



## FTA Title VI Program

**Submitted June 1, 2023**

**Amended December 17, 2024**

**Reviewed and Approved by:**

Signature: \_\_\_\_\_

Scott C. Marler, Director  
Iowa Department of Transportation

Date: 1/7/2025\_\_\_\_\_

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## **SECTION 1 PROGRAM OVERVIEW**

### **Introduction**

The Iowa Department of Transportation (Iowa DOT) is a recipient of federal financial assistance and complies with various nondiscrimination laws and regulations, including Title VI of the Civil Rights Act of 1964. Iowa DOT programs, policies, and activities operate without regard to race, color, or national origin. The Iowa DOT expects every manager, supervisor, employee, and subrecipient of federal funds administered by the Iowa DOT to be aware of and apply the intent of Title VI of the Civil Rights Act of 1964 in performing assigned duties in a nondiscriminatory manner. In the event the Iowa DOT distributes federal aid funds to a subrecipient, the Iowa DOT will include Title VI language in all written agreements. The Iowa DOT Title VI Program considers all elements required by the U.S. Department of Transportation regulations (49 CFR part 21), as outlined in Circular 4702.1B, and integrates the Department's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient ("LEP") Persons (70 FR 74087).

The Iowa DOT's Title VI program focuses on functional areas with significant public contact and provides the policy direction necessary to ensure nondiscriminatory service. The Title VI program ensures that the level and quality of public transportation service is provided in a nondiscriminatory manner, including full and fair participation in public transportation decision-making, and meaningful access to transit-related programs and activities by persons with limited English proficiency. The Iowa DOT assures every effort is made so that no person shall be excluded from participation in, be denied benefits or subjected to discrimination under any program or activity receiving federal financial assistance.

The Iowa DOT Civil Rights Bureau (CRB) and Modal Transportation Bureau (MTB) reviews and updates the Iowa DOT Title VI Program every three years, or as needed, and presents the updated plan to the Iowa DOT management team for approval. The approved final draft will be submitted to the Federal Transit Administration (FTA).

Iowa DOT's CRB Director is responsible for initiating and monitoring Title VI activities, preparing report and performing other responsibilities, as required by 23 CFR part 200 and 49 CFR part 21. The Compliance and Training Specialist on the Public Transit Team of the Modal Transportation Bureau compiles this Title VI Program and has Title VI oversight responsibilities for Iowa's rural and small city (under 50,000 in population) public transit agencies.

The Iowa DOT Title VI Program has been sent to and approved by the Iowa DOT Director, Scott Marler. The signature and date of approval are located on the cover page of this document.

## **SECTION 2 GENERAL REQUIRMENTS AND GUIDELINES**

### **Assurances**

In accordance with 49 CFR Section 21.7(a), every application for financial assistance from FTA is accompanied by an assurance that the applicant will carry out the program in compliance with

DOT's Title VI regulations. The Iowa DOT, transit systems and sub-providers may not discriminate in services provided, or in operations to provide those services. Iowa DOT has the responsibility to ensure that transit systems receiving federal funding comply with all civil rights requirements.

As the grantee for Section 5310, 5311, and statewide 5339 programs, the Iowa DOT is required to document that subrecipients comply with all the civil rights requirements in conducting their transit programs. Joint participation agreements contain assurance clauses that transit agencies sign to verify compliance, those clauses include by reference the FTA Title VI Circular.

## **Public Notice**

The notice to the public that indicates the Iowa DOT complies with Title VI and informs the public of the protections against discrimination. This notice is widely distributed throughout DOT facilities across the state. This includes the administrative, district and program offices as well as rest areas. This document is located on the Iowa DOT website at:

<https://iowadot.gov/civilrights/documents/Title-VI-Program-Notice-to-Public-Iowa-DOT.pdf>

This notice is displayed in Attachment #1

## **How to file a Title VI Discrimination Complaint**

If any person believes that they or any other program beneficiary has been subjected to unequal treatment or discrimination in their receipt of benefits and/or services, on the grounds of race, color, or national origin, a Title VI discrimination complaint may be filed with the Iowa DOT. The Iowa DOT will investigate and create a file with the complaint, investigative plan, investigation report, findings, recommendations, and remedial action taken.

The Title VI brochure discusses how to file a Title VI complaint. The link to the *Title VI and You* brochure is located at: [https://iowadot.gov/civilrights/documents/Title-IV\\_and\\_You.pdf](https://iowadot.gov/civilrights/documents/Title-IV_and_You.pdf)

Transit agencies who are subrecipients (Iowa's 16 regional system and urban systems in areas under 50,000 in population) notify passengers and interested persons that they may file discrimination complaints directly with the transit system. Each transit system develops their own procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to the public. Transit agencies must also develop a Title VI complaint form. The form and the procedure for filing a Title VI complaint shall be available on the transit system's website. Subrecipient transit agencies may adopt the Title VI complaint investigation and tracking procedures and complaint form developed by the Iowa DOT, although complaints and investigations must be made to and done by the transit system.

All transit agencies must prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin: active investigations conducted by entities other than FTA; lawsuits; and complaints naming the transit system. This list shall include the date that the investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, actions taken by the transit agency in response, or final findings related to, the investigation, lawsuit, or complaint. The list is included in the Title

VI Program submitted to FTA or Iowa DOT, depending on the size of the system, every three years. The list of Title VI complaints, investigations, and lawsuits in the last three years are included in the table below.

### Title VI Investigations, Complaints, or Lawsuits

	Date	Summary	Status	Actions
<b>Investigations</b>				
1.	4/29/2020	Race; Color A subrecipient in Region 10 received information regarding one complaint. They contract with Windstar Lines to provide a commuter service (380 Express Corridor Rides) between Cedar Rapids and Iowa City Monday through Friday. The complainant filed a complaint with the Iowa Civil Rights Commission alleging 380 Express Corridor Rides discriminated against him by denying service based on his race and color. He wanted a ride from Cedar Rapids to Iowa City to go grocery shopping. Services were reduced on this line at the time the ride was requested due to restrictions from the pandemic. Limited numbers of passengers were accepted for essential workers, rides to doctor appointments and rides to the pharmacy.	A letter dated 7/12/2021 from the Iowa Civil Rights Commission indicates the complaint is Closed	The Iowa Civil Rights Commission investigated and recommended to close the complaint. The information collected during the screening and investigation did not indicate a reasonable possibility of probable cause determination.
<b>Complaints</b>				
1.		N/A		
<b>Lawsuits</b>				
1.		N/A		

## **Complaint Form**

The Iowa DOT Title VI Non-Discrimination Complaint Form is located at:

<https://iowadot.seamlessdocs.com/f/TitleVIcomplaintForm>

The Spanish version of the Iowa DOT Title VI Non-Discrimination Complaint Form is located

at: <https://iowadot.seamlessdocs.com/f/TitleVIComplaintFormpaSpanish>

These documents are included as Attachments # 2 and # 3.

## **Public Participation Plan**

The State Public Participation Process for Transportation Planning is composed of the following: Federal Requirements, State Transportation Plan, Iowa Five-Year Transportation Improvement Program and STIP, Project Development and Public Participation Support.

The public participation process was developed to provide Iowans an opportunity to help identify transportation issues, needs and priorities; plan how to meet those needs and priorities; and select transportation projects that turn the plan into reality. Information is widely distributed regarding opportunities for public input throughout the planning and programming process. Public comments and concerns are considered when transportation decisions are made.

The Iowa DOT works with many partners to involve the public in transportation planning. Iowa has nine metropolitan planning organizations (MPOs) and eighteen regional planning affiliations (RPA's) that take steps to inform and involve the public. The Iowa DOT coordinates state and local public participation activities where possible, to eliminate duplication of efforts, and to share ideas.

Environmental justice and limited English proficiency (LEP) concerns, including possible impacts to minority and low-income populations, are identified during the development process. Appropriate measures are taken to include these populations in the public involvement process. In addition, the Iowa DOT takes reasonable steps to ensure meaningful access to programs and activities by LEP persons.

The Iowa Public Transit 2050 Long Range Plan was updated July 14, 2020. Public outreach initiatives took place during the process. The plan was developed using various methods and multiple sources to obtain feedback regarding public transportation needs in the state.

Transit agencies were given a Transit Needs Survey. It was open from February 1, 2019-March 29, 2019, to allow agencies ample time to respond. All 35 public transit agencies provided responses. Transit agencies also participated through regular meetings with the Public Transit Advisory Council (PTAC) and Iowa Public Transit Association (IPTA) conferences.

An external stakeholder group was formed with representation from a diverse range of backgrounds and viewpoints. This committee helped reach specific demographics including older riders, riders with disabilities, ethnic and minority groups, military veterans, and medical transportation needs.

Public input was gathered for the Public Transit Long Range Plan. There was an online public survey, including a version in Spanish, open from October 18, 2019, to November 1, 2019. The survey was kept live for three weeks after the close so that open surveys could be completed. There were 583 responses from across Iowa that reflected a nearly equal distribution of public transit riders and non-riders, thus providing useful feedback that was not skewed toward any particular type of traveler.

A 45-day comment period was held from May 18, 2020, to July 1, 2020. During that time the draft plan was posted online along with contact information and a comment form. The web page received 846 views with 490 unique individual users across metro and rural regions of the state. A handful of comments were submitted though the online form. All responses and comments were compiled and considered while revising the final draft of the plan.

The Iowa DOT Iowa Public Transit 2050 Long Range Plan is located at:  
<https://iowadot.gov/iowainmotion/transitplan/Iowa-Public-Transit-Plan-WEB.pdf>

The Public Participation Plan was last updated in October of 2017. A copy of the plan is located at: [https://iowadot.gov/program\\_management/StatePublicParticipationProcess.pdf](https://iowadot.gov/program_management/StatePublicParticipationProcess.pdf)

\*\*Section Added 11/26/2024. \*\*

[The Iowa DOT Modal Transportation Bureau requires transit agencies to hold a public hearing for the Consolidated Transit Funding Application each year. The Consolidated Transit Funding Application is used by all transit agencies to apply for state, and in some cases federal transit funding. The notice to the public must describe the project(s) in sufficient detail to allow the public to be aware of the projects and funding sources. The public hearing should cover both operation and capital projects. Vehicles must be broken out by category and listed with other major capital items with separate estimates of cost. Comments from the public regarding the need for the project are recorded. A copy of the notice, affidavit of publication and proceeding/transcripts/minutes are included with the application submitted to the Iowa DOT.

All projects submitted in the Consolidated Transit Funding Application are required to be included in the annual transit element of the local Transportation Improvement Program (TIP). The funding requests in the application must match the amounts programmed in the TIP.

Included on the next page is the list of when public hearings were held for FY 2022.



Consolidated Transit Funding Public Hearings		
		FY2022
Small Urban	Burlington Urban Service (BUS)	
	Clinton Municipal Transit Administration	4/13/2021
	Dodger Area Rapid Transit (DART)	
	City of Marshalltown	
	Mason City Transit	4/20/2021
	City of Muscatine	
	Ottumwa Transit Authority	
Large Urban	Ames Transit Agency (CYRIDE)	4/29/2021
	Bettendorf	4/6/2021
	Cambus (University of Iowa)	4/29/2021
	Cedar Rapids Transit	4/13/2021
	Coralville	4/27/2021
	Council Bluffs	4/29/2021
	Davenport	4/7/2021
	Des Moines Area Regional Transit (DART)	4/26/2021
	Dubuque (The Jule)	
	Iowa City	
	Sioux City	4/21/2021
	Waterloo (MET)	4/30/2021
Regional	1 Northeast Iowa Community Action Corp.	4/22/2021
	2 North Iowa Area Council of Governments	4/8/2021
	3 Regional Transit Authority (RIDES)	4/15/2021
	4 Siouxland Regional Transit System (SRTS)	4/21/2021
	5 Mid Iowa Development Association (MIDAS)	
	6 Region Six Planning Commission	4/26/2021
	7 Iowa Northland Regional Transit Commission	3/29/2021
	8 Region 8 Regional Transit Authority	
	9 River Bend Transit	3/10/2021
	10 East Central Iowa Council of Governments	3/25/2021
	11 Heart of Iowa Regional Transit System (HIRTA)	3/25/2021
	12 Region 12 Council of Government	4/8/2021
	13 Southwest Iowa Transit Agency	4/22/2021
	14 Southern Iowa Trolley	3/25/2021
	15 10-15 Regional Transit System	
	16 SEIBUS	3/25/2021

The individual TIPs are aggregated by Iowa DOT into the Statewide Transportation Improvement Program (STIP). Public comments were accepted via conference call for the 2023-2026 STIP on August 16, 2022, <https://www.news.iowadot.gov/newsandinfo/2022/08/public-meeting-to-discuss-iowa-statewide-transportation-improvement-program-to-be-held-by-conference.html>. No comments pertaining to FTA-funded projects were received at that meeting. Public meetings for the 2021-2024 STIP and 2022-2025 STIP were held August 20,

2020, and August 17, 2021, respectively. Similar to the 2022 meeting, no comments pertaining to FTA-funded projects were received during those meetings.]

### **Committee and Council Selections**

The Public Transit Advisory Council (PTAC) represents Iowa public transit agencies regarding all State of Iowa public transit funding and policy issues. Council membership includes public transit professionals from regional, small urban (20,000 to 49,999 population), large urban (50,000 to 199,999 population), and urban transit systems (200,000+ population). PTAC members are appointed by the Iowa Department of Transportation’s Public Transit director and serve a term of three years and a total of no more than four terms. Vacancies are filled by the Iowa DOT’s Public Transit director, with the recommendations from the PTAC’s members. When a term is up, race will be one of the considerations when appointing a member from those nominated. The current PTAC representatives were polled for the race they identify with. The following chart represents those responses:

<b>PTAC Membership</b>	
<b>Agency Category</b>	<b>Race</b>
Regional	Hispanic
Regional	Caucasian
Small Urban	Caucasian
Large Urban (50,000-199,999)	Did not disclose
Large Urban (200,000)	Vacant N/A

The Iowa Transportation Coordinated Council (ITCC) was created in 1992 with original members including the Iowa Department of Transportation, the Iowa Department of Human Services, and the Iowa Department of Elder Affairs. In 2001, the ITCC membership was expanded. A United We Ride Action Plan for Iowa was created in 2005.

Chaired by the Iowa Department of Transportation's Public Transit team, the ITCC meets bi-monthly discussing such issues as mobility management, accessibility of transportation in Iowa, State Transit Assistance Special Project Proposal applications pertaining to coordination, and the encouragement of state and local agencies’ involvement in the passenger transportation planning process.

Having grown considerably from the three original member state departments, the ITCC now includes membership from statewide organizations, state departments, and federal groups. ITCC is a non-voting committee, and the member agencies select their own representative to serve on the ITCC.

### **Subrecipient Compliance with Title VI**

The Iowa DOT MTB takes on the responsibility to conduct Title VI reviews of its subrecipients of federal financial assistance, namely Iowa’s small urban and regional public transit agencies, regional planning affiliations (RPA) and metropolitan planning organizations (MPO). Updates to agency Title VI Programs are due to the MTB triennially. The subrecipient Title VI Programs

were last updated and collected by the Iowa DOT in 2020 and are being updated by the transit agencies in 2023. Those public transit agencies serving urban populations over 50,000 work with the FTA directly on Title VI compliance.

The MTB and CRB created Title VI Program templates based on FTA circular 4702.1B for Iowa's public transit systems and planning agencies to follow in creating their respective Title VI Programs. An example copy of the Title VI Program Template is included in this document's Attachment # 6. The MTB Compliance and Training Specialist completes the following as part of a Title VI review process:

1. Review Title VI Programs for compliance with FTA circular 4702.1B. The programs are stored electronically on the internal Iowa DOT share drive.
2. View public transit vehicles and public transit facilities during compliance reviews to ensure proper postings of Title VI Notice to the Public
3. Review public transit websites for posting of Title VI complaint process.

The MTB performs compliance reviews including the Title VI topic every three years on regional and small urban public transit systems. The MTB completes a compliance review report on each transit system reviewed. The MTB retains that report for three years, providing a copy to FTA upon request. An example copy of the Compliance Review Questionnaire is included in this document's Attachment # 5.

The Iowa DOT seeks the cooperation of the subrecipient to correct deficiencies found during the review. The Iowa DOT provides the technical assistance and guidance needed to aid the subrecipient to comply voluntarily. If necessary, the Iowa DOT MTB will withhold public transit funding until compliance is achieved. The MTB determines if additional monitoring is needed to obtain a compliant status and ensure ongoing compliance with Title VI requirements. MTB seeks guidance and provide updates, as warranted to CRB.

The CRB reviews RPAs each year as part of the review process established by the Systems Planning Bureau and shall follow the schedule and selection of RPAs established by said office. MTB staff participate in those reviews, and FHWA and FTA related Title VI questions are asked.

A compliance review report or letter is issued within 30 days following the onsite review. A copy of the report or letter is provided to the subrecipient. Commendations and recommendations for improvement are noted in the report or letter. The public transit agencies are expected to report corrections within three months. The RPA's progress is checked at three years, and another full review occurs at six years.

## **Language Assistance LEP Four-Factor Analysis & Plan**

The Iowa DOT follows Executive Order 13166 in identifying and engaging limited English proficient (LEP) populations to ensure their involvement and knowledge of transportation planning and projects in and around their communities. An LEP person is defined as one who does not speak English as his or her primary language and has a limited ability to read, write or understand English. The Iowa DOT policy for engaging individuals with LEP is to provide

interpretation/translation services to individuals who request them, if reasonable accommodations can be made. In addition, the Iowa DOT proactively identifies communities with high concentrations of LEP persons and employs tactics and strategies to effectively engage them in the planning process. The Iowa DOT trains staff to recognize individuals in community meetings and forums who may show difficulty or inability to read or write English and to assist them accordingly.

The Iowa DOT Language Assistance LEP Four Factor Analysis & Plan is included as Attachment # 4.

### **Constructed Facilities and Equity Analysis**

The Iowa DOT as a recipient of FTA funds, does not own or operate any public transit facilities. The Iowa DOT has not constructed any new facilities during this period. The Title VI Program template the Iowa DOT provides to transit systems and agencies to use, includes a section to indicate construction of a new facility using FTA funds. The template requests an attached copy of the Title VI equity analysis conducted during the planning stage regarding the location of the facility.

## **SECTION 3 REQUIREMENTS FOR STATES**

Transit services in Iowa are provided by 35 designated urban and regional public transit systems. The MTB administers federal and state transit funding programs and provides technical assistance to these public transit systems.

Title VI responsibilities are focused on monitoring the operations of the urban or regional transit systems, because Iowa DOT does not directly operate any transit systems. Iowa DOT is not a provider of fixed route public transportation. It should be noted that urban transit systems serving areas with populations greater than 50,000 engage directly with and are monitored by the FTA, although the MTB provides guidance.

### **Demographic Profile**

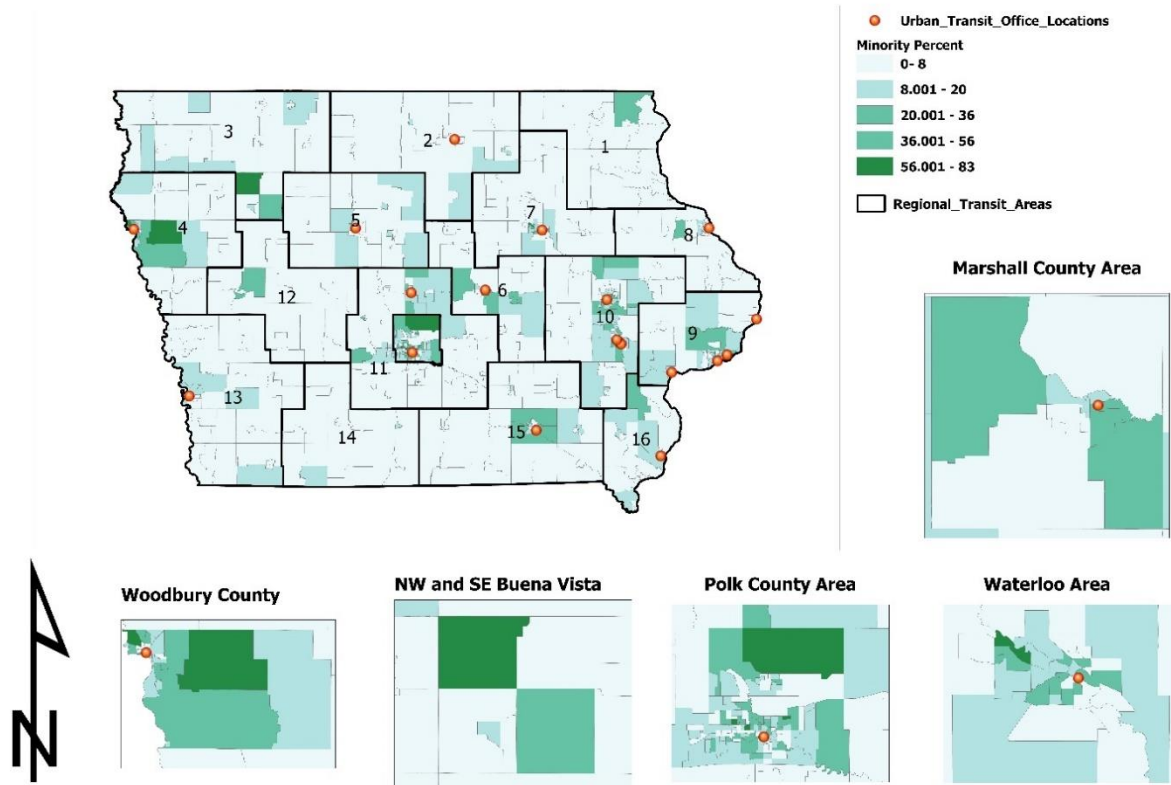
According to the 2020 U.S. Census, Iowa’s total population was 3,190,369 which is an increase of 4.7% from 2010.

<b>2020 U.S. Census, Iowa Statewide</b>	
<b>Race</b>	<b>Percentage</b>
White alone	84.5
Black or African American Alone	4.1
American Indian and Alaskan Native Alone	0.5
Asian Alone	2.4
Native Hawaiian and Other Pacific Islander Alone	0.2
Some Other Race Alone	2.8
Two or More Races	5.6

In 2020, the percentage of Iowa's population that was Hispanic or Latino was 6.8%.

The map on the following page shows the 2020 U.S. Census percentage of minorities in Iowa by Census tract with the public transit agency locations or boundaries depicted.

## Percentage of Minority in Iowa By Census Tract



## Program Administration

The Iowa DOT is a primary recipient of federal transportation funds. As a regulatory requirement of receiving these funds, Iowa DOT is required to administer a program that establishes Title VI goals and objectives which pertain to highway and transportation programs. Iowa DOT remains responsible for administering Federal Transit Administration (FTA) financial assistance in the following programs:

*Section 5305: Metropolitan and Statewide Planning Programs*

*Section 5310: Transportation for Elderly Persons and Persons with Disabilities*

*Section 5311(b)(3): Rural Transit Assistance Program (RTAP)*

*Section 5339: Bus and Bus Facilities*

The Program Management Bureau (PMB) along with other Iowa DOT offices, the districts, and various state and local agencies, prepares the Iowa Transportation Improvement Program (Five-Year Program) and the Statewide Transportation Improvement Program (STIP). The PMB takes the lead in managing program funds to meet fiscal considerations. The distribution of funds is critical to ensuring an opportunity for all to receive benefits of federal transportation dollars.

The PMB takes positive steps to encourage full and fair participation by all affected groups in the development of the Five-Year Program and STIP. They also ensure that the project selection and programming process results in programs that provide opportunities for minority, low-income, disabled, and elderly populations to receive benefits and avoid disparate impacts from individual projects.

## **Statewide Planning Process**

The Systems Planning Bureau (SPB) leads statewide planning for the Iowa DOT and administers the project selection of special grant programs such as Iowa's Clean Air Attainment Program; Revitalize Iowa's Sound Economy; Statewide Transportation Alternatives Program; and State and Federal Recreation Trails. SPB prepares both long- and short-range system plans through cooperation with other Iowa DOT offices, the districts, various state and local agencies, Metropolitan Planning Organization, and Regional Planning Affiliations. These plans provide the framework for the Five-Year Program and STIP.

Title VI must be considered throughout the planning process to ensure adequate public involvement. Positive steps are taken to include minority, elderly, disabled and low-income residents. Steps are taken during the project selection process to avoid, minimize or mitigate disproportionately high adverse impacts from the individual projects. This is completed by considering both positive and negative effects of various transportation system alternatives on impacted groups. Potential impacts to the human environment are also identified and address in the planning process.

Grant agreements are reviewed to ensure nondiscrimination language is included. Grant selection criteria are also reviewed for inconsistencies.

An annual meeting is held with the Iowa DOT Systems Planning Bureau, Federal Highway Administration (FHWA), and FTA to review the Iowa DOT's Metropolitan Planning Organization (MPO)/ Regional Planning Affiliation (RPA) oversight and the Iowa DOT's planning activities. After the meeting, the FHWA and FTA release a report with the findings. The report includes this statement:

*The Iowa DOT Office of Systems Planning, on a triennial basis, also reviews all 18 RPAs and 6 of the 9 MPOs (those urban areas under 200,000) for compliance on a number of issues, including Title VI.*

Iowa's minority population, along with several other critical demographic considerations, is evaluated as part of the state transportation planning process, and specifically through the update of the state long-range transportation plan. While Iowa's current transportation plan is more of a policy-level document, it is still important to consider the needs of minority populations at this level of planning.

For example, most minority groups in Iowa have a lower median household income than non-minorities. These populations are often more inclined to use a mode of transportation other than a personal automobile. As Iowa's minority population increases, so will the need to

accommodate persons with limited English proficiency. These needs must be considered well before a specific project or program is implemented.

The Iowa Public Transit Long Range Plan considers the state's public transit needs into the year 2050. This plan did an in-depth transit dependency analysis with factors including income level, race, and Limited English Proficiency. This analysis can be utilized by the local public transit agencies to improve services to the community by determining where to provide new services, or where to alter current services. The plan is found at:

<https://iowadot.gov/iowainmotion/Modal-Plans/Public-Transit-Plan>

Statewide discussion of needs happens every few months through the Iowa Transportation Coordination Council, with representation from various state agencies (Iowa Department on Aging, Bureau of Refugee Services, and the Iowa Department of Public Health to name a few) and statewide coverage organizations such as the AARP and the Epilepsy Foundation Iowa to discuss passenger transportation needs of their constituents.

At the project-level, transportation needs are often identified through the public input process. This process is local with the individual transit agencies conducting public hearings on their annual funding applications each spring and with the regional metropolitan planning agencies facilitating Transit Advisory Group (TAG) meetings. In these meetings, human services agencies, transportation providers and other interested parties come together to discuss the needs of transportation-dependent populations. A minimum of two meetings of the TAG must occur each year.

### **FTA Financial Assistance to Subrecipients in a Non-discriminatory Manner**

The Iowa DOT MTB may only distribute state and federal public transit assistance to public transit systems that have been duly designated as a single administrative agency (transit system). Chapter 324A of the Iowa Code defines transit systems and mandates that transportation services be coordinated.

Within each urban area or region, local officials must designate a single agency to be responsible for the administration and provision of transit services to the general public. The only entities that may receive public transit assistance administered by the MTB are these designated urban and regional transit systems. In no instance shall an individual county be funded directly. A city must have a population of at least 20,000 or be part of an urbanized area before it can be designated as a transit system and funded directly. Any county may elect to designate the local urban transit system as its single administrative agency and may then become eligible to share the state or federal assistance received by that urban transit program.

At least one public transit system is designated to serve every area of the state. Agencies other than a designated transit system may receive state or federal transit assistance funding only via a pass-through agreement with a designated system.

As explained above, Iowa's recipients of federal and state public transit assistance are entities, cities, multi-county regions set up as units of government, or non-profit agencies serving a multi-



county area. Only one recipient may be designated to serve any given area of the state. With the rare exception of a county switching from one region to another, these public transit agencies have been designated public transit agencies is done by formula based on ridership counts and miles traveled. No demographic data, minority or otherwise, is taken into consideration in the distribution. Therefore, it is done in a non-discriminatory manner.

FTA sections 5310 and 5311 funds are distributed to the small urban and rural transit agencies using a formula. The Iowa DOT formula allocating 5310 and 5311 funds uses the past year's performance measures. The quantity of formula funds to be distributed to small urban systems versus regional systems is determined by comparing the "net public deficit" (unrestricted tax support) for all urban systems, to that for all regional systems. The individual allocations to small urban systems are then determined based on 50 percent of the percentage of total small urban ridership accomplished by that system and 50 percent of the percentage of total small urban revenue miles provided by the individual system. Individual allocations for regional systems are based on 40 percent of the system's percentage contribution to total regional transit ridership and 60 percent on the system's percentage contribution to total regional revenue miles.

All section 5310 projects must derive from the area's Passenger Transportation Plan (PTP), developed through collaboration of public transit and human service interests.

Required match funds [50% of net costs for operating projects and 20% for capital (15% for ADA vehicles)] may come from any non-DOT federal funds; from state or local government; or from private sources.

The Iowa DOT does not have a competitive selection process for FTA grant applications. Distribution is based on the formula mentioned above and distributed to transit agencies. The Iowa DOT tells the transit agencies the funding available to them. The Iowa DOT has not accepted any funding requests directly from private non-profit organizations, State or local governmental authorities or Indian tribes. Agencies other than a designated transit system may receive state or federal transit assistance funding only via a pass-through agreement with a designated system.

### **Assistance to Potential Subrecipients Applying for Funding That Would Serve Predominantly Minority Population**

As stated above, only the designated urban and regional transit systems established under Chapter 324A of the Code of Iowa are eligible to receive the state and federal transit assistance funds administered by the Iowa DOT. Agencies other than the designated single administrative agency may benefit from state and federal transit assistance funding using purchase of services contracts from the designated agency, or to provide service under the auspices of that agency, depending on local policies. Any such sub-contracts must assure that services will be open to the general public and provide for a coordination of the transit services with other transit services either provided directly by the designated agency or by other sub-contractors. Potential sub-contractors contacting the Iowa DOT with interest in service provision are referred to the relevant designated public transit agency to discuss sub-contracting opportunities. Those sub-

contracting agencies may contact the Iowa DOT MTB for advice or guidance on transit matters at any time.

## **2020 – 2022 Allocation of Operating and Capital Funding**

The tables on the pages 17 and 18 show the operating and capital dollars, respectively, allocated to Iowa's public transit agencies over the last three years.

For the regional and small urban (under 50,000 in population) transit agencies, the Iowa DOT distributes FTA Sections 5310 and 5311 funding. For the large urban transit agencies with populations between 50,000 and 199,999, Iowa DOT distributes FTA Section 5310 funding. Transit agencies over 200,000 in population receive their FTA dollars directly from the FTA. The State of Iowa also provides a state funding source, State Transit Assistance (STA), funding which the Iowa DOT distributes to all Iowa public transit agencies. The 5310, 5311, and STA dollars are all allocated by funding formula using ridership, mileage, and in the case of STA, locally determined income factors. Total population and population diversity are not factored into the distribution of the operating dollars.

Iowa DOT is the recipient of FTA Section 5339 capital funding. Additionally, the Iowa Transportation Commission allocates \$3 Million annually in Congestion Mitigation Air Quality (CMAQ) funds to replacement of public transit vehicles in the state. To determine the vehicles eligible to be replaced with the Section 5339 and CMAQ dollars, the Iowa DOT uses a points accrual system known as the Public Transit Management System (PTMS) based on age and mileage of the vehicle to ensure older vehicles are replaced first. No population or diversity factors are used in replacement of vehicles, only vehicle age and mileage. The PTMS process is described more fully at <https://iowadot.gov/transit/Policy-regulation-and-legislation/Policies#44373549-ptms>. There may be periods of time where a public transit agency does not receive any capital funding from the Iowa DOT due to the transit agency's vehicles not having enough points for replacement or the local public transit agency not programming their vehicles for replacement in their Transportation Improvement Program (TIP). A vehicle must be in the local TIP and State TIP to receive replacement funds.

As shown on the charts, below, each of Iowa's transit agencies, covering all 99 counties of the state, received operating dollars from the Iowa DOT in the last three years.

Those areas over 200,000 not receiving capital dollars from Iowa DOT were Council Bluffs, Davenport, Des Moines, and Bettendorf. Each receives their own 5339 allocations for bus replacement and their buses likely were not high enough on the PTMS list to receive the statewide CMAQ funds in that time. Additionally, Council Bluffs does not own any vehicles; their service is contracted out entirely to the Omaha transit agency for fixed route service and Iowa's region 13/Southwest Iowa Transit Agency for ADA complementary paratransit.

Marshalltown, Cedar Rapids, Coralville, and Iowa City also did not receive capital funding from the state in the last three years. Again, these would either be due to the age/mileage on their vehicles not placing them at the top of the PTMS list or the local transit agencies not programming their vehicles in the TIP for replacement. This could be due to the transit agency

not having enough local match available for the replacement vehicles or the vehicles they do have being in good operating condition able to last another few years. One of the transit agencies not receiving capital dollars in this three-year period – Marshalltown – does serve a higher minority area, as called out on the map on page 11. However, the regional transit agency, region 6 or PeopleRides, serving Marshall County where Marshalltown is located did receive capital funding for bus replacement in the last three years.

### **Analysis of Disparate Impact**

Iowa's recipients of federal and state public transit assistance are entities, cities, multi-county regions set up as units of government, or non-profit agencies serving a multi-county area. Only one recipient may be designated to serve any given area of the state. Allocation of federal and state operating dollars is done by formula based on ridership counts and miles traveled. Federal capital vehicle replacement funds are distributed on a points ranking process by vehicle age and mileage. No demographic data, minority or otherwise, is taken into consideration in the distribution. Therefore, it is done in a non-discriminatory manner.

Looking back at the 2017-2019 Title VI Program, Marshalltown is the only repeat transit system not receiving capital dollars in either three-year period. It would be worthwhile for Iowa DOT to discuss this with Marshalltown Municipal Transit to determine if Iowa DOT could be of assistance in any way to ensure the system is receiving the capital dollars it needs to serve its diverse population.

Operating Allocations	
Transit System	TOTAL State + Federal, 2020-2022
Region 1	\$ 5,951,476
Region 2	\$ 7,538,597
Region 3	\$ 7,334,496
Region 4	\$ 5,373,630
Region 5	\$ 3,779,679
Region 6	\$ 2,188,873
Region 7	\$ 3,454,736
Region 8	\$ 3,530,795
Region 9	\$ 4,066,619
Region 10	\$ 8,141,799
Region 11	\$ 8,087,566
Region 12	\$ 6,856,081
Region 13	\$ 10,424,859
Region 14	\$ 4,390,320
Region 15	\$ 8,981,981
Region 16	\$ 3,795,225
Council Bluffs	\$ 675,387
Davenport	\$ 1,312,023
Des Moines	\$ 5,426,701
Bettendorf	\$ 644,343
Burlington	\$ 3,966,833
Clinton	\$ 6,457,070
Fort Dodge	\$ 3,446,435
Marshalltown	\$ 2,298,561
Mason City	\$ 4,673,553
Muscatine	\$ 3,730,385
Ottumwa	\$ 3,603,274
Ames	\$ 16,488,626
Cedar Rapids	\$ 13,049,317
Coralville	\$ 909,837
Dubuque	\$ 1,028,522
Iowa City	\$ 8,219,494
Cambus	\$ 2,511,756
Sioux City	\$ 12,024,267
Waterloo	\$ 7,225,785

Capital Allocations	
Transit System	TOTAL State + Federal, 2020-2022
Region 1	\$ 974,718
Region 2	\$ 2,378,065
Region 3	\$ 1,356,032
Region 4	\$ 173,400
Region 5	\$ 724,648
Region 6	\$ 266,930
Region 7	\$ 873,908
Region 8	\$ 391,442
Region 9	\$ 894,428
Region 10	\$ 282,091
Region 11	\$ 1,339,228
Region 12	\$ 1,519,237
Region 13	\$ 1,026,877
Region 14	\$ 848,145
Region 15	\$ 192,100
Region 16	\$ 635,773
Council Bluffs	\$ -
Davenport	\$ -
Des Moines	\$ -
Bettendorf	\$ -
Burlington	\$ 1,079,399
Clinton	\$ 72,880
Fort Dodge	\$ 573,879
Marshalltown	\$ -
Mason City	\$ 521,825
Muscatine	\$ 452,674
Ottumwa	\$ 126,395
Ames	\$ 5,630,206
Cedar Rapids	\$ -
Coralville	\$ -
Dubuque	\$ 159,200
Iowa City	\$ -
Cambus	\$ 380,214
Sioux City	\$ 406,380
Waterloo	\$ 1,286,633

# SECTION 4 ATTACHMENTS

## ATTACHMENT 1

### **Iowa Department of Transportation Title VI and Nondiscrimination Notice to the Public**

The Iowa Department of Transportation hereby gives public notice that it is the policy of the Department to assure full compliance with Title VI of the Civil Rights Act of 1964, related statutes and regulation provide that no person shall on the ground of race, color, national origin, gender, age or disability 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 amended Title VI to specify that entire institutions receiving federal funds, whether schools, colleges, government entities, or private employers, must comply with Federal civil rights laws, rather than just the particular programs or activities that receive federal funds.

We are also concerned about the impacts of our programs, projects and activities on low income and minority populations (“Environmental Justice”) under Title VI. Any person who believes that they are being denied participation in a project, being denied benefits of a program, or otherwise being discriminated against because of race, color, national origin, gender, age, or disability, may contact:

**Director, Civil Rights Bureau  
Iowa Department of Transportation  
800-262-0003 or 515-239-1304  
[Civil.Rights@iowadot.us](mailto:Civil.Rights@iowadot.us)**

YOU SHOULD CONTACT THE ABOVE INDIVIDUAL OR IOWA DOT OFFICE AS SOON AS POSSIBLE BUT NO LATER THAN 180 DAYS AFTER THE ALLEGED DISCRIMINATION OCCURRED, OR IF THERE HAS BEEN A CONTINUING COURSE OF CONDUCT, NO LATER THAN 180 DAYS AFTER THE ALLEGED DISCRIMINATION WAS DISCONTINUED. CONTACT THE CIVIL RIGHTS COORDINATOR TO GET MORE INFORMATION ON THE IOWA DOT’S TITLE VI PROGRAM.

*This notice is widely distributed throughout DOT facilities across the State. This includes the administrative, district and program offices as well as rest areas.*

ATTACHMENT 2

Form 107009 (09-22)



TITLE VI Non-Discrimination Complaint Form

Title VI of the Civil Rights Act of 1964 states "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."

Title 42 U.S.C. Section 2000d

Please provide the following information necessary in order to process your complaint. A formal complaint must be filed within 180 days of the occurrence of the alleged discriminatory act. Assistance is available upon request. Please contact Iowa DOT Civil Rights Bureau (CRB) at (515) 239-1304 or [Civil.Rights@iowadot.us](mailto:Civil.Rights@iowadot.us)

Complete this form and return to:

Iowa Department of Transportation
Civil Rights Bureau (CRB)
800 Lincoln Way
Ames, IA 50010

Complainant's Name: \_\_\_\_\_

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

State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

Telephone (Home): \_\_\_\_\_ Telephone (Work): \_\_\_\_\_

Person(s) discriminated against (if other than complainant)

Name: \_\_\_\_\_

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

State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

Telephone (Home): \_\_\_\_\_ Telephone (Work): \_\_\_\_\_

What is the discrimination based on?

- Race/Color
National Origin
Sex
Disability
Income Status
Limited English Proficiency
Age

Date of the alleged discrimination: \_\_\_\_\_ Location: \_\_\_\_\_

Agency or person that was responsible for the alleged discrimination:

Have you filed this complaint with any other Federal, State, or local agency? If so, whom?

What remedy are you seeking?

List names and contact information of persons who may have knowledge of the alleged discrimination.

Describe the alleged discrimination. Explain what happened and whom you believe as responsible.

**Please sign and date. The complaint will not be accepted if it has not been signed. You may attach any written materials or other supporting information you think is relevant to your complaint.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



# ATTACHMENT 3

Formulario 107009 (02-23)



## Título VI Hoja de Reclamaciones de Asuntos Sobre Accesibilidad

Título VI de la Ley de Derechos Civiles de 1964 establece que "Ninguna persona en los Estados Unidos será excluida de participar en, ni se le negará los beneficios de, o será objeto de discriminación debido a su raza, color u origen nacional, en cualquier programa o actividad que recibe ayuda financiera federal".

*Título 42 U.S.C Sección 2000d*

Favor proporcionar la siguiente información necesaria para procesar su reclamación. Una reclamación formal debe presentarse dentro de los 180 días de la ocurrencia del presunto acto discriminatorio. La asistencia está disponible de ser solicitada. Favor de comunicarse con la Oficina de Derechos Civiles de Iowa DOT al (515) 233-7970 o [Civil.Rights@iowadot.us](mailto:Civil.Rights@iowadot.us)

### Envíe el formulario completado a:

Iowa Department of Transportation  
Civil Rights Bureau  
Civil Rights Coordinator  
800 Lincoln Way  
Ames, IA 50010

Nombre del querellante: \_\_\_\_\_

Dirección: \_\_\_\_\_ Ciudad: \_\_\_\_\_

Estado: \_\_\_\_\_ Código Postal: \_\_\_\_\_

Teléfono (Hogar): \_\_\_\_\_ (Trabajo): \_\_\_\_\_

Persona(s) discriminada (si es no es el querellante)

Nombre: \_\_\_\_\_

Dirección: \_\_\_\_\_ Ciudad: \_\_\_\_\_

Estado: \_\_\_\_\_ Código Postal: \_\_\_\_\_

Teléfono (Hogar): \_\_\_\_\_ (Trabajo): \_\_\_\_\_

¿En que se basa la discriminación?

- Raza/color
- Origen Nacional
- Sexo
- Discapacidad
- Ingreso salarial
- Dominio limitado del inglés
- Edad

Fecha de la alegada discriminación: \_\_\_\_\_ Ubicación: \_\_\_\_\_

Agencia o persona responsable de la alegada discriminación:

¿Ha presentado esta queja ante otra agencia federal, estatal o local? Si es así, ¿A quién?

¿Qué remedio busca?

Indique el nombre y la información de contacto de otras personas que puedan tener conocimiento de la alegada discriminación.

Describa la alegada discriminación. Explique lo ocurrido e indique quién crea responsable.

---

Favor firme y escriba la fecha. La hoja de reclamaciones no será aceptada si no ha sido firmada.  
Puede adjuntar cualquier material escrito u otra información de respaldo que considere relevante para su queja.

\_\_\_\_\_  
Firma

\_\_\_\_\_  
Fecha

## ATTACHMENT 4

### Limited English Proficiency (LEP) Guidance

Iowa DOT and those receiving assistance from the federal government must take reasonable steps to ensure that Limited English Proficiency (LEP) persons have meaningful access to the programs, services, and information entities provide. Doing so requires recipients to create solutions to address the needs of individuals for whom English is not their primary language.

When working on Iowa DOT project(s), a need may exist to translate project-related materials and provide interpreters. If demographic data indicates that 5% or 1,000 persons or more in a project area speak a language other than English, we will provide translations of:

- Brochures
- Meeting invitations
- Newsletters

At workshops or public meetings, we will provide interpreters if the 5% threshold is met. The documentation will include notice of availability to print materials in needed language.

Iowa DOT may decide to print materials in other language(s) regardless of 5% demographic underrun. Consideration will be made regarding need in order to allow citizens impacted by Iowa DOT project(s) to participate equally in the process.

#### **The Safe Harbor Provision**

The U.S. Department of Transportation (U.S. DOT) has adopted the U.S. Department of Justice's Safe Harbor Provision. This provision outlines circumstances that can Page 39 of 82 provide a "safe harbor" for U.S. DOT recipients (and sub-recipients) regarding translation of vital documents. Specifically, if a recipient provides written translation of vital documents for each LEP group that constitutes 1,000 persons or five percent (5%) of the total population eligible to be served or likely to be affected or encountered, such action is considered strong evidence of compliance with the recipient's written translation obligations.

A vital document is any document that is critical for ensuring meaningful access to the recipients' major activities and programs by beneficiaries generally and LEP persons specifically. Whether or not a document (or the information it solicits) is "vital" may depend upon the importance of the program, information, encounter, or service involved, and the consequence to the LEP person if the information in question is not provided accurately or in a timely manner.

The Safe Harbor Provision only applies to the translation of written documents. It does not affect the requirement to provide meaningful access to LEP individuals through oral language services. Based on the results of its four-factor analysis, even if a language group meets the threshold specified by the Safe Harbor Provision, Iowa DOT may determine written translation is not the most effective way to provide language assistance. If oral interpretation would provide more meaningful access to a particular LEP group, interpretation services may be provided instead of translation services.

## **I. LEP Plan Purpose**

The Iowa Department of Transportation (Iowa DOT), as a recipient of funding from the United States Department of Transportation (USDOT), must assure that Limited English Proficient (LEP) people have meaningful language assistance by reasonable means when using Iowa DOT services and/or services provided by Iowa DOT federal funding recipients. Funding assistance from the USDOT agencies, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) require a plan for providing meaningful access in accordance with Title VI of the Civil Rights Act of 1964 and implementing regulations.

The Iowa DOT LEP plan presents the sources of authority for LEP plan requirements and instructions for determining if the threshold for languages assistance is present. The plan will provide guidelines for districts, divisions, and organizations receiving federal funds from Iowa DOT to meet these needs and define the role of the Iowa DOT Title VI program in that process. Specifically, this plan will outline how to collect LEP information and how to analyze that information. Part of the ongoing process for serving LEP people at the Iowa DOT will be the creation of an LEP Implementation Guide which will include service goals and a data collection plan to be integrated with other Title VI service requirements and reports.

### **A. Who is an LEP person?**

There are many individuals living within the United States for whom English is not their primary language. For instance, based on the 2021 American Community Survey, 21.6% of those living in the United States speak a language other than English at home. Additionally, data indicates limited English-speaking households is led by Spanish speaking individuals at over 16 million followed by Indo-European languages at 5.7 million and Asian and Pacific Island languages at 4.87 million. If these individuals have a limited ability to read, write, speak, or understand English, they are limited English proficient, or LEP.

In other words, an LEP is an individual with a primary language other than English who must, due to limited fluency in English, communicate in that primary language in order to have an equal opportunity to participate effectively in, or benefit from any aid, service, or benefit provided by the Iowa DOT or transportation providers receiving federal funding from the Iowa DOT.

### **B. What are reasonable steps to meaningful access?**

The needs of LEP populations vary throughout Iowa, therefore the definition of meaningful access to Iowa DOT services is also varied. As such, each division within the Iowa DOT or recipient of federal funds

through the Iowa DOT will determine the extent of obligation a project or federal funding recipient has to LEP people by using this plan as a guide.

## **II. Source of Authority and Guidance**

Title VI of the Civil Rights Act of 1964 and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color or national origin under any program or activity that receives Federal financial assistance. Code of Federal Regulations Title 49 Part 21 specifically effectuates the provisions of Title VI rights to entities receiving Federal funds from the USDOT.

### Access to links:

Title VI of the Civil Rights Act of 1964:

<http://www.justice.gov/crt/cor/coord/titlevistat.php>

49 CFR Part 21:

<http://www.fhwa.dot.gov/hep/49cfr21.htm>

### **A. Policy: Executive Order 13166**

On August 11, 2000, President Clinton signed Executive Order 13166, entitled “Improving Access to Services for Persons with Limited English Proficiency.” Accordingly, it prohibits recipients of Federal financial assistance from discriminating based on national origin by failing to provide meaningful access to services to individuals who are LEP. This protection requires that LEP persons be provided an equal opportunity to benefit from or have access to services that are normally provided in English.

**EXECUTIVE ORDER 13166**      **IMPROVING ACCESS TO SERVICES FOR  
PERSONS WITH LIMITED ENGLISH PROFICIENCY** By the authority vested in me as President by the  
Constitution and the laws of the United States of America, and to improve access to Federally conducted and  
Federally assisted programs and activities for persons who, as a result of national origin, are limited in their  
English proficiency (LEP), it is hereby ordered as follows:

**Section 1. Goals.**

The Federal Government provides and funds an array of services that can be made accessible to otherwise eligible persons who are not proficient in the English language. The Federal Government is committed to improving the accessibility of these services to eligible LEP persons, a goal that reinforces its equally important commitment to promoting programs and activities designed to help individuals learn English. To this end, each Federal agency shall examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services consistent with, and without unduly burdening, the fundamental mission of the agency. Each Federal agency shall also work to ensure that recipients of Federal financial assistance (recipients) provide meaningful access to their LEP applicants and beneficiaries. To assist the agencies with this endeavor, the Department of Justice has today issued a general guidance document (LEP Guidance), which sets forth the compliance standards that recipients must follow to ensure that the programs and activities they normally provide in English are accessible to LEP persons and thus do not discriminate on the basis of national origin in violation of title VI of the Civil Rights Act of 1964, as amended, and its implementing regulations. As described in the LEP Guidance, recipients must take reasonable steps to ensure meaningful access to their programs and activities by LEP persons.

**Sec. 2. Federally Conducted Programs and Activities.**

Each Federal agency shall prepare a plan to improve access to its Federally conducted programs and activities by eligible LEP persons. Each plan shall be consistent with the standards set forth in the LEP Guidance, and shall include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency's programs and activities. Agencies shall develop and begin to implement these plans within 120 days of the date of this order, and shall send copies of their plans to the Department of Justice, which shall serve as the central repository of the agencies' plans.

**Sec. 3. Federally Assisted Programs and Activities.**

Each agency providing Federal financial assistance shall draft title VI guidance specifically tailored to its recipients that is consistent with the LEP Guidance issued by the Department of Justice. This agency-specific guidance shall detail how the general standards established in the LEP Guidance will be applied to the agency's recipients. The agency-specific guidance shall take into account the types of services provided by the recipients, the individuals served by the recipients, and other factors set out in the LEP Guidance. Agencies that already have developed title VI guidance that the Department of Justice determines is consistent with the LEP Guidance shall examine their existing guidance, as well as their programs and activities, to determine if additional guidance is necessary to comply with this order. The Department of Justice shall consult with the agencies in creating their guidance and, within 120 days of the date of this order, each agency shall submit its specific guidance to the Department of Justice for review and approval. Following

approval by the Department of Justice, each agency shall publish its guidance document in the Federal Register for public comment.

**Sec. 4. Consultations.**

In carrying out this order, agencies shall ensure that stakeholders, such as LEP persons and their representative organizations, recipients, and other appropriate individuals or entities, have an adequate opportunity to provide input. Agencies will evaluate the particular needs of the LEP persons they and their recipients serve and the burdens of compliance on the agency and its recipients. This input from stakeholders will assist the agencies in developing an approach to ensuring meaningful access by LEP persons that is practical and effective, fiscally responsible, responsive to the particular circumstances of each agency, and can be readily implemented.

**Sec. 5. Judicial Review.**

This order is intended only to improve the internal management of the executive branch and does not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers or employees, or any person.

WILLIAM J. CLINTON  
THE WHITE HOUSE,  
August 11, 2000.



### **III. Determining the Need for Language Assistance**

As stated in Section 1.B. above, under the United States Department of Justice guidance, Iowa DOT has an obligation to determine what reasonable steps to take to provide LEP individuals with meaningful access to its programs, activities, and services. Iowa DOT uses the following criteria, known as the four factors, to make this assessment.

#### ***A. Four Factor Analysis***

Four-Factor Analysis – An analysis that considers four factors of the eligible service population and the service branch to determine the language assistance services and resources (“language assistance”) necessary to properly serve that service population. The four factors include:

##### **1. Portion of LEP people**

**Factor One: Who are the LEP persons serviced or likely to be encountered by Iowa DOT, or directly affected by Iowa DOT projects?**

Iowa DOT uses population data to identify potential LEP persons who may require language assistance services to ensure meaningful access to Iowa DOT programs and services.

Each division or project, in coordination with the Title VI Liaison, will continuously assess the language assistance needs of the population to be served using the following guidance:

- Any previous contact with LEP populations by the division or project should be examined. This information can then be analyzed to set a baseline of need.
- Use census data and other current demographic information to research the percentage of people speaking a language other than English in the affected project area. The Title VI Liaison can assist in this process. Keep in mind, population information changes faster than census data can be reported; for instance, refugee populations can have a sudden and large presence. Compare what the census states to historical occurrences.
- Contact members of community associations (such as school systems, community organizations, religious organizations, etc.) or project focus groups early in the project initiation. This will assist in determining whether there are any existing language barriers of which the project team should be aware. These associations are likely to be actively working LEP populations and may be the most accurate source to learn about current LEP needs.

#### **Identification and Assessment of Limited English Proficiency (LEP) Communities**

The LEP population in each of Iowa’s 99 counties is from the US Census, which is updated every ten years. Changes in the LEP population will be monitored using mid-census estimates and projections from the American Community Survey (ACS). Other data from the Department

of Education, the Migration Policy Institute, or other local or state agencies also may be used.

**LEP Population Estimates for Iowa (see table below)**

Total state population estimate for 2019: 3,155,070

Total estimated LEP population: 223,471

% of Iowa population that is LEP: 7.1%

Of the population in which a language other than English is spoken in the home, 223,471 or 7.1% are estimated to speak English less than “very well.” The language spoken by those persons is as follows:

State of Iowa U.S. Census Bureau Estimates American Community Survey: 2014-2018 Language spoken at home	2014-2018	
	Speak English “very well”	Speak English “less than very well” (LEP)
Spanish	72,344	53,923
French, Haitian, or Cajun	15,330	14,393
German or other West Germanic languages	22,239	13,256
Russian, Polish, or other Slavic languages	18,407	15,217
Other Indo-European languages	21,134	15,695
Korean	12,778	12,636
Chinese (incl. Mandarin, Cantonese)	16,090	18,381
Vietnamese	13,774	16,113
Tagalog (incl. Filipino)	12,766	12,592
Other Asian and Pacific Island languages	21,886	21,009
Arabic	15,753	14,738
Other and unspecified languages	17,259	15,518
<b>Totals</b>	<b>259,760</b>	<b>223,471</b>
Total State Population (2019 estimate)		<b>3,155,070</b>
% LEP population (223,471/3,155,070)		7.1%

Data source: [https://www.iowacourts.gov/static/media/cms/iowa\\_Courts\\_Language\\_Access\\_Plan\\_CC2871A1F73E8.pdf](https://www.iowacourts.gov/static/media/cms/iowa_Courts_Language_Access_Plan_CC2871A1F73E8.pdf)

**2. Frequency of Contact**

**Factor two: What is the frequency with which LEP individuals come in contact with the program?**

A particular division or project may be located near a large LEP population but have little contact with that population. If a lack of contact exists, it is critical to determine if this lack of contact is due to language barriers. Consideration of the languages spoken by the LEP people should also be noted. The more frequent the contact the more likely enhanced language services are necessary.

Historically, Iowa DOT has not tracked the frequency with which LEP individuals have come in contact with Iowa DOT’s programs, activities or services. However, Iowa DOT will propose

implementing a process that enables the Title VI Coordinator, with assistance from the Title VI interdisciplinary team, to assess such frequency through tracking encounters with LEP individuals to ensure language assistance tools are available that offer meaningful access to Iowa DOT's programs, activities and services.

The proposed program:

Will assess the frequency with which LEP individuals come in contact with Iowa DOT's programs, activities or services, the Title VI Coordinator developed a Language Assistance Reporting Form that can be used to track encounters with LEP individuals. Iowa DOT has contracted with a language assistance provider for over-the-phone interpretation services, in-person interpretation services, and document translation services. Requests for language assistance services will be made through the Title VI Coordinator. This will allow the Title VI Coordinator to track encounters with LEP individuals and continually assess language assistance needs. The Title VI Coordinator will incorporate an evaluation of language assistance in the program area review process.

### **3. Nature and Importance of Service Provided**

**Factor three: What is the nature and importance of the program, activity, or service provided by the Iowa DOT division or project?**

The mission of the Iowa DOT is to advocate and deliver transportation services that support the economic, environmental, and social vitality of Iowa. The result is an expansive range of services and projects, from innovative design to complex construction of major roadways. Each area of our transportation system will have a different importance and effect on LEP people.

From each district, division or project prospective, the importance of the activity, or the greater likelihood of consequences to LEP people, has to be reviewed and balanced against the other three factors.

As Divisions and Districts review and refine their policies and procedures, they should keep in mind what activities and services are vital for their customers. Typically, activities and information about activities that have a critical impact on customers, participants, or the general public are considered to be important enough that they should be translated into the District's and/or Division's relevant language groups, rather than simply relying on interpretation. A few key factors to consider when determining the criticality of an item are:

- Does it pertain to an individual's legal rights? (e.g., the right to obtain free language assistance, the right to file a Title VI complaint, etc.).
- Does it pertain to an individual's safety? (e.g., signage or notices of unsafe road conditions or road closures).
- Does it pertain to an individual's eligibility to participate in an activity that does not require English proficiency? (e.g., DBE program advertisements, public meeting notices, etc.).

Some examples of vital documents and information provided throughout Iowa DOT include:

- The Disadvantaged Business Enterprise Program;
- Protections and Remedies under Title VI of the Civil Rights Act of 1964 and related statutes;
- Protections and Remedies under the Americans with Disabilities Act of 1980 and related statutes; and
- Rights under the Public Records Act.

The goal of language assistance is to allow non- or limited-English proficient individuals to access Iowa DOT's activities without significant delay or disruption.

#### 4. Cost

##### **Factor four: What resources are needed to provide effective language assistance, including location, availability, and arrangements necessary for timely use?**

Limited resources (such as financial resources) may have an impact on the nature of the steps taken to provide meaningful access for LEP individuals. Careful consideration should be placed on utilizing the most cost-effective resources for providing competent language assistance. Department-wide resources should reduce most cost issues, leading to limited or no reduction of language assistance services to LEP individuals on the basis of resources.

Iowa DOT maintains a list of volunteer bilingual employees, the assistive services language, and the tele-interpretation service CTS Language Link as well as several, limited-scope translation contracts in place in various Divisions. These resources, provide a cost-effective basis to providing assistive language services.

As Districts and Divisions review and refine their policies and procedures, they should consider contacting other service branches as well as other Federal, State, and Local agencies who might have similar materials that have already been translated. This level of cooperation would benefit the entire Department by equipping each service branch with important resources for assisting LEP individuals while limiting overall cost to Iowa DOT. Another consideration is to contact local community groups throughout the state for assistance with translation and interpreting various planning and project-related materials.

Costs must be factored into this balancing test as part of the consideration of "resources available." Reasonable steps may cease to be reasonable when the costs imposed substantially exceed the benefits in light of the factors outlined in the U.S. Department of Justice (USDOJ) LEP Guidance. In this case, the needs will be prioritized so that the language services are targeted where most needed because of the nature and importance of the activity involved. **Note: LEP persons have the right to language assistance at no cost to them in their spoken language.**

#### **IV. Meaningful Language Assistance Measures**

The key to providing meaningful access for LEP persons is to ensure that effective communication exists between the project, activity or service and the LEP person. To accomplish effective communication, the following actions might be necessary as determined by a needs assessment outlined under Factor 1:

- Provide for oral language assistance
- Notify LEP customers of the availability of language assistance services
- Translate vital documents in languages other than English according to the safe harbor provision described below
- Train staff
- Develop written procedures
- Monitor and evaluate access to language assistance

## **A. Oral**

Each district, division or project is to provide LEP persons with oral language assistance in a timely manner at reception desks or when telephone contact is appropriate. Such assistance may take the form of qualified bilingual staff, contracting with a qualified Targeted Small Business interpreter service, other interpreter service (see the website at <http://www.ctslanguagelink.com>) or the use of voluntary community interpreters who are skilled, competent and objective in interpreting.

Employment of bilingual staff in divisions and projects is recommended, when feasible, where the percentage of LEP customers or potential customers is statistically significant or where the frequency of contact with such persons will provide for efficient and effective communication. A decision to employ bilingual staff should be based on a needs assessment with due consideration given to budget constraints and department policy. The Office of Purchasing/Support Services can provide additional information on bilingual staff recruitment, bilingual pay procedures, departmental positions requiring bilingual skills, and names and locations of staff who speak an alternative language and the language spoken.

Oral translation competency should be considered when using a translator. In some cases, a family member or volunteer without formal certification might be a good choice, for instance when teaching an LEP person how to use the bus. In other circumstances, especially those that have the potential to affect a person's rights such as purchasing property from an LEP person, a certified interpreter is necessary.

## **B. Written**

Written materials that are routinely provided in English to applicants, customers and the general public should be translated into languages that are regularly encountered. The extent of the obligation to provide written translations of documents should be determined on a case-by-case basis, looking at the totality of the circumstances in light of the four-factor analysis. Written materials include electronic documents and web sites.

Consideration should be made that some LEP people might have low literacy in their language. Written translations would not be effective or useful in those cases. When evaluating the need for written translation, the literacy level in the LEP population should be determined.

## **C. Vital Documents**

Vital documents are those that convey information critically affecting the ability of the service customer to make decisions. Whether or not a document (or the information it solicits) is “vital” depends upon the importance of the project, information, encounter, or service involved and the consequence to the LEP person if the information in question is not provided accurately or in a timely manner.

Examples of vital documents include, but are not limited to: applications, public notices, consent forms, letters containing important information regarding participation in a project, eligibility rules, notices pertaining to the reduction, denial or termination of services or benefits, right to appeal, notices advising of the availability of language assistance, complaint forms and outreach and community education materials. Iowa DOT districts, divisions, and projects will develop criteria for determining which documents are vital and subject to translation.

#### **D. Alternative Communication Methods**

To reduce costs and difficulty, the Iowa DOT encourages staff to explore use of alternative methods of communication and devices that do not use language. For example, use of pictograms, symbol signs, standard symbolic signs (SMS's), diagrams, color-coded warnings, illustrations, graphics, and pictures can be considered information using very few words in any language. Schematic maps can similarly quickly communicate large amounts of information without words. Symbol signs and pictograms also benefit globalization of trade and travel.

#### **E. Monitoring**

Monitoring and evaluating the accessibility and quality of language assistance needs of LEP persons ensures that LEP persons can meaningfully access projects and activities and is the responsibility of the respective divisions or projects. At a minimum, divisions or projects should conduct an annual assessment to determine:

- The current LEP composition of its service area
- The current communication needs of LEP persons
- Whether existing assistance meets LEP needs
- Whether staff is knowledgeable about policies and procedures and how to implement them
- Whether sources of and arrangements for assistance are still current and viable

#### **F. Implementation Guide**

The Uniform Data Collection Standards outlines how data will be captured and reported in the Iowa DOT's Title VI Annual Accomplishment and Goal Report. Data collection criteria will include:

- Primary language of the population in the project service area

- Primary language of customers served
- Data upon which the division based the language needs assessment
- Number of LEP persons, by language group, who received language services
- Number and type of grievances and complaints received by the Iowa DOT or against Iowa DOT sub-recipients alleging lack of provision of services due to limited English proficiency.

The Title VI Liaison(s) in collaboration with the Civil Rights Coordinator will analyze the LEP data and report on how the implementation policies are working as well as highlighting best practices.

#### **G. Training**

**Training staff on policies and procedures of language assistance and how to determine whether a customer needs language assistance services is essential to bridging the gap between policies and actual practices. Training will include how to obtain language assistance services and communication with interpreters and translators.**

Specialized training may be required of certain front-line staff who are likely to have considerable interaction with people with LEP. Staff should be trained on how to recognize potential Title VI issues and to properly respond to Title VI complaints, including those from LEP people on the basis of national origin. Staff should also be familiar with the process the Office of Employee Services-Civil Rights uses to investigate Title VI complaints.

## **V. Compliance and Enforcement of LEP Requirements**

### **A. Who must comply?**

Executive Order 13166 directs recipients of Federal financial assistance to take reasonable steps to provide LEP individuals with meaningful access to their projects, activities and services.

All Iowa DOT Division Directors, Office Directors, and Title VI Program Liaisons are responsible for ensuring that meaningful services to LEP persons are provided in their respective divisions or projects. Additionally, the Civil Rights Coordinator will continuously monitor these divisions and projects to ensure LEP requirements are met and report annually to the FHWA and tri-annually to the FTA on the accomplishments and upcoming goals relating to LEP activities.

### **B. Roles and Responsibilities**

#### **1. Iowa's Title VI Program**

In determining whether LEP compliance is met, the Civil Rights Coordinator is responsible for assessing whether the district's, divisions or project's procedures allow LEP persons to overcome language barriers and participate in a meaningful way in the divisions or project's activities. The appropriate use of methods and options detailed in this LEP Plan will be viewed as evidence of intent to comply with the LEP requirements and Title VI of the Civil Rights Act of 1964.

**a. Responding to Complaints**

The Division Director or designee will be notified of any complaint arising from LEP issues. The Division Director or designee's first responsibility is to attempt to provide the requested service as soon as possible, resolve the specific complaint to the customer's satisfaction, and take steps addressing these policies/procedures which generate such complaints.

*The Iowa DOT's Civil Rights Coordinator shall be apprised of the issue and take appropriate action on the complaint. Failure to comply and make good faith efforts may be a violation of Federal and State law and may result in sanctions being imposed.*

**b. Technical Assistance**

The Iowa DOT Civil Rights Coordinator, in collaboration with the Title VI Committee Liaisons, is responsible for providing Iowa DOT districts, divisions and projects with technical assistance. This includes advising of LEP requirements, implementing those requirements and assisting in developing individual project plans and processes. The creation of the LEP Plan Implementation Guide and the maintenance of that guide is the responsibility of Iowa DOT Civil Rights Coordinator in collaboration with the Title VI Committee.

In addition, the Title VI Committee will provide training to appropriate staff regarding LEP policies and good practice. The LEP Plan Implementation Guide will include the plan for this training.

**c. Resource Sharing**

The Iowa DOT's Civil Rights Coordinator will maintain and update the Title VI website in order to assure current agency-wide information is available.

**2. Special LEP Emphasis Divisions and Projects**

The following is a list of Iowa DOT divisions and bureaus whose work may include a particular LEP emphasis. Included under some areas are links to specific projects and programs already providing LEP-focused services.

➤ **Systems Planning and Program Management Bureau**

The Systems Planning and Program Management Bureaus are responsible for many activities that involve public participation in transportation decision-making throughout the planning and programming process. Every effort is made to have meetings at sites that are handicap accessible and to advertise through newspapers with the widest reader distribution. News releases are distributed around the state for many of the meetings and all meetings involving the Iowa Transportation Commission. The news releases direct



anyone with special assistance needs to contact the department. The Strategic Communications and Policy Bureau handles the distribution of news releases, and their expertise is relied on to reach the largest audience, including minority and low-income populations. The following accomplishments list activities that have involved public participation and the type of public interaction, where applicable.

#### **Data Collection:**

SPB planning activities are statewide in scope, and associated data used to inform those activities is also statewide in nature. A statewide demographic profile is included in the state long-range transportation plan and other plan documents; however, area-specific location inventories of socioeconomic groups is largely a product of the MPO and RPA planning process. Project development-specific profiles would likely be a product of the Location and Environment Bureau.

SPB largely relies on publicly available datasets. SPB planning products that leverage data are primarily used by other bureaus within the department that are responsible for project development activities. [https://iowadot.gov/systems\\_planning/](https://iowadot.gov/systems_planning/)

#### ➤ **Right-of-Way Bureau**

The Right of Way Section has as its responsibility the acquisition and management of all real properties or interests therein for Iowa DOT in accordance with State and Federal laws and regulations.

Right-of-Way will be continuing its focus directed on addressing LEP issues along with greater distribution of outside appraisal work and property management service work. <https://iowadot.gov/rightofway/cadd-information>

#### ➤ **Location and Environment**

Public information meetings are held at different stages of project development. A meeting may also be held to discuss a detour, a road closure, or right of way needs. The meeting is held as an open forum so attendees can see displays, ask questions and share concerns directly with Iowa DOT staff. During and after the meeting, individuals are encouraged to send in written comments or leave comments online regarding the project or detour.

A public hearing is held when an environmental document has been prepared and is available for the public to review. An environmental document compares different project alternatives and their influence on the environment. The hearing involves a formal presentation made by Iowa DOT staff. An open forum, where attendees may ask their questions directly to Iowa DOT staff is also part of the Public Hearing. The formal presentation is recorded and included in the final record. During and after the meeting, individuals are encouraged to send in written comments or leave comments online regarding the project. <https://iowadot.gov/ole>

The Bureau recently established an account through the interpreter service at [www.ctslanguagelink.com](http://www.ctslanguagelink.com). We anticipate using their services throughout the year.

➤ **Field Operations: Districts 1, 2, 3, 4, 5, and 6**

Goal is to continue to identify LEP needs for public information meetings and public hearings. Also, monitor LEP needs on construction and planning projects.

The Districts, through standard practice, make interpreters available to the public when needed through the interpreter service at [www.ctslanguagelink.com](http://www.ctslanguagelink.com). Interpreters are also provided if previously determined to have an LEP need by either the Office of Location and Environment or a local public agency where the project will take place. <https://iowadot.gov/districts/>

➤ **Local Systems**

The Office of Local Systems will provide guidance and assistance to local agency sub-recipients to help them comply with the LEP requirements. Guidance and assistance will be provided in the form of written guidelines, presentations at agency conferences, and as requested by local agencies. The written guidelines are available as part of Instructional Memorandum [1.070](#), Title VI and Nondiscrimination Requirements. [https://iowadot.gov/local\\_systems](https://iowadot.gov/local_systems)

➤ **Motor Vehicle Division**

The Office of Motor Vehicle driver's license stations post notices that indicate the various languages available for written tests. Also provided to each person who enters the driver's license station is a pre-clerking questionnaire and voter declaration form that is printed in both English and Spanish.

Each driver's license station has posters in various languages regarding Selective Service registration.

Driver Services uses an automated test system. The system includes the following languages in both printed and audio formats:

Albanian	Arabic
Bosnian	Burmese
Cambodian	Chinese
French	German
Greek	Hebrew
Hmong	Italian
Korean	Laotian
Polish	Portuguese
Russian	Somali

Spanish	Vietnamese
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This system is now operating at all DOT driver license stations and county treasurer locations that offer testing.

MVD will make every reasonable effort to provide a qualified interpreter to assist any non-English speaking/reading person in translating and understanding non-commercial examinations, including written or skills testing. Additionally, the DOT has entered into a contract for on-call telephone interpretation services that are available to all DOT divisions and offices.

❖ **Transit Mobility**

The Regional Mobility Grant Program supports local efforts to improve transit mobility and reduce congestion on our most heavily traveled roadways. The program provides money to local governments to: deliver transit mobility projects that are cost-effective; reduce travel delay for people and goods; improve connectivity between counties and regional population centers; and to be consistent with local and regional transportation and land use plans.

## C. General Responsibilities

It is the responsibility of Iowa DOT and its staff to take reasonable steps to provide LEP individuals with meaningful access to all Departmental activities. Iowa DOT identifies LEP populations through the use of a Four-Factor Analysis. Iowa DOT maintains several department-wide resources that are available to notify LEP customers of their rights to receive language assistance services as well as resources to provide those language assistance services. Staff are trained on using these resources at regular quarterly meetings held by the Civil Rights Committee led by Civil Rights Bureau. Districts and Divisions record the use of LEP services to analyze the effectiveness of their outreach activities and provide the results of their tracking in their monthly Title VI Goals & Accomplishments reports to Office of Civil Rights. The Office of Civil Rights continuously analyzes the effectiveness of this LEP and updates it as needed, usually when reviews and data suggest that new policies and procedures will be more effective. All Districts and Divisions shall develop localized LEP procedures that will be effective for area in providing LEP service. Providing meaningful access to LEP individuals will enable Iowa DOT to achieve its mission across Iowa.

## Resources and References

The U.S. Department of Transportation Guidance to Recipients on Special Language Services to Limited English Proficient Beneficiaries,  
[https://www.fhwa.dot.gov/civilrights/programs/title\\_vi/lep\\_fourfactor.cfm](https://www.fhwa.dot.gov/civilrights/programs/title_vi/lep_fourfactor.cfm)

The U.S. DOJ Policy Guidance, Enforcement of Title VI of the Civil Rights Act of 1964-National

Origin Discrimination Against Persons With Limited English Proficiency,  
<https://www.ojp.gov/program/civil-rights/limited-english-proficient-lep>

Website of the Federal Interagency Working Group on Limited English Proficiency  
<https://www.lep.gov/language-access-planning>

U.S. Department of Justice Clarifying Memorandum, dated October 26, 2001.  
<https://www.justice.gov/crt/federal-coordination-and-compliance-section-201>

United States Census 2000 Language Identification Flashcard  
<http://www.dol.gov/oasam/programs/crc/ISpeakCards.pdf>

**Demand Response Transit Agency:**

# **Compliance Review**

**for**

**Iowa 5310/5311 Subrecipient**

**Recipient Form**

**Reviewer Name:**

**Date:**

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# Introduction

**1. Description of Agency** including organizational structure, hours of operation, number of full and part time employees and if they are administrative, maintenance, drivers, volunteers, service area, etc.:

**2. Description of All Services** including directly provided services, services under contract, services where a vehicle is leased to another agency, services where the transit system leases a vehicle from another agency, etc. Please be as descriptive as possible, including days and hours of operation, passenger fare, which agency provides the drivers, does the service have a history of providing incidental service, etc. Please list each service separately:

**3. Highlight new projects.** Please take this opportunity to tell DOT about any new and exciting projects the transit system has been working on, success stories or failures:

**4. If requested, provide Driver Logs.**

**5. Provide CY2022 random drug and alcohol testing data** showing dates and times of testing. This should be provided in an Excel spreadsheet. Please do not submit driver names and results, only dates and times of all tests conducted and whether the tests were for drug, alcohol, or both.

**6. Vehicle on-board safety equipment, Title VI Notice, and signage check.** Please make the following vehicles available during the compliance review to check for required on-board safety equipment (fire extinguisher, bio-hazard kit, first aid kit, triangles, web cutter, flashlight, and reflective vest), posted Title VI Notice, and signage (refer to: Chapter 10, Transit Manager's Handbook, [http://www.iowadot.gov/transit/handbook/Chapter\\_10.pdf](http://www.iowadot.gov/transit/handbook/Chapter_10.pdf) for signage requirements): 2001a, 1308, and 1505

# Section 1: Eligibility

Please note, items marked with an asterisk (\*) require documentation at site visit.

Eligibility Questions	Response
1. Are all transit services provided by the agency open to the general public? (If yes, go to Question 3.)	
2. If not, describe any services not open to the public and why they are not.	
3. How are services advertised to the general public? (*)	
4. Does the agency own all vehicles used to provide public transportation services? (If yes, go to Question 7.)	
5. If not, who owns vehicles used for these services?	
6. Are all vehicles (owned/not owned) providing service as part of the public transit program marked with the agency name on both sides?	
7. Do all vehicle markings comply with current signage policy?	
8. Do any vehicle markings indicate specific client orientation? If so, provide vehicle identification number and photo of markings. (*)	
9. Does each vehicle display a phone number that can be used to request or inquire about transit services?	
10. What greeting is used to answer phones for each service? How do subcontractors, if any, answer telephones?	
11. Describe any "incidental" services that the agency or its subcontractors provide, and when those services are provided. (Include anything not advertised and operated open to the public. Examples: meal delivery and charters)	
12. Are these incidental services provided with federally funded vehicles?	
13. How does the agency track the use of FTA-funded vehicles for incidental services to verify that incidental usage does not exceed 20% on any vehicle?	
14. Does the agency, including subcontractors, provide any charter services? Under which exceptions is the service provided?	
15. How does the agency ensure that subcontractors are complying with the charter regulations?	
16. Has the agency gone through the process to publish a notice of intent that identifies willing and able private charter operators or does the agency limit charters to those agencies that are exceptions to the charter rule [Appendix A – QHSO, government officials, no registered charter provider responds, etc.]? Are those records kept three years from date sent? (*)	



Eligibility Questions	Response
17. Does the transit system or its subcontractors operate school bus service? Is the service exclusive? If yes, does the service qualify for one of the statutory exemptions? Has the system received approval from the FTA Administrator? Does the service operate only with non-FTA funded equipment and facilities?	
18. How does the system ensure that subcontractors comply with school bus regulations?	
19. Does the system provide school “tripper” service? If yes, is the service open and promoted to the general public?	
20. How does the system notify the public of their rights under Title VI? Where is the Title VI Notice posted? Where can the public access the Title VI complaint form? Please have a copy of the agency’s Title VI Program available to view at the site visit. (*)	
21. How does the system ensure that subcontractors comply with Title VI requirements?	
22. Have any civil rights or Title VI complaints or lawsuits been filed against the transit agency or against any of the agency’s subproviders? (If no, go to Question 26.)	
23. If so, what was the nature of the complaints/lawsuits and what is the status of resolving them?	
24. Have these complaints or lawsuits been reported to the DOT?	
25. What is the agency’s plan for providing language assistance to persons with limited English proficiency (LEP)? (*)	
26. Does the transit agency have any buildings located in an area identified as having special flood hazards (100-year flood zone) and in which the sale of flood insurance has been made available under the National Flood Insurance Act of 1968? Was flood insurance purchased?	

## Section 2: Management

Please note, items marked with an asterisk (\*) require documentation at site visit.

Management Questions	Response
1. Does the agency have any equipment valued at over \$50,000? Has this been submitted to DOT for inclusion in the statewide Transit Asset Management (TAM) inventory?	
2. Are all vehicles supporting the agency's public transit program included in the DOT BlackCat inventory? (Service vehicles, snowplows, maintenance trucks, buses purchased with local funds, etc.)	
3. Does the agency purchase services from other transportation providers (subcontractors)? If so, list the subproviders and the service they provide.	
4. How many revenue vehicles are operated in maximum service?	
5. How many spare vehicles does the agency have?	
6. Does the agency have a contingency bus fleet? Is the contingency fleet plan up to date? Has this plan been submitted to the Iowa DOT?	
7. Does the agency have signed purchase of service contracts with each of the subcontractors listed? Have all contracts been submitted to the DOT within 90 days of contract start?	
8. Does the purchase of service contract pass along all federal requirements connected to the transit program? How does the agency monitor subproviders for compliance with all state and federal requirements?	
9. Does the agency perform reviews and/or site visits to subcontractors? If so, how often and what items are reviewed?	
10. How does the agency monitor use of state or FTA-funded property by subcontractors?	
11. How and how often does the transit agency provide training and technical assistance to subproviders in meeting Federal and state requirements? Please describe the training and technical assistance process. Are the subproviders encouraged to attend FTA, Iowa DOT, and IPTA sponsored training?	
12. Are required EEO posters displayed at transit agency office, subcontractors' offices, transit garage, etc.? (*)	
13. Does the agency employ 50 or more transit-related employees? If no, skip to question 16.	

Management Questions	Response
14. In the previous fiscal year, did the agency receive more than \$1 Million in FTA capital or operating funds or a combination thereof? If no, skip to question 16.	
15. Does the transit agency have an EEO Program on file with the Iowa DOT? When was it last updated? Please have a copy of the agency's EEO Program available to view at the site visit. (*)	
16. Does the agency transport individuals across state lines with a commercial motor vehicle? (If no, go to Question 17.)	
17. Has the agency registered as a motor carrier with the Federal Motor Carrier Safety Administration of USDOT?	
18. If the agency is registered with the FMCSA, do the commercial motor vehicles display the assigned USDOT numbers?	
19. If the agency is not a unit of state or local government, does the agency follow the Federal Motor Carrier Safety Regulations?	
20. How long after contract closeout are related documents, original driver manifests, and statistics kept? (*)	
21. How does the transit agency calculate deadhead miles?	

## Section 3: Planning and Public Participation

Please note, items marked with an asterisk (\*) require documentation at site visit.

Planning and Public Participation Questions	Response
1. How does the transit agency participate in the Regional Planning Affiliation (RPA) planning process? Does the transit agency give input into the Long-Range Transportation Plan and the Transportation Planning Work Program?	
2. Is the transit agency a voting member of the RPA policy committee?	
3. Does the transit agency participate in the region’s Transit Advisory Group (TAG)?	
4. Please have a copy of the agency’s written policy describing the process to solicit and consider public comment before raising a fare or carrying out a major reduction of transit service available to view during the site visit. What is considered a “major” service reduction? How are public comments solicited? How are comments considered in the decision-making process? (*)	
5. In the past three years, has the transit agency raised a fare or reduced service? Was the reduction considered “major”? Was the public comment process followed? If not, why?	
6. If subcontractors provide transit service for the agency, are they responsible for setting their own fares? If so, do those subcontractors have their own policies for soliciting and considering public comments prior to a fare increase or major service reduction? How does the transit agency ensure the subcontractors comply with the public comment process requirements?	
7. How does the transit system ensure inclusive public participation of minority and LEP populations into its public participation procedures, such as soliciting comments on fare increases and service reductions and, on its policies, and procedures? Provide copy of public participation plan at the site visit. (*)	

## Section 4: Financial

Please note, items marked with an asterisk (\*) require documentation at site visit.

Financial Questions	Response
1. Does the agency's accounting system track all revenues and expenses attributable to the public transit program? How are these revenues and expenses clearly identified as being related to the public transit program?	
2. Does the agency have financial policies and procedures in place for managing federal awards, establishing internal controls, ensuring timely distribution of funds, and determining allowability of costs? (*)	
3. Does the agency have on-file an approved cost allocation plan? Was this plan board approved? If so, when? Has it been submitted to the Iowa DOT? (*)	
4. Is the agency's accounting system set up on an accrual or a cash basis?	
5. How does the agency determine the amount of state and federal funding for each of the agency's services/ subcontractors?	
6. What other sources of funding are received for the transit services?	
7. What impacts to local funding (positive or negative) have occurred since the last Compliance Review?	
8. What impacts to local funding (positive or negative) are expected over the next three years?	
9. How does the agency handle the proceeds from sale of FTA-funded equipment? Have any vehicles or equipment sold for over \$5,000 in the past two years?	
10. Does the agency utilize the "municipal transit levy?"	
11. How does the agency ensure that STA, FTA, and municipal transit levy funds are spent only on costs attributable to the public transit program?	
12. Are any public transit services funded with FTA Section 5311 dollars provided wholly within an urbanized area? (i.e., are any services with both origin and destination in the Omaha/Council Bluffs urbanized area funded with FTA Section 5311 dollars?)	
13. What does the agency do with any "profits" earned from provision of incidental services?	
14. How does the agency ensure that the fully allocated costs of providing incidental services (charter, meal deliveries, etc.) are covered by other than state or federal transit funds?	

Financial Questions	Response
15. What happens to “surpluses” in the transit budget at the end of the fiscal year?	
16. Describe how the agency assures that vendors are paid no later than three working days following receipt of a capital reimbursement payment from DOT?	
17. Has the agency received any rebates for items purchased with federal assistance? If so, how was the accounting for those rebates handled?	
18. In the last three years, were there findings in audits relating to FTA or DOT funding programs? If so, what were the findings? What is the status of addressing those findings?	

## Section 5: General ADA

Please note, items marked with an asterisk (\*) require documentation at site visit.

General ADA Questions	Response
1. Does the agency have any non-ADA revenue vehicles? If yes, how many? Are these vehicles designed/purchased without ADA features or is the lift or ramp out of order?	
2. <u>If answer to Question 1 was Yes and the lift or ramp is out of order:</u> How does the agency handle the situation if the agency receives a ride request from a person using a wheelchair in an area or at a time when a non-ADA vehicle is normally used?	
3. Are ADA service needs met with the current fleet?	
4. Are the agency's spare vehicles ADA compliant?	
5. Are wheelchair users, and other persons with disabilities, charged the same fare as other persons of like age/situation?	
6. Are wheelchairs accepted in all of the agency's service areas?	
7. What happens if the agency receives more requests from persons using wheelchairs for a particular trip or service than the vehicle has securement locations for?	
8. Does the agency require that wheelchairs be secured?	
9. Will the agency still transport if driver is not able to secure wheelchair?	
10. What types of wheelchairs will the agency transport?	
11. Are there types of wheelchairs the agency won't transport?	
12. If transporting scooters or other wheelchairs with little structural integrity, does the agency require transfer to a vehicle seat?	
13. Does the agency require that persons using wheelchairs use seatbelts (personal restraints)? If so, are all passengers required to use seatbelts?	
14. What types of "service animals" are accepted aboard vehicles and in facilities?	
15. How does the agency determine if an animal is a "service animal?"	
16. Can a person not using a wheelchair request to ride a wheelchair lift?	

General ADA Questions	Response
17. What is the transit agency's policy for the DOT ADA requirement of requesting that persons sitting in priority seats and any fold-down seats over the securement area vacate those seats when a person with a disability needs to use them?	
18. Do you allow persons to carry compressed oxygen canisters and respirators aboard your vehicles?	
19. How does the transit agency ensure that personnel and subcontractors are trained to proficiency so that they operate vehicles and equipment safely, and properly assist and treat individuals with disabilities who use the service with respect, courtesy, and sensitivity?	
20. Have all drivers, including those of subcontractors, been trained to use the wheelchair lifts/ramps and the wheelchair securement system(s)?	
21. Do drivers or mechanics cycle the lifts each day?	
22. Are all wheelchair lifts/ramps, including interlocks, in the fleet in working order?	
23. What efforts have been undertaken to make agency information (such as brochures, schedules, etc.) accessible to persons with visual impairments? Provide examples. (*)	
24. What arrangements have been made to allow access to dispatch service by persons with hearing impairments? Are these arrangements available for all dispatch/reservations/schedule information outlets?	
25. Does agency literature describe how persons with hearing disabilities may access dispatch? (*)	
26. Does all literature/advertising include information that all services are open to the general public, including persons with disabilities? (*)	
27. Does the agency have specific locations to where people go to purchase tickets or obtain IDs? (If no, go to Question 32.) If so, are these locations accessible to persons with disabilities?	
28. Are the meeting rooms and facilities in which the agency holds meetings accessible to all persons with disabilities? Are they located on a bus route?	
29. Are such meetings held at times when public transit service is available?	
30. Describe how the agency would accommodate a participant with hearing impairments or speech impairments at one of the meetings. Is this accommodation included in the public notice?	
31. Are the agency's offices accessible to all persons with disabilities?	
32. Are all workstations within the agency accessible to persons with disabilities?	



General ADA Questions	Response
33. Does the agency have job descriptions for all positions, which describe the “essential functions” of the position?	
<b>Reasonable Modification</b>	
34. Where are the agency’s procedures for requesting a reasonable modification of service posted? (provide link)	
35. Who is/are the public transit agency’s designated responsible employee(s) for coordinating the agency’s efforts to comply with the ADA’s reasonable accommodation/modification rules?	
36. Does the transit agency have adopted ADA complaint procedures for the public use concerning reasonable modification? Where are these complaint procedures posted?	
37. Has the transit agency received any requests for reasonable modifications to the agency’s service? If so, what was the request and what was the transit agency’s response?	
38. For what reasons would the public transit agency deny a request for modification to the agency’s policies and practices?	
<b>ADA Complaint Procedure</b>	
39. For general ADA complaints unrelated to reasonable modification, what are the agency’s ADA complaint procedures? Where is this complaint process advertised or posted? (provide link) How is the complaint process accessible to and useable by persons with disabilities?	
40. Who is the employee responsible for receiving ADA complaints? Is that person’s contact information posted with the complaint process?	
41. What is the procedure for responding to ADA complaints? How are complaints and their responses documented?	
42. What is the agency’s timeline for responding to ADA complaints?	

## Section 5.1: ADA Complementary Paratransit

Please note, items marked with an asterisk (\*) require documentation at site visit.

ADA Paratransit Questions	Response
1. Does the transit agency provide ADA Complementary Paratransit via separate, dedicated vehicles or via route deviation of its regular fixed route buses?	
2. Describe the service area that is covered with ADA paratransit service.	
3. Does ADA complementary paratransit service operate at all times that fixed-route service is available? Is this stated on published route maps, brochures, and agency website? (*)	
4. Who is eligible for paratransit service? Who decides who is eligible? As a subcontractor, is the transit agency involved in the eligibility determination process?	
5. If your transit agency is involved in eligibility determination, how is eligibility determined? What factors are considered when determining an individual's eligibility? Is income or financial need considered in determining eligibility for ADA service?	
6. How long does the eligibility determination process take, from application to approval or denial?	
7. Are visitors to the agency's area eligible for paratransit service?	
8. Can nonresidents apply for permanent eligibility for ADA paratransit services?	
9. Are paratransit eligible persons issued an ID card?	
10. Does the ID issued distinguish between persons who are ADA eligible and others who may be allowed to ride?	
11. Will drivers/dispatchers honor ADA paratransit IDs issued by any transit agency?	
12. Will drivers go to the door of a passenger's home or drop off location to assist a passenger in getting to/from a paratransit vehicle?	
13. Can an eligible rider call in at 4:00 p.m. today for a ride at 8:00 a.m. tomorrow morning?	

ADA Paratransit Questions	Response
14. How far ahead can ride reservations be made?	
15. How does the agency handle a caller who requests a ride at a time when the paratransit vehicle(s) is/are busy?	
16. In an average month how many ride requests is the agency unable to serve within 60 minutes of the requested time?	
17. What percent is this of total ride requests?	
18. Does the agency have records that document this?	
19. Does the agency meet the pick-up schedule set with the rider?	
20. Does the agency have documentation of on-time performance rate for these pick-ups?	
21. How does the agency verify that paratransit trips are not excessively long?	
22. What is the fare for paratransit service? How does this compare to the fare for an able-bodied person to take a similar trip aboard the fixed-route service?	
23. Are there restrictions on how often a particular disabled person can ride the paratransit service?	
24. Are there restrictions on the purposes for which an eligible person with disability may ride the paratransit service?	
25. Does the agency allow non-disabled family members or others to accompany an ADA eligible paratransit rider?	
26. On average, how many denials does the agency have per month? Does the agency track the reasons for denials?	
27. Does the agency have a suspension policy for a pattern or practice of no-shows? (*)	
28. Describe any other policies the agency has which would cause ADA eligible persons to be denied service. (*)	
29. How long does/would such a denial of service last?	
30. Who makes the decision on denial of service?	
31. What opportunity for appeal or administrative review is offered?	
32. How are the agency's policies on denial of service documented and communicated to the public? (*)	
33. Does the agency have a "rider's handbook" describing the agency's policies and procedures relating to the ADA paratransit services? (*)	

## Section 6: Drug and Alcohol

Please note, items marked with an asterisk (\*) require documentation at site visit.

Drug and Alcohol Questions	Response
1. Please provide a copy of the transit agency's drug and alcohol testing policy document during the site visit. (*)	
2. Does employer's drug and alcohol testing policy indicate that it was adopted by the governing board of the employer?	
3. Is there evidence that policy has been updated and readopted?	
4. Does the policy list a contact person designated by employer to answer employee questions about testing program?	
5. Does the policy list the local job classifications that are subject to testing?	
6. Do all listed job classes appear to fit the definition of safety-sensitive positions per FTA rule?	
7. Does the policy indicate that all testing is done under FTA authority, or does it indicate that additional testing is conducted under other authority (i.e., city, county, transit agency, COG)?	
8. Does the policy accurately indicate what behaviors are prohibited with regard to drugs and to alcohol under FTA rule?	
9. Does the policy give specifics of the required period of compliance regarding alcohol consumption?	
10. Does the policy address the need for new pre-employment/assignment test for persons out of testing pool for more than 90 consecutive calendar days?	
11. Does the policy either give detailed description of collection and testing procedures and safeguards or make reference to Part 40?	
12. Does the policy state that covered employees are required to submit to testing under the program?	
13. Does the policy describe the consequences of a non-negative drug test or alcohol test equal to or exceeding .04?	
14. Does the policy describe what will constitute a test refusal and the consequences thereof?	
15. Does the policy describe the consequences of an alcohol test result showing Blood Alcohol Concentration (BAC) at least .02, but less than .04?	
16. Does the policy discuss the employee's right to request analysis of the split specimen in the case of a drug "positive" and the procedure for making such request?	

Drug and Alcohol Questions	Response
17. If “second chance” is offered, does the policy discuss follow-up testing program?	
18. Does the agency have documentation that each employee has received a copy of the testing policy? Are new copies distributed when the document is updated?	
19. Does the agency have documentation that all employees have received training on the consequences of using illegal drugs and of misusing alcohol?	
20. Does the agency keep a record of employees selected for random testing and whether the tests were actually conducted?	
21. If the agency has had employees selected for random testing, that were not tested, does the agency have documentation of the reasons why the test was not completed?	
22. Describe the security measures taken by the agency to keep employee test records/results confidential.	
23. Are employee test records/results kept in a separate file cabinet with lock? Is the file cabinet containing employee test records/results actually kept locked, except when accessing a file?	
24. Who has access to these records/results?	
25. How are test results received from the BAT or MRO? Who receives these results? Who files the results?	
26. If an employee authorizes release of test results (possibly to a potential new employer or to a court, etc.), who is involved in transmitting the information?	
27. Describe the security measures taken to keep the list of employees selected for random testing confidential.	
28. Who selects employees for random testing?	
29. Is the agency part of an alcohol and drug testing consortium? If yes, how many organizations take part in the consortium?	
30. If selection is by an outside party, how does the agency receive selection information? Who has access?	
31. Who determines when collection will be conducted for selected employees?	
32. What criteria are used to schedule collections?	
33. How are employees notified to report for collection? Who is involved in notification process?	
34. How much time is employee given from time of notification to report to the collection site?	
35. Are substitutes used to fill in while selected employee reports for collection? If so, how is notification to substitute handled?	
36. If substitutes are not used, how does the agency cover for employee sent to collection site?	

Drug and Alcohol Questions	Response
37. Is the collection site informed who will be reporting and when they should arrive? If so, who handles this notification?	
38. Does the collection site notify the transit agency once employee has reported (or particularly if employee does not report within specified timeframe?) If so, who is involved in receiving this information?	
39. Do agency's testing records include the time of notification and time of report to collection site for all random tests?	
40. Under what circumstances does the transit agency conduct post-accident testing?	
41. Do agency's testing records document all accidents/incidents, indicating which meet FTA post-accident testing thresholds, and documenting reasons why testing was not done for any, where driver and/or mechanics were not tested?	
42. Who makes the decision whether to send driver and/or others for collection following a fatal accident?	
43. Who makes the decision whether to send the driver and/or others for collection following a non-fatal accident?	
44. Who decides whether a particular accident involves disabling damage?	
45. How is the decision-maker made aware of accidents? Does this happen quickly enough to allow compliance with the post-accident testing timeframes?	
46. What happens if there is an accident, and the decision-maker is unavailable?	
47. Does the agency use a form to document post-accident decisions regarding testing?	
48. Have there been any accidents which should have triggered testing, but for which no timely testing was conducted? If so, explain why testing was not completed in these cases. (*)	
49. Have contingent arrangements been made to allow for collections/testing at all times and in all locations that transit service is being provided? (This would include incidental service if FTA-funded vehicles are being used or if counted as part of the agency's statistics for funding.)	
50. Who makes the decision on whether to send an employee for reasonable suspicion testing?	
51. Have these persons/has this person received the required supervisor training to recognize signs of drug use/alcohol misuse? Did the training consist of at least 60 minutes on the physical, behavioral, and performance indicators of probable drug use and at least 60 minutes on the physical, behavioral, speech, and performance indicators of alcohol misuse?	

Drug and Alcohol Questions	Response
52. For non-governmental, private non-profit public transit agencies, do these persons receive a minimum of one hour of refresher training to recognize signs of drug use/alcohol misuse annually?	
53. Does the agency have a form to document determination of reasonable suspicion? Are these kept as part of the testing program records? (*)	
54. At what point in the hiring process are applicants placed in safety-sensitive positions?	
55. Do agency's records verify that any existing non-safety-sensitive employee transferred to safety-sensitive duty has first passed an FTA pre-employment drug test?	
56. Were previous DOT-covered employers from last two years queried about drug and alcohol test results for each new employee hired into safety-sensitive positions?	
57. Were any other DOT-covered employers from last two years queried about drug and alcohol test results for any employee transferred into safety-sensitive position?	
58. Does the agency have policy on employing a person who has previously had non-negative test or test refusal? If so, what is it? Is it consistent with the agency's second chance policy?	
59. Has the agency obtained and reviewed the credentials of designated MRO, SAP, BAT, and collectors? (*)	
60. How does the transit agency monitor vendors (ex. Consortia, third party administrators, collection sites, medical review officers, etc.) that support its drug and alcohol testing program to ensure compliance with program requirements? During on-site review, please provide Iowa DOT staff with Custody and Control Forms for all drug and alcohol tests conducted during the past calendar year. (*)	
61. If the agency subcontracts for any safety-sensitive functions other than third-party maintenance, does contract specifically require compliance with FTA drug and alcohol testing?	
62. How does the transit agency monitor subrecipients with safety sensitive employees to ensure their drug and alcohol testing programs are administered in accordance with the regulations?	
63. Has subcontractor's list of covered employees been reviewed?	
64. Is post-accident testing record of subcontractor compared to accident reports received?	
65. If additional drug or alcohol testing is conducted under employer's own authority, is this made clear to employees/collection site/etc.? Are non-federal chain-of-custody forms used?	

Drug and Alcohol Questions	Response
66. How long are records maintained relating to verified positive tests and test refusals?	
67. Has the agency been asked about drug and alcohol test results of former employees? Was the query accompanied by signed release? Did the agency provide the requested information in a timely manner?	
68. Has the agency had any job applicants with non-negative test results? If so, were they provided with information on available SAPs?	
69. Are all drivers listed on the vehicle insurance policy included in the random testing pool? If not, why not?	
70. Are the random testing rates of 50-percent for drugs and 10-percent for alcohol achieved?	



## Section 7: Procurement

Please note, items marked with an asterisk (\*) require documentation at site visit.

Procurement Questions	Response
1. Has the agency adopted a written code of ethics or standard of conduct to govern the activities of employees, board members, or agents involved in procurements financed with FTA funds? (*)	
2. Does the agency's code of ethics/standard of conduct detail sanctions or disciplinary actions that shall be taken for violations?	
3. Is the agency's code of ethics/standard of conduct explicit with regard to how potential personal conflicts are to be reported (by whom/to whom) and how the situation will be resolved?	
4. Have procurement procedures been addressed in any agency audits? If so, what was the finding/recommendation?	
5. Have there been any procurement protests over the past three years? If so, what was the outcome?	
6. Have there been any complaints about violation of state and federal law or regulations in procurement actions? If so, what was the complaint and how was it resolved?	
7. Does the agency have a written procurement protest procedure? How does the agency notify the public of this procedure? (*)	
8. Are the agency's policies and procedures for transit procurements documented? (*)	
9. When was the agency's policy and procedures officially adopted by the governing board?	
10. If the transit agency is housed within/managed by another entity (COG, city, etc.), how does the transit agency manage FTA-related procurement functions: one person or department managing all purchases for the COG/city or transit department handling all FTA-related purchases?	
11. If the procurement function is handled by a separate department/person outside the transit agency, how does the transit agency ensure that FTA-funded procurements are in compliance with FTA requirements?	
12. What training has been provided to individuals who are responsible for procurements?	
13. What involvement does the agency's policy board have in procurements?	
14. Has the board overturned staff recommendations on any procurements involving transit? If so, explain.	

Procurement Questions	Response
15. Are solicitations and contractual provisions reviewed by legal counsel for conflicts with federal procurement law, state or local law, or board policies?	
16. For all state and FTA-funded procurements valued over \$10,000, has the agency submitted the procurement documents to Iowa DOT for review?	
17. Have there been any violations of the rules governing the acceptance of gifts, gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub agreements? If so, were sanctions imposed? If not, why not?	
18. Does the agency incorporate any preference for local vendors or Iowa vendors in procurements using federal funds?	
19. Is the agency aware of any local vendors/suppliers that are owned and run by minorities or women? If so, has the agency made any effort to encourage them to become certified as DBEs? Are these efforts documented and categorized by DBE semi-annual reporting periods?	
20. Describe the agency's efforts to seek out and utilize DBE vendors? Are these efforts documented and categorized by DBE semi-annual reporting periods?	
21. Who makes the determination to seek DBE participation in any particular procurement?	
22. Does the agency administer any race conscious contracts? If not, would you consider administering race conscious contracts, when feasible, to help fulfill our DBE goal?	
23. Does the agency require documentation from vendors/contractors that they have made good faith efforts to seek DBE participation in a particular procurement? What documentation does the agency require to ensure good faith DBE efforts?	
24. Does the DBE program have a "prompt payment" clause?	
25. Does the DBE program have a monitoring and enforcement mechanism to verify that work committed to DBEs at contract award is actually performed by DBEs?	
26. How does the transit agency ensure that applicable clauses and certifications are included in FTA-funded procurements exceeding the micro-purchase limit and construction contracts over \$2,000? In intergovernmental agreements and subrecipient agreements, if applicable? (*)	
27. Have any items charged to the public transit program over the past three years been purchased from businesses owned by board or staff members of the agency or by members of their families? If so, please explain how a conflict of interest was avoided.	

Procurement Questions	Response
28. In the past three years, has the agency collected liquidated damages under any transit procurement? If so, were the damages collected credited back to the grant funding the procurement?	
29. Does the agency have signed pre-award and post-delivery audit procurement certifications on file for all revenue vehicles bought over the last three years? For pre-award and post-delivery audit Buy America certifications, does the agency have the certifications and supporting documents on file? (*)	
30. For Debarment and Suspension certifications, has the agency done a full search on the System for Award Management ( <a href="http://www.sam.gov">www.sam.gov</a> ) to verify excluded parties are not participating in the covered transactions valued over \$25,000? Does this search include subcontractors? Is the search signed, dated, and kept on file? (*)	
31. Does the agency annually obtain, and keep on file, lobbying certifications from all service subcontractors, and all procurements, each valued over \$100,000? (*)	
32. Does the agency have a listing of the purchases/procurements which have been charged to the transit program over the last year?	
33. Does the agency maintain a record of the history of each procurement charged to the transit program? If so, what information is recorded?	
34. How does the transit agency ensure that it performs an independent cost estimate (ICE) before receiving bids or proposals?	
35. As part of its evaluation of bids and proposals prior to award, does the transit agency perform a cost or price analysis? If so, what is involved in that process?	
36. For micro-purchases (under \$10,000), if FTA's non-competitive process is followed, how does the agency assure an equitable distribution of awards among qualified vendors?	
37. When using FTA "micro-purchase" procurement method, how does the agency determine that the price is "fair and reasonable?"	
38. Does the agency use "brand names" in procurement specs? If so, are "equals" allowed and has the agency defined what the salient features of the brand name product are?	
39. Are "emergency" procurements subject to the agency's transit procurement policies and procedures? How many "emergency" procurements were made over the last year?	
40. If advance payments were made under any capital grants, were federal funds drawn down prior to the delivery of the merchandise or performance of the services involved?	

Procurement Questions	Response
41. Has the agency made progress payments under any FTA capital project? If so, was title to the completed work obtained prior to requesting federal reimbursement?	
42. Within the last three years, have any procurements been awarded to other than the lowest responsive and responsible bid/quote? If so, please describe the situation(s).	

## Section 8: Maintenance

Please note, items marked with an asterisk (\*) require documentation at site visit.

Maintenance Questions	Response
1. Describe the resources (organizational structure, staffing levels, experience, etc.) assigned to maintenance of FTA and Iowa DOT-funded assets, including resources of a third-party contractor if maintenance is contracted. What technical training have maintenance employees had? Does the transit agency have certification requirements for maintenance employees?	
2. Regardless of funding source for the transit agency's facility(ies), US DOT ADA regulations require all facility accessibility features be maintained and operational. How does the transit agency ensure that facility accessibility features are maintained in operational condition?	
<p><b>Facility Questions</b></p> <p><b>If the transit agency has no FTA or Iowa DOT funded facilities, please skip to Question 13.</b></p>	
3. How many FTA- and/or Iowa DOT-funded facilities does the transit agency have? How many of each: maintenance, administrative, and storage? Please note funding source: FTA or Iowa DOT or both.	
4. Are the facilities used for non-transit purposes? If so, which ones and how are they used?	
5. <b>Please provide a copy of the transit agency's facility maintenance plan at time of site visit.</b> How often are the plans reviewed and updated? (*)	
6. What are the goals, objectives, strategies, and actions of the transit agency's facility/equipment maintenance plan?	
7. Has the transit system deferred any facility or equipment maintenance since the last compliance review? Please describe the reasons for deferring.	
8. Is any FTA-funded equipment under warranty and if so, what is the process for recovering warranty claims?	

Maintenance Questions	Response
9. Does the facility maintenance program include inspections and preventive maintenance activities to ensure that assets are protected from deterioration and reach their maximum useful life? Is the program consistent with manufacturers' minimum maintenance requirements for equipment under warranty?	
10. What is the system's schedule for facility and equipment preventive maintenance inspections? Are preventive maintenance inspections being done as scheduled? If not, why?	
11. Does the maintenance program prescribe a recordkeeping system so that the maintenance history of facilities and equipment is permanently recorded? How is the program documented? (*)	
12. Do you keep records of facility maintenance costs per component or per system in a format that can be easily submitted to the DOT annually?	
<b>Vehicle Questions</b>	
13. Who is responsible for maintaining vehicles under a 'user agreement' to subcontractors? Is this documented in the contract with the subcontractor?	
14. For vehicles under a 'user agreement' with a subcontractor, what process does the transit agency use to monitor compliance with vehicle maintenance requirements, including ADA requirements?	
15. Please provide a copy of the transit agency's vehicle maintenance plan at time of site visit. How often is the plan reviewed and updated? (*)	
16. What are the goals, objectives, strategies, and actions of the transit agency's vehicle maintenance plan?	
17. How does the maintenance plan address on-board security systems?	
18. How does the maintenance plan address maintenance procedures for wheelchair lifts and other accessibility features?	
19. Are records available showing what maintenance has been done on each vehicle? During the onsite review, please be prepared with all vehicle maintenance files covering the past year, including completed preventive maintenance checklists, showing what maintenance was done for comparison to the vehicle maintenance plan. (*)	
20. Do you keep records of maintenance costs per vehicle in a format that can be easily submitted to the DOT annually?	

Maintenance Questions	Response
21. Do the preventive maintenance schedules in the plan meet the minimums required by the manufactures/suppliers/builders?	
22. Are preventive maintenance inspections being done as scheduled? If not, why?	
23. Is all work required by manufacturer's warranty provisions being performed? If not, why?	
24. Does the agency have any federally funded vehicles which traveled less than 10,000 miles last year?	
25. Has the transit system deferred any vehicle maintenance since the last compliance review? Please describe the reasons for deferring.	
26. Are any FTA-funded vehicles under warranty and if so, what is the process for recovering warranty claims?	

**ATTACHMENT 6**



FTA Title VI Program



General Template for All FTA Recipients

Iowa Department of Transportation  
800 Lincoln Way  
Ames, IA 50010

Revised 05/01/2023



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

Date: \_\_\_\_\_

**Recipient Profile**

Recipient: \_\_\_\_\_

Administrative Head: \_\_\_\_\_

Name

Title

Recipient Title VI Coordinator: \_\_\_\_\_

Name

Title

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

City/State: \_\_\_\_\_ Zip Code/County: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Website: \_\_\_\_\_

Has the recipient signed and submitted its Title VI Assurances? Yes \_\_\_\_\_ No \_\_\_\_\_

**General Requirements**

**1.**

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

Required elements:

\_\_\_\_ A statement that the agency operates programs without regard to race, color, or national origin

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

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

List locations where the notice is posted:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**2.**

- Please attach a copy of the recipient’s instructions to the public regarding how to file a Title VI discrimination complaint, including a copy of the complaint form.
- Are complaint procedures and the complaint form posted on the recipient’s website? Please provide the URL: \_\_\_\_\_

**3.**

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

	Date Filed (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
<b>Investigations</b>				
1.				
2.				
<b>Lawsuits</b>				
1.				

2.				
Complaints				
1.				
2.				

**4.**

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

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

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

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

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**5.**

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

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

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**6.**

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

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

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

<b>Group</b>	<b>Number</b>
Male	
Female	
White	
Black or African American	
American Indian or Alaskan Native	
Asian	
Native Hawaiian or other Pacific Islander	
Other	

**7.**

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

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Include a schedule of subrecipient Title VI program submissions:

(insert table or list)

**8.**

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

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

**9.**

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

**Declaration of the Respondent**

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

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Respondent

Date

**Declaration of the Administrative Head**

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

---

Respondent

Date