements, and the ConnDOT's overall Title VI Program. Additionally, the ConnDOT Title VI Specialist will be involved in oversight and monitoring activities in the various phases of federal-aid project development, so as to assist the Bureau Managers in addressing Title VI issues and to develop an awareness of Title VI concerns;
- Establish procedures to insure the prompt processing, disposition and investigation of all Title VI complaints in accordance with the Title VI Complaint Process (see Chapter III);
- Establish procedures and coordinate with the Bureau Program Area Designees to review ConnDOT policies and procedures to determine the adequacy of the Title VI provisions contained therein, and when necessary, coordinate with the appropriate ConnDOT management to revise such policies and procedures to adequately address Title VI concerns;
- Conduct coordinate and develop cooperatively with the FHWA training programs, regarding Title VI and related statutes for Bureau Program Area Designees and Bureau Managers;
- Prepare and submit by October 1st of each Federal Fiscal Year (FFY) an Annual Title VI Plan Update which will include the accomplishments for the previous FFY, the goals for the next FFY, and an update as to the reviews performed and a schedule of reviews for the next FFY;
- Participate in all transportation decision making;
- Take part in identifying mitigation measures for minorities and low income persons; and when possible determine the effectiveness of such measures;
- Participate in obtaining public involvement, especially in minority and low income areas;
- Attend statewide/regional planning and project meetings/hearings involving Title VI issues or where Title VI impacts have been identified;

- Accompany the Program Area Designee on selected right-of-way activities to compare treatment received by minorities and non-minorities;
- Review all contracting procedures to ensure nondiscrimination;
- Review prequalification/bonding requirements and contractor selection procedures to determine uniformity in their application to minority and non-minority contractors;
- Assist Program Area Designees and subrecipients in communicating contract opportunities to minority/women-owned contractors and subcontractors;
- Participate in the development of Title VI information for dissemination to the general public and where appropriate, provide information in languages other than English (see Chapter VII);
- Establish procedures and coordinate the resolution of Title VI deficiencies with the Bureau Program Area Designees which may result from Title VI Program reviews, federal agency citations, or through other methods. Resolutions of Title VI deficiencies will be completed and submitted to the appropriate parties within a period not to exceed ninety (90) days;
- Conduct reviews of special emphasis federal-aid Program areas as required (i.e., advertising procedures, legal notices, consultant selection, etc.); and
- Conduct or coordinate reviews of local public agencies, universities, etc., that receive US Department of Transportation funding as to their Title VI compliance.

Bureau Managers

The manager of each Bureau is responsible for the implementation of the Title VI Program area(s) within his/her Bureau. The Bureau Manager will designate a Bureau Program Area Designee to act as the Bureau's Title VI liaison; the Bureau Program Area Designee will coordinate with the ConnDOT Title VI Specialist. The Designee will be responsible for the administration of the respective Bureau's Title VI Program area(s). The Bureau Manager will advise the ConnDOT Title VI Specialist of any interim changes in the Bureau Program Area Designee(s) immediately following the occurrence.

Bureau Program Area Designees

The Bureau Program Area Designees have the following responsibilities:

- Develop the Bureau's Title VI Program (Bureau of Public Transportation) or provide periodic reports to the ConnDOT Title VI Specialist for inclusion in the Annual Title VI Plan Update. The final Bureau Title VI report for the FFY will be provided to the ConnDOT Title VI Specialist by September 1st of each FFY. These reports will be reviewed by the Bureau Manager prior to providing the reports to the ConnDOT Title VI Specialist. The Bureau Manager will meet with the ConnDOT Title VI Specialist to discuss any Title VI issues;
- Conduct a review of selected elements within the federal-aid Program area(s) and will submit an annual report via the Bureau Manager to the ConnDOT Title VI Specialist describing the reviews performed, observations and recommendations, and will provide a list of reviews to be performed in the next FFY;

- Continually monitor the Bureau's Title VI implementation progress and track accomplishments towards the identification and elimination of discrimination and recommend corrective actions as necessary; and
- Address the ConnDOT Title VI Specialist's and/or federal agency's comments regarding Bureau Program Area Title VI deficiencies. All deficiencies will be clearly defined and corrective actions will be stated in writing. All corrective actions implemented or at least initiated within ninety (90) days.

Section III
Complaint Procedure

SECTION III: TITLE VI COMPLAINT INVESTIGATION PROCESS

A) WHAT IS AN INVESTIGATION?

An investigation is an official inquiry for the purpose of determining whether there has been a violation of the laws or statutes, and includes a determination of appropriate relief where a violation has been found. An investigation requires an objective gathering and analysis of the evidence, which will ensure that the final decision is as accurate as possible.

B) ROLE OF THE INVESTIGATOR

The investigator is a neutral party provided by the agency to conduct an investigation of the issues raised in a complaint. The investigator's behavior, demeanor, and attitude reflect the agency and may affect the degree of cooperation received from the parties. The investigator has an obligation to identify and obtain relevant evidence from all available sources in order to resolve all of the issues under investigation. ***The investigator is not an advocate for the complainant or the respondent***. The investigator is a neutral fact finder.

C) RESPONSIBILITIES OF THE INVESTIGATOR

The Investigator MUST:

- Never express his/her opinions;
- Never tell the parties that the complaint represents a good case or that the complaint is frivolous;
- Always remain NEUTRAL. DO NOT take sides;
- Write the FACTS. State what the facts are based upon the evidence or testimony;
- Stay in control at all levels of the process;
- Decide who is to be interviewed. If the Complainant or the Respondent is adamant about a witness interview, perform the interview;
- Decide when sufficient evidence has been gathered to begin writing the investigative report;
- Always remain professional and polite;
- Be patient; and
- Be a good listener.

D) THEORIES OF DISCRIMINATION

A *Theory of Discrimination* refers to the *Type of Discrimination*:

- INTENTIONAL DISCRIMINATION/DISPARATE TREATMENT – The decision maker was aware of the complainant's race, color, national origin, sex, age, or disability and acted at least in part because of that information. The action was taken because of the complainant's race, color, national origin, sex, age, or disability;
- DISPARATE/ADVERSE IMPACT – Discrimination which occurs when a neutral policy or procedure has a disproportionate impact on a protected class. The practice, even though applied equally to all, has the effect of excluding or otherwise adversely affecting a particular group; and

- RETALIATION – Discrimination against persons because of the filing of a complaint, participation in an investigation, or opposing a practice made unlawful pursuant to the laws.

E) ELEMENTS OF PROOF

HOW DOES THE INVESTIGATOR PROVE DISCRIMINATION?

- ESTABLISH A PRIMA FACIE CASE – The complainant has the responsibility of initially establishing a prima facie case of discrimination. A prima facie case means that the complainant has provided information, which contains all of the elements necessary for a complaint of discrimination. Establishing a prima facie case requires the following elements:
  1. Complainant is a member of a protected group;
  2. Complainant was harmed by some decision; and
  3. Similarly situated persons of a different group were not or would not have been harmed under similar circumstances.

  These elements constitute an ideal complaint of discrimination and establish a prima facie case. However, in many situations, the Investigator will not initially have all of these elements. It is the Investigator's responsibility to obtain from the complainant all missing information.

- DURING THE INVESTIGATION – One of the first items that must be determined by the Investigator from the Respondent is the reasons for the Respondent's actions against the Complainant. In other words, establish the Respondent's legitimate non-discriminatory reasons for the actions taken against the Complainant. The Investigator must also obtain evidence to determine whether Respondent's reasons are true based upon the evidence or whether the reasons are an excuse (pretext) to discriminate against the Complainant.

- OBTAINING THE EVIDENCE – During the investigation, the Investigator should obtain the following types of evidence:

  1. Respondent's polices and procedures;
  2. Evidence establishing actions taken against the Complainant;
  3. Evidence establishing how others, not in the Complainant's group, were treated in similar situations;
  4. Evidence establishing the normal policies and procedures and how the Respondent followed or did not follow the normal policies and procedures when making the decision/action involving the Complainant;
  5. Evidence establishing whether the Respondent followed the normal policies and procedures for similarly situated persons; and
  6. A position statement from the Respondent outlining the reasons for the action taken against the Complainant.

F) EXAMPLES OF ELEMENTS OF PROOF

INTENTIONAL DISCRIMINATION –

- Complainant is a member of a protected group;
- Complainant was excluded from participation in or denied the benefits of a program or activity receiving federal financial assistance;
- Complainant was rejected despite his/her eligibility;
- Respondent selected applicants, whose race, color, national origin, sex, age, or disability were different from the Complainant; or
- The Program remained open and the Respondent continued to accept applications from applicants of a different race, color, national origin, sex, age, or disability than the Complainant.

DISPARATE/ADVERSE IMPACT –

- Respondent has a facially neutral policy or practice that has affected the Complainant;
- The policy or practice operates to disproportionately exclude members of the protected group;
- The policy or practice is not a business necessity; or
- There is an effective business alternative with a less adverse impact.

RETALIATION –

- Complainant opposed any policy or practice made unlawful or participated in any manner in an activity pursuant to the laws prohibiting discrimination;
- The individual who allegedly retaliated against Complainant knew or should have known of the opposition or participation;
- An adverse action was taken against the Complainant subsequent to the protected activity;
- There was a ***causal connection** between the opposition or participation and the decision made involving the Complainant;
- There was a legitimate, non-discriminatory reason for the action taken; or
- The articulated reason is a pretext for retaliatory discrimination.

Causal connection:

To establish a causal connection, establish the following –

- *Did the treatment of the Complainant change after the protected activity;*
- *Time line: How long after the initial protest did the adverse action occur; and*
- *Compare the Complainant's treatment with others who were not engaged in the protected activity.*

G) COMPLAINT PROCESS

All Title VI complaints will be filed in accordance with the following Title VI Complaint Procedures:

Any person alleging to be aggrieved by a discriminatory practice may in person or through a legal representative, obtain a Title VI Complaint Reporting Form, fill it out and file said complaint with the ConnDOT Title VI Specialist or other Bureau Manager:

- Within 180 days following the date of the alleged discriminatory action; or
- The date when the person(s) became aware of the alleged discriminatory action.

Alternatively, the ConnDOT Title VI Specialist may complete the Complaint Reporting Form and attach the Complainant's letter.

All complaints will be referred to the ConnDOT's Title VI Specialist. The ConnDOT Title VI Specialist will review the complaint and inform the appropriate Bureau Program Area Designee. Complaints must be in writing, signed by the Complainant or representative, and include the Complainant's name, address, and telephone number, or other means by which the Complainant may be contacted. Complaints shall explain as fully as possible the facts and circumstances surrounding the alleged discriminatory action, and identify the individual(s) and/or organization(s) responsible for the alleged discriminatory action. In cases where the Complainant will be assisted in converting an oral complaint into a written complaint, the Complainant is required to sign the written complaint. Signed allegations of discrimination received by facsimile or e-mail will be acknowledged and processed. Complaints received by telephone will be reduced to writing and provided to the complainant for confirmation, revision and signature before processing (***see attachment D***).

The ConnDOT Title VI Specialist or the Bureau Manager receiving the written complaint will review the written complaint to ensure that the required information is provided, the complaint is timely, and is within the appropriate jurisdiction. The complaint will be accepted unless it is withdrawn, is not filed timely, or the Complainant fails to provide the required information after a written follow-up request for the missing information.

Issues that do not involve discrimination or are not based upon a protected basis will not be directed to the appropriate entity. Individuals should never be discouraged from filing a written complaint.

Complaints Filed Against The Department

Written complaints filed with the Department in which the Department is named as the Respondent will be forwarded to the FHWA Office of Civil Rights (HCR) for processing. The allegation(s) will be analyzed by HCR and the Complainant will be notified by HCR of the status of the complaint. The ConnDOT Title VI Specialist may conduct an

independent evaluation regarding affected Department policy and may direct actions be taken within the Department to address any policy deficiencies or findings.

Complaints Filed Against A Sub-recipient

Written complaints filed with the Department in which a Department sub-recipient (i.e., contractor, subcontractor, consultant, sub-consultant, or other sub-recipient) is named as the Respondent will be analyzed and investigated by the ConnDOT Title VI Specialist. The ConnDOT Title VI Specialist may forward a complaint against a sub-recipient to the FHWA HCR for investigation. Once the investigation has been conducted and the investigative report (IR) written, the Title VI Specialist will forward a copy of the complaint, and a copy of the IR within sixty (60) days of the complaint receipt date to the FHWA Division Office Civil Rights Specialist.

A complaint log will be maintained for all complaints filed with and investigated by the Department (***see Attachment E***). The Investigator will advise the Complainant of his/her rights under Title VI, Title VIII, and related statutes.

The Respondent is notified by the Department that he/she has been named in a complaint. The letter will indicate the Investigator's name and inform the Respondent that he/she will be contacted for an interview. The complaint investigation will be completed within forty (40) days of the date of receipt.

H) INVESTIGATION PROCESS

The Investigative Process includes the following documents/actions:

- INVESTIGATIVE PLAN
- REQUEST FOR INFORMATION
- CONDUCTING INTERVIEWS
- ON-SITE VISIT
- OBTAINING EVIDENCE
- ANALYZING DATA
- WRITING THE INVESTIGATIVE REPORT

INVESTIGATIVE PLAN

The Investigative Plan is a working document intended to define the issues and provide a roadmap to complete the investigation. The Investigative Plan is an internal document for use by the Investigator and his/her supervisor to keep the investigation on track and focused on the issues. It is the Investigator's checklist. The following elements should be contained in an Investigative Plan:

I. Complainant(s) Name and Address/ Attorney For Complainant with Name and Address
II. Respondent(s) Name and Address/ Attorney For Respondent with Name and Address

III. Applicable Law (i.e., Title VI, Title VIII, Compliance Review Under Regulations)
IV. Basis for the complaint
V. Issue(s), events or circumstances that caused the person to believe that they were discriminated against
VI. Background
VII. Name of Person(s) to be Interviewed, including Questions for the Complainant, Respondent, and Witness(es)
VIII. Evidence to be Obtained During the Investigation

For a sample Investigative Plan, please ***see Attachment F***.

REQUEST FOR INFORMATION

To prepare the Request for Information (RFI), refer to the Evidence section of the Investigative Plan. The RFI (***see Attachment G***) is sent to the appropriate official(s) at the Respondent's facility. Contact the Respondent to advise him/her of the complaint and to determine the appropriate official(s) to whom the RFI should be sent and eventually interviewed.

Prepare a cover letter to transmit the RFI (***see Attachment H***). The cover letter should explain the process and provide information regarding any meetings that have been scheduled. Modify the cover letter to satisfy the circumstances. Provide the RFI to the Respondent prior to conducting the on-site visit. This will facilitate the availability of the evidence during the on-site visit.

CONDUCTING INTERVIEWS

When preparing for the interviews, always remember that the main objective is to obtain information from witnesses who can provide information that will either support or refute the allegations. A list of major questions should be prepared that address the issues involved in the complaint. During the interview, the following steps are recommended:

- Introduce yourself and outline the interviewing process (i.e., whether a signed statement will be requested, whether notes will be taken, etc.);
- Place the person being interviewed at ease;
- Listen effectively;
- Differentiate factual information from opinions;
- Ask questions best worded to provide factual responses;
- Take clear and precise notes; and
- Obtain a signed statement from the person being interviewed.

COMPLAINANT – The purpose of interviews is to gain a better understanding of the situation outlined in the complaint of discrimination. The Investigator needs to contact the Complainant to ensure that he/she understands the Complainant's allegation(s). It is recommended that the Investigator interview the Complainant prior to preparing the Investigative Plan. If this is not possible, be ready to make any changes as appropriate to

the Investigative Plan based upon any new information provided by the Complainant. Always inquire of the Complainant whether he/she desires to resolve the complaint.

RESPONDENT – Respondents are interviewed to provide an opportunity to respond to the allegations raised by the Complainant as well as to provide the Investigator the opportunity to understand the Respondent's operation or policies that the Complainant cites in the complaint. As the keeper of the records, you will need to discuss the RFI with the Respondent and be able to explain the need for requesting any document on the list. Inform the Respondent that he/she has the right to submit a formal position statement addressing the Complainant's allegations. Question the Respondent regarding possible settlement opportunities.

WITNESSES – Complainant or Respondent may request that additional persons be interviewed. Determine what relevant information, if any, a witness has to provide prior to conducting an interview. Only interview persons who have information relevant to the allegations raised in the complaint of discrimination. Determine whether the testimony to be provided is relevant. Determine when sufficient interviews have been conducted.

ON-SITE VISIT

An On-Site visit should be conducted when:

- Personal contact with the Complainant and the Respondent may yield information and clarification that might not otherwise be discovered by only reviewing the written documents or by telephone contacts;
- It is necessary to review the physical environment;
- More effective communication can be established with representatives and witnesses of the Complainant and Respondent; and
- Documentation can only be examined on-site for reasons of convenience, cost, format, or volume.

OBTAINING EVIDENCE

Evidence requested should be related to the issues cited in the complaint. An evidence request should contain some or all of the following:

- The policies and procedures regarding the practice that the Complainant has alleged;
- All documents relating to the Respondent's dealing with the Complainant in the situation described in the complaint;
- Documents which exhibit how others, not in the Complainant's group, were treated under similar circumstances;
- Respondent's reason(s) for the action taken; and
- A formal position statement from the Respondent addressing the Complainant's allegations.

The Types of Evidence include the following:

- CIRCUMSTANTIAL EVIDENCE – Includes facts from which may be inferred intent or discriminatory motive and proves intent by using objectively observable data;
- COMPARATIVE EVIDENCE – A comparison between similarly situated individuals;
- DIRECT EVIDENCE – Related to the Respondent's motive, it is defined as any statement or action by an official of the Respondent that indicates a bias against members of a particular group;
- DOCUMENTARY EVIDENCE – Written material, which is generated during the course of normal business activity;
- STATISTICAL EVIDENCE – Statistics, facts, or data of a numerical type, which are assembled, classified, and tabulated so as to present significant information about a given subject; and
- TESTIMONIAL EVIDENCE – Evidence which is provided orally.

ANALYZING DATA

Data must be analyzed to determine whether a violation has occurred. When analyzing data, you must:

- Review what happened to the Complainant;
- Compare the Complainant's treatment with the appropriate policies and procedures;
- Compare the Complainant's treatment with others in the same situation;
- Review the Respondent's reason(s) for the treatment afforded the Complainant; and
- Compare the Respondent's treatment of the Complainant with the treatment afforded others.

WRITING THE INVESTIGATIVE REPORT

The Investigative Report (IR) will contain the following sections:

- Complainant(s) Name and Address
- Respondent(s) Name and Address
- Applicable Law
- Basis
- Issues
- Findings For Each Issue with a corresponding Conclusion For Each Issue
- Recommended Decision
- Recommendations (If Applicable)

Section IV
Data Collection

SECTION IV: DATA COLLECTION/DATA ANALYSIS/DATA REPORTING

Data Collection

As the ConnDOT is composed of the Bureaus of Engineering and Construction, Highway Operations, Finance and Administration; Policy and Planning, Public Transportation, and Aviation & Ports, the ConnDOT Bureau Program Area Designee is responsible for collecting all requisite Title VI-related data associated with his/her Program Area. Data Collection will occur periodically via written report and by the Bureau Program Area Designee performing annual Title VI Reviews. Providers of data may be outside of ConnDOT; for example, the Bureau of Policy & Planning will collect data from federal-aid recipients administering Research Projects, including Regional Planning Organizations (RPOs) and educational institutions (i.e., State University System). The Bureau of Aviation & Ports is responsible for collecting data from airports receiving federal funds through the ConnDOT.

The Bureau of Public Transportation has a FTA Draft Title VI Program; the Bureau Program Area Designee will be responsible for collecting data from Transit Districts and Transit Providers receiving federal funds through ConnDOT in accordance with the FTA Title VI Program.

Data Analysis

Once the Title VI data is collected, the data must be analyzed for the purpose of identifying patterns of discrimination. The Bureau Program Area Designee is responsible for analyzing the data collected and recommending corrective action as appropriate. A pattern of discrimination may result from a specific process and/or procedure or may occur as the result of a process and/or procedure being implemented in a discriminatory manner. The number of occurrences that may determine a pattern of discrimination depends upon the amount of data collected and the length of time over which the data was collected. Recommendations based upon the analyzed data will be included in the periodic Title VI Reports.

Data Reporting

Each Bureau Program Area Designee is responsible for submitting periodic Title VI Reports through the Bureau Manager to the ConnDOT Title VI Specialist. The ConnDOT Title VI Specialist acts as the Agency clearinghouse for all Title VI Reports. Additionally, the Title VI Specialist provides input regarding Title VI corrective actions and meets periodically with Bureau Managers and Bureau Program Area Designees to discuss Title VI issues. Bureau Program Area Designees are required to submit quarterly Title VI Reports to the Bureau Manager and will copy the ConnDOT Title VI Specialist. The Bureaus are responsible for providing the annual Title VI Updates to the applicable USDOT funding Agency (FHWA, FTA, and FAA) after coordination with the ConnDOT Title VI Specialist. The USDOT funding Agency annual Title VI Update is required to

be submitted by December 31st of each Federal Fiscal Year (FFY) to the appropriate federal Agency.

SECTION V: TITLE VI REVIEWS -- FEDERAL-AID HIGHWAY PROGRAMS

INTRODUCTION

An integral part of the Title VI Program is the process whereby data is collected from various Bureaus/Offices/Units and is analyzed to identify any patterns of discrimination. Annually, Title VI Liaisons collect and assimilate federal-aid program-related data and provide this data to the Title VI Specialist. This process is more fully described under the section of this Plan entitled "Title VI Reporting".

This section will detail the federal-aid programs and will describe the significance of each program; the required data; program-related questions intended to assist each Bureau Program Area Designee with the collection of the data; and describe the Designee's responsibilities. Title VI Program Reviews are vital when establishing program baselines; and are crucial to identifying Special Emphasis Programs, to which a more defined and refined Program Review shall be conducted. The ConnDOT Title VI Specialist acts as a core Program Review Team member as well as a clearinghouse for the collected and analyzed Title VI-related data.

The ConnDOT offices tasked with implementing the following listing of federal-aid programs will have a Bureau Program Area Designee assigned and may be considered a Special Emphasis Program depending upon the observations of the Title VI Program Review, and the data collected and analyzed by the Designee:

- Planning
- Project Development/ Environment
- Rights-of-Way
- Construction
- Research
- Safety
- Training.

The Designee will be responsible for coordinating and conducting Program Reviews. The Designee will identify the data and documentation that will be collected and reviewed to determine patterns of discrimination. Each Program will be divided into sub-Program elements and each element will be reviewed.

FEDERAL-AID PROGRAMS

THE PLANNING PROCESS: 23 CFR 450 & 49 CFR 613 – Joint FTA/FHWA regulation: "Planning Assistance and Standards" (October 28, 1993, unless otherwise noted).

The FTA and FHWA jointly oversee the transportation planning process. Federal regulations indicate that a key element for addressing Title VI during the Planning Process is an effective Public Involvement Process (PIP). The PIP must be proactive and provide complete information, timely public notice, full public access to key decision-making points, and an opportunity for early and continuing involvement. A PIP will also

include a process for identifying and addressing the needs of the populations that are traditionally ignored or underserved by the existing transportation systems. Each Regional Planning Organization (RPO) and ConnDOT is required to have updated and approved Public Participation Plans.

Under the Planning Process, there are two major sub-elements:

- Statewide Transportation Planning Process: Under this sub-element, ConnDOT is required to prepare the following documents –
    1. Statewide Transportation Improvement Program (STIP): This document contains the sum of the total urban RPOs' Transportation Improvement Programs (TIPs) and the ConnDOT programmed projects for the STIP duration. The STIP contains line-item projects, funding committed to the projects, and the year of funding authorization during the life of the STIP;
    2. Statewide Transportation Plan (Long-Range Plan): Considers a range of transportation options designed to meet the transportation needs (both of passenger and freight) of the State including all modes and their connections. Long-range plans frame the State's long-range transportation goals and objectives for the State and/or region. Projects should be identified and programmed in the STIP and implemented. The projects implemented from the STIP should reflect the goals and objectives identified in the long-range plan; and
    3. Public Involvement Process (PIP): Must be proactive and provide complete information, timely public notice, full public access to key decision-making points, and an opportunity for early and continuing involvement.

- Metropolitan (Regional) Planning Process: The following eight planning factors must be considered during this Process –
    1. Support the economic vitality of the United States, the States, non-metropolitan and metropolitan areas, especially by enabling global competitiveness, productivity, and efficiency;
    2. Increase the safety of the transportation system for motorized and non-motorized users;
    3. Increase the security of the transportation system for motorized and non-motorized users;
    4. Increase the accessibility and mobility of people and for freight;
    5. Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
    6. Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
    7. Promote efficient system management and operation; and
    8. Emphasize the preservation of the existing transportation system.

Plans and programs have the potential of being created and implemented in a discriminatory manner. The major impact that plans/programs have is through decisions which identify one or more planned improvements to the exclusion of other alternatives. The implementing procedures and processes for plans/programs may be applied in a manner that prevents a group from participating or may prevent the consideration of impacts of various transportation system alternatives upon one or more identified groups. To the degree that plans/programs include proposed improvements with disproportionate beneficial impacts or reflect decision-making processes that exclude certain groups, the long-range plan may be biased. This could lead to project implementation that is inconsistent with nondiscrimination requirements. The actual impacts may only be experienced as projects are implemented. The planning process represents a comprehensive perspective from which to assess the potential consequences of developing and operating the transportation system.

The following questions may be utilized to evaluate the Planning Process:

- Is there effective public involvement/participation within the Planning Process?
- Is input from affected groups/persons adequately considered within the Planning Process?
- Is there coordination with Native American tribal governments in statewide metropolitan transportation planning?
- Are the data collection/data analysis processes sufficiently inclusive to identify community boundaries, and to effectively assess demographic groups, income levels/property taxes, and community services/schools/hospitals/shopping areas?
- Are Social, Economic, and Environmental (SEE) effects and impacts identified, described, and analyzed?
- Are contracting opportunities for planning studies, corridor studies, and other technical work available to all groups/persons?

For each of these questions, processes/procedures should be identified and evaluated with a narrative justification to support the response.

THE PROJECT DEVELOPMENT (ENVIRONMENTAL) PROCESS: The term "Project Development" refers to the process of a highway or transit project in which the environmental study is performed to satisfy the requirements of the *National Environmental Policy Act of 1969, As Amended* (NEPA). The NEPA is the foundation of the project development process and is described in 23 CFR Part 771, which is the FHWA/FTA joint environmental regulation. The NEPA requires all federal agencies to examine and disclose the possible and likely effects of their actions on the human environment. The FHWA interprets the term "*human environment*" to include neighborhoods, communities, and natural ecosystems. Effects on the human environment include a broad array of impacts such as direct physical effects to air/water/land, as well as less quantifiable effects such as impacts to cultural resources/community life/land use patterns.

ConnDOT is required to prepare an environmental document for all federal-aid FHWA projects. FHWA's involvement in the process is detailed in the ConnDOT/FHWA Stewardship Agreement. Environmental compliance requires consideration of all possible SEE effects of a proposed project and seeks to ensure that the decisions made are in the public's best interest. During this process, project alternatives data and information and all related environmental effects are identified, collected, and analyzed. The goal of this process is to develop a complete understanding of the existing and future environmental conditions and the possible effects of a proposed project so as to make the best project decision to meet the intended transportation need, the goals of an area or community, and for the protection and enhancement of the environment. Project alternatives may be modified to avoid or minimize impacts to sensitive resources identified during the environmental studies and based upon public input. It is FHWA policy to seek opportunities to transcend traditional mitigation and to implement innovative enhancement measures so as to minimize the impact upon the affected community and the natural environs.

The NEPA defines three levels of documentation, the choice of which is dependent upon the potential significance of the environmental impacts (direct or indirect) as the result of a project. Documentation and processing options are referred to as "classes of actions" and include Environmental Impact Statement (EIS, Class I), Categorical Exclusion (CE, Class II), and Environmental Assessment (EA, Class III). A description of each class of documentation is as follows:

- EIS (Class I) – An EIS is required when it is determined through environmental studies, public involvement, and coordination with other Federal, State, and local agencies that the proposed project will have a significant impact on the environment. The EIS process is the most involved, detailed, demanding, and formal and is the least frequently utilized. The EIS requires a detailed and thorough consideration of all reasonable alternatives, including the no-build alternative; in-depth analysis of the SEE effects associated with the alternatives; and involvement of the public and other Federal, State, and local agencies, not only in the process, but in the decisions related to the selection of a preferred alternative. The EIS process requires the preparation of a Notice of Intent (NOI), a Draft Environmental Impact Statement (DEIS), a Final Environmental Impact Statement (FEIS), and a Record of Decision (ROD);
- CE (Class II) – The CE is the most commonly utilized environmental processing option. The CE is not an environmental document, but is a determination that a project will have no significant individual or cumulative SEE impacts. The project will not have significant impacts upon planned growth or land use for the affected area; the project does not require the relocation of significant numbers of persons; the project will not involve significant air, noise, or water quality impacts; the project will not have significant impacts on travel patterns; the project does not otherwise either individually or cumulatively have any significant environmental impacts. Therefore, there is no requirement for the preparation of an environmental document (EIS or EA), although environmental studies may be undertaken to support that the CE determination is proper. A list of project types

that have been determined to meet the CE criteria is provided in 23 CFR 771.117(c) and (d); and

- EA (Class III) – The EA is prepared for proposed projects for which the significance of the impacts is unknown or are not clearly established. Proposed projects that are not CEs and do not obviously require an EIS, will require the preparation of an EA to determine the significance of the impacts and whether or not an EIS will need to be prepared. The amount of information and degree of analysis that is required for inclusion in an EA will depend upon the proposed project's size, type, location, number of reasonable alternatives, potential for significant impacts, and other factors of the project. The EA will identify the location of the project, the population demographics and other affected neighborhood/community characteristics, the estimated number of residences and businesses that will be affected, and other potential/probable impacts for each alternative being considered. The EA may only require that one or two alternatives be considered, including the no-build alternative. If the SEE impacts, along with the appropriate interagency coordination and public involvement, indicate that the action will not have any significant direct/indirect/cumulative impacts, a Finding of No Significant Impact (FONSI) is prepared. The FONSI will finalize the EA process, document the decisions, and detail why the impacts are not considered significant. However, if it appears that there will be significant impacts, a NOI will be published in the *Federal Register* and a DEIS will be prepared.

A preferred alternative will be selected from the range of alternatives presented in the DEIS or EA. The decision and selection of a preferred alternative will be based upon how well the alternative will address the transportation problems and meet the document's stated purpose and need. The potential for avoiding and minimizing SEE impacts likely to result from the implementation of a given alternative, must be considered for any proposed alternative regardless of the ability to satisfy the purpose and need or meet the transportation goals of a given area. Approval of the FEIS and subsequent ROD or preparation of a FONSI by FHWA constitutes acceptance of the general project location and major design elements as described in the environmental documents. After completion of the project development process, the FHWA may authorize the ConnDOT to proceed with the development of the final engineering design plans and specifications, acquire rights-of-way, and advertise the project for receipt of construction bids.

The environmental study of project alternatives and impacts must include the consideration of mitigation measures for unavoidable impacts. Mitigation measures and other agreements that are made as part of the decision-making process must be documented and implemented. All proposed projects and environmental studies, whether a CE, EA, or EIS, must include appropriate measures to mitigate for adverse environmental impacts regardless of significance. Environmental commitments, such as sound barriers, joint-use facilities, rights-of-way replacement housing, and others should be monitored to assure that these mitigation measures are included in the design plans and are constructed as part of the project.

The following questions may be utilized to evaluate the Project Development Process:

- Is public involvement adequately solicited, considered, and documented during the Project Development Process?
- Are SEE impacts adequately identified?
- Is the potential for disproportionate or discriminatory impacts adequately addressed?

For each of these questions, processes/procedures should be identified and evaluated with a narrative justification to support the response.

RIGHTS-OF-WAY: *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, As Amended* (Uniform Act); 49 CFR Part 24; 23 CFR Part 710.

The Rights-of-Way phase may be initiated during the development phase of a federal-aid transportation project. The 5th Amendment to the United States Constitution states the following: "***No person shall…be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation***." The first clause of this section refers to the power of eminent domain and the second clause requires that an offer of just compensation be made to the owner of record and that bona fide (good faith) negotiations be conducted. These clauses are further expanded in the Uniform Act, 42 United States Code (USC) 4621, and 49 CFR Part 24.

42 USC 4621(b) establishes a uniform policy for the fair and equitable treatment of persons displaced as a direct result of programs or projects undertaken by a federal agency or with federal financial assistance. The primary purpose is to ensure that such persons shall not suffer disproportionate injuries as a result of programs and projects designed for the benefit of the public as a whole and to minimize the hardship of displacement on such persons. 42 USC 4621(c) indicates the federal agencies shall minimize fraud/waste/mismanagement and reduce unnecessary administrative costs, ensure that the unique circumstances of any displaced person are taken into account and that persons in essentially similar circumstances are accorded equal treatment, the improvement of housing conditions of economically disadvantaged persons shall be undertaken to the maximum extent feasible in coordination with existing federal/state/ local governmental programs, and that the implementing policies/procedures will be administered consistent with Title VI of the Civil Rights Act of 1964 (As Amended) and Title VIII of the Civil Rights Act of 1968 (As Amended).

Rights-of-Way (ROW) input should be solicited during the preparation of the draft and final EISs and EAs to address all socio-economic impacts of all alternatives and ultimately the preferred alternative. Certain ROW-related activities are eligible for reimbursement prior to the authorization of a ROW phase. These activities include ROW Relocation Survey/Study, ROW Relocation Plan, Title Searches, and initiation of real estate appraisal reports for parcels to be acquired entirely (however, the appraisal report

may not be signed until after the ROW phase has been authorized). These costs may be reimbursed under the Preliminary Engineering phase. Hardship/Protective purchases must be authorized prior to the initiation of the ROW phase, but will not be reimbursed until after the project-wide environmental document has been approved and the ROW phase authorized. A State DOT may perform early acquisitions with State funds and without FHWA authorization; however, for the State DOT to receive credit for the expended funds, the property must be incorporated into the ROW and the State DOT must be able to show that it satisfied the Uniform Act related requirements when it previously acquired the property.

The following are ROW-related activities:

- Title Searches – A governmental agency must make an offer of just compensation to the owner of record. The title search establishes the owner of record;
- Appraisals – The Uniform Act requires that an acquiring authority cannot make an offer of just compensation less than the fair market value estimate performed for the property and project impact. 49 CFR Part 24 recognizes the *Uniform Standards of Professional Appraisal Practice* (USPAP) as the accepted standards for property valuation reports. There are three accepted approaches to value: Sales Comparison (Market), Cost, and Income. If the appraisal assignment is for a partial acquisition, then the appraisal report should contain a *Before* analysis and an *After* analysis. Additionally, the Uniform Act requires the appraiser to offer an opportunity for the property owner of record to accompany the appraiser on the property site inspection;
- Appraisal Review – The Uniform Act requires that the appraisal product be reviewed by a different appraiser/employee. This additional step allows for a more global view to be taken of the appraisal product. The appraisal review report becomes the justification for the agency to register the appraised value as the agency's offer of just compensation. The offer of just compensation may be higher than the appraised value if there are situational elements that are not able to be accorded a value under USPAP;
- Acquisition – The acquiring authority must conduct *bona fide negotiations* with the property owner of record. Simply put, the acquiring authority must negotiate in good faith with the property owner. This includes providing all necessary documentation as well as responding to all concerns from the property owner. Prior to the *Initiations of Negotiations* (making the offer of *just compensation*), the acquiring authority is to provide an initial notice to the property owner informing the owner in writing that the public agency intends to acquire partially or entirely real property from the property owner. At the *Initiation of Negotiations*, the property owner is to be presented with the offer of *just compensation*. The offer will be in writing and will indicate the allocation of the offer; specifically, value of the land/improvements (if any) and damages to the remainder (if any), including easements. The written offer will be accompanied by a summary of or the entire appraisal report. The property owner must be provided with a reasonable time period to communicate concerns, obtain an appraisal, and make counteroffers. A reasonable time period, depending upon the

individual circumstances should be approximately four weeks. If the property owner accepts the offer, the acquiring authority will prepare all closing documents and will compensate all eligible closing fees. If the property owner does not agree to the offer and the acquiring authority does not accept the owner's counteroffer, the acquiring authority will initiate condemnation proceedings. Prior to taking possession of the property, the full amount of the offer of *just compensation* must be deposited in court;

- Relocation – If the acquiring authority requires a property in its entirety, the property owner may be eligible for certain relocation benefits. Relocation benefits differ from valuations associated with property rights and real property. There are specific criteria associated with relocation benefits and a property owner must be eligible to be reimbursed for certain costs. Relocation benefits are reimbursable. Persons whom are not lawfully present in the United States are not eligible for relocation benefits. Relocation benefits, with respect to property owners, have specific eligibility requirements associated with them. These benefits are based upon the values associated with the offer of *just compensation*. Relocatees should be informed of their eligibility for relocation benefits at or soon after the *Initiation of Negotiations*. All communications regarding benefit eligibility must be in writing. There are different benefits that may be available to residential relocatees compared to business relocatees. For residential relocatees, there is a ninety-day period during which a person cannot be forced to relocate. Finally, if a relocatee's relocation benefits exceed the monetary amounts provided for by the United States Congress, the relocatee may receive relocation benefits that exceed the monetary caps. This is entitled *Last Resort Housing*. All relocatees are eligible for advisory services. Advisory Services include the measures and services necessary to determine the relocation needs and preferences of persons displaced, explanation of the relocation payments and other assistance for which such persons may be eligible, provision of current and continuous information regarding the availability/purchase prices/rental costs of comparable dwellings/suitable replacement properties for businesses/farms/non-profit organizations;
- Property Management – This function applies to the managing and administering of property acquired for highway purposes so that public interest is served. This property is often called airspace and is defined as that space located above, at, or below the highway's established guideline, lying within the approved right-of-way limits. This includes leasing of operating highway ROW for non-highway use and the sale of acquired property not deemed necessary for the project. Fair market rent should be charged for an airspace lease and fair market value should be charged for the sale of excess property. This income should be deposited in the State's transportation fund and should be used to fund future transportation projects;
- Other ROW-related Program Areas – Outdoor Advertising Program: Involves the control of outdoor advertising structures along controlled highways outside of the ROW. The Functional Replacement Program provides a method for acquiring and compensating for publicly-owned property providing essential public services. Publicly-owned land and/or improvements may be functionally replaced

with a facility of equivalent functional utility to that acquired for the project. Examples of eligible public properties include schools, police and fire stations, and local parks.

Title VI requirements of non-discrimination apply to all ROW-related activities. The following questions may be utilized to evaluate the ROW-related activities:

- General:
  1. Does ROW have a policy requiring records to be kept of parcels having minority and female owners/tenants, including residential and commercial properties?
  2. If so, which ROW division is responsible for maintaining these records? Please describe the procedures in place to gather the data and maintain the records.
  3. Who is the ROW Office Title VI liaison? What are the responsibilities of the Title VI liaison?
  4. After the data is collected, how is the data analyzed to ascertain acts of discrimination, if any? How is the record document prepared?
  5. Once the record documents are prepared, to whom does the responsible employee forward the record documents?
  6. How does ROW identify and communicate with persons of Limited-English-Proficiency?
- Titles:
  1. Does the Division of Titles contract out any portion of its title searching responsibility? If so, how does the Division of Titles perform the external assignment of work?
  2. If the Division of Titles contracts out work, are DBE firms offered an opportunity to perform a percentage of the assignments?
- Appraisals/Appraisal Review:
  1. Does the Division of Appraisals contract out appraisal assignments to fee appraisers?
  2. If so, does the Division of Appraisals maintain a list of acceptable fee appraisers?
  3. If so, how does the Division of Appraisals solicit interest for fee appraisers to be included on the list?
  4. Is this solicitation of interest provided to the Screening Committee with a DBE Contract Goal assigned for review and concurrence?
  5. How is a fee appraiser chosen to perform a given appraisal assignment?
  6. How is a fair market value estimate appraisal assignment performed? Is the value arrived at utilizing a non-discriminatory process (including adjustments to comparable sales)?
  7. Is the review appraiser process non-discriminatory in its application?
- Acquisition:
  1. How does the Division of Acquisition/Relocation initiate negotiations with a property owner?

2. What efforts are made to negotiate for required property before filing for condemnation?
3. Are property owners afforded a minimum period of time to negotiate regardless of race, color, national origin, sex, age, and disability? (Please note the total amount of time will depend upon the situation).
4. How does the Division of Acquisition/Relocation perform bona fide negotiations? Does the Division of Acquisition/Relocation perform bona fide negotiations with all property owners?
5. Does the Division of Acquisition/Relocation offer at least the amount of the fair market value estimate as the offer of just compensation?
6. How does the Division of Acquisition/Relocation process administrative settlement requests from property owners? Is this performed in a non-discriminatory manner?

- Relocation:
  1. What relocation advisory assistance services does the Division of Acquisition/Relocation make available to relocatees? Are relocation advisory assistance services available to all relocatees?
  2. How does the Division of Acquisition/Relocation solicit information regarding whether an owner/tenant is lawfully present in the United States?
  3. For eligible relocatees, how does the Division of Acquisition/ Relocation evaluate replacement housing to ascertain whether the housing is decent, safe, and sanitary? Is this process applied regardless of the person's race, color, national origin, sex, age, and disability? Are safe and sanitary inspection standards consistently applied?
  4. How does the Division of Acquisition/Relocation process relocation appeals, including Title VIII (fair housing) complaints?
  5. How does the Division of Acquisition/Relocation identify the eligibility of relocatees?
  6. How does the Division of Acquisition/Relocation establish the amount of relocation benefits available to relocatees for the following items: Replacement Housing Payment/Rental Assistance, Mortgage Differential Payment, and Moving Expenses?
  7. How does the Division of Acquisition/Relocation notify the relocatees of the benefits for which the relocatees are eligible? When are the relocatees notified of their eligibility for benefits?
  8. How are relocatees notified of the date required to vacate the property? Are all relocatees provided at least 90 days from the initiation of negotiations date?
  9. How does the Division of Acquisition/Relocation determine when to utilize the Housing of Last Resort? Is this process applied uniformly?
- Property Management:
  1. How does the Division of Property Management provide maintenance and repair work on ConnDOT-owned improved properties?
  2. If contractors are utilized, how does the Division of Property Management award specific work to individual contractors?

3. How does the Division of Property Management ensure that DBE firms are provided an opportunity to perform the necessary work?
4. Are ConnDOT-owned improved properties maintained and repaired uniformly, regardless of the race, color, national origin, sex, age, and disability of the occupants?
5. How does the Division of Property Management calculate the rent applied to each tenant? Is this process non-discriminatory?
6. Concerning the collection of delinquent rentals, how does the Division of Property Management verify to ascertain whether a reassessment or relocation payment is pending prior to referring the case to a staff/fee attorney for collection?

For each of these questions, processes/procedures should be identified and evaluated with a narrative justification to support the response.

CONSTRUCTION/MAINTENANCE: This Program area will be separated into the following sections:

- FHWA Approval and Oversight;
- Project Development;
- Federal-aid Contract Provisions;
- Project Authorization and Advertisement;
- Bid Opening;
- Bonding, Licensing, and Prequalification;
- Bid Analysis and Contract Award;
- Notice of Award and Execution of the Contract
- Construction Project Administration and Project Monitoring; and
- Title VI Federal-Aid Construction Contract Requirements

FHWA Approval and Oversight:
In accordance with 23 USC 106(c), the FHWA Division Office and the STA shall enter into an agreement detailing the federal delegated responsibilities assumed by the STA pursuant to this cite. When a STA assumes project approval responsibilities, it must have procedures/processes/operations manuals implemented to ensure that all project actions will be carried out according to all applicable federal statutes, implementing regulations, and FHWA policies/guidance documents. This is equally applicable to federal-aid projects administered by Local Public Agencies (LPAs). The FHWA Division Office must conduct oversight/monitoring activities to ensure that the STA is implementing the federal-aid programs in accordance with all federal statutes, implementing regulations, and FHWA policies/guidance documents. The FHWA Division Office oversight/ monitoring activities are similar to the quality assurance portion of quality assurance/ quality control (QA/QC) programs present in many construction and materials programs.

Project Development:
The creation of a federal-aid construction project begins with the planning phase. System deficiencies may be identified that relate to safety, traffic capacity, highway structure,

land use, or other problems. STA personnel, RPOs, cities, outside agencies, or individual citizens may identify them. The project development process begins after early planning studies have identified a valid need for a project improvement. Next, the project scoping phase identifies which deficiencies should be corrected and informs as to the existence of potential impacts. Field reviews and background investigations are usually performed to assess identified needs, deficiencies, potential impacts, reasonable alternatives, and other factors that may be important elements of the project. The preliminary design (PD) and environmental study phase continues to refine the engineering design and may include the consideration of alternative designs, while seeking to eliminate and/or minimize adverse impacts and enhance the condition of the impacted environment. This phase may take the form of a simple environmental determination statement or may be as extensive as a complex geometric layout involving many hours of meetings and numerous detailed reports. The final design (FD) phase and rights-of-way (ROW) acquisition phase (if necessary) utilizes the preliminary plans and reports to prepare detailed ROW and construction plans (project Plans, Specifications, & Estimates [PS&E]) and mitigation features. Following the completion of the project development phases, the contract is let, the project is awarded, and the construction phase begins.

Federal-aid Contract Provisions:

Federal-aid construction contracts contain required provisions as stipulated in Form FHWA-1273. The provisions contained in Form FHWA-1273 are generally applicable to all federal-aid construction projects and must be made a part of and physically incorporated into all contracts, as well as appropriate subcontracts and purchase orders. These required contract provisions contain requirements for the prohibition of discrimination; the provision for EEO; the requirement for the payment of pre-determined minimum wages; the stipulation of subcontracting requirements/limitations; mandates compliance with health and safety standards at the work place; and compliance with all appropriate environmental regulations among the noted provisions. The Form FHWA-1273 also contains a number of certification/provision requirements including non-collusion, lobbying, and suspension/debarment. Additionally, federal-aid contracts must contain *Buy America*, the DBE Program provisions and, unless exempted by State statute or promulgated by its own developed provision, must include a standardized changed-site condition clause. For project contracts with a DBE goal, the successful bidder must either meet the contract goal or document that every good faith effort was made to achieve the goal. When a federal-aid contract does not have a DBE goal, the contractor may solicit bids from any number of subcontractors and must provide DBEs the maximum opportunity to participate in the subcontract and procurement bid process whenever possible. On-The-Job Training requirements and Native American provisions may be included in selected federal-aid contracts.

Project Authorization And Advertisement:

Competitive bidding by private businesses (i.e., contractors) is basic to the federal-aid Highway Construction Program. The intent of this policy is to eliminate the unfair advantage that public agencies may have relative to available resources; to provide equal economic opportunity for all qualified contractors; and to permit projects to be completed at the lowest possible cost. A FHWA-funded project may only be advertised for bids

from prospective contractors after PS&E approval and project authorization to proceed to the construction phase. The authorization to proceed is based upon the following assurances:

- All ROW clearances, utility and railroad work either have been completed, or that all arrangements have been made for coordination during construction;
- All ROW matters involving the relocation of individuals/families have been properly addressed (including all notices to relocatees, comparable replacement housing made available, etc.);
- All requirements pertaining to the public involvement/hearing process and the location/design approval process have been satisfactorily carried out;
- All requirements of 23 CFR 771 have been fulfilled and appropriate measures have been included in the PS&E to ensure that conditions and commitments made in the development of the project to mitigate environmental impacts will be met;
- Area-wide agency review has been accomplished (where applicable); and
- PS&E provides for the erection of only those information signs and traffic control devices that conform to the standards and do not include promotional or other informational signs that identify public officials, contractors, organizational affiliations, and other related logos and symbols.

SAFETEA-LU broadened the definition of "qualified project" allowing ConnDOT or a local public agency (LPA) to award a design-build contract without regard to the project cost. All ConnDOT advertising policies and practices must ensure free and open competition. This also relates to requirements and practices involving the following:

- Licensing, bonding, prequalification, and bidding; and
- Title VI, non-discrimination assurances with regard to race, color, national origin, sex, age, or disability.

Contracts are normally advertised in newspapers, trade journals, or other appropriate media to reach a wide audience, attract greater attention, and enhance competition. Contractors may also enroll in the "Notice to Contractors Subscription Program" which provides its subscribers with a continuous flow of information about ConnDOT construction contracts for which bids are being solicited. Normally, the minimum advertisement period is three weeks. However, there can be exceptions when circumstances warrant shorter periods. This period may also be extended for more complex projects, especially those with scheduled pre-bid meetings to address prospective contractors' concerns and questions. Addendums to an advertised contract may be issued to correct plan and/or specification errors or to append more current contract document items, such as revised wage rate schedules, certified DBE firm lists, etc. The advertisement period can be extended in order to give prospective contractors time to receive addendums, review project changes and additions, and to correct/change their bid submissions. Plans and specifications are available for purchase at the Plans and Specifications Sales Office located at 160 Pascone Place, in Newington, Connecticut.

Bid Opening:
Contractors shall submit bids in a sealed envelope, furnished by ConnDOT; which are opened at a public *bid opening* (often referred to as the "bid letting"). The bid opening, as indicated in advertisement, is the last moment that bids may be submitted and accepted. For the bidding firm, the reading of the bids confirms whether the bidder is successful. For ConnDOT and the general public, this forum establishes the range of bids received for the project and the apparent low bidder. Federal regulation requires that all bids be opened publicly and read aloud by the total amount or item-by-item. If a bid is not read, the bidder is to be identified and the reason for not reading the bid announced. The reasons for not reading a bid will either be the result of a bid being non-responsive (often termed "irregular") or a bidder is determined to be not responsible. Bid documents must clearly identify those requirements which the bidder must comply with to make the bid responsive. Reasons for finding a bidder not responsible may include the following:

- Failure to meet ConnDOT's qualification requirements; or
- Suspension or debarment by a State/Federal agency.

A successful bid opening must identify the responsible bidder submitting the apparent lowest and responsive bid. While electronic bidding with electronic signatures is becoming industry practice.

Bonding, Licensing, & Prequalification:
FHWA does not require DOTs to implement procedures or requirements for the following on federal-aid projects: pre-qualification, qualification, bonding, or licensing. If a DOT has such procedures/requirements, these must conform to the FHWA competitive bidding policy. All proposed procedures/requirements or changes to existing procedures/requirements must be submitted to the FHWA Division Office for prior review and approval. No procedure/requirement may operate to restrict competition, prevent submission of a bid, or prohibit consideration of a submitted bid from a responsible contractor, whether resident or non-resident (including DBE contractors). No contractor is to be required to obtain a license before a submission of a bid or prior to the bid being considered for award of contract. ConnDOT may require licensing of contractors after the bids are opened if the requirement is consistent with competitive bidding principles. The requirement for pre-qualification of contractors may be imposed as a condition for submission of a bid or the award of contract only if sufficient time exists between the date of advertising and the date of the bid opening to allow a bidder to obtain the required pre-qualification rating.

Bid Analysis and Contract Award:
The engineer's estimate should be accurate and credible, based upon realistic current data, and generally kept confidential. ConnDOT shall have written procedures for justifying the award of a contract, or rejection of the bids, when the low bid appears excessive. Bid analysis is the process performed to justify the award or rejection of bids. A proper bid analysis ensures the following: good competition, receipt of the lowest possible cost, and funds are utilized in the most effective manner. The bid analysis process is an examination of the unit bid prices for reasonable conformance with the

engineer's estimated prices. In addition to the comparison of prices, the following factors may be considered:

- Comparison of the bids against the engineer's estimate;
- Number of bids submitted;
- Distribution or range of bids received;
- Identity and geographic location of the bidders;
- Potential for savings if the project is re-advertised;
- Bid prices for the project under review versus bid prices for similar projects in the same letting;
- Urgency of the project;
- Current market conditions/workload;
- Any unbalancing of bids;
- Which unit bid prices differ significantly from the estimate and from other bids;
- If there is a justification for the difference; and
- Any other factors that ConnDOT has determined to be important.

Additionally, in order to justify an award of a contract, a bid analysis should provide answers to the following questions:

- Was there good competition?
- Is the project essential and would deferral be contrary to the public interest?
- Would re-advertisement result in higher bids?
- Is there an error in the engineer's estimate?

An adequate period of time is required to reproduce and distribute the bid tabulations to the appropriate personnel within ConnDOT and FHWA, as applicable, for review and award concurrence determinations prior to the actual award. Contract awards shall be within a pre-determined period of time established by ConnDOT and subject to prior concurrence by FHWA. This period of time should be specified in ConnDOT's standard specifications. During the award process, the projects may be awarded, rejected, or held for further details and study. If all bids are rejected, the delay is added to the project by re-advertising the project or making changes to the project PS & E plans/documents as needed. The FHWA Division Office may require the concurrence to be formally documented in writing, which will include all qualifying statements regarding the concurrence. FHWA Division Office concurrence is also required when the low bidder or all bidders are rejected.

Notice of Award and Execution of the Contract:

Once ConnDOT awards the contract, the contractor is advised by a "*Notice of Award*". A copy of this award is sent to the appropriate District Office; this allows the District Office to arrange appropriate staffing, supervision, and project control. The Notice of Award, the contract, and the contracting bonding forms are sent to the contractor. The contractor transmits these documents to the surety company. These executed documents are to be returned, to ConnDOT, by the date specified, including all evidence of appropriate

insurance. If the contractor fails to execute the contract and file a performance bond within this allotted period of time, a cause for annulment of the award has been established. The proposal guaranty is forfeited to cover liquidated damages and the contract may be awarded to the next lowest responsible bidder or re-advertised as determined by ConnDOT and concurred with by FHWA Division Office.

Immediately following the award of the contract, the ConnDOT District Office schedules a pre-construction meeting. The pre-construction meeting shall accomplish the following:

- Allow for advance control planning;
- Allow for discussion of known and potential major problems prior to these problems occurring;
- Inform the contractor of the scope and status of the agreements;
- Analyze the agreements based upon the proposed operations;
- Outline the sequence of operations;
- Coordinate the efforts and schedules of the agencies/utilities; and
- Introduce the ConnDOT personnel assigned to the project.

A crucial portion of the pre-construction meeting relates to reviewing the EEO-related contract requirements: DBE, OJT, & Workforce Utilization. The contractor's EEO Coordinator and the owner/owner's designee (including the project manager) must attend the meeting and will present the following:

- Proposed schedule of work;
- Listing of proposed sub-contractors (if applicable);
- Listing of suppliers from whom materials are anticipated to be purchased; and
- OJT (Training Program/Outline), DBE (Listing of DBEs submitted to satisfy the contract goal), and all other EEO-related required documentation.

Subcontractors may be invited to attend the pre-construction meeting.

Current FHWA policy requires the prime contractor to perform at least 30 percent of the contract work with the prime contractor's employees. ConnDOT requires prime contractors to perform at least 50 percent of the contract work with the prime contractor's workforce (under special circumstances the contract may dictate a different percentage). ConnDOT requires that each subcontractor working on the project be approved in writing by ConnDOT. If the project is being administered by a Municipality the approval must be subcontractor approvals are performed by the Municipality.

Once all requirements have been satisfied and all documents and forms have been properly completed; at or shortly following the pre-construction meeting, ConnDOT issues a "*Notice to Proceed*" to the contractor. This notice stipulates the date on which the contractor is expected to begin the construction and from which date the contract time will be charged.

Construction Project Administration and Project Monitoring:
Once contract time has started, a contractor can start receiving progress payments as early as two – four weeks from the initiation of the project construction. However, payments received by the contractor are a function of the value of work completed. 23 USC 302 requires ConnDOT to be suitably equipped and organized to implement the federal-aid program. Contractors are required to complete projects in accordance with the approved PS & E packages. Ultimately, ConnDOT is responsible for ensuring that the contractor constructs the project according to the contract specifications/requirements and applicable federal/state law/regulations. Therefore, ConnDOT is responsible for administering the federal-aid construction contract.

ConnDOT is responsible for providing a sufficient number of construction-related personnel to monitor contractor compliance with the contract PS & E. Additionally, monitoring includes the sampling and testing of all materials for acceptance, as well as the monitoring/enforcement of required mitigation measures, which were stipulated in the project environmental documentation. Finally, monitoring includes labor compliance and EEO provisions (DBE, OJT, and Workforce Utilization). FHWA Division Office personnel may perform periodic on-site inspections and/or may perform a process/ program review as spelled out in the contract agreement. Upon completion of construction, final inspections are performed by ConnDOT and the FHWA Division Office as appropriate. ConnDOT and the FHWA Division Office may grant final acceptance of the project after confirmation of reasonable conformance to the PS & E by the contractor and all of the authorized changes, extra work orders, required documentation (such as material certification), Form FHWA – 47, and final voucher are received.

Title VI Federal-aid Construction Contract Requirements:
Federal-aid construction contracts must include Title VI non-discrimination requirements. At a minimum, Form FHWA-1273 should be made a part of every federal-aid contract, subcontract, and purchase order and may not be incorporated by reference. ConnDOT may not modify the provisions of Form FHWA-1273; however, minor additions covering State requirements may be included in a separate supplemental specification, provided the additional requirements do not conflict with applicable State and federal laws/regulations and do not modify the intent of the required contract provisions. The Form FHWA-1273 provisions apply to all work performed on the federal-aid contract, including work performed by a subcontractor. The prime contractor is responsible for ensuring subcontractor/lower-tier contractor compliance with the Form FHWA-1273 provisions. Failure by a prime contractor to ensure compliance may be considered as justification for contract termination.

Title VI-Related Questions:
Title VI requirements of non-discrimination apply to all Construction-related activities. The following questions may be utilized to evaluate the Construction-related activities:

- Are appropriate contract provisions incorporated in all federal-aid contracts?
- Does ConnDOT's monitoring/inspection of work performed result in disparate treatment of protected individuals/groups?

- Have required mitigation measures been effectively implemented (i.e., safety through construction zones, noise and air impacts, employment and contracting goals, etc.)?
- Do barriers exist in the following processes: pre-qualification, approval of subcontractors, bonding, and licensing?
- Does uniformity in application exist concerning approval of plan changes and supplemental agreements?
- Does uniformity in application exist in the assessment of sanctions, liquidated damages, withholding payments, suspension/termination of contracts, and decertification?

For each of these questions, processes/procedures should be identified and evaluated with a narrative justification to support the response.

RESEARCH: ConnDOT is encouraged to conduct transportation-related research projects, which may be funded with federal-aid funds. The research may be conducted by ConnDOT personnel or contracted to universities and/or consultants exhibiting the capabilities and staff to perform the research.

A research project begins with the solicitation of a problem statement. The problem statement provides a brief description of the proposed research, need for the research, and estimated cost. ConnDOT then prioritizes all problem statements. The project may be performed by ConnDOT personnel or may be awarded to a university/consultant by utilizing ConnDOT's procurement regulations. If ConnDOT decides to use a university, and more than one university has the desired capabilities, a request for proposal may be sent to the eligible universities. ConnDOT's selection of a university to perform the research is usually pre-determined based upon the type of research required and the university's area of expertise. Minority universities interested in performing research are encouraged to learn the procurement regulations and to submit proposals as research opportunities become available in the university's area of expertise. Once a research project is awarded, ConnDOT personnel and a principal researcher at the university monitor the project. University research may be conducted by university students under the supervision of the principal researcher. Research projects include engineering, socio-economic and environmental impacts, and transit or transportation needs studies.

Title VI requirements of non-discrimination apply to all Research-related activities. The following questions may be utilized to evaluate the Research-related activities:

- Does the process to solicit proposals/problem statements promote diversity?
- How does ConnDOT ensure non-discrimination when selecting research projects? Please include a description regarding how projects are proposed for inclusion in the Research Program.
- What factors does ConnDOT utilize when selecting universities, consultants, or other researchers? How does ConnDOT ensure diversity in the selection of universities/consultants?

- Following project acceptance, how does the research agency select the principal investigator(s) and research staff? How are directions provided and/or action taken by ConnDOT and the research agency to promote the use of women and minorities on the research staff?
- If subcontractors are involved, describe the research agency's selection procedures. Also, describe how the prime contractor monitors Title VI compliance by the subcontractor.

For each of these questions, processes/procedures should be identified and evaluated with a narrative justification to support the response.

SAFETY: Federal funding for Safety-related projects is available for State and Local Public Agency (LPA) use. If a LPA receives Safety funds through ConnDOT to perform specific safety improvements, ConnDOT is required to ensure that the funds are disbursed in a non-discriminatory manner. The Highway Safety Improvement Program (HSIP) has a number of sub-elements, including the SLOSS List, Highway Safety Plan, High Risk At-Grade Railroad Crossings, etc.

- How is public input solicited?
- What efforts are taken to include persons who are Limited English Proficient?
- Is data collected and analyzed to determine the program impacts on minority and low income populations?

TRAINING: This section applies to ConnDOT external educational/training courses/programs (i.e., National Highway Institute, Institute of Rights-of-Way Appraisers, etc.) and internal educational/training courses/programs that are created and/or conducted utilizing federal-aid funds. Title VI requires that educational/training courses/programs created and/or conducted utilizing federal-aid funds must be performed in a non-discriminatory manner. When reviewing ConnDOT processes/procedures related to the provision of courses and programs offered internally, utilizing federal-aid funds, please utilize the following questions:

- Are there existing procedures that encourage participation by women and minorities in the educational/training courses/programs offered by and/or through ConnDOT Office of Human Resources' Training Center? If so, how is the effectiveness of the training and participation by women and minorities tracked?
- What are the types of NHI sponsored or co-sponsored courses/programs offered to ConnDOT employees?
- How many State participants?
- How many minorities and women?
- Identify the agency's staff personnel responsible for training by title, ethnicity and gender.
- Does ConnDOT provide opportunities for women and minorities to work in the Office of Human Resources' Training Center?
- Does ConnDOT provide opportunities to women and minority owned consultants when contracting out educational/training courses/programs? How is this done?

- Does ConnDOT provide educational/training courses/programs oriented towards women and minority advancement within ConnDOT federal-aid Programs? If so, how does ConnDOT ensure effectiveness and participation?
- Does ConnDOT provide educational/training courses/programs specifically targeted to Title VI implementation within each federal-aid Program area (i.e., Rights-of-Way, Environment, Planning, Construction, etc.)? If so, identify the courses/programs?
- Has ConnDOT received any civil rights complaints regarding the provision of education/ training courses/programs to employees? If so, what corrective actions (if any) have been implemented?

Section VI
Public Transportation

SECTION VI: BUREAU OF PUBLIC TRANSPORTATION

The FTA's Title VI Program guidelines/instructions have been promulgated by FTA C 4702.1A and dated May 13, 2007. The Circular applies to all assistance authorized by the Federal Transit Laws, as amended, and all programs administered by FTA. ConnDOT has submitted a Draft Title VI Program. Please refer to the Draft FTA Title VI Program for all Bureau of Public Transportation Title VI operational matters.

Final Draft

Connecticut
Department of Transportation

FTA Title VI Report 2008

April 2008

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I. Policy Statement, Authorities, and Citations

A. Policy Statement

The Connecticut Department of Transportation (Department) will effectuate the provisions of Title VI of the Civil Rights Act of 1964, as amended, 49 CFR Part 21, and 23 CFR Part 200, and other directives. The Department will ensure that no person in the United States shall, on the ground of race, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance from the United States Department of Transportation.

In accordance with these regulations, the Department has developed and executed a document entitled "Nondiscrimination Agreement and State Assurances", dated August 8, 2007.

The Division of Contract Compliance shall have the responsibility for the Department's Title VI activities. The Division of Contract Compliance administratively reports to the Office of Equal Opportunity and Diversity. Ms. Debra Goss has been designated the Department's Title VI Coordinator and can be reached at (860) 594-2169. The Division of Contract Compliance is located at 2800 Berlin Turnpike, Newington, CT 06131.

The Commissioner has delegated the Title VI program implementation responsibilities to the Department's Bureau Chiefs. The Bureau Chiefs will designate Title VI Liaisons who will be responsible for the day-to-day collection, analysis, and reporting of Title VI-related data.

The Title VI Liaisons will conduct compliance and program reviews to ensure that the Department is adhering to the procedures outlined in the Department's Title VI Implementation Plan. In cooperation with the designated Title VI Liaisons, the Title VI Coordinator will prepare an annual update of Title VI activities for the past year and establish goals for the upcoming year.

As Acting Commissioner of this Agency, I am personally committed to the effective implementation of the Department's Title VI Program. It is expected that all units will fully cooperate with the Title VI Coordinator in the implementation of the procedures outlined in the Title VI Implementation Plan.

_____

H. James Boice
ACTING COMMISSIONER

B. Authorities

The Department will ensure full compliance with Title VI of the Civil Rights Act of 1964, as amended (referred to as Title VI) and related statutes and regulations in all Department programs and activities. Specifically, Title VI provides 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 Civil Rights Restoration Act of 1987 (FHWA Notice 4720.6) clarified the original intent of Congress with respect to Title VI, 23 USC 324 (sex), the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973, by restoring the broad, institution-wide scope and coverage of the non-discrimination statutes to include all programs and activities of federal-aid recipients, whether or not such programs and activities are federally-assisted.

This report has been prepared in compliance with requirements set forth in U.S. Department of Transportation Federal Transit Administration Circular 4702.1A of May 13, 2007, "Title VI, and Title VI-Dependent Guidelines for Federal Transit Administration recipients."

C. Additional Citations

To satisfy the legal and regulatory requirements as defined in the following cites, the Department has created and implemented an agency-wide Title VI Program:

- Title VI of the Civil Rights Act of 1964, as amended (42 USC 2000d to 2000d-4);
- Federal Transit Laws, as amended (FTA C 4702.1A) – This Circular delineates the Federal Transit Administration's (FTA) Title VI requirements;
- Title VIII of the Civil Rights Act of 1968, as amended (42 USC 3601-3619) – This Act is know as the Fair Housing Act and Title VIII of this Act prohibits discrimination with respect to the sale or renting of housing;
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 USC 4601-4655) – This Act is known as the Uniform Act and provides for the uniform and equitable treatment of persons displaced from their homes, businesses, or farms by Federal and federally assisted programs and establishes uniform and equitable land acquisition policies for Federal and federally assisted programs;
- Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794) – No otherwise qualified individual with a disability in the United States shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance (cite taken from 49 CFR 27.1);
- 23 USC 109(h) – Requires the promulgation of guidelines intended to ensure that possible adverse economic, social, and environmental effects relating to any proposed project on any Federal-aid system have been fully considered in

developing such project, and that the final decision on the project are made in the best overall public interest….;

- 23 USC 324 – Prohibits discrimination on the basis of sex;
- 23 CFR 200 – This part delineates the Federal Highway Administration's (FHWA) Title VI regulation;
- 23 CFR 450 & 49 CFR 613 – "Planning Assistance and Standards" (October 28, 1993, unless otherwise noted);
- 23 CFR 771 – Joint FTA/FHWA regulation: "Environmental Impact and Related Procedures" (August 28, 1987);
- 28 CFR 42, Subpart F (Department of Justice regulation) – "Coordination of Enforcement of Nondiscrimination in Federally-Assisted Programs" (December 1, 1976, unless otherwise noted);
- 49 CFR 21 – "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964, as amended" (June 18, 1970, unless otherwise noted);
- DOT Order 5610.2 – "U.S. DOT Order on Environmental Justice to Address Environmental Justice in Minority Populations and Low-Income Populations" (EJ) (April 15, 1997);
- DOT Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons (LEP) (December 14, 2005).

II. Bureau of Public Transportation Overview – General Overview

A. Program Overview

The Department is the designated recipient for all Federal Transit Administration (FTA) programs. The Department is responsible for service and planning decisions for rail, fixed-route bus, and complementary paratransit service in the urbanized areas of the State.

The Department shares the designation with the City of Stamford, Greater Bridgeport Transit Authority, Greater Hartford Transit District, Greater New Haven Transit District, Housatonic Area Regional Transit, Middletown Transit District, Milford Transit District, Norwalk Transit District, and Valley Regional Planning Agency. As co-designees, these entities have the authority to apply directly to FTA for assistance. The entities that share the designation with the Department use FTA assistance and/or state and local funds to support demand-responsive service with elderly persons and to persons with disabilities that do not qualify for ADA complementary paratransit service.

The governor designated the Department as the agency responsible for administering the Sections 5307, 5310, 5311, 5316 and 5317 programs.

1. Office of Rail

The Department subsidizes the New Haven Line (NHL) and the Shore Line East (SLE) commuter rail services.

The New Haven Line

In Connecticut, the New Haven Line (NHL) is a commuter rail service that is owned by Connecticut. In 1985, the Department entered into a three-party service agreement with New York Metropolitan Transportation Authority (MTA) and Metro-North Railroad (MNR) that provides for operation of NHL service by MNR. The service agreement, referred to as the Amended and Restated Service Agreement (ARSA), also details the cost-sharing arrangement between the Department and the MTA MNR.

The NHL consists of 235 track miles of mostly four-track main line between New Haven, Connecticut, and the Connecticut / New York border and operates through to Grand Central Terminal in New York City. The NHL includes the Main Line that provides connecting service to the New Canaan, Danbury, and Waterbury branch lines.

The Main Line includes 73 miles between New Haven, Connecticut and Grand Central Terminal, New York (47 of the miles are in Connecticut between New Haven and Greenwich). The 19 Main Line stations in Connecticut include New Haven – State Street, New Haven - Union Station, Milford, Stratford, Bridgeport, Fairfield, Southport, Green's Farms, Westport, East Norwalk, South Norwalk, Rowayton, Darien, Noroton Heights, Stamford, Old Greenwich, Riverside, Cos Cob, and Greenwich. The entire Main Line has an overhead catenary system that is the primary source of power for over 90 percent of the trains that operate in the daily commuter service.

The Waterbury Branch Line includes 27 miles between Waterbury and Devon (Milford). The six stations on the line include Waterbury, Naugatuck, Beacon Falls, Seymour, Ansonia, and Derby/Shelton. The Danbury Branch Line includes 24 miles between Danbury and South Norwalk. The seven stations on the line include Danbury, Bethel, Redding, Branchville, Cannondale, Wilton, and Merritt 7. The New Canaan Branch Line includes 8 miles between New Canaan and Stamford. The four stations on the line include New Canaan, Talmadge Hill, Springdale, and Glenbrook. The New Canaan Branch is the only electrified branch line.

The service in 2007 on the NHL (Main Line and branch lines) consisted of 283 weekday trains, 176 Saturday trains, and 146 Sunday and holiday trains with the majority of the ridership heading to Stamford or further west into New York City. Annual passenger trips in 2007 were 36,360,341 (Connecticut interstate and intrastate passenger trips were 23,735,912). The total passenger miles in 2007 were 1,147,896,931 (Connecticut interstate and intrastate passengers were 929,725,667).

Equipment in service on the NHL as of March 2008 consists of 343 Multiple-Unit Electric Cars (185 Connecticut owned), 44 push-pull coaches, 10 Cab control cars, and 10 locomotives.

The Department owns the main line track from the New York state border to New Haven, the branch line tracks, maintenance facilities, most stations, and approximately 55 percent of the equipment. The infrastructure includes station

buildings, platforms, tracks, communications, and the railroad's power system (substations, catenary, and signalization). The infrastructure also includes five movable bridges located on the main line, all of which have four main line tracks crossing them. Rail yards and equipment maintenance facilities are located in New Haven, East Bridgeport, Stamford, and Danbury. A warehouse is located in Springdale. Under ARSA, MNR maintains the right-of-way, facilities, and the equipment. The Department uses FTA assistance to upgrade the right-of-way, build and rehabilitate the maintenance facilities, and purchase the equipment.

The MTA, specifically MNR, submits a Triennial Title VI report to the FTA, reporting and assessing its compliance with respect to minority and income status equity, which includes the NHL service in Connecticut. MNR's service area (census tracts) and routes are classified by minority/income status in accordance with FTA regulations.

The Department reviews the contents of MTA MNR's portion of the Title VI program that reports on the NHL service in Connecticut and also monitors their activities in Connecticut. The Department will not report on the same Title VI activity in an effort to reduce redundancy.

Shore Line East

Shore Line East (SLE) is a commuter rail service that is owned by Connecticut and is operated by Amtrak under a service agreement with the Department between New London and New Haven. The SLE service in 2007 consisted of 23 daily weekday trains (21 that travel between Old Saybrook and New Haven and 2 that travel between New London and New Haven) and through service to Bridgeport and Stamford on the NHL. Special SLE weekend service was operated for seven weekends in November and December 2007, and consisted of 11 Saturday trains and 11 Sunday trains. In 2007, the service on SLE consisted of 483,578 annual passenger trips and 9,514,899 total passenger miles.

Amtrak owns the right-of-way on the 50 miles of the North East Corridor (NEC) between New London and New Haven. The stations on SLE include New Haven – Union Station, New Haven - State Street, Branford, Guilford, Madison, Clinton, Westbrook, Old Saybrook, and New London. The Department also owns or leases parking at most of the stations.

The Department owns the equipment that is provided for the service and Amtrak provides the train crews and performs all associated maintenance and mechanical functions. Equipment in service on SLE as of March 2008 consists of 23 push-pull coaches, 10 Cab control cars, and 8 diesel locomotives.

The Department's contract with Amtrak provides for the maintenance of equipment by Amtrak in a Department-funded car and diesel shop. With FTA assistance, the Department has constructed new stations at Guilford, Branford, and Clinton and will construct new stations at Madison and Westbrook.

The Department will report on Title VI activities for the SLE service in this submission because Amtrak is considered a subrecipient of the Department and they do not submit a Title VI report for the SLE service.

2. Office of Transit and Rideshare

Connecticut Transit

The State-run bus services are labeled as Connecticut Transit (CTTransit) and consist of eight divisions of service, operated under contract by four separate entities. In all divisions, the bus fleets are State-owned and the services are subject to State control.

The Hartford Division consists of 30 fixed routes, four flyers and 12 express commuter routes. Consisting of 237 buses and serving 27 towns, the division is managed under contract to the Department by HNS Management Inc. In State Fiscal Year 2007, the division provided 540,000 hours of operations covering 7,081,250 miles and providing 13,447,305 passenger trips. The garage and office facilities are State-owned as are all permanent fixtures within. Complementary ADA paratransit services for the Hartford system are performed under the Department contract by the Greater Hartford Transit District.

The New Haven Division consists of 17 fixed bus routes and 2 shuttles. Consisting of 110 buses and serving 19 towns, the division is managed under contract to the Department by HNS Management Inc. In State Fiscal Year 2007, the division provided 300,250 hours of operations covering 3,388,082 miles and providing 8,338,138 passenger trips. The garage and office facilities are State-owned as are all permanent fixtures within. Complementary ADA paratransit services for the New Haven system are performed under the Department contract by the Greater New Haven Transit District.

The Stamford Division consists of 14 local bus routes, 4 rail shuttles and one express commuter route. Consisting of 54 buses and serving 4 Connecticut towns, the division is managed under contract to the Department by HNS Management Inc. In State Fiscal Year 2007, the division provided 119,561 hours of operations covering 1,252,470 miles and providing 2,908,407 passenger trips. The garage and office facilities are State-owned as are all permanent fixtures within. Complementary ADA paratransit services for the Stamford system are performed under the Department contract by the Norwalk Transit District.

The Waterbury Division consists of 22 fixed routes as well as Access to Jobs and several industrial tripper routes. Consisting of 36 buses and serving 5 towns, both fixed route and complementary ADA paratransit operations are performed under the Department contract by North-East Transportation Company of Waterbury. In State Fiscal Year 2007, the division provided 61,620 hours of operations covering 813,078 miles and providing 1,267,836 passenger trips. The garage and office facilities are leased by Northeast and most assets within are owned by the Department.

The New Britain Division consists of 11 fixed routes, plus one route jointly operated by the Hartford and New Britain divisions. The New Britain division services are operated by two private operating companies, New Britain Transportation Company and DATTCO, Inc. A combined total of 20 buses are utilized in serving 4 towns. Complementary ADA paratransit service for the New Britain system is provided under contract to the Department by the Central Connecticut Regional Planning Agency. In State Fiscal Year 2007, the division provided 47,910 hours of operations covering 665,372 miles and providing 786,712 passenger trips. The facilities are privately owned by the respective companies.

The Meriden Division consists of 3 fixed routes and is operated under the Department contract by North-East Transportation Company, utilizing 3 buses. In State Fiscal Year 2007, the division provided 10,135 hours of operations covering 155,930 miles and providing 153,099 passenger trips. The complementary ADA paratransit service is also provided by North-East, with both services utilizing the leased facilities in Waterbury.

The Bristol Division consists of one fixed route, and operated under the Department contract by New Britain Transportation Co. utilizing one bus. In State Fiscal Year 2007, the division provided 5,481 hours of operations covering 73,534 miles and providing 43,898 passenger trips. The complementary ADA paratransit service for the system is provided under the Department contract by Central Connecticut Regional Planning Agency.

The Wallingford Division consists of one route, operated under the Department contract by North-East Transportation Co., which also operates the complementary ADA paratransit service for the division. The route utilizes one bus, and In State Fiscal Year 2007 the division provided 2,296 hours of operations covering 43,618 miles and providing 15,182 passenger trips.

Rural Transit Districts

The OTR oversees the funding and operations of five subrecipient Rural Transit Districts under the Section 5311 Program.

Estuary Transit District (ETD) provides Shoreline Shuttle service, Riverside Shuttle service and Transit-on-Call service. Shoreline Shuttle service began in 1996 and runs along Route 1 between the towns of Madison and Old Saybrook connecting with the DATTCO bus "S" route for continued service into New Haven. Riverside Shuttle service provided since 2005 along Route 154 from Chester to Old Saybrook connects with the Shoreline Shuttle service. Both services are off route and meet ADA requirements. In addition, the District has provided Transit-on-Call service since 2005 through the nine towns of Chester, Clinton, Deep River, Essex, Killingworth, Lyme, Old Lyme, Old Saybrook, and Westbrook.

Middletown Transit District (MTD) formed in 1968 provides transit service on two (2) rural routes (Route 'F' from Middletown to Portland and East Hampton, Route 'G' from Middletown to Durham), five (5) fixed routes within the city of Middletown, Dial-a-Ride and ADA services to the towns of Middletown, Durham, Middlefield, Portland

and East Hampton. In addition, MTD currently runs two (2) Job Access and Reverse Commute (JARC) program routes between the cities of Middletown, Meriden, and Cromwell.

Northeastern Connecticut Transit District (NECTD) was established in 1979 and serves the towns of Brooklyn, Killingly, Putnam, and Thompson with deviated fixed route service. Dial-a-Ride service is provided to the towns of Eastford, Woodstock, and Pomfret. NECTD contracts with the Northeastern Connecticut Council of Governments (NECCOG) for administration, operation oversight, and dispatching services.

Northwestern Connecticut Transit District (NWCTD) was formed in 1987 and provides services to a sixteen (16)-town region. The Candystriper is a Local Bus service (Deviated Flexible Route service) available in Torrington, Winsted, and Litchfield; Monday through Friday; and is operated by Nason Partners under contract with Northwestern Connecticut Transit District. The Rural Transit Dial-A-Ride service is a paratransit van; curb-to-curb transportation service provided by NWCTD and is available to people of all ages, in the sixteen (16) towns throughout Northwest Connecticut.

Windham Region Transit District (WRTD) was formed in 1979; it operates two (2) rural fixed route bus services, a demand response service and ADA service. The Storrs/Willimantic bus route operates along Route 195 to link Mansfield/Storrs with Windham/Willimantic. The Willimantic 'City Bus' route serves east/west Willimantic and southern Mansfield. WRTD is also involved in working with other agencies in Eastern Connecticut on a Job Access transportation demonstration project.

B. Program Administration

The Title VI Coordinator is charged with the responsibility for implementing, monitoring, and ensuring the Department's compliance with Title VI regulations. Title VI responsibilities are as follows:

1. Identify and eliminate discrimination.
2. Administer the Title VI program and coordinate implementation of the plan.
3. Collect statistical data (race, color, sex, age, disability, or national origin) of participants in and public transportation programs, e.g., affected citizens and affected communities.
4. Conduct training programs on Title VI and other related statutes for Department employees and recipients of federal-aid funds.
5. Review written Title VI complaints received by the Department and follow the adopted procedural guidelines (See Section 3A)
6. Conduct Title VI reviews of contractors and other recipients of federal-aid fund contracts administered through the Department.
7. Review Department program directives in coordination with Title VI liaisons for special emphasis program areas. Where applicable, include Title VI language and related requirements.
8. Prepare a yearly report of Title VI accomplishments and goals, as required.

9. Develop Title VI information for dissemination to the public and, where appropriate, in languages other than English.
10. Conduct post-grant approval reviews of Department programs and applicants for compliance with Title VI requirements.
11. Establish procedures for promptly resolving deficiency status and reducing to writing the remedial action agreed to be necessary.
12. Disseminate Title VI program information to staff, sub-recipients, and the public. Public dissemination may include website postings, informational brochures, inclusion of Title VI language in contracts, or other agreements.

III. Title VI General Requirements [FTA C 4702.1A, Chapter IV]

A. Tracking and Investigating Title VI Complaints [FTA C 4702.1A, Chapter IV, Part 2]

All Title VI complaints will be filed in accordance with the following Title VI Complaint Procedures:

Any person alleging to be aggrieved by a discriminatory practice may in person or through a legal representative, obtain a Title VI Complaint Reporting Form, fill it out and file said complaint with the Title VI Coordinator or Bureau Head within 180 days following the date of the alleged discriminatory action or the date when the person(s) became aware of the alleged discriminatory action. The Title VI Coordinator or Bureau Head may complete the Complaint Reporting Form and attach the Complainant's letter.

All complaints will be referred to the Department's Title VI Coordinator. The Title VI Coordinator will review the complaint and inform the appropriate program area designee. Complaints must be in writing, signed by the Complainant or a representative, and include the Complainant's name, address, and telephone number, or other means by which the Complainant may be contacted. Complaints shall explain as fully as possible the facts and circumstances surrounding the alleged discriminatory action, and identify the individual(s) and/or organization(s) responsible for the alleged discriminatory action. In cases where the Complainant will be assisted in converting an oral complaint into a written complaint, the Complainant is required to sign the written complaint. Signed allegations of discrimination received by facsimile or e-mail will be acknowledged and processed. Complaints received by telephone will be reduced to writing and provided to the complainant for confirmation, revision, and signature before processing.

The Title VI designee or the individual receiving the written complaint will review the complaint to ensure that the required information is provided, the complaint is timely, and is within the appropriate jurisdiction. The complaint will be accepted unless it is withdrawn, is not filed timely, or the Complainant fails to provide the required information after a written follow-up request for the missing information.

Issues that do not involve discrimination or are not based upon a protected basis will not be directed to the appropriate entity. Individuals should never be discouraged from filing a written complaint.

Complaints Filed Against the Department

Written complaints filed with the Department in which the Department is named as the Respondent will be forwarded to the appropriate USDOT agency for processing. The allegation(s) will be analyzed by the USDOT agency and the Complainant will be notified of the status of the complaint. The Title VI Coordinator may conduct an independent evaluation regarding affected Department policy and may direct actions be taken within the Department to address any policy deficiencies.

Complaints Filed Against a Sub-recipient

Written complaints filed with the Department in which a Department sub-recipient (i.e., contractor, subcontractor, consultant, sub-consultant, or other sub-recipient) is named as the Respondent will be analyzed and investigated by the Title VI Coordinator. The Title VI Coordinator may forward a complaint against a sub-recipient to the appropriate USDOT agency for investigation. Once the investigation has been conducted and the investigative report (IR) written, the Title VI Coordinator will forward a copy of the complaint and a copy of the IR within sixty (60) days of the complaint date of receipt by the Department to the FHWA/FTA/FAA Civil Rights Specialist.

A complaint log will be maintained for all complaints filed with and investigated by the Department. The Investigator will advise the Complainant of his/her rights under Title VI, Title VIII, and related statutes.

The Respondent is notified by the Department that he/she has been named in a complaint. The letter will indicate the Investigator's name and inform the Respondent that he/she will be contacted for an interview. The complaint investigation will be completed within forty (40) days of the date of receipt.

Investigation Process

The Investigation Process includes the following documents/actions:

- Investigative Plan
- Request for Information
- Conducting Interviews
- On-Site Visit
- Obtaining Evidence
- Analyzing Data
- Writing the Investigative Report

Investigative Plan

The Investigative Plan is a working document intended to define the issues and provide a roadmap to complete the investigation. The Investigative Plan is an internal document for use by the Investigator and his/her supervisor to keep the investigation on track and focused on the issues. It is the Investigator's checklist. The following elements should be contained in an Investigative Plan:

1) Complainant(s) Name and Address/Attorney For Complainant with Name and Address
2) Respondent(s) Name and Address/Attorney For Respondent with Name and Address
3) Applicable Law (i.e., Title VI, Title VIII, Compliance Review Under Regulations)
4) Basis
5) Issue(s)
6) Background
7) Name of Person(s) to be Interviewed, including Questions for the Complainant, Respondent and Witness(es)
8) Evidence to be Obtained During the Investigation

Request for Information

To prepare the Request for Information (RFI), refer to the Evidence section of the Investigative Plan. The RFI is sent to the appropriate official(s) at the Respondent's facility. Contact the Respondent to advise him/her of the complaint and to determine the appropriate official(s) to whom the RFI should be sent and eventually interviewed.

Prepare a cover letter to transmit the RFI. The cover letter should explain the process and provide information regarding any meetings that have been scheduled. Modify the cover letter to satisfy the circumstances. Provide the RFI to the Respondent prior to conducting the on-site visit. This will facilitate the availability of the evidence during the on-site visit.

Conducting Interviews

When preparing for the interviews, always remember that the main objective is to obtain information from witnesses who can provide information that will either support or refute the allegations. A list of major questions should be prepared that will address the issues involved in the complaint. During the interview, the following steps are recommended:

- Introduce yourself and outline the interviewing process (i.e., whether a signed statement will be requested, whether notes will be taken, etc.);

- Place the person being interviewed at ease;
- Listen effectively;
- Differentiate factual information from opinions;
- Ask questions best worded to provide factual responses;
- Take clear and precise notes; and
- Obtain a signed statement from the person being interviewed.

COMPLAINANT – The purpose of interviews is to gain a better understanding of the situation outlined in the complaint of discrimination. The Investigator needs to contact the Complainant to ensure that he/she understands the Complainant's allegation(s). It is recommended that the Investigator interview the Complainant prior to preparing the Investigative Plan. If this is not possible, be ready to make any changes as appropriate to the Investigative Plan based upon any new information provided by the Complainant. Always inquire of the Complainant whether he/she desires to resolve the complaint.

RESPONDENT – Respondents are interviewed to provide an opportunity to respond to the allegations raised by the Complainant as well as to provide the Investigator the opportunity to understand the Respondent's operation or policies that Complainant cites in the complaint. As the keeper of the records, you will need to discuss the RFI with the Respondent and be able to explain the need for requesting any document on the list. Inform the Respondent that he/she has the right to submit a formal position statement addressing the Complainant's allegations. Question the Respondent regarding possible settlement opportunities.

WITNESSES – Complainant or Respondent may request that additional persons be interviewed. Determine what relevant information, if any, a witness has to provide prior to conducting an interview. Only interview persons who have information relevant to the allegations raised in the complaint of discrimination. Determine whether the testimony to be provided is relevant. Determine when sufficient interviews have been conducted.

On-Site Visit

An On-Site visit should be conducted when:

- Personal contact with the Complainant and the Respondent may yield information and clarification that might not otherwise be discovered by only reviewing the written documents or telephone contacts;
- It is necessary to review the physical environment;
- More effective communication can be established with representatives and witnesses of the Complainant and Respondent; and
- Documentation can only be examined on-site for reasons of convenience, cost, format, or volume.

Obtaining Evidence

Evidence requested should be related to the issues cited in the complaint. An evidence request should contain some or all of the following:

- The policies and procedures regarding the practice that Complainant has alleged;
- All documents relating to Respondent's dealing with Complainant in the situation described in the complaint;
- Documents which exhibit how others, not in the Complainant's group, were treated under similar circumstances;
- Respondent's reason(s) for the action taken; and
- A formal position statement from Respondent addressing Complainant's allegations.

The Types of Evidence include the following:

- CIRCUMSTANTIAL EVIDENCE – Includes facts from which may be inferred intent or discriminatory motive and proves intent by using objectively observable data;
- COMPARATIVE EVIDENCE – A comparison between similarly situated individuals;
- DIRECT EVIDENCE – Related to the Respondent's motive, it is defined as any statement or action by an official of the Respondent that indicates a bias against members of a particular group;
- DOCUMENTARY EVIDENCE – Written material, which is generated during the course of normal business activity;
- STATISTICAL EVIDENCE – Statistics, facts, or data of a numerical type, which are assembled, classified, and tabulated so as to present significant information about a given subject; and
- TESTIMONIAL EVIDENCE – Evidence that is provided orally.

Analyzing Data

Data must be analyzed to determine whether a violation has occurred. When analyzing data, you must:

- Review what happened to the Complainant;
- Compare Complainant's treatment with the appropriate policies and procedures;
- Compare Complainant's treatment with others in the same situation;
- Review Respondent's reason(s) for the treatment afforded the Complainant; and
- Compare Respondent's treatment of the Complainant with the treatment afforded others.

Writing the Investigative Report

The Investigative Report (IR) will contain the following sections:

- Complainant(s) Name and Address
- Respondent(s) Name and Address
- Applicable Law
- Basis
- Issues
- Findings for each issue with a corresponding conclusion for each issue
- Recommended Decision
- Recommendations (If Applicable)

B. Title VI Investigations, Complaints, or Lawsuits filed with the Department [FTA C 4702.1A, Chapter IV, Part 3].

There are no known active investigations, lawsuits, or complaints naming the Department that allege discrimination based on race, color, or national origin with respect to service or other transit benefits. Complaints against MNR that include the NHL in Connecticut would be included in their Title VI submission.

C. Access to Services by Persons with LEP [FTA C 4702.1A, Chapter IV, Part 4]

Executive Order 13166 ("Limited English Proficiency") affirmed the obligation to eliminate limited English proficiency (LEP) as an artificial barrier to full and meaningful participation in all federally assisted programs and activities. In addition, the Executive Order expanded the obligation to address the language needs of LEP persons beyond federally assisted programs and activities to include federally conducted programs and activities. A recipient is required to evaluate how a LEP person's inability to understand oral and written information provided by and about a federally assisted program or activity might adversely affect his or her ability to fully participate in or benefit from that program or activity. The guiding principle of the LEP Guidance is a four-factor analysis of "reasonableness". The four-factors are as follows:

Number or proportion of LEP persons in the eligible service population;
The frequency with which LEP individuals come in contact with the program;
The importance of the service provided by the program; and
The resources available to the recipient.

Utilizing these four-factors, the Department should determine what, if any, language mitigation measures are reasonably necessary to eliminate or minimize LEP as a barrier to participation in or receipt of the benefits of a federally assisted program or activity.

Since translation services are costly and may not be necessary based on the analysis conducted above, the Department will seek cost-effective means to ensure meaningful access for LEP persons. The Department maintains a list of employees who speak languages other than English fluently. These individuals may be available to serve as interpreters at public hearings and on other occasions if needed. The Department will

utilize a variety of other methods to encourage meaningful participation in all of their programs to LEP persons.

D. Requirement to Notify Beneficiaries of Protection under Title VI [FTA C 4702.1A, Chapter IV, Part 5].

The notice below will be utilized to notify beneficiaries of their protection under Title VI:

The Connecticut Department of Transportation is committed to ensuring that no person is excluded from participation in, or denied the benefits of, or be subject to discrimination in the receipt of its services on the basis of race, color, or national origin as protected by Title VI of the Civil Rights Act of 1964, as amended (Title VI).

If you believe you have been subjected to discrimination under Title VI, you may file a written complaint with Ms. Debra Goss, who has been designated the Department's Title VI Coordinator and can be reached at (860) 594-2169. The Division of Contract Compliance is located at 2800 Berlin Turnpike, Newington, CT 06131.

E. Public Participation [FTA C 4702.1A, Chapter IV, Part 9].

The Department uses a variety of public outreach and involvement activities to ensure that minority persons have meaningful access to the Department's services. The Department has requested employees in the Department who speak languages other than English fluently to volunteer to serve as interpreters at public hearings or on other occasions if needed and maintain a list.

The Department will post on the agency's Web site a notice that will include a statement that the agency operates programs without regard to race, color, and national origin. The notice will also include a description of the procedures that members of the public should follow in order to request additional information on the recipient's or subrecipient's nondiscrimination obligations and a description of the procedures that members of the public should follow in order to file a discrimination complaint against the recipient or sub recipient.

The Bureau of Policy and Planning within the Department is in the process of developing a Public Involvement Guidance Manual. The Manual addresses outreach and public participation of LEP, minority, and low-income populations. The public review and comment period is pending on this draft document.

1. Office of Rail

The Department will notify members of the public of their rights under Title VI through such measures as posters, comment cards, or flyers placed at stations and in transit vehicles. These notices will be translated into languages other than English as appropriate.

The Department contracts with a regional transportation demand management agency to provide outreach, marketing, and other involvement activities for the SLE service. This is done primarily through:

- Customer service – A phone number with a live operator during service hours is provided for questions about the SLE service. After hours' calls are forwarded to voicemail for follow-up the next business day.

- Webletter/ e-mail notifications – These are essentially intended to replace seat drops and are sent when there is a schedule change, service disruption that will significantly impact riders for longer than a period of a couple days, and as a reminder for upcoming holiday schedule changes.

- Website – This includes most information on the printed schedule such as timetables, fares, bus connections, station information/directions, service policies, frequently asked questions, and links to other connecting service provider websites. http://www.shorelineeast.com/. The Department is planning to offer machine translation to Spanish (at a minimum) on a redesigned SLE website prior to the end of the federal fiscal year.

- Advertising – Monthly mailings to new residents of towns within the service area of SLE with an offer to try the train; local newspaper and website banner advertisements for the weekend holiday service in Nov/Dec 2007; advertised in a small, regional seasonal magazine last year; and conducted an annual billboard campaign on the Pearl Harbor Memorial "Q" bridge that was terminated in 2004.

- Brochures - "Ride & Relax": basic SLE introduction brochure distributed widely with timetables in libraries, town halls, realtors offices, etc.

The Department and its contractor periodically review updating/ revising the website and brochure(s) to more effectively communicate information to its customers. A demand for products in languages other than English will be made at that time based on customer surveys and in compliance with Title VI. The Department will explore the incorporation in Spanish language newspapers in all print advertising.

2. Office of Transit and Rideshare

The Office of Transit and Ridesharing plans to inform the public of their Title VI rights by placing notices on bus timetables and system maps for circulation. Notice, in English and other languages, will be posted on buses with placards. When applicable, posters will be displayed in bus terminals, and lastly such notice will be posted on the internet websites of CTTransit and its contractors.

IV. Program Specific Requirements for Recipients Serving Large Urbanized Areas [FTA C 4702.1A, Chapter V].

A. Demographic Data

The Department uses a variety of methods that analyze the demographics of the beneficiaries of its services.

1. Office of Rail

i. Option B: Survey Information on Customer Demographics and Travel Patterns

Three surveys are conducted of the Department's NHL and SLE rail service. These surveys collect information on the race, color, national origin, income, and travel patterns of their riders.

1) Metro-North Railroad's annual Customer Satisfaction Survey
   - Conducted annually in September in 2005, 2006, and 2007.
   - Survey includes riders on the NHL in Connecticut.
   - MTA MNR provides an analysis of the survey results in their Title VI submission.
   - A copy of the distributed questionnaires and survey results are included in **Appendixes A - F**

2) Metro-North Railroad's Origin and Destination Survey
   - Conducted for the first time in 2007.
   - Conducted in English and Spanish.
   - Over 92,000 responses were received and the results are being finalized.
   - A copy of the distributed questionnaire is included in **Appendix G.**

3) Shore Line East Customer Satisfaction Survey
   - The 2005 Survey was conducted in December.
   - A survey was not conducted in 2006.
   - The 2007 Survey was conducted on May 22, 2007.
     - The 2007 Survey elicited responses from 627 individuals. This is 64 percent of the 979 inbound boards on May 22, 2007.
   - Another survey will be conducted in spring or summer of 2008.
   - A copy of the distributed questionnaire and survey results are included in **Appendixes H - K**

ii. Demographic Maps

The Bureau of Policy and Planning GIS Unit has provided demographic maps based on the United States Census Tract that identifies the LEP population, Low-income population, and Minority/Non-minority population on the SLE rail service. The service area on SLE is defined as a 2.5-mile radius around each rail station. The maps include an overlay of the rail stations.

a) LEP Population. The Department has produced identified Spanish speaking individuals, Spanish speaking populations with Limited English Proficiency, Polish speaking individuals, Portuguese speaking individuals, Russian speaking individuals, French Creole and French Cajun speaking individuals, Greek

speaking individuals, Italian speaking individuals, Indo European speaking populations with Limited English Proficiency, Albanian, Gaelic, Lithuanian, and Roman speaking individuals along the passenger rail lines.

New London is the only town on the SLE service that has Spanish-speaking individuals for population over 18 years of age who have been identified as LEP.

See Appendix L

b) Low Income Individual by Percent in Census Tracts with no graduation. Low income is defined as "any individual who falls under the United States Census' Population Poverty Leven of 150." On the SLE service, the areas that have been identified as low income include the northwest section of the Branford rail station and most of the area surrounding the New London station.

Individuals Approaching Poverty by percent. Areas of interest in Connecticut include New Haven, Waterbury, Hartford, and Bridgeport.

Low Income Individuals by Percent in Census Tracts with graduation. Areas of interest include New Haven and Bridgeport.

See Appendix M

c) Minority / Non-Minority.
These maps are pending.

2. Office of Transit and Rideshare

The Office of Transit and Ridesharing, working with the Bureau of Policy and Planning, utilizing the demographic mapping analysis from the latest census and overlaying the maps of existing bus system routes to determine if the needs of persons from minority groups, poorer persons and LEP persons are receiving suitable levels of bus service. Where gaps may be detected OTR will meet and plan with those communities to institute planning and implementation of services that will serve to fill those gaps.

B. System-wide Service Standards

1. Office of Rail

- Vehicle Load Standards

Loading standards currently do not have an impact on SLE service. The minimum consist size for SLE trains is three coaches. Train length was standardized for fleet maintenance and service flexibility.

The current SLE service requirement is four train sets and one protect set.

The SLE service follows the current MTA MNR's loading standards.

Maximum Recommended Occupancy for

Lengthening Trains	
Peak/Reverse Peak	95%
Off-Peak Weekday	85%
Weekend	75%

All SLE trains exceed the loading standards. Currently only one SLE morning train, no. 1637 is approaching the peak load for a three car set. This train along with a second morning train has been increased to four car sets in order to meet seating demands on the NHL operated by MTA MNR. These two morning trains operate SLE through to Stamford on the NHL and two evening trains operate through from Stamford to the SLE. Currently all four of these trains operate with four car sets.

The SLE service operates with two train sets with four cars and two train sets with three cars plus one protect set with three cars. The goal is to have all five sets standardized with four cars each. This goal will require an expanded New Haven car storage yard.

- Vehicle Headway Standards

The SLE service primarily operates morning inbound peak service to New Haven with connecting NHL service operated by MTA MNR and evening outbound peak service from New Haven with connections from the NHL . The service operates with half hour to one hour headways during the morning and evening peak period. The SLE service follows the current MTA MNR's designation for peak periods. The weekday morning peak is from 5:00 a.m. to 10:00 a.m. and the weekday afternoon peak is from 4:00 p.m. to 8:00 p.m. For the SLE service these peak periods are based on New Haven morning arrival and New Haven evening departures.

The SLE service is operated with five train sets (four to operate the service and one as a protect set). The first six of the seven morning inbound trains average a half hour headway with the last morning train operating one hour and 9 minutes later. Six of the nine afternoon and evening trains operate with average half hour headway with the first train and last two trains operating with an hour average headway.

- On-time Performance Standards

The SLE service is operated by Amtrak on behalf of the Department. On-time performance (OTP) is measured for the SLE service based on trains arriving at the destination within 5 minutes and 59 seconds. Trains that are cancelled (annulled) and do not operate and trains that are terminated prior to their final destination are counted as late trains. Delays to SLE trains due to late NHL train connections are not counted in the On-time performance. The goal for the SLE service is 95% on-time performance. The SLE service operated at 95.4% OTP in 2005, 95.7% OTP in 2006, and 93.8% OTP in 2007.

- Distribution of Transit Amenities Standards

Amenities refer to items of comfort and convenience available to the general riding public. The Office of Rail has used the surveys conducted of the rail service to understand the amenities important to its customers. The American with Disabilities Act (ADA) was created to improve access for people with disabilities. The ADA requires certain design changes to rail cars and stations that have improved the comfort of the riding public. These changes have brought about many improvements and amenities to the rail cars and stations.

The standard train sets for SLE service consist of Mafersa Coaches and Cab Control Cars. The SLE service operates with two train sets with four cars and two train sets with three cars plus one protect set with three cars. The goal is to have all five sets standardized with four cars each.

The standard SLE service for inbound morning peak trains and outbound evening peak trains make all stops between New Haven Union Station and Old Saybrook. Theses stations include New Haven State Street, and the five intermediate stations: Branford, Guilford, Madison, Clinton, and Westbrook.

Some of the accomplishments to improve customer satisfaction on SLE during 2005 – 2008 include the following:

1. Platforms - new high-level platforms were added at the Branford (south platform) (August 2005), Guilford (north and south platforms and pedestrian up-and over) (November 2005), and Clinton (south platform) (July 2005) stations.

2. Parking lots - new parking lots were added at the Branford (August 2005), Guilford (November 2005), and Clinton (July 2005) stations.

3. Clarity of announcements was improved.

4. Availability of seating - train sets were expanded from three cars to four cars on two morning and two evening peak trains.

5. Lighting inside trains - Mafersa Coach Repair Program (2006 – 2007) upgraded light lenses.

6. Air conditioning / heating - Mafersa Coach Repair Program (2006 – 2007) repaired air conditioning and heating components as needed.

7. Seating - Mafersa Coach Repair Program (2006 – 2007) replaced seating as needed.

8. Windows - Mafersa Coach Repair Program (2006 – 2007) replaced windows (glazing) as needed.

9. Condition / cleanliness of train interiors - Mafersa Coach Repair Program (2006 – 2007) repaired interior conditions as needed. Amtrak maintenance workers continue to clean car interiors.

10. Train schedule - midday round trip trains added October 2007. Late night train planned for May 2008.

- UNDER CONSTRUCTION
    1. Madison Station: currently under construction at new site; new station will include a new high-level platform (south) and parking lot; projected date of completion, June 2008.

- FUTURE CONSTRUCTION
    1. Branford Station: construction of a new high-level north platform, pedestrian up-and-over, and parking expansion planned for completion in 2010+
    2. Guilford Station: construction of an extension for the north platform and supplemental parking planned for completion in 2010+
    3. Madison Station: construction of a new high-level north platform and pedestrian up-and-over planned for completion in 2010+; construction of a parking garage planned for completion 2011+
    4. Clinton Station: construction of a new high-level north platform and pedestrian up-and-over planned for completion in 2010+
    5. Westbrook Station: construction of new high-level north and south platforms, parking lot and pedestrian up-and-over planned for completion in 2010+

    *All construction is pending confirmation of funding and approval of design plans.

- MAINTENANCE
    1. DeMarco Management Company (private management company) was contracted by CDOT to maintain all Shore Line East stations, including State Street Station, from October 1, 2005 to September 30, 2010.
        - responsibilities include, but not limited to:
            - snow and ice removal
            - trash and litter removal
            - landscaping
            - lighting and elevators
            - general maintenance of parking lots and buildings

Station Amenities at Shore Line East Stations (as of March 2008)

Station	Benches	Heated Shelters	Elevators	Ticket Vending Machines	Ramp(s)	Enclosed / Heated Overpass	Information Kiosks / CID's	P.A. Speakers	Waiting Room / Ticket Office	Restroom
New Haven Union Station										
New Haven State Station										
Branford	6	0	0	0	1	0	*	6	Vestibule	0
Guilford	6	0	2	0	2	Enclosed	*	6	2 Vestibule	0
Madison	1	0	0	0	1	0	*	3	Shelter	0
Clinton	6	0	0	0	1	0	*	4	Vestibule	0
Westbrook	1	0	0	0	1	0	*	2	Shelter	0
Old Saybrook*	4	0	2	0	1	Enclosed	2	12	Yes	Yes
New London*										

* Amtrak-owned station -Timetables and bulletins are adhered to walls of shelters/buildings.

Station	Description	Use	Lessee	Owner
Union Station New Haven	Four platforms, elevator, pedestrian tunnel		The New Haven Parking Authority operates and maintains.	The Department owns
State Street New Haven	One platform, elevator, pedestrian bridge			
Branford	One platform	Platform & Station Building	The Department owns improvements; the Department operates and maintains	Amtrak owns land
		Parking Lot	n/a	The Department owns parking lot area and improvements
Madison	One platform	Platform	The Department owns improvements; the Department operates and maintains	Amtrak owns land
		Parking Lot	n/a	The Department owns parking lot area and improvements
Clinton	One platform	Platform, Station Building, and Parking Lot	The Department owns improvements; the Department operates and maintains	Amtrak owns land
Westbrook	One platform	Platform & Parking Lot	The Department owns improvements; the Department operates and maintains	Amtrak owns land
Guilford	Guilford Station has two platforms with elevators and a pedestrian bridge.	Platform, Station Building, and Parking Lot	The Department owns improvements; the Department operates and maintains	Amtrak owns land
Old Saybrook	Old Saybrook has two platforms with stairs and elevators to a connecting pedestrian bridge.	Platform & Station Building	n/a	Amtrak owns the land, operates, and maintains the station and platform
		Parking lot adjacent to Platform	n/a	Amtrak owns land and maintains
		Smaller Parking Lot	n/a	The Department owns parking lot and improvements; the Department maintains
New London	Two platforms	Platform	n/a	Amtrak owns and maintains
		Station Building	n/a	New London Railroad Co, LLC, owns, operates, and maintains
		Commuter Garage	n/a	City of New London owns, operates, and maintains

t is planned to have all intermediate stations upgraded to include high-level platforms on both the north and south sides of the railroad right of way. so included would be elevator and stairs to access the pedestrian bridges to connect the two platforms.

- Service Availability Standards

The standard SLE service for inbound morning peak trains and outbound evening peak trains make all stops between New Haven Union Station and Old Saybrook. Theses stations include New Haven State Street, and the five intermediate stations: Branford, Guilford, Madison, Clinton, and Westbrook.

The SLE service provides limited peak service to New London and limited reverse service. The Department is currently planning for increased New London service and reverse service on the SLE. To provide additional service to New London the Department would need to obtain approval from Amtrak to operate added trains on their right of way and from the Department of Environmental Protection to increase the river bridges closures to marine traffic. To provide additional reverse peak service Amtrak is requiring two high level platforms at each SLE station. These service increases would also require the increase to seven train sets from the current five train sets.

2. Office of Transit and Rideshare

1) System-Wide Service Standards. The Office of Transit and Ridesharing will begin to set system-wide service standards by analyzing the status of the eight CTTransit bus systems. Because of the vast differences in these systems driven by the diverse geographic and demographic circumstances these standards may vary from system to system.

- Vehicle Load ratios will be analyzed for each route within the systems to determine the variance of the load ratios observed. As a standard, OTR will strive to eliminate situations where the ratio on a route at peak frequently exceeds 85% of the seating capacity. This would be prioritized in cases where standees become frequent on these trips. When the case can be justified, a higher frequency of route trips will be implemented, however OTR wishes to avoid a rigid policy of service increases that would force the hands of either the Department or our contractors if seating were still consistently available.

- Standards of vehicle headway already exist for most individual system routes, and OTR will strive to maintain a common sense approach that attempts to match frequency with demand, while remaining mindful of promoting the connectivity of transfers within the system. Policy can be anticipated to promote more frequent headways at peak than at off-peak times, while maintaining the pulse and transfer flows.

- A policy of on-time performance shall be that buses must be no more than five minutes late to be considered on-time. We will also impose a standard that a system must maintain a 90% on-time record in order to be deemed to be acceptable.

- OTR notes that the Department presently has little participation in the provision of transit amenities. In many communities we work with our operators to establish and maintain bus stop signage, but this is far from universal in the CTTransit divisions. In addition, in most communities bus shelters and benches are provided by the communities, and indeed many communities prefer to install them to satisfy their own standards. On route such amenities as schedule and map displays are seldom provides, and such technologies as vehicle locators and real-time updates for passengers do not presently exist.

C. System-wide Service Policies

1. Office of Rail

- Vehicle Assignment Policy

The SLE service operates on a single route between New Haven and New London owned by Amtrak with diesel Locomotives and Mafersa Coaches and Control Cab Cars. Amtrak electrified their right of way from New Haven to Boston in order to operate high speed Acela service. The Department is planning to purchase new electric M-8 coaches to operate on the SLE and replace the diesel train sets.

- Transit Security Policy

The Department has initiated and implemented several transit security improvements over the last few years. The New Haven Yard Security Project includes installation of perimeter fencing and CCTVs in the New Haven Yard, constructing guard posts at entrances, gate and key card access, and other security features. Closed Circuit Television (CCTV) video cameras have been installed at eight stations on the NHL including State Street New Haven, Union Station New Haven, Milford, Bridgeport, Westport, New Canaan, Danbury, and Waterbury and at one SLE station at Branford.

Projects are planned to install CCTVs and Intrusion Detection on the five moveable bridges on the NHL and for an Interoperable Communications Project that will allow dissimilar radio systems to operate together thus facilitating tactical level interoperability through an infrastructure-based network of backbones and switches. The Department will also install approximately 25 miles of fiber optic cable to the network infrastructure of the NHL to allow capabilities to access at remote locations local video cameras at stations, yards, and bridges by MNR, MTA PD, the Department, and/ or State and local police. The Department will be implementing a public awareness and preparedness campaign and will be conducting a security planning study.

Ridership and crime statistics have been the primary factors used in the development of these projects. A more detailed transit security policy will be developed in the future.

2. Office of Transit and Rideshare

OTR will oversee policies of the CTTransit operators to determine if policies should be standardized by system, or statewide.

- Vehicle Assignment:
  OTR will review the methodology presently used in vehicle assignments by CTTransit operators. We will ensure that the assignment does not purposely discriminate against selected communities by unfairly assigning older vehicles or vehicles with poorer exhaust emissions. However, we are aware that in many cases there is only one model and vintage of bus available, making assignment policies a moot issue. In some systems the selection of vehicles on routes is governed by the route ridership and resulting seating requirements. In other cases, the buses assigned must be capable of climbing steep hills and capable of negotiating rapid grade changes and tight turning radaii.

- Transit Security.
  The pulse points utilized by most divisions of CTTransit are in open city locations, and not suitable for the assignment of transit security personnel. However, several divisions do assign supervisors to patrol the pulse locations, and they are equipped with communications devices. If other locations are recognized as high crime risk areas the bus operators have routinely asked local police to patrol these sites in order to lend a more secure environment for their customers. In most divisions on-board surveillance cameras have been installed and either randomly reviewed by supervisors or used as evidence in the case of on-board incidents.

D. Evaluate Service and Fare Changes

1. Office of Rail

Major changes to SLE service will be designated as a 25 percent increase or decrease in peak directional service hours operated for or a 25 percent increase or decrease in fare changes. The SLE service has not had any significant service or fare changes since the last submission. If service or fare changes are proposed, a variety of outreach methods will be used to notify the public and provide an opportunity for comment.

2. Office of Transit and Rideshare

1) Service Changes: It has long been an OTR policy that either any proposed action involving the entire elimination of a bus route, or a system service reduction of 10 percent or more, as defined by service hours, must be preceded by public hearings in the affected communities. These hearings must be prominently advertised in advance both on board the system buses and in local newspapers. Testimony taken at these hearings must be recorded and transcribed and weighed in the final determination of actions.

2) Fare Changes: The procedure for enacting fare changes is determined in the Regulations of Connecticut State Agencies. The procedure includes:

- Publication of the intended fare changes as well as a schedule of Public Hearings in all affected communities to be published in the Connecticut Law Journal
- Notice of the hearing schedule and the fare change proposals in local newspapers and on-board all buses in the affected systems
- Notice to the Legislative Transportation Committee of the fare intentions
- Hold public hearings in all system regions, ensuring that hearings are accessible by local bus
- Tape record hearing testimony, report substance of comments, respond to public comments and forward to the Legislative Review Committee, awaiting the Committee's decision
- Post the resulting fare rates on board system buses, publish fares on new schedules and timetables, and post on applicable websites.

E. Monitor Transit Service

1. Office of Rail

Option C: Title VI Analysis of Customer Surveys. Since it began operations more than 15 years ago, the Department has periodically surveyed its passengers on SLE railroad to gauge customer satisfaction and to highlight opportunities for service improvements. The Department has conducted two surveys on SLE since 2005 and has conducted an analysis of these surveys based on race and income.

SLE 2005 Customer Survey Analysis

The Department conducted a passenger survey in December 2005. The questionnaire used in the 2005 survey included many questions used previously by the railroad. The survey was designed to provide customer input on satisfaction with services provided, logistics of customer trips, and preferences for services, employment, and demographics.

The research included a comprehensive survey distributed and returned on SLE trains. Surveys were provided to commuters and returned to survey representatives onboard or to survey boxes located at exit doors. A total of 663 completed surveys were returned.

The survey instrument employed in the SLE 2005 Commuter Survey was designed and implemented by the Department while data entry; computer analysis and report preparation was completed by The Center for Research and Public Policy.

Areas for investigation included:

Commute logistics
Ratings of boarding stations
Ratings of trains
Ratings of destination stations
Ratings of train schedules
Ratings of communication
Ratings for SLE
Importance of services provided
History of SLE use
Employment information
Demographics

Statistically, if random sampling of 663 surveys represents occurred, a margin for error of +/-4.0% at a 95% confidence level.

In theory, if random sampling of 663 SLE commuters occurred, results will differ no more than +/-4.0% than if all SLE commuters were contacted and included in the survey. That is, if random probability sampling procedures were reiterated repeatedly, sample results may be expected to approximate the larger population values within plus or minus 4.0% -- 95 out of 100 times.

Readers of this report should note that any survey is analogous to a snapshot in time and results are only reflective of the period in which the survey was undertaken.

Furthermore, it is important to note that all surveys contain some component of "sampling error". Error that is attributable to systematic bias has been significantly reduced by universal mailing procedures.

Q 39. Over the past year, how do you rate SLE service overall?
Respondents were asked to rate their response to this question on a 1 to 10 scale, with numbers 1, 2 or 3 indicating they are "not satisfied" with SLE service on a regular basis. Selecting numbers 4, 5, 6, or 7 indicates they are generally "satisfied" with SLE service on a regular basis. Numbers 8, 9, or 10 indicate they are "very satisfied" with SLE service on a regular basis.

39. Over the past year, how do you rate SLE service overall?					
Response	**Frequency**		**Percent**		
	Income up to 25,000	Income > $25,000	Income up to 25,000	Income > $25,000	Difference
1 = Not Satisfied	0	0	0.0	0.0	0.0
2	0	1	0.0	0.2	- 0.2
3	0	17	0.0	3.6	- 3.6
4 = Generally satisfied	0	40	0.0	8.4	- 8.4
5	1	9	12.5	9.3	+ 3.2
6	0	65	0.0	13.7	- 13.7
7	2	117	25.0	24.6	+ 0.4
8	4	110	50.0	23.2	+ 26.8
9	0	40	0.0	8.4	- 8.4
10 = Very satisfied	1	41	12.5	8.6	+ 3.9
TOTAL	9	487			
Mean Score	7.63	6.93			
Median Score	8.00	7.00			

The ratings between the low-income (up to $25,000) respondent grouping and the higher income (more than $25,000) grouping were very similar, with the average rating for the low-income sub-group of 7.63 compared to a 6.93 average for the higher income sub-group. While these mean scores are within 0.7 of each other, this puts the low-income sub-group in the 8-10 range of those "very satisfied" with SLE service overall, while the higher income sub-groups 6.93 mean score falls into the top of the 4-7 "generally satisfied" with SLE service overall category.

3.8 percent of the higher income sub-group were "not satisfied" with SLE service overall, while none of the lower-income sub-group were in this range.

56 percent of the higher income sub-group were "generally satisfied" with SLE service overall, while 37.5 percent of the lower-income sub-group were in this range.

40.2 percent of the higher income sub-group were "very satisfied" with SLE service overall, while 62.5 percent of the lower-income sub-group were in this range.

SLE 2007 Customer Survey Analysis

The Department conducted its most recent passenger survey in May 2007, the first survey of SLE passengers since December 2005. The Department has conducted an analysis of the most recent passenger survey on SLE.

The questionnaire used in the recent survey included many questions used previously by the railroad. A new section in 2007 asked about rider preferences among possible service changes. The 2007 survey also provided more space for respondents to write comments about what the agency does particularly well, particularly poorly, and about any other subjects that they would like the agency to know.

The 2007 survey occurred on Tuesday, May 22, 2007. SLE and Department staff distributed surveys to all passengers boarding westbound morning trains between Old Saybrook and Branford.

The ability to infer characteristics and attitudes about the larger population based on a smaller group of survey respondents depends on two main factors:

The degree of true randomness of the people who responded
The number of respondents in each traveler group

The survey method ensured that each inbound SLE rider had an equal chance to receive and fill out a survey. People differ in their willingness to fill out a survey, but it is assumed that this has no correlation to the traveler characteristics of interest, and as a result does not lead to bias in the survey results.

In terms of the sample size, the number of responses—especially relative to the total population of SLE riders—allows high confidence in making assertions about all SLE travelers. Statistically, it is 95 percent confident that the average for the full population of SLE riders is within a maximum of 3.9 percent of the average found for the survey sample.

Q16b. Shore Line East is a good value for the money

Respondents were asked to rate their response to this question on a 1 to 7 scale, with 1 = Agree strongly; 7 = Disagree strongly; and 4 = a neutral response.

16b. Shore Line East is a good value for the money					
Response	**Frequency**		**Percent**		
	White	Minority	White	Minority	Difference
1 = Agree Strongly	333	21	56.0	55.3	0.7
2	156	7	26.2	18.4	7.8
3	69	4	11.6	10.5	1.1
4 = Neutral	15	4	2.5	10.5	-8.0
5	12	2	2.0	5.3	-3.3
6	10	0	1.7	0.0	1.7
7 = Disagree Strongly	0	0	0.0	0.0	0.0
TOTAL	595	38			
Mean Score	1.73	1.92			
Median Score	1.00	1.00			

The ratings between the white respondent grouping and the minority/low-income grouping were very similar, with the average rating for the white sub-group of 1.73 compared to a 1.92 average for the minority/low-income sub-group. This puts both groups in the range where they agree to a large degree that SLE is a good value for the money.

While a slightly higher percentage of for the minority/low-income sub-group gave neutral responses (did not agree or disagree with the statement), there was only an 8 percent difference in the percentages. Given that this is a single digit percentage, it is not judged significant. Please also note the substantially smaller sample size of the minority/low-income grouping.

While 5.3 percent of the minority/low-income sub-group responded with a rating of "5" (disagree slightly that SLE is a good value for the money), compared to 2 percent of the white sub-group, there was only a 3.3 percent difference in the percentages.

Q16e. I'd recommend Shore Line East to a friend

Respondents were asked to rate their response to this question on a 1 to 7 scale, with 1 = Agree strongly; 7 = Disagree strongly; and 4 = a neutral response.

16e. I'd recommend Shore Line East to a friend					
Response	**Frequency**		**Percent**		
	White	Minority	White	Minority	Difference
1 = Agree Strongly	415	26	69.9	66.7	3.2
2	135	9	22.7	23.1	-0.4
3	29	4	4.8	10.3	-5.5
4 = Neutral	9	0	1.5	0	1.5
5	4	0	0.7	0	0.7
6	1	0	0.2	0	0.2
7 = Disagree Strongly	1	0	0.2	0	0.2
TOTAL	594	39			
Mean Score	1.42	1.44			
Median Score	1.00	1.00			

The ratings between the white respondent grouping and the minority/low-income grouping were very similar, with the average rating for the white sub-group of 1.42 compared to a 1.44 average for the minority/low-income sub-group. This puts both groups in the range where they agree to a large degree that they would recommend SLE to a friend.

V. Program Specific Requirements for State Departments of Transportation or Other Administering Agencies [FTA C 4702.1A, Chapter VI]

A. Statewide Transportation Planning

The Bureau of Policy and Planning at the Department follows the Federal Highway Administration's guidance to assure Environmental Justice is adequately addressed in the National Environmental Policy Act (NEPA) documents. The format provided in the FTA Circular (FTA C 4702.1A) is the process that is followed when the Bureau prepares NEPA documents.

THE PLANNING PROCESS: 23 CFR 450 & 49 CFR 613 – Joint FTA/FHWA regulation: "Planning Assistance and Standards" (October 28, 1993, unless otherwise noted).

The FTA and FHWA jointly oversee the transportation planning process. Federal regulations indicate that a key element for addressing Title VI during the Planning Process is an effective Public Involvement Process (PIP). The PIP must be proactive and provide complete information, timely public notice, full public access to key decision-making points, and an opportunity for early and continuing involvement. A PIP will also include a process for identifying and addressing the needs of the populations

that are traditionally ignored or underserved by the existing transportation systems. Each Regional Planning Organization (RPO) as well as the Department is required to have updated and approved Public Participation Plans.

Under the Planning Process, there are two major sub-elements:

Statewide Transportation Planning Process: Under this sub-element, the Department is required to prepare the following documents –

- Statewide Transportation Improvement Program (STIP): This document contains the sum of the total urban RPOs' Transportation Improvement Programs (TIPs) and the Department programmed projects for the STIP duration. The STIP contains line-item projects, funding committed to the projects, and the year of funding authorization during the life of the STIP;
- Statewide Transportation Plan (Long-Range Plan): Considers a range of transportation options designed to meet the transportation needs (of both passenger and freight) of the State including all modes and their connections. Long-range plans frame the State's long-range transportation goals and objectives for the State and/or region. Projects should be identified and programmed in the STIP and implemented. The projects implemented from the STIP should reflect the goals and objectives identified in the long-range plan; and
- Public Involvement Process (PIP): Must be proactive and provide complete information, timely public notice, full public access to key decision-making points, and an opportunity for early and continuing involvement.

Metropolitan (Regional) Planning Process: The following eight planning factors must be considered during this Process –

- Support the economic vitality of the United States, the States,
- non-metropolitan and metropolitan areas, especially by enabling global competitiveness, productivity, and efficiency;
- Increase the safety of the transportation system for motorized and non-motorized users;
- Increase the security of the transportation system for motorized and non-motorized users;
- Increase the accessibility and mobility of people and for freight;
- Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
- Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
- Promote efficient system management and operation; and
- Emphasize the preservation of the existing transportation system.

Plans and programs have the potential of being created and implemented in a discriminatory manner. The major impact that plans/programs have is through decisions, which identify one or more planned improvements to the exclusion of other alternatives. The implementing procedures and processes for plans/programs may be

applied in a manner that prevents a group from participating or may prevent the consideration of impacts of various transportation system alternatives upon one or more identified groups. To the degree that plans/programs include proposed improvements with disproportionate beneficial impacts or reflect decision-making processes that exclude certain groups, the long-range plan may be biased. This could lead to project implementation that is inconsistent with nondiscrimination requirements. The actual impacts may only be experienced as projects are implemented. The planning process represents a comprehensive perspective from which to assess the potential consequences of developing and operating the transportation system.

The following questions may be utilized to evaluate the Planning Process:
Is there effective public involvement/participation within the Planning Process?

- Is input from affected groups/persons adequately considered within the Planning Process?
- Is there coordination with Native American tribal governments in statewide metropolitan transportation planning?
- Are the data collection/data analysis processes sufficiently inclusive to identify community boundaries, and to effectively assess demographic groups, income levels/property taxes, and community services/schools/hospitals/shopping areas?
- Are Social, Economic, and Environmental (SEE) effects and impacts identified, described, and analyzed?
- Are contracting opportunities for planning studies, corridor studies, and other technical work available to all groups/persons?

For each of these questions, processes/procedures should be identified and evaluated with a narrative justification to support the response.

THE PROJECT DEVELOPMENT (ENVIRONMENTAL) PROCESS: The term "Project Development" refers to the environmental study performed to satisfy the requirements of the National Environmental Policy Act of 1969, As Amended (NEPA) for a transportation project. The NEPA is the foundation of the project development process and is described in 23 CFR Part 771, which is the FTA/FHWA joint environmental regulation. The NEPA requires all federal agencies to examine and disclose the possible and likely effects of their actions on the human environment. The FTA interprets the term "human environment" to include neighborhoods, communities, and natural ecosystems. Effects on the human environment include a broad array of impacts such as direct physical effects to air/water/land, as well as less quantifiable effects such as impacts to cultural resources/community life/land use patterns.

For all federal-aid FTA projects, the Department is required to prepare an environmental document to satisfy NEPA. Since there is no stewardship agreement between the Department and FTA as there is between the Department and FHWA. FTA's involvement in the process mirrors the Department /FHWA Stewardship Agreement. Environmental compliance requires consideration of all possible SEE effects of a proposed project and seeks to ensure that the decisions made are in the public's best interest. During this process, project alternatives data, information, and all

related environmental effects are identified, collected, and analyzed. The goal of this process is to develop a complete understanding of the existing and future environmental conditions and the possible effects of a proposed project so as to make the best project decision to meet the intended transportation need, the goals of an area or community, and for the protection and enhancement of the environment. Project alternatives may be modified to avoid or minimize impacts to sensitive resources identified during the environmental studies and based upon public input. It is FTA's policy to seek opportunities to transcend traditional mitigation and to implement innovative enhancement measures to minimize the impact upon the affected community and the natural environs.

The NEPA defines three levels of documentation, the choice of which is dependent upon the potential significance of the environmental impacts (direct or indirect) as the result of a project. Documentation and processing options are referred to as "classes of actions" and include Environmental Impact Statement (EIS, Class I), Categorical Exclusion (CE, Class II), and Environmental Assessment (EA, Class III). A description of each class of documentation is as follows:

- EIS (Class I) – An EIS is required when it is determined through environmental studies, public involvement, and coordination with other Federal, State, and local agencies that the proposed project will have a significant impact on the environment. The EIS process is the most involved, detailed, demanding, and formal and is the least frequently utilized. It requires a detailed and thorough consideration of all reasonable alternatives, including the following: the no-build alternative; in-depth analysis of the SEE effects that are associated with the alternatives; involvement of the public and other Federal, State, and local agencies in the process and the decisions related to the selection of a preferred alternative. The EIS process requires the preparation of a Notice of Intent (NOI), a Draft Environmental Impact Statement (DEIS), a Final Environmental Impact Statement (FEIS), and a Record of Decision (ROD);
- CE (Class II) – The CE is the most commonly utilized environmental processing option. The CE is not an environmental document, but is a determination that a project will have no significant individual or cumulative SEE impacts. The following are applicable: the project will not have significant impacts upon planned growth or land use for the affected area; the project does not require the relocation of significant numbers of persons; the project will not involve significant air, noise, or water quality impacts; the project will not have significant impacts on travel patterns; the project does not otherwise either individually or cumulatively have any significant environmental impacts. Therefore, there is no requirement for the preparation of an environmental document (EIS or EA), although environmental studies may be undertaken to support that the CE determination is proper. A list of project types that have been determined to meet the CE criteria is provided in 23 CFR 771.117(c) and (d); and
- EA (Class III) – The EA is prepared for proposed projects for which the significance of the impacts is unknown or not clearly established. Proposed projects that are not CEs and do not obviously require an EIS will require the preparation of an EA to determine the significance of the impacts and whether or not an EIS will need to be prepared. The amount of information and degree of

analysis that is required for inclusion in an EA will depend upon the proposed project's size, type, location, and number of reasonable alternatives, potential for significant impacts, and other factors of the project. The EA will identify the location of the project, the population demographics, and other affected neighborhood/community characteristics, the estimated number of residences and businesses that will be affected, and other potential/probable impacts for each alternative being considered. The EA may only require that one or two alternatives be considered, including the no-build alternative. If the SEE impacts, along with the appropriate interagency coordination and public involvement, indicate that the action will not have any significant direct/indirect/cumulative impacts, a Finding of No Significant Impact (FONSI) is prepared. The FONSI will finalize the EA process, document the decisions, and detail why the impacts are not considered significant. However, if it appears that there will be significant impacts, a NOI will be published in the Federal Register and a DEIS will be prepared.

The potential for avoiding and minimizing SEE impacts likely to result from the implementation of a given alternative must be considered for any proposed alternative regardless of the ability to satisfy the purpose and need or meet the transportation goals of a given area. Approval of the FEIS and subsequent ROD or preparation of a FONSI by FTA constitutes acceptance of the general project location and major design elements as described in the environmental documents. After completion of the project development process, the FTA may authorize the Department to proceed with the development of final engineering design plans and specifications, acquire rights-of-way, and advertise the project for receipt of construction bids.

When a CE or EA is prepared in cooperation with FTA, the document will address environmental impacts of a range of alternatives during the site selection process. The CE or EA will go forward with one alternative based on that process.

When a DEIS is prepared, a preferred alternative will be selected from the range of alternatives presented in the document. The decision and selection of a preferred alternative will be based upon how well the alternative will address the transportation problems and meet the document's stated purpose and need.

The environmental study of project alternatives and impacts must include the consideration of mitigation measures for unavoidable impacts. Mitigation measures and other agreements that are made as part of the decision-making process must be documented and implemented. All proposed projects and environmental studies, whether a CE, EA, or EIS, must include appropriate measures to mitigate for adverse environmental impacts regardless of significance. Environmental commitments, such as sound barriers, joint-use facilities, rights-of-way replacement housing, and others should be monitored to assure that these mitigation measures are included in the design plans and are constructed as part of the project.

The following questions may be utilized to evaluate the Project Development Process:

- Is public involvement adequately solicited, considered, and documented during the Project Development Process?
- Are SEE impacts adequately identified?
- Is the potential for disproportionate or discriminatory impacts adequately addressed?
- For each of these questions, processes/procedures should be identified and evaluated with a narrative justification to support the response.

B. Program Administration, Monitoring Subrecipients, and Assistance to Subrecipients

Section 5307 Program

The 5307 Program is a formula allocation of predominately FTA capital funds to urbanized areas. This urbanized area program covers large urbanized areas of over 200,000 in population and small urbanized area areas between 50,000 and 200,000 in population.

In Connecticut, there are three large urbanized areas, Hartford, New Haven, and Bridgeport. Their formula allocation is determined by the combination of population, population density, bus and rail transit passenger counts, and bus and rail productivity measures. The formula funds for the small-urbanized areas are apportioned to the Governor (Governor's area) for subsequent distribution to eligible recipients in the various urbanized areas. The overall level of funding for the Governor's apportionment is determined by a combination of population and population density. Though primarily used as a capital assistance program, the Department has flexed 5307 funds for operating subsidies in small-urbanized areas to local transit operators in Norwalk, Danbury, Waterbury, and Stamford.

As the designated recipient, the Department controls all of the formula funding from 5307 and creates a funding pool from which capital projects in regions around the State are funded. The Department does not utilize a formula to reallocate 5307 formula funds to the local rail or bus operators, rather the funding pool allows for a cooperative, non-discriminatory allocation funds to different regions based on annual needs. The disbursement of these funds is approved by the Metropolitan Planning Organizations (MPO) in the Statewide Transportation Improvement Program (STIP). Sub-area split agreements that reflect the annual disbursement of funds by region are created by the Department and executed by the operators from each region. This program has been very successful over the years in allowing local transit operators to fund major projects for which they may otherwise have never accumulated adequate funds.

Section 5310 Program

Section 5310 of the Federal Transit Act declares it to be the national policy that elderly persons and persons with disabilities have the same right as other persons to utilize mass transportation facilities and services; that special efforts shall be made in the planning and design of mass transportation facilities and services so that the availability to elderly persons and persons with disabilities of mass

transportation which they can effectively utilize will be assured; and that all Federal programs offering assistance in the field of mass transportation should contain provisions implementing this policy.

Title 49 U.S.C. 5310(a)(1) authorizes funding for public transportation capital projects planned, designed and carried out to meet the special needs of elderly individuals and individuals with disabilities. Acting in accordance with Section 5310 of the Federal Transit Act, as amended, the Governor has designated the Department as the agency to receive and administer funds under the Section 5310 program. The Department administers the program in accordance with the regulations set forth in the FTA Circular 9070.1F. Along with these regulations, the State incorporates goals and objectives tailored to Connecticut's specialized transportation needs.

A program of projects is submitted at least annually to the FTA Regional Administrator for approval. The program of projects provides for fair and equitable distribution of funds within the State and emphasizes cooperation toward regional coordination of transportation programs to ensure maximum vehicle utilization.

The Department has been designated by the chief executive officer of the State and has the principal authority for administering the Section 5310 program. Funds are obligated based on the annual Program of Projects (POP) included in a statewide grant application. FTA does not conduct project-by-project review and approval of each project. The Department ensures that local applicants and project activities are eligible and in compliance with Federal requirements, that private for-profit transportation providers are provided an opportunity to participate to the maximum extent feasible, and that the program provides for maximum feasible coordination of transportation services assisted under Section 5310 with transportation services assisted by other Federal sources. The Department ensures that all program activities are included in the STIP. Once FTA approves the application, funds are available for allocation to individual subrecipients within the State.

The Regional Planning Agencies (RPA), in cooperation with the Department, have agreed to assist with the following responsibilities:

- Disseminating program information, including, but not limited to, the distribution of Section 5310 applications;
- Providing technical assistance to potential grant recipients;
- Reviewing and prioritizing completed applications; and
- Including proposed regional recipients of Section 5310 funds in the TIP.

Federal transit law, as amended by SAFETEA-LU, requires that projects selected for funding under the Section 5310, Section 5316 (JARC), and Section 5317 (New Freedom) programs be "derived from a locally developed, coordinated public transit-human services transportation plan" and that the plan be "developed through a process that includes representatives of public, private, and non-profit transportation and human services providers and participation by members of the public."

A locally developed, coordinated public transit-human services transportation plan ("coordinated plan") identifies the transportation needs of individuals with disabilities, older adults, and people with low incomes, provides strategies for meeting those local needs, and prioritizes transportation services for funding and implementation. Local plans may be developed on a local, regional, or statewide level. The decision as to the boundaries of the local planning areas is made in consultation with the MPOs, where applicable. The agency leading the planning process is decided locally and does not have to be the State.

The coordinated plan maximizes the programs' collective coverage by minimizing duplication of services and the coordinated plan is developed through a process that includes representatives of public, private, and non-profit transportation and human services transportation providers, and participation by members of the public. Members of the public include representatives of the targeted population(s) including individuals with disabilities, older adults, and people with low incomes. While the plan is only required in communities seeking funding less than one or more or the three specified FTA programs, a coordinated plan also incorporates activities offered under other programs sponsored by federal, State, and local agencies to greatly strengthen its impact.

Projects are derived from a coordinated plan that minimally includes the following elements at a level consistent with available resources and the complexity of the local institutional environment:

- An assessment of available services that identifies current transportation providers (public, private, and non-profit);
- An assessment of transportation needs for individuals with disabilities, older adults, and people with low incomes. This assessment can be based on the experiences and perceptions of the planning partners or on more data collection efforts, and gaps in service;
- Strategies, activities, and/or projects to address the identified gaps between current services and needs, as well as opportunities to achieve efficiencies in service deliveries; and
- Priorities for implementation based on resources time, and feasibility of implementing specific strategies and/or activities identified.

FTA recognizes the importance of local flexibility in developing plans for human service transportation. The decision for determining which agency has the lead for the development and coordination of the planning process is made at the State, regional, and local levels. The lead agency for the coordinated planning process may be different from the State or the agency that will serve as the designated recipient for JARC and/or New Freedom.

The Department shall certify that the coordinated plan was developed through a process that included representatives of public, private, and non-profit transportation and human services providers, and participation by members of the public. The required participants include not only transportation providers but also providers of human services, and members of the public who can provide insights into local transportation needs.

The coordinated plan may either be developed separately from the metropolitan and statewide transportation planning processes and then incorporated into the broader plans, or be developed as a part of the metropolitan and statewide transportation planning processes. Projects identified in the coordinated planning process, and selected for FTA funding are incorporated into both the TIP and STIP in urbanized areas with populations of 50,000 or more, and incorporated into the STIP for non-urbanized areas under 50,000 in populations.

Only private nonprofit organizations so registered with the Secretary of State's Office and eligible public bodies are qualified to apply to the State for funding under the Section 5310 program. Local governmental authorities eligible to apply for Section 5310 funds as coordinators of services for elderly persons and persons with disabilities are those designated by the State to coordinate human service activities in a particular area.

To ensure service coordination, maximum utilization of vehicles, and consistency with regional plans, all applications must be forwarded to the appropriate RPA, for regional prioritization. Applications are submitted simultaneously to the Department. Although primary consideration is given to the priorities established by the RPAs, the Department may overrule a regional priority if it determines that greater need exists elsewhere. If this situation occurs, the Department will work cooperatively with the RPAs to explain the Department's position in the hope of reaching a consensus.

In selecting Section 5310 recipients, the Department works cooperatively and in a non-discriminatory manner with RPAs and area agencies on aging to ensure the equitable distribution of grant funding throughout the State. Projects are evaluated using the following criteria (not in priority order):

1. Legal Notice, Complete Application, and Submission Deadline. Application must be completed entirely with both Legal Notices published within the required timeframe.

2. Eligibility for Replacement. Vehicle proposed for replacement must be 4 years old or have 100,000 miles for a van and 5 years old or have 125,000 miles for a bus or have documentation of excessive maintenance costs.

3. Planning Process. Priority will be given to nonprofit organizations and local municipalities who have taken part in the coordinated planning process described in Section III.A.

4. Experience of Applicant Organization. Priority will be given to applicants with experience in providing transportation services to the elderly and disabled.

5. Excessive Maintenance. Priority will be given to applicants who have vehicles with excessive maintenance and show documentation of maintenance repairs in the application.

6. Replacement of Equipment. Priority will be given to replacing vehicles that exceed the minimum Federal Transit Authority (FTA) useful life standards.

7. Assurances that Elderly and Disabled Persons will Receive Transportation Services. Priority will be given to programs that are available to all elderly and disabled persons without eligibility restrictions.

8. Assurances those Efforts Include Serving Minority Applicants. No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

9. Utilization of Equipment. Effective utilization of the equipment should be demonstrated with reliable estimates of the number of individuals that will receive service, and the total number of passenger trips to be provided. Priority will be given to vehicles that will be utilized evenings, weekends, out of region, more than six hours per day, and/or are available for a coordinating entity.

10. Degree of Need in the Applicant's Proposed Service Area for Transportation Services. Clear demonstration of the lack of accessible transportation through existing public and private transportation providers is required.

11. Coordination. Priority will be given to regional coordinated applications for use in transportation programs to ensure maximum vehicle utilization, especially in light of United We Ride, the consolidation of many programs at the federal and state level, and FTA requirements that the Section 5310 projects be derived from a coordinated plan.

12. Probability of Sufficient Operating Funds. Assurances must be made that funds will be available to cover all operating costs, i.e., salaries, overhead, insurance, fuel, maintenance, etc. Applicants are encouraged to coordinate their needs with other service providers in order to reduce these costs to individual agencies.

13. Probability of Sufficient Capital Funds. FTA will pay 80 percent of the cost of a vehicle not to exceed $40,000. Assurances must be made that sufficient funds will be available to cover the non-federal share of the cost of the vehicle.

For organizations that have operated vehicles under this program in past years, the Department applies the following additional criteria:

- A review of quarterly operating reports.

- A review of vehicle maintenance/inspection reports.
- The past cooperation of the organization with the Department during the application and operating processes.

Upon full and proper execution of an agreement, delivery, and acceptance of project equipment (including a completed acceptance form), manufacturer/vendor invoice, and receipt by the State of a certificate of origin, the Department provides payment in the form of a grant. The Department issues payment within fifteen business days after receipt of the required documents. The Grant represents eighty percent (80%) of the total project equipment cost not to exceed Forty Thousand Dollars ($40,000). The grant will be the maximum contribution by the Department. Additional costs for the project equipment will be borne by the Second Party. The Second Party agrees to make payment to the manufacturer/vendor within three business days of receiving the grant from the State or the money must be returned to the State. Proof of vendor payment must be kept on file by the Second Party for the duration of the useful life of the equipment.

In order to facilitate the grant development and approval process, the Program of Projects (POP) may include projects in three separate categories:

1. Category A - Will include those projects that the State has certified as having met all the Federal statutory and administrative requirements for project approval applicable to both the project activities and subrecipients that will carry out those activities. FTA's approval of Category A projects is unconditional upon grant award. Once FTA executes the grant, the State may start drawing down funds to implement projects in Category A. FTA expects most, if not all, of the projects included in the State's POP to be in this category.

2. Category B - Will include those projects the State anticipates approving during the current year, but which have not yet met all the Federal statutory or administrative requirements or are proposed to be implemented by a subrecipient that has not yet met all applicable Federal requirements. When the State determines that the necessary Federal requirements have been satisfied for a project, FTA's approval of that project becomes unconditional, and the State may advance the project to Category A. Cash drawdowns for that project may commence after the State advances it to Category A. If a State can list all its projects in Category A, it would not list any projects in Category B.

3. Category C - Program Reserve. FTA designed Category C program reserve funds to accommodate unanticipated program needs. States should not confuse Category C program reserve funds with reasonable contingencies for the projects that the State designated in its POP and included in Category A or B. States may not include more than 10 percent of the total

amount it obligates in the grant in the Category C program reserve. FTA encourages the State not to include more funds in Category C than it reasonably expects to allocate to new projects capable of meeting the applicable federal requirements or to budget adjustments in existing projects within 12 months. If the State does not expect to select projects for which it will use all its Category C funds, the State should defer obligating those remaining funds until the following year. The State must allocate Category C program reserve funds to specific projects within the period of availability of the funds. FTA will de-obligate any Category C funds not allocated within the period of availability. FTA assumes that the funds remaining in Category C are the newest funds, if a grant contains funds apportioned in more than one fiscal year. Funds de-obligated after the period of availability lapse, FTA will redistribute these lapsed funds to all the States in the subsequent year's apportionment. When a State selects projects it will advance out of the Category C program reserve funds, it must notify FTA of the changes to the POP.

Applications for Section 5310 funds are submitted from private nonprofit agencies and eligible public bodies concurrently at the Department and the RPAs. The application prioritizing process is handled primarily through the RPAs in an effort to establish regional coordination of transportation programs to ensure maximum vehicle utilization. Applicants may contact their RPA for assistance with the Section 5310 application, or they may work with the staff that administers the Section 5310 program for the Department. The Department has developed an application format that follows requirements established by FTA. The Department reviews proposed applications for inclusion in a Program of Projects to be submitted to FTA for approval.

To be eligible for funding, Section 5310 projects in urbanized areas must be included in the Metropolitan Transportation Plan (MTP) prepared and approved by the MPO, the TIP approved jointly by the MPO and the Governor, and the STIP developed by a State and jointly approved by FTA and Federal Highway Administration (FHWA). Projects outside urbanized areas must be included in, or be consistent with the Statewide Long-Range Transportation Plan, as developed by the State, and must be included in the STIP. With limited exceptions, all federally-funded highway or transit projects must be included in the applicable plan and program documents according to State and local procedures. Areas may choose to include project level information or more aggregated program level information. For purposes of convenience, the recipient may group its planned expenditures of Section 5310 funds into statewide or metropolitan area-wide projects, such as vehicle acquisitions or services contracted for rural and urban recipients, and administration costs. All projects must adhere to the requirements of 49 U.S.C. 5303 and 5304.

Upon notification of approval of the State POP by FTA, an agreement is executed between FTA and the State. At that time, the Department prepares an agreement

between the State and the private nonprofit agency or eligible public body. Two copies of the agreement are forwarded to the private nonprofit agency or eligible public body for execution. Both executed copies are then returned to the Department, along with a current resolution authorizing the signatory to enter into a contractual agreement with the State. The current resolution must be signed on or before the day, the signatory will sign the agreement.

Public body applicants must afford an adequate opportunity for a public hearing, and such hearings must be held if someone with a significant economic, social, or environmental interest in the matter requests a hearing.

The Department has sixty-two Section 5310 subrecipients that operate 88 vehicles purchased with Section 5310 assistance.

Section 5311 Program

The FTA Section 5311 program makes federal funds available to the states to assist in the development, implementation, and promotion of public transportation systems in rural and small urban areas, using a population based distribution formula. Eighty percent of the statutory formula is based on the non-urbanized population of the States. Twenty percent of the formula is based on land area. A State may provide its Section 5311 program funds to subrecipients that are State or local governmental authorities, non-profit organizations, operators of public transportation services, or intercity bus operators to assist the financing of operating, administrative and capital costs of approved projects. Funds are available to finance the administrative expenses of the State agency assigned the task of overseeing the program and to provide technical planning assistance to non-urbanized areas.

Acting in accordance with 49 U.S.C. Section 5311, the Governor has designated the Department as the agency to apply for, receive, and administer funds under the Section 5311 program. The Department administers the program in compliance with the regulations set forth in FTA Circular 9040.1F dated April 1, 2007. Along with these regulations, the State incorporates goals and objectives tailored to Connecticut's non-urbanized systems.

A program of projects is submitted at least annually to the Secretary of Transportation for approval. The program of projects denotes the fair and equitable distribution of funds within the State and ensures maximum feasible coordination with transportation services funded through other federal program sources.

A State Management Plan (SMP) has been prepared to incorporate policy changes in the administration of the Section 5311 program due to the issuance of FTA Circular 9040.1F that incorporates provisions of the SAFETEA-LU signed into law on August 10, 2005, and codified in 49 U.S.C. Chapter 53. This legislation provides a forty-six percent (46%) increase over transit funding guaranteed in the previous authorization, TEA-21. The higher funding levels for the non-urbanized area formula program authorized under SAFETEA-LU will enable the State to improve

service levels in rural and small urban areas where the assessment of the mobility needs of those communities warrants it.

The Department requires Section 5311 subrecipients to make every effort to participate in the local planning process for coordinated public transit-human service transportation. The Department also makes every effort to provide for maximum feasible coordination with transportation services assisted by other Federal sources and for the consolidation of transit services in their areas. The Department will make every effort to inform and include representatives from the intercity bus industry to attend and participate in LOCHSTP meetings in order to address the intercity bus transportation needs of the targeted population of seniors, people with disabilities, and low-income people during the local coordinated planning process.

The Department requires that representatives of public, private, and non-profit transportation and human services providers, and the public participate in the development of the coordinated plan. Section 5311 subrecipients are encouraged to begin their coordination efforts early with other affected stakeholders providing transportation services within their region. As many participants as possible should be involved in these coordination efforts. The process should be continued through planning, implementation, and operation of a project. This can be attained through coordination:

- Of transit services with other transportation providers - public and private;
- With public and private nonprofit agencies;
- Through a transportation brokerage concept; and
- With human services agencies.

The Department oversees the results of these efforts through:

- Membership on technical and advisory boards.
- Monitoring of transit service development.
- Review of reports and materials developed under this and related programs.

The Department's coordination with other agencies at the State level includes, but is not limited to, Area Agencies on Aging and the Departments of Social Services and Mental Retardation.
Eligible subrecipients of Section 5311 funding may include:

- State agencies.
- Local public bodies.
- Transit districts.
- Private nonprofit organizations.
- Regional Planning Agencies.
- Indian tribes and groups.
- Operators of public transportation services.

Section 5311 funded services may be designed to maximize usage by members of the public who are transportation-disadvantaged persons, including elderly persons

and persons with disabilities. Coordinated human service transportation which primarily serves elderly persons and persons with disabilities, but which is not restricted from carrying other members of the public, is considered available to the public if it is marketed as a public transit service.

The purpose of Section 5311 assistance is the provision of public transportation services. Incidental use of a Section 5311 vehicle for non-passenger transportation on an occasional or regular basis, for example, package delivery, must not result in a reduction of service quality or availability of public transportation service. This policy on incidental use does not preclude the use of Section 5311 assistance to support the transportation of passengers by a private provider not primarily engaged in passenger transportation.

Transit service providers receiving assistance under Section 5311 may coordinate and assist in providing meal delivery service for homebound persons on a regular basis if the meal delivery services do not conflict with the provision of transit services or result in a reduction of service to transit passengers. It is expected that the operating costs attributable to meal delivery will be borne by the nutrition program that provides the meals. Section 5311 capital assistance may not be used to purchase specialized equipment such as racks or heating or refrigeration units related to meal delivery. Since the goal of Section 5311 is to enhance access of people living in non-urbanized areas to activities, Section 5311 projects may include transportation to and from urbanized areas.

The State application to FTA for Section 5311 funds consists of an annual POP that identifies the local recipients, gives a brief description of each project, an indication of the total project cost and the amount of the Federal share. Funds programmed to support rural transit service operations and administration, capital needs, and planning are clearly identified, grouped separately, and subtotaled. Rural Transit Assistance Program (RTAP) projects are described in either a separate or a combined program of projects. Also included is the funding necessary for the Department administration, planning, and technical assistance. Amendments to the annual program may be submitted when the Department deems it necessary.

Since not all projects may be at the same stage of development at the time the State application must be submitted, projects can be included in the following categories when the application is made:

- Category A - includes those projects certified by the State as having met all statutory and administrative requirements for approval.

- Category B - includes projects the State anticipates approving during the upcoming year, but which have not yet met all statutory and administrative requirements.

- Category C - contains funding earmarked as program reserve and is designed to accommodate unanticipated projects and program needs. This

reserve may not exceed ten percent (10%) of the total amount of the State's annual Section 5311 apportionment.

If negative comments are received regarding the grant application, the applicants must assess how this will affect private operators and consider measures to alleviate that impact. Both parties must meet to negotiate an acceptable arrangement. If necessary, the proposal must be modified in light of the concerns raised, and the private operator must agree to sign off on the proposal.

If an acceptable arrangement cannot be resolved, the subrecipient that received the negative comment must notify the Department. Once the Department is made aware of a complaint, it will review the situation and work cooperatively with the subrecipient to achieve a fair and equitable solution in the following manner:

The Section 5311 Program Coordinator requests a meeting with the subrecipient and the complainant.

In the event that an equitable solution cannot be reached at this meeting, the complainant will have ten (10) working days from the time of the meeting to file a written grievance with the Transit Manager, Office of Transit and Ridesharing, Bureau of Public Transportation. The Transit Manager (Operations) will review all aspects of the situation, will coordinate with the Section 5311 Program Coordinator and staff, and will issue a decision within ten (10) working days of receipt of the grievance.

If this decision is unsatisfactory to the private operator, a second appeal should be made, in writing, to the Bureau Chief, Bureau of Public Transportation. The Bureau Chief will issue a written decision within thirty (30) working days of receipt of the appeal. The decision of the Bureau Chief will be final. At the Bureau Chief's option, this function may be delegated to the Transit and Ridesharing Administrator, Bureau of Public Transportation.

Unless the objection is resolved to the satisfaction of all parties concerned and the opposition withdrawn, the applicant will not be funded.

The Department has five Section 5311 subrecipients that operate 64 vehicles purchased with federal assistance.

Section 5316 Program

The JARC program is authorized under the provisions set forth in the SAFETEA–LU, enacted on August 10, 2005, as codified at 49 U.S.C. 5316. These provisions authorize the Secretary to make formula grants to recipients for access to jobs and reverse commute projects carried out by the recipient or a subrecipient. At the federal level, the program is managed by the FTA.

Prior to SAFETEA-LU, the JARC program was a competitive program that eventually evolved to an earmarked discretionary program. Connecticut was able to obtain up to $3.5 million annually through the competitive grant process or via

earmarks. The program required a 50/50 match for operating which allowed the state to develop a $7 million annual program. Since SAFETEA-LU formularized the program, Connecticut receives significantly less FTA funding (about $1.1 million in FFY 2006). In State Fiscal Year (SFY) 2007, the State of Connecticut appropriated additional bus operations funding to replace the lost federal funds.

In Connecticut, the JARC program has been in operation since 1999, using FTA funds, and has been managed by the Department. Five regional partnerships support the JARC program. Each has developed a program of services specific to the region's needs and resources. Prior to SAFETEA-LU, to be eligible for JARC funds, FTA required an Area Wide Job Access and Reverse Commute Plan. This effort included a broad partnership of involved parties to identify existing transportation services, where the jobs were located, and where low-income workers resided. Specifically, the program assessed whether the jobs and workers were on bus routes and if the current bus schedule and work hours were compatible. JARC provides funding to extend the regular public transportation service by adding service hours, increasing the frequency of trips, creating new routes and extending service into the weekend in order to meet the needs of the clients. Specialized services are also designed on a demand/response basis when needed.

The Department and the Connecticut Department of Social Services (DSS) are working together to increase transportation resources for low-income workers. DSS contracts with Transportation to Work (TTW) coordinators, one in each of five regions. These coordinators then subcontract with transportation providers within their regions to provide access to jobs for people receiving Temporary Assistance to Needy Families (TANF) or that are eligible for TANF. The TTW program (called Transportation for Employment Independence Program in the State budget) has been used as a match for FTA JARC funds.

The TTW coordinator in each region holds regular meetings to plan and discuss services and policies, and review operations and budgets for the transportation services offered. Although the exact makeup varies by region, meetings are attended by regional planning organizations, DSS, the Department, and the Department of Labor, job developers, case workers, employers, workforce investment boards, and other local human service agencies. The TTW coordinators include FTA funded JARC funds in the same regional development, reporting, and review process as the DSS program.

In a letter to Richard Doyle, Federal Transit Administrator, Region I, dated April 17, 2007 Governor M. Jodi Rell designated the Department the recipient for the entire State of Connecticut. The Department has the principal authority and responsibility for administering the JARC program in urbanized areas under 200,000 in population and non-urbanized areas. In Connecticut, this is the Department. For the JARC program, in urbanized areas over 200,000 in population the designated recipient of JARC funds has the principal authority and responsibility for administering the JARC program funds. The recipient in urbanized areas over 200,000 in population must also be designated by the chief executive officer of the State.

Since each of the urbanized areas with over 200,000 in population in Connecticut has multiple regional planning organizations, the Department proposed that it lead the planning effort in order to provide consistency and balance the roles and responsibilities of the regional planning organizations. The Department also proposed that it be the designated recipient for Federal Fiscal Year 2006 program funding for JARC in urbanized areas for 200,000 in population.

Funds are obligated based on the annual POP included in a statewide grant application. FTA does not conduct project-by-project review and approval of each project. The Department ensures that local applicants and project activities are eligible and in compliance with Federal requirements, that private for-profit transportation providers are provided an opportunity to participate to the maximum extent feasible, and that the program provides for maximum feasible coordination of transportation services assisted under Section 5316 with transportation services assisted by other Federal sources. The Department ensures that all program activities are included in the STIP. Once FTA approves the application, funds are available for State administration and for allocation to individual subrecipients within the State.

Federal transit law, as amended by SAFETEA-LU, requires that projects selected for funding under the Section 5310, JARC, and New Freedom programs be "derived from a locally developed, coordinated public transit-human services transportation plan" and that the plan be "developed through a process that includes representatives of public, private, and non-profit transportation and human services providers and participation by members of the public."

The Department held a meeting of RPOs and transit districts to propose that the Department lead the planning process. The approach for conducting the planning process consisted of two transportation study areas: (a) large UZAs where the various participants in the large UZAs decide how the coordinated planning process will be conducted and who the lead agencies for plan development should be and (b) small UZAs and non-UZAs where the state is designated by the SAFETEA-LU guidance as the agency responsible for preparing the plans.

The Department also proposed that it be the designated recipient for FFY 2006 federal funding for all three programs. Governor M. Jodi Rell designated The Department as the recipient on April 17, 2007. This provided continuity in how JARC and Section 5310 were managed while awaiting final guidance from FTA during the first year's planning process.

In order to apply for FFY 2006 funds, FTA required that a plan be in place, but final guidance had not been issued by FTA. This first plan was prepared in accordance with interim guidance issued in 2006. Final guidance was issued by FTA on March 29, 2007 to take effect May 1, 2007. Plans will be modified to encompass said guidance.

In an effort to engage a diverse set of partners in the planning process, the Department worked with the FTA interim guidance, the RPOs and JARC partners. In addition, the University of Connecticut (UCONN) University Center for Excellence

in Developmental Disabilities (UCEDD) arranged for a representative in each region. Consumers who are advocates on public transportation issues were also encouraged to participate in the planning process and assisted in keeping the regional planning committees focused on consumer concerns. The agencies and/or individuals who participated in the planning process vary by region.

The Department and DSS work together to coordinate statewide efforts related to improving transportation access to employment opportunities for the low-income working poor and clients coming off welfare. Transportation improvements include extending local bus routes to new destinations, extending the hours of service of bus routes, adding new or enhancing available demand-response services, subsidizing vanpools, and creating new bus routes. On top of these general transportation improvements, other services offered vary by region and can include:

- A free monthly bus pass for job search or getting to work the first month,
- Child care transportation programs,
- Information/training on how to use the bus systems and plan a trip via public transportation for case managers and job developers, and
- Car-based solutions that include car repair, gas cards, and mileage reimbursement.

Funding for these services comes from a variety of sources including Temporary Assistance for Needy Families, the FTA, Job Access and Reverse Commute program, the Connecticut Special Transportation Fund, and the Connecticut General Fund.

The Department's primary collaborators on the JARC program are five regional partnerships that cover the State. The regional partnerships each have a designated agency as a coordinator that works with many other representatives including public agencies, labor and workforce groups, planning agencies, transportation providers, job development agencies, community organizations and business groups. Four of the five coordinators are Regional Workforce Investment Boards. The fifth is the Capitol Region Council of Governments (CRCOG), which is the designated metropolitan planning organization for the Hartford urbanized area. See for a list of the regional coordinators. Through this network of collaborators, the regional partnerships each create a package of services to meet the unique needs of their region. These services are reviewed on an ongoing basis, with some regions meeting monthly and other regions meeting every other month. The basic operating information is reviewed in each region, and policies, funding status, and additional needs are discussed. Meetings contain a section for 'public comment.' Regions post a schedule of meetings for the year annually with the Connecticut Secretary of State.

The Department has received two United We Ride grants and will soon undertake the development of a State Action Plan for the coordination of Human Services Transportation Programs and an inventory of state programs that fund transportation services. The UWR grant funding will provide a consultant to

facilitate discussions among the state agencies involved and develop the action plan using the Framework for Action created by FTA.

The results of the UWR planning process should enhance the willingness of other state agencies to collaborate with the Department in the ongoing LOCHSTP process. There are three categories of eligible subrecipients of JARC funds:

- Private non-profit organizations;
- State or local governmental authority; and
- Operators of public transportation services, including private operators of public transportation services.

In accordance with the FTA interim guidance, the Department worked with the LOCHSTP planning groups to develop uniform prioritization criteria to be applied statewide. These criteria would be used to prioritize the proposed strategies to fill the gaps (See Attachment 4). These were developed and were extensively reviewed and amended by the regions. The basic set of criteria are presented in a "pass/fail" format and must: (a) serve the target population categories and address an identified gap; (b) achieve efficiency in service delivery; (c) not be eligible for other funding programs or resources; (d) be able to start up in a reasonable period of time; (e) provide regional/geographical equity; (f) maximize the use of available local, state and federal-funded public transportation resources; (g) be subcontracted with a subrecipient that has the technical and managerial capabilities to conduct the project; (h) have appropriate resources available to provide the service; and (i) have an adequate plan to make the target population aware of the available service.

Extra credit points were earned if the strategy (a) provides continued operating funding for a service which is already in operation; (b) provides a service where or when no other service is available; (c) has matching funding available from sources other than the Department or US DOT funding; and (d) coordinates with other public and private programs to maximize resources.

Because of the well-developed JARC program in the State, prioritization criteria developed during the LOCHSTP process included "extra points" for continued operation of existing services. This meant that a higher priority could be placed on continuing the current services to not disenfranchise anyone already relying on the JARC service for employment.

A third level of criteria was developed by regions, specific to the needs, infrastructure, and service base of that region. For example, a region could propose a maximum cost per trip as a criterion. This also proved the most appropriate place for a Section 5310 program criterion. If the gap analysis showed a need in a sub-region or a town, during a span of time, or for a certain population, the region could place a priority on that for the next round of Section 5310 applications.

To competitively select strategies for funding, each region followed up their initial survey with a Gap Identification Form (Attachment 7) that included a request for strategies to address the gaps. The proposed strategies were evaluated using the

selection criteria developed during the planning process. The State had one unified competition in each LOCHSTP planning region (respecting funding limitations for each population category). The Department and the LOCHSTP planning partners in each region selected projects to be funded.

For Federal Fiscal Year 2006 and 2007, the Department is the designated recipient for a statewide JARC program. Funds were distributed based on the federal apportionment, with matching funds provided by the state (either the Department or DSS.) As the Connecticut program is significantly overmatched with State funding, the two state agencies work together to create a balanced program in the large urban, small urban and non-urbanized areas of the state.
Solicitation for local projects takes place through the JARC planning groups in each region, and the LOCHSTP planning groups through their meetings and inputs from involved parties. JARC service gaps are identified on an ongoing basis. New strategies would need to be included in the POP prior to being funded by JARC.

Prior to SAFETEA-LU and the LOCSHTP planning process, the Department requested updated budgets for JARC services annually. This process will be replaced by an annual solicitation process for service proposals and budgets for both new and on-going services. The solicitation will occur in January or February of every year to allow for review, approval, and inclusion in the upcoming federal fiscal year's program of projects.

Proposals will need to include information such as: a description of the gap in terms of who is in need of transportation and what job-related needs will be met, a description of the service to be provided (Is this a seasonal service or year round? Will the service operate weekdays, nights, and/or weekends? What hours or service areas will be added?), the projected annual ridership, the estimated percentage of total riders that will be low-income, the estimated percentage of riders that will use the service for job-related activities, and identification of the partners that worked together to develop the proposal.

In order to facilitate the grant development and approval process, the POP may include projects in three separate categories:

(1) Category A - Will include those projects that the State has certified as having met all the Federal statutory and administrative requirements for project approval applicable to both the project activities and subrecipients that will carry out those activities. FTA's approval of Category A projects is unconditional upon grant award. Once FTA executes the grant, the State may start drawing down funds to implement projects in Category A. FTA expects most, if not all, of the projects included in the State's POP to be in this category.

(2) Category B - Will include those projects the State anticipates approving during the current year, but which have not yet met all the Federal statutory or administrative requirements or are proposed to be implemented by a subrecipient that has not yet met all applicable Federal requirements. When the State determines that the necessary Federal requirements have been satisfied for a project, FTA's approval of that project becomes unconditional, and the State may

advance the project to Category A. Cash drawdown for that project may commence after the State advances it to Category A. If a State can list all its projects in Category A, it would not list any projects in Category B.

(3) Category C - Is a program reserve. FTA designed Category C program reserve funds to accommodate unanticipated program needs. States should not confuse Category C program reserve funds with reasonable contingencies for the projects that the State designated in its POP and included in Category A or B. States may not include more than 10 percent of the total amount it obligates in the grant in the Category C program reserve. FTA encourages the State not to include more funds in Category C than it reasonably expects to allocate to new projects capable of meeting the applicable Federal requirements or to budget adjustments in existing projects within 12 months. If the State does not expect to select projects for which it will use all its Category C funds, the State should defer obligating those remaining funds until the following year. The State must allocate Category C program reserve funds to specific projects within the period of availability of the funds. FTA will de-obligate any Category C funds not allocated within the period of availability. FTA assumes that the funds remaining in Category C are the newest funds, if a grant contains funds apportioned in more than one fiscal year. Funds de-obligated after the period of availability lapse, and FTA will redistribute these lapsed funds to all the States in the subsequent year's apportionment. When a State selects projects it will advance out of the Category C program reserve funds, it must notify FTA of the changes to the POP.

The Department has 15 providers that operate services under the Section 5316 program.

Section 5317 Program

The New Freedom Program was authorized for the first time in SAFETEA–LU to support new public transportation services and public transportation alternatives beyond those required by the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. 12101 et. seq.). This program is codified at 49 U.S.C. 5317.

The New Freedom Program grew out of the New Freedom Initiative introduced under Executive Order 13217, "Community-Based Alternatives for Individuals with Disabilities," on June 18, 2001. The Order states: "The United States is committed to community-based alternatives for individuals with disabilities and recognizes that such services advance the best interests of the United States" and calls upon the Federal government to assist States and localities to swiftly implement the decision of the United States Supreme Court in Olmstead v. L.C.

Executive Order 13217 directed six Federal agencies, including the Departments of Justice, Health and Human Services (DHHS), Education, Labor, Housing and Urban Development and the Social Security Administration to "evaluate the policies, programs, statutes and regulations of their respective agencies to determine whether any should be revised or modified to improve the availability of community-based services for qualified individuals with disabilities." The Departments of

Transportation and Veterans Affairs, the Small Business Administration, and the Office of Personnel Management, though not named in the Executive Order, also joined in the implementation effort. Together, these agencies formed the Interagency Council on Community Living under the leadership of the DHHS.

Individuals who are transportation-disadvantaged face different challenges in accessing services depending on whether they live in urban, rural, or suburban areas. The geographic dispersion of transportation-disadvantaged populations also creates challenges for human service programs hoping to deliver transportation for their passengers.

Over the years, in response to these challenges, federal, State and local governments, and community-based organizations created specialized programs to meet particular transportation needs. At the federal level alone, there are at least 62 separate programs, administered by eight federal departments, and even more agencies, that provide special transportation services to individuals with disabilities, older adults, and people with low incomes. Most of these are human service programs that fund limited transportation services to provide eligible participants with access to particular services, such as job training, health care, senior centers, or rehabilitation programs.

The President has included funds for the New Freedom Program in the annual budget request to Congress since FY 2003; however, it was not until the enactment of SAFETEA–LU that funding was authorized by Congress. Funding was first appropriated for the transportation provision in FY 2006. The New Freedom Program is intended to fill the gaps between human service and public transportation services previously available and to facilitate the integration of individuals with disabilities into the workforce and full participation in the community.

In a letter to Richard Doyle, Federal Transit Administrator, Region I, dated April 17, 2007 Governor M. Jodi Rell designated the Department the recipient for the entire State of Connecticut. The Department has the principal authority and responsibility for administering the New Freedom Program in urbanized areas under 200,000 in population and non-urbanized areas. In Connecticut, this is the Department. For the New Freedom Program, in urbanized areas over 200,000 in population the designated recipient of New Freedom funds has the principal authority and responsibility for administering the New Freedom program funds. The recipient in urbanized areas over 200,000 in population must also be designated by the chief executive officer of the State.

Since each of the urbanized areas with over 200,000 in population in Connecticut has multiple regional planning organizations, the Department proposed that it lead the planning effort in order to provide consistency and balance the roles and responsibilities of the regional planning organizations. The Department also proposed that it be the designated recipient for Federal Fiscal Year 2006 program funding for New Freedom in urbanized areas for 200,000 in population.

Funds are obligated based on the annual POP included in a statewide grant application. FTA does not conduct project-by-project review and approval of each

project. The Department ensures that local applicants and project activities are eligible and in compliance with Federal requirements, that private for-profit transportation providers are provided an opportunity to participate to the maximum extent feasible, and that the program provides for maximum feasible coordination of transportation services assisted under Section 5317 with transportation services assisted by other Federal sources. The Department ensures that all program activities are included in the STIP. Once FTA approves the application, funds are available for subcontracts with individual subrecipients within the State.

Federal transit law, as amended by SAFETEA-LU, requires that projects selected for funding under the Section 5310,, JARC, and New Freedom programs be "derived from a locally developed, coordinated public transit-human services transportation plan" and that the plan be "developed through a process that includes representatives of public, private, and non-profit transportation and human services providers and participation by members of the public."

The Department held a meeting with RPOs and transit districts to propose that the state lead the planning process. The agreed-upon approach for conducting the planning process consisted of two transportation study areas: (a) large UZAs where the various participants in the large UZAs decide how the coordinated planning process will be conducted and who the lead agencies for plan development should be and (b) small UZAs and non-UZAs where the state is designated by the SAFETEA-LU guidance as the agency responsible for preparing the plans.

The Department also proposed that it be the designated recipient for FFY 2006 program funding for all three programs. Governor M. Jodi Rell designated the Department as the recipient on April 17, 2007. This will provide continuity in how JARC and Section 5310 are managed while incorporating final guidance from FTA into the first year's planning process.

In order to apply for FFY 2006 funds, FTA required that a plan be in place, but final guidance had not been issued by FTA. This first plan was prepared in accordance with interim guidance issued in 2006. Final guidance was issued by FTA on March 29, 2007 and took effect May 1, 2007. Future plans will be modified to encompass this guidance.

In an effort to engage a diverse set of partners in the planning process, the Department worked with the FTA interim guidance, the RPOs and JARC partners. In addition, UCONN, UCEDD arranged for a representative in each region. Consumers who are advocates on public transportation issues were also encouraged to participate in the planning process and assisted in keeping the regional planning committees focused on consumer concerns. The agencies and/or individuals who participated in the planning process vary by region.

The Connecticut Long-Term Care Planning Committee, which is composed of 10 state agencies (including the Department) and key legislative committee members, is charged with developing a long-term care plan every three years. The committee is overseeing the implementation of action steps in the Choices Are for Everyone plan. The action steps include the following:

- Educating people with disabilities who will make the transition into the community about peer support and support networks.
- Educating architects, housing authorities, builders, and local boards about accessibility; reviewing safety codes to ensure safety for individuals with functional limitations; and exploring tax incentives to encourage new homes or renovations to meet minimum accessibility standards.
- Increasing the paraprofessional work force and developing training programs.
- Developing community connections by distributing material to the general public, current residents of institutions and providers of support services; and by establishing networks for people with disabilities who are making the transition into the community.

The Department has been an active participant in the Connect-Ability, Transportation Workgroup since January 2007. Connect-Ability began in late 2005 with a federal grant to the State of Connecticut to identify and remove barriers to employment faced by people with disabilities. This five-year, multimillion dollar systems change grant involved a detailed look at the State's employment and disability services infrastructure in order to identify problem areas and implement lasting solutions.

Connect-Ability has two primary customers:

- Employers of all sizes and in all industries who are seeking qualified workers.
- People with disabilities of all ages who are seeking employment for the first time or who want a new challenge.

The program does not directly provide services to match individuals with specific jobs. Instead, the efforts are targeted at removing the barriers that keep the primary customers from finding one another. These barriers include, but are not limited to, low expectations, the transition from school to work, inadequate transportation, and the actual process of recruitment, hiring, and retention.

The Transportation Workgroup is tackling the problem of inadequate transportation resources throughout Connecticut. By identifying what exists and what needs to be created, this workgroup is bringing together the best information currently available online and in print, as well as seeking ways to fill in the gaps in service. One objective of the group is to find ways to make the current information more user-friendly. Another objective is to promote the development of innovative transportation systems.

The Department holds a quarterly meeting with public transit operators to discuss issues pertinent to operations, such as budgets, insurance, planning, and capital needs. This meeting serves to encourage coordination between the Department and the transit operators as well as among the transit operators. The Department has implemented a statewide insurance consortium and a statewide drug and alcohol testing consortium for the transit operators.

There are three categories of eligible subrecipients of NFI funds:

- Private non-profit organizations;
- State or local governmental authority; and
- Operators of public transportation services, including private operators of public transportation services.

Both new public transportation services and new public transportation alternatives are required to go beyond the requirements of the ADA and must (1) be targeted toward individuals with disabilities; and (2) meet the intent of the program by removing barriers to transportation and assisting persons with disabilities with transportation.

The following is a list of the types of services and enhancements selected for funding in Connecticut's first year of the program.

- New demand-response transportation services;
- New deviated-fixed route transportation services;
- Expansion of service hours on existing services;
- Expansion of days of services;
- Improved availability of transportation information
- Capital equipment (vehicles); and
- Planning study.

For the purpose of the New Freedom Program, "new" service is any service or activity that was not operational on August 10, 2005, and did not have an identified funding source as of August 10, 2005, as evidenced by inclusion in the TIP or the STIP. In other words, if not for the New Freedom Program, these projects would not have consideration for funding and proposed service enhancements would not be available for individuals with disabilities.
Recipients or subrecipients may not terminate ADA paratransit enhancements or other services funded as of August 10, 2005, in an effort to reintroduce the services as "new" and then receive New Freedom funds for those services. Eligible projects funded with New Freedom funds may continue to be eligible for New Freedom funding indefinitely as long as the project(s) continue to be part of the coordinated plan.

In accordance with the FTA interim guidance, the Department worked with the LOCHSTP planning groups to develop uniform prioritization criteria to be applied statewide. These criteria would be used to prioritize the proposed strategies to fill the gaps. These were developed and were extensively reviewed and amended by the regions. The basic set of criteria are presented in a "pass/fail" format and must: (a) serve the target population categories and address an identified gap; (b) achieve efficiency in service delivery; (c) not be eligible for other funding programs or resources; (d) be able to start up in a reasonable period of time; (e) provide regional/geographical equity; (f) maximize the use of available local, state and federal-funded public transportation resources; (g) be subcontracted with a subrecipient that has the technical and managerial capabilities to conduct the

project; (h) have appropriate resources available to provide the service; and (i) have an adequate plan to make the target population aware of the available service.

Extra credit points were earned if the strategy (a) provides continued operating funding for a service which is already in operation; (b) provides a service where or when no other service is available; (c) has matching funding available from sources other than the Department or US DOT funding; and (d) coordinates with other public and private programs to maximize resources.

A third level of criteria was developed by regions, specific to the needs, infrastructure, and service base of that region. For example, a region could propose a maximum cost per trip as a criterion. This also proved the most appropriate place for a Section 5310 program criterion. If the gap analysis showed a need in a sub-region or a town, during a span of time, or for a certain population, the region could place a priority on that for the next round of Section 5310 applications.

To competitively select strategies for funding, each region followed up their initial survey with a Gap Identification Form that included a request for strategies to address the gaps. The proposed strategies were evaluated using the selection criteria developed during the planning process. The State had one unified competition in each LOCHSTP planning region (respecting funding limitations for each population category). The Department and the LOCHSTP planning partners in each region selected projects to be funded.

For Federal Fiscal Year 2006 and 2007, the Department is the designated recipient for a statewide New Freedom program. Funds were distributed based on the federal apportionment, with matching funds provided by the Department or the subrecipient.

Solicitation for local projects will take place through the LOCHSTP planning groups and their involved parties. New strategies would need to be included in the POP prior to being funded by New Freedom. The Department will solicit service proposals and budgets for both new and on-going services annually. The solicitation will occur in the beginning of the calendar year to allow for review, approval, and inclusion in the upcoming federal fiscal year's program of projects.

Proposals will need to include information such as a description of the gap in terms of who is in need, what the needs are, and how the needs will be met, and a description of the service to be provided. (Is it a transportation service, vehicle purchase, information resource or something else?) The proposal must also identify the partners that worked together to develop the proposal and include a budget. This list is merely a starting point for consideration of a proposal. Additional information may be required.

In order to facilitate the grant development and approval process, the POP may include projects in three separate categories:

(1) Category A - Will include those projects that the State has certified as having met all the Federal statutory and administrative requirements for project

approval applicable to both the project activities and subrecipients that will carry out those activities. FTA's approval of Category A projects is unconditional upon grant award. Once FTA executes the grant, the State may start drawing down funds to implement projects in Category A. FTA expects most, if not all, of the projects included in the State's POP to be in this category.

(2) Category B - Will include those projects the State anticipates approving during the current year, but which have not yet met all the Federal statutory or administrative requirements or are proposed to be implemented by a subrecipient that has not yet met all applicable Federal requirements. When the State determines that the necessary Federal requirements have been satisfied for a project, FTA's approval of that project becomes unconditional, and the State may advance the project to Category A. Cash drawdown for that project may commence after the State advances it to Category A. If a State can list all its projects in Category A, it would not list any projects in Category B.

(3) Category C - Is a program reserve. FTA designed Category C program reserve funds to accommodate unanticipated program needs. States should not confuse Category C program reserve funds with reasonable contingencies for the projects that the State designated in its POP and included in Category A or B. States may not include more than 10 percent of the total amount it obligates in the grant in the Category C program reserve. FTA encourages the State not to include more funds in Category C than it reasonably expects to allocate to new projects capable of meeting the applicable federal requirements or to budget adjustments in existing projects within 12 months.

If the State does not expect to select projects for which it will use all its Category C funds, the State should defer obligating those remaining funds until the following year. The State must allocate Category C program reserve funds to specific projects within the period of availability of the funds. FTA will de-obligate any Category C funds not allocated within the period of availability. FTA assumes that the funds remaining in Category C are the newest funds, if a grant contains funds apportioned in more than one fiscal year. Funds de-obligated after the period of availability lapse, and FTA will redistribute these lapsed funds to all the States in the subsequent year's apportionment. When a State selects projects it will advance out of the Category C program reserve funds, it must notify FTA of the changes to the POP.

New Freedom Program funds are available for capital and operating expenses that support new public transportation services beyond those required by the ADA and new public transportation alternatives beyond those required by the ADA designed to assist individuals with disabilities with accessing transportation services, including transportation to and from jobs and employment support services. For the purpose of the New Freedom Program, "new" service is any service or activity that was not operational on August 10, 2005, and did not have an identified funding source as of August 10, 2005, as evidenced by inclusion in the TIP or the STIP. In other words, if not for the New Freedom Program, these projects would not have consideration for funding and proposed service enhancements would not be available for

individuals with disabilities. The Department has 19 subrecipients for 22 projects under the Section 5317 program including four vehicles.

Capital Planning Process Overview

The Department provides public transportation services, both bus and rail, to the citizens of Connecticut through contract agreements with numerous operators, including bus transit districts, Connecticut Transit, private bus operators, and railroads. The Department is responsible for providing the capital investment required to operate these services along with the necessary operating assistance. The Department is the applicant for most of the federal grants and heavily subsidizes these services by providing the vast majority of the non-federal capital funds.

Since 1984, the Bureau of Public Transportation has maintained a 20-year Transit Capital Project Management Plan (TCPMP). Formal procedures for maintaining this plan were established in 1988 and are attached hereto. The fiscally constrained TCPMP identifies and programs all State and federal transit capital projects anticipated to be available over a twenty year horizon. The projects represented in the plan, which include all capital projects necessary to support two commuter railroads, CT Transit operations in 8 urban areas and thirteen active transit districts are prioritized and programmed on a fiscal year basis against these funds. The plan automatically allows for inflation and is balanced by year and funding source. Each project is assigned an associated strategic goal, regional planning agency, transit system, and improvement type.

Funds are programmed in a non-discriminatory manner to invest in projects that ensure safety, maintain the existing transportation infrastructure, increase the productivity of the transportation system, promote economic development, provide necessary capacity enhancements, and effectively utilize all federal and state funds.

There are procedures in place to initiate changes and additions to the Plan. These procedures call for a monthly Transit Capital meeting to bring affected the Department staff as well as Transit Districts, RPA and the FTA together to discuss proposed revisions to the Plan including new projects, revised project scopes, revised costs, and/or revised schedules. Strategies and project priorities are reviewed, and the plan is amended to reflect the outcome of each meeting. This monthly meeting also provides a forum for addressing emergencies.

A Project Description Form for each project and an annual program is developed as part of the process. The Plan serves as the basis for the Department's annual element of the STIP. Each form contains information used to analyze and evaluate the capital projects. This information includes a project description, identification of problems, a proposed solution, project status, estimated cost, and an estimated project schedule.

Capital Projects

In 2008, major capital projects currently underway include construction of the New Britain-Hartford busway, the purchase of 380 M-8 type rail cars, the construct of New Haven Line Maintenance of Equipment facilities and yard improvements, the New Haven Line catenary replacement (including bridge replacements), M-2 type rail car critical systems replacement, the New Haven Line concrete tie installation, and construction of a new bus maintenance facility in Hamden. The following table shows the Department capital transit projects that have been completed since 1994 or are currently underway:

Public Transportation Capital Projects 1994- 2008

Project Description		Approximate Funding To Date	Completed / or Underway
Movable Bridges			
Peck Movable Bridge Replacement		$140,000,000	Completed
Walk and Saga Movable Bridge Evaluation Study		$2,000,000	Completed
Walk and Saga Movable Bridge Short-term Repairs		$350,000	Completed
Walk and Saga Movable Bridges - Rehab Design Phase		$10,700,000	Underway
Emergency Repairs to Walk Bridge Fender System		$1,700,000	Completed
	Subtotal:	**$154,750,000**	
Bridge Replacements			
West River Bridge		$7,000,000	Completed
Wepawaug River Bridge		$6,200,000	Completed
Viaduct Road Bridge		$4,500,000	Completed
Depot Road and Rock Lane Bridges, Milford		$4,120,000	Completed
Replace RR Bridges North Water St & Hamilton Ave		$4,800,000	Completed
Arch Street Bridge - Greenwich		$15,500,000	Completed
Replace RR Bridges River St, High St, Old Gate Lane		$15,800,000	Completed
Utility Work for Monroe St Bridge, Norwalk		$2,677,134	Underway
Replace Monroe Street Bridge, Norwalk		$5,821,467	Underway
Replace Boston Post Road, Darien		$7,364,234	Underway
	Subtotal:	**$73,782,835**	
Bridge Repairs/Rehabs			
PE - Bridges (300-0033, 170-1375)		$5,000,000	Underway
S-3 through S-10 Bridge Program		$10,700,000	Completed
Simpaug Turnpike Bridge, Redding		$1,500,000	Completed
Washington Ave & Main St. Bridge		$4,155,000	Completed
S-11 Bridge Program		$2,700,000	Completed
S-12 Bridge Program		$2,300,000	Completed
S-13 Bridge Program		$2,254,000	Completed
Rehab 4 NHL Bridges(MP 32, MP35.58, MP 47.29, MP 64.56)		$2,500,000	Completed
PE - Rehab 4 NHL Culverts(Darien, Naug, Ash Creek, NC)		$650,000	Completed
Interim Repairs at Devon Bridge, Milford		$1,600,000	Underway
PE - Rehab Westway Rd, Fairfield		$350,000	Completed
Emergency Repairs to Marshall St Bridge, Norwalk		$100,000	Completed
PE - Elimination of RR Bridge MP 54.98, Bridgeport		$150,000	Underway
RT 53 Bridge – Bethel		$2,100,000	Completed
PE North Benson Road, Fairfield		$170,000	Underway
Fairfield Ave Bridge, Bridgeport		$10,000,000	Underway
Rowayton Ave Bridge, Norwalk		$4,867,880	Underway
Purchase and Installation of RR Bridge Clearance Signs		$210,000	Completed
Middletown Swing Bridge Repairs		$1,900,000	Completed
	Subtotal:	**$53,206,880**	

Track Rehabilitation			
Annual "C" Programs (C-19 through C-22)		$38,300,000	Completed
C-23 Track Program		$12,384,785	Completed
C-24 Track Program		$14,996,402	Completed
C-25 Track Program		$4,988,387	Completed
C-26 Track Program		$11,500,000	Completed
C-27 Track Program		$10,000,000	Underway
C-28 Track Program		$7,000,000	Underway
NHL Concrete Tie Program		$22,000,000	Underway
Interlocking Renewal and Drainage Program		$5,000,000	Underway
Construction of CP 248 Interlocking, Greens Farms		$19,000,000	Underway
	Subtotal:	**$145,169,574**	
Signal and Power			
Electrical Substation Upgrade & New Substation in NH		$9,585,000	Completed
PE Supply Station at 1086, NH		$70,000	Completed
Mainline Catenary Replacement - Section A		$32,500,000	Completed
Network Infrastructure		$13,200,000	Completed
Mainline Catenary Replacement - Section D		$43,000,000	Completed
NHL Radio Communications		$6,000,000	Completed
Mainline Catenary Replacement - Section B		$50,148,760	Underway
Mainline Catenary Replacement - Section C1b		$140,000,000	Underway
PE - Catenary/Power System Improvements		$5,000,000	Underway
Tagging Relay		$6,000,000	Completed
PE - Substation Replacement		$1,500,000	Completed
	Subtotal:	**$307,003,760**	

Maintenance Facilities , Shops and Yards

Northeastern Transit District Facility	$1,690,000	Completed
Stamford MOW	$4,000,000	Completed
Stamford Car Washer	$5,000,000	Completed
Stamford MOE and Yard	$37,000,000	Completed
Stamford Heavy Repair	$3,200,000	Completed
HART Maintenance Facility	$8,000,000	Completed
Milford Transit District Facility	$3,600,000	Completed
Greater Hartford Transit District Union Station Rehab	$1,400,000	Completed
Norwalk Transit District Maintenance Facility	$15,000,000	Completed
CCR Shop in New Haven	$26,000,000	Completed
NHL Car Storage Yard	$74,000,000	Completed
NH Yard Water Street Pump Station	$5,200,000	Completed
NH Yard Transportation Building	$7,000,000	Completed
PE - Wheel True Shop - NH Yard	$700,000	Completed
NHY Running Repair Shop	$31,000,000	Completed
NHY M8 Acceptance Facility	$16,000,000	Underway
NHY Fuel Facility	$22,000,000	Underway
NHY Security Enhancements	$6,000,000	Underway
NHY Building 10 Improvements	$2,100,000	Completed
PE - CT Transit NH - New Bus Garage & Maintenance Facility	$10,125,813	Completed
CON - CT Transit NH - New Bus Garage & Maintenance Facility	$90,000,000	Underway
CT Transit Stamford - Rehab/Expand Bus Maintenance Facility	$17,000,000	Completed
PE & ROW - New Waterbury Bus Garage & Maintenance Facility	$5,565,750	Underway
CT Transit Hartford - Roof Rehabilitation	$1,300,000	Underway
PE - SEAT Facility Rehabilitation	$650,000	Underway
New Haven Yard - PE and ROW CT Limo Property - TSB	$1,712,500	Completed
Subtotal:	**$395,244,063**	

Stations

Rehabilitate and lengthen Platforms at NH Station		$7,000,000	Completed
Bethel Station Relocation		$3,000,000	Completed
Danbury Station Relocation		$3,000,000	Completed
Bridgeport Station Improvements (Phase I and II)		$3,500,000	Completed
New Canaan Station ADA Upgrade		$4,000,000	Completed
Stamford CI Platforms including Wash Blvd		$140,000,000	Completed
State Street Station		$7,900,000	Completed
Darien Station ADA Improvements		$10,200,000	Completed
Stamford Station Parking Garage		$30,000,000	Completed
Westport Station ADA Improvements		$10,500,000	Completed
Milford Station ADA Improvements		$5,500,000	Completed
SLE-Branford RR Station Improvements		$5,906,168	Completed
SLE-Guilford RR Station Improvements		$7,940,890	Completed
SLE-Clinton RR Station Improvements		$5,250,000	Completed
ROW Phase-SLE-Madison RR Station Improvements		$1,535,000	Completed
PE Fairfield Joint Development Project		$2,400,000	Underway
CON Fairfield Joint Development Project		$33,000,000	Underway
ADA Improvements - Installation of VMS		$2,000,000	Underway
New Haven Station - Tunnel Water proofing		$220,000	Completed
	Subtotal:	**$282,852,058**	

Rolling Stock

Purchase 30 New M-6 Cars		$73,000,000	Completed
Purchase 4 Genesis Locomotives		$17,604,885	Completed
Purchase Bombardier Coaches		$17,395,000	Completed
M2 CSR Program		$61,227,164	Underway
M4 Invertor Replacement		$3,200,000	Underway
Purchase P40 locomotives		$8,000,000	Completed
CT Transit Small Heavy Duty Buses		$3,700,000	Completed
CT Transit Stamford Division Bus Replacements		$7,196,435	Completed
CT Transit Systemwide Bus Replacements		$15,890,760	Completed
CT Transit Systemwide Bus Replacements		$14,625,326	Completed
CT Transit Systemwide Bus Replacements		$24,097,407	Completed
SEAT Replacement Buses		$6,670,735	Completed
NETCO Bus Replacements		$554,154	Completed
Purchase 10 Buses for use in FF County - TSB		$3,000,000	Completed
CT Transit Service Vehicles		$96,994	Completed
CT Transit Support Vehicles (18)		$453,924	Completed
CT Transit Service Vehicle		$17,634	Completed
CT Transit Service Truck Freightliner		$74,919	Completed
SEAT Support Vehicles (5)		$107,960	Completed
	Subtotal:	**$256,913,297**	

Studies			
Danbury Branch Electrification Study		$2,500,000	Completed
Rail Station Governance Study		$1,536,000	Completed
MU Fleet Replacement Study		$1,049,200	Completed
Study, Design, Envir, for Orange/W Haven Station - TSB		$2,000,000	Completed
	Subtotal:	**$7,085,200**	
Bus Transit way			
PE - New Britain - Hartford Busway		$12,066,245	Underway
	Subtotal:	**$12,066,245**	
Miscellaneous			
Emergency Dec - Replacement of Retaining Wall/Danbury Brnch		$1,344,305	Completed
Old Saybrook ROW Purchase		$300,000	Completed
	Subtotal:	**$1,644,305**	

Miscellaneous Transit Capital Purchases

CT Transit

Video Security Equipment	$3,284	Completed
Battery Load Testers	$10,048	Completed
Furniture - Quiet Room	$9,499	Completed
Bid/Dispatch - Set-up & Train	$41,298	Completed
Bid/Dispatch - Timekeeping	$25,000	Completed
Pallet Truck	$3,900	Completed
Lathe Adaptors (2)	$4,882	Completed
Digital Cameras (19)	$7,212	Completed
Power Supply	$6,995	Completed
Tire Rack Holding Plates	$1,150	Completed
Bus Video System Upgrade	$13,311	Completed
Bus Video Recording System	$39,263	Completed
Bus Video Recording System	$41,394	Completed
Hub Wheel Puller	$2,887	Completed
Ten Ton Floor Jack	$1,675	Completed
Customer Service Center - furniture	$2,232	Completed
Fork Lift	$12,400	Completed
Fall Protection Equipment	$2,464	Completed
Exhaust Gas Analyzer - Down Payment	$11,883	Completed
Transmission Jack	$1,350	Completed
Rivet Guns	$2,012	Completed
Digital Video Recorder	$2,265	Completed
Exhaust Gas Analyzer	$127,340	Completed
Transmission Jack	$1,500	Completed
Air Dryer	$2,350	Completed
Pressure Washer	$5,214	Completed
Two Way Radios	$4,194	Completed
Two Way Radios	$497	Completed
Radios	$9,930	Completed
Alarm System	$1,389	Completed
Truck Platform Body	$7,876	Completed
Bike Racks	$44,480	Completed
Digital Recorder	$4,994	Completed
Stamford Phone System Upgrade	$10,070	Completed
Stamford Radio System Upgrade	$10,611	Completed

SEAT

Computer Printers and Scanner	$6,334	Completed
Digital Camera & Related Equip.	$3,140	Completed
Antivirus Software	$1,024	Completed
Software	$9,738	Completed
Software	$9,600	Completed
Software & Hardware	$16,925	Completed

Subtotal: **$523,611**

Appendix

Appendix A – 2005 Metro-North Railroad Customer Satisfaction Survey

Appendix B – Results of 2005 Metro-North Railroad Customer Satisfaction Survey

Appendix C – 2006 Metro-North Railroad Customer Satisfaction Survey

Appendix D – Results of 2006 Metro-North Railroad Customer Satisfaction Survey

Appendix E – 2007 Metro-North Railroad Customer Satisfaction Survey

Appendix F - Results of 2007 Metro-North Railroad Customer Satisfaction Survey

Appendix G - Metro-North Railroad's Origin and Destination Survey, English and Spanish Versions

Appendix H – 2005 Shore Line East Customer Satisfaction Survey

Appendix I – Results of 2005 Shore Line East Customer Satisfaction Survey

Appendix J – 2007 Shore Line East Customer Satisfaction Survey

Appendix K – Results of 2007 Shore Line East Customer Satisfaction Survey

Appendix L - Demographic Maps - LEP Population

Appendix M - Demographic Maps

Low Income Individual by Percent in Census Tracts with no graduation.

Individuals Approaching Poverty by percent.

Low Income Individuals by Percent in Census Tracts with graduation.

Section VII
Aviation and Ports

SECTION VII: BUREAU OF AVIATION & PORTS

The Federal Aviation Administration (FAA) Region I reviewed this document and have accepted this Title VI Plan as satisfying FAA's Title VI requirement. Therefore, this Title VI Plan applies to the Bureau of Aviation & Ports in addition to the Bureau of Finance & Administrative Services; the Bureau of Engineering & Highway Operations; and the Bureau of Policy & Planning.

Section VIII
Training Program

SECTION X: TRAINING PROGRAM

The ConnDOT Office of Human Resources in the Bureau of Finance & Administrative Services and the Division of Contract Compliance will be responsible for providing and/or coordinating Title VI Training.

The Division of Contract Compliance shall have the responsibility of developing a Title VI training program and providing training to ConnDOT personnel in order to implement the agency's Title VI Program.

The implementation of the Title VI Program by ConnDOT shall include the responsibility to ensure that all ConnDOT employees interacting with the public have a minimum understanding of Title VI and the protections afforded under Title VI.

STATE OF CONNECTICUT

DEPARTMENT OF TRANSPORTATION

LIMITED ENGLISH PROFICIENCY PLAN

Rev. December 11, 2008

SECTION VIII: LIMITED-ENGLISH-PROFICIENCY IMPLEMENTATION PLAN

Overview

On August 11, 2000, President Clinton issued Executive Order 13166, entitled *"Improving Access to Services for Persons With Limited English Proficiency"* (LEP). The Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), and the Federal Aviation Administration (FAA) were instructed to ensure that all FHWA/FTA/ FAA funding recipients provide meaningful access to their LEP applicants and beneficiaries.

Language for LEP individuals can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by federally funded programs and activities. Recipients of Federal financial assistance have an obligation to reduce language barriers that can preclude meaningful access by LEP persons to important governmental services.

While most individuals living in the United States read, write, speak and understand English, there are many individuals for whom English is not their primary language. Individuals, who have a limited ability to read, write, speak, or understand English are Limited English Proficient, or LEP. The greater the number or proportion of LEP persons from a particular language group served or encountered in the eligible service population, the more likely language services are needed.

As a recipient of Federal funding the Connecticut Department of Transportation (ConnDOT) takes reasonable steps to ensure meaningful access to all federal-aid programs and activities to LEP persons. To comply with Title VI of the Civil Rights Act of 1964, as amended, ConnDOT adheres to acceptable compliance standards ensuring reasonable access to all federal-aid Programs and activities by LEP persons and thereby preventing discrimination on the basis of national origin. Coverage extends to all ConnDOT programs and activities.

This section of the Title VI Plan describes the minimum steps that ConnDOT must take to ensure meaningful access by LEP persons to federal-aid Programs and activities.

Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English can be LEP; and therefore, are entitled to language assistance under Title VI of the Civil Rights Act o f 1964 with respect to a particular type of service, benefit, or encounter.

Examples of populations likely to include LEP persons who may be served or encountered by ConnDOT and should be considered when planning language services include, but are not limited to:

- Public transportation passengers
- Airport passengers
- Persons who apply for permits or security badges
- Persons subject to the control of State or local transportation enforcement authorities, including, for example, commercial motor vehicle drivers
- Persons served by emergency transportation response programs
- Persons living in areas affected or potentially affected by transportation projects
- Business owners who apply to participate in the Disadvantaged Business Enterprise Program.

The LEP Program is designed to be flexible and fact dependent. The four-factor analysis will be utilized to assess what actions are to be taken. The factors are as follows:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee. (The greater the number or proportion of LEP persons, the more likely language services are needed.)
2. The frequency with which LEP individuals come in contact with the program. (The more frequent the contact with a particular language group, the more likely that enhanced language services in that language are needed.
3. The nature and importance of the program, activity, or service provided by the recipient to people's lives. (Make a determination as to whether denial or delay of access to services or information could have serious or even life-threatening implications for the LEP individual.)
4. The resources available to the recipient and costs. (Examine cost and benefit; limiting services must be well-substantiated before using this factor as a reason to limit language assistance.)

In areas where a significant number of LEP individuals are served, ConnDOT will ensure that any resource limitations are well substantiated.

Resources that may reduce the costs needed to provide access to LEP individuals include, by are not limited to:

- Training bilingual staff to act as interpreters and translators.
- Information sharing through industry groups.
- Telephonic and video conferencing interpretation services.
- Translating vital documents posted on Web sites.
- Pooling resources and standardizing documents to reduce translation needs.
- Using qualified translators and interpreters to ensure that documents need not be "fixed" later and that inaccurate interpretation does not cause delay or other costs.
- Centralizing interpreter and translator services to achieve economies of scale.
- Formalized use of qualified community volunteers.

Language Services

There are two main ways to provide language services; oral interpretation either in person or via telephone interpretation services; and written translation. Oral interpretation can range from on-site interpreters for critical services to commercially available telephonic interpretation services. Written translation can range from translation of an entire document to translation of a short description of the document.

Providing transportation access to LEP persons is crucial. An LEP person's inability to effectively utilize public transportation may adversely affect his or her ability to obtain health care, or education, or access to employment. When it is determined that interpretation is needed and reasonable, it should be provided in a timely manner in order to be effective.

Procedure

If a LEP person voluntarily chooses to provide his or her own interpreter, ConnDOT should consider whether a record of that choice and the recipient's offer of assistance are appropriate. Where precise, complete and accurate interpretations or translations of information and/or testimony are critical, or where the competency of the LEP person's interpreter is not established, ConnDOT may decide to provide its own, independent interpreter, even if the LEP person wants to use his or her own interpreter as well. Extra caution should be used when the LEP person chooses to use a minor as an interpreter.

Interpreters should demonstrate proficiency in and ability to communicate information accurately in both English and in the other language and identify and employ the appropriate mode of interpreting (e.g., consecutive, simultaneous, summarization, or sight translation). Interpreters should have knowledge in both languages of any specialized terms or concepts peculiar to the program or activity and of any particularized vocabulary and phraseology used by the LEP person; and understand and follow confidentiality and impartiality rules to the same extent as the person for whom they are interpreting and/or to the extent their position requires. They should understand and adhere to their role as interpreters without deviating into a role as counselor, legal advisor, or other roles.

ConnDOT will determine which items will be translated; applying the four-factor analysis. ConnDOT will translate vital written materials into the language/s identified as frequently encountered; likely to be affected and eligible to be served. Written materials will include, but not be limited to:

- Emergency transportation information.
- Markings, signs, and packaging for hazardous materials and substances.
- Signs in bus and train stations, and in airports.

- Notices of public hearings (i.e. legal notices) regarding ConnDOT's proposed transportation plans, projects, or changes, and reduction, denial, or termination of services or benefits.
- Signs in waiting rooms, reception areas, and other initial points of entry.
- Notices advising LEP persons of free language assistance and language identification cards for staff (i.e. "I speak cards) (***See Attachment I***).
- Statements about services available and the right to free language assistance services in appropriate non-English languages, in brochures, booklets, outreach and recruitment information, and other materials routinely disseminated to the public.
- Written tests that do not assess English-language competency, but test competency for a particular license, job, or skill for which knowing English is not required.
- Applications or instructions on how to participate in a recipient's program or activity or to receive recipient benefits or services (i.e. ROW acquisition/relocation brochure).
- Consent forms.

Language Assistance

ConnDOT has a listing of employees that have stated that they are proficient in languages other than English. This is a resource that can be used by the Department of assist LEP persons. (***See Attachment J***)

Responsibilities

ConnDOT is responsible for ensuring that LEP persons have meaningful access to all federal-aid Programs and activities. Federal-aid Programs include the following: Planning, Environment, Design, Rights-of-Way (ROW), Construction, and Safety. Federal-aid activities include the following: commuter rail/bus, Rideshare, Air and Port transportation. Whenever ConnDOT holds a public hearing/meeting (whether during Environment or Design), the legal notice regarding the hearing/meeting must indicate that LEP persons may request language assistance (translation services or an interpreter) by contacting a ConnDOT representative to communicate this need within a reasonable amount of time prior to the event. In the case of ROW agents making individual contacts, if a property owner does not speak English as his/her primary language, the ROW agent will consult the ConnDOT *Language Request List* to coordinate the services of another ConnDOT employee who may act as a translator or contract out for translation services (see LEP Interpreters Translators Listing) or utilize contract service providers. Commuter services (bus, rail, ferry service, airport, etc.) must offer informational documents in alternate languages and provide reasonable accommodation regarding translation services at train stations, airports, etc.

ConnDOT is currently developing a web-based tool that will allow persons to request language accommodations for all public meetings and hearings.

STATE OF CONNECTICUT

DEPARTMENT OF TRANSPORTATION

ENVIRONMENTAL JUSTICE PLAN

Rev. December 11, 2008

SECTION IX: ENVIRONMENTAL JUSTICE

Executive Order 12898 ("Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations") required each federal agency to develop a written strategy to identify and address disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income communities. This can be realized through the development and implementation of an integrated approach towards Environmental Justice (EJ) through the collection, analysis, and dissemination of understandable and useful information on the adverse environmental and health impacts on protected populations. Through the National Environmental Policy Act of 1969 (NEPA) process, the EJ analysis is included as an individual section of the environmental document and is thereby disseminated to the public. For a Regional Planning Organization (RPO), the EJ analysis is included as another area of study under Title VI during the Planning process for transportation projects, plans and programs. Additionally, RPOs should analyze the impact of benefits provided by the RPO upon low-income and minority communities within the RPO's boundaries. This should include benefits already offered as well as benefits to be offered.

There are three fundamental EJ principles. The principles are as follows:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations;
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process; and
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations.

Environmental Justice is applicable to persons belonging to any of the following groups:

- **Black**—a person having origins in any of the black racial groups of Africa.
- **Hispanic**—a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
- **Asian**—a person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent.
- **American Indian and Alaskan Native**—a person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition.
- **Native Hawaiian or Other Pacific Islander**—a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- **Low-Income**—a person whose household income (or in the case of a community or group, whose median household income) is at or below the U.S. Department of Health and Human Services poverty guidelines.

Attachment A

NONDISCRIMINATION AGREEMENT AND STATE ASSURANCES

TITLE VI ASSURANCES

The State of Connecticut, acting through its Department of Transportation (hereinafter referred to as the "Recipient"), agrees that as a condition to receiving any federal financial assistance from the United States Department of Transportation (USDOT), it will be subject to and will comply with Title VI of the Civil Rights Act of 1964, as amended, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 (hereinafter referred to as the "Act"), as amended and all requirements imposed by or pursuant to Title 49 Code of Federal Regulations (CFR) Part 21 (USDOT, Subtitle A, Office of the Secretary), which is entitled "*Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964*" (hereinafter referred to as the "Regulations"), and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, national origin, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives federal financial assistance from the USDOT, including the Federal Highway Administration, and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by Subsection 7 (a) (1) of the Regulations. Furthermore, the Civil Rights Restoration Act of 1987 clarified the original intent of Congress with respect to the Act, 23 USC 324 (sex), the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973 by restoring the broad, institution-wide scope and coverage of the non-discrimination statutes to include **all** programs and activities of the Recipient, whether or not such program and activities are federally-assisted.

Such discrimination is prohibited by the Recipient in the selection and retention of contractors, by contractors in the selection and retention of first-tier subcontractors, and by first-tier subcontractors in the selection and retention of second-tier subcontractors, etc., who participate in federal-aid highway construction, acquisition of rights-of-way and related projects, including those who supply materials and lease equipment. Such contractors and subcontractors by contract for, or incidental to, construction, planning, research, highway safety, engineering, property management, and fee contracts and other commitments with persons for services and expenses incidental to the acquisition of rights-of-way, including, but not limited to:

- Advertising Contracts;
- Agreements for economic studies;
- Contracts for surveys and plats;
- Contracts for abstracts of title, title certificates and title insurance;
- Contracts for appraisal service and expert witness fees;
- Contracts to negotiate for the acquisition of rights-of-way;
- Contracts for disposal of improvements and property management services;
- Contracts for employment of fee attorneys for rights-of-way procurement, or preparation and trial of condemnation cases; and
- Contracts for escrow and closing services.

Such discrimination is also prohibited against the traveling public and business users of the federally-assisted highways in their access to and use of the facilities and services provided for public accommodations (such as eating, sleeping, resting, recreation, and vehicle servicing) constructed on, over, or under the rights-of-way of such highways or on property subject to the provision of this document, which is disposed of by the Recipient. In addition, such discrimination by the Recipient and its agents is prohibited against eligible persons in making relocation payments and in providing relocation advisory assistance where relocation is necessitated by highway rights-of-way acquisitions.

More specifically and without limiting the above general assurance, the Recipient agrees with respect to its federally-assisted highway program as follows:

1. The Recipient agrees that each "program" and each "facility" as defined in Subsections 23 (b) and 23 (e) of the Regulations, will be conducted ("program") or will be operated ("facility") in compliance with all requirements imposed by, or pursuant to, the Regulations;

2. The Recipient shall insert the following notification in all solicitations for bids and RFP's for work or material subject to the Regulations made in connection with the Federal-Aid Highway Program and, in adapted form, in all contracts and proposals for negotiated agreements (includes all notifications/solicitations and contracts/agreements regardless of funding source)-- "*The Connecticut State Department of Transportation, in accordance with the provisions of Title VI of the Civil Rights Act of 1964, as amended (78 Stat. 252, 42 U.S.C. 2000d to 2000d-4), and the Regulations of the United States Department of Transportation (49 CFR Part 21), as amended, issued pursuant to such Act, hereby notices all bidders that it will affirmatively ensure that the contract entered into pursuant to this advertisement will be awarded to the lowest responsible bidder without discrimination on the ground of race, color, national origin, sex, age, or disability.*";

3. "Attachment 1" of this Assurance shall be included as an attachment in all contracts and agreements, except for agreements concerning deeds, licenses, leases, permits and similar instruments entered by the Recipient with other parties or Federal Transit Administration (FTA) grant agreements;

4. Where federal financial assistance is received to construct a facility, or part of a facility, the Assurance shall extend to the entire facility and facilities operated in connection therewith;

5. "Attachment 2" of this Assurance shall be included in deeds, licenses, leases, permits, or similar instruments entered into by the Recipient and shall extend to rights to space on, over, or under such property;

6. The Recipient will include the appropriate clauses set forth in "Attachment 2" of this Assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties:

    1. For the subsequent transfer of real property acquired or improved with federal financial assistance under this Project; and
    2. For the construction or use of or access to space on, over, or under real property acquired or improved with federal financial assistance under this Project.

7. This Assurance obligates the Recipient for the period during which federal financial assistance is extended to the program, except where the federal financial assistance is to provide, or is in the form of personal property or real property or interest therein or structures or improvements thereon, in which case the Assurance obligates the Recipient or any transferee for the longer of the following periods:

    1. The period during which the property is used for a purpose for which federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
    2. The period during which the Recipient retains ownership or possession of the property.

8. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this Assurance; and

9. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this Assurance.

This Assurance is given in consideration of and for the purpose of obtaining federal financial assistance and is binding on the Recipient, its contractors, subcontractors, transferees, successors in interest and other participants. The person whose signature appears below is authorized to sign this Assurance on behalf of the Recipient.

THE TITLE VI CONTRACTOR ASSURANCES (Appendix CR)

ATTACHMENT 1

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations**: The contractor shall comply with the Regulations relative to nondiscrimination in federally assisted programs of the United States Department of Transportation (hereinafter, "USDOT"), Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the "Regulations"), which are herein incorporated by reference and made a part of this contract.

2. **Nondiscrimination**: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, national origin, sex, age, or disability in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Subsection 5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment**: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, sex, age, or disability.

4. **Information and Reports**: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Connecticut Department of Transportation (ConnDOT) or the Funding Agency (FHWA, FTA and FAA) to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to ConnDOT or the Funding Agency, as appropriate, and shall set forth what efforts it has made to obtain the information.

5. **Sanctions for Noncompliance**: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the ConnDOT shall impose such sanctions as it or the Funding Agency may determine to be appropriate, including, but not limited to:

   A. Withholding contract payments until the contractor is in-compliance; and/or

   B. Cancellation, termination, or suspension of the contract, in whole or in part.

6. **Incorporation of Provisions**: The contractor shall include the provisions of paragraphs 1 through 5 in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the ConnDOT or the Funding Agency may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the ConnDOT to enter into such litigation to protect the interests of the Funding Agency, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

TITLE VI ASSURANCES FOR DEEDS, LICENSES, LEASES, PERMITS OR SIMILAR INSTRUMENTS

ATTACHMENT 2

The following clauses shall be included in deeds, licenses, leases, permits, or similar instruments entered into by the Recipient pursuant to the provisions of Assurances.

1. The (grantee, licensee, lessee, permitee, etc., as appropriate) for himself/herself, his/her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as a covenant running with the land") that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a United States Department of Transportation (USDOT) program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permitee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to 49 CFR Part 21, entitled "Nondiscrimination in Federally Assisted Programs of the Department of Transportation," and as said Regulations may be amended.

2. The (grantee, licensee, lessee, permitee, etc., as appropriate) for himself/herself, his/her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as a covenant running with the land") that: (1) no person on the grounds of race, color, national origin, sex, age, or disability shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the grounds of race, color, national origin, sex, age, or disability shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, and (3) the (grantee, licensee, lessee, permitee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to 49 CFR Part 21, entitled "Nondiscrimination in Federally Assisted Programs of the Department of Transportation," and as said Regulations may be amended.

Attachment B

CONNECTICUT DEPARTMENT OF TRANSPORTATION

POLICY STATEMENT

POLICY NO. EX.O.-27
September 22, 2008

SUBJECT: Title VI Policy

The Connecticut Department of Transportation (Department) will effectuate the provisions of Title VI of the Civil Rights Act of 1964, as amended; 49 CFR Part 21; 23 CFR Part 200; and other directives. The Department will ensure that no person in the United States shall, on the grounds of race, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance from the United States Department of Transportation.

In accordance with these regulations, the Department has developed and executed a document entitled Nondiscrimination Agreement and State Assurances dated August 8, 2007.

The Division of Contract Compliance shall have the responsibility for the Department's Title VI activities. The Division of Contract Compliance reports administratively to the Office of Equal Opportunity and Diversity. Ms. Debra Goss has been designated the Department's Title VI Coordinator and can be reached at (860) 594-2169. The Division of Contract Compliance is located at 2800 Berlin Turnpike, Newington, CT 06131.

The Commissioner has delegated the Title VI program implementation responsibilities to the Department's Bureau Chiefs. The Bureau Chiefs will designate Title VI Liaisons who will be responsible for the day-to-day collection, analysis, and reporting of Title VI related data.

Special emphasis areas include the following programs:

Construction/Maintenance
Design
Planning and Research
Contract/Agreement Processing, Prequalification, and Award
Rights of Way
Environmental Planning
Education and Training

The Title VI Liaisons will conduct compliance and program reviews to ensure that the Department is adhering to the procedures outlined in the Department's Title VI Implementation Plan.

In cooperation with the designated Title VI Liaisons, the Title VI Coordinator will prepare an annual update of Title VI activities for the past year and establish goals for the upcoming year.

As Commissioner of this Department, I am personally committed to the effective implementation of the Department's Title VI Program. It is expected that all units will fully cooperate with the Title VI Coordinator in the implementation of the procedures outlined in the Title VI Implementation Plan.

(This Policy Statement supersedes Policy Statement No. F&A-1 under the Bureau of Finance and Administration dated August 17, 2007)

Joseph F. Marie
Commissioner

Attachment C

If you believe that a USDOT recipient has retaliated against you, you may file a discrimination complaint. Filing a complaint does not prevent an individual or group from seeking remedy through other sources.

Who may file a Title VI complaint?

A complaint may be filed by any individual or group that believes that they have been subjected to discrimination or retaliation based on their race, color, national origin, sex, age, disability/handicap and/or income level. The complaint may be filed by the affected party or a representative, and must be in writing.

What information do I include in my complaint?

A signed, written complaint should be filed within 180 days of the date of the alleged discrimination, including:

- Your name, address and telephone number. If you are filing on behalf of another person, include their name, address, telephone number and your relation to that person.
- The name and address of the agency, firm or department you believe discriminated against you.
- Your signature.
- A description of how, why, and when you believe you were discriminated against. Include as much background information as possible about the alleged acts.
- The names of individuals whom you allege discriminated against you if you know them.
- The names of any persons, if known, that can be contacted for additional information to support or clarify your allegations.

How can I file a discrimination complaint?

If you believe that a USDOT recipient has discriminated against you or others protected by Title VI, you may file a complaint. Complaints may be filed with any of the following persons:

Debra Goss, Title VI Coordinator
CT Department of Transportation
2800 Berlin Turnpike
Tel: (860) 594-5169

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION

Your Rights Under Title VI of the Civil Rights Act of 1964

TITLE VI

"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." (42 U.S.C. 2000d)

This brochure is designed to assist you to understand your rights under the Title VI of the Civil Rights Act of 1964.

What is Title VI?
Title VI of the Civil Rights Act of 1964 is the Federal Law that protects individuals and groups from discrimination on the basis of their race, color, and national origin in programs and activities that receive Federal financial assistance. However, USDOT's reference to Title VI includes other Civil Rights provisions of Federal statutes and related authorities to the extent that they prohibit discrimination in programs and activities receiving Federal financial assistance.

Title VI Policy
Pursuant to Title VI of the Civil Rights Act of 1964, the Restoration Act of 1987 and other nondiscrimination authorities, it is the policy of ConnDOT that discrimination on the ground of race, color, national origin, disability/handicap, sex, age, or income status shall not occur in connection with programs or activities receiving financial assistance from the USDOT.

The Connecticut Department of Transportation will ensure that no person in the United States shall, on the grounds of race, color, national origin, sex, age or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance from the USDOT.

Title VI Compliance
Title VI compliance is a situation where a recipient has effectively implemented all the Tile VI requirements or can demonstrate that every good faith effort has been made toward achieving this end.

USDOT Recipient
A USDOT Federal-aid recipient is any State, territory, possession, political subdivision, instrumentality, public or private agency, organization, entity or individual to whom USDOT assistance is extended either directly or through another recipient.

Programs Covered
Federally-assisted programs include any USDOT Project, program or activity for the provision of services, financial aid, and other benefits. This includes education or training, work opportunities, health, welfare, rehabilitation, housing or other services, whether provided directly by the recipient or other agents, through contracts or other arrangements with the recipient.

What discrimination is prohibited by the ConnDOT Title VI Program?
Discrimination under our Title VI program is an act (action or inaction) whether intentional or unintentional, through which a person or group, solely because of race, color, national origin, disability/handicap, sex, age or income status has been otherwise subjected to unequal treatment or impact, under any program or activity receiving financial assistance from USDOT.

In operating USDOT-assisted programs, a recipient cannot discriminate either directly or through contractual or other means by:

- Denying programs services, financial aids, or other benefits;
- Providing different program services, financial aids or other benefits, or providing them in manner different from that provided to others;
- Segregating or separately treating individuals or groups in any matter related to the receipt of any program service, financial aid or benefit;

- Restricting in any way the enjoyment of any advantage or privilege enjoyed by others receiving any program service, financial aid or other benefits;
- Denying person(s) the opportunity to participate as a member of a planning, advisory or similar body;
- Denying person(s) the opportunity to participate in the program through the provision of services, or affording the opportunity to do so differently form those afforded others.

Attachment D

State of Connecticut Department of Transportation
Division of Contract Compliance

TITLE VI COMPLAINT REPORTING FORM

Reviewer: _____ **Date:** _____

Complainant Information

Name:		**Race:**	**Sex:**
Street Address:	**City:**	**State:**	**Zip:**
Home Phone:	**Work Phone:**		

Complaint Details:

Discrimination based on:
Race ____ **Color** _____ **National Origin** _____ **Sex** _____ **Age** _____ **Disability** _____ **Other** _____

Signature of Complainant: _____ Signature of Reviewer: _____

List of Persons to be interviewed:

Findings:

Actions/Recommendations:

Is Complaint against the Department: ___ yes ___no

Date referred to USDOT _____

Date Complaint Completed: _____

TITLE VI LOG

Complainant's Name | Race/Sex/Color/National Origin/Age/Disability | Date Received

Investigated by: | Date to FHWA/FTA/FAA (OCR):

Allegations:

Disposition:

Date of Disposition:

Complainant's Name | Race/Sex/Color/National Origin/Age/Disability | Date Received

Investigated by: | Date to FHWA/FTA/FAA (OCR):

Allegations:

Disposition:

Date of Disposition:

Attachment F

INTERNAL INVESTIGATION REPORT
JANUARY 2007

The investigation was conducted by Debra Goss, Title VI Coordinator for the Department of Transportation in response to a complaint filed by Joan Smith with the Commission on Human Rights and Opportunities regarding discriminatory public accommodations based upon her race, ancestry and sex.

SUMMARY OF COMPLAINT

The Department on December 26, 2006, received an Affidavit of Illegal Discriminatory Practice from the Commission on Human Rights and Opportunities. Ms. Smith alleged that she was denied easy access to her property and usage of the State right of way and was discriminated against by the Department based upon her race, ancestry and sex.

ISSUES TO BE INVESTIGATED

Allegation #1: Race, sex and ancestry were a factor in asking the complainant to remove her flowerpots, which were placed in the State's right of way.

Allegation #2: She was not provided with easy access and usage to the State right of way abutting her property.

THE PROCESS OF THE INVESTIGATION

The investigator took a verbal statement regarding the department's policy regarding illegal encroachments and public accommodation from Mr. Tom Jones, Services Manager, on January 29, 2007, The statement is articulated in the findings. The investigator also reviewed Ms. Smith's complaint, responses and inquiries.

FINDINGS

Allegation #1: Race, sex and ancestry were a factor in asking the complainant to remove her fence, which were placed in the State's right of way.

Finding: Unsubstantiated

The Department does not maintain records of the race, ancestry or sex of property owners.

Ms. Smith stated in her complaint that she was asked to remove flowerpots from the State's Right of Way. According to correspondence sent to Ms. Smith from the Department of Transportation, dated November 17, 2005, Ms. Smith was told that policy dictates that only fences that are in the ground and not in free standing are allowed under permit. Fences constitute an obstruction or fixed object within the right of way. On December 9, 2005 *[Exhibit 1]*, Ms. Smith acknowledged by fax that she had received a fax dated December 7, 2006 *[Exhibit 2]*, from the Department regarding the fence. She stated that she had removed the fence from the State's right of way and onto her own property.

The Department followed customary procedures to inform Ms. Smith on how to obtain a permit to use the State's right of way and the stipulations of the permit regarding fences. The Department also used customary procedures for requesting that property illegally encroaching on the State's right of way be removed *[Exhibit 3]*.

CONCLUSION

The investigator has found that the allegations concerning discriminatory practices concerning the use of the State's right of way could not be substantiated.

Attachment G

SAMPLE

(860) 594-2169

June 3, 2007

CERTIFIED MAIL

Mr. Edward Bradford, President
Edward Painting Corp.
2010 Mirage Boulevard
New York , NY 12221

Dear Mr. Bradford:

Subject: Project #12-144/999
Discrimination Complaint

The Department has received a formal discrimination complaint against the Edward Painting Corporation.

The Complaint is being made by Mr. Wilson Young, a former employee, who claims that he was discriminated against under the terms and conditions of employment, on the basis of color.

The Connecticut Department of Transportation (ConnDOT) is investigating the complaint pursuant to Titles VI of the Civil Rights Act; Title 23 USC; 41 CFR Chapter 60. Your firm is required to cooperate with our investigation of this matter.

The following information for the referenced project is being requested at this time:

- Provide in date order, a listing of all new hires during the period covering January 1, 2006 through May 31, 2007; include race, sex, job title, and date of hire for each individual listed.

- Provide in date order, a listing of all terminations (voluntary and involuntary, including layoffs) which occurred during the period covering January 1, 2006 through May 31, 2007; include race, sex, job title, date of termination, reason for termination or layoff, for each individual listed.

- Provide an alphabetical listing of all recalls for the period covering January 1, 2006, through May 31, 2007; include race, sex, job title, initial dates of hire, and date of recall.

- Provide a listing of all promotions occurring during the period covering January 1, 2006 through May 31, 2007; include race, sex, job title promoted to, job title promoted from, initial dates of hire and date of promotion.

- Please provide a listing of any discrimination complaints filed against your firm during the period covering January 1, 2006 through May 31, 2007. Include date and type of complaint, race and sex of complainant, and resolution.

- Provide a listing of all employees discharged from your firm, by which the Unemployment Notice ("Pink Slip") stated "Other" as the reason for unemployment. State the race, sex, and job title of each individual listed for the period covering January 1, 2006 through May 31, 2007.

- Please provide a copy of your firm's policy concerning the grounds and procedures involving the termination of employment.

Please submit your response by June 18, 2007. If you have any questions regarding this matter, please contact me at the number above.

Sincerely,

Debra Goss, Title VI Specialist
Affirmative Action Officer
Division of Contract Compliance
Bureau of Finance and Administration

Attachment H

SAMPLE

(860) 594-2169
Fax# (860) 594-2913

March 7, 2007

Re: ABC Corporation

CERTIFIED MAIL

Ms. Lynn Smith
28 Lyette Lane
Maryville, CT 06893

Dear Ms. Smith:

This letter is to inform you that we have received your discrimination complaint filed on February 28, 2007, against the referenced contractor. However, to process your complaint additional information is needed. Please provide the information requested below by March 27, 2007. If we do not receive a response from you by that date, we will assume that you are no longer interested in pursuing the referenced complaints.

Please submit the following information in response to each complaint:

1) State the basis of your complaint (age, race, sex, handicap, national origin, or other).

2) In detail specify the way in which the referenced contractor has discriminated against you.

3) Provide the dates you submitted employment applications to the contractor.

4) State the title of the position you applied for.

If you have additional questions regarding this matter, please contact me at (860) 594-2169.

Sincerely,

Debra Goss, Title VI Specialist
Affirmative Action Officer
Division of Contract Compliance
Bureau of Finance and Administration

Attachment I

United States Census 2000

U.S. Department of Commerce
Bureau of the Census

LANGUAGE IDENTIFICATION FLASHCARD

☐ املأ هذا المربع اذا كنت تقرأ أو تتحدث العربية.	Arabic
☐ Խնդրում ենք նշում կատարեք այս քառակուսում, եթե խոսում կամ կարդում եք հայերեն:	Armenian
☐ যদি আপনি বাংলা পড়েন বা বলেন তা হলে এই বাক্সে দাগ দিন।	Bengali
☐ សូមបញ្ជាក់ក្នុងប្រអប់នេះ បើអ្នកអាន ឬនិយាយភាសា ខ្មែរ ។	Cambodian
☐ Matka i kahhon komu un taitai pat un sang i Chamorro.	Chamorro
☐ 如果您具有中文閱讀和會話能力，請在本空格內標上X記號。	Chinese
☐ Make kazye sa a si ou li oswa ou pale kreyòl ayisyen.	Creole
☐ Označite ovaj kvadratić ako čitate ili govorite hrvatski jezik.	Croatian (Serbo-Croatian)
☐ Zaškrtněte tuto kolonku, pokud čtete a hovoříte česky.	Czech
☐ Kruis dit vakje aan als u Nederlands kunt lezen of spreken.	Dutch
☐ Mark this box if you read or speak English.	English
☐ اگر خواندن ونوشتن فارسی بدرهستین، این مربع را علامت بگذارید.	Farsi

D-3309

☐ Cocher ici si vous lisez ou parlez le français.	French
☐ Kreuzen Sie dieses Kästchen an, wenn Sie Deutsch lesen oder sprechen.	German
☐ Σημειώστε αυτό το πλαίσιο αν διαβάζετε ή μιλάτε Ελληνικά.	Greek
☐ अगर आप हिन्दी बोलते या पढ़ सकते हों तो इस गोले पर चिह्न लगाएँ।	Hindi
☐ Kos lub voj no yog koj paub twm thiab hais lus Hmoob.	Hmong
☐ Jelölje meg ezt a kockát, ha megérti vagy beszéli a magyar nyelvet.	Hungarian
☐ Markaam daytoy nga kahon no makabasa wenno makasaoka iti Ilocano.	Ilocano
☐ Marchi questa casella se legge o parla italiano.	Italian
☐ 日本語を読んだり、話せる場合はここに印を付けてください。	Japanese
☐ 한국어를 읽거나 말할 수 있으면 이 칸에 표시하십시오.	Korean
☐ ໃຫ້ໝາຍໃສ່ຊ່ອງນີ້ ຖ້າທ່ານອ່ານຫຼືປາກພາສາລາວ.	Laotian
☐ Zaznacz tę kratkęjeżeli czyta Pan/Pani lub mówi po polsku.	Polish
☐ Assinale este quadrado se voce lê ou fala Português.	Portuguese

☐ Însemnaţi această căsuţă dacă citiţi sau vorbiţi Româneşte.	Romanian
☐ Пометьте этот квадратик, если вы читаете или говорите по-русски.	Russian
☐ Maka pe fa'ailoga le pusa lea pe afai e te faitau pe tusitusi i le gagana Samoa.	Samoan
☐ Обележите овај квадратић уколико читате или говорите српски језик.	Serbian (Serbo-Croatian)
☐ Označte tento štvorček, ak viete čitať alebo hovoriť po slovensky.	Slovak
☐ Marque esta casilla si lee o habla español.	Spanish
☐ Markahan ang kahon na ito kung ikaw ay nagsasalita o nagbabasa ng Tagalog.	Tagalog
☐ ให้กาเครื่องหมายลงในช่องถ้าท่านอ่านหรือพูดภาษาไทย.	Thai
☐ Faka'ilonga'i 'ae puha ko'eni kapau 'oku te lau pe lea 'ae lea fakatonga.	Tongan
☐ Відмітьте цю клітинку, якщо ви читаєте або говорите українською мовою.	Ukrainian
☐ اگر آپ اردو پڑھتے یا بولتے ہیں تو اس خانه میں نشان لگائں.	Urdu
☐ Xin đánh dấu vào ô này nếu quý biết đọc và nói được Việt Ngữ.	Vietnamese
☐ צייכנט דעם קעסטל אויב איר שרייבט אדער ליינט אידיש.	Yiddish

Fluency in Other Than English Languages

NAME	LANGUAGE(S)	PHONE NUMBER	SPEAK	READ	WRITE
Niyazi Alsaqri	Arabic	203-789-1369	X		
Marcelle Zeitoun	Arabic	860-258-0704	X		
Ghazi Alsaqri	Arabic	203-785-8082	X		
Basel Hashem	Arabic	203-537-2325	X		
Mohammed Bishtawl	Arabic	203-389-3167	X		
Rabih M. Barakat	Arabic	860-594-3389	X		
Catarina Pond	Italian	860-594-3188	X		
Ann M. Calafiore	Italian	860-594-2530	X		
Barbara Wozniak	Polish	860-594-2915	X		
Robert J. Wiecki	Polish	203-389-3170	X		
Marcelle Zeitoun	French	860-258-0704	X		
Robert P. Brown	French	860-594-3207	X		
Prospere Walter	French	203-972-0388	X		
Gabriele Hallock	German	860-594-3352	X	X	X
Ernest E. Lagoja	German (Bavarian-Austrian Dialect)	203-389-3026	X		
Anna S. Mermelstein	Russian	860-594-2715	X		
Alex Mermelstein	Russian	860-594-2742	X		
Vitalij Staroverov	Russian	860-594-2582	X	X	X
Vosco Ferreira	Portuguese	203-579-6211	X	X	X
Anthony Estanislau	Portuguese	860-594-3230	X		
Rosmery Rodrigues	Spanish	860-594-2127	X		
Marisol Colon	Spanish	860-594-3106	X	X	X
Mario Marrero	Spanish	860-594-3481	X		
Irma Reyes	Spanish	860-594-2168	X	X	X
Edgardo Block	Spanish	860-258-0303	X	X	X
Edgar Alvarado	Spanish	203-881-0529	X		

Fluency in Other Than English Languages

NAME	LANGUAGE(S)	PHONE NUMBER	SPEAK	READ	WRITE
Ada Alvarez	Spanish	860-594-3068	X	X	X
William Caicedo	Spanish		X	X	X
Maria Gonzalez	Spanish	860-258-1980	X		
Betty S. Ambler	Mandarin Chinese	860-594-3035	X		
Xiuyun Cai	Mandarin Chinese	860-594-2783	X		
Yiu (Kevin) K. Ng	Chinese/Cantonese	860-594-2749	X		
Mimosa Pham	Vietnamese	860-594-2322	X	X	
Won S. Song	Korean	860-594-3236	X		
Nick Ozkan	Turkish	860-594-3222	X		
Nick Ozkan	Albanian	860-594-3222	X		
Sohrab Afrazi	Farsi (Persian)	860-594-3262	X		
Sohrab Afrazi	Azari	860-594-3262	X		
Anna S. Mermelstein	Ukrainian	860-594-2715	X		
Olasupo Gbadebo	Yoruba	860-258-0335	X		
Mohammed Azimi	Dari (Afghan language)	860-594-3259	X		
Ernest E. Lagoja	Slovenian	203-389-3026	X		
Mohammed Khadeer	Hindi	860-283-7490	X		
Ahsan K. Saghir	Hindi	860-594-2076	X		
Kiran Jain	Hindi	860-292-2019	X		
Mohammed Khadeer	Urdu	860-283-7490	X		
Ahsan K. Saghir	Urdu	860-594-2076	X		
Kiran Jain	Urdu	860-292-2019	X		
Kiran Jain	Swahili	860-292-2019	X		
Kiran Jain	Punjabi	860-292-2019	X		
Kiran Jain	Gujrati	860-292-2019	X		

Attachment K

CT.gov
STATE OF CONNECTICUT

State of Connecticut
Department of Administrative Services

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165 Capitol Avenue
Hartford, CT 06106

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Business Office
(860) 713-5115

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(860) 713-5095

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(860) 571-7445

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Exam Applications
(860) 622-2875 or
(860) 622-2910
Human Resources
(860) 713-7334
Procurement
(860) 713-7484
Business
(860) 713-7478
Fleet Services
(860) 713-7474

Driving Directions - State Office Building

» Contract Detail Info For # 05PSX0001 - Old

Award Date: Mar 29, 2005 **Start Date:** May 1, 2005

Description: In-Person Translation/Interpretation Services including D Translation

PDF: Review The Contract Document

Set Aside	Political Subdivisions
No	Yes

Buyer:

Buyer	Telephone	Fax	Email
Pamela Anderson	(860) 713-5088	(860) 622-2930	pamela.anc

» Contract Vendor Information

Vendors: Click on Contract # to link to CoreCT - Valid when Peoplesoft suppl
Click on Vendor name to obtain Full Vendor Info including Vendor S Certification History.

Contract #	Cert.	Vendor	Core ID	Contact Name	Contact Info	Te
05PSX0001AA		Accuworld International, LLC West Hartford, CT	0000011070	Susan E. Joyce	Phone - (860) 561-3388 Fax - (860) 561-7247 Email - sjoyce@inlinguahtfd.com	Net
05PSX0001AB		Bowne Global Solutions II, Inc. Washington, DC	0000012290	Barbara Wheeler	Phone - (202) 741-4020 Fax - (202) 289-4677	Net
05PSX0001AC		Global Link Translations Enfield, CT	0000075084	Barbara J. Rodriguez	Phone - (413) 737-1888 Fax - (860) 698-9353 Email - brod21@cox.net	Net
05PSX0001AD	MBE	Interpreters & Translators, Inc. Manchester, CT	0000010430	Elba R. Pagano	Phone - (860) 647-0686 Fax - (860) 646-3590 Email - epagano@ititranslates.com	Net
05PSX0001AE		LLE, Inc. (Language Learning Enterprises, Inc.) Washingtron, DC	0000017251	Kathleen Diamond	Phone - (888) 464-8553 Fax - (202) 785-5584	Net
05PSX0001AF		Language Link Consortium	0000096788	Hilda M. Santana	Phone - (860) 586-2349 Fax - (860) 586-7121 Email - languagelink@sbcglobal.net	Net

Driving Directions - State Surplus Facility

		Hartford, CT				
05PSX0001AG		Northwest Interpreters, Inc. Vancouver, WA	0000075083	Vic Marcus	Phone - (360) 566-0492 Fax - (360) 576-5663 Email - vic@nwiservices.com	Net
05PSX0001AH	MBE	RDP Agency, LLC West Hartford, CT	0000061868	Raquel Pacheco	Phone - (860) 881-8181 Fax - (860) 331-8535 Email - rpacheco@rdptranslation.com	Net

» Contract Supplement Information

Supp. #	Date	Description
1	Feb 23, 2006	Please see supplement #1 for Northwest Interpreters change of address.

PDF: Review The Contract Document

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Human Resources
(860) 713-7334
Procurement
(860) 713-7484
Business
(860) 713-7478
Fleet Services
(860) 713-7474

Driving Directions - State Office Building

» Contract Detail Info For # 04PSX0419 - Old

Award Date: Apr 12, 2005

Start Date: May 1, 2005

Description: Telephone Translation/Interpretation Services

PDF: Review The Contract Document

Set Aside	Political Subdivisions
No	Yes

Buyer:

Buyer	Telephone	Fax	Email
Pamela Anderson	(860) 713-5088	(860) 622-2930	pamel

» Contract Vendor Information

Vendors: Click on Contract # to link to CoreCT - Valid when Peoplesoft supp
Click on Vendor name to obtain Full Vendor Info including Vendor History.

Contract #	Cert.	Vendor	Core ID	Contact Name	Contact Info
04PSX0419AA		Language Line Services, Inc. Monterey, CA	0000011140	Margo Brown	Phone - (877) 886-9402 Fax - (781) 662-1144 Email - mbrown@languageline

» No Contract Supplement Exist

PDF: Review The Contract Document

Attachment L

LIMITED ENGLISH PROFICIENCY/ENVIORNMENTAL JUSTICE (MAPS)

These maps will enhance the Department's efforts towards providing meaningful access to affected individuals in all federal-aid programs and activities. These maps are to be used on a department-wide basis and will assist the user in identifying populations within a project area or transit area that may require additional assistance or services. These maps may also help the user to determine how outreach efforts may need to be tailored to reach affected populations to promote full and inclusive participation and to ensure that their service needs are being met.

Utilizing Global Information Systems (GIS) technology along with data available from the 2000 Census, we are able to direct our attention to Environmental Justice and Limited English Proficiency affected populations.

The information was gathered by utilizing the 2000 Census datasets population by census tract for Connecticut. These datasets are available at the County level from the Census Bureau. For all of the basic themes of Difficulty Speaking English, Low Income and the Racial and Ethnic Populations, the same geographic base was used. Data was downloaded by County. The Connecticut Counties are as follows: Fairfield County, Hartford County, New Haven County, New London County, Litchfield County, Tolland County, Middlesex County, and Windham County. The Counties formed a statewide datasheet by census tract for the whole state of Connecticut population

Using Global Information Systems (GIS) technology with data available from the 2000 Census tract and county level information for the state of Connecticut, population statistics for the following population subsets were developed: Racial and Ethnic, Low Income and Limited English Proficiency.

Limited English Proficiency (LEP)

Limited English Proficiency (LEP) refers to persons whose primary language is other than English and/or who have limited fluency in the English language. The Census Bureau defines such groups as being in "Linguistic Isolation".

Due to U.S. Census Bureau confidentiality rules, a procedure was developed to focus on this portion of the Connecticut population. The "Limited English Proficiency" populations were layered over the "Language Spoken at Home" populations to achieve the desired focus group.

The datasets for "Language spoken at home for 18 year olds and over", the "Ability to Speak English Less than Well and not at all", and "Language by Linguistic Isolation" were obtained from the 2000 Census. Based upon these datasets, various subtotals of Limited English Proficiency were calculated as a percentage of total population in each census tract: tract population, town population, percentage of town non-English speaking, language spoken at home and total non-English population.

Census tracts having populations over 5% in the categories "Language in the Home" and "Limited Proficiency" were employed in developing maps for the following language groups: Spanish, Portuguese, French Creole- French Cajun, Italian, Russian, Polish, Greek and Indo European group (Albanian, Gaelic, Lithuanian and Romanian)

Low Income and Poverty

Utilizing the above procedure, the "Low Income Individual" population was layered onto the base (GIS) map. According to the 2000 Census, income thresholds for individuals qualifying as either living in poverty or having low income are adjusted annually by the Federal Department of Health and Human Services. This Annual Poverty level was used as a base for determining the portion of Connecticut population living in poverty.

It was determined that individuals would be identified as at the poverty level if the household earnings did not exceed 150% of the National Poverty Threshold Level and individuals with income levels not exceeding 200% of the National Poverty Threshold Level would be classified as low income.

To develop poverty level concentration areas, a percentage of households at or below the poverty level were determined based upon the income of the total households in each census tract.

Minority and Ethnic Populations

The information used to develop these maps was obtained from the 2000 Census, "Races and Hispanic" cultural population by census tract. The Census Bureau separates the race and ethnic populations into two separate datasets. One dataset is for the Hispanic (ethnic) population and the other for all Races (which included Hispanic individuals identifying with one of the identified Races). As a result of this subgroup classification, some double counting of the Hispanic population can occur.

The classifications by race are: Black or African American; Asian; Native Hawaiian and other Pacific Islander; and the American Indian and Alaska native. A Hispanic designation is included in all of the race classifications as well as in combination with more than one race category.

Sources:

1. Based on the Capital Region Council of Governments Discussion Paper "Reducing Language Barriers"
2. 2008 HHS Poverty Guidelines from the U.S. Department of Health and Human Services
3. U.S. Census Bureau, "Preliminary Estimates of Weighted Average Poverty Thresholds" for 2007
4. Census 2000 Brief on "Overview of Race and Hispanic Origins"

State of Connecticut
Department of Transportation

Low Income Individuals

By Percent in Census Tracts

Low Income defined here as any Individual who falls under the US Census' Population Poverty Level of 150.

Legend

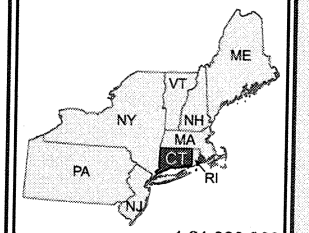
- Interstates
- US Highways
- Major State Highways
- Railroad Stations
- Rail Station 2.5 Mile Buffer
- Passenger Railroads
- Regional Planning Organizations
- Census Tracts
- DOT Town Boundaries
- Water

Low Income in Census Tracts

- Under 10% of Individuals (450 tracts)
- 10% to 25% of Individuals (209 tracts)
- 25% to 50% of Individuals (113 tracts)
- 50% to 75% of Individuals (30 tracts)
- Over 75% of Individuals (2 tracts)

Map Scale

0 1.5 3 6 9 12 Miles



1:21,000,000

Map Developed
March 2008

This map, developed for internal ConnDOT use, is a cartographic rendering of DOT roadway records. It should not be referenced or incorporated in any manner in legal documents or proceedings

Massachusetts

New York

Rhode Island

Areas of Interest:

New Haven

Bridgeport

State of Connecticut
Department of Transportation

Indo European Speaking Populations with Limited English Proficiency

by Census Tract

For population over 18 years of age

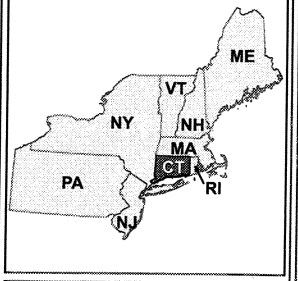
Legend

- Interstates
- US Highways
- Major State Highways
- Railroad Stations
- Rail Station 2.5 Mile Buffer
- Passenger Railroads
- Regional Planning Organizations
- Census Tracts
- Town Boundaries
- Water

Limited English Proficiency

Indo European Speaking Individuals

- Over 5 Percent



Map Scale

3 1.5 0 3 6 9 12 Miles

Developed
February, 2008

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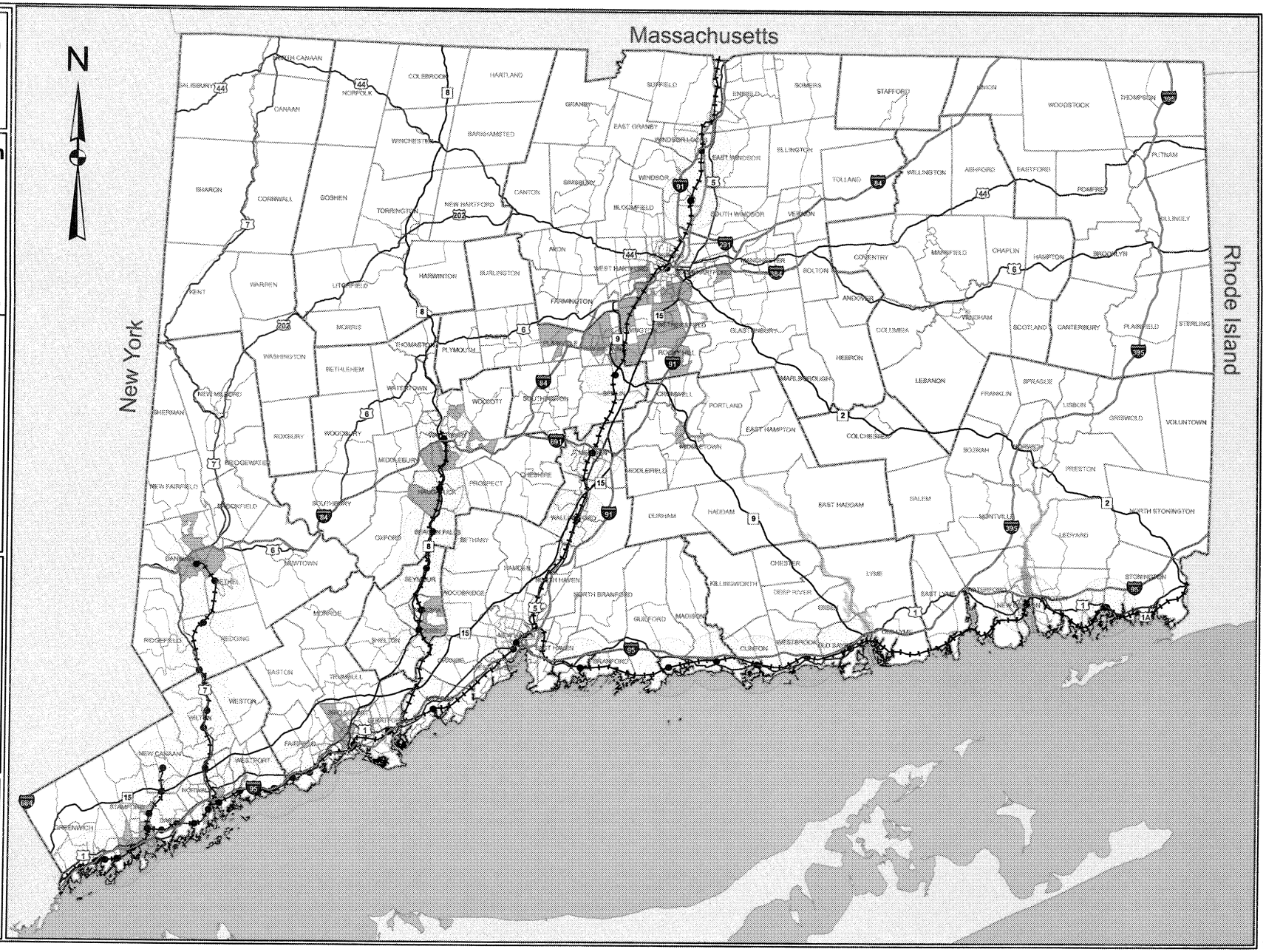


State of Connecticut
Department of Transportation

Spanish Speaking Populations with Limited English Proficiency

by Census Tract

For population over 18 years of age

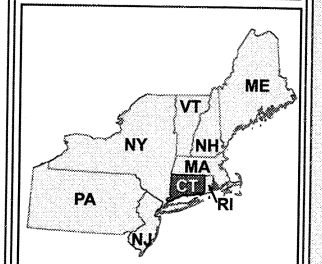
Legend

- Interstates
- US Highways
- Major State Highways
- Railroad Stations
- Rail Station 2.5 Mile Buffer
- Passenger Railroads
- Regional Planning Organizations
- Census Tracts
- Town Boundaries
- Water

Limited English Proficiency

Spanish Speaking Individuals

- Over 5 Percent



Map Scale

3 1.5 0 3 6 9 12 Miles

Developed
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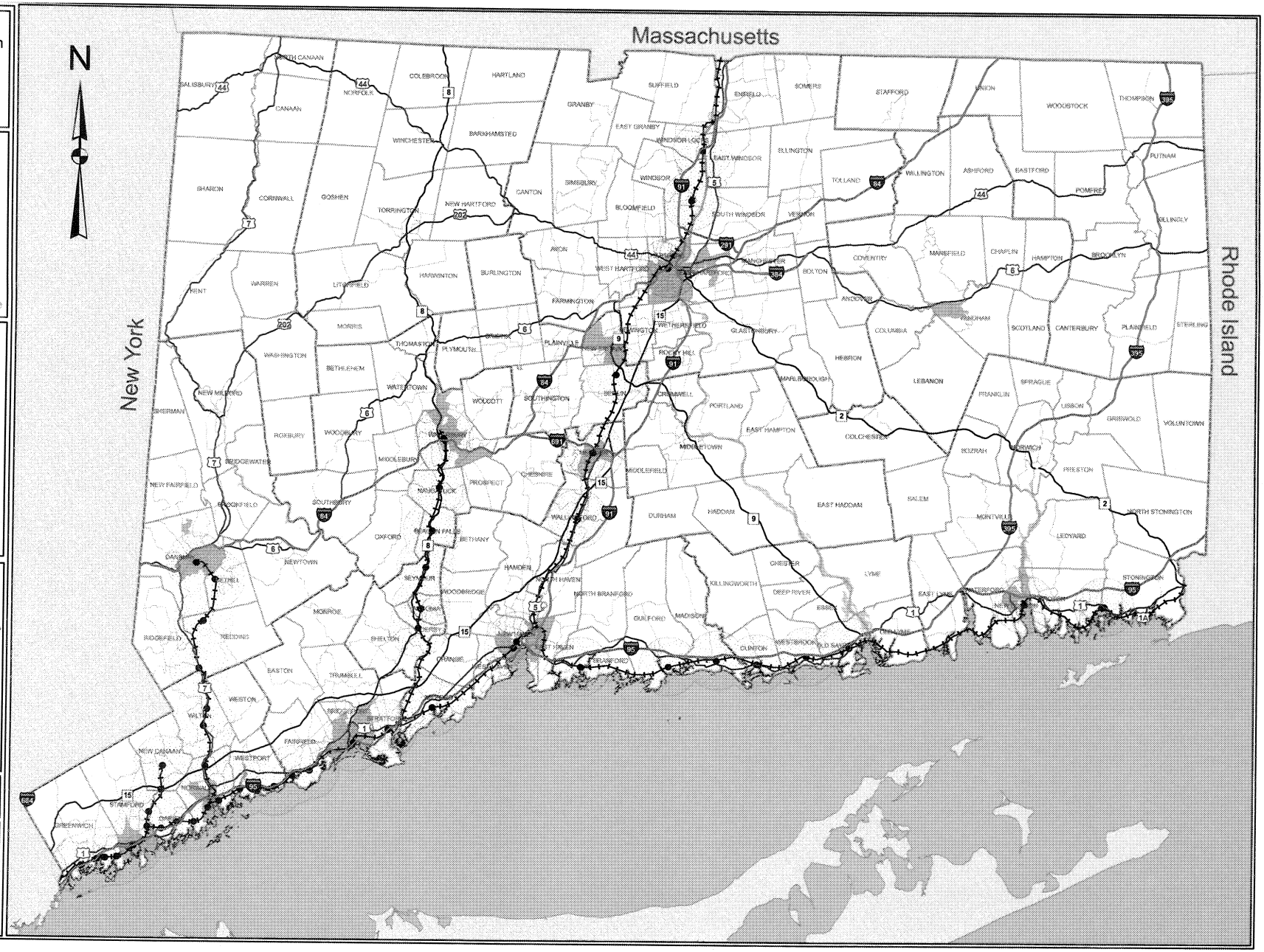


State of Connecticut
Department of Transportation

Spanish Speaking Individuals

by Census Tract

For population over 18 years of age

Legend

- Interstates
- US Highways
- Major State Highways
- Railroad Stations
- Railroad Station 2.5 Mile Buffer
- Passenger Railroads
- Regional Planning Organizations
- Town Boundaries
- Census Tracts
- Water

Spanish

- Over 5 Percent

Limited English Proficiency
(Spanish Speaking Individuals)

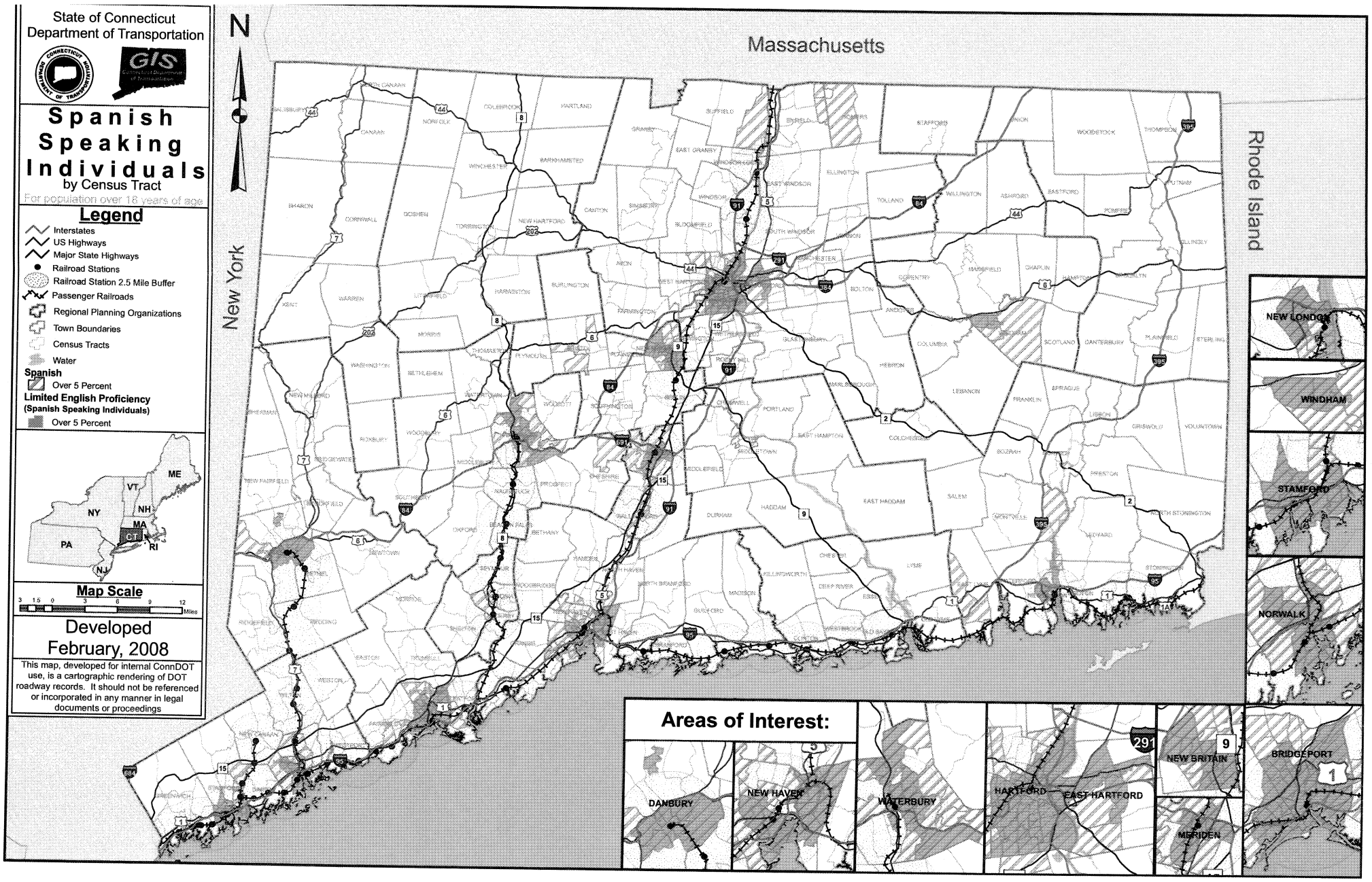
- Over 5 Percent

Map Scale

3 1.5 0 3 6 9 12 Miles

Developed
February, 2008

This map, developed for internal ConnDOT use, is a cartographic rendering of DOT roadway records. It should not be referenced or incorporated in any manner in legal documents or proceedings



State of Connecticut
Department of Transportation

Russian Speaking Individuals

by Census Tract

For population over 18 years of age

Legend

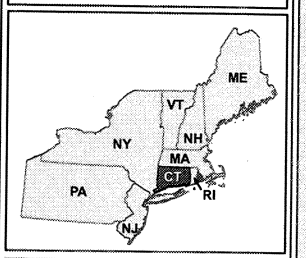
- Interstates
- US Highways
- Major State Highways
- Railroad Stations
- Rail Station 2.5 Mile Buffer
- Passenger Railroads
- Regional Planning Organizations
- Census Tracts
- DOT Town Boundaries
- Water

Russian

- Over 5 Percent

Limited English Proficiency
(Indo European Speaking Individuals)

- Over 5 Percent



Map Scale

3 1.5 0 3 6 9 12 Miles

Developed
February, 2008

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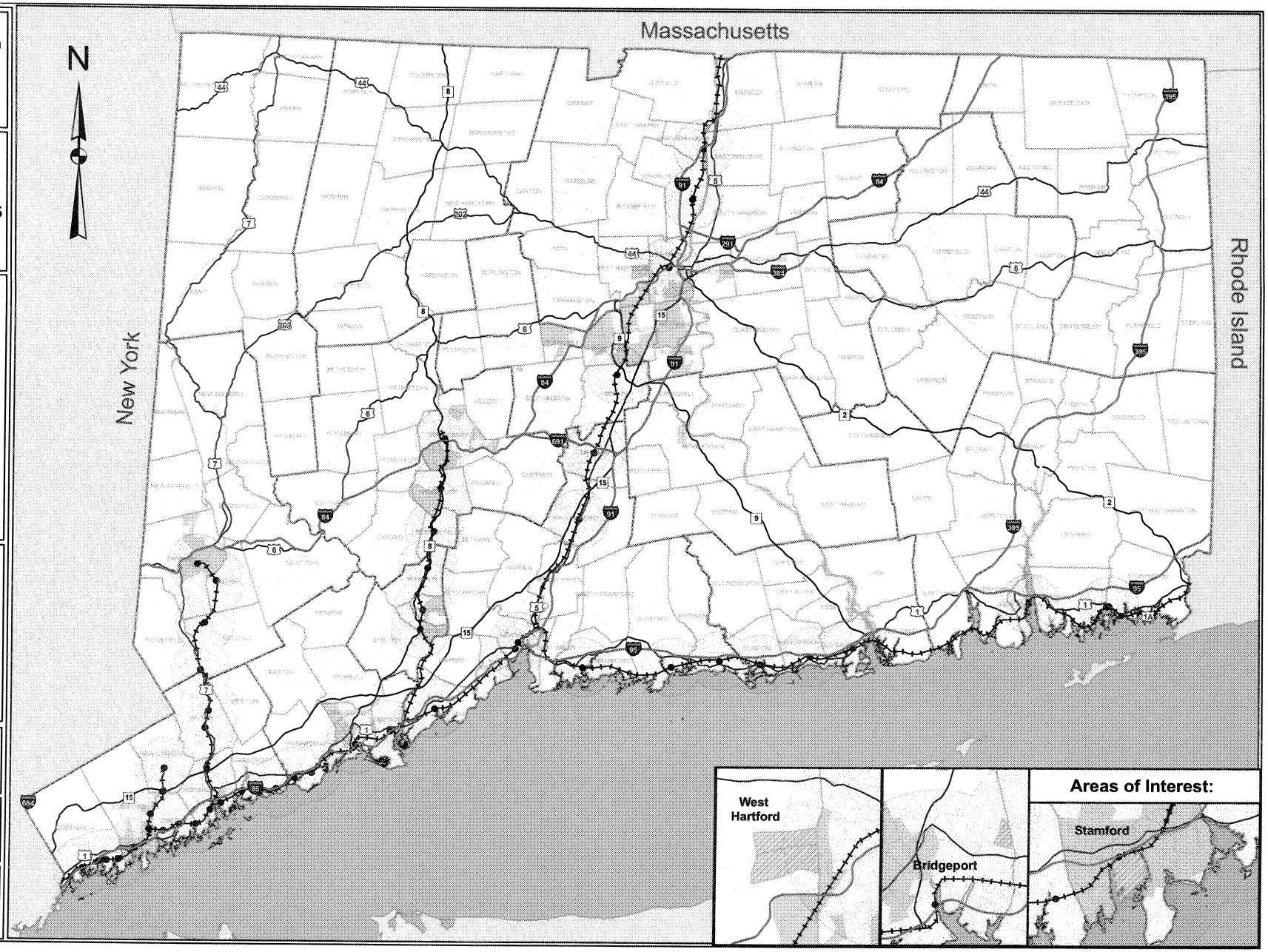


State of Connecticut
Department of Transportation

Portuguese Speaking Individuals

by Census Tract

For population over 18 years of age

Legend

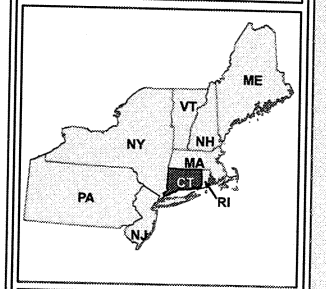
- Interstates
- US Highways
- Major State Highways
- Railroad Stations
- Rail Station 2.5 Mile Buffer
- Passenger Railroads
- Regional Planning Organizations
- Census Tracts
- DOT Town Boundaries

Portuguese Speaking Populations

- Over 5 Percent

Limited English Proficiency
(Indo European Speaking Individuals)

- Over 5 Percent



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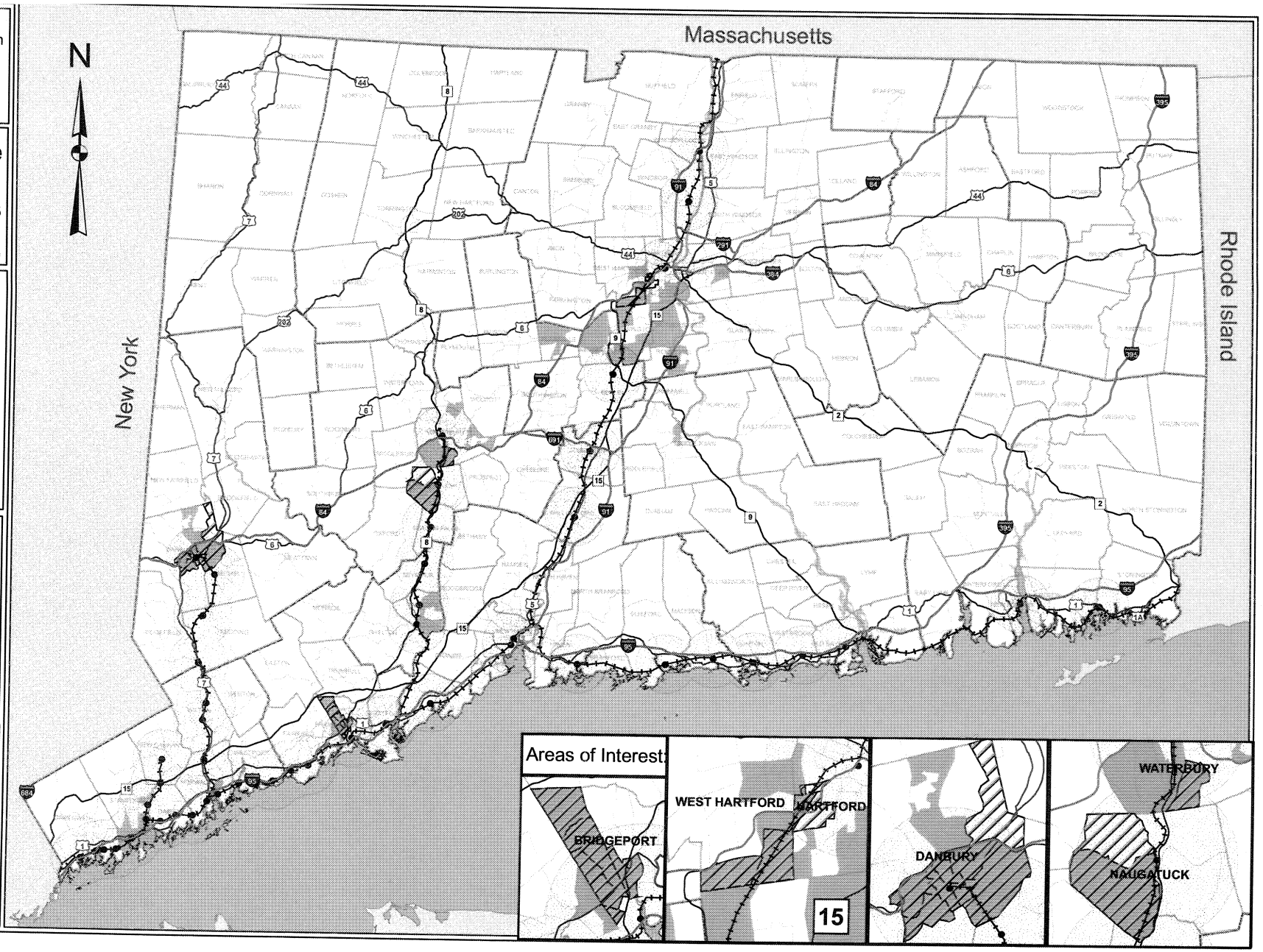


State of Connecticut
Department of Transportation

Polish Speaking Individuals

by Census Tract

For population over 18 years of age

Legend

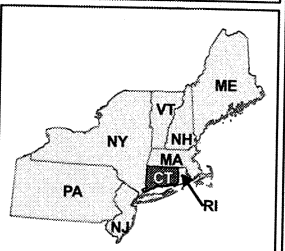
- Interstates
- US Highways
- Major State Highways
- Railroad Stations
- Rail Station 2.5 Mile Buffer
- Passenger Railroads
- Regional Planning Organizations
- Census Tracts
- Town Boundaries
- Water

Polish Speaking Population

- Over 5 Percent

Limited English Proficiency
(Indo European Speaking Individuals)

- Over 5 Percent



Map Scale

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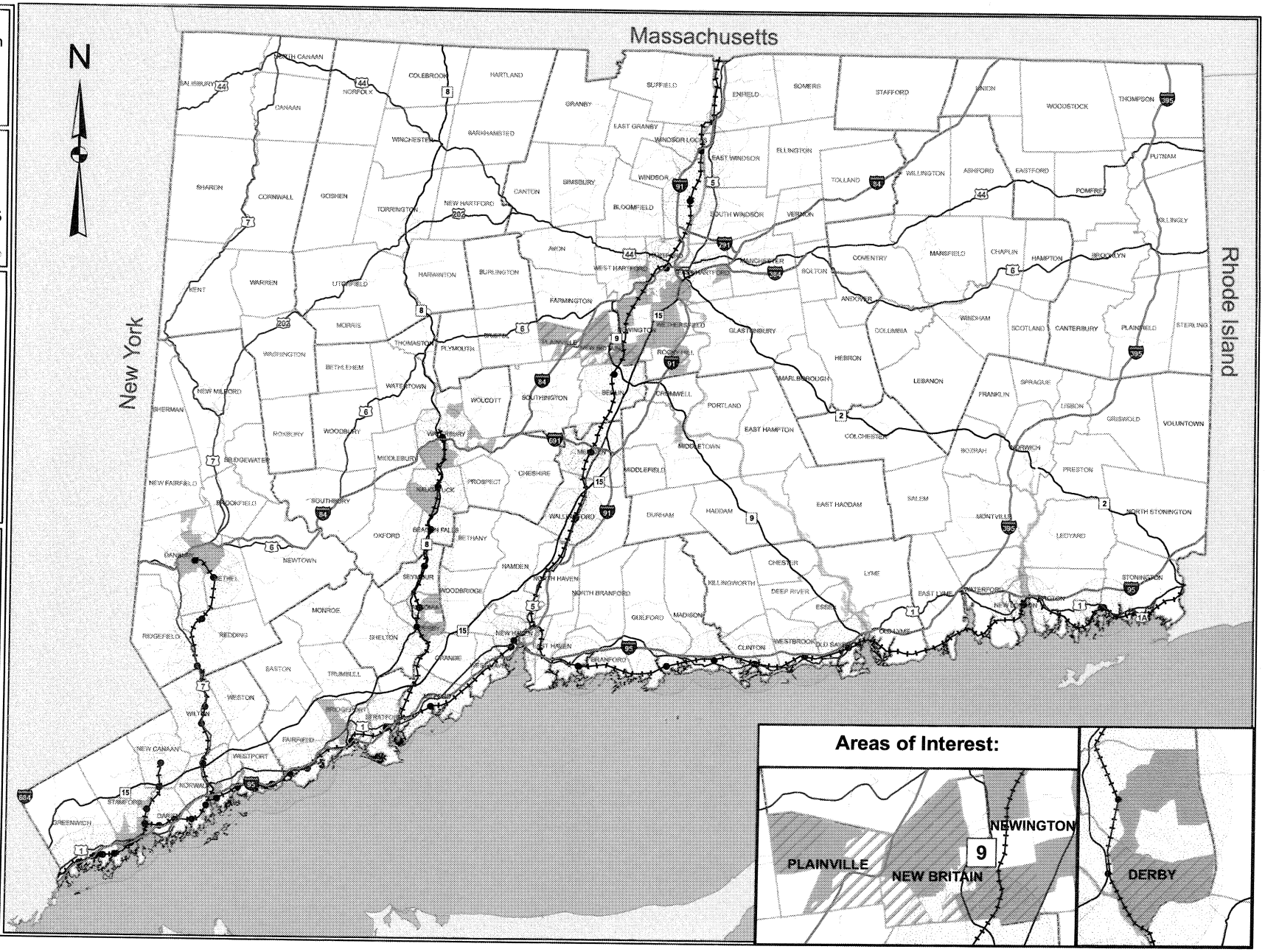


State of Connecticut
Department of Transportation

Italian Speaking Individuals

by Census Tract

For population over 18 years of age

Legend

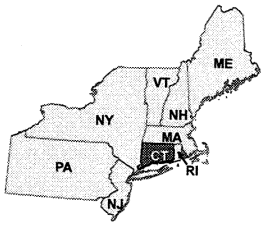
- Interstates
- US Highways
- Major State Highways
- Railroad Stations
- Rail Station 2.5 Mile Buffer
- Passenger Railroads
- Regional Planning Organizations
- Town Boundaries
- Census Tracts
- Water

Italian

- Over 5 Percent

Limited English Proficiency
(Indo European Speaking Individuals)

- Over 5 Percent



Map Scale

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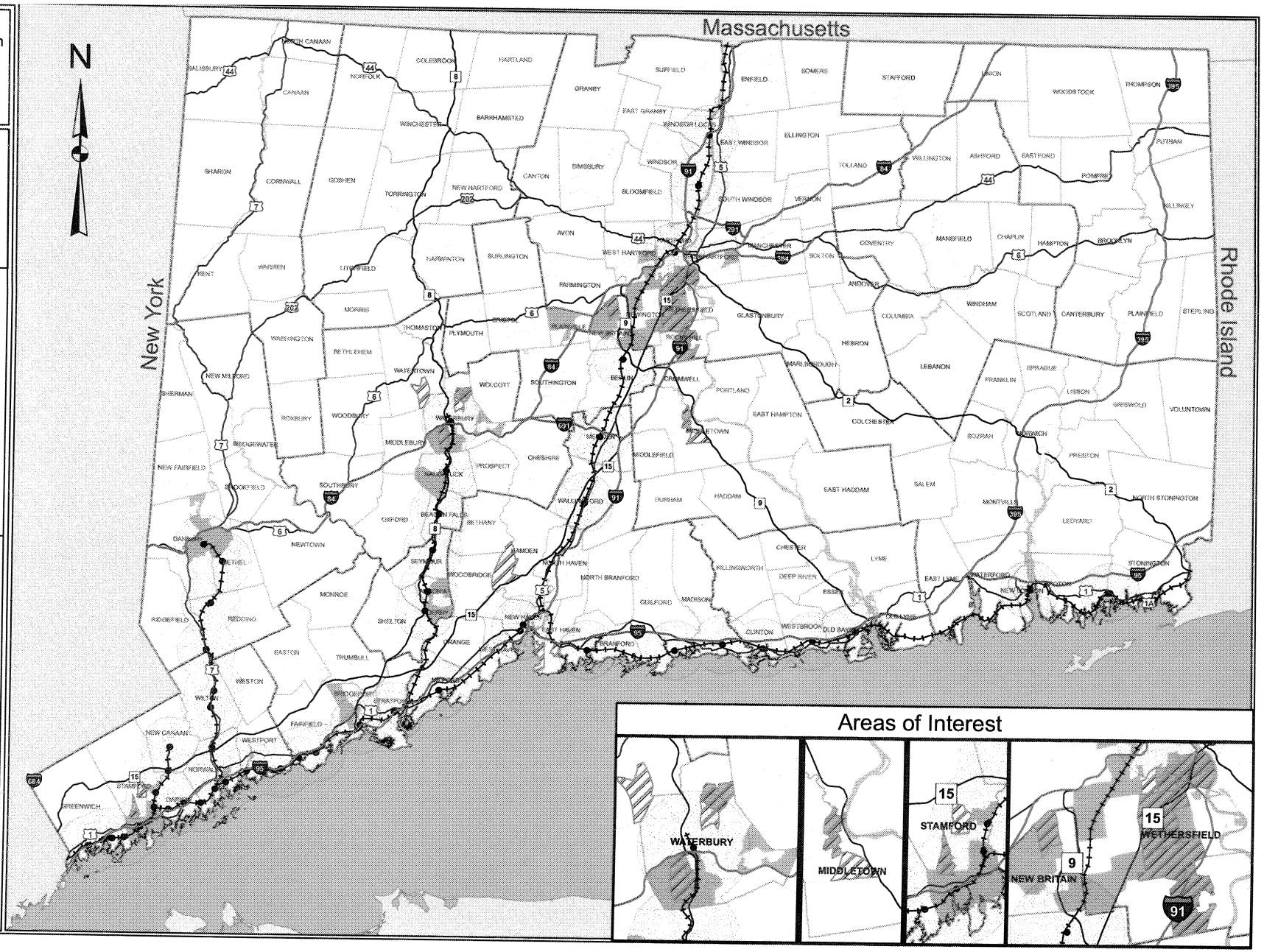


State of Connecticut
Department of Transportation

Greek Speaking Individuals

by Census Tract

For population over 18 years of age

Legend

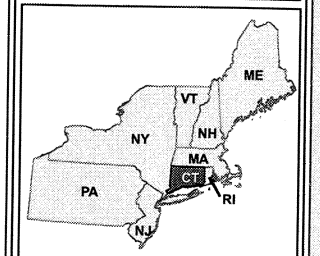
- Interstates
- US Highways
- Major State Highways
- Railroad Stations
- Rail Station 2.5 Mile Buffer
- Passenger Railroads
- Regional Planning Organizations
- Census Tracts
- Town Boundaries

Greek

- 3 to 5 Percent

Limited English Proficiency
(Indo European Speaking Individuals)

- Over 5 Percent



Map Scale

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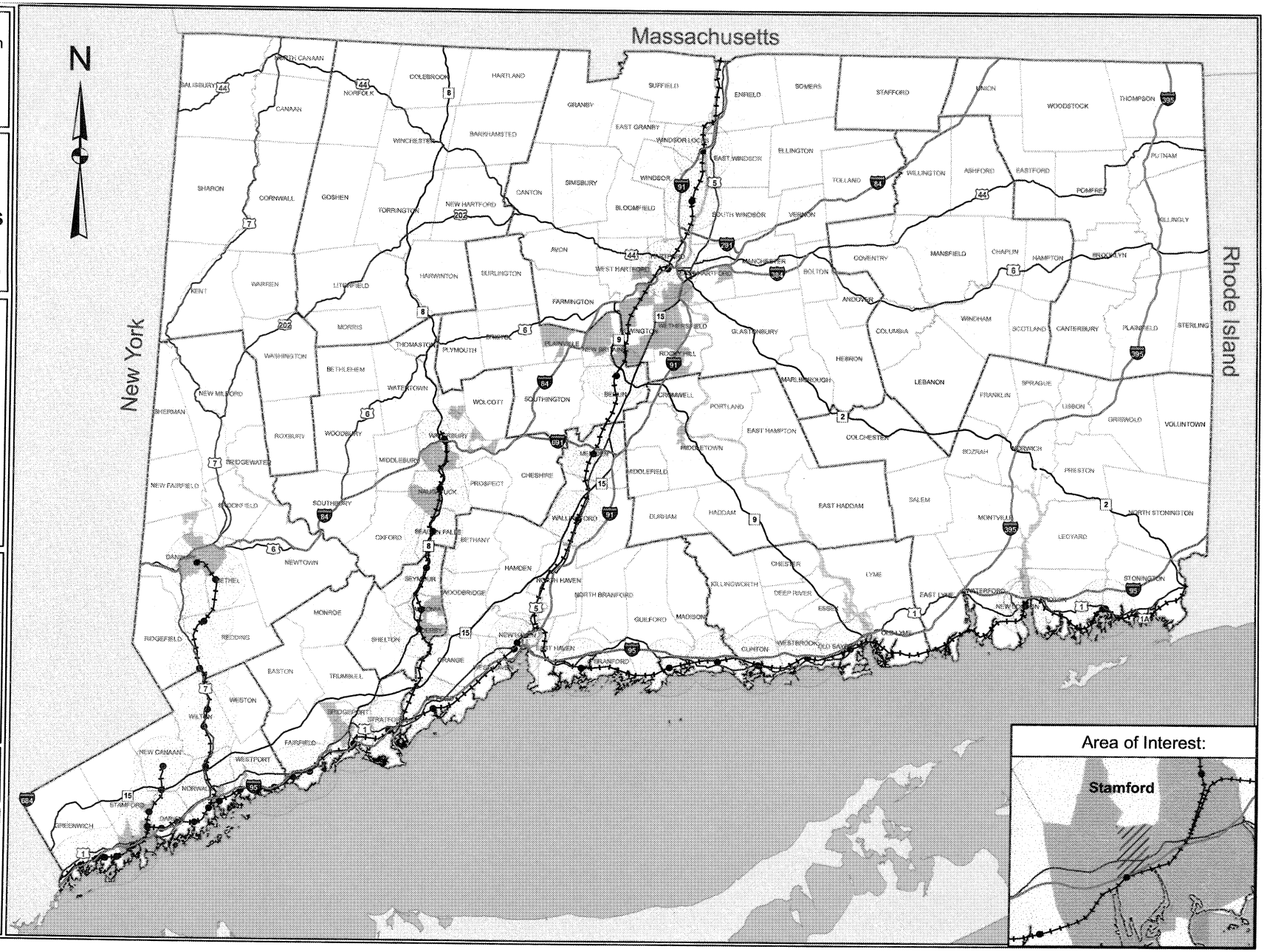


State of Connecticut
Department of Transportation

French Creole & French Cajun Speaking Individuals

by Census Tract

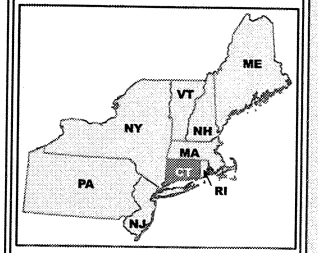
For population over 18 years of age

Legend

- Interstates
- US Highways
- Major State Highways
- Railroad Stations
- Rail Station 2.5 Mile Buffer
- Passenger Railroads
- Regional Planning Organizations
- Census Tracts
- Town Boundaries
- Water
- Over 5 Percent French Cajun
- Over 5 Percent French Creole

Limited English Proficiency
(Indo European Speaking Individuals)

- Over 5 Percent



Map Scale

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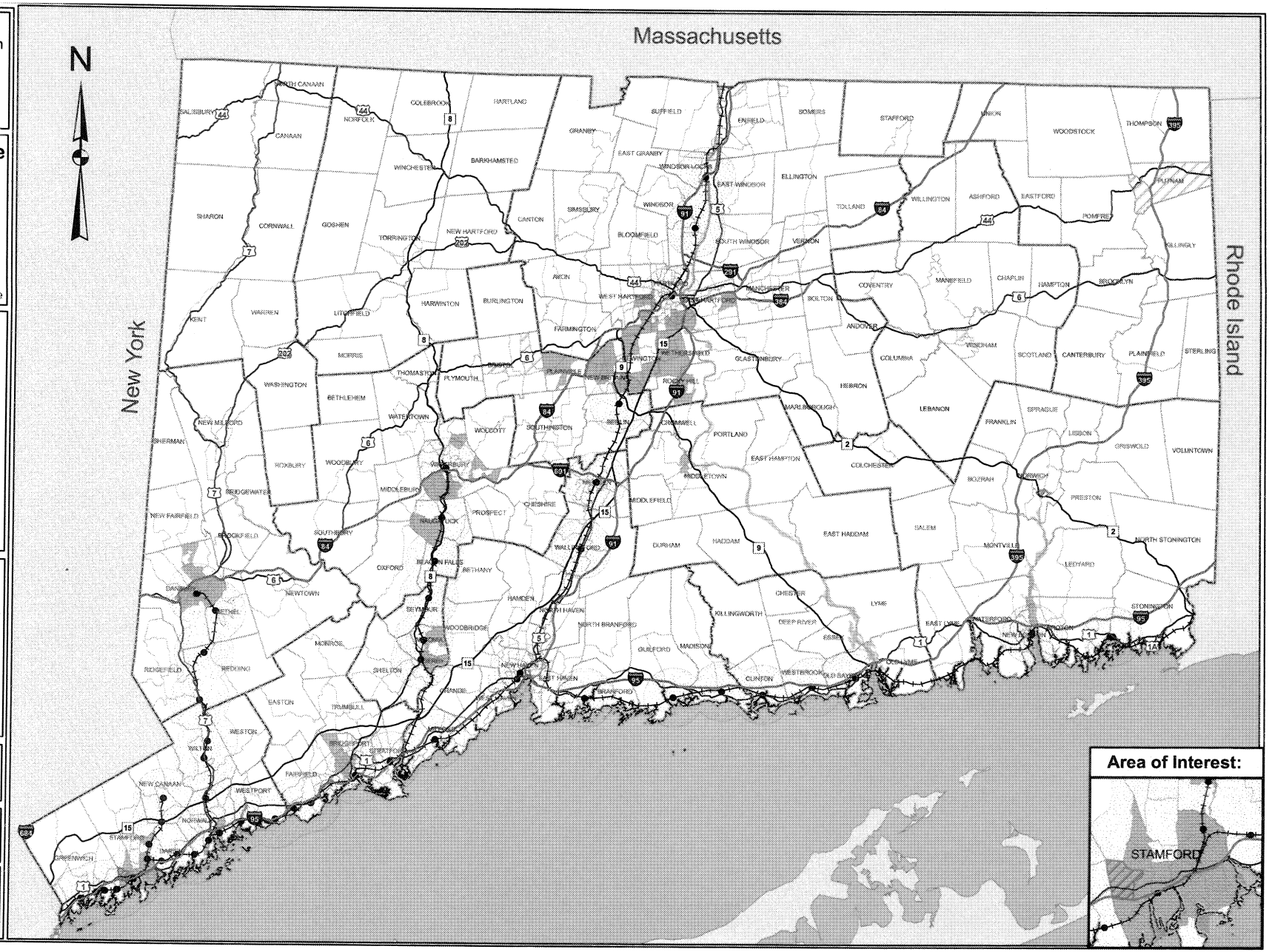


State of Connecticut
Department of Transportation

Albanian, Gaelic, Lithuanian, & Romanian Speaking Individuals

by Census Tracts

For population over 18 years of age

Legend

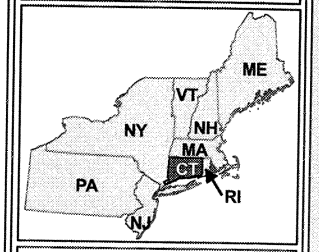
- Interstates
- US Highways
- Major State Highways
- Railroad Stations
- Rail Station 2.5 Mile Buffer
- Passenger Railroads
- Regional Planning Organizations
- Census Tracts
- Town Boundaries
- Water

Albanian, Gaelic, Lithuanian, & Romanian Speaking Populations by Percent

- Over 5 Percent

Limited English Proficiency (Indo European Languages)

- Over 5 Percent



Map Scale

1 0.5 0 1 2 3 4 Miles

Developed
February, 2008

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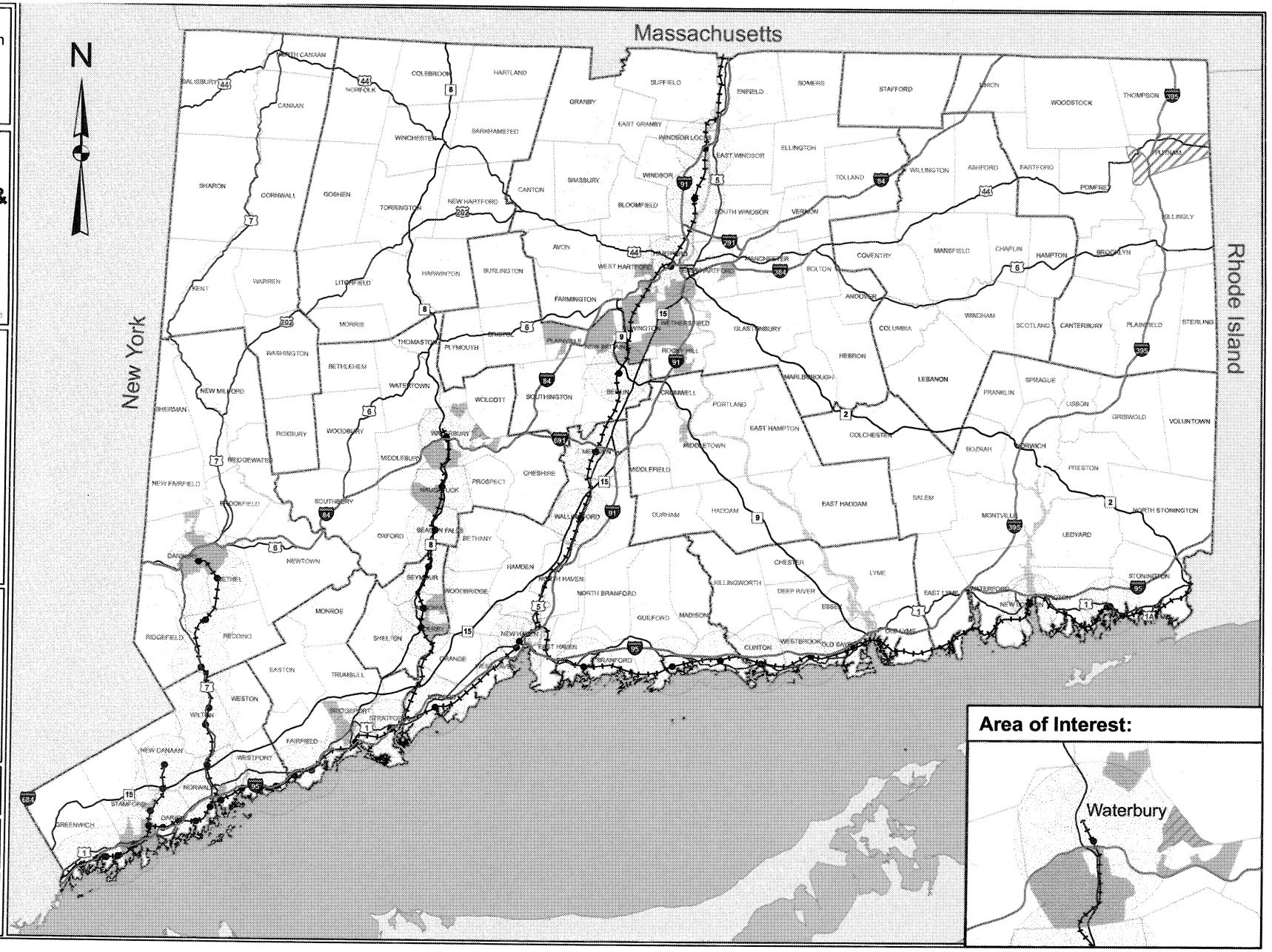

Attachment M

(UPDATE TEMPLATE)

THE CONNECTICUT DEPARTMENT OF TRANSPORTATION

DIVISION OF CONTRACT COMPLIANCE ANNUAL UPDATE

FEDERAL FISCAL YEAR XXXX

Submitted by: ***The Division of Contract Compliance***
Bureau of Finance and Administration

Date:
Prepared by:

Update due December 31st of each year
The reporting period is October 1-September 30th (FFY)

PART I - CONTRACTOR COMPLIANCE

I Organizational Structure

A. Director, Contract Compliance & Staff Support
B. District or Division Personnel

II Compliance Procedures

- Identify any changes

III Contractor Compliance

A. Compliance Review Report (include reviews for upcoming year)
   1. Utilization of minorities and females (field and home office)
   2. Major Challenges (internal and external)
   3. Major Breakthroughs
   4. Programmatic Goals
   5. Innovative Programs
   6. Contract Sanctions

B. On the Job Training Program Report
   1. Status Report (include utilization of minorities and females)
   2. Major Challenges
   3. Major Breakthroughs
   4. Supportive Services
   5. Programmatic Goals
   6. Innovative Programs

IV Training and Outreach

PART II – TITLE VI Program

I Organizational Structure

A. Director, Contract Compliance & Staff Support
B. District or Division Personnel

II Compliance Procedures

- Identify any changes

III. Title VI

A. Title VI Complaints
B. Special Emphasis Areas (reports)
C. Reviews Conducted
C. Programmatic Goals