PACTS Executive Committee Agenda
August 4, 2020
8:30 – 10:00 a.m.
Zoom webinar: https://us02web.zoom.us/j/85118636858
Telephone: 1 646 558 8656; Webinar ID: 851 1863 6858

As of March 31, 2020 PACTS and GPCOG are holding all committee meetings via Zoom conferencing technology. We remain committed to full public access and participation in our meetings through remote access during the COVID-19 crisis. Remote meetings will be held in accordance with the requirements of LD 2167, Public Law Chapter 618.

Both the chat and Q&A features will be turned off during PACTS and GPCOG meetings to ensure full public access to telephone participants and to avoid the confusion of side conversations.

Public comment will be taken verbally during the public comment period. Members of the public who wish to speak should “raise their hands.” Participants joining by computer or mobile app can click on the “Raise Hand” button. Participants joining by telephone can dial *9.

1. Welcome – Matt Sturgis, Chair

2. Public Comment
Residents are welcome to provide up to three minutes of public comment on any issue, including items on the agenda.

3. Acceptance of July 7, 2020 meeting minutes (Attachment A)

4. PACTS Transit Committee Membership (Attachment B) – 5 minutes
Staff Report
The PACTS Bylaws grant the Executive Committee the authority to “appoint three members to the Transit Committee who are representatives of either an organization or a member of the public concerned with public passenger transportation, and interested in promoting the goals of the long range transportation plan for the region. These members shall be from the eighteen-municipality PACTS region.” The Bylaws also state that “(Transit Committee) members will serve until their replacement is appointed with the following exception: Participation by an Executive Committee appointee on the Transit Committee shall be for a three-year term, and may be for successive terms.”

Casey Gilbert, former Executive Director of Portland Downtown, was appointed by the Executive Committee to the Transit Committee in December 2017 for a three-year term ending in December 2020. At its June 2 meeting, the Executive Committee Portland Downtown Program Director Amy Geren to fill the remainder of Casey’s term. Since then, Cary Tyson has been appointed as Executive Director of Portland Downtown, and has informed staff of his willingness to serve on the Transit Committee. His curriculum vitae is included in the meeting packet as Attachment B.

*Proposed action: Appoint Portland Downtown Executive Director Cary Tyson to replace Amy Geren in filling the remainder of Casey Gilbert’s term on the PACTS Transit Committee.*

5. Adoption of Updated Civil Rights/Title VI Plan (Attachment C) – 10 minutes

Staff Report
In response to feedback from the Federal Highway Administration and Maine Department of Transportation during the PACTS recertification process in late June 2020, GPCOG made several updates to the PACTS Civil Rights Plan – including renaming the plan to better reflect its content. The proposed name is “PACTS Civil Rights Plan: Title VI, Environmental Justice, and Non-Discrimination” (replacing “PACTS Title VI, Environmental Justice, and Non-Discrimination Plan”). The other proposed updates are indicated in the document, included in the packet as Attachment C, using the “track changes” feature. A notice for public comment on these updates was posted to the Public Notices section of GPCOG.Org on June 18, 2020 and went out in an alert by email to people who subscribe to public notices. No comments were received.

*Proposed action: Adopt the updated and renamed plan.*
6. Presentation on the Medium- and Long-Term Impacts of COVID-19 (Attachment D) - 25 Minutes

**Staff Report**
Consultant, AECOM, and staff have been examining how the pandemic may impact the future of transit in our region. A draft of the report is included in the meeting packet as Attachment D. The Committee will hear a presentation on the major findings of the report, including four scenarios that depict various versions of how the future might unfold (based largely on federal funding levels and the timeliness of vaccine development) and “low-risk” recommendations that would be appropriate regardless of which scenario (or combinations of scenarios) prevail. This work informed the approach to allocating the region’s CARES funds and touches on many other areas of interest for PACTS and the PACTS region.

*Proposed action: For discussion and information only.*

7. Approval of Recommended PACTS CARES Act Phase II Funding Allocation (Attachments E, F, and G) - 25 minutes

**Staff Report**
The PACTS region received approximately $53M in CARES funds to support public transportation. Approximately $14M was allocated in Phase I, which addressed immediate operating needs of transit agencies from February 1, 2020 to June 30, 2020. Approximately $39M of CARES funds remain to be allocated. At its July 23 meeting, the Transit Committee approved a recommendation on the allocation of the next phase of funds, from July 1 to December 31, 2020, for the Executive Committee’s consideration.

The Transit Committee focused on maintaining transit service by offsetting transit agencies’ reduced operating revenue from all sources. The Committee Chair and staff developed a template framework and met with six of the seven transit agencies regarding their unique financial circumstances and needs. Staff had not been able to meet with York County Community Action Corporation prior to the Transit Committee’s July 23 meeting. The Transit Committee’s action therefore approved the proposed amount with the understanding that staff would work with YCCAC to finalize their request. The compiled agency submissions, cumulative worksheet, and draft PACTS
CARES Act Phase II Split Letter will be shared with the Committee separately when staff has had an opportunity to incorporate YCCAC’s request.

The Committee also considered the use of CARES funds to advance other initiatives to improve the region’s transit system. Several of these are particularly timely and essential to the region’s recovery from the pandemic. The total initial funding for these initiatives is estimated at $647,000, with estimates for each specific initiative listed below.

<table>
<thead>
<tr>
<th>CARES Act Initiative</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health and safety investments for community-based volunteer driver programs</td>
</tr>
<tr>
<td>Public education and customer communications to rebuild ridership. This initial phase would focus on bringing former riders back to transit, and anticipates a full-time social media support for the region</td>
</tr>
<tr>
<td>Better connect routes and schedules/efficiency study. This study includes two elements: (a) proactive planning will help transit agencies assess service adjustments during the pandemic to save funds and target services to the most likely-to-ride customer segments; (b) support to scope and execute the PACTS Executive Committee’s draft policy statement: “To make the best use of limited resources, improve efficiency, and create a cohesive and unified system for all users of public transportation, PACTS will identify, explore, and analyze opportunities for strategic partnerships, coordination, integration and/or consolidation in the region’s public transportation network.” This allocation includes the full year cost to allow for bidding consultant services.</td>
</tr>
<tr>
<td>Improve access and safety for older adults, people with disabilities, and people of color. This item provides support for inclusive transportation and scoping selected “Make Transit Easier” recommendations.</td>
</tr>
<tr>
<td><strong>Total</strong></td>
</tr>
</tbody>
</table>

The Committee also discussed assistance to municipalities with the CARES funds and a request by Concord Coach Lines to help support its Portland to Boston operations. At the Committee’s request, Concord Coach provided additional financial information in support of its request, which will be included in the worksheet to be included.
separately. The letter from GPCOG to Concord Coach, the letter from Concord Coach to GPCOG, and Concord Coach’s response to additional questions from the Transit Committee Chair are included in the packet as Attachments E, F, and G, respectively, for the Committee’s information.

In addition, staff, the region’s transit agencies, and the Transit Committee will work over the coming weeks to develop a supplemental request for cleaning and sanitation, which may include opportunities for joint procurement of services and/or products (e.g. cleaning solutions, PPE) and potential vehicle and capital upgrades that improve the health and safety for transit operators and passengers. This initiative also includes $5K for GPCOG to complete the operating procedures best practices paper.

**Proposed actions:**

- **Approve the Transit Committee’s recommended allocation of CARES Act funds for July 1 through December 31, 2020**
- **Authorize the PACTS CARES Act Phase II Split Letter.**

**8. Approval of Transit Stop Access Project Adjustment to the Six Year Capital and Operating Plan (SYCOP) and Split Letter** (Attachments H and I) – 10 minutes

**Staff Report:**

The Transit Stop Access Project management team has decided to move funds forward from Phase III of the project to Phase IIB. The total for Phase IIB will increase from $250,000 to $465,856 and the total for Phase III will decrease from $1,750,000 to $1,534,144. Phase III funds will be moved from 2021 to 2022. This necessitates a revision of the 2020 SYCOP and FFY 2019-FFY 2020 Split Letter. The April 13, 2020 Split Letter and the proposed revised Split Letter are included in the packet as Attachments H and I. The only change is to METRO’s allocation. The totals that are agreed to for each transit agency in the SYCOP are divided among remaining FFY2019 and FFY2020 funds. Adjusting METRO’s funds changed their total that is covered by FFY2019 and FFY2020 funds and thus changes slightly the percentage of each agencies’ funds from those sources. The cumulative total over FFY2019 and FFY2020 for the other agencies is unchanged.

**Proposed action:** Approve the revised SYCOP and the revised Split Letter.
9. Approval of Additional PACTS Funding for South Portland’s Route 77 Signals Project (Attachments J and K) - 10 minutes

Staff Report
The City of South Portland's Route 77 Signals project has a funding deficit based on recent construction cost estimates. This signal project is adjacent to the Casco Bay Bridge and directly impacts traffic on the drawbridge between Portland and South Portland. The estimated funding shortfall for the Route 77 signals project is $202,000. The City is requesting up to an additional 20% of the available construction funding. This is in accordance with the PACTS Executive Committee’s decision in March to increase PACTS’ maximum contribution of construction cost overages from 10% to 20%. The available construction funds for this project are $351,000. The City is requesting the full 20% or $70,200 in extra funding.

However, the City does not have the complete local match funds available for this request and is seeking additional funds that may be needed depending on the construction bids. Currently, there is $75,000 in 2021 PACTS MPI funding that is unallocated. The City is asking for the use of unallocated funding to help cover the remaining $131,800 shortfall. Any PACTS MPI funding used will be matched by the City at 50%. Therefore, the City is requesting up to $65,900 of 2021 PACTS MPI funds, depending on construction bids.

A letter from the City of South Portland (Attachment J) and a spreadsheet on the PACTS Holding WIN balance (Attachment K) are included in the packet.

*Proposed action: Approve the reallocation of $70,200 Federal Highway Administration capital funding from the Holding WIN to the South Portland Route 77 Signals project.*

*Proposed action: Approve the allocation of up to $65,900 2021 PACTS MPI funding to the South Portland Route 77 Signals project.*

10. Other Business

11. Adjourn
Upcoming Meetings:
- August 11, 8:30 a.m. – PACTS Technical Committee
- August 13, 9:30 a.m. – PACTS Transit Committee
- August 18, 9:30 a.m. – PACTS TIP Committee
- August 25, 1:00 p.m. – PACTS Transit Committee Workshop
- September 1, 8:30 a.m. – PACTS Executive Committee
PACTS Executive Committee Minutes
July 7, 2020

Committee Members | Affiliation | Attendance
Jim Bennett | Biddeford | Y
Chris Branch | Central Subregion | Y
Jennifer Brickett | MaineDOT | Y
Hope Cahan | PACTS Vice Chair | Y
Erin Courtney | Maine Turnpike Authority | Y
Eric Dudley | Western Subregion | Y
Greg Jordan | Transit Committee | Y
Matt Sturgis, Chair | PACTS Chair | Y
Sarah Tracy | Freeport | N

Guests
William Gayle | NNEPRA
Patricia Quinn | NNEPRA
Tony Scavuzzo | BSOOB Transit

For GPCOG
Andrew Clark, Kristina Egan, Ryan Neale, Elizabeth Roberts

1. Welcome—Matt Sturgis, Chair
Matt Sturgis opened the meeting and welcomed the attendees.

2. Open Public Comment
There were no public comments during this portion of the agenda.

3. Acceptance of June 2 Meeting Minutes
Hope Cahan moved to accept the minutes of the June 2 meeting; Eric Dudley seconded. All were in favor; the motion carried.
4. Approval of Additional PACTS Funding for South Portland’s Broadway Signals Project

The City of South Portland has requested additional funding in support of the Broadway signals project in light of receiving higher than estimated construction bids. PACTS policy is to contribute up to 20% of total construction costs; the City's request of $50,000 is under this threshold. These funds will also be applied towards engineering costs.

Hope moved to approve South Portland’s request as presented.

Jim Bennett noted that in the past there was a penalty to disincentivize municipalities moving forward with under-funded projects. He said the rate at which municipalities have been seeking this contingency funding recently is higher than normal. He recommended reevaluating the process in the future. Chris Branch seconded Hope's motion. He said there has been no penalty in the four years he has served on PACTS committees, and added that the bid received by South Portland was not significantly over budget.

On the motion offered by Hope and seconded by Chris, all were in favor; the motion carried.

5. PACTS Transit Committee CARES Act Recommendations

Greg Jordan provided an update on the Transit Committee's recent work. The region was allocated $53 million in CARES Act funding to support transit agencies through the coronavirus pandemic. $14 million of that was allocated to the region’s transit agencies to support operations from February 1 to June 30. The Transit Committee has been working on a framework to allocate the remaining funds. The first priority is to offset the loss of passenger-based revenue over the next three years. Other priorities include pandemic recovery, system innovation, and budget relief to municipalities that contribute local match to the region's transit agencies. The Transit Committee is refining its data collection methodology and expects to have a set of recommendations for the Executive Committee to consider at its August 4 meeting.

Hope commended the Transit Committee's efforts to incorporate system innovation in its prioritization. Matt thanked Greg for his update.
6. Consideration of Draft Language Regarding Greater Collaboration and Opportunities for Consolidation Among PACTS Region Transit Agencies

The PACTS Policy Committee adopted the draft recommendations of *Transit Tomorrow* at its June 25 meeting. Given the long-term aspirations of the plan, it was suggested that some reference to consolidation of the region's transit agencies be incorporated. This suggestion generated significant discussion, and staff was asked to draft language for the Executive Committee to further consider the issue. The suggested language is intended to initiate a process that would be exploratory, transparent, and grounded in data to identify opportunities for coordination, integration, and potential consolidation of the region's transit agencies.

Jim felt that assuming consolidation would result in improved efficiencies may be flawed. To avoid political hurdles, he urged that any analysis incorporate a better understanding of the transit system's existing efficiency and opportunities for improvement.

Hope asked how a study might be undertaken. Kristina noted that Jim's suggestion of clearly defining the problem would be an important piece, but staff has not done any significant scoping at this point. *Moving Southern Maine Forward* provides ridership and financial metrics that suggest the region's transit system could be improved, and staff had heard feedback from riders that the system's fragmentation is a barrier.

Greg agreed it would be important to clearly identify the problem and the parameters to evaluate possible solutions. He said that the pandemic underscored a tangible result of the system's fragmentation. Several agencies were forced to suspend service due to a lack of availability of drivers, not for any organizational shortcomings but for a lack of economies of scale. METRO did reduce service but due to their size was able to absorb some of the pressures from the pandemic. Greg believed agencies' suspension of service demonstrated a failure of the network due to the lack of integration.

Greg asked how the study might be structured within PACTS. Kristina referenced the structure of the *Transit Tomorrow* study, which is nested within the governing committees and advised by a standing committee composed of transit agencies and other stakeholders. She added that consolidation is only one option to improving customer service and system efficiency. Fare integration between METRO, South Portland Bus Service, and BSOOB Transit is a good example of coordination. A unified web portal and branding are examples of integration.
Tony Scavuzzo noted that 25% of transit agencies nationwide were forced to suspend service in response to the pandemic, including larger agencies in Portsmouth, Nashua, and Manchester, New Hampshire. He underscored the magnitude of the crisis, and disagreed with Greg's characterization of the suspensions of service as a failure of the network.

Jim asked whether the study would be conducted by staff or by a consultant. Kristina said it would likely require a technical consultant to assist with the analysis and a skilled facilitator to help navigate the political considerations, all managed by staff. Jim felt an outsider's perspective would be helpful. He said his main concern was the perception of a larger organization taking over the smaller organizations. He would like to see a more defined scope of work and better understanding of the methodology before moving forward. Kristina said the next step would be to identify resources to conduct the work and develop a more detailed scope to ensure stakeholder support.

Erin Courtney said that as Transit Tomorrow is a 30-year plan for the vision of transit service in the region, a statement addressing the issue of improved coordination, integration, and consolidation would be important to include.

Patricia Quinn recommended against conducting another consultant-driven study, but supported building on past momentum by supporting operators to find opportunities to work together.

Chris supported further integration of the system. He cited multiple fixed-route bus operators serving the same stops along Congress Street throughout the day as an example of inefficiency in the system.

Hope moved to adopt the draft policy statement as written; Erin seconded.

Greg felt the policy statement was broad enough to give direction to staff without leading towards any particular outcome. He stressed the analysis should be independent and objective so the committee can be comfortable with its findings.

Jim felt adopting the policy statement at this point would be a mistake. He noted an absence of pursuing strategic partnerships to help improve efficiency. He again recommended staff develop a scope in greater detail and allow the committee to
provide additional feedback. Matt suggested consolidation could take multiple forms, noting that different agencies may have different strengths. Jim agreed, but was concerned about the perception of local communities losing control. He gave several examples of failed attempts at consolidation of different local services.

Kristina suggested incorporating strategic partnerships into the statement and noted the importance of staff having general direction from the committee in order to move forward with developing a more detailed scope. Hope expressed her willingness to amend the motion and Erin noted her willingness to second. Chris recommended a vote today include staff returning to the committee with final language before moving forward with the work. Kristina clarified that work will not proceed until staff comes back with a revised proposal for the committee’s consideration. Jim clarified that he is comfortable with the current language as a draft. The final motion was to adopt the existing statement with the addition of strategic partnerships:

*To make the best use of limited resources, improve efficiency, and create a cohesive and unified system for all users of public transportation, PACTS will identify, explore, and analyze opportunities for strategic partnerships, coordination, integration and/or consolidation in the region’s public transportation network.*

All were in favor; the motion carried. This policy guidance will be used to develop a more detailed scope of work for a study that includes strategic partnerships, both subject to further revision by the committee.

7. Other Business

Staff will soon distribute a letter to member municipalities and transit agencies asking them to identify shovel-ready projects. This is to prepare for any potential federal stimulus funding and to help establish priorities for the region. Kristina noted that staff can offer technical assistance to members with this matter.

8. Adjourn

Hope moved to adjourn, and Chris seconded. With no objection, the motioned carried.
Cary Tyson serves as the Executive Director of Portland Downtown, a 501c4 organization that works to stimulate a thriving, vibrant and sustainable downtown community. Previously he served as Director of Community & Economic Development for the Kennebec Valley Council of Governments.

Prior to moving to Maine he served as Program Officer for Economic Development and Community Engagement at the Winthrop Rockefeller Institute. Prior to the WRI he served as Executive Director of the Washington State Microenterprise Association, as the Deputy Director of the Arkansas Historic Preservation Program, Director and Assistant Director of Main Street Arkansas. He was elected to the national Main Street Advisory Council and served as its chair from 2011-2012. He served as a Trustee for the National Trust for Historic Preservation, on the St. Louis Federal Reserve Bank’s Community Development Advisory Board. He was appointed by Governor Mike Beebe to the Governor’s Advisory Council on Volunteerism. He holds a Master’s Degree in Public Administration and a Bachelor’s of Arts in English both from the University of Arkansas at Little Rock. Cary served as Secretary of Discover Downtown Westbrook, Maine and on the board of the Kennebec Valley Tourism Council from 2018-2020. He also serves on the Maine Alliance for Smart Growth.

Cary is a graduate of the Community Development Institute, holds a certificates as a Certified Public Manager Program, Certified Volunteer Manager and Economic Gardening (the latter via the Edward Lowe Institute). He is a veteran of the Air National Guard. Mr. Tyson was named a 2020 Walking Fellow by America Walks, the nation’s leading advocacy organization working to advance safe, equitable, accessible and enjoyable places to walk and move.
PACTS CIVIL RIGHTS PLAN:
Title VI, Environmental Justice, and Non-Discrimination

UPDATE AUGUST 4, 2020

The Metropolitan Planning Organization for the Portland Urbanized Area
970 Baxter Boulevard, Suite 201 • Portland, Maine 04103
PACTS CIVIL RIGHTS PLAN: TITLE VI, ENVIRONMENTAL JUSTICE, AND NON-DISCRIMINATION

October 1, 2019 – September 30, 2020

This plan was prepared for PACTS by the Greater Portland Council of Governments:

Zoe Miller, MPH, Director of Community Engagement
Rick Harbison, Senior Planner
Sara Zografos, Transportation Director
Ryan Neale, Transportation Project Manager

This document is available online at www.pactsplan.org. To request translations, print copies or in large print, please contact GPCOG staff.

By Mail:
Zoe Miller, Director of Community Engagement
Greater Portland Council of Governments
970 Baxter Boulevard, Suite 201
Portland, ME 04103
Attn: Civil Rights

By Telephone:
207-774-9891

By Fax:
207-774-7149

By Email:
zmillerinfo@gpcog.org
TABLE OF CONTENTS

CHAPTER 1: BACKGROUND AND PURPOSE ................................................................. 4
ABOUT PACTS .................................................................................................................. 4
FEDERAL REQUIREMENTS AND GUIDANCE ............................................................. 4
PURPOSE OF PLAN ........................................................................................................ 5

CHAPTER 2: RESPONSABILITIES AND REPORTING .................................................. 6
TITLE VI COMPLIANCE PLAN ...................................................................................... 6
ANNUAL TITLE VI CERTIFICATIONS & ASSURANCES ............................................ 6
PUBLIC NOTICE TO BENEFICIARIES ...................................................................... 6
SUBRECIPIENT OVERSIGHT & GUIDANCE ............................................................... 6
PACTS ENDORSEMENT ................................................................................................. 6
COMPLAINT PROCEDURES ......................................................................................... 6
TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS ................................. 6
PACTS LANGUAGE ACCESS PLAN ............................................................................ 6
MINORITY REPRESENTATION ON PLANNING AND ADVISORY BODIES ............... 7
PUBLIC INVOLVEMENT ............................................................................................... 7
DEMOGRAPHIC PROFILES ......................................................................................... 7
ANALYSIS OF BENEFITS & DISPARATE IMPACTS .................................................. 7
MOBILITY NEEDS OF TITLE VI POPULATIONS ....................................................... 7
FTA TITLE VI COMPLIANCE REVIEWS .................................................................... 8
ANNUAL GOALS AND ACCOMPLISHMENTS ............................................................ 8

CHAPTER 3: DEMOGRAPHIC PROFILES OF PROTECTED POPULATIONS ............... 9
POPULATION LIVING BELOW POVERTY LEVEL ........................................................ 10
MINORITY POPULATION ............................................................................................. 11
POPULATION OVER 65 YEARS OLD .......................................................................... 12
POPULATION WITH LIMITED ENGLISH PROFICIENCY .......................................... 13
POPULATION LIVING WITH A DISABILITY ............................................................... 14
HOUSEHOLDS WITH NO VEHICLES ....................................................................... 15
FOREIGN BORN POPULATION ............................................................................... 16
EQUITABLE TARGET AREAS (ETAs) ......................................................................... 17
REGIONAL DATA SUMMARY ..................................................................................... 18

CHAPTER 4: LANGUAGE ACCESS PLAN ................................................................. 20
DETERMINING THE NEED OF LIMITED ENGLISH PROFICIENCY ............................ 21

APPENDIX A: PACTS POLICY STATEMENT ............................................................... 24
APPENDIX B: PACTS TITLE VI ASSURANCE ............................................................ 25
APPENDIX C: DISCRIMINATION COMPLAINT PROCEDURES ............................... 28
APPENDIX D: DEFINITIONS ......................................................................................... 31
APPENDIX E: APPENDICES TO STANDARD TITLE VI ASSURANCES .................... 34
APPENDIX F: FTA CIRCULAR 4702.1B DATA COLLECTION & REPORTING ............ 35
APPENDIX G: ANNUAL GOALS & ACCOMPLISHMENTS REPORT .......................... 47
APPENDIX H: PACTS PUBLIC INVOLVEMENT PLAN ............................................. 49
CHAPTER 1: BACKGROUND AND PURPOSE

ABOUT PACTS
PACTS – the Portland Area Comprehensive Transportation System – was designated in 1975 as the federally mandated Metropolitan Planning Organization (MPO) for the Greater Portland region. The PACTS region encompasses 18 municipalities with a total population of approximately 280,000 people. The region spans two counties and includes rural, suburban, and urban municipalities.

As an MPO, PACTS is responsible for leading the federally required metropolitan transportation-planning process for the Greater Portland region. PACTS uses the 3C planning process – Continuing, Cooperative, and Comprehensive – to develop a vision for the region and then decides how to allocate federal and state transportation funds to programs and projects that support this vision. Transportation activities led by PACTS include plans, studies, and investment programs for roads, bridges, public transportation, and facilities for pedestrians and bicyclists.

FEDERAL REQUIREMENTS AND GUIDANCE
To perform the 3C planning process, PACTS receives funding from both the Federal Transit Administration (FTA) and Federal Highway Administration (FHWA). As a recipient of this federal funding, PACTS is required to comply with various civil rights statutes, executive orders, and regulations that are intended to ensure that traditionally underserved populations are included in the planning process, benefit equally from investments, and do not experience a disparately negative impact from decisions. These civil rights authorities are summarized below.

Title VI
Title VI of the Civil Rights Act of 1964 states that “no persons in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” Title VI requires recipients of federal financial assistance from the U.S. Department of Transportation to assess the nature, extent, and incidence of probable impacts, both negative and positive, from any transportation-related activity on racial and ethnic minority, low-income and other disadvantaged populations.

Language Access
Issued in 2000, Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency (LEP)”, directs federal agencies and recipients of federal funding to provide meaningful language access to their services. Under Title VI, LEP is considered the primary marker of national origin. Agencies receiving federal financial assistance have a responsibility to ensure meaningful access to their programs and activities by persons with limited English proficiency. See 28 CFR 42.104(b)(2).

Environmental Justice
Executive Order 12898, “Federal Actions to Address Environmental Justice (EJ) in Minority Populations and Low-income Populations,” issued in 1994, requires federal agencies and recipients of their funding to address EJ concerns. The Executive Order on Environmental Justice strengthened the Title VI protections by adding low-income populations.

**Americans with Disabilities Act (ADA)**

Signed into law in 1990, the Americans with Disabilities Act (ADA) of 1990 prohibits public entities from discriminating against qualified persons with a disability or excluding them from participation in, or denying them of the benefits of, the services, facilities, programs, that the public entity provides. For PACTS, these services, facilities or activities are related to the planning, design, construction, maintenance, and operations of transportation systems.

**PURPOSE OF PLAN**

Both the FTA and FHWA require PACTS to comply with these civil rights mandates by developing programs to include underserved populations and by monitoring and reporting regularly on the programs’ success. PACTS strives to ensure that the PACTS planning process and its decisions on funding transportation projects attain equitable distribution of services, facilities and resources within the PACTS planning area. In response to the above civil rights mandates outlined above, PACTS maintains this plan, which is developed in accordance with all relevant federal laws and regulations. The plan includes:

- Federal and State Reporting Requirements
- Demographic profiles including the methodology and analysis used to identify relevant groups covered by Title VI
- PACTS Language Access Plan
- All Required Certifications and Assurances
- PACTS Complaint Procedures
- Accomplishments of PACTS Civil Rights Program for the most recent Federal Fiscal Year
- Goals of PACTS Civil Rights Program for the next Federal Fiscal Year
CHAPTER 2: RESPONSIBILITIES AND REPORTING

The GPCOG Transportation Director and the PACTS Title VI Coordinator have the lead responsibility for ensuring compliance with Title VI, Environmental Justice, and the Americans with Disabilities Act. PACTS compliance is monitored by FTA, FHWA, and the Maine Department of Transportation (MaineDOT). To maintain compliance under these civil rights authorities, PACTS has the following responsibilities and must provide the related assurances.

TITLE VI COMPLIANCE PLAN

PACTS is required to maintain this plan – the PACTS Title VI, Environmental Justice, ADA Plan – and update it each year by October 1.

ANNUAL TITLE VI CERTIFICATIONS & ASSURANCES

PACTS FTA and FHWA Title VI assurances for FFY 2020 are included as Appendices of this document.

PUBLIC NOTICE TO BENEFICIARIES

PACTS is required to post information about Title VI protections on its website and in public areas of its office. PACTS will disseminate the Title VI, Environmental Justice, Non-Discrimination Plan to PACTS members, staff, stakeholders and the general public.

SUBRECIPIENT OVERSIGHT & GUIDANCE

This Title VI plan will be submitted to subrecipients and contractors. PACTS will include Title VI assurances in consultant contracts and will post the PACTS Policy Statement on the PACTS website.

PACTS ENDORSEMENT

PACTS endorsement is included as an Appendix A at the end of this document.

COMPLAINT PROCEDURES

If any individual believes that they or any other program beneficiaries have been the object of an unequal treatment or discrimination as to the receipt of benefits and/or services, or on the grounds of race, color, national origin (including Limited English Proficiency), sex, age, or handicap, they may exercise their right to file a complaint with PACTS. Complaints may be filed with the GPCOG Transportation Director or the Title VI Coordinator. Every effort will be made to resolve complaints informally at the lowest level. Complaints may also be filed directly with the MaineDOT and/or the appropriate federal agency. The procedures and complaint form are available on the PACTS website and included as Appendix C.

TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS

PACTS did not receive any Title VI complaints in FFY19, nor has PACTS been involved in any investigations or lawsuits.

PACTS LANGUAGE ACCESS PLAN

To ensure meaningful access to and participation in PACTS programs by LEP persons, PACTS has developed a Language Access Plan (LAP). The LAP outlines how PACTS assesses the need for...
language services and implements those services within the budgetary constraints of the organization. The LAP is provided in Chapter 4 of this document.

MINORITY REPRESENTATION ON PLANNING AND ADVISORY BODIES
PACTS does not currently have any planning or advisory bodies for which PACTS selects the membership. As outlined in the 2019 update to the PACTS Public Involvement Plan, PACTS has the goal of piloting approaches for supporting meaningful involvement by underrepresented communities on the PACTS governance committees. PACTS often consults the Transportation & Community Well-Being Network for input on projects and programs. The Network is an ad hoc group of stakeholders including representatives from health care, housing, aging and disability organizations, as well as people with lived experience of transportation barriers. The Network is convened by GPCOG.

PUBLIC INVOLVEMENT
During the development and adoption of its federally mandated plans and programs, PACTS identifies and implements strategies for meaningfully engaging protected populations. The PACTS Public Involvement Plan (Appendix H) outlines the numerous ways that PACTS informs, engages, and involves Title VI populations, and LEP in particular. A summary of outreach conducted in FFY 2019 is included in Appendix G, Annual Goals & Accomplishments Report.

DEMOGRAPHIC PROFILES
PACTS is required to maintain updated demographic profiles of protected populations and minority representation. These are provided in Chapter 3 of this document.

ANALYSIS OF BENEFITS & DISPARATE IMPACTS
PACTS has developed an equitable target areas map of the region (see Chapter 3). This dataset will be used in the development of the Unified Planning Work Plan (UPWP), Transportation Improvement Plan (TIP), and Long Range Transportation Plan (LRTP). In FFY 2020, PACTS will develop an analysis and public-facing interactive map that shows these areas relative to capital and public transportation investments.

MOBILITY NEEDS OF TITLE VI POPULATIONS
PACTS has been working with GPCOG to better integrate the needs of those who rely on public transit, volunteer driver programs, and rides from family and friends into its overall transportation planning. Using focus groups with partner organizations, outreach in multiple languages, and other face-to-face engagement techniques, PACTS is working to reflect the needs and perspectives of protected populations in its planning process and its decisions on funding transportation projects. PACTS 2020-2021 priorities include: “Expand Mobility for All: To better meet the diverse transportation needs of people with mobility challenges, PACTS will integrate mobility management solutions into our public transportation and capital improvements planning.” The 2019 PACTS Public Involvement Plan (Appendix H) provides a set of goals and strategies for advancing the inclusion of underrepresented communities. These include:

- Expanding use of inclusive engagement in PACTS plans and studies
- Strengthening partnerships to engage underrepresented communities
- Piloting approaches for meaningful involvement by underrepresented communities on PACTS Governance Committees
FTA TITLE VI COMPLIANCE REVIEWS
At least every three years in August, a report will be submitted to FTA in accordance with FTA Circular 4702.1B, Title VI Program Guidelines for Federal Transit Administration recipients. The report may be submitted more often should conditions warrant.

ANNUAL GOALS AND ACCOMPLISHMENTS
An annual report will be prepared and submitted to MaineDOT by September 30th of each year. This report will outline goals for the coming year and review the accomplishments achieved toward the previous year’s goals. See Appendix G for the 2019 report.
CHAPTER 3: DEMOGRAPHIC PROFILES OF PROTECTED POPULATIONS

This section provides a mapping and data analysis of protected population groups, and some additional groups with barriers to transportation access, in the PACTS region. Using U.S. Census American Community Survey 2013-2017 5-year estimates, the following population groups were mapped and evaluated:

- Population Living Below Poverty Level
- Racial/Ethnic Minority Population
- Population Over 65 Years Old
- Population with Limited English Proficiency
- Population with Disabilities
- Households with No Vehicles
- Foreign Born Population
- Equitable Target Areas (ETAs)¹

¹A more detailed description of data sources is provided at the end of the section

PACTS uses these maps to inform plans, studies, and programs, in particular the UPWP and the TIP, to evaluate the equitable distribution of transportation benefits and potentially adverse impacts caused by future projects. These maps can also be used to verify past compliance with Title VI. Identifying prior PACTS projects and mapping them against these maps will let PACTS know if fair and equitable distribution of services, facilities, and resources within the PACTS planning area has been achieved.

¹ In addition to the individually themed maps, PACTS and GPCOG staff have developed an “Equitable Target Areas” map. This map is a composite of all mapped data points for each census tract. Each parameter received equal weighting. The ETAs were then categorized into three levels of ETA concentrations: Very High, High, and Medium.
POPULATION LIVING BELOW POVERTY LEVEL

Data Source: U.S. Census 2013-2017 ACS 5-yr Estimate | Geography: Census Block Group
MINORITY POPULATION

Percent Minority Population

Data Source: U.S. Census 2013-2017 ACS 5-yr Estimate | Geography: Census Block Group
POPULATION OVER 65 YEARS OLD

Percent of Population Age 65 and Over

Data Source: U.S. Census 2013-2017 ACS 5-yr Estimate | Geography: Census Block Group
HOUSEHOLDS WITH NO VEHICLES

Percent of Households with No Vehicle Available

Data Source: U.S. Census 2013-2017 ACS 5-yr Estimate | Geography: Census Block Group
EQUITABLE TARGET AREAS (ETAs)

The Equitable Target Area (ETA) Index is a composite of all previously mapped data points for each census tract. Each parameter received equal weighting. The ETAs were then categorized into three levels of ETA concentrations: Very High, High, and Medium.
REGIONAL DATA SUMMARY

Table 1, below, provides totals for the PACTS region for each of the six population groups identified for Title VI / Environmental Justice analysis.

Table 1: Protected Population Groups in the PACTS Region

<table>
<thead>
<tr>
<th>Population Group</th>
<th>Count</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population Living Below Poverty Level</td>
<td>29,558</td>
<td>11%</td>
</tr>
<tr>
<td>Minority Population</td>
<td>27,651</td>
<td>10%</td>
</tr>
<tr>
<td>Households with No Vehicles</td>
<td>9,721</td>
<td>8%</td>
</tr>
<tr>
<td>Population Over 65 Years Old</td>
<td>45,469</td>
<td>16%</td>
</tr>
<tr>
<td>Population Living with a Disability</td>
<td>32,688</td>
<td>12%</td>
</tr>
<tr>
<td>Population with Limited English Proficiency</td>
<td>8,093</td>
<td>3%</td>
</tr>
<tr>
<td>Foreign Born Population</td>
<td>18,883</td>
<td>7%</td>
</tr>
</tbody>
</table>

According to the latest 2013-2017 American Community Survey 5-Year Estimate, the 18 municipalities that comprise PACTS are home to approximately 280,499 people and 116,378 households. From these totals, considerable portions of the population fall within one (or more) of the population groups of high concern shown above. Table 2, below, provides a breakdown of race/ethnicity totals for the PACTS region.

Table 2: Race/Ethnicity in the PACTS Region

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Count</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black</td>
<td>8,695</td>
<td>3%</td>
</tr>
<tr>
<td>Hawaiian</td>
<td>16</td>
<td>0.01%</td>
</tr>
<tr>
<td>White</td>
<td>252,849</td>
<td>90%</td>
</tr>
<tr>
<td>Asian</td>
<td>6,173</td>
<td>2%</td>
</tr>
<tr>
<td>Hispanic</td>
<td>6,063</td>
<td>2%</td>
</tr>
<tr>
<td>American Indian</td>
<td>691</td>
<td>0.3%</td>
</tr>
<tr>
<td>Single Race Other</td>
<td>336</td>
<td>0.3%</td>
</tr>
<tr>
<td>Two or More Races Other</td>
<td>5,676</td>
<td>2%</td>
</tr>
<tr>
<td>Total</td>
<td>280,499</td>
<td>100%</td>
</tr>
</tbody>
</table>

About the Data

The following is a brief description of data sources used in the previous analysis. All data values are taken from the U.S. Census Bureau’s 2013-2017 American Community Survey 5-Year Estimate.

- **Population Living Below Poverty Level**: This dataset contains the estimated number of persons with income in the past 12 months who are below the poverty level and for whom poverty status can be determined. Poverty status cannot be determined for people in institutional group quarters such as prisons or nursing homes, college dormitories, military barracks, or living situations without conventional housing. The Census Bureau uses a set of money income thresholds that vary by family size and composition to determine who is in poverty. If the total income for a family falls below the relevant threshold, then the family (and every individual in it) or unrelated individual is considered in poverty.

- **Minority Population**: The data values were calculated by taking the total population minus the white (not Latino, Not Hispanic) population.

- **Households with No Vehicles**: This dataset represents the count of occupied housing units, categorized by the number of vehicles available. There are four vehicle availability categories (no vehicle, one vehicle, two vehicles, and three or more vehicles).

- **Population Over 65 Years Old**: This dataset represents the population age 65 and over.

- **Population Living with a Disability**: This dataset represents the civilian noninstitutionalized population living with a disability. The civilian noninstitutionalized population is defined as “all U.S. civilians not residing in institutional group quarters facilities such as correctional institutions, juvenile facilities, skilled nursing facilities, and other long-term care living arrangements.” The Census Bureau defines a disability as a “long-lasting physical, mental, or emotional condition. This condition can make it difficult for a person to do activities such as walking, climbing stairs, dressing, bathing, learning, or remembering. This condition can also impede a person from being able to go outside the home alone or to work at a job or business.”

- **Population with Limited English Proficiency**: This dataset represents the count of people age 5 and over categorized into two groups based on the ability to speak English. The first grouping includes people who speak English very well. The second group are those individuals who speak a language other than English at home and who speak English less than very well.

- **Foreign Born Population**: This dataset represents the count of people who are foreign born. Foreign-born is defined by the American Community Survey as “people who are not U.S. Citizens at birth. This includes naturalized U.S. citizens, lawful permanent residents (immigrants), temporary migrants (such as foreign students), humanitarian migrants (such as refugees and asylees), and persons illegally present in the United States.”
CHAPTER 4: LANGUAGE ACCESS PLAN

Executive Order 13166: Improving Access to Service for Persons with Limited English Proficiency, which requires meaningful access to all federally assisted programs and activities by persons with Limited English proficiency (LEP), was signed into law in August 2000. Executive Order 13166 states that individuals who do not speak English well and who have a limited ability to read, write, speak or understand English are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit or encounter. It reads in part:

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.

Federal agencies are required to prepare LEP plans, and all recipients of federal financial assistance must comply with Title VI and LEP guidelines of the federal agency from which funds are provided. The FHWA has mandated that all “…recipients must take reasonable steps to ensure that such persons have meaningful access to the programs, services and information those recipients provide, free of charge…”

Who is a Limited English Proficient Person?

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be considered limited English proficient. The U.S. Census Bureau reports data based on four categories of English-speaking ability: very well, well, not well, and not at all. In this Plan, LEP refers to anyone age 5 and over who reported speaking English “less than very well.” Language for LEP persons can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by PACTS or other government agencies.

Framework for Deciding When Language Services are Needed

As a recipient of federal funds, PACTS must take reasonable steps to ensure meaningful access to the information and services it provides. Under guidance from the U.S. Department of Transportation, and in accordance with Circular FTA 4702.1B, four factors are considered in determining “reasonable steps.” This “Four-Factor Analysis” is outlined below:

- **Factor 1:** The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient;
- **Factor 2:** The frequency with which LEP persons come in contact with the program;
- **Factor 3:** The nature and importance of the program, activity, or service provided by the program to people’s lives; and
- **Factor 4:** The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach.
DETERMINING THE NEED OF LIMITED ENGLISH PROFICIENCY

The following is a self-assessment of need in the PACTS region in relation to the four-factor analysis and the transportation planning process.

Factor 1: The number and proportion of LEP persons likely to be encountered by PACTS.

The first step in determining components of an LEP Plan is to understand the proportion of LEP persons who may encounter the PACTS regional transportation planning process, their literacy skills in English, their native language, and the location of their communities and neighborhoods.

To do this, PACTS evaluated the level of English literacy and to what degree individuals in our planning area speak a language other than English and what those languages are. PACTS conducted this analysis using the most recent U.S. Census American Community Survey 2013-2017 5-year estimate data. As Table 3 shows, in the PACTS region there are an estimated 8,093 residents over age 5 who report speaking English less than very well. This accounts for approximately 3% of the total PACTS population (over age 5) which is estimated at 266,701 people. (The most recent estimate for the total PACTS population, including those under age 5, is 280,499 people).

Table 3: Ability to Speak English in the PACTS Region

<table>
<thead>
<tr>
<th>Ability to Speak English</th>
<th>Count</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very Well</td>
<td>258,608</td>
<td>97%</td>
</tr>
<tr>
<td>Less Than Very Well</td>
<td>8,093</td>
<td>3%</td>
</tr>
<tr>
<td>Total</td>
<td>266,701</td>
<td>100%</td>
</tr>
</tbody>
</table>


Highest Limited English Proficiency Neighborhoods

Table 4 shows specific Census estimates of counts and percentages for the 10 census tracts (listed by approximate neighborhood), with the highest proportion of people with limited English proficiency. (These census tracts are also shown in the “Population with Limited English Proficiency” map in the Demographics section).

Table 4: Highest Limited English Proficiency Neighborhoods in the PACTS Region

<table>
<thead>
<tr>
<th>Approximate Neighborhood</th>
<th>City</th>
<th>Total*</th>
<th>Count</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>West Bayside</td>
<td>Portland</td>
<td>2,508</td>
<td>760</td>
<td>30.3%</td>
</tr>
<tr>
<td>East Bayside</td>
<td>Portland</td>
<td>2,993</td>
<td>458</td>
<td>15.3%</td>
</tr>
<tr>
<td>Riverton</td>
<td>Portland</td>
<td>5,301</td>
<td>774</td>
<td>14.6%</td>
</tr>
<tr>
<td>Parkside</td>
<td>Portland</td>
<td>2,599</td>
<td>369</td>
<td>14.2%</td>
</tr>
<tr>
<td>West End</td>
<td>Portland</td>
<td>4,514</td>
<td>483</td>
<td>10.7%</td>
</tr>
<tr>
<td>Nason’s Corner</td>
<td>Portland</td>
<td>3,533</td>
<td>325</td>
<td>9.2%</td>
</tr>
<tr>
<td>Portland Downtown / Waterfront</td>
<td>Portland</td>
<td>2,442</td>
<td>210</td>
<td>8.6%</td>
</tr>
<tr>
<td>Downtown Biddeford</td>
<td>Biddeford</td>
<td>7,095</td>
<td>525</td>
<td>7.4%</td>
</tr>
<tr>
<td>Broadview / Stanwood Park</td>
<td>South Portland</td>
<td>3,069</td>
<td>221</td>
<td>7.2%</td>
</tr>
<tr>
<td>Libbytown</td>
<td>Portland</td>
<td>2,645</td>
<td>164</td>
<td>6.2%</td>
</tr>
</tbody>
</table>

The census tracts with the highest concentration of LEP individuals are largely in Portland, with one tract in Downtown Biddeford and one tract in South Portland.

For more information on what specific languages are spoken in these households, PACTS has found that the most reliable and detailed source of information is the local school departments. According to the Portland Public School Department, approximately one out of every three students in Portland schools speak a primary language other than English at home. Of the 60 languages spoken, the most commonly identified by students/families are shown in descending order in Table 5 below. According to school department staff, Portuguese, French, and Lingala speakers are currently the fastest growing language groups, and Portuguese recently passed Arabic as the second highest non-English language spoken at home in the district.

<table>
<thead>
<tr>
<th>Language</th>
<th>Count</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Somali</td>
<td>416</td>
<td>20%</td>
</tr>
<tr>
<td>Portuguese</td>
<td>341</td>
<td>16%</td>
</tr>
<tr>
<td>Arabic</td>
<td>321</td>
<td>15%</td>
</tr>
<tr>
<td>French</td>
<td>295</td>
<td>14%</td>
</tr>
<tr>
<td>Spanish</td>
<td>247</td>
<td>12%</td>
</tr>
<tr>
<td>Vietnamese</td>
<td>82</td>
<td>4%</td>
</tr>
<tr>
<td>Kinyarwanda</td>
<td>68</td>
<td>3%</td>
</tr>
<tr>
<td>Khmer</td>
<td>66</td>
<td>3%</td>
</tr>
<tr>
<td>Lingala</td>
<td>57</td>
<td>3%</td>
</tr>
<tr>
<td>Other</td>
<td>221</td>
<td>10%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2,114</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

*2018-2019 data provided by the Portland Public School Department.

Factor 2: How LEP persons interact with PACTS, and the frequency with which LEP persons come in contact with programs, activities or services of PACTS.

PACTS has identified the languages, outlined above in Factor 1, as the most prevalent languages spoken by the LEP population in the PACTS area. The LEP population in this region will likely continue to grow, increasing the probability of future contact with PACTS.

PACTS conducts regular committee meetings and public hearings throughout the year. Community outreach and the PACTS website are the main sources of potential contact between PACTS and LEP persons. As a result, the frequency of contact is difficult to anticipate. The PACTS Public Involvement Plan highlights the need for outreach opportunities that engage the population groups that are traditionally not involved in the transportation process.
Factor 3: The nature and importance of programs, activities or services to the LEP population.
PACTS programs use federal funds to implement and plan for future transportation improvements and projects, and therefore this work impacts every resident of the region. PACTS does not manage any direct services or programs that provide vital, immediate or emergency assistance, such as medical treatment or services for basic needs like food or shelter. Further, PACTS does not conduct required activities such as applications, interviews, or other activities prior to participation in its programs or events. Involvement by any citizen with PACTS or its committees is voluntary. However, PACTS is committed to ensuring that all segments of the population, including LEP persons, are involved or have had the opportunity to be involved in the transportation planning process to be consistent with the goal of the Federal Environmental Justice program and policy.

Factor 4: The resources available to the recipient and overall costs to provide LEP assistance.
PACTS is committed to ensuring that its public meetings, documents, and website are accessible to people with limited English proficiency. To support this, PACTS allots financial resources and staff time for all plans and programs as budgets allow, PACTS regularly contracts with the Maine Access Immigrant Network and House of Languages to provide translation and interpreter services.
APPENDIX A: PACTS POLICY STATEMENT

The Portland Area Comprehensive Transportation System (PACTS) is committed to ensuring that the fundamental principles of equal opportunity are upheld in all decisions involving our employees and contractors/consultants and to ensuring that the public-at-large is afforded access to our programs and services.

To that end, no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any PACTS program or activity on the grounds of race, color, national origin, income, sex, age, disability, or limited English proficiency. PACTS assures all its programs and activities will be free from discrimination, whether those programs and activities are federally funded or not.

PACTS conducts its Title VI / Environmental Justice Program in a team approach involving all PACTS personnel. The Director of PACTS is responsible to ensure compliance by PACTS with the Title VI / EJ implementing regulations.

Inquiries concerning PACTS policies, investigations, complaints, compliance with applicable laws, regulations, and concerns regarding compliance with Title VI / Environmental Justice may be directed to the Director, Portland Area Comprehensive Transportation System, 970 Baxter Boulevard, Suite 201, Portland, Maine, telephone 207-774-9891.

This policy statement must be circulated throughout PACTS and be included by reference in all contracts, agreements, programs and services administered by PACTS.

Sara Zografos, GPCOG Transportation Director
October 16, 2019
APPENDIX B: PACTS TITLE VI ASSURANCE

The United States Department of Transportation (USDOT)
FHWA STANDARD TITLE VI/NONDISCRIMINATION ASSURANCES
DOT Order No. 1050.2A

The Portland Area Comprehensive Transportation System (herein referred to as the “Recipient”), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the Federal Highway Administration (FHWA), is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity,” for which the Recipient receives Federal financial assistance from DOT, including FHWA.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Nondiscrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its federally assisted programs:

1. The Recipient agrees that each “activity,” “facility,” or “program,” as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an “activity”) facilitated, or will be (with regard to a “facility”) operated, or will be (with regard to a “program”) conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.

2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Federal Highway Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

"The Portland Area Comprehensive Transportation System, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively insure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.

4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.

5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.

7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
   a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
   b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.

8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
   a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
   b. the period during which the Recipient retains ownership or possession of the property.

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

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

**FHWA may include additional Specific Assurances in this section.**

By signing this ASSURANCE, the Portland Area Comprehensive Transportation System also agrees to comply (and require any subrecipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the FHWA and USDOT access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by FHWA and USDOT. You must keep records, reports, and submit the material for review upon request to FHWA and USDOT, or their designees in a timely,
The Portland Area Comprehensive Transportation System gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation. This ASSURANCE is binding on the Portland Area Comprehensive Transportation System, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors’, transferees, successors in interest, and any other participants in its programs. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

DATED: October 16, 2019

Sara Zografos
GPCOG Transportation Director

Appendices A, C, D, and E
APPENDIX C: PACTS CIVIL RIGHTS DISCRIMINATION COMPLAINT PROCEDURES

Any person alleging who believes they were subjected to discrimination based on race, color, or national origin, limited English proficiency, sex, age, or disability has a right to file a complaint within 180 days of the alleged discrimination. At the discretion of the complainant, the complaint may be filed with the federal department, the state recipient, or the agency providing the service (e.g. Federal Highway Administration (FHWA), Federal Transit Administration (FTA), or Maine Department of Transportation (MaineDOT). The complaint may be filed through a legal representative. The identity of the complainant is not necessary, provided the information is sufficient to determine the identity of the recipient and indicates the possibility of a violation. If the complaint is submitted to PACTS, then the following procedures will be followed.

A. All complaints, written or verbal, made to PACTS shall be accepted in the event Title VI Coordinator, including through an interpreter. When a complainant sets forth the allegations verbally and refuses to reduce such allegations to writing, the person to whom the complaint is made shall reduce the elements of the complaint to writing.

B. Complainants, whether written or verbal, should contain the following information:
   i. Name, address and telephone number of the complainant if available.
   ii. Name and location of the entity delivering the service.
   iii. Nature of the incident that led the complainant to believe discrimination was a factor.
   iv. Basis of the complaint, i.e., race, color, national origin, limited English proficiency, sex, age, or disability.
   v. Names, addresses and phone numbers of people who may have knowledge of the event.
   vi. Date or dates on which the alleged discriminatory event or events occurred.
   vii. A complaint log shall be kept by PACTS for the record and date of submission of the complaint by PACTS to the proper federal authorities.

C. Complaint investigation process:

Complaints
   i. Complaints received by PACTS shall be handled forwarded to the MaineDOT Civil Rights Department for evaluation within 90 days of their receipt by PACTS, depending on the nature of 72 hours.
   ii. PACTS will log the complaint and the complexity of the investigation.
   iii. A certified letter shall be sent by PACTS acknowledging receipt of the complaint to the complainant.
   iv. MaineDOT will forward the complaint to the appropriate federal agency, either the Federal Transit Administration, and MaineDOT (for complaints related to bus.

Commented [ZM2]: This was updated extensively per feedback from MaineDOT and FHWA.
paratransit or demand-response service) or the Federal Highway Administration (for complaints related to roads, bridges, sidewalks, pedestrian/bicycle facilities) for processing and potential investigation.

iii. A preliminary inquiry shall be conducted by PACTS on all complaints to substantiate or refute the allegations.

iv. If the preliminary inquiry by PACTS indicates that the complaint is valid, then a full complaint investigation shall be initiated. A certified letter shall be sent by PACTS to the complainant and any persons of interest notifying them that an investigation has begun, and they should contact PACTS to schedule a date, time, and place for their statement to be taken. The complainant, along with any additional persons of interest, shall also be notified at this time that no discussion should take place regarding this complaint other than with the investigator without prior approval and knowledge from the investigator.

v. If the allegations are not substantiated, a certified letter shall be sent by PACTS to the complainant and MaineDOT that contains a description of the allegations investigated, the scope of the investigation, the facts learned and a closing statement summarizing the basis on which the determination was made.

vi. If the allegations are found to have merit, a certified letter shall be sent by PACTS to the complainant and MaineDOT that contains the results of the investigation, recommendations, and a detailed plan of action as well as a means and time frame for follow-up to the recommendations. The complainant or his/her representative and MaineDOT will be advised of each step of the process by PACTS.

vii. If the FHWA Office of Civil Rights determines a Title VI or ADA complaint against PACTS can be investigated by MaineDOT, the FHWA Office of Civil Rights may delegate the task of investigating the complaint to MaineDOT Civil Rights Office. MaineDOT will conduct the investigation and forward the Report of Investigation to the FHWA Office of Civil Rights for review and final disposition.

viii. The disposition of all Title VI complaints will be undertaken by the FHWA Office of Civil Rights, through either (1) informal resolution or (2) issuance of a Letter of Finding of compliance or noncompliance with Title VI and ADA. A copy of the Letter of Finding will be sent to the FHWA Division Office.

D. Records and investigative working files shall be kept for a period of three years.
PORTLAND AREA COMPREHENSIVE TRANSPORTATION SYSTEM

Civil Rights Discrimination Complaint Form —
Title VI (race, color, national origin), Nondiscrimination (sex, age) and ADA/Section 504 (disability)

1. Name:
2. Address:
3. Telephone Number:
4. Name of person or organization charged with discrimination (respondent):
5. Date of alleged discriminatory act:
6. Type of discrimination:
7. Please write a summary of the facts supporting your complaint (use additional pages as necessary):
8. Names of witnesses to the alleged discriminatory act:
9. What do you want as a remedy for the alleged discrimination?

Signed: _____________________________
Date: _______________________________
APPENDIX D: DEFINITIONS

Adverse Effects
The totality of significant individual or cumulative human health or environmental effects, including interrelated social and economic effects, which may include, but are not limited to: (See Appendix B for additional discussion of “significant.”)

- bodily impairment, infirmity, illness or death
- air, noise, and water pollution and soil contamination
- destruction or disruption of man-made or natural resources
- destruction or diminution of aesthetic values
- destruction or disruption of community cohesion or a community’s economic vitality
- destruction or disruption of the availability of public and private facilities and services
- adverse employment effects
- displacement of persons, businesses, farms, or nonprofit organizations
- increased traffic congestion, isolation, exclusion or separation of minority or low-income individuals within a given community or from the broader community
- denial of, reduction in, or significant delay in the receipt of benefits of PACTS programs, policies, or activities

Significant Adverse Effects on Minority and Low-Income Populations
An adverse effect that:

a. is predominately borne by a minority population and/or a low-income population, or
b. will be suffered by the minority population and/or low-income population and is shown to be appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population

Limited English Proficiency
Individuals with a primary or home language other than English who must, due to limited fluency in English, communicate in that primary or home language if the individuals are to have an equal opportunity to participate effectively in or benefit from any aid, service or benefit provided by the transportation provider or other PACTS recipient.

Federal Assistance
Includes grants and loans of federal funds; the grant or donation of federal property and interests in property; the detail of federal personnel, Federal property of any interest in such property without consideration or at a nominal consideration or at a consideration which is reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and any federal agreement, arrangement, or other contract which has, as one of its purposes, the provision of assistance.

Low-Income
A person whose median household income is at or below the Department of Health and Human Services poverty guidelines. (http://aspe.os.dhhs.gov/poverty/poverty.htm)

Low-Income Population
Any readily identifiable group of low-income persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or...
Native Americans) who will be similarly affected by a proposed Portland Area Comprehensive Transportation System (PACTS) program, policy or activity.

**Minority**
A person who is:

- **Black** - a person having origins in any of the black racial groups of Africa;
- **Hispanic** - a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race;
- **Asian American** - a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands; or
- **American Indian and Alaskan Native** - a person having origins in any of the original people of North America and who maintains cultural identification through tribal affiliation or community recognition.

**Minority Population**
Any readily identifiable groups of minority persons who live in geographic proximity and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed PACTS program, policy or activity.

**Noncompliance**
A recipient has failed to meet prescribed requirements and has shown an apparent lack of good faith effort in implementing all the requirements of Title VI/Environmental Justice and related statutes.

**Persons**
Where designation of persons by race, color, or national origin is required, the following designations ordinarily may be used: “White not of Hispanic origin,” “Black not of Hispanic origin,” “Hispanic,” “Asian or Pacific Islander,” “American Indian or Alaskan Native.” Additional subcategories based on national origin or primary language spoken may be used, where appropriate, on either a national or a regional basis.

**Program**
Includes any multi-modal or bridge project including project planning or any activity for the provision of services, financial aid, or other benefits to individuals. This includes education or training, work opportunities, health, welfare, rehabilitation, housing, or other services, whether provided directly by the recipient of federal financial assistance or provided by others through contracts or other arrangements with the recipient.

**Recipient**
Any state, territory, possession, the District of Columbia, Puerto Rico, or any political subdivision, or instrumentality thereof, or any public or private agency, institution, or organization, or other entity, or any individual, in any state, territory, possession, the District of Columbia, or Puerto Rico, to whom Federal assistance is extended, either directly or through another recipient, for any program. Recipient includes any successor, assignee, or transferee thereof, but does not include any ultimate beneficiary under any such program.

**Sub-Recipient**
An agency such as a council of governments, regional planning agency, educational institution, for example, that receives Federal Highway Administration (FHWA) funds through the State DOTs and not directly from the FHWA. Other agencies, local governments, contractors, consultants that receive these funds are all considered sub-recipients.
APPENDIX E: APPENDICES TO STANDARD TITLE VI ASSURANCES

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. §4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. §324 et seq.), (prohibits discrimination on the basis of sex);
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. §6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 U.S.C. §471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. Parts 37 and 38;
- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. §47123) (prohibits discrimination on the basis of race, color, national origin and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating of sex in education programs or activities (20 U.S.C. 1681 et seq.).
CHAPTER III

GENERAL REQUIREMENTS AND GUIDELINES

1. INTRODUCTION. This chapter describes requirements that all FTA recipients must follow to ensure that their programs, policies, and activities comply with DOT’s Title VI regulations.

2. REQUIREMENT TO PROVIDE TITLE VI ASSURANCES. In accordance with 49 CFR Section 21.7(a), every application for financial assistance from FTA must be accompanied by an assurance that the applicant will carry out the program in compliance with DOT’s Title VI regulations. This requirement shall be fulfilled when the applicant/recipient submits its annual certifications and assurances to FTA. Primary recipients shall collect Title VI assurances from subrecipients prior to passing through FTA funds. The text of FTA’s annual certifications and assurances is available on FTA’s website.

3. REQUIREMENTS FOR FIRST-TIME APPLICANTS. First-time applicants must submit a Title VI Program that is compliant with this Circular and submit an assurance (as noted in Section 2 above) that it will comply with Title VI. In addition, and consistent with 28 CFR § 50.3, entities applying for FTA funding for the first time shall provide information regarding their Title VI compliance history if they have previously received funding from another Federal agency. This shall include a copy of any Title VI compliance review activities conducted in the previous three years. The summary shall include:

   a. The purpose or reason for the review.
   b. The name of the agency or organization that performed the review.
   c. A summary of the findings and recommendations of the review.
   d. A report on the status and/or disposition of such findings and recommendations. This information shall be relevant to the organizational entity actually submitting the application, not necessarily the larger agency or department of which the entity is a part.
   e. In addition, first-time applicants shall submit a brief description of any pending applications to other Federal agencies for assistance, and whether any Federal agency has found the applicant to be in noncompliance with any civil rights requirement.

4. REQUIREMENT TO PREPARE AND SUBMIT A TITLE VI PROGRAM. Title 49 CFR Section 21.9(b) requires recipients to “keep such records and submit to the Secretary timely, complete, and accurate compliance reports at such times, and in such form and containing such information, as the Secretary may determine to be necessary to enable him to ascertain whether the recipient has complied or is complying with this [rule].” FTA requires that all direct and primary recipients document their compliance with DOT’s Title VI regulations by submitting a Title VI Program to their FTA regional civil rights officer once every three years or as otherwise directed by FTA. For all recipients (including subrecipients), the Title VI
Program must be approved by the recipient’s board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA. For State DOTs, the appropriate governing entity is the State’s Secretary of Transportation or equivalent. Recipients shall submit a copy of the board resolution, meeting minutes, or similar documentation with the Title VI Program as evidence that the board of directors or appropriate governing entity or official(s) has approved the Title VI Program. FTA will review and concur or request the recipient provide additional information.

Subrecipients shall submit Title VI Programs to the primary recipient from whom they receive funding in order to assist the primary recipient in its compliance efforts. Such Programs may be submitted and stored electronically at the option of the primary recipient. Subrecipients may choose to adopt the primary recipient’s notice to beneficiaries, complaint procedures and complaint form, public participation plan, and language assistance plan where appropriate. Operational differences between the primary recipient and subrecipient may require, in some instances, that the subrecipient tailor its language assistance plan. Subrecipients shall develop and submit to the primary recipient a list of complaints, investigations, or lawsuits. Subrecipients that have transit-related non-elected planning boards, advisory councils, or committees, the membership of which is selected by the subrecipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees. Subrecipients must submit all the above information to the primary recipient on a schedule requested by the primary recipient. Collection and storage of subrecipient Title VI Programs may be electronic at the option of the primary recipient.

a. Contents. Every Title VI Program shall include the following information:

(1) A copy of the recipient’s Title VI notice to the public that indicates the recipient complies with Title VI and informs members of the public of the protections against discrimination afforded to them by Title VI. Include a list of locations where the notice is posted. A sample Title VI notice is in Appendix B.

(2) 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. Sample complaint procedures are in Appendix C, and a sample Title VI complaint form is in Appendix D.

(3) A list of any public transportation-related Title VI investigations, complaints, or lawsuits filed with the recipient since the time of the last submission. See Appendix E for an example of how to report this information. This list should include only those investigations, complaints, or lawsuits that pertain to allegations of discrimination on the basis of race, color, and/or national origin in transit-related activities and programs and that pertain to the recipient submitting the report, not necessarily the larger agency or department of which the recipient is a part.

(4) 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 since the last Title VI Program submission. A recipient’s targeted public participation plan for minority populations may be part of efforts that extend...
more broadly to include other constituencies that are traditionally underserved, such as people with disabilities, low-income populations, and others.

(5) A copy of the recipient’s plan for providing language assistance to persons with limited English proficiency, based on the DOT LEP Guidance.

(6) Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar bodies, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees or councils.

(7) Primary recipients shall include a narrative or description of efforts the primary recipient uses to ensure subrecipients are complying with Title VI, as well as a schedule of subrecipient Title VI program submissions.

(8) If the recipient has constructed a facility, such as a vehicle storage facility, maintenance facility, operation center, etc., the recipient shall include a copy of the Title VI equity analysis conducted during the planning stage with regard to the location of the facility.

(9) Additional information as specified in chapters IV, V, and VI, depending on whether the recipient is a fixed route transit provider, a State, or an MPO.

b. **Upload Title VI Program to TEAM.** Direct and primary recipients must upload their Title VI Program into FTA’s Transportation Electronic Award Management (TEAM) system, or other tracking system as directed by FTA. The Title VI Program shall be attached via the paper clip function on the Civil Rights screen, and not attached to a particular grant. Recipients must also notify their FTA Regional Civil Rights Officer via email that they have uploaded their Title VI Program to TEAM. The Title VI Program must be uploaded to TEAM no fewer than sixty calendar days prior to the date of expiration of the Title VI Program.

c. **Determinations.** The status of a direct or primary recipient’s Title VI Program will be noted in TEAM. The three status determinations are:

(1) **Concur.** This status indicates that the recipients’ Title VI Program meets the requirements as set out in this Circular. The recipient may receive grant funds.

(2) **In review.** This status indicates that the recipient’s Title VI Program is being reviewed by FTA staff and a determination as to sufficiency has not yet been made. “In review” status is only effective for sixty days and grants may be processed while a Title VI Program has an “in review” status.

(3) **Expired/Expiration.** This status indicates that the recipients’ Title VI Program has expired and that an updated Title VI Program must be submitted. A recipient with an expired Title VI Program may have its draw-down privileges suspended and grants may not be processed.
(4) Reporting Requirement Exemptions. Recipients whose only FTA funding is through FTA’s University Transportation Center Program, National Research and Technology Program, Transportation Cooperative Research Program, Over the Road Bus Accessibility program, or the Public Transportation on Indian Reservations program are exempt from submitting a Title VI Program to FTA. In addition, FTA may exempt a recipient, upon receipt of a request for a waiver submitted to the Director of the Office of Civil Rights, from the requirement to submit a Title VI Program, or from some elements of the Title VI Program. The absence of the requirement to submit a Title VI Program does not obviate the underlying obligations to comply with DOT’s Title VI regulations. Furthermore, with the exception of the Public Transportation on Indian Reservation program, FTA may, at any time, request information from an exempt recipient in order to determine compliance with Title VI regulations and statutes.

5. REQUIREMENT TO NOTIFY BENEFICIARIES OF PROTECTION UNDER TITLE VI. Title 49 CFR Section 21.9(d) requires recipients to provide information to the public regarding the recipient’s obligations under DOT’s Title VI regulations and apprise members of the public of the protections against discrimination afforded to them by Title VI. At a minimum, recipients shall disseminate this information to the public by posting a Title VI notice on the agency’s website and in public areas of the agency’s office(s), including the reception desk, meeting rooms, etc. Recipients should also post Title VI notices at stations or stops, and/or on transit vehicles. A sample Title VI notice to the public is provided in Appendix B.

a. Contents. The Title VI notice shall include:

(1) A statement that the agency operates programs without regard to race, color, or national origin.

(2) 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.

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


(1) Dissemination. Agencies shall inform the public of their rights under Title VI through such measures as posting the Title VI notice on posters, comment cards, or flyers placed at stations, bus shelters, and in transit vehicles. The type, timing, and frequency of these measures are at the recipient’s discretion, as long as the type, timing, and frequency are sufficient to notify passengers and other interested persons of their rights under DOT’s Title VI regulations with regard to the recipient’s program.

(2) Document translation. Notices detailing a recipient’s Title VI obligations and complaint procedures shall be translated into languages other than English, as needed and consistent with the DOT LEP Guidance and the recipient’s language assistance plan.
(3) **Subrecipients.** In order to reduce the administrative burden associated with this requirement, subrecipients may adopt the Title VI Notice developed by the primary recipient; however, subrecipients shall notify passengers and other interested persons that they may file discrimination complaints directly with the subrecipient.

6. **REQUIREMENT TO DEVELOP TITLE VI COMPLAINT PROCEDURES AND COMPLAINT FORM.** In order to comply with the reporting requirements established in 49 CFR Section 21.9(b), all recipients shall develop procedures for investigating and tracking Title VI complaints filed against them and make their procedures for filing a complaint available to members of the public. Recipients must also develop a Title VI complaint form, and the form and procedure for filing a complaint shall be available on the recipient’s website. FTA requires direct and primary recipients to report information regarding their complaint procedures in their Title VI Programs in order for FTA to determine compliance with DOT’s Title VI regulations. In order to reduce the administrative burden associated with this requirement, subrecipients may adopt the Title VI complaint investigation and tracking procedures and complaint form developed by the primary recipient. Sample complaint procedure and complaint forms are located in Appendices C and D. See Chapter IX of this Circular for more information on complaints.

7. **REQUIREMENT TO RECORD AND REPORT TRANSIT-RELATED TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS.** In order to comply with the reporting requirements of 49 CFR Section 21.9(b), FTA requires all recipients to 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 recipient. 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, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to, the investigation, lawsuit, or complaint. This list shall be included in the Title VI Program submitted to FTA every three years. See Appendix E for an example of how to report this information.

8. **PROMOTING INCLUSIVE PUBLIC PARTICIPATION.** The content and considerations of Title VI, the Executive Order on LEP, and the DOT LEP Guidance shall be integrated into each recipient’s established public participation plan or process (i.e., the document that explicitly describes the proactive strategies, procedures, and desired outcomes that underpin the recipient’s public participation activities). Recipients have wide latitude to determine how, when, and how often specific public participation activities should take place, and which specific measures are most appropriate. Recipients should make these determinations based on a demographic analysis of the population(s) affected, the type of plan, program, and/or service under consideration, and the resources available. Efforts to involve minority and LEP populations in public participation activities can include both comprehensive measures, such as placing public notices at all transit stations, stops, and vehicles, as well as targeted measures to address linguistic, institutional, cultural, economic, historical, or other barriers that may prevent minority and LEP persons from effectively participating in a recipient’s decision-making process. FTA has developed a Circular, 4703.1, “Environmental Justice Policy Guidance for Federal Transit Administration Recipients,” that includes many examples of effective strategies for engaging minority and low-income populations. FTA encourages recipients to review that Circular for ideas when developing their public engagement strategy. Some of those effective practices include:
a. Scheduling meetings at times and locations that are convenient and accessible for minority and LEP communities.

b. Employing different meeting sizes and formats.

c. Coordinating with community- and faith-based organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities.

d. Considering radio, television, or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP populations could also include audio programming available on podcasts.

e. Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.

Grant recipients are required to comply with the public participation requirements of 49 U.S.C. Sections 5307(b) (requires programs of projects to be developed with public participation) and 5307(c)(1)(I) (requires a locally developed process to consider public comment before raising a fare or carrying out a major reduction in transportation service). FTA/FHWA (Federal Highway Administration) joint planning regulations (23 CFR part 450) require States and MPOs engaged in planning activities to seek out and consider the needs and input of the general public, including interested parties and those traditionally underserved by existing transportation systems, such as minority and LEP persons, who may face challenges accessing employment and other services, as States and MPOs develop and conduct their public involvement activities. Recipients engaged in planning and other decision-making activities at the local level should consider the principles embodied in the planning regulations, and develop and use a documented public participation plan or process that provides adequate notice of public participation activities, as well as early and continuous opportunities for public review and comment at key decision points.

9. REQUIREMENT TO PROVIDE MEANINGFUL ACCESS TO LEP PERSONS. Consistent with Title VI of the Civil Rights Act of 1964, DOT’s implementing regulations, and Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency” (65 FR 50121, Aug. 11, 2000), recipients shall take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities for individuals who are limited-English proficient (LEP). This Circular contains only a summary of the LEP requirements as they apply to FTA recipients; recipients are encouraged to review DOT’s LEP guidance for additional information (70 FR 74087, Dec. 14, 2005) http://www.gpo.gov/fdsys/pkg/FR-2005-12-14/pdf/05-23972.pdf. Recipients are also encouraged to review DOJ’s guidelines on self-assessment, Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs (May 2011), as well as other materials, available at www.lep.gov.

a. Four Factor Analysis. In order to ensure meaningful access to programs and activities, recipients shall use the information obtained in the Four Factor Analysis to determine the specific language services that are appropriate to provide. A careful analysis can
help a recipient determine if it communicates effectively with LEP persons and will inform language access planning. The Four Factor Analysis is an individualized assessment that balances the following four factors:

(1) **The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or recipient.** This population will be program-specific. In addition to the number or proportion of LEP persons served, the recipient’s analysis should, at a minimum, identify:

   a) How LEP persons interact with the recipient’s agency;

   b) Identification of LEP communities, and assessing the number or proportion of LEP persons from each language group to determine the appropriate language services for each language group;

   c) The literacy skills of LEP populations in their native languages, in order to determine whether translation of documents will be an effective practice; and

   d) Whether LEP persons are underserved by the recipient due to language barriers.

(2) **The frequency with which LEP persons come into contact with the program.** Recipients should survey key program areas and assess major points of contact with the public, such as:

   a) Use of bus and rail service;

   b) Purchase of passes and tickets through vending machines, outlets, websites, and over the phone;

   c) Participation in public meetings;

   d) Customer service interactions;

   e) Ridership surveys;

   f) Operator surveys.

(3) **The nature and importance of the program, activity, or service provided by the program to people’s lives.** Generally speaking, the more important the program, the more frequent the contact and the likelihood that language services will be needed. The provision of public transportation is a vital service, especially for people without access to personal vehicles. An MPO’s regional planning activities will impact every person in a region. Development of a coordinated plan to meet the specific transportation needs of seniors and people with disabilities will often also meet the needs of LEP persons. A person who is LEP may have a disability that prevents the person from using fixed route service, thus making the person eligible for ADA complementary paratransit. Transit providers, States, and
MPOs must assess their programs, activities and services to ensure they are providing meaningful access to LEP persons. Facilitated meetings with LEP persons are one method to inform the recipient on what the local LEP population considers to be an essential service, as well as the most effective means to provide language assistance.

(4) The resources available to the recipient for LEP outreach, as well as the costs associated with that outreach. Resource and cost issues can often be reduced by technological advances, reasonable business practices, and the sharing of language assistance materials and services among and between recipients, advocacy groups, LEP populations and Federal agencies. Large entities and those entities serving a significant number of LEP persons should ensure that their resource limitations are well substantiated before using this factor as a reason to limit language assistance.

b. Developing a Language Assistance Plan. After completing the Four Factor Analysis, the recipient shall use the results of the analyses to determine which language assistance services are appropriate. Additionally, the recipient shall develop an assistance plan to address the identified needs of the LEP population(s) it serves. The DOT LEP Guidance recognizes that certain recipients, such as those serving very few LEP persons or those with very limited resources, may choose not to develop a written plan. However, FTA has determined it is necessary to require its recipients to develop an assistance plan in order to ensure compliance. A recipient may formally request an exemption from this requirement if it believes it fits within the exception described.

Recipients have considerable flexibility in developing a Language Assistance Plan, or LEP Plan. An LEP Plan shall, at a minimum:

(1) Include the results of the Four Factor Analysis, including a description of the LEP population(s) served;

(2) Describe how the recipient provides language assistance services by language;

(3) Describe how the recipient provides notice to LEP persons about the availability of language assistance;

(4) Describe how the recipient monitors, evaluates and updates the language access plan; and

(5) Describe how the recipient trains employees to provide timely and reasonable language assistance to LEP populations.

FTA will solely determine, at the time the recipient submits its Title VI Program or subsequent to a complaint investigation or compliance review, whether a recipient’s plan is sufficient to ensure meaningful access and thus ensure the recipient is not engaging in discrimination on the basis of national origin.
After completing the Four Factor Analysis, a recipient may determine that an effective LEP plan for its community includes the translation of vital documents into the language of each frequently encountered LEP group eligible to be served and/or likely to be affected by the recipient’s programs and services. Vital written documents include, but are not limited to, consent and complaint forms; intake and application forms with the potential for important consequences; written notices of rights; notices of denials, losses, or decreases in benefits or services; and notices advising LEP individuals of free language assistance services. Examples of vital documents include an ADA complementary paratransit eligibility application, a Title VI complaint form, notice of a person’s rights under Title VI, and other documents that provide access to essential services. Failure to translate these vital documents could result in a recipient denying an eligible LEP person access to services and discrimination on the basis of national origin.

c. Safe Harbor Provision. DOT has adopted DOJ’s Safe Harbor Provision, which outlines circumstances that can provide a “safe harbor” for recipients regarding translation of written materials for LEP populations. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes five percent (5%) or 1,000 persons, whichever is less, of the total population of persons eligible to be served or likely to be affected or encountered, then such action will be considered strong evidence of compliance with the recipient’s written translation obligations. Translation of non-vital documents, if needed, can be provided orally. If there are fewer than 50 persons in a language group that reaches the five percent (5%) trigger, the recipient is not required to translate vital written materials but should provide written notice in the primary language of the LEP language group of the right to receive competent oral interpretation of those written materials, free of cost.

These safe harbor provisions apply to the translation of written documents only. They do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. A recipient may determine, based on the Four Factor Analysis, that even though a language group meets the threshold specified by the Safe Harbor Provision, written translation may not be an effective means to provide language assistance measures. For example, a recipient may determine that a large number of persons in that language group have low literacy skills in their native language and therefore require oral interpretation. In such cases, background documentation regarding the determination shall be provided to FTA in the Title VI Program.

10. MINORITY REPRESENTATION ON PLANNING AND ADVISORY BODIES. Title 49 CFR Section 21.5(b)(1)(vii) states that a recipient may not, on the grounds of race, color, or national origin, “deny a person the opportunity to participate as a member of a planning, advisory, or similar body which is an integral part of the program.” Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar committees, the membership of which is selected by the recipient, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees.
11. PROVIDING ASSISTANCE TO SUBRECIPIENTS. Title 49 CFR Section 21.9(b) states that if “a primary recipient extends Federal financial assistance to any other recipient, such other recipient shall also submit such compliance reports to the primary recipient as may be necessary to enable the primary recipient to carry out its obligations under this part.” See Appendix L for clarification of reporting responsibilities by recipient category. Primary recipients should assist their subrecipients in complying with DOT’s Title VI regulations, including the general reporting requirements. Assistance shall be provided to the subrecipient as necessary and appropriate by the primary recipient. Primary recipients should provide the following information to subrecipients; such information, forms, and data may be kept in a central repository and available for all subrecipients:

a. Sample notices to the public informing beneficiaries of their rights under DOT’s Title VI regulations, procedures on how to file a Title VI complaint, and the recipient’s Title VI complaint form.

b. Sample procedures for tracking and investigating Title VI complaints filed with a subrecipient, and when the primary recipient expects the subrecipient to notify the primary recipient of complaints received by the subrecipient.

c. Demographic information on the race and English proficiency of residents served by the subrecipient. This information will assist the subrecipient in assessing the level and quality of service it provides to communities within its service area and in assessing the need for language assistance.

d. Any other recipient-generated or obtained data, such as travel patterns, surveys, etc., that will assist subrecipients in complying with Title VI.

12. MONITORING SUBRECIPIENTS. In accordance with 49 CFR 21.9(b), and to ensure that subrecipients are complying with the DOT Title VI regulations, primary recipients must monitor their subrecipients for compliance with the regulations. Importantly, if a subrecipient is not in compliance with Title VI requirements, then the primary recipient is also not in compliance.

a. In order to ensure the primary and subrecipient are in compliance with Title VI requirements, the primary recipient shall undertake the following activities:

(1) Document its process for ensuring that all subrecipients are complying with the general reporting requirements of this circular, as well as other requirements that apply to the subrecipient based on the type of entity and the number of fixed route vehicles it operates in peak service if a transit provider.

(2) Collect Title VI Programs from subrecipients and review programs for compliance. Collection and storage of subrecipient Title VI Programs may be electronic at the option of the primary recipient.

(3) At the request of FTA, in response to a complaint of discrimination, or as otherwise deemed necessary by the primary recipient, the primary recipient shall request that subrecipients who provide transportation services verify that their level and quality of service is provided on an equitable basis. Subrecipients that
are fixed route transit providers are responsible for reporting as outlined in Chapter IV of this Circular.

b. When a subrecipient is also a direct recipient of FTA funds, that is, applies for funds directly from FTA in addition to receiving funds from a primary recipient, the subrecipient/direct recipient reports directly to FTA and the primary recipient/designated recipient is not responsible for monitoring compliance of that subrecipient. The supplemental agreement signed by both entities in their roles as designated recipient and direct recipient relieves the primary recipient/designated recipient of this oversight responsibility. See Appendix L for clarification of reporting responsibilities by recipient category.

13. DETERMINATION OF SITE OR LOCATION OF FACILITIES. Title 49 CFR Section 21.9(b)(3) states, “In determining the site or location of facilities, a recipient or applicant may not make selections with the purpose or effect of excluding persons from, denying them the benefits of, or subjecting them to discrimination under any program to which this regulation applies, on the grounds of race, color, or national origin; or with the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act or this part.” Title 49 CFR part 21, Appendix C, Section (3)(iv) provides, “The location of projects requiring land acquisition and the displacement of persons from their residences and businesses may not be determined on the basis of race, color, or national origin.” For purposes of this requirement, “facilities” does not include bus shelters, as these are transit amenities and are covered in Chapter IV, nor does it include transit stations, power substations, etc., as those are evaluated during project development and the NEPA process. Facilities included in this provision include, but are not limited to, storage facilities, maintenance facilities, operations centers, etc. In order to comply with the regulations:

a. The recipient shall complete a Title VI equity analysis during the planning stage with regard to where a project is located or sited to ensure the location is selected without regard to race, color, or national origin. Recipients shall engage in outreach to persons potentially impacted by the siting of facilities. The Title VI equity analysis must compare the equity impacts of various siting alternatives, and the analysis must occur before the selection of the preferred site.

b. When evaluating locations of facilities, recipients should give attention to other facilities with similar impacts in the area to determine if any cumulative adverse impacts might result. Analysis should be done at the Census tract or block group where appropriate to ensure that proper perspective is given to localized impacts.

c. If the recipient determines that the location of the project will result in a disparate impact on the basis of race, color, or national origin, the recipient may only locate the project in that location if there is a substantial legitimate justification for locating the project there, and where there are no alternative locations that would have a less disparate impact on the basis of race, color, or national origin. The recipient must show how both tests are met; it is important to understand that in order to make this showing, the recipient must consider and analyze alternatives to determine whether those alternatives would have less of a disparate impact on the basis of race, color, or national origin, and then implement the least discriminatory alternative.
14. REQUIREMENT TO PROVIDE ADDITIONAL INFORMATION UPON REQUEST. FTA may request, at its discretion, information other than that required by this Circular from a recipient in order for FTA to investigate complaints of discrimination or to resolve concerns about possible noncompliance with DOT’s Title VI regulations.
APPENDIX G: ANNUAL GOALS & ACCOMPLISHMENTS REPORT

GOALS FOR FFY 2020

1. Ensure Accessibility of Key Information
   a. Evaluate website accessibility for protected populations.
   b. Develop Language Access Procedures and provide training to staff, consultants, and other relevant stakeholders.
   c. Develop and disseminate a basic “Introduction to PACTS” document that is screen reader friendly and translated into the top five languages.
   d. Update the PACTS Title VI Brochure to include Arabic and Portuguese translations and ensure screen reader compliance. Disseminate to libraries, town halls and community locations.

2. Assess Equity Impacts
   a. Develop an equity analysis of the Transportation Improvement Program.
   b. Prepare a public-facing interactive map that shows the geographical distribution of investments relative to equitable target areas.
   c. Develop performance measures for public engagement.

3. Engage Protected Populations in Plans and Programs
   a. Require use of the Inclusive Transportation Planning Toolkit by staff and consultants.
   b. Work with the Transportation & Community Well-Being Network, the Mobility Liaisons, and stakeholder organizations to engage Title VI, Environmental Justice, and ADA-protected populations in PACTS forums, public meetings, and planning opportunities.
   c. Host at least two focus groups with protected populations, where PACTS committee members are invited and have the opportunity to learn more about the transportation needs and experiences of underrepresented communities.
   d. Utilize social media to increase engagement with PACTS by protected populations.
   e. Pilot approaches for supporting meaningful involvement by underrepresented communities on PACTS Governance Committees.
   f. Pilot the Community Transportation Leaders Training as an opportunity for protected community members to gain the knowledge and tools for meaningful participation in transportation planning and decision-making.

4. Support Public Transportation Agencies with Title VI Compliance
   a. Provide technical assistance to the region’s seven transit agencies with meeting their Title VI responsibilities. This may include mapping, data procurements, and analysis.
ACCOMPLISHMENTS OF FFY 2019

I. Project Input
Throughout FFY2019, GPCOG convened the Transportation & Community Well-Being Network as a forum to engage Title VI, Environmental Justice, and ADA-protected populations in PACTS’ initiatives. Studies, plans and projects that have used the Network meeting and/or its members to get input from these populations in FFY2019 include:

- Transit Stop Access Project Phase II
- METRO Peninsula Loop Reboot Project
- Regional Traffic Management System Phase II
- Moving Southern Maine Forward Implementation (PACTS short-term transit plan)

II. General Engagement
Throughout FFY2019, GPCOG used social media to increase engagement with PACTS by protected populations. GPCOG posted regularly to its Facebook page with items about the Inclusive Transportation Planning Project using the hashtag #Plan2IncludeMe. GPCOG created this brief film to assist with engagement https://www.facebook.com/watch/?v=377139319816291. The film has over 2,000 views.

III. Inclusive Transportation Planning Project
This project is engaging older adults, people with disabilities, and people of color in driving more inclusive regional transportation planning. The project includes both the PACTS and GPCOG geography. The key deliverable for the first phase was to develop and present strategies for more inclusive planning to PACTS leadership.

In Fall 2018, six focus groups were conducted to inform the project. Each session was hosted at a community location in partnership with a stakeholder organization and attended by transit agency staff. Partners included Age Friendly organizations in Biddeford, Raymond, Old Orchard Beach, and Saco, Catholic Charities of Maine, the Cities of Biddeford and South Portland, Maine Immigrant Access Network, Portland Housing Authority, and South Portland Housing Authority. The focus groups were held in Portland, Raymond, Saco, and South Portland and included 70 older adults, people with disabilities, and people of color.

The Inclusive Transportation Planning Recommendations were presented to the PACTS Policy Committee in January 2019. The Committee unanimously approved the recommendations to be used to inform the Public Involvement Plan update.

A second round of funding from the Transit Planning 4 All initiative, beginning in 2019, is allowing GPCOG and PACTS the Community Transportation Leaders (CTL) Training Program and develop the Inclusive Planning Toolkit. The Inclusive Planning Toolkit will be presented for adoption in October as an appendix of the Public Involvement Plan.

In Spring and Summer of 2019, GPCOG staff began planning for a pilot program called the Community Transportation Leaders Training. The training is an opportunity for protected community members to gain the knowledge and tools for meaningful participation in transportation planning and decision-making. The Planning Group is composed of older adults, people with disabilities, people of color, PACTS members, and representatives from aging and disability organizations. The training pilot will happen in Fall 2019 and include at least 20 participants.
APPENDIX H: PACTS PUBLIC INVOLVEMENT PLAN

The plan can be accessed at this link: https://www.gpcog.org/219/Public-Involvement-Plan
Imagining Transit Tomorrow
Evaluating the Impacts of the COVID-19 Pandemic on Southern Maine’s Transit Future
Table of Contents

Executive Summary 4
Introduction 6
Process 8
Interviews with National Experts and Local Leaders 8
Online Survey Results 15
Critical Factors and Driving Trends 17
Scenarios 30
Recommendations 38
Conclusion 39
Bibliography 41
Imagining Transit Tomorrow: Evaluating the Impacts of the COVID-19 Pandemic on Southern Maine’s Transit Future

Executive Summary

The COVID-19 pandemic of 2020 has resulted in a disruption to the healthcare systems, the economy, and social norms around the world, with sweeping implications on how we live our daily lives. This paper focuses on how these global impacts have been felt in southern Maine, with a focus on the public transportation system serving the region.

This paper does a close examination of the uncertainties introduced by the pandemic, and has the goal of understanding how those issues could impact the ability of the region to realize its vision in Transit Tomorrow, the regional Long-Range Public Transportation Plan.

In order to better understand the uncertainties facing the region, this paper goes through a multi-step process.

1. Interviews with national experts and local leaders

The project team interviewed 15 national experts and local leaders working in the fields of municipal government, transit agencies, academia, transportation policy, private sector transportation providers, local and national nonprofits, human service transportation, economic development, and real estate. These interviews helped to identify those trends and factors which are most likely to impact public transportation in the coming months and years.

2. Stakeholder Survey

A survey was open in June 2020, gathering input from stakeholders in southern Maine. This survey confirmed many of the findings from the interviews and added new wider perspective on the uncertainties facing the region.

3. Research

The interviews and survey informed the research element of this project, and included reviews of news articles, government reports, webinars and podcasts, publicly available data sets, and journal articles. The research helped to forge a common understanding among the project team of the facts and uncertainties that could impact the future.

4. Scenario development

Taking the input from the prior three steps, a focus group was convened to prioritize the uncertainties. From that effort, four scenarios (Figure 1) were developed based on the two key uncertainties most likely to have a high degree of impact on the public transportation system in greater Portland.

Figure 1 Four potential future scenarios

- Faster
- Ticket to Ride
- Money (That’s What I Want)
- Less Federal Funding
- Development
- Help!
- Slower
- Can’t Buy Me Love
- Vaccine

Transit Tomorrow

66
5. Recommendations

Based on the results of the interviews, survey, research, focus group, and narrative scenarios, a series of low-risk recommendations were developed that are likely to work in most or all of the futures envisioned through this process. These recommendations are:

1. **Adapt service to better serve transit-dependent populations**
   It is likely that “choice riders” (those who have other mobility options but choose to ride transit) will use public transportation infrequently or not at all in the near future. The region should focus service to best provide access and mobility for transit-dependent riders.

2. **Plan to deliver lower levels of service to stretch dollars further**
   Even in the scenarios with significant federal funding, local budgets are expected to be dramatically lower than pre-pandemic years. Transit agencies should plan for lower levels of service to match depressed travel demand, which also helps to prepare for austerity.

3. **Diversify and expand local funding to anticipate reduced public funds**
   The region should investigate opportunities to expand its local funding capacity, reducing dependence on uncertain future levels of federal funding.

4. **Invest in no-touch mobile technology to protect public health**
   Mobile ticketing and other mobile technologies should be pursued for both customer convenience and the anticipated customer aversion to physical interaction at the farebox and elsewhere on the system.

5. **Expand digital communications and marketing to rebuild ridership**
   Communicating changes in rider protocols in a dynamic and shifting environment is important as operating conditions and safety guidance change. A robust communications strategy will also help to reassure passengers that the service is safe and reliable.

6. **Invest in data collection to make nimbler decisions**
   Agencies should invest in automated data collection technology and data analysis capacity in order to keep up with changes in customer demand.

7. **Support street spaces for bike lanes, walking, and outdoor retail and dining in order to keep transit relevant**
   The region should aggressively pursue an agenda which expands public spaces. This approach will complement built environment needs of transit as ridership rebounds.

8. **Redouble efforts to locate housing in walkable villages and downtowns to reduce longer term ridership losses**
   As some people leave large urban areas like Boston or New York City, the region can attract new residents to Maine through investing in walkable villages and converting underutilized commercial and retail space to housing. This will be especially important as vacancies rise due to business closures resulting from the pandemic.

9. **Implement more efficient rural demand response options to cost-effectively maintain access**
   Given the level of funding uncertainty, the region should be creative in meeting the need for transportation in its rural areas traditionally served by demand response. This could include expanded tele-medicine, grocery delivery, or programs to facilitate the transition from rural housing to centrally located senior living communities.

**Conclusion**

The pandemic has revealed the irreplaceable role that public institutions serve in times of crisis. Frontline staff like the region’s public transportation staff have rightly been hailed as heroes, putting themselves in harm’s way to connect people to their essential destinations. It is incumbent upon the region’s public transportation decision makers to think critically about the uncertainties they are facing to reduce risk to the system’s operators, customers, and stakeholders.

These actions should help the region’s public transportation decision makers navigate through the unusual and unprecedented times they are facing. In addition to the recommendations, the process has highlighted the key considerations for making progress on the Transit Tomorrow vision of a more accessible, equitable, and environmentally friendly transportation system that strengthens the region’s mobility and enhances its great places.
Introduction

On March 31st, 2020, Maine Governor Janet Mills issued a “Stay Healthy at Home” order that required people living in Maine to stay at home at all times except for essential purposes. At the time of issuing the order, Governor Mills said:

“We are in the midst of one of the greatest public health crises this world has seen in more than a century. This virus will continue to sicken people across our state; our cases will only grow, and more people will die.”

Thus began Maine’s statewide response to the unprecedented health crisis that strained healthcare systems, economic resources, and public institutions – the COVID-19 pandemic. The pandemic, also known as the coronavirus pandemic, originated in Wuhan, China in December 2019; the virus is a respiratory illness that leads to serious illness, even death, in a significant number of patients. The virus has no known vaccine or treatment and is spread via means that are still not fully understood.

Things that many took for granted up until March 2020 suddenly seemed uncertain. Historically low unemployment, rising real estate values in downtown Portland and other urban centers, a strong tourist economy, increasing ridership on the region’s public transit systems – all of these trends have been disrupted or turned upside-down as a result of the pandemic.

The impacts from the pandemic have been sweeping, profound, and swift, touching every corner of the state and the world. By July 10th, Maine had recorded nearly 3,500 cases of the disease (256 cases per 100,000 residents) and 111 deaths, while its neighbor to the south, Massachusetts, had recorded over 111,000 cases (1,622 cases per 100,000 residents) and over 8,200 deaths.

In an effort to slow the outbreak, stay-at-home orders like the one issued by Governor Mills have reshaped how people live, work, and recreate. Transit agencies around the country began taking the unusual step of actually discouraging people from using the service unless absolutely necessary, reducing potential exposure of the public and transit employees to the virus. Ridership plunged by up to 90% on some systems, while some smaller agencies shut down entirely. Months later, the orders are being phased out and life is returning to some new sort of normal.
The pandemic has revealed the irreplaceable role that public institutions serve in times of crisis. Frontline staff like the region’s public transportation workers have rightly been hailed as heroes, putting themselves in harm’s way to connect people to their essential destinations. As life returns to this “new normal,” public transportation decision makers must continue meeting the immediate safety requirements of the system’s users and operators while not losing sight of long-term needs in the coming months and years.

In the context of this watershed event, the Greater Portland Council of Governments (GPCOG) continues to plan for the future of public transportation in the region. The focus of this White Paper is to explore the uncertainties, assumptions, and potential impacts of this disruption on the transit system in southern Maine. In so doing, the region can better develop strategies that recognize and help manage high-impact, high-uncertainty forces that the public transportation system is facing.

**The Pandemic and Transit Tomorrow**

The start of the pandemic fell in the middle of an in-depth transit planning process the region was undertaking. In March 2019 GPCOG launched Transit Tomorrow, its 30-year Long Range Public Transportation Plan—an important roadmap for the future of transportation in the region. However, the outbreak of COVID-19 barely a year later occurred at a key interval in this process, posing a difficult dilemma—how to factor in its impacts.

Transit Tomorrow forms the foundation of this planning process. The plan’s Vision Statement is as follows:

- Using our region’s public transportation is faster and more affordable than driving a car. Our system is funded sustainably and provides reliable and seamless transportation for our community, including commuters, mainland and island residents, and those with limited mobility options. Our communities support the long-term viability of public transportation by focusing new homes and jobs where people already live and work.

This vision provided the starting place for deeper investigation into key topic areas, including:

- Economic development
- Land use
- Climate change
- Mobility and travel behavior
- New technology

Public transportation is in a particularly unique position as this pandemic unfolds. Transit vehicles, intermodal centers, and transit stops are all places where people come together, which runs counter to social distancing guidelines. At the same time, public transportation provides a lifeline service for many.

**Transit vehicles, intermodal centers, and transit stops are all places where people come together, which runs counter to social distancing guidelines.**
where people come together, which runs counter to social distancing guidelines. At the same time, public transportation provides a lifeline service for many who cannot use other forms of transportation but still need to get to an essential job, the pharmacy, or other life-critical trips.

For transportation professionals and administrators, most attention in the early months of the pandemic has been paid to the near-term crisis – keeping employees safe, keeping buses clean, and keeping the public informed. However, this White Paper is an opportunity for local leaders to begin thinking about what the world might look like in a year, two years, five years, or even ten years from now, and the lasting impacts on the communities and transportation systems in southern Maine. In so doing, they can take actions now that better prepare them for continued disruption.

GPCOG, as the regional planning agency, is already leading this thought process for the area’s seven public transportation providers through the development of Transit Tomorrow. Right now, there is a need for clear and deliberate considerations of the long-term uncertainties and, just as important, the things that will probably remain unchanged. This White Paper is an effort to better inform that larger planning effort.

**Process**

This analysis is structured as a qualitative look at how the future might unfold over the coming months and years. Designed to take place on an abbreviated timeline, this process examines key uncertainties and assumptions to play out the implications of the COVID-19 pandemic on transit and apply those findings to Transit Tomorrow.

The findings are the direct result of hours of research, interviews, and workshops on the topic areas listed above. Interviewees represented experts and local leaders in municipal government, transit agencies, academia, transportation policy, private sector transportation providers, local and national nonprofits, human service transportation, economic development, and real estate.

The interviews directly informed the research outlined below. Issues and questions that were raised guided new research directions, which in turn informed the next interview. The findings from the research element of this project were then summarized, along with the content of the interviews, for deeper consideration by the interviewees who convened for a focus group near the end of the project.

This focus group examined the uncertainties and assumptions identified by the interviewees to determine those that are most important to the future of public transportation in southern Maine. Those two key uncertainties then formed the axes of a matrix, from which four future scenarios were developed. These scenarios, narrative in nature, offer a glimpse of the future for public transportation in the region.

**Interviews with National Experts and Local Leaders**

As a part of this planning process, 15 national experts and local leaders were interviewed for their views on the pandemic and the key uncertainties facing the greater Portland transit system. In general, the discussions examined how the pandemic has disrupted some trends or activities, and accelerated others.

Interviewees represented experts and local leaders in municipal government, transit agencies, academia, transportation policy, private sector transportation providers, local and national nonprofits, human service transportation, economic development, and real estate.

As described below, the conversations covered a broad range of topics. Ridership declines, telework, budget deficits, housing preferences, and the role of technology were among the many topics discussed. There was consensus about the economic fallout that the region is facing and the hard road ahead. At the same time, there was considerable optimism about the position that Portland is in relative to other areas of the country, especially cities with greater population density.

There was less clarity about how quickly things will go back to “normal,” if they ever will at all. Many were hopeful that the recovery will be quick, while others were expecting a multi-year recession and some permanently changed habits.

In addition to the identification of key uncertainties, there were several assumptions held by interviewees that were noted during the interviews. These are relevant because, if these assumptions prove to be incorrect, that could have a major unanticipated impact on the transit system in southern Maine.

One of the most important outcomes of these interviews were “Aha” moments, discussion points or topics which have a significant impact on
how the future may unfold. “Aha” moments happen when multiple threads of discourse come together to illustrate a key insight.

The uncertainties, “Aha” moments, and assumptions from the interviews are reviewed below.

**Uncertainties**

Key uncertainties are the central focus of this process. These uncertainties provide the foundation on which recommendations designed to minimize risk to the regional public transportation system are based. Several uncertainties emerged from the one-on-one interviews.

**Plummeting Ridership**

A primary theme in the interviews was the uncertainty about whether or how quickly ridership would return. One interviewee noted that ridership in southern Maine is down 70% - 80%, though many essential workers are still able to report to work. This interviewee inferred that many people have switched to driving, and worried that this switch may be long-lasting.

Another interviewee observed that the development of a vaccine is essential to recouping lost ridership, but did not know when that might be. Estimates have ranged anywhere from a few months to a few years away, and the budgetary and service impacts will vary considerably depending on that timeline.

There seemed to be a consensus that transit agencies are going to have to work hard to win riders back. Customers must feel safe and see the enhanced safety measures firsthand (“The proof is in the pudding,” one interviewee said.) Another interviewee noted that messaging will be essential, and the difference between a failing transit system and a thriving one over the next few years could very well be the strength of the message that transit is reliable, convenient, clean, and – above all – safe.

**Telework**

As one interviewee put it, “The five-day work week is dead.” There was wide consensus that this pandemic has finally cemented telework as a feature of jobs where physical presence is not critical to performing the job functions. The impacts of this expansion of telework, however, were less clear.

One interviewee who works in a leadership capacity at their organization noted that remote work is a good thing – it allows people to reduce their environmental impact by removing car-based commuting from their lives. When asked what one positive thing to come out of this pandemic might be, many interviewees noted the flexibility of working from home. It allowed them to not only have more flexible hours, but also to spend more time with family and see neighbors when they are walking their dog or otherwise outdoors.

On the other hand, another interviewee cautioned that telecommuting in the longer term can result in greater sprawl and an increase in environmental impact. This is particularly true if people who are newly able to work remotely move from New York, Boston, or other big cities and view Maine as an attractive option (they may be moving away from relatively energy efficient urban centers to less sustainable, auto-oriented suburban areas).

**Shifting Housing Preferences**

Related to new flexibility that may emerge with telework, there was much discussion about how housing preferences might change. These tended to break down along the following lines:

- **Intra-regional changes:** There was much optimism for the continued attractiveness of village centers and downtown Portland as a place to live, work, and play. The consensus seemed to be that Portland was not in the same category as other hard-hit urban centers such as New York City, Boston, or Detroit. Any changes in housing preference from those who already live in the region will be modest.

- **National changes:** Several interviewees noted that Portland and the surrounding area may be newly attractive to those who live in
Diminished Financial Capacity

There was a great deal of concern about the diminished financial capacity resulting from and/or exacerbated by the economic consequences of the pandemic. One interviewee noted that we “can’t afford the infrastructure we already have,” while another said, “We have already overbuilt things to an inconceivable degree.” As these interviewees noted, the potential for a collapse in public infrastructure funding will only exacerbate the pre-existing problem of auto-oriented development that does not generate enough tax revenue to maintain it.

Another interviewee discussed the impact of the “retail-pocalpyse” on the region. Brick-and-mortar retail stores were already struggling, and it is likely that many will not survive the recession. This could have a profound impact on municipal budgets, which depend on commercial buildings to fund schools and other municipal services. What is worse, at the same time that municipalities are anticipating shattered budgets, there is a demand for expanded cleaning services and protective barriers, which are both expensive.

The Role of Public Spaces

One interviewee said, “Right now the street is where people experience road rage. The street could be a source of joy that brings people together.” Multiple interviewees saw the dramatic decline in driving and commensurate increase in people walking or biking around their neighborhoods as an opportunity to underscore the value that public spaces bring to a community. That same interviewee noted that the communities that thrive in a post-pandemic world may well be the ones that seize this opportunity to activate public spaces for people by expanding sidewalks and outdoor dining areas, opening streets to pedestrians in certain areas, and calming traffic.

At the same time, those who spoke to issues of public space also indicated that this moment was fleeting and that many communities will probably fail to capitalize on the temporary decline in driving. There was also uncertainty about whether transit in particular would be able to benefit from the renewed focus on people-oriented public spaces. One interviewee saw the development of rapid transit infrastructure as a longer-term project. Another interviewee noted that transit is in “survival mode” right now, and that it probably has the hardest path forward.
One interviewee referred to the need for public subsidy in public transportation and the tremendous impact that the decline in revenues could have, particularly on the demand response system. This interviewee referred to reliance on single streams of public funding (such as 5307 funding) as “like drinking sea water” – it may quench an immediate thirst, but it cannot sustain you in the long-term. Multiple interviewees noted that public transportation agencies are going to have to get extremely creative with partnerships, revenue sources, and service levels to navigate the next several years.

Communications and Public Engagement
As mentioned above, the pandemic has exposed the fundamental need for effective communications with the public. Interviewees agreed that this need is here to stay. In the immediate aftermath of the stay-at-home orders and states of emergency, transit agencies had to rapidly scale up communications in order to inform the public about service changes and new rider etiquette. Moving forward, communications and marketing professionals will have to continue communicating rider protocols, but also reassure potential riders that using the service is safe.

New communications technology, like screens in buses and at bus stops, app- and text-based messaging services, or even expanded use of social media are likely to be employed for paper-free and touchless communications. As one interviewee put it, “The pandemic is the biggest pilot project of digital transformation ever.”

New Technological Developments
Many of the interviewees discussed transportation technology. There were two themes running through the comments on technology. The first was diminished financial capacity. The consensus, as described above, is that there is going to be a severely constrained fiscal environment over the next several years as public revenues recover from the post-pandemic recession. Several interviewees noted that this reality is going to limit any new investments from transit agencies.

The second theme was the need for new technology. Many agreed that there will be a new need for expanded technology investment to make public transportation more attractive to the public or to lower costs. These two themes are at tension with one another, and there was no agreement on what the balance point between the two might be.

Specific new investments in technology included the following:

1. **Autonomous vehicles**: Multiple interviewees brought up the new motivation for developing, testing, and wide-scale implementation of autonomous buses. One interviewee remarked, “Driving a bus is a dying job,” one that would no longer exist at some agencies in 20 or 30 years. Another saw autonomous vehicles as a necessity for providing affordable mobility to those who age in place in rural areas. There was agreement that financial necessity would demand continued development of the technology.

2. **No-touch ticketing**: Ticketing via mobile devices or other “no touch” methods was discussed by multiple interviewees as a method to keep drivers safe and reassure the riding public that they can use transit without exposing themselves to pathogens.

3. **Mobility as a Service**: In order to remain relevant, one interviewee thought that further integration of multiple modes with transit is essential. As society emerges from the pandemic, it is going to be much harder to convince people to ride transit as compared to single occupancy or even lower-capacity public transportation, like transportation network companies (TNCs). Integration of transit with other modes (e.g., bikeshare) will be important to keeping it a competitive part of an individual’s suite of transportation options.

In general, many of the interviewees noted that lower-capacity modes like demand response, Uber/Lyft, and micro-transit were probably going to be more competitive to the public moving forward. However, two interviewees specifically thought high-capacity transit was still going to be important to the region, with one saying that, “Communities that thrive will have transportation diversity.”
Imagining Transit Tomorrow: Evaluating the Impacts of the COVID-19 Pandemic on Southern Maine’s Transit Future

Demographics Will Remain Unchanged

The demographic landscape of southern Maine was discussed by some local leaders in interviews. There were no viewpoints that demographic trends (an aging, declining population in rural Maine) were going to be altered significantly by this pandemic. As one interviewee put it, “There are three big global forces: globalization of the economy, climate change, and the aging population.”

Another interviewee noted that while there had been active refugee resettlement in southern Maine, that had all but halted as a result of changed federal policy reinforced by the pandemic. In the context of fewer immigrants in the region, this interviewee found it unlikely that demographics were going to change from domestic population shifts.

There was also relatively little discussion of equity in the interviews. One interviewee brought up equity toward the end of the interview, and noted, “I’m surprised I didn’t mention it earlier, it really should be foundational to all of this.” When asked about racial equity, one interviewee noted that the City of Portland passed an anti-racism proclamation shortly after the death of George Floyd and the ensuing outcry and protests. At the same time, however, that interviewee noted that politics surrounding race in Maine might be different than elsewhere in the country because the state as a whole is overwhelmingly white. This lack of discussion around race and equity could be related to the assumption that the demographics of Maine are not going to change much into the future.

“[An effective vaccine] is necessary for leisure travel and tourism.”

Assumptions

The purpose of the interviews was not only to identify key uncertainties facing the region, but also to uncover assumptions that experts and leaders were making about how the future might unfold. Multiple assumptions were implied throughout the interviews, described below.

Energy Prices Will Remain Cheap

One topic that came up in passing during only one interview was the cost of energy. One interviewee noted, when talking about the lingering effects of the pandemic, that this will be just like the gas price spikes of 2008 – we got over that, we will get over this, too (“This too shall pass”). The relative silence on the cost of oil and energy more generally implies a consensus that there are unlikely to be any price spikes that could impact that transportation sector.

Politics Will Remain Basically the Same

There was relatively little discussion of the state or national political landscape, even as issues of state and federal funding were common subjects of conversation. Only one interviewee explicitly talked about the political landscape of Maine, noting that the state tended to be less partisan than the federal government and that allowed for more unity in decision making.

Two interviewees did note that transit is always a hard sell at the federal level, and this is unlikely to change in the future. One interviewee noted that sustained depressed ridership may make the political argument for transit that much harder, though it has never been especially easy.

There was no consensus on the impact of the expected diminished financial capacity on investments in carbon-neutral technology. One interviewee was optimistic in the long-term that investments in electric bus technology will continue, but the shorter term was less certain. Another interviewee noted that all transportation organizations will need to get more creative in how they fund new investments and should not rely on the federal government as a primary source of funding.
Imagining Transit Tomorrow: Evaluating the Impacts of the COVID-19 Pandemic on Southern Maine’s Transit Future

The Vaccine Is a Long Way Off

Surprisingly few interviewees discussed the importance of a vaccine. Only one interviewee discussed the development of a vaccine and its impact on transportation, noting that an effective vaccine is “necessary for leisure travel and tourism.” The implication in the interviews seemed to be that a vaccine, aside from being totally outside the control of anyone being interviewed, was not something that could be counted on anytime soon. Plans should be made assuming that there will be no vaccine in the foreseeable future.

Climate Change Remains a Threat

The risk of climate change was mentioned by multiple interviewees. When asked, “What keeps you up at night worrying about the future?”, one interviewee responded simply, “Climate change.”

Many interviewees noted that in the short term, greenhouse gas emissions have plunged as people have begun working from home, avoiding non-essential trips, and production lines have slowed. In the longer term, though, many interviewees worried that climate change was going to rebound worse than before – more people driving instead of using transit and more desire to live in auto-oriented rural or suburban areas. According to many, the pandemic has changed nothing about the risks of climate change, except perhaps diminished the capacity to change the systems that worsen the problem.

“Aha” Moments

During the conversations, there were a few discussion points that connected multiple threads or themes into a single key idea. These are critical to the scenario planning process. Two of those moments are described here.

The Importance of the Public Sector

During one discussion, an interviewee noted that several micromobility providers had totally closed during the pandemic, underscoring the importance of public transportation, saying, “This crisis, this time of need has highlighted the role of public transportation serving the public.” The conversation continued to note the elevated news media coverage of bus drivers as front line workers keeping people connected to their essential jobs or allowing them to take life-critical trips like grocery shopping. It was observed that after decades of disinvestment from the public sector, the rise of public-private partnerships with services like Uber or Via, and the increased use of contracted-out services, this moment underscored the critical importance of having a resilient public workforce that can effectively respond during times of crisis.

“This crisis, this time of need has highlighted the role of public transportation serving the public.”
This point was further reinforced by two other interviewees who noted that many smaller rural providers ceased all service, and the detrimental impact that had on customers depending on the service. One interviewee noted that the smaller demand response providers in southern Maine were among those that ceased service, and remarked that it was a “failure of the transit system in the region” that so many were left without service. A second interviewee observed that this was a national problem, noting that small rural transportation providers across the country shut down service during the pandemic. This has left many transit-dependent rural customers stranded, leaving them with unreliable or unaffordable transportation for essential trips. Many public services will never be filled by the private sector, and this crisis underscores the importance of public sector resilience in the face of crisis.

Multiple Trends Accelerating to Hurt Retail, Induce Sprawl, Damage Budgets

During one conversation, the demise of brick-and-mortar retail was connected to the rise of online retail, and then connected to increases in telework and deepening sprawl. The discussion started with talking about the municipal dependence on property taxes and how public schools really rely on commercial developments to support their cost, as residential property taxes rarely cover the cost of municipal services; the interviewee noted, “Property taxes to fund municipal services aren’t a great model to begin with, and remote work challenges that funding model even more.”

However, it was noted that multiple trends were working together to destroy retail stores, increase sprawl, and further compromise municipal budgets:

1. **Online Retail**: The pandemic has accelerated the use of online shopping, pushing customers into new kinds of online purchases that previously were not a significant market share, such as grocery shopping. This trend could put even more pressure on brick-and-mortar businesses.

2. **Telework**: As more companies allow employees to work from home, there may be smaller firms that give up rented office space entirely. This would result in less demand for commercial office space, which could cause a closure of some office buildings. Further, this could motivate some people to move to larger homes in order to have a dedicated home office, which would increase suburban sprawl.

3. **Tax Revenue**: If retail businesses and commercial office buildings close, that would be a devastating blow to municipal tax revenue. This is particularly true if there is an acceleration of auto-oriented single-family homes, which typically require high levels of municipal funding to maintain services such as road maintenance, utilities, garbage collection, etc.

Taken together, for many communities the trends paint a troubling picture of fewer businesses, fewer services and increased environmental degradation.

“Property taxes to fund municipal services aren’t a great model to begin with, and remote work challenges that funding model even more.”
Online Survey Results

The project team conducted an online survey of regional stakeholders regarding the key uncertainties facing southern Maine in June 2020. There were 74 respondents to the survey, representing a wide diversity of perspectives on how the future might unfold (Figure 3).

Impact on Public Transit

Survey respondents overwhelmingly believed that rider behavior was going to have the greatest impact on public transit moving forward, at 73% of respondents choosing this uncertainty (Figure 4). Population migration and technology ranked the lowest on this question, at just 8% and 4% of respondents choosing these options, respectively. The other options clustered between 28% and 38% of respondents selecting them.

Transforming Communities

Stakeholders were asked an open-ended question on how the pandemic would impact our communities in years to come, which were coded into categories. The plurality of respondents indicated that teleworking and social distancing were going to be the biggest features (Figure 5). This was followed by the economic recession and more biking and walking, with technology and impact on vulnerable populations ranking the least common.

Respondents commented on the expansion of online interactions and transformation of how people move through public spaces. One respondent noted, “Teleworking and e-tail may reduce overall travel to brick and mortar employment and shopping locations.” Another commented, “COVID-19 will change the way we exist and interact with each other in public spaces.”
New Opportunities

Respondents also provided feedback on new opportunities that have emerged as a result of the pandemic (Figure 6). The top categories were “More teleworking,” at 32% of responses, followed by “Enhanced use of technology” at 17%. The least common comments were categorized into “Less reliance on cars” and “More social awareness”, both at 6%.

Responses to this question around new opportunities included comments such as, “Using streets for things other than just driving or parking, such as recreation, dining, and community hang-outs,” and “Bike-ped traffic is spiking!” One respondent also noted that video calling could reduce unneeded travel to meetings.

Summary

In general, the survey results were reflective of the interview findings. Teleworking and changed rider behavior were identified as primary key uncertainties, both of which speak to the new imperatives to maintain social distance. Respondents also commented on the new uses of public space, such as repurposing sidewalk or parking areas for outdoor dining or other uses.

Furthermore, respondents seemed to agree that the demographic makeup of the region was unlikely to be greatly impacted by the pandemic. The lack of demographic change squares with the interview results, which did not suggest any meaningful change in the demographic makeup of greater Portland’s residents.

Figure 5 Major ways COVID-19 will transform communities

Can you think of any new opportunities that have emerged as a result of the pandemic?

Figure 6 New opportunities
Critical Factors and Driving Trends

Prior to the pandemic, there were multiple trends impacting public transportation: stagnant funding, adoption of digital communications, the spread of online shopping, aging rural populations, and many others. As noted in the interviews, the pandemic has accelerated some of those trends, and disrupted others. This section is a deep dive into the driving trends and critical factors that could impact the region’s ability to realize the vision articulated in the Transit Tomorrow plan.

A 2019 Eno Foundation study provides some insight on themes that most concern transit agencies that could be amplified or disrupted by the pandemic. This study surveyed transit agencies across the country on what some of their major concerns were over the next 3 years; subsequent analysis of survey responses, including a word cloud (an analysis tool which displays key phrases in sizes proportional to their popularity in surveys or other documents), indicated that “funding”, “ridership”, “service”, and “TNCs” are at the forefront of agencies’ minds (Figure 7). It is also worth noting that some things may not change at all. As a July Op-Ed in the New York Times noted:

“Many things will not change. That’s one of history’s lessons... The financial crisis of 2007-09 didn’t cause Americans to sour on stocks, and it didn’t lead to an overhaul of Wall Street. The election of the first Black president didn’t usher in an era of racial conciliation. The 9/11 attacks didn’t make Americans unwilling to fly. The Vietnam War didn’t bring an end to extended foreign wars without a clear mission.”

The research described below explores the factors and trends described in the interviews more closely, with a consideration of how they might impact public transportation in southern Maine.

Development of a Vaccine

One of the major uncertainties of this crisis is when things will return to “normal.” This return to normal is highly dependent on the availability of a vaccine or some alternative therapy that can effectively combat the virus to a degree where people can feel safe from infection.
transportation. An April 2020 poll showed that 72% of Americans would not feel safe attending sporting events without a vaccine, including 61% of sports fans. A CNBC article from May 6 wrote, “Only a vaccine, ubiquitous testing or vastly improved treatment will accelerate the pace of large gatherings without strict social distancing.”

It is worth noting that mass testing and surveillance technology have also proven successful in controlling the disease in countries such as Singapore and South Korea; however, according to an article in The Conversation, this solution requires infrastructure as well as a culture that tolerates a certain level of surveillance, neither of which can be created overnight. Therefore, most western countries continue to push social distancing while focusing efforts on the development of a vaccine.

*Figure 8 Typical vaccine development timeline*  
Source: New York Times

*Figure 9 Compressed vaccine development timeline*  
Source: New York Times
Economy and Public Funding

Economic activity in the United States plummeted in the wake of the pandemic as unemployment has soared and a global recession officially began. According to *The Washington Post*, the unemployment rate reached 14.7% in the United States in April, with more than 40 million people having applied for unemployment, and around 21.5% receiving unemployment since the pandemic began (Figure 5).

As reported by the local Maine TV station *WGME*, Maine paid out over $1 billion to nearly 170,000 unemployment claims between March 15 and July 4, 2020. A May *Bangor Daily News* article noted the leisure and hospitality sector in Maine has seen the largest share of job losses between February and April at 61%. This sector represents 40% of all jobs in Maine, and is an indicator of Maine’s economic reliance on the tourism industry.

One analysis put Maine as the number 1 most vulnerable state to the impacts of the pandemic (Figure 5). As reported in an April 26, 2020 article in the *Press Herald*, an economist at the University of Maine in Orono said:

“Bottom line, I think that Maine’s economy is a little more dependent on social interaction than the rest of the country.”
As states grapple with the short-term economic impacts of the virus, the question remains how this pandemic will impact the economy in the long-term, and what the “shape” of recovery might look like.

As described by the Brookings Institution, a Z-shaped recovery would be most optimistic scenario (Figure 11), where the economy suffers a downturn during the pandemic, but then bounces back above the pre-pandemic baseline as pent-up demand creates a temporary boom.

An L-shaped recovery is the most challenging scenario, because it would mean that the pandemic has a long-lasting effect on GDP (Figure 12). Lost investment during the crisis, a rethinking of global value chains, a permanent change to fiscal policy, and a slowdown in productivity growth all have the potential to cause the trajectory of GDP to be lower than it otherwise would. The Great Recession of 2009 had an L-Shaped recovery.

Economic recessions have the potential to greatly impact public transportation as funding for the industry is largely dependent on revenue sources that rely on public spending. A primary concern is the effect of the recession on public sector budgets and the capacity of government to support transit operations.
Transit Committee agreed that funding requests would proceed in phases. The first phase, $13.7 million, addressed immediate concerns within the transit system and covers the period from February 1 to June 30, 2020. Funds for future phases ($39.3 million) will address long-term recovery issues related to COVID-19 and the resiliency of the region’s transit network.

Local assessments, which are derived from municipal funding sources such as property tax, parking, and fees, make up 10% of funding. These sources have also been impacted as the governor has issued a flexible “disaster period” on the payment of property taxes, delaying that source of revenue. Additionally, local business closures have already had a negative impact on local budgets, according to the National Maine Street Center.

Taken together, this sudden decline in economic activity is likely to have a substantial impact on the local financial capacity to support public transportation. The decline in fare revenue and other user-generated funding, in addition to compromised municipal budget capacity, mean a greater reliance on federal funding in the near-term.

**Political Climate**

As the transit agencies operating in greater Portland increase their reliance on the funding that has flowed from the federal government through the CARES Act, future rounds of federal funding remain uncertain. The federal government issued funding to state and local governments via the CARES Act in April. A second wave of CARES funding left out state and local government, instead focusing on small businesses.

After three rounds of CARES funding, it is uncertain whether there will be a fourth or what will be included in it. As reported by Business Insider, in April of 2020 Senate Majority Leader Mitch McConnell said, “There is not going to be any desire on the Republican side to bail out state pensions by borrowing money from future generations.” A press release from Senator McConnell’s office later dubbed such funding “a blue state bailout.”

**Figure 13** Funding for Portland-area transit agencies

![Figure 13 Funding for Portland-area transit agencies](image)

Figure 13 gives a breakdown of greater Portland’s transit funding sources, showing heavy reliance on federal funding and fare box revenues.

In terms of local funding, southern Maine’s transit operators are exposed to declining revenue due to the economic recession. Some examples include:

- **Portland Metro** derives 23% of its operating budget from fare revenue, and has suspended fare collection due to the pandemic;
- **Casco Bay Lines** derives 75% of its operating revenues from ticket sales, freight shipping, cruises and charter service, and other sources that have been impacted by the pandemic;
- **NNEPRA** derives half of its operating revenues from ticket revenue, food service, and parking/miscellaneous sources;

Overall, transit agencies in southern Maine derive 28% of their operating revenue from fares.

The Coronavirus Aid, Relief, and Economic Security (CARES) Act apportioned $53 million in 5307 and 5337 funds to the region for public transportation. The PACTS
As of July 2020, there were ongoing talks about a fourth round of CARES Act funding, which would potentially include additional relief payments to low-income households. However, as reported by *The Washington Post*, Senator McConnell said, “I can’t comfortably predict we’re going to come together and pass it unanimously like we did a few months ago – the atmosphere is becoming a bit more political than it was in March.” *The Washington Post* article goes on to note that the Senate is divided over issues such as employer liability, enhanced unemployment benefits, state and local aid, and relief payments. Adding to partisan divides are issues of policing reform, public protests, and disputes over removing Confederate memorials, all related to systemic racism that has been highlighted by the death of George Floyd, Breonna Taylor, and other Black victims of police force.

Survey results from the Pew Research Center underscored this divide. While a majority of all respondents indicated the need for additional aid (Figure 9), Republicans – and in particular conservative Republicans – are more skeptical of such aid packages. This skepticism is reflected in Senator McConnell’s remarks.

It is uncertain whether the continued upticks in COVID cases and fatalities will provide the impetus for lawmakers to overcome partisan divides, or if the approaching election and sharpening disagreements between the right and the left will preclude another round of federal relief funding. Given southern Maine’s dependence on the federal government for funding, how this unfolds could be consequential for the near-term future of public transportation.

<table>
<thead>
<tr>
<th></th>
<th>Will NOT be necessary</th>
<th>Will be necessary</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td>28</td>
<td>71</td>
</tr>
<tr>
<td><strong>Rep/Lean Rep</strong></td>
<td>47</td>
<td>51</td>
</tr>
<tr>
<td><strong>Conserv</strong></td>
<td>57</td>
<td>42</td>
</tr>
<tr>
<td><strong>Mod/Lib</strong></td>
<td>33</td>
<td>65</td>
</tr>
<tr>
<td><strong>Dem/Lean Dem</strong></td>
<td>12</td>
<td>87</td>
</tr>
<tr>
<td><strong>Cons/Mod</strong></td>
<td>14</td>
<td>85</td>
</tr>
<tr>
<td><strong>Liberal</strong></td>
<td>11</td>
<td>89</td>
</tr>
</tbody>
</table>

Note: No answer responses not shown.

**PEW RESEARCH CENTER**
Workforce and Organizational Capacity

The pandemic has revealed the importance of frontline workers to the continued functioning of society, and transit workers have in particular been noted as essential workers putting themselves in harm’s way to connect people to their essential destinations.

Jason Hargrove, a bus driver in Detroit, posted a Facebook video just days before dying of COVID-19. As reported by the New York Times, he said in that video:

“We’re out here as public workers, doing our job, trying to make an honest living to take care of our families. But for you to get on the bus, and stand on the bus, and cough several times without covering up your mouth, and you know that we’re in the middle of a pandemic, that lets me know that some folks don’t care.”

The New York Times followed up with an article about the reliance that many Detroiters have on public transportation – and buses in particular – to get to their essential jobs (Figure 15).

As the full weight of the pandemic has been felt and public fears around safety and disease have grown, awareness around the value of public institutions and civil servants has increased. To that point, the Pew Research Center published polling results showing marked increases in the favorability rating, particularly among Republicans, for the CDC and the Department of Health and Human Services (HHS) (Figure 16).
At the same time that the value placed on public institutions that serve public interests such as healthcare or transportation is rising, the stagnation of these institutions, especially at the federal level, is striking. Between 1950 and today, the number of federal employees has remained essentially unchanged (Figure 17). At the state and local level, the number of employees has remained essentially the same since the recession of 2009.

The pandemic has exposed an essential and irreplaceable role that public institutions serve during times of crisis, and the harm that is done through disinvestments in these institutions. In the context of Maine, which is preparing for a 24% drop in transportation revenues over the next 18 months, Maine DOT spokesman Paul Merrill said in a May 2020 Portland Press Herald article, “We were already in dire straits with funding. Things were not good and COVID is making things worse.”

**Public Space**

As people have had to stay indoors, many aspects of the transportation system have changed, particularly traffic congestion. With fewer vehicles on the road, cities have begun to rethink land use and the amount of space that has been dedicated to cars for roads and parking. Portland has closed streets in the downtown area, mainly in the Old Port, to vehicular traffic, opening them to non-motorized traffic (Figure 18). This follows the lead of numerous cities nationally which have done Open Streets events (Figure 19) in order to better accommodate pedestrians trying to maintain social distancing guidelines, as well as businesses which have been setting up shop outdoors as Maine's economy reopens.
Land Use and Housing

At the same time that public space is being repurposed in urban areas, the overall viability of dense urban areas is being questioned. Headlines like those in the Wall Street Journal “The New Urban Flight: Riots and the pandemic are driving another exodus from big cities” or the Maine ABC affiliate WMTW’s “Evidence Growing of Urban Flight to Maine Due to Coronavirus” would suggest that places like New York City or Boston are entering another phase of decline, and places like Maine could receive many of these urban transplants.

It is unclear whether this new value placed on public spaces will continue as states reopen their economies, classes resume, and social distancing measures are relaxed. According to Business Insider, vehicle traffic in the United States had already rebounded to 90% of pre-pandemic levels by mid-June, up from its nadir of 52% in mid-April. As the article notes, “A recent survey from research firm Elucd found that 44% of New Yorkers will avoid public transit after quarantine ends. The poll found that, nationwide, 46% of people will ‘avoid transit entirely.’”

Under new and potentially worse traffic pressures, the future of Open Streets, converted parking lots to open-air dining areas, and lanes dedicated to non-single occupancy vehicle traffic is uncertain.

Figure 18 Open Streets in Portland

Source: Portland Press Herald

Figure 19 COVID transportation-related emergency measures

Source: National Association of City Transportation Officials

Source: Bloomberg CityLab
On the other hand, city boosters like Richard Florida have written counterpoint articles (“This Is Not the End of Cities”), noting the tenacious staying power of cities as desirable places to live. Writing in *CityLab*, Florida observed:

“Urbanization has always proven the greater force – stronger than the devastating Black Plagues that began the fourteenth century, the deadly cholera outbreaks in nineteenth century London, and the horrific tragedy of the Spanish Flu, which killed as many as 50 million people worldwide between 1918 and 1920.”

In the near-term, anecdotal evidence suggests that the residential real estate market is the tightest it’s been in years, making any significant migration challenging. According to *Forbes*, sellers have either removed their homes from the market or did not put their homes on the market, leaving inventory extremely low relative to demand. This is reflected in a noticeably lower rate of sellers reducing the asking price of their homes in 2020 relative to the two prior years, according to *Zillow* (Figure 20).

Fundamentally connected to housing preference is the rise of telework. As more people work from home and Zoom calls are at an all-time high, a move towards mixed use development might speed up because fewer people will be traveling to work and may want to be able to shop near where they live instead of the commercial centers where they previously commuted, according to a *Webinar* by the Eno Center for Transportation. Other experts argue that planners and developers need to rethink transit-oriented development as a solution to severe housing shortages, as the pandemic may leave a legacy of preference for lower density as well as a preference for cars over mass transit, according to a *New York Times* article.

Alternatively, the rise of telework has been predicted for years. As noted in a May 2020 article in *Governing Magazine*, “Pundits have been predicting an internet-fueled explosion of at-home workers and a decline of downtown offices ever since Frances Cairncross’s book, *The Death of Distance*, forecast it in 1997. That book became a best-seller, but there was no death of distance.” Should there be a renewed suburban boom in the longer-term, that could prove challenging to public transportation because population density is one of the essential factors to a successful public transportation system. The relationship between density and transit is mutually reinforcing – transit runs more efficiently in places where people are clustered together, and dense places depend on transit in order to move people efficiently. Much remains uncertain and the debate is ongoing about the impact the pandemic might have on housing preferences, but the implications of shifting housing demand could be substantial on the ability of the region to realize the *Transit Tomorrow* vision.

![Figure 20 Sellers reducing the asking price of their homes](source: Zillow)
Climate Change

The transportation sector produced 28% of all greenhouse gas emissions in the United States in 2018, though in Maine transportation is responsible for nearly double that at 54%. The transportation sector in Maine consumed 7% more energy in 2017 than in 1990 mostly due to an increase in vehicle miles traveled, with total CO₂ emissions decreasing by 2.5%.

The pandemic has caused greenhouse gas emissions in the United States to drop substantially, 18% from March 15 to June 15, 2020, according to a Politico article. This is due to production lines shutting down, travel plummeting, and other economic activity grinding to a halt. However, the New York Times reported that greenhouse gas emissions have started to surge again as countries begin to reopen. Globally, emissions by June were back to just 5% below 2019 levels.

Environmental quality is a key aspect of the vision for Transit Tomorrow, and National Geographic points out that even the huge economic dislocation causing the current decline in greenhouse gas emissions is nowhere close to estimates on the level of action needed to avoid the worst impacts of climate change. On May 20, 2020, Alejandra Borunda of National Geographic wrote:

“Even with all this economic upheaval and the emotional toll of isolating, our emissions have dropped only 17 percent in the short term and will likely drop by less than 10 percent for the year . . . Framed another way: We’re still spitting out more than 80 percent as much CO₂ as normal, even when life feels devastatingly different.”

The author goes on to note that this pandemic does provide insight into the level of change needed in order to achieve meaningful climate change goals recommended by the International Panel on Climate Change. As the State of Maine continues to reopen and economic activity resumes, this “natural experiment” in greenhouse gas emissions reduction sheds important insights on the climate and environmental goals pursued through the transportation system.

Figure 21 Change in global emissions

Source: New York Times
Ridership

Ridership on public transportation has plummeted as a result of the pandemic and the social distancing measures aimed at reducing infection spreads. As the *New York Times* reported in April 2020:

“The immediate future is upside down. On beautiful spring days, agencies are operating with snowstorm levels of ridership and service. They’re running Sunday schedules on Tuesdays. In college towns, they started summer service in late March… They are spending their communications budgets begging riders to stay away. They are deliberately running larger vehicles to leave more empty seats so that riders can be at a safe distance.”

Bliss quoted a professor of urban planning who opined that the role of public transportation in the near-term might primarily be to serve those without any other transportation options. “My educated guess is that we will see the rise of transit as a social service,” he said.

The greater Portland area has seen this decline in ridership as well. Portland Metro saw ridership drop year-over-year to less than a quarter of what it was in 2019 (Figure 22).

A poll conducted by MassINC Polling Group in May 2020 showed public opinions regarding transportation held by Massachusetts residents. The poll indicated that sanitized vehicles and stations as well as limited passengers on vehicles and platforms were top concerns, as well as availability of hands-free sanitizer dispensers (Figure 23).

Although there is mounting evidence that transit use is not actually a correlate of coronavirus hot spots, there continues to be a perception that only individual

---

**Figure 22 Portland Metro monthly ridership**

![Portland Metro Monthly Ridership](source: National Transit Database)

---

The Eno Foundation published an article in April 2020 looking at transit ridership after various crises, disasters, or disruptions. The article noted that air travel after the September 11th attacks took nearly three years to rebound to pre-9/11 levels. On the other hand, transit ridership in Taiwan rebounded quickly after the SARS epidemic of March 2003, taking only three months to regain lost ridership. The article notes, however, that the COVID-19 pandemic is unlike either of those two examples in the global reach, economic impact, and long duration of the crisis.

How quickly ridership will rebound is unknown and will depend on numerous factors. Laura Bliss of *CityLab* broke down some of the factors in a May 2020 article “A Post-Pandemic Reality Check for Transit Boosters”:

- Some portion of would-be passengers are going to work remotely, while others may shift to driving or biking.
- Transit agencies may need to keep service cuts after lockdowns lift, which themselves could depress transit ridership; a 10% reduction in transit service tends to result in a 3-6% ridership decline.
- Transit ridership nationwide has been in decline since 2014, and the pandemic may exacerbate that overall trend.
forms of transportation are safe. For example, Staten Island, the most suburban part of New York City with the least transit use, had one of the highest rates of confirmed cases, as well as high infection rates on Long Island and rural Ulster County, according to an article in *Governing Magazine*. Transit-dependent Asian cities such as Hong Kong saw relatively few cases of COVID-19. Nonetheless, there remains a perception that transit is dangerous to use in the time of the pandemic.

Janette Sadik-Khan and Seth Solomonow wrote in an article in *The Atlantic* titled “Fear of Public Transit Got Ahead of the Evidence”:

> “Far from scaling back on public transit, cities across the country need a massive transit expansion that will enable them to avert the mobility meltdown that threatens to swallow them if even a fraction of former transit commuters take to cars . . . What’s becoming clear is that, with appropriate precautions, transit riders can feel comfortable swiping their MetroCards again and agencies can start building the post-pandemic transit systems that cities and their residents want to see.”

As noted above, it is not clear if transit ridership will bounce back in the absence of an effective vaccine or treatment. As discussed, transit could serve as more of a social safety net in the near-term, transporting those who are not able to work from home, do not own a car, or are otherwise dependent on public transportation for mobility.
**Scenarios**

The methodology for this process guides participants through a scenario development exercise wherein four narrative scenarios are developed. A focus group held on June 26, 2020, followed by internal workshopping, prioritized the factors that were both highly uncertain and could have a large impact on the organization.

The project team focused on the factors in the top-right quadrant, and selected two key uncertainties from that group (Figure 24).

The two themes selected were:

1. **How quickly a vaccine will be developed.**
2. **How federal funding for transit in southern Maine will be impacted.**

Four scenarios based on these two uncertainties were developed.

These scenarios paint a picture of what the future could look like based on the two key uncertainties identified through the process described above. In brief, the scenarios imagine the following futures:

---

**Figure 24 High impact, high-uncertainty scenarios**

![High impact, high-uncertainty scenarios diagram](image)
1. **Ticket to Ride**: This future is one in which a vaccine is developed relatively quickly. Federal funding continues flowing to transit agencies in southern Maine to fill any budget gaps left by either lingering aversion to using transit or economic damage from the pandemic.

2. **Can’t Buy Me Love**: This future envisions a scenario where the vaccine proves difficult to develop and the public remains skeptical of public transportation, fueled by periodic advisories about social distancing. However, the federal government continues to fill any funding gaps experienced by transit agencies in the region.

3. **Money (That’s What I Want)**: This future is one in which the race to find a vaccine is relatively successful, but the federal consensus surrounding lingering economic damage falls apart. Transit agencies struggle to meet developing demand from the public.

4. **Help!**: This future is one in which the vaccine is slow to be developed. Austerity measures are taken by the federal government in the wake of the extraordinary debt resulting from CARES Act relief funding. Transit agencies face service reductions matched by depressed ridership demand.

These scenarios follow four transit customers through their lives in the mid-2020s as they attempt to meet their transportation needs in each future. The scenarios tell the story of these customers and show the on-the-ground reality shaped by the two key uncertainties.
Scenario 1: Ticket to Ride

More Federal Funding, Faster Vaccine Development and Distribution

Jamille flipped through her Twitter feed and sighed at the flood of people commemorating the third anniversary of the pandemic. She remembers being at work three years prior, on March 11th, 2020, when the World Health Organization declared COVID-19 a global pandemic – on break scrolling through that same Twitter feed. She was around back from the restaurant where she worked, taking in the cool Portland air, and she had a bad feeling in her gut. Sure enough, Jamille remembers the stinging inevitability of being laid off just a few weeks later, among the thousands of Mainers and millions of Americans in the same situation. Her parents would understand, she was already on the phone with her mother as she sat on the bus heading back home.

“My boss told me that once everything settles down she’s going to rehire all the staff, and really it’s for the best – now I can collect unemployment, so that’s something, right?” she said over the phone, through the facemask it seemed like she could never take off.

The next months were hard, more trying than she would have imagined. Even in regular times, the apartment was cramped, just three bedrooms shared between her parents, three brothers, and her. Even though her Mom had diabetes, she still got on the bus every day to get to her nursing assistant job at Maine Medical. They all knew that the unemployment would eventually dry up, and she had to keep her job.

Those months of lockdown were tedious and stressful. As the oldest, she had to help her dad manage her brothers, which he had never really done before. Every morning her mom would put on her mask, face shield, and gloves, and head out the door to wait for the bus. One morning, shortly after she left, Jamille got a text from a friend at the restaurant – his mother had gotten COVID, and it was bad.

As the days dragged on, Jamille got increasingly dire texts from her friend. Five days after that first text, she got the news that his mom had died.

As all the while, Jamille’s own mom suited up and went into work at the hospital, so close to the disease that was taking so many lives.

As the summer of 2020 turned into fall, Jamille and her brothers would go on walks to the nearby park, visit with friends outdoors, and let their dad recharge his mental energy before the full crew of kids would crowd back into the apartment. She was scrolling through her Twitter feed again while sitting on a swing at the park one cool fall afternoon when she saw the news that she had been waiting for:

“Breaking: Phase 3 Trials Successful, First COVID Vaccine Heads to Market”

The end of the pandemic seemed to come about as fast as the start. Her unemployment benefits had been extended into 2021, but she still wanted to find a job, as much for the money as to get out of that cramped apartment. So many of the restaurants around town had closed, including the one she had worked at.

By winter 2021, she ended up taking a job at a Subway sandwich shop in Scarborough, and was glad to find that. She had to prove that she had been vaccinated to even get an interview, and her hours were short once she was hired. Even though it was just a 15-minute drive from her house, she couldn’t afford a car, and didn’t have a driver’s license even if she could. She noticed that the bus system had not only returned to a normal schedule, but was actually running more often. She had read that congress had passed even more rounds of funding to help out with unemployment, SNAP benefits, bus service, and all sorts of other things while the economy continued to recover.

As the months ticked on things slowly got better. By 2022, most of the restaurants had opened, and the net result was only a small percentage had disappeared. Jamille noticed that the businesses on the peninsula were the first to come back, high-end restaurants and expensive shops in tourist areas. Cruise ships were docking again, festivals and large gatherings that had been canceled in 2020 and scaled back in 2021 were full-throttle.
Things had bounced back enough in 2022 that Jamille was able to find a job again at a downtown restaurant as a server and could leave her Subway job. By summer of 2022, face masks were only worn by fewer than half of the customers crowded into her restaurant. Some people wore them mostly as designer items or accessories, a weird pandemic take on the bow tie or scarf. In November 2022, her Twitter feed lit up as the governor of Maine issued a press release, “85% of Mainers now vaccinated, a key milestone for ‘Herd immunity.’”

By the third anniversary of the pandemic, as her Twitter feed again overflowed with memories of the strange time kicked off three years prior, she sighed with relief that her family made it through fairly well. Her mother never got the disease, though knew people who did, and her dad was finally back to work himself. She managed to get her brothers through the pandemic without them getting into too much trouble, and the oldest one would ride the bus part way with her to work as he went to his own job at a warehouse. She sighed with relief, glad that things finally seemed back on track.

**Impact on Transit**

In this scenario, the pandemic lasted around 18 months before a vaccine was developed. With plenty of federal funding in the budget, the seven transit agencies are able to continue operating reduced service without having significant layoffs or organizational changes. Additional rounds of CARES funding also allowed them to pursue prior strategic goals, such as mobile fare payment systems. While transit demand remains depressed even after the pandemic is over, the continued federal support means that transit agencies are able to run similar service as before the pandemic, even though fare revenues are depressed and ridership is down.

**Scenario 2: Can’t Buy Me Love**

**More Federal Funding, Slower Vaccine Development and Distribution**

Alex opened his sock drawer to find his green face mask celebrating St. Patrick’s Day. After five years of living with COVID-19, he had built up an impressive collection of colors and patterns. Mask over his nose, scrubs on, lanyard around his neck, he was ready to start his shift at Maine Medical Center. Except he had to make that same decision that stressed him out every morning – should he take the bus to get there or sit in traffic?

Before the pandemic, Alex had been a die-hard bus rider. He took advantage of the employee transit benefit offered by his work, taking the bus when he could and sometimes mixing a bus trip one way with a carpool or biking the way back. He loved being able to read a book or sometimes doze while the bus drove him right to his work, a great way to start the day before his grueling 12-hour nursing shift.

Once the pandemic hit, everything changed. The bus reduced service so much that he couldn’t use it to get to work anymore and, besides, he was scared of being around so many people while he saw the dangers of COVID firsthand at his work. He hated to do it for a lot of reasons, but he leased a car in spring of 2020 and started driving to work for the first time in his life.

Not too long after getting the car, he wasn’t sure how it had happened, but he came down with COVID-19. He had his temperature taken at work and it came back high, and the test later showed that he was positive for the virus. He hadn’t been that sick in a long time, with a high fever, dry hacking cough, digestive problems – basically the worst flu that he could remember. He was at home sick for two weeks and quarantined for another two, the longest time he’d been off work since graduation.
Once he was better and out of quarantine, he started experimenting with taking the bus again. Service was starting to resume in the summer of 2020 and the bus finally fit his schedule again. He felt a bit more confident since he’d had the virus and didn’t worry as much about getting it a second time. He would still wear his face mask and wash hands obsessively, but he wasn’t too worried.

By winter of 2021, the talk around the hospital was about how researchers were learning more about the virus. The vaccine development wasn’t going well, with several failed starts that didn’t pass clinical trials. And then they saw the same person come in with COVID-19 for a second time, confirming before their eyes what they had been reading about – the virus acts like influenza, with different strains going around year to year.

Alex talked with the two-time COVID patient while she was in the ICU and noticed that she sounded like she was from New York City. While he was making conversation, he asked where she was from.

“Brooklyn!” she responded proudly. “But I had to get out of there after the city went on lockdown and I was holed up in my apartment for six months. I thought Portland would be a great place to escape to.”

As the health crisis ebbed and flowed, the federal government stepped in to help fill funding gaps, coordinate the state and local response, and provide relief funding to those who were unemployed for an extended amount of time. Contact tracing, fever screening, and mandatory protective equipment became more common, and slowly life returned to a sort of new normal. Alex noted with both satisfaction and trepidation that the cruise ships that had disappeared during the lockdown started coming back, though only at half capacity (which even then they didn’t meet that passenger cap).

New routines had become common by 2023, with handshakes long since gone, outdoor Beer Gardens and barbecues becoming the standard for group dining, and video meetings and chats taking over, not just in business, but even among friends in the same city hanging out. For Alex, one of the biggest changes was his commute into the hospital. He ended up purchasing the car he was leasing, and started driving to work. He’d had coronavirus once and didn’t want to get it again. But the traffic was awful and getting worse, even in a small city like Portland.

He would sometimes see the bus rolling by, still mostly empty, supported by the continuing flow of federal relief funding, and wondered if he should chance it again. Even though people who get COVID-19 a second time tended to fare better, he still didn’t want to risk it. The transit agencies were airing ads on the radio and social media about the lengths to which they were going to keep their vehicles clean, which made Alex think hard about his commute options.

By the fall of 2024, Alex and his partner were starting to look at buying one of those houses that were being built out by Standish and Limington. They were getting close to retirement, and rent prices were creeping up as more people were leaving Boston and New York for Portland, able to work from anywhere and looking for the quality of life that southern Maine had to offer. He wasn’t thrilled about having to drive everywhere if they moved to Standish, but there were worse things.

So that morning five years after the pandemic was declared, as Alex put on his green mask, he still wasn’t sure if he would take the bus. He had heard on the news that the cities and towns were tired of paying for buses that ran empty, and so they might pull back their funding and see if the feds picked up the tab. If they did move out of the city, he would miss a lot about Portland, but maybe it was the right move to make.

Impact on Transit

In this scenario, a vaccine never arrives, but federal funding continues to fill budget gaps. Greater Portland uses some of the budget on communication strategies to get the word out on measures being taken to keep COVID cases at bay, such as sanitizing public facilities and enforcing social distancing and use of masks. This strategy has mixed results, as fear of the virus lingers and mostly transit-dependent riders use the service regularly. At the same time, there is a growing, non-transit-dependent population cropping up in Greater Portland which drives sprawl. As fewer people use the transit system, there is mounting pressure to devote less state and local funding to transit and direct it toward roadways, bike/ped facilities, and other transportation infrastructure that is increasingly congested.
Scenario 3: Money (That’s What I Want)

Less Federal Funding, Faster Vaccine Development and Distribution

Jaime was freezing, hurriedly clearing his driveway. He didn’t have to be at Journeys in the Maine Mall, where he was an Assistant Manager, for an hour and a half but traffic was terrible these days—what used to be a 15 minute drive from his house in Portland now took at least 45 minutes; plus, he had to drop his two roommates off at their restaurant jobs in downtown Portland, which would add at least 25 minutes to his commute.

He thought back to the time before the pandemic, when he could catch a bus a couple of blocks from his house and be at work in 45 minutes. He used to complain about his commute all the time—the route wasn’t super direct and there were a ton of stops but at least he could relax and play games on his phone. It was crazy to think of how much his life had changed in just a couple of months and how it was still affected by the pandemic, even though the vaccine had already been around for three years.

The service cuts that began in the first month of the pandemic were really disruptive. Everything else was up in the air then, too. He had been laid off from the Gap at the Mall, stuck at home for months with his roommates, driving each other crazy, panicking about rent and groceries; luckily, they were able to collect unemployment.

When the vaccine was rolled out in early 2021, it was surprisingly easy to get vaccinated: he was able to go to the urgent care clinic in downtown Portland and get it for free. Things started to look up for the first time in over a year. He got his job at Journeys that spring, people were out at the Mall again. There was still a lingering fear of being in crowds – in fact, he knew people who swore they would never get on the bus again.

Bus service didn’t come back like it was before the pandemic. There were half as many trips to the mall as there’d been before, and the buses were really crowded (even if some people swore off transit entirely). There were places he couldn’t get on the bus anymore because so much service had been canceled. He couldn’t understand why they couldn’t just add more bus routes when the system seemed so full all the time.

He’d heard on the news that the agencies lost a ton of local funding in that first year because of all the businesses shutting down. He also knew from a cousin who worked at one of the transit agencies that the agencies got a lot of federal money in the beginning, but that had stopped coming. His cousin said it just seemed like everyone got sick of thinking about the virus and moved on and now the vaccine really pushed it out of peoples’ heads. “Austerity” was the word he kept reading when political posts flew through his news feed. Those first couple months when he was unemployed, he and his roommates were happy to not have to pay fares, but he guessed all those free trips finally took their toll.

Jaime gave up on using transit to get to the Mall in those first few months of Journeys. At first he used Lyft a lot—it cost a lot more than the bus but the bus was so unreliable. There was a lot more traffic on the roads so it took him almost as long to get to work as it would have on the bus.

His roommates finally got their jobs back at restaurants downtown once the vaccine was rolled out (those that reopened anyway). The restaurants were busy, like before the pandemic. They were also fed up with the reduced bus service—once the weather got better they biked to work until it got too cold for them. Jaime suggested they buy a car together. They commuted together when their schedules lined up, used it to go grocery shopping, and sometimes took short road trips with it. Gas wasn’t expensive—the insurance and monthly payments were a pain but Jaime couldn’t see how he could get to work otherwise. On snowy mornings like this, he missed the bus a lot though.
Impact on Transit

Transit demand has increased since March 2020 but still below what it was in 2019. Much of the population has been vaccinated and some jobs have returned but some businesses remain shuttered, and local budgets have been decimated from a year of suppressed spending and lost tax revenue. After several rounds of stimulus and the rollout of the vaccine, the federal government has pivoted to austerity—delivering cuts to the FTA and other agencies. Transit agencies have been forced to make dramatic cuts for three straight years. Service cuts have forced choice riders to abandon the system, resulting in lost fare revenue—a “transit death spiral”.

Scenario 4: Help!

Less Federal Funding, Slower Vaccine Development and Distribution

Marie sat at her desk, shaking her head at the ledger that sat before her. The inn she ran for a decade would have to close, ending years of work that she and her family had put into growing her small business. She had managed to limp along for two years after the pandemic first struck, but she was out of options.

At first, when the pandemic hit, reservations were canceled but she thought things would be back to normal for the summer season – surely it would just take a month or two to get the infection sorted out, a vaccine delivered, or some other solution in place. As the lockdown dragged on, she watched the local news in dismay as more and more summer events were canceled, and the phones stayed silent.

Marie thought back to February 2020, she'd been interviewing seasonal workers for the summer season and the center had been bustling with construction workers, making repairs before guests started pouring in. Conferences and hotel guests generally booked months in advance and Marie was anticipating another busy year. She was so sure that this pandemic on the other side of the world would be like other international virus outbreaks in years past and not really affect the United States very much—let alone Maine.

Marie followed the news obsessively once the outbreak spread, particularly the progress on the development of a vaccine and the federal aid packages released. She had applied for the initial package and secured funding which helped her pay the employees she’d kept on and the contractors who’d made repairs in the early part of the year.

She did get to spend more time with her mother who lived nearby, which she thought was a good thing. At nearly 90 years old, her mom needed more and more help, and the van service she used to go shopping and to the doctor had shut down due to safety concerns from the pandemic.

Summer 2020 was a dark time for Marie, her beach community felt like a ghost town. The seasonal trolley that she, along with other hotel owners, had paid to transport guests to the beaches and boardwalks wasn’t even running. Some of the employees that she was able to keep on were having a very difficult time getting to work because the bus service that they typically used was running only a third of its trips. She ended up reimbursing them for Lyft and Uber trips because she knew they had no other way of getting to work.

The next year saw the return of some visitors, though the hotel was only at 25% capacity—it made social distancing in the common areas much easier at least. Marie chalked up the lack of business not just to fear over the virus but also the dismal state of the national economy. She could only afford to hire 10% of the seasonal workers she usually had.

Transit service had not improved in the past year. In fact, service had been cut even further: employees that had to travel between multiple providers had said between the different levels of service reductions, it was impossible to coordinate transfers. The restaurant manager ended up setting up a vanpool to make sure workers could get to work reliably.

Marie and other people in the hospitality industry had been meeting regularly over the last two years to talk about the challenges they were facing. They also
Imagining Transit Tomorrow: Evaluating the Impacts of the COVID-19 Pandemic on Southern Maine’s Transit Future

“Well,” she thought, “at least I’ll be able to help my mom out more – Lord knows she needs the help getting around.”

Impact on Transit

Transit demand is still much lower than it was in early 2020. Despite efforts made by transit agencies to minimize risk through social distancing mandates and increased cleaning, all but transit-dependent riders are avoiding transit for fear of catching the virus. Additionally, a large number of transit dependent riders have lost their jobs—as many work in the service industry, which has been decimated by the pandemic. Besides the economic impact of the loss of thousands of jobs, municipalities have lost millions of dollars in tax revenue from the many businesses that have been shuttered due to the virus. The federal government has not stepped up adequately to fill the void, shifting to austerity after several rounds of aid distribution in the beginning of the pandemic. The loss of local and federal funding coupled with a sustained massive drop in fare revenue have created a very dire situation from transit agencies—forcing them to seek out funding wherever possible in order to stay solvent.

talked about how loss of business on their end was affecting the state and towns they lived in. Marie wondered what public services would be left whenever a vaccine was developed—the local governments had slashed services in the previous years as federal aid and tax revenue had dried up. She worried about the local transit provider she and other owners paid to provide shuttle service as she knew this service made up a significant piece of their annual budget.

As efforts to develop an effective vaccine had failed over the last two years, it felt like there was no end in sight. Marie had lost faith in the federal government’s ability to manage the virus early on, with the lack of Personal Protective Equipment and capacity for testing, so she worried that even if a vaccine was developed, the rollout would be so messy that it would basically be ineffective.

Marie hoped she could sell the property, but she knew in the current climate, it would be difficult to sell given the state of the industry. The inn was finished, but she wasn’t sure what to do next.
Recommendations

The four scenarios presented above paint pictures of how the future could unfold depending on two key uncertainties: The development of an effective vaccine, and the level of federal transit funding. These two key uncertainties interact with other driving forces and factors to generate the four distinct scenarios, each of which follows a resident of the region who depends on the public transportation system – Jamille, Alex, Marie, and Jaime.

Based on the findings of the interviews, research, focus group, and scenario development, the project team identified the following low-risk recommendations:

1. Adapt service to better serve transit-dependent populations

The four scenarios envisioned futures in which ridership levels are lower than pre-pandemic levels, at least in the next five years. The riders who remain using the system are those who have no other options (i.e. transit-dependent riders). Focusing service to best provide access and mobility for those transit-dependent riders will be more effective than attempting to lure reluctant choice riders to the system.

2. Plan to deliver lower levels of service to stretch dollars further

Even in the scenarios with significant federal funding, local budgets are expected to be dramatically lower than in years before the pandemic. This diminished financial capacity will be partially offset by reduced demand for public transportation. Transit agencies should plan for lower levels of service to match depressed travel demand, which also preserves funding for future operations. Public transportation services for transit-dependent populations should be prioritized to maintain lifeline-levels of access for essential trips.

3. Diversify and expand local funding to anticipate reduced public funds

Two of the scenarios envisioned a future with limited federal funding (“Help!” and “Money (That’s What I Want)”). A third scenario, “Can’t Buy Me Love”, envisioned a future with lower ridership supported by a continued flow of federal funding to fill budget gaps. That scenario predicted that local governments would begin to question the local assessments they pay to the region’s transit agencies, which continue running buses viewed as “empty.” Any reduction of local funding would result in that much more dependence on federal funding. Diversifying funding will help to buttress the region against changes in any single source of funding and make for a more resilient transportation system.

4. Invest in no-touch mobile technology to protect public health

Even those scenarios that envisioned a vaccine developed relatively quickly (by summer 2021) predict a lingering “germaphobia.” No-touch mobile technology, such as smart phone schedule apps or touch-free fare payment, was an industry trend pre-pandemic that will succeed in all four futures described in this document.

5. Expand digital communications and marketing to rebuild ridership

In the two scenarios with vaccines that come late or never come at all, communications is essential to keeping the public informed about how agencies are keeping riders safe. Even in those scenarios with vaccines developed in the near future, communicating changes in rider protocols in a dynamic and shifting environment is important as operating conditions and safety guidance change with new medical developments. Expanded communications and marketing is an effective strategy in all four scenarios to serve the public and reassure customers about the safety of the system.

6. Invest in data collection to make nimbler decisions

Each scenario envisions a future where, at least in the near-term, there is rapid change. Those technologies which assist transit agencies with decision making, such as automated passenger counters, automatic vehicle locators, traffic counters, and online surveying tools are essential to adjusting service or other investments based on new on-the-ground realities.
7. Support street spaces for bike lanes, walking, and outdoor retail and dining to keep transit relevant

Each of the four scenarios envision a future in which the public has a deeper appreciation for open space. From restaurants doing more open-air dining, to former transit riders choosing to bike instead, to the thousands of residents who have spent more time in their neighborhoods during lockdown than perhaps ever before, this is an opportunity to aggressively pursue an agenda which expands these public spaces. If done in a strategic way, these investments can still complement transit improvements when demand for public transit returns.

8. Redouble efforts to locate housing in walkable villages and downtowns to reduce longer term ridership losses

The futures laid out above envision varying degrees of people from dense urban areas like New York City and Boston migrating to Portland. While there may be a desire for “small town” living, compact walkable urban design is an essential aspect to the Transit Tomorrow vision. Promoting mixed-use housing development of underutilized commercial and retail space, while not necessarily using the term “density,” will attract new residents to the walkable villages of southern Maine. At the same time, it will work toward achieving the kinds of transit-oriented, climate-friendly development embodied in the Transit Tomorrow vision.

9. Implement more efficient rural demand response options to cost-effectively maintain access

None of the scenarios envision a future in which the aging rural population in Southern Maine changes significantly. However, two of the scenarios envision significant funding shortfalls that may jeopardize the ability of the region to serve the expensive demand response trips some of these residents depend on. Maintaining access and mobility for these residents will be challenging and demand creative approaches, including non-transportation solutions such as enhanced tele-medicine, grocery deliveries, and perhaps incentive programs to facilitate the transition from rural housing to more centrally located communities designed for older adults. The relatively small agencies serving these rural areas should deliberate on how to prepare for a future of austerity or continued waves of infection.

Other Considerations

Importantly, these recommendations do not consider “black swan events” in which another mass disruption hits the region. These black swan events could include:

- Outbreak of a global military conflict
- Widespread disruption to global energy markets
- Massive climate refugee crisis
- Fast implementation of autonomous vehicle technology

Each of these events have implications that impact the regional transportation system. For example, in the event of a war where major global powers have access to nuclear arms and biological weapons, all major cities could see a population exodus seeking lower-density areas. This would parallel some of the logic for urban flight in the Cold War era, which was partially motivated by reducing population density in the event of nuclear war. Perhaps in this scenario, a focus on emergency preparedness would be a priority for the transportation system.

These scenarios only deal with a limited number of variables that will shape the future. The potential actions listed above speak to some of these uncertainties and assumptions, though do not prepare for every possible future. However, they should provide options which position the region for better movement toward realization of the Transit Tomorrow vision no matter how the future unfolds.
Conclusion

The Greater Portland Council of Governments is navigating through unusual and unprecedented times. Things that were taken for granted only months before are now being called into question, such as the viability of urban areas and the public’s willingness to be confined in close quarters with others on a bus, train, or ferry. This paper is an effort to take a close look at the key uncertainties that could impact how the future unfolds in order to better prepare for it.

This paper has been prepared to inform the Transit Tomorrow plan and in accordance with the vision laid out in it. The interviews, research elements, and scenario development have all had the goal of understanding what actions GPCOG and regional transit operators can take to pursue the vision of an environmentally friendly, equitable, and accessible public transportation system that strengthens the region’s great places. The recommendations included in this paper were prepared with the objective of realizing this vision.

In the end, the four scenarios developed provide a glimpse of what could come as told from the perspective of the region’s public transportation customers. These scenarios provide insight to transportation decision makers about how the strategies they pursue could have real-world impacts on those people who depend on the system to get to work, to the grocery, and other essential trips. The decisions being made every day by GPCOG and the region’s operators shape the lived experiences of the region’s residents in a direct and tangible way.

This paper not only provides recommendations, but sheds light on the key questions that regional decision makers should be asking themselves as they make capital purchases, develop service plans, and implement new programs to meet regional mobility needs. As new information is reported through the media, government reports, or scholarly work, assumptions should be updated and the shared understanding of what the future may look like should change.

Eamonn Kelly wrote in his book Powerful Times,

“Our times demand that we adopt a powerful orientation toward learning, experimentation, and discovery that will require us to acknowledge uncertainty and embrace ambiguity.”

This paper has been an effort to expand that orientation, better preparing regional leaders for the uncertainties we see ahead of us – and those that we don’t.
Bibliography


June 15, 2020

Benjamin Blunt
Vice President
Concord Coach Lines
7 Langdon Street
Concord, NH 03301

Subject: Concord Coach Lines Coronavirus Aid, Relief, and Economic Security (CARES) Act Funding Request

Dear Mr. Blunt,

Concord Coach Lines has approached the Portland Area Comprehensive Transportation System (PACTS) about accessing CARES Act funds to assist in supporting Concord’s bus service over the next year. The PACTS region was awarded $54M in CARES Act funds. Approximately $13.7M million was allocated to cover operating expenses for the region’s seven transit agencies from February 1 through June 30. The PACTS Transit Committee is currently discussing a framework for the allocation of the remaining approximately $40M in CARES Act funds available to the region. It is the understanding of PACTS that Concord Coach Lines is seeking operating support, and that the Maine Department of Transportation is working on an agreement to provide $1.5M to assist with Concord Coach’s need.

At its June 11 meeting, the Transit Committee reached consensus to entertain Concord’s request and intends to do so at its June 23 meeting. Federal Transit Administration funds are typically available to public transit agencies. The Committee would thus like to clarify certain parameters to guide Concord’s funding request. The request would:

- Be a one-time request due to the extraordinary circumstances posted to transit service by the pandemic
- Be for one year at most. This may be shortened if Concord Coach Lines becomes fiscally solvent before this time.
- Support the goal of Priority One, funding to preserve existing transit service
- Support resuming service only for the Portland – Boston corridor
- Provide economic value to the Greater Portland region

In submitting its CARES Act funding request, Concord Coach Lines is requested to:

- Commit to provide PACTS written documentation of its pursuit of and failure to acquire funding through other sources
- Commit to reducing the request to PACTS should other funding be provided
- Commit to providing monthly data reports in similar form to other agencies’ reporting to PACTS
- Provide documentation of the economic value of its Portland to Boston service
The provider and/or the direct recipient of funds is responsible for understanding and meeting all reporting standards and requirements associated with the use of 5307 federal funds. Lastly, it is the understanding of PACTS that federal funding programmed through PACTS will be a portion of the total that Concord Coach Lines is seeking to resume service. If Concord Coach is unable to secure the remaining funds needed to support a resumption of service, PACTS expects that the CARES funds allocated to Concord Coach will be returned to PACTS to be used for other purposes.

Sincerely,

Kristina Egan
Executive Director, GPCOG
June 19, 2020

Kristina Egan
Executive Director, GPCOG
970 Baxter Blvd, 2nd Floor
Portland, ME 04103

RE: Concord Coach Lines (CCL) Coronavirus Aid, Relief, and Economic Security (CARES) Act Funding Request

Dear Ms. Egan:

We have received your letter detailing the parameters under which the Portland Area Comprehensive Transportation System (PACTS) will entertain Concord Coach Lines’ request for support utilizing the CARES Act funds that PACTS has received.

We look forward to discussing our request with the Transit Committee on June 23rd.

We are requesting that the Transit Committee recommend an allocation of $3,651,825 to Concord Coach Lines. This figure was arrived at by calculating our budgeted costs for 12 months of operations, less our forecasted fare revenues and is broken down in 3 attached pages. As the pandemic will continue to impact transit and travel for the foreseeable future, we have proposed a phased approach in our scheduling. Where CCL was operating 28 roundtrips per day between Portland and Boston pre-pandemic, we are suggesting that we would commence service with 8 roundtrips per day, ramping up to 14 trips (or 50% of prior levels) by the end of the 12-month period.

This support would enable CCL to resume and provide more meaningful service and connections earlier than we otherwise would. If we are unable to secure operating support, we will either have to remain shut down, or run bare minimum service levels (1-2 trips daily) that could be supported by fare revenues. We believe that running some level of frequency will stimulate traffic and growth, and help us get back to more normal operations sooner, while providing a more convenient, accessible schedule to our customers and community.

We project that the cost of running our proposed schedule between Portland and Boston for this 12-month period will be close to $6.1M, and would urge the committee to support the full request of $3.65M. CCL is committed to being transparent with how these funds are used, and will submit a monthly summary of our fare revenues to backup any request for reimbursement through MDOT.

To address the specific concerns and parameters that were bulleted in your letter:

- **Be a one-time request due to the extraordinary circumstance posed to transit service by the pandemic**
  - This is a one-time request in the midst of an extreme disruption to our service. We have been operating service in Maine since 1992 and have done so without ever requesting or receiving any form of operating support. We have no expectation that a determination by PACTS will create a precedent wherein CCL will expect to receive any future/recurring support.
- **Be for one year at most. This may be shortened if Concord Coach Lines becomes fiscally solvent before this time**
  - We would request that if CCL has not exhausted these funds by the end of the 12 month period, but is still not meeting its costs with fare revenues, that these funds remain available to CCL to draw from until they are either exhausted or CCL has reached the point of "solvency".

- **Support the goal of Priority One, funding to preserve existing transit service**
- **Support resuming service only for the Portland – Boston corridor**
  - Yes. These funds would be used only as a means of supporting the service actually operated between Portland and Boston, and would absolutely align with the Committee’s Priority One of preserving existing service, albeit at a reduced frequency.

- **Provide economic value to the Greater Portland region**
  - CCL has direct economic impact through employment (prior to the pandemic we employed ~100 Mainers), fuel taxes, business income tax, property tax, and toll revenues to the State. In 2019, CCL carried well over 600,000 passengers in and out of the State and is the largest provider of interstate ground transportation connections in Maine.

We would also like to point out that CCL owns and operates the Portland Transportation Center that is utilized by PACTS-supported services and facilitates all forms of transit and connections for ground transportation in the region’s largest city. While a study is underway to assess the value in moving some of these services to a new station, the PTC remains the primary terminal for this activity in the greater Portland area. If CCL is shutdown entirely, or running minimal service, some arrangement would need to be made for the continued operation of this (or a separate) facility in the near term. We believe this, along with our footprint and passenger volumes in Maine, are what make our request somewhat unique from other motorcoach companies that may pursue these or future formula funds through PACTS.

We are working with MDOT on all necessary FTA compliance measures, and are familiar with what is required; we operate an existing 5311(f) contract in northern NH, and a contracted commuter service in southern New Hampshire that has been supported by 5307 funds.

This request is not for 100% of our full cost to run our full schedule. CCL is a private company and is willing to assume some continued risk as we try to rebound from the most catastrophic event to affect our business in our 53-year history. We recognize that it would be unreasonable to run (or request support for) 28 trips a day in this environment. The $3.6M request would help to rebuild our service, build momentum and rebound parallel with the rest of the economy, and ensure that we remain representative of what has made us successful and integral to the economic vitality of the region.

Sincerely,

Benjamin Blunt, VP
We are asking to segment variable costs from fixed in order to more clearly understand direct costs and to clarify for committee why cost per mile from original proposal would decline over time.

With regard to the 2019 monthly and annual expense totals provided, please break down fixed and variable categories. Please also provide the average monthly and annual miles along with total boardings and total ticket revenue.

Variable Costs and VC/M:
VC/M should be stable unless there are increases in wages, fuel or other direct costs.

You’ll see there is some fluctuation in our VC/M, decreasing over the course of the 12 months. The biggest items in this category are driver wages and fuel which should correlate almost exactly with the number of miles that we operate—and remain constant on a per-mile basis. That said, we have included some wage (and other) accounts that are not exactly linear to the number of miles we operate but would be inappropriate to include as “fixed”. For example, we have included dispatch and mechanic wages, as our staffing needs for these roles are related to the number of miles we operate, but we will only bring in additional support when we reach certain tipping points.

Gross Fixed Costs:
Should be stable per month (e.g., Terminals, Overhead, Liability Ins, Advertising, etc).

Again, there is some fluctuation in this account as we add more miles for things that do not fall into what we would consider a variable expense. Terminal rents, utilities, and much of our overhead should hold mostly steady over the course of the 12-month period, but there are some items which will increase as we add more miles. As an example, all of our buses have been taken off of insurance and will only be put back on insurance as they are needed for service.

We are willing to answer any questions or adjust this methodology if you’d like, but given that we are starting—essentially from zero—and not just adding incremental miles to our service, we would not expect to see both a flat per-mile variable cost, and a flat fixed-cost structure over the course of the proposed service.

We’re unsure if it’s appropriate for this funding to cover portions of depreciation expense and local-state-federal taxes - please explain further.

As we will be operating the proposed service with buses that were paid for with Private, not Public funds, this is the cost associated with the assets as they depreciate. For example, if our buses were leased (they are not) we would be required to make a monthly lease payment for the bus; or if the buses were paid for with Public funds, we would not include any depreciation expense. As this request is only for 12-months of support, reimbursing the depreciation is a way of subsidizing the underlying capital cost without providing us with buses. We have received FTA operating subsidies in other places that have reimbursed Depreciation.
Any taxes that are included in this budget are for things like fuel taxes, payroll taxes, and property taxes at the Portland Terminal. This would not cover any form of corporate income or pass-through taxes.

**Asking for for more information (above) on CCL’s revenue cost per mile. Assume mostly ticket revenue, but need to account for this and other sources of operating revenue. This is being asked of all agencies to ensure CARES Act is optimized in relation to other federal funding.**

We have pulled out the NNEPRA rent and expense share of the Portland terminal and show this as revenue, as requested. Typically, we credit this reimbursement against our expenses of running the Portland Terminal—accordingly, we’ve removed the credit from the expense side of this budget. We do generate some nominal commissions for the sale of connecting passenger tickets to the tune of a few hundred dollars per month across our system, but have left this in our budget in the form of a credit against the accounts they reside in for simplicity.

On the proposed Portland to Boston service we receive no form of State, Municipal or Federal Funding, and no form of Other Revenue.

The original request was done without complete revenue projections, as illustrated by the declining revenue per-mile figures over the 12 months, which are now included. It also had the NNEPRA cost share as a credit against expenses. By moving the NNEPRA reimbursement, it will look like an increase to both expenses, and projected revenues.

**Confirm whether or not there is a profit amount embedded in any of the variable or fixed cost categories.**

No. There is no profit embedded in any category.
Dear Mr. Butler,

This letter is to inform you of the split of Section 5307 funding for the Portland, Maine UZA including: Biddeford, Saco, Old Orchard Beach Transit Committee (BSOOB Transit), Casco Bay Island Transit District (CBITD), Maine Department of Transportation (MaineDOT) acting for Regional Transportation Program (RTP) and York County Community Action Corporation (YCCAC), Greater Portland Transit District (METRO), Northern New England Passenger Rail Authority (NNEPRA), and South Portland Bus Service (SPBS).

This letter reflects the revision in the PACTS region FFY2019 5307 apportionment (from $10,474,738 to $10,471,782) that was made after the split letter was finalized in 2019. MaineDOT will continue to assign 5310 and 5339 funds for the region.

### Portland, ME Urbanized Area - FFY2019 Full-Year Apportionment Split of Federal 5307 Funding

<table>
<thead>
<tr>
<th>Transit Agency</th>
<th>Capital</th>
<th>Operating</th>
<th>ADA Paratransit</th>
<th>Planning</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>BSOOB Transit</td>
<td>$435,048</td>
<td>$261,275</td>
<td>$</td>
<td>$6,436</td>
<td>$702,759</td>
</tr>
<tr>
<td>Casco Bay Ferry Lines</td>
<td>$1,894,740</td>
<td>$ -</td>
<td>$</td>
<td>$14,768</td>
<td>$1,909,508</td>
</tr>
<tr>
<td>Maine Dept. of Transportation</td>
<td>$71,134</td>
<td>$135,531</td>
<td>$</td>
<td>$</td>
<td>$206,665</td>
</tr>
<tr>
<td>Greater Portland Transit District</td>
<td>$713,698</td>
<td>$814,842</td>
<td>$134,272</td>
<td>$</td>
<td>$1,662,812</td>
</tr>
<tr>
<td>Northern New England Pass. Rail Auth.</td>
<td>$438,798</td>
<td>$ -</td>
<td>$</td>
<td>$</td>
<td>$438,798</td>
</tr>
<tr>
<td>South Portland Bus Service</td>
<td>$57,913</td>
<td>$212,293</td>
<td>$42,967</td>
<td>$7,313</td>
<td>$320,486</td>
</tr>
<tr>
<td>Total</td>
<td>$3,611,331</td>
<td>$1,423,941</td>
<td>$177,239</td>
<td>$28,517</td>
<td>$5,241,028</td>
</tr>
<tr>
<td>FFY2019 Apportionment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$5,241,028</td>
</tr>
<tr>
<td>RAD Program *</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$</td>
</tr>
</tbody>
</table>

*Regionally Administered Transit Discretionary Fund
Portland, ME Urbanized Area - FFY2020 Full-Year Apportionment Split of Federal 5307 Funding

<table>
<thead>
<tr>
<th>Transit Agency</th>
<th>Capital</th>
<th>Operating</th>
<th>ADA Paratransit</th>
<th>Planning</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>BSOOB Transit</td>
<td>$754,696</td>
<td>$453,245</td>
<td>$-</td>
<td>$11,164</td>
<td>$1,219,105</td>
</tr>
<tr>
<td>Casco Bay Ferry Lines</td>
<td>$3,286,892</td>
<td>$-</td>
<td>$-</td>
<td>$25,619</td>
<td>$3,312,511</td>
</tr>
<tr>
<td>Maine Dept. of Transportation</td>
<td>$123,400</td>
<td>$235,111</td>
<td>$-</td>
<td>$-</td>
<td>$358,511</td>
</tr>
<tr>
<td>Greater Portland Transit District</td>
<td>$1,238,083</td>
<td>$1,413,544</td>
<td>$232,928</td>
<td>$-</td>
<td>$2,884,555</td>
</tr>
<tr>
<td>Northern New England Pass. Rail Auth.</td>
<td>$761,202</td>
<td>$-</td>
<td>$-</td>
<td>$-</td>
<td>$761,202</td>
</tr>
<tr>
<td>South Portland Bus Service</td>
<td>$100,465</td>
<td>$368,274</td>
<td>$74,537</td>
<td>$12,687</td>
<td>$555,963</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$6,264,738</strong></td>
<td><strong>$2,470,174</strong></td>
<td><strong>$307,465</strong></td>
<td><strong>$49,470</strong></td>
<td><strong>$9,091,847</strong></td>
</tr>
</tbody>
</table>

FFY2020 Apportionment                     | **$10,759,763**|
RAD Program*                             | **$1,667,916**

*Regionally Administered Transit Discretionary Fund

The Regionally Administered Discretionary (RAD) Program Balance is the current balance that has yet to be programmed for Operating, Capital, ADA Paratransit or Planning projects in FFY2020. The PACTS Transit Committee has developed an Expansion/Enhancement Policy and Application Process for selecting new projects and determining other eligible uses as agreed upon by the Committee that best serve the region. Any new service, regardless of funding source, must meet certain criteria to be eligible for funding support.

The undersigned agree that this apportionment is binding and in force for the specified amount of funds apportioned in FFY2019 and FFY2020. Requirements to utilize certain percentages of 5307 formula funds for other specific purposes will be handled by each provider in consultation with MaineDOT and/or FTA. Each agency receiving funds is responsible for grant filing, reporting, and matching requirements.

Tony Scavuzzo, Executive Director
Biddeford, Saco, Old Orchard Beach Transit Committee

Art Handman, Director of Transportation
City of South Portland

Patricia Quinn, Executive Director
Northern New England Passenger Rail Authority

Robert Currie, Transportation Director
York County Community Action Corporation

Hank Berg, General Manager
Casco Bay Island Transit District

Greg Jordan, General Manager
Greater Portland Transit District

Jack De Beradinis, Executive Director
Regional Transportation Program

Bruce Van Note, Commissioner
Maine Department of Transportation

The Metropolitan Planning Organization for the Portland Urbanized Area
970 Baxter Boulevard, 2nd Floor • Portland, Maine 04103
Telephone: (207) 774-9891 • Fax: (207) 774-7149 • www.pactsplan.org
August 4, 2020

Peter Butler
Regional Administrator
Federal Transit Administration
Volpe Center
55 Broadway
Cambridge, MA 02142

Subject: FFY2019 and FFY2020 FTA Apportionment Split #1 (Revised) for Portland Urbanized Area

Dear Mr. Butler,

This letter is to inform you of the split of Section 5307 funding for the Portland, Maine UZA including: Biddeford, Saco, Old Orchard Beach Transit Committee (BSOOB Transit), Casco Bay Island Transit District (CBITD), Maine Department of Transportation (MaineDOT) acting for Regional Transportation Program (RTP) and York County Community Action Corporation (YCCAC), Greater Portland Transit District (METRO), Northern New England Passenger Rail Authority (NNEPRA), and South Portland Bus Service (SPBS). This revised Split Letter should replace the letter dated April 13, 2020.

This letter reflects the revision in the PACTS region FFY2019 5307 apportionment (from $10,474,738 to $10,471,782) that was made after the split letter was finalized in 2019. MaineDOT will continue to assign 5310 and 5339 funds for the region.

Portland, ME Urbanized Area - FFY2019 Full-Year Apportionment Split of Federal 5307 Funding

<table>
<thead>
<tr>
<th>Transit Agency</th>
<th>Capital</th>
<th>Operating</th>
<th>ADA Paratransit</th>
<th>Planning</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>BSOOB Transit</td>
<td>$429,868</td>
<td>$258,164</td>
<td>$-</td>
<td>$6,359</td>
<td>$694,391</td>
</tr>
<tr>
<td>Casco Bay Ferry Lines</td>
<td>$1,872,184</td>
<td>$-</td>
<td>$-</td>
<td>$14,592</td>
<td>$1,886,776</td>
</tr>
<tr>
<td>Maine Dept. of Transportation</td>
<td>$70,287</td>
<td>$133,917</td>
<td>$-</td>
<td>$-</td>
<td>$204,204</td>
</tr>
<tr>
<td>Greater Portland Transit District</td>
<td>$767,594</td>
<td>$805,142</td>
<td>$132,675</td>
<td>$-</td>
<td>$1,705,411</td>
</tr>
<tr>
<td>Northern New England Pass. Rail Auth.</td>
<td>$433,574</td>
<td>$-</td>
<td>$-</td>
<td>$-</td>
<td>$433,574</td>
</tr>
<tr>
<td>South Portland Bus Service</td>
<td>$57,224</td>
<td>$209,766</td>
<td>$42,456</td>
<td>$7,226</td>
<td>$316,672</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$3,630,731</strong></td>
<td><strong>$1,406,989</strong></td>
<td><strong>$175,131</strong></td>
<td><strong>$28,177</strong></td>
<td><strong>$5,241,028</strong></td>
</tr>
</tbody>
</table>

FFY2019 Apportionment: $5,241,028

RAD Program*: $- 

*Regionally Administered Transit Discretionary Fund
Portland, ME Urbanized Area - FFY2020 Full-Year Apportionment Split of Federal 5307 Funding

<table>
<thead>
<tr>
<th>Transit Agency</th>
<th>Capital</th>
<th>Operating</th>
<th>ADA Paratransit</th>
<th>Planning</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>BSOOB Transit</td>
<td>$759,876</td>
<td>$456,356</td>
<td>$ -</td>
<td>$11,241</td>
<td>$1,227,473</td>
</tr>
<tr>
<td>Casco Bay Ferry Lines</td>
<td>$3,309,448</td>
<td>$ -</td>
<td>$ -</td>
<td>$25,795</td>
<td>$3,335,243</td>
</tr>
<tr>
<td>Maine Dept. of Transportation</td>
<td>$124,247</td>
<td>$236,725</td>
<td>$ -</td>
<td>$-</td>
<td>$360,972</td>
</tr>
<tr>
<td>Greater Portland Transit District</td>
<td>$1,356,872</td>
<td>$1,423,244</td>
<td>$234,526</td>
<td>$-</td>
<td>$3,014,642</td>
</tr>
<tr>
<td>Northern New England Pass. Rail Auth.</td>
<td>$766,426</td>
<td>$ -</td>
<td>$ -</td>
<td>$-</td>
<td>$766,426</td>
</tr>
<tr>
<td>South Portland Bus Service</td>
<td>$101,154</td>
<td>$370,801</td>
<td>$75,048</td>
<td>$12,774</td>
<td>$559,777</td>
</tr>
<tr>
<td>Total</td>
<td>$6,418,023</td>
<td>$2,487,126</td>
<td>$309,574</td>
<td>$49,810</td>
<td>$9,264,533</td>
</tr>
</tbody>
</table>

FFY2020 Apportionment                    | $10,759,763 |
RAD Program*                             | $1,495,230  |

*Regionally Administered Transit Discretionary Fund

The Regionally Administered Discretionary (RAD) Program Balance is the current balance that has yet to be programmed for Operating, Capital, ADA Paratransit or Planning projects in FFY2020. The PACTS Transit Committee has developed an Expansion/Enhancement Policy and Application Process for selecting new projects and determining other eligible uses as agreed upon by the Committee that best serve the region. Any new service, regardless of funding source, must meet certain criteria to be eligible for funding support.

The undersigned agree that this apportionment is binding and in force for the specified amount of funds apportioned in FFY2019 and FFY2020. Requirements to utilize certain percentages of 5307 formula funds for other specific purposes will be handled by each provider in consultation with MaineDOT and/or FTA. Each agency receiving funds is responsible for grant filing, reporting, and matching requirements.

Tony Scavuzzo, Executive Director  
Biddeford, Saco, Old Orchard Beach Transit Committee

Hank Berg, General Manager  
Casco Bay Island Transit District

John Duncan, Interim Director of Transportation  
City of South Portland

Greg Jordan, General Manager  
Greater Portland Transit District

Patricia Quinn, Executive Director  
Northern New England Passenger Rail Authority

Jack De Beradinis, Executive Director  
Regional Transportation Program

Robert Currie, Transportation Director  
York County Community Action Corporation

Bruce Van Note, Commissioner  
Maine Department of Transportation

The Metropolitan Planning Organization for the Portland Urbanized Area
970 Baxter Boulevard, 2nd Floor • Portland, Maine 04103
Telephone: (207) 774-9891 • Fax: (207) 774-7149 • www.pactsplan.org

117
July 28, 2020

PACTS Executive Committee  
970 Baxter Boulevard, Suite 201  
Portland, ME 04103

Re: WIN 18665.00—Broadway Intersection Improvements

Dear Committee Members:

On behalf of City Manager Scott Morelli and the City of South Portland, I would like to request an increase in funding for the above referenced project. The current three-party agreement is for a total cost of $533,000, which is based on the preliminary opinion of probable construction cost, dated December 4, 2017, developed for MDOT by Gorill Palmer, and a previous funding increase request dated December 22, 2017. In an email dated May 29, 2020, MDOT provided the final construction cost estimate and indicated that there is an estimated funding deficit of $202,000. The following is the cost breakdown provided by MDOT:

<table>
<thead>
<tr>
<th></th>
<th>PE</th>
<th>ROW</th>
<th>CON</th>
<th>CE</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estimated Cost</td>
<td>$132,000</td>
<td>$10,000</td>
<td>$538,000</td>
<td>$55,000</td>
<td>$735,000</td>
</tr>
<tr>
<td>Available Funds</td>
<td>$132,000</td>
<td>$10,000</td>
<td>$351,000</td>
<td>$40,000</td>
<td>$533,000</td>
</tr>
<tr>
<td>Difference</td>
<td>$0</td>
<td>$0</td>
<td>-$187,000</td>
<td>-$15,000</td>
<td>-$202,000</td>
</tr>
</tbody>
</table>

There has not been any expansion of the scope of the project, and, in fact, one of the components, a lengthening of the westbound left-turning queue lanes on Broadway approaching the intersection with Waterman and the Casco Bay Bridge Approach, was eliminated at our request due to budget concerns. MDOT has stated to us that the increase in construction cost is typical of the current construction climate.

The principal remaining project elements included:

- On the Casco Bay Bridge approaching Broadway/Waterman, lengthening the right-turn lane, so fewer vehicles have to wait behind those proceeding straight, and pulling the bike lane off the road to make a safer connection with the Greenbelt Walkway. A substantial portion of the project’s cost increase from the original estimate is due to MDOT not being willing to reduce lane widths on the Bridge to less than 12 feet, thus requiring widening of the roadway.

- Installation of pedestrian-activated stop signals for what now are free rights at Broadway/Ocean (one such signal) and Broadway/Cottage (two signals). Gorill Palmer explored a more expensive solution of squaring up the intersections and eliminating the separate right turn lanes; however, to control cost the City choose to stick with the original concept.

- Interconnection of the traffic signals at Ocean/Highland, Waterman/Market, and Waterman/Erskine to the Regional Traffic Management System (RTMS).
This project originated from a successful proposal submitted in 2014 for the PACTS 2016/2017/2018 Road Rebuild and Intersection Application. The project was developed as a corridor improvement program aimed at addressing vehicle congestion and improving pedestrian and bicycle safety. The major intersections in the project area operate at a LOS E, and have been identified as a PACTS Congestion Management Process area. Further, the intersection of Broadway and Cottage is a High Crash Location. The Broadway Corridor is the main artery serving our Central Business District, as well as being a primary means for Cape Elizabeth and Scarborough residents to access the Casco Bay Bridge. We believe it to be a regionally significant project and we hope to be able to work with PACTS to address the current funding deficit.

Based on conversations with Elizabeth Roberts, the Transportation Engineer for PACTS, we propose the following as a means of closing the funding deficit:

- The City is requesting an additional 20% of the available construction funding, which for this project is $70,200. This amount reflects 75% federal funds ($52,650) and 25% local funds ($17,550).
- The City is also requesting use of the 2021 PACTS MPI funds. There is currently $75,000 in unallocated state funds, of which we are requesting $65,900. These funds would be matched 50% with local funds ($65,900).

Under the above proposed scenario the municipalities’ share would be increased to $233,605, or approximately 32% of the revised total project cost of $735,000.

Thank you for your consideration, and if you have any questions, please feel free to contact me.

Sincerely,

Justin Gove, P.E.
Civil Engineer

Cc: Scott Morelli, City Manager
    Joshua R. Reny, Assistant City Manager/Economic Development Director
    Greg L’Heureux, Finance Director

Attachments
- Current Three-Party Agreement
- Final Opinion of Probable Construction Cost
- Plan Set
MAINE DEPARTMENT OF TRANSPORTATION
MODIFICATION # 1 TO THREE-PARTY PARTNERSHIP AGREEMENT

Project Location: South Portland
State W.I.N.: 018665.00
Federal W.I.N.: 1866500
PACTS ID#: PACTS
Municipality ID#: S PORTLAND

Original Agreement Maximum Amount: $492,050.00
Current Agreement Maximum Amount: $402,050.00
Modified Agreement Maximum Amount: $533,000.00
Current Agreement Expiration Date: 12/31/2019
Modified Agreement Expiration Date: 12/31/2023

This Modification hereby amends a Three-Party Partnership Agreement that was executed by MaineDOT on 04/04/2016, with the Portland Area Comprehensive Transportation System (PACTS) and the Municipality of South Portland, hereinafter the “Parties” for Broadway Corridor and Mill Creek (Route 77) to address Corridor improvements to address traffic, safety, and bicycle/pedestrian needs. (Project) as follows:

☑ Increased Funding Amount. The maximum amount of the Agreement shall be increased by: $130,950.00 from $402,050.00 to $533,000.00. Reason: high bid prices.

☑ Expiration Date. The Expiration Date of the Agreement shall be extended from 12/31/2019 to 12/31/2023.
   Reason: a number of design alternatives have been evaluated which has taken longer than anticipated.

The following attachments are hereby incorporated into this Modification:

☐ Appendix A – Funding Section

All other terms and conditions of the original Agreement shall remain in effect. This Modification hereby becomes part of the Agreement. The Parties, by their duly authorized representatives, have executed this modification to said original Agreement, which shall become effective on the date last signed below.

PORTLAND AREA COMPREHENSIVE TRANSPORTATION SYSTEM

By: Kristina Egan, Executive Director
Greater Portland Council of Governments
For Portland Area Comprehensive Transportation System

Date: 1/21/20

MAINE DEPARTMENT OF TRANSPORTATION

By: Jennifer Brickett, Director
Bureau of Planning

Date: 2/26/20

MUNICIPALITY OF SOUTH PORTLAND

By: Scott Morelli, City Manager

January 23, 2020

Date

*I certify that the foregoing signature is true and accurate, and if electronic, I further certify that it (a) is intended to have the same force as a manual signature, (b) is unique to myself, (c) is capable of verification, (d) is under the sole control of myself, and (e) is linked to data in such a manner that it is invalidated if the data are changed. 10 M.R.S.A. §9502, et seq.
APPENDIX A
(WIN# 018665.00)

Replace Section 1. Funding on Page 1 and 2 as follows:

1. The total estimated cost of the Project through all phases is $533,000.00, (the "Project Estimate") and the Parties agree to allocate the associated costs of each phase as outlined in this section:

<table>
<thead>
<tr>
<th>Work Phase</th>
<th>MPO (Federal) Maximum Share</th>
<th>State Share</th>
<th>Municipal Share Amount</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preliminary Engineering</td>
<td>$99,000.00</td>
<td>$0.00</td>
<td>$33,000.00 25%</td>
<td>$132,000.00</td>
</tr>
<tr>
<td>Right of Way</td>
<td>$7,500.00</td>
<td>$0.00</td>
<td>$2,500.00 25%</td>
<td>$10,000.00</td>
</tr>
<tr>
<td>Construction Model 1</td>
<td>$246,345.00</td>
<td>$0.00</td>
<td>$82,115.00 25%</td>
<td>$328,460.00</td>
</tr>
<tr>
<td>Construction Model 2</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$22,540.00 100%</td>
<td>$22,540.00</td>
</tr>
<tr>
<td>Construction Engineering</td>
<td>$30,000.00</td>
<td>$0.00</td>
<td>$10,000.00 25%</td>
<td>$40,000.00</td>
</tr>
<tr>
<td><strong>TOTAL:</strong></td>
<td><strong>$382,845.00</strong></td>
<td><strong>$0.00</strong></td>
<td><strong>$150,155.00</strong></td>
<td><strong>$533,000.00</strong></td>
</tr>
</tbody>
</table>

a. Estimated allocations are further identified as follows:

i. **Federal Share** - federally participating costs are 75% of actual Project cost up to a maximum of $382,845.00.

ii. **State Share** - federally participating costs are 0% of actual Project cost up to a maximum of $0.00.

iii. **Municipality Share** – the Municipality’s share is 25% of the actual Project costs. Local share is estimated at $150,155.00, plus 100% of any additional costs incurred in accordance with paragraph 1.b below.

b. The Municipality shall be fully responsible for any and all Project costs exceeding $533,000.00, unless otherwise agreed to in writing by the Parties through a modification to this Agreement.

c. If the actual Project cost is less than the Project Estimate the amounts owed will be adjusted according to the percentages.

d. If the Project Estimate or associated financial allocations are adjusted to reflect updated costs, MaineDOT will consult with the MPO and the Municipality before such adjustments are approved and implemented.
# Preliminary Opinion of Probable Construction Cost

**WIN**: 18665.00  
**Project Location**: South Portland, Maine  
**Project Name**: Broadway Intersection Improvements  
**Date**: 5/21/2020  
**Calculated By**: Thomas Gleeson  
**Checked By**: Travis Landry/Don Ettinger

**Description of Work:**  
**Opinion of Probable Construction Cost - Final PSE Estimate**

**Notes/Assumptions:**  
1. This estimate is based on Broadway Intersection Improvements Final PSE Plans.  
2. Costs exclude right of way, utilities, geotechnical, environmental, engineering and inspection.  
3. Remediation or removal of any special or hazardous materials not included.

<table>
<thead>
<tr>
<th>Item</th>
<th>Item Description</th>
<th>Unit</th>
<th>Unit Price</th>
<th>Quantity</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>201.23</td>
<td>REMOVING SINGLE TREE TOP ONLY</td>
<td>EA</td>
<td>$900.00</td>
<td>1</td>
<td>$900.00</td>
</tr>
<tr>
<td>201.24</td>
<td>REMOVING STUMP</td>
<td>EA</td>
<td>$400.00</td>
<td>1</td>
<td>$400.00</td>
</tr>
<tr>
<td>202.202</td>
<td>REMOVING PAVEMENT SURFACE</td>
<td>SY</td>
<td>$14.00</td>
<td>475</td>
<td>$6,650.00</td>
</tr>
<tr>
<td>203.20</td>
<td>COMMON EXCAVATION</td>
<td>CY</td>
<td>$50.00</td>
<td>435</td>
<td>$21,750.00</td>
</tr>
<tr>
<td>304.10</td>
<td>AGGREGATE SUBBASE COURSE - GRAVEL</td>
<td>CY</td>
<td>$60.00</td>
<td>305</td>
<td>$18,300.00</td>
</tr>
<tr>
<td>SP 403.208</td>
<td>HOT MIX ASPHALT 12.5 MM, NOMINAL, MAXIMUM SIZE, SURFACE</td>
<td>T</td>
<td>$250.00</td>
<td>120</td>
<td>$30,000.00</td>
</tr>
<tr>
<td>SP 403.209</td>
<td>HOT MIX ASPHALT 9.5 MM, NOMINAL, MAXIMUM SIZE (SIDEWALKS, DRIVES &amp; INCIDENTALS)</td>
<td>T</td>
<td>$250.00</td>
<td>35</td>
<td>$8,750.00</td>
</tr>
<tr>
<td>SP 403.211</td>
<td>HOT MIX ASPHALT (SHIM)</td>
<td>T</td>
<td>$150.00</td>
<td>10</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>SP 403.213</td>
<td>HOT MIX ASPHALT, 12.5 MM NOMINAL MAXIMUM SIZE (BASE AND INTERMEDIATE BASE COURSE)</td>
<td>T</td>
<td>$250.00</td>
<td>135</td>
<td>$33,750.00</td>
</tr>
<tr>
<td>406.15</td>
<td>BITUMINOUS TACK COAT, APPLIED</td>
<td>G</td>
<td>$20.00</td>
<td>60</td>
<td>$1,200.00</td>
</tr>
<tr>
<td>603.159</td>
<td>12 INCH CULVERT PIPE OPTION III</td>
<td>LF</td>
<td>$100.00</td>
<td>4</td>
<td>$400.00</td>
</tr>
<tr>
<td>604.16</td>
<td>ALTERING CATCH BASIN TO MANHOLE</td>
<td>EA</td>
<td>$1,500.00</td>
<td>1</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>604.262</td>
<td>CATCH BASIN TYPE 85-C</td>
<td>EA</td>
<td>$4,000.00</td>
<td>1</td>
<td>$4,000.00</td>
</tr>
<tr>
<td>608.1911</td>
<td>31&quot; W. BEAM GUARDRAIL - MIDWAY SPlice - SINGLE FACE</td>
<td>LF</td>
<td>$24.00</td>
<td>275</td>
<td>$6,600.00</td>
</tr>
<tr>
<td>608.1306</td>
<td>31&quot; W. BEAM GUARDRAIL - MIDWAY SPlice - TANGENT TERMINAL</td>
<td>EA</td>
<td>$3,000.00</td>
<td>1</td>
<td>$3,000.00</td>
</tr>
<tr>
<td>608.265</td>
<td>TERMINAL END - SINGLE RAIL - GALVANIZED STEEL</td>
<td>EA</td>
<td>$60.00</td>
<td>1</td>
<td>$60.00</td>
</tr>
<tr>
<td>608.533</td>
<td>REFLECTORIZED FLEXIBLE GUARDRAIL MARKER</td>
<td>EA</td>
<td>$50.00</td>
<td>1</td>
<td>$50.00</td>
</tr>
<tr>
<td>608.008</td>
<td>REINFORCED CONCRETE SIDEWALK</td>
<td>SY</td>
<td>$150.00</td>
<td>105</td>
<td>$15,750.00</td>
</tr>
<tr>
<td>608.26</td>
<td>CURB RAMP DETECTABLE WARNING FIELD</td>
<td>SF</td>
<td>$120.00</td>
<td>200</td>
<td>$24,000.00</td>
</tr>
<tr>
<td>SP 609.11</td>
<td>VERTICAL CURB TYPE 1</td>
<td>LF</td>
<td>$60.00</td>
<td>12</td>
<td>$720.00</td>
</tr>
<tr>
<td>SP 609.221</td>
<td>TERMINAL CURB TYPE 1</td>
<td>LF</td>
<td>$58.00</td>
<td>38</td>
<td>$2,204.00</td>
</tr>
<tr>
<td>SP 609.222</td>
<td>TERMINAL CURB TYPE 1 - CIRCULAR</td>
<td>LF</td>
<td>$70.00</td>
<td>32</td>
<td>$2,240.00</td>
</tr>
<tr>
<td>SP 609.34</td>
<td>CURB TYPE 5</td>
<td>LF</td>
<td>$50.00</td>
<td>48</td>
<td>$2,400.00</td>
</tr>
<tr>
<td>SP 609.35</td>
<td>CURB TYPE 5 - CIRCULAR</td>
<td>LF</td>
<td>$60.00</td>
<td>60</td>
<td>$3,600.00</td>
</tr>
<tr>
<td>SP 609.38</td>
<td>RESET CURB TYPE 1</td>
<td>LF</td>
<td>$40.00</td>
<td>520</td>
<td>$20,800.00</td>
</tr>
<tr>
<td>SP 609.40</td>
<td>RESET CURB TYPE 5</td>
<td>LF</td>
<td>$40.00</td>
<td>20</td>
<td>$800.00</td>
</tr>
<tr>
<td>610.08</td>
<td>PLAIN RIPRAP</td>
<td>CY</td>
<td>$150.00</td>
<td>40</td>
<td>$4,000.00</td>
</tr>
<tr>
<td>610.18</td>
<td>STONE DITCH PROTECTION</td>
<td>CY</td>
<td>$100.00</td>
<td>15</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>610.07</td>
<td>LOAM</td>
<td>CY</td>
<td>$60.00</td>
<td>90</td>
<td>$5,400.00</td>
</tr>
<tr>
<td>618.13</td>
<td>SEEDING METHOD NUMBER 1</td>
<td>UN</td>
<td>$60.00</td>
<td>5</td>
<td>$300.00</td>
</tr>
<tr>
<td>618.14</td>
<td>SEEDING METHOD NUMBER 2</td>
<td>UN</td>
<td>$60.00</td>
<td>5</td>
<td>$300.00</td>
</tr>
<tr>
<td>619.12</td>
<td>MULCH</td>
<td>UN</td>
<td>$60.00</td>
<td>10</td>
<td>$600.00</td>
</tr>
<tr>
<td>620.58</td>
<td>EROSION CONTROL GEOTEXTILE</td>
<td>SY</td>
<td>$5.00</td>
<td>130</td>
<td>$650.00</td>
</tr>
<tr>
<td>626.11</td>
<td>PRECAST CONCRETE JUNCTION BOX</td>
<td>EA</td>
<td>$900.00</td>
<td>9</td>
<td>$8,100.00</td>
</tr>
<tr>
<td>626.21</td>
<td>METALLIC CONDUIT</td>
<td>LF</td>
<td>$30.00</td>
<td>100</td>
<td>$3,000.00</td>
</tr>
<tr>
<td>626.22</td>
<td>NON-METALLIC CONDUIT</td>
<td>LF</td>
<td>$25.00</td>
<td>1150</td>
<td>$28,750.00</td>
</tr>
<tr>
<td>626.411</td>
<td>18&quot; DIAMETER FOUNDATION</td>
<td>LF</td>
<td>$150.00</td>
<td>5.5</td>
<td>$825.00</td>
</tr>
<tr>
<td>626.421</td>
<td>24&quot; DIAMETER FOUNDATION</td>
<td>LF</td>
<td>$175.00</td>
<td>63</td>
<td>$11,025.00</td>
</tr>
<tr>
<td>626.35</td>
<td>CONTROLLER CABINET FOUNDATION</td>
<td>EA</td>
<td>$5,000.00</td>
<td>1</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>627.513</td>
<td>4&quot; WHITE OR YELLOW PAINTED PAVEMENT MARKING LINE</td>
<td>LF</td>
<td>$20.00</td>
<td>1800</td>
<td>$36,000.00</td>
</tr>
<tr>
<td>627.75</td>
<td>WHITE OR YELLOW PAVEMENT &amp; CURB MARKING</td>
<td>SF</td>
<td>$1.75</td>
<td>2900</td>
<td>$5,450.00</td>
</tr>
<tr>
<td>627.77</td>
<td>REMOVING EXISTING PAVEMENT MARKING</td>
<td>SF</td>
<td>$2.50</td>
<td>2100</td>
<td>$5,250.00</td>
</tr>
<tr>
<td>629.05</td>
<td>HAND LABOR, STRAIGHT TIME</td>
<td>HR</td>
<td>$75.00</td>
<td>16</td>
<td>$1,200.00</td>
</tr>
<tr>
<td>631.10</td>
<td>AIR COMPRESSOR (INCLUDING OPERATOR)</td>
<td>HR</td>
<td>$125.00</td>
<td>8</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>631.11</td>
<td>AIR TOOL (INCLUDING OPERATOR)</td>
<td>HR</td>
<td>$125.00</td>
<td>8</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>631.12</td>
<td>ALL PURPOSE EXCAVATOR (INCLUDING OPERATOR)</td>
<td>HR</td>
<td>$150.00</td>
<td>8</td>
<td>$1,200.00</td>
</tr>
<tr>
<td>631.172</td>
<td>TRUCK - LARGE (INCLUDING OPERATOR)</td>
<td>HR</td>
<td>$75.00</td>
<td>8</td>
<td>$600.00</td>
</tr>
<tr>
<td>631.18</td>
<td>CHAIN SAW RENTAL (INCLUDING OPERATOR)</td>
<td>HR</td>
<td>$60.00</td>
<td>8</td>
<td>$480.00</td>
</tr>
<tr>
<td>SP 643.71</td>
<td>TRAFFIC SIGNAL MODIFICATION: BROADWAY AND CASCO BAY BRIDGE</td>
<td>LS</td>
<td>$20,000.00</td>
<td>1</td>
<td>$20,000.00</td>
</tr>
<tr>
<td>SP 643.71</td>
<td>TRAFFIC SIGNAL MODIFICATION: BROADWAY AND OCEAN STREET</td>
<td>LS</td>
<td>$40,000.00</td>
<td>1</td>
<td>$40,000.00</td>
</tr>
<tr>
<td>SP 643.71</td>
<td>TRAFFIC SIGNAL MODIFICATION: BROADWAY AND COTTAGE ROAD</td>
<td>LS</td>
<td>$60,000.00</td>
<td>1</td>
<td>$60,000.00</td>
</tr>
<tr>
<td>SP 643.81</td>
<td>TRAFFIC SIGNAL CONTROL SYSTEM (WATERMAN / ERSKINE)</td>
<td>LS</td>
<td>$10,000.00</td>
<td>1</td>
<td>$10,000.00</td>
</tr>
<tr>
<td>SP 643.81</td>
<td>TRAFFIC SIGNAL CONTROL SYSTEM (WATERMAN / MARKEI)</td>
<td>LS</td>
<td>$10,000.00</td>
<td>1</td>
<td>$10,000.00</td>
</tr>
<tr>
<td>SP 643.91</td>
<td>TRAFFIC SIGNAL CONTROL SYSTEM (OCEAN / HIGHLAND)</td>
<td>LS</td>
<td>$12,500.00</td>
<td>1</td>
<td>$12,500.00</td>
</tr>
<tr>
<td>SP 643.90</td>
<td>INTERCONNECT WIRE BETWEEN: ERSKINE DRIVE AND HIGHLAND AVE</td>
<td>LS</td>
<td>$10,000.00</td>
<td>1</td>
<td>$10,000.00</td>
</tr>
<tr>
<td>643.92</td>
<td>PEDESTAL POLE</td>
<td>EA</td>
<td>$1,500.00</td>
<td>10</td>
<td>$15,000.00</td>
</tr>
</tbody>
</table>
### Preliminary Opinion of Probable Construction Cost

**WIN:** 18665.00  
**Project Location:** South Portland, Maine  
**Project Name:** Broadway Intersection Improvements  
**Date:** 5/21/2020  
**Calculated By:** Thomas Gleeson  
**Checked By:** Travis Landry/Don Ettinger

#### Description of Work:

**Opinion of Probable Construction Cost - Final PSE Estimate**

#### Notes/Assumptions:

1. This estimate is based on Broadway Intersection Improvements Final PSE Plans.  
2. Costs exclude right of way, utilities, geotechnical, environmental, engineering and inspection.  
3. Remediation or removal of any special or hazardous materials not included.

#### Table:

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Unit</th>
<th>Cost 100.00</th>
<th>Cost 150</th>
<th>Cost 15000.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>645.271</td>
<td>REGULATORY, WARNING, CONFIRMATION AND ROUTE ASSEMBLY SIGN, TYPE I</td>
<td>EA</td>
<td>$250.00</td>
<td>6</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>652.312</td>
<td>TYPE III BARRICADES</td>
<td>EA</td>
<td>$50.00</td>
<td>50</td>
<td>$2,500.00</td>
</tr>
<tr>
<td>652.33</td>
<td>DRUM</td>
<td>EA</td>
<td>$25.00</td>
<td>50</td>
<td>$1,250.00</td>
</tr>
<tr>
<td>652.34</td>
<td>CONE</td>
<td>EA</td>
<td>$25.00</td>
<td>50</td>
<td>$1,250.00</td>
</tr>
<tr>
<td>652.35</td>
<td>CONSTRUCTION SIGNS</td>
<td>SF</td>
<td>$25.00</td>
<td>512</td>
<td>$12,000.00</td>
</tr>
<tr>
<td>652.36</td>
<td>MAINTENANCE OF TRAFFIC CONTROL DEVICES</td>
<td>CD</td>
<td>$300.00</td>
<td>90</td>
<td>$27,000.00</td>
</tr>
<tr>
<td>652.38</td>
<td>FLAGGERS</td>
<td>HR</td>
<td>$35.00</td>
<td>500</td>
<td>$17,500.00</td>
</tr>
<tr>
<td>652.381</td>
<td>TRAFFIC OFFICER</td>
<td>HR</td>
<td>$120.00</td>
<td>60</td>
<td>$7,200.00</td>
</tr>
<tr>
<td>652.41</td>
<td>PORTABLE CHANGEABLE MESSAGE SIGN</td>
<td>EA</td>
<td>$4,000.00</td>
<td>1</td>
<td>$4,000.00</td>
</tr>
<tr>
<td>656.75</td>
<td>TEMPORARY SOIL EROSION AND WATER POLLUTION CONTROL</td>
<td>LS</td>
<td>$10,000.00</td>
<td>1</td>
<td>$10,000.00</td>
</tr>
<tr>
<td>656.20</td>
<td>ACRYLIC LATEX COLOR FINISH, GREEN</td>
<td>SY</td>
<td>$50.00</td>
<td>20</td>
<td>$1,000.00</td>
</tr>
<tr>
<td>659.10</td>
<td>MOBILIZATION</td>
<td>LS</td>
<td>$40,000.00</td>
<td>1</td>
<td>$40,000.00</td>
</tr>
<tr>
<td>600.01</td>
<td>TEST PITS</td>
<td>EA</td>
<td>$1,500.00</td>
<td>1</td>
<td>$1,500.00</td>
</tr>
</tbody>
</table>

**SP = SPECIAL PROVISION**  
***= UNDETERMINED LOCATION**

**Subtotal:** $618,514.00  
**Contingency:** $618,514.00  
**Total:** $618,514.00  
**Subtotal:** $618,800.00
### 013103.00 - PACTS, Unprogrammed Allocation

#### Balance in Holding WIN as of 7/22/2020

<table>
<thead>
<tr>
<th>Description</th>
<th>Estimated Project Cost</th>
<th>Fund Source</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>PE</td>
<td>ROW</td>
</tr>
<tr>
<td>STP - Flexible</td>
<td>$ 1,004,240.58</td>
<td>$ 1,004,240.58</td>
</tr>
<tr>
<td>APPRO 9095 STATE 57395000</td>
<td>$ 73,130.39</td>
<td>$ 73,130.39</td>
</tr>
<tr>
<td>PRIVATE FUNDS</td>
<td>$ -</td>
<td>$ -</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td>$ -</td>
<td>$ -</td>
</tr>
</tbody>
</table>

#### Pending Transfers out of Holding WIN

<table>
<thead>
<tr>
<th>Description</th>
<th>Estimated Project Cost</th>
<th>Fund Source</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>PE</td>
<td>ROW</td>
</tr>
<tr>
<td></td>
<td>$ -</td>
<td>$ -</td>
</tr>
<tr>
<td><strong>Total Pending Transfers out of Holding WIN</strong></td>
<td>$ -</td>
<td>$ -</td>
</tr>
</tbody>
</table>

#### Pending Transfers into the Holding WIN

<table>
<thead>
<tr>
<th>Description</th>
<th>Estimated Project Cost</th>
<th>Fund Source</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>PE</td>
<td>ROW</td>
</tr>
<tr>
<td></td>
<td>$ -</td>
<td>$ -</td>
</tr>
<tr>
<td><strong>Total Pending Transfers into Holding WIN</strong></td>
<td>$ -</td>
<td>$ -</td>
</tr>
</tbody>
</table>

#### Total Changes to Holding WIN

<table>
<thead>
<tr>
<th>Description</th>
<th>Estimated Project Cost</th>
<th>Fund Source</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>PE</td>
<td>ROW</td>
</tr>
<tr>
<td></td>
<td>$ -</td>
<td>$ -</td>
</tr>
<tr>
<td><strong>Total Changes to Holding WIN</strong></td>
<td>$ -</td>
<td>$ -</td>
</tr>
</tbody>
</table>

#### Remaining Holding WIN Balances

<table>
<thead>
<tr>
<th>Description</th>
<th>Estimated Project Cost</th>
<th>Fund Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balance in Holding WIN as of 7/22/2020</td>
<td>$ 1,004,240.58</td>
<td>$ 73,130.39</td>
</tr>
<tr>
<td>Pending Transfers</td>
<td>$ -</td>
<td>$ -</td>
</tr>
<tr>
<td>Remaining Holding WIN Balances</td>
<td>$ 1,004,240.58</td>
<td>$ 73,130.39</td>
</tr>
<tr>
<td>Minimum Reserve</td>
<td>$ (240,000.00)</td>
<td>$ (60,000.00)</td>
</tr>
<tr>
<td><strong>Holding WIN Balances Available</strong></td>
<td>$ 764,240.58</td>
<td>$ 13,130.39</td>
</tr>
</tbody>
</table>

¹ Local funds are shown only to reflect total project amounts. The Holding WIN does not contain any Local Funding.