<table>
<thead>
<tr>
<th>Item</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>I.</td>
<td>Pledge of Allegiance.</td>
</tr>
<tr>
<td>II.</td>
<td>Call to Order: Roll Call.</td>
</tr>
<tr>
<td>III.</td>
<td>Consideration of the Minutes of the June 27, 2013 Regular Meeting for inclusion in the official records of the District. Approval</td>
</tr>
<tr>
<td>IV.</td>
<td>Public Comments. Information</td>
</tr>
<tr>
<td>V.</td>
<td>Financial: Approval</td>
</tr>
<tr>
<td></td>
<td>A. Payments and Claims: Consideration of the June 2013 claims for payment. Approval</td>
</tr>
<tr>
<td>VI.</td>
<td>Transit Service: Information</td>
</tr>
<tr>
<td></td>
<td>A. Managing Director's Report: Jerry J. Kane. Information</td>
</tr>
<tr>
<td></td>
<td>B. Presentation of Performance Indicators for the period of July 1, 2012 – June 30, 2013: S.J. Morrison, Director of Marketing and Planning Information</td>
</tr>
<tr>
<td></td>
<td>C. Resolution 14-01 Authorizing execution and amendment of Downstate Operating Assistance Grant Agreement with the Illinois Department of Transportation. Approval</td>
</tr>
<tr>
<td></td>
<td>D. Resolution 14-02 Authorizing the filing of application with the Illinois Department of Transportation, Division of Public and Intermodal Transportation, for a Public Transportation Capital Assistance Grant for improvements to the MCT Transit Operations Center. Approval</td>
</tr>
<tr>
<td></td>
<td>E. Resolution 14-03 Approving the extension of an agreement between the Madison County Mass Transit District and The Bi-State Development Agency of the Missouri-Illinois Metropolitan District. Approval</td>
</tr>
<tr>
<td></td>
<td>F. Resolution 14-04 Authorizing the Disadvantaged Business Enterprise Program revisions pursuant to Federal requirements. Approval</td>
</tr>
<tr>
<td></td>
<td>G. Resolution 14-05 Authorizing Equal Employment Opportunity Program revisions pursuant to Federal requirements. Approval</td>
</tr>
<tr>
<td>VII.</td>
<td>Other Business:</td>
</tr>
<tr>
<td>VIII.</td>
<td>Executive Session to Discuss the Acquisition, and/or Sale or Lease of Property, and/or Security, and/or Litigation (5ILCS 120/2 et. seq., 2(c)5, 2(c)6, 2(c)8, and 2(c)11 of the Open Meetings Act). Approval</td>
</tr>
<tr>
<td>IX.</td>
<td>Adjournment. Approval</td>
</tr>
</tbody>
</table>
I. Pledge of Allegiance

Chairman Corbett led the reciting of the Pledge of Allegiance.

II. Call to Order: Roll Call

Chairman Corbett called the meeting to order at 9:30 a.m.

MEMBERS PRESENT: Daniel Corbett, J. Terry Allan, Rose Marie Chadwick (left at 10:15 a.m.), Edward Hagnauer, and Bruce Malone

OTHERS PRESENT: Jerry Kane, Managing Director; Mary Ruth Kettenbach, ACT; and Erin Werner, ACT

III. Election of Officers

A. TRUSTEE HAGNAUER MADE THE MOTION, SECONDED BY TRUSTEE CHADWICK, TO NOMINATE TRUSTEE MALONE AS CHAIRMAN PRO-TEM.

A ROLL CALL VOTE FOLLOWED:

J. TERRY ALLAN AYE
ROSE MARIE CHADWICK AYE
DANIEL CORBETT AYE
EDWARD HAGNAUER AYE
BRUCE MALONE ABSTAIN

ALL AYES. NO NAYS. TRUSTEE MALONE ABSTAINED. MOTION CARRIED.

B. TRUSTEE MALONE MADE THE MOTION, SECONDED BY TRUSTEE HAGNAUER, TO NOMINATE TRUSTEE CORBETT AS CHAIRMAN.

A ROLL CALL VOTE FOLLOWED:

J. TERRY ALLAN AYE
ROSE MARIE CHADWICK AYE
DANIEL CORBETT ABSTAIN
EDWARD HAGNAUER AYE
BRUCE MALONE AYE

ALL AYES. NO NAYS. TRUSTEE CORBETT ABSTAINED. MOTION CARRIED.

C. TRUSTEE HAGNAUER MADE THE MOTION, SECONDED BY TRUSTEE MALONE, TO NOMINATE TRUSTEE ALLAN AS VICE-CHAIRMAN.

A ROLL CALL VOTE FOLLOWED:

J. TERRY ALLAN ABSTAIN
ROSE MARIE CHADWICK AYE
DANIEL CORBETT AYE
EDWARD HAGNAUER AYE
BRUCE MALONE AYE

ALL AYES. NO NAYS. TRUSTEE ALLAN ABSTAINED. MOTION CARRIED.
IV. Consideration of the Minutes of May 30, 2013

TRUSTEE MALONE MADE THE MOTION, SECONDED BY TRUSTEE ALLAN, TO APPROVE THE MINUTES OF THE MAY 30, 2013, REGULAR MEETING FOR INCLUSION IN THE OFFICIAL RECORDS OF THE DISTRICT.

A ROLL CALL VOTE FOLLOWED:

J. TERRY ALLAN AYE
ROSE MARIE CHADWICK AYE
DANIEL CORBETT AYE
EDWARD HAGNAUER AYE
BRUCE MALONE AYE

ALL AYES. NO NAYS. MOTION CARRIED.

V. Public Comments

No public comments were presented.

VI. Financial

A. Payments and Claims: Consideration of the May 2013 claims for payment: Managing Director Jerry Kane submitted the payments and claims.

TRUSTEE HAGNAUER MADE THE MOTION, SECONDED BY TRUSTEE MALONE, TO APPROVE THE PAYMENTS AND CLAIMS FOR MAY 2013, EXCLUDING THE PAYMENTS AND CLAIMS TO GRANITE CITY TOWNSHIP AND THE GRANITE CITY CITY TREASURER.

A ROLL CALL VOTE FOLLOWED:

J. TERRY ALLAN AYE
ROSE MARIE CHADWICK AYE
DANIEL CORBETT AYE
EDWARD HAGNAUER AYE
BRUCE MALONE AYE

ALL AYES. NO NAYS. MOTION CARRIED.

TRUSTEE CHADWICK MADE THE MOTION, SECONDED BY TRUSTEE ALLAN, TO APPROVE THE PAYMENTS AND CLAIMS TO GRANITE CITY TOWNSHIP AND THE GRANITE CITY CITY TREASURER.

A ROLL CALL VOTE FOLLOWED:

J. TERRY ALLAN AYE
ROSE MARIE CHADWICK AYE
DANIEL CORBETT AYE
EDWARD HAGNAUER ABSTAIN
BRUCE MALONE AYE

ALL AYES. NO NAYS. TRUSTEE HAGNAUER ABSTAINED. MOTION CARRIED.

TRUSTEE ALLAN MADE THE MOTION, SECONDED BY TRUSTEE HAGNAUER, TO APPROVE THE MONTHLY FINANCIAL RECORDS AS OF MAY 31, 2013.

A ROLL CALL VOTE FOLLOWED:

J. TERRY ALLAN AYE
ROSE MARIE CHADWICK AYE
DANIEL CORBETT AYE
EDWARD HAGNAUER AYE
BRUCE MALONE AYE

ALL AYES. NO NAYS. MOTION CARRIED.

C. TRUSTEE CHADWICK MADE THE MOTION, SECONDED BY TRUSTEE MALONE, TO APPROVE THE FOLLOWING RESOLUTION:

13-44 ADOPTING THE FY 2014 OPERATING BUDGET

A ROLL CALL VOTE FOLLOWED:

J. TERRY ALLAN AYE
ROSE MARIE CHADWICK AYE
DANIEL CORBETT AYE
EDWARD HAGNAUER AYE
BRUCE MALONE AYE

ALL AYES. NO NAYS. MOTION CARRIED.

VII. Transit Service

A. Managing Director's Report: Jerry Kane presented the report.

B. TRUSTEE MALONE MADE AN OMNIBUS MOTION, SECONDED BY TRUSTEE CHADWICK TO APPROVE THE FOLLOWING RESOLUTIONS:

13-45 AUTHORIZING THE AWARD OF CONTRACT FOR THE PURCHASE AND DELIVERY OF GRAVITY FAREBOXES FOR LIGHT-DUTY TRANSIT BUSES

13-46 ESTABLISHING THE PREVAILING RATES OF WAGES APPLICABLE TO LABORERS, MECHANICS, AND OTHER WORKERS EMPLOYED IN ANY PUBLIC WORKS IN MADISON COUNTY, ILLINOIS

13-47 AUTHORIZING THE EXECUTION OF MOTOR VEHICLE LEASE AND MAINTENANCE AGREEMENTS

A ROLL CALL VOTE FOLLOWED:

J. TERRY ALLAN AYE
ROSE MARIE CHADWICK AYE
DANIEL CORBETT AYE
EDWARD HAGNAUER AYE
BRUCE MALONE AYE

ALL AYES. NO NAYS. MOTION CARRIED.
VIII. Other Business

TRUSTEE HAGNAUER MADE THE MOTION, SECONDED BY TRUSTEE ALLAN, TO APPROVE THE PROPOSED FISCAL YEAR 2014 SCHEDULE OF BOARD MEETING DATES.

A ROLL CALL VOTE FOLLOWED:

J. TERRY ALLAN AYE
ROSE MARIE CHADWICK AYE
DANIEL CORBETT AYE
EDWARD HAGNAUER AYE
BRUCE MALONE AYE

ALL AYES. NO NAYS. MOTION CARRIED.

IX. Executive Session

TRUSTEE ALLAN MADE THE MOTION, SECONDED BY TRUSTEE CHADWICK, TO MOVE INTO EXECUTIVE SESSION TO DISCUSS THE ACQUISITION, AND/OR SALE OR LEASE OF PROPERTY, AND/OR SECURITY, AND/OR LITIGATION (5ILCS 120/2 ET.SEQ., 2(C)5, 2(C)6, 2(C)8, AND 2(C)11 OF THE OPEN MEETINGS ACT).

A ROLL CALL VOTE FOLLOWED:

J. TERRY ALLAN AYE
ROSE MARIE CHADWICK AYE
DANIEL CORBETT AYE
EDWARD HAGNAUER AYE
BRUCE MALONE AYE

ALL AYES. NO NAYS. MOTION CARRIED.

TRUSTEE MALONE MADE THE MOTION, SECONDED BY TRUSTEE HAGNAUER, TO RETURN TO OPEN SESSION.

A ROLL CALL VOTE FOLLOWED:

J. TERRY ALLAN AYE
ROSE MARIE CHADWICK AYE
DANIEL CORBETT AYE
EDWARD HAGNAUER AYE
BRUCE MALONE AYE

ALL AYES. NO NAYS. MOTION CARRIED.

X. TRUSTEE MALONE MADE THE MOTION, SECONDED BY TRUSTEE HAGNAUER, TO APPROVE THE FOLLOWING RESOLUTION:

13-48 AUTHORIZING THE ACQUISITION OF PROPERTY, INCLUDING THE USE OF THE POWER OF EMINENT DOMAIN

A ROLL CALL VOTE FOLLOWED:

J. TERRY ALLAN AYE
ROSE MARIE CHADWICK AYE
DANIEL CORBETT AYE
EDWARD HAGNAUER AYE
BRUCE MALONE AYE

ALL AYES. NO NAYS. MOTION CARRIED.
XI. **Adjournment**

TRUSTEE ALLAN MADE THE MOTION, SECONDED BY TRUSTEE HAGNAUER, TO ADJOURN.

A ROLL CALL VOTE FOLLOWED:

J. TERRY ALLAN       AYE  
ROSE MARIE CHADWICK  AYE  
DANIEL CORBETT       AYE  
EDWARD HAGNAUER      AYE  
BRUCE MALONE         AYE  

ALL AYES. NO NAYS. MOTION CARRIED.

Meeting adjourned at 10:23 a.m.

Respectfully submitted:

[Signature]

Erik Warner
Madison County Transit

Performance Indicators

July 1, 2012 – June 30, 2013
FY 2013
MCT Annual Ridership

Historical Fixed Route + Paratransit

Passengers

3,000,000
2,500,000
2,000,000
1,500,000
1,000,000
500,000
0


FY Ridership
MCT Annual Revenue Miles

Historical Fixed Route + Paratransit

\begin{figure}
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\begin{tikzpicture}
\begin{axis}[
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    ylabel={Revenue Miles},
    xlabel={Year},
    xtick=data,
    xticklabel style={align=center},
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    yticklabel style={align=center},
]
\addplot[black, fill=gray!50] coordinates {
};
\end{axis}
\end{tikzpicture}
\end{figure}
Fixed Route

Monthly Ridership

Passengers

280,000
260,000
240,000
220,000
200,000
180,000
160,000
140,000
120,000
100,000
80,000
60,000
40,000
20,000
0

Jul Aug Sep Oct Nov Dec Jan Feb Mar Apr May Jun

FY 2012  FY 2013
Fixed Route

Monthly Revenue Miles

<table>
<thead>
<tr>
<th>Months</th>
<th>FY 2012</th>
<th>FY 2013</th>
</tr>
</thead>
<tbody>
<tr>
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<tr>
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<td>250,000</td>
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<tr>
<td>Nov</td>
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<tr>
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<tr>
<td>May</td>
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<td>250,000</td>
</tr>
<tr>
<td>Jun</td>
<td>250,000</td>
<td>250,000</td>
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</table>
Fixed Route

Monthly Wheelchair Passengers Carried

Passengers

<table>
<thead>
<tr>
<th>Month</th>
<th>FY 2012</th>
<th>FY 2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jul</td>
<td>0.80%</td>
<td>0.75%</td>
</tr>
<tr>
<td>Aug</td>
<td>0.75%</td>
<td>0.70%</td>
</tr>
<tr>
<td>Sep</td>
<td>0.70%</td>
<td>0.65%</td>
</tr>
<tr>
<td>Oct</td>
<td>0.65%</td>
<td>0.60%</td>
</tr>
<tr>
<td>Nov</td>
<td>0.60%</td>
<td>0.55%</td>
</tr>
<tr>
<td>Dec</td>
<td>0.55%</td>
<td>0.50%</td>
</tr>
<tr>
<td>Jan</td>
<td>0.50%</td>
<td>0.45%</td>
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<tr>
<td>Feb</td>
<td>0.45%</td>
<td>0.40%</td>
</tr>
<tr>
<td>Mar</td>
<td>0.40%</td>
<td>0.35%</td>
</tr>
<tr>
<td>Apr</td>
<td>0.35%</td>
<td>0.30%</td>
</tr>
<tr>
<td>May</td>
<td>0.30%</td>
<td>0.25%</td>
</tr>
<tr>
<td>Jun</td>
<td>0.25%</td>
<td>0.20%</td>
</tr>
</tbody>
</table>
Fixed Route

Monthly Passengers With Bikes Carried

<table>
<thead>
<tr>
<th>Passengers</th>
</tr>
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<tbody>
<tr>
<td>3,750</td>
</tr>
<tr>
<td>3,500</td>
</tr>
<tr>
<td>3,250</td>
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<td>1,000</td>
</tr>
<tr>
<td>750</td>
</tr>
<tr>
<td>500</td>
</tr>
<tr>
<td>250</td>
</tr>
</tbody>
</table>

- FY 2012
- FY 2013
Paratransit

Monthly Ridership

Passengers

FY 2011  FY 2012

0  1,000  2,000  3,000  4,000  5,000  6,000  7,000  8,000

Jul  Aug  Sep  Oct  Nov  Dec  Jan  Feb  Mar  Apr  May  Jun

FY 2011  FY 2012

0  1,000  2,000  3,000  4,000  5,000  6,000  7,000  8,000

Jul  Aug  Sep  Oct  Nov  Dec  Jan  Feb  Mar  Apr  May  Jun
Paratransit

Monthly Revenue Miles

Miles

<table>
<thead>
<tr>
<th>FY 2012</th>
<th>FY 2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jul</td>
<td>Aug</td>
</tr>
<tr>
<td>50,000</td>
<td>60,000</td>
</tr>
</tbody>
</table>
Paratransit

Monthly Wheelchair Passengers Carried

<table>
<thead>
<tr>
<th>Month</th>
<th>FY 2012</th>
<th>FY 2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jul</td>
<td>24%</td>
<td></td>
</tr>
<tr>
<td>Aug</td>
<td>21%</td>
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<tr>
<td>Sep</td>
<td>18%</td>
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<td>Oct</td>
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<td>Nov</td>
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<td>Dec</td>
<td>9%</td>
<td></td>
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<td>Jan</td>
<td>6%</td>
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<tr>
<td>Feb</td>
<td>3%</td>
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<tr>
<td>Mar</td>
<td>0%</td>
<td></td>
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<tr>
<td>Apr</td>
<td>0%</td>
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<tr>
<td>May</td>
<td>3%</td>
<td></td>
</tr>
<tr>
<td>Jun</td>
<td>6%</td>
<td></td>
</tr>
</tbody>
</table>

FY 2012: Grey bars, FY 2013: Green bars
Paratransit

Monthly Passenger Cancellation Rate

Cancellation Rate

<table>
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<th>FY 2013</th>
</tr>
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<td>Jul</td>
<td>15%</td>
<td>20%</td>
</tr>
<tr>
<td>Aug</td>
<td>10%</td>
<td>15%</td>
</tr>
<tr>
<td>Sep</td>
<td>5%</td>
<td>10%</td>
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<tr>
<td>Oct</td>
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<td>15%</td>
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<td>5%</td>
<td>10%</td>
</tr>
<tr>
<td>Jun</td>
<td>5%</td>
<td>10%</td>
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</tbody>
</table>
Paratransit

Monthly Trip Denial Rate

Please note these are NOT ADA mandated trips that were denied

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<thead>
<tr>
<th>Trip Denial Rate</th>
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<tr>
<td>1.30%</td>
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<tr>
<td>1.00%</td>
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<td>0.90%</td>
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</tr>
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<td>0.70%</td>
</tr>
<tr>
<td>0.60%</td>
</tr>
<tr>
<td>0.50%</td>
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<tr>
<td>0.40%</td>
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<tr>
<td>0.30%</td>
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<td>0.20%</td>
</tr>
<tr>
<td>0.10%</td>
</tr>
<tr>
<td>0.00%</td>
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</tbody>
</table>

FY 2012 FY 2013
RideFinders Annual Ridership

Historical Carpool + Vanpool

Passengers

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<th>Year</th>
<th>Passengers</th>
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<td>1996</td>
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<tr>
<td>2004</td>
<td>5,500,000</td>
</tr>
<tr>
<td>2005</td>
<td>6,000,000</td>
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</table>

FY Ridership
RideFinders

Monthly Registered Carpools

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<thead>
<tr>
<th>Month</th>
<th>FY 2012</th>
<th>FY 2013</th>
</tr>
</thead>
<tbody>
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<td>Jul</td>
<td>5,000</td>
<td>4,500</td>
</tr>
<tr>
<td>Aug</td>
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<td>4,000</td>
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<td>Sep</td>
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<td>Oct</td>
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<tr>
<td>May</td>
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<td>3,500</td>
</tr>
<tr>
<td>Jun</td>
<td>4,000</td>
<td>3,500</td>
</tr>
</tbody>
</table>
Monthly Registered Carpool Ridership

Passengers

FY 2012  FY 2013
RideFinders

Monthly Registered Vanpools

Vanpools

<table>
<thead>
<tr>
<th></th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
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RideFinders

Monthly Registered Vanpool Ridership

Passengers

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RideFinders

Monthly Registered Employers

Employers

1,600
1,400
1,200
1,000
800
600
400
200
0

Jul Aug Sep Oct Nov Dec Jan Feb Mar Apr May Jun

FY 2012  FY 2013
RESOLUTION 14-01

AUTHORIZING EXECUTION AND AMENDMENT OF
DOWNSTATE OPERATING ASSISTANCE GRANT AGREEMENT
WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION

WHEREAS, the Madison County Mass Transit District (District) was created in December 1980, by resolution of the Madison County Board pursuant to Section 3 of the Local Mass Transit District Act, approved July 21, 1959, as amended (70 ILCS 3610/1 et. seq.), and to foster an improved coordinated transportation system; and,

WHEREAS, the District has the responsibility to operate and maintain mass transit as a public service for the welfare of the residents of the District and the vitality of Madison County, Illinois; and,

WHEREAS, the General Assembly of the State of Illinois requires that mass transit, as a public service, be operated and maintained for the use of the citizens of the District efficiently, reliably, equitably, affordably, and as a least-cost service; and,

WHEREAS, the public mass transit services in Madison County, Illinois, are supported, in part, through a District imposed 0.25 percent transit sales tax and State assistance made available to “participants” pursuant to the provisions of the Local Mass Transit District Act approved August 9, 1974, as amended (70 ILCS 3610/1 et. seq.); and,

WHEREAS, the District is eligible to receive funding under the Downstate Public Transportation Act, approved August 9, 1974, as amended (30 ILCS 740/2-1 et. seq.).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE MADISON COUNTY MASS TRANSIT DISTRICT THAT:

1. Madison County Mass Transit District (“Grantee”) enter into a Downstate Public Transportation Operating Assistance Agreement, Contract No. 4449, Grant No. OP-14-16-IL (“Agreement”) with the State of Illinois and amend such Agreement, if necessary, for Fiscal Year 2014, in order to obtain the maximum grant assistance allowed under the provisions of the Illinois Downstate Public Transportation Act (30 ILCS 740/2-1, et. seq.).

2. Jerry J. Kane, Managing Director of the Madison County Mass Transit District is hereby authorized and directed to execute the Agreement and/or any subsequent amendment(s) to the Agreement on behalf of the Madison County Mass Transit District for such assistance for Fiscal Year 2014.

3. Daniel L. Corbett, Chairman, J. Terry Allan, Vice Chairman, or Jerry J. Kane, Managing Director of the Madison County Mass Transit District are hereby authorized to provide such information and to file such documents as may be required to perform the Agreement or any subsequent amendment(s) and to request and receive the grant funding for Fiscal Year 2014.

4. While participating in said operating assistance program, the Madison County Mass Transit District shall provide all required local matching funds.
ADOPTED, by the Board of Trustees of the Madison County Mass Transit District, Madison County, Illinois, on this twenty-fifth day of July 2013.

Daniel L. Corbett, Chairman

J. Terry Allan
Edward A. Hagnauer

Rose Marie Chadwick
Bruce A. Malone

APPROVED as to Form:

John T. Papa, Legal Counsel
CERTIFICATE

I, Erin Werner, do hereby certify that I am the fully qualified and acting Secretary of the Board of Trustees of the Madison County Mass Transit District, and as such Secretary, I am the keeper of the records and files of the Madison County Mass Transit District.

I do further certify that at a duly constituted and legally convened meeting of the Board of Trustees of the Madison County Mass Transit District held on Thursday, July 25, 2013, a resolution was adopted in full accordance and conformity with the by-laws of the Madison County Mass Transit District and the statutes of the State of Illinois, as made and provided, and that the following is a full, complete, and true copy of the pertinent provisions of said Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE MADISON COUNTY MASS TRANSIT DISTRICT THAT:

1. Madison County Mass Transit District ("Grantee") enter into a Downstate Public Transportation Operating Assistance Agreement, Contract No. 4449, Grant No. OP-14-16-IL ("Agreement") with the State of Illinois and amend such Agreement, if necessary, for Fiscal Year 2014, in order to obtain the maximum grant assistance allowed under the provisions of the Illinois Downstate Public Transportation Act (30 ILCS 740/2-1, et. seq.).

2. Jerry J. Kane, Managing Director of the Madison County Mass Transit District is hereby authorized and directed to execute the Agreement and/or any subsequent amendment(s) to the Agreement on behalf of the Madison County Mass Transit District for such assistance for Fiscal Year 2014.

3. Daniel L. Corbett, Chairman, J. Terry Allan, Vice Chairman, or Jerry J. Kane, Managing Director of the Madison County Mass Transit District are hereby authorized to provide such information and to file such documents as may be required to perform the Agreement or any subsequent amendment(s) and to request and receive the grant funding for Fiscal Year 2014.

4. While participating in said operating assistance program, the Madison County Mass Transit District shall provide all required local matching funds.

I further certify that the original of the complete said resolution is on file in the records of the Madison County Mass Transit District in my custody. I do further certify that the foregoing Resolution remains in full force and effect.

IN WITNESS WHEREOF, I have hereunto affixed my official signature as Secretary of the Madison County Mass Transit District on this twenty-fifth day of July 2013.

__________________
Erin Werner
OPINION OF COUNSEL

I, the undersigned, am an attorney licensed by and duly admitted to practice law in the State of Illinois, and am counsel and attorney for the Madison County Mass Transit District ("Grantee"). In this capacity, my opinion has been requested regarding the eligibility of the Grantee for grant assistance under the provisions of the Illinois Downstate Public Transportation Act, 30 ILCS 740/2-1 et. seq. ("Act"). I have also reviewed the Downstate Operating Assistance Grant Agreement, Contract No. 4449, Grant No. OP-14-16-IL ("Agreement") tendered by the State of Illinois ("State") to the Grantee, and I hereby find the following:

1. The Grantee is an eligible "Participant" as defined in the Act.

2. There are no provisions in the Grantee's charter, by-laws, or in the laws or rules of the State of Illinois, United States of America, or any unit of local government that preclude or prohibit the Grantee from entering into such Agreement.

3. The Grantee is fully empowered and authorized to enter into the Agreement and that Agreement, when executed by both parties, will be legally binding upon the Grantee and its successors and assigns.

4. I have no knowledge of any pending or threatened litigation, in either Federal or State court, which would adversely affect the Agreement or prevent the Grantee from contracting with the State for the purpose of receiving a Downstate Operating Assistance Grant.

Based upon the foregoing, I am of the opinion that the Grantee is an eligible Participant under the provisions of the Act, and that it is fully empowered and authorized to accept the grant from the State.

Signature: [Signature]
John T. Papa
Legal Counsel for Madison County Mass Transit District

Date: 7/25/13
RESOLUTION 14-02

AUTHORIZING THE FILING OF APPLICATION WITH THE
THE ILLINOIS DEPARTMENT OF TRANSPORTATION,
DIVISION OF PUBLIC AND INTERMODAL TRANSPORTATION,
FOR A PUBLIC TRANSPORTATION CAPITAL ASSISTANCE GRANT
FOR IMPROVEMENTS TO THE
MADISON COUNTY MASS TRANSIT DISTRICT'S TRANSIT OPERATIONS CENTER

WHEREAS, the Madison County Mass Transit District (District) has the responsibility to operate and maintain mass transit as a public service for the welfare of the residents of the District and the vitality of Madison County, Illinois; and,

WHEREAS, the original building at the District's Transit Operations Center (TOC), opened in March 1987 was initially conceived to house only a modest county-wide paratransit operation, is now stretched beyond its reasonable capacity as the District has developed into a multi-modal transportation provider, offering public fixed route services, regional rideshare and vanpool opportunities, and a developed system of bikeways and trails that integrate with its transit system; and,

WHEREAS, in the ensuing years, as the District's mission grew, the TOC continued to expand with construction of the Fixed-Route Operations, Maintenance, Fuel, and Bus Wash buildings; and,

WHEREAS, significant inefficiencies are caused by the physical dispersion of administrative staff in four buildings spread over the TOC campus; and,

WHEREAS, public access to the administration offices currently conflicts with transit operations, safety, and security; and,

WHEREAS, the provision and improvement of public transportation facilities, rolling stock, equipment and services is essential to the development of safe, efficient, functional public transportation; and,

WHEREAS, the Illinois Department of Transportation has the authority to make such grants and make funds available to offset eligible capital costs required for providing and improving public transportation facilities, rolling stock, equipment and services; and,

WHEREAS, it has been determined to be in the best interest of the District to submit an application to the Illinois Department of Transportation, Division of Public and Intermodal Transportation, for six million dollars ($6,000,000) for the design and construction of administrative building.

WHEREAS, grants for said funds will impose certain obligations upon the recipient.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE MADISON COUNTY MASS TRANSIT DISTRICT THAT:

1. The Madison County Mass Transit file an application with the Division of Public and Intermodal Transportation, Department of Transportation, State of Illinois (Department), in order to obtain the sum of six million dollars ($6,000,000) of financial grant assistance under the Illinois Department of Transportation's general authority to make such grants, for the purpose of offsetting eligible public transportation capital costs of the Madison County Mass Transit District.
2. The Madison County Mass Transit District Capital Budget revenue line item be increased by six million dollars ($6,000,000), or an amount equivalent to the approved project costs.

3. Daniel L. Corbett, Chairman, J. Terry Allan, Vice Chairman, and/or Jerry J. Kane, Managing Director, of the Madison County Mass Transit District, are hereby authorized and directed sign and submit such application on behalf of the Madison County Mass Transit District.

4. Daniel L. Corbett, Chairman, J. Terry Allan, Vice Chairman, and/or Jerry J. Kane, Managing Director, of the Madison County Mass Transit District, are hereby authorized and directed to furnish such additional information as may be required by the Department in connection with the aforesaid application for said grant.

5. Daniel L. Corbett, Chairman, J. Terry Allan, Vice Chairman, and/or Jerry J. Kane, Managing Director, of the Madison County Mass Transit District, are hereby authorized and directed to execute on behalf of the Madison County Mass Transit District the Grant Agreement or subsequent Grant Agreement Amendments resulting from aforesaid application.

6. Daniel L. Corbett, Chairman, J. Terry Allan, Vice Chairman, and/or Jerry J. Kane, Managing Director, of the Madison County Mass Transit District, are hereby authorized and directed to sign such documents as may be required by the Department to request payment for the project funding authorized under aforesaid Grant Agreement.

ADOPTED, by the Board of Trustees of the Madison County Mass Transit District, Madison County, Illinois, on this twenty-fifth day of July 2016.

Daniel L. Corbett, Chairman

J. Terry Allan

Rose Marie Chadwick

Edward A. Hagnauer

Bruce A. Malone

APPROVED as to Form:

John T. Papa, Legal Counsel
CERTIFICATE

I, Erin Werner, do hereby certify that I am the fully qualified and acting Secretary of the Board of Trustees of the Madison County Mass Transit District, and as such Secretary, I am the keeper of the records and files of the Madison County Mass Transit District.

I do further certify that at a duly constituted and legally convened meeting of the Board of Trustees of the Madison County Mass Transit District held on Thursday, July 25, 2013, a resolution was adopted in full accordance and conformity with the by-laws of the Madison County Mass Transit District and the statutes of the State of Illinois, as made and provided, and that the following is a full, complete, and true copy of the pertinent provisions of said Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE MADISON COUNTY MASS TRANSIT DISTRICT THAT:

1. The Madison County Mass Transit file an application with the Division of Public and Intermodal Transportation, Department of Transportation, State of Illinois (Department), in order to obtain the sum of six million dollars ($6,000,000) of financial grant assistance under the Illinois Department of Transportation’s general authority to make such grants, for the purpose of offsetting eligible public transportation capital costs of the Madison County Mass Transit District.

2. The Madison County Mass Transit District Capital Budget revenue line item be increased by six million dollars ($6,000,000), or an amount equivalent to the approved project costs.

3. Daniel L. Corbett, Chairman, J. Terry Allan, Vice Chairman, and/or Jerry J. Kane, Managing Director, of the Madison County Mass Transit District, are hereby authorized and directed sign and submit such application on behalf of the Madison County Mass Transit District.

4. Daniel L. Corbett, Chairman, J. Terry Allan, Vice Chairman, and/or Jerry J. Kane, Managing Director, of the Madison County Mass Transit District, are hereby authorized and directed to furnish such additional information as may be required by the Department in connection with the aforesaid application for said grant.

5. Daniel L. Corbett, Chairman, J. Terry Allan, Vice Chairman, and/or Jerry J. Kane, Managing Director, of the Madison County Mass Transit District, are hereby authorized and directed to execute on behalf of the Madison County Mass Transit District the Grant Agreement or subsequent Grant Agreement Amendments resulting from aforesaid application.

6. Daniel L. Corbett, Chairman, J. Terry Allan, Vice Chairman, and/or Jerry J. Kane, Managing Director, of the Madison County Mass Transit District, are hereby authorized and directed to sign such documents as may be required by the Department to request payment for the project funding authorized under aforesaid Grant Agreement.

I further certify that the original of the complete said resolution is on file in the records of the Madison County Mass Transit District in my custody. I do further certify that the foregoing Resolution remains in full force and effect.

IN WITNESS WHEREOF, I have hereunto affixed my official signature as Secretary of the Madison County Mass Transit District on this twenty-fifth day of July 2013.

______________________________
Erin Werner
OPINION OF COUNSEL

I, the undersigned, am an attorney, licensed by and duly admitted to practice law in the State of Illinois and am counsel for and attorney for the Madison County Mass Transit District. In this capacity, my opinion has been requested concerning the eligibility of the Madison County Mass Transit District for grant assistance under the provisions of the Civil Administrative Code of Illinois (Act), 20 ILCS 2705-305. You are hereby advised as follows:

1. The Madison County Mass Transit District is an eligible recipient as defined in state regulations.

2. There are no provisions in the Madison County Mass Transit District's charter or by-laws or in the statutes of the State, the United States of America, or any other local ordinances that preclude or prohibit the Madison County Mass Transit District from making said application for or contracting with the State for the purpose of receiving a State capital improvement grant.

3. The undersigned has no knowledge of any pending or threatened litigation, in either Federal or State courts which would adversely affect this application, or which seeks to prohibit the Madison County Mass Transit District from contracting with the State for the purpose of receiving a State capital improvement grant.

Based upon the foregoing, I am of the opinion that the Madison County Mass Transit District is an eligible recipient under the provisions of the Act, and that it is fully empowered and authorized to apply for and to accept the grant from the State.

Signature: [Signature]

John T. Papa
Legal Counsel for Madison County Mass Transit District

Date: 7/25/13
RESOLUTION 14-03

APPROVING THE EXTENSION OF AN AGREEMENT BETWEEN
MADISON COUNTY MASS TRANSIT DISTRICT AND
THE BI-STATE DEVELOPMENT AGENCY OF THE MISSOURI-ILLINOIS
METROPOLITAN DISTRICT

WHEREAS, Madison County Mass Transit District was created in December, 1980 by resolution of the Madison County Board pursuant to Section 3 of the Local Mass Transit District Act, approved July 21, 1959, as amended (70 ILCS 3610/1 et. seq.); and,

WHEREAS, since its inception, the District has expanded transit services for the benefit of the residents of Madison County through the use of innovative service planning and cooperation between local operators; and,

WHEREAS, the District has maintained an agreement with The Bi-State Development Agency of the Missouri-Illinois Metropolitan District, hereinafter doing business as Metro, since 1980 to provide certain transit services for the mutual benefit of the District and Metro; and,

WHEREAS, in more recent years, the District and Metro executed an agreement commencing on July 1, 2005, and terminated on June 30, 2010, which was later extended to June 30, 2013, that provided for the coordination of each of the parties mutual fare collection and reconciliation, the District's pro-rata Federal Transit Administration Section 5307 funds for which Metro is the designated recipient, and identifies the District's contribution for full and complete access to Metrolink; and,

WHEREAS, the District has determined that it is in the best regional interest to continue this relationship for the mutual benefit of the District and Metro; and,

WHEREAS, it is the mutual interest of the parties to extend the attached Memorandum of Agreement up to and including June 30, 2014.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE MADISON COUNTY MASS TRANSIT DISTRICT THAT:

1. Jerry J. Kane, Managing Director of the Madison County Mass Transit District, is hereby authorized to extend the attached Memorandum of Agreement with The Bi-State Development Agency of the Missouri-Illinois Metropolitan District up to and including June 30, 2014.

2. Jerry J. Kane, Managing Director of the Madison County Mass Transit District, is hereby authorized to take all action necessary to execute, complete, and perform all obligations associated with the agreement, including any and all amendments on behalf of and in a manner most beneficial to the Madison County Mass Transit District.
ADOPTED, by the Board of Trustees of the Madison County Mass Transit District, Madison County, Illinois, on this twenty-fifth day of July 2013.

Daniel L. Corbett, Chairman

J. Terry Allan
Edward A. Hagnauer

Rose Marie Chadwick
Bruce A. Malone

APPROVED as to Form:

John T. Papa, Legal Counsel
CERTIFICATE

I, Erin Werner, do hereby certify that I am the fully qualified and acting Secretary of the Board of Trustees of the Madison County Mass Transit District, and as such Secretary, I am the keeper of the records and files of the Madison County Mass Transit District.

I do further certify that at a duly constituted and legally convened meeting of the Board of Trustees of the Madison County Mass Transit District held on Thursday, July 25, 2013, a resolution was adopted in full accordance and conformity with the by-laws of the Madison County Mass Transit District and the statutes of the State of Illinois, as made and provided, and that the following is a full, complete, and true copy of the pertinent provisions of said Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE MADISON COUNTY MASS TRANSIT DISTRICT THAT:

1. Jerry J. Kane, Managing Director of the Madison County Mass Transit District, is hereby authorized to extend the attached Memorandum of Agreement with The Bi-State Development Agency of the Missouri-Illinois Metropolitan District up to and including June 30, 2014.

2. Jerry J. Kane, Managing Director of the Madison County Mass Transit District, is hereby authorized to take all action necessary to execute, complete, and perform all obligations associated with the agreement, including any and all amendments on behalf of and in a manner most beneficial to the Madison County Mass Transit District.

I further certify that the original of the complete said resolution is on file in the records of the Madison County Mass Transit District in my custody. I do further certify that the foregoing Resolution remains in full force and effect.

IN WITNESS WHEREOF, I have hereunto affixed my official signature as Secretary of the Madison County Mass Transit District on this twenty-fifth day of July 2013.

Erin Werner
MEMORANDUM OF AGREEMENT

This Memorandum of Agreement ("Agreement") is entered into this _____ day of ________, 2013 by and between The Bi-State Development Agency of the Missouri-Illinois Metropolitan District ("Metro") and the Madison County Transit District ("MCT").

PREAMBLES

WHEREAS, Metro and the MCT are parties to an agreement ("Contract") dated March 26, 2007 which Metro provides a method for allocating federal formula funds and passenger revenues for certain transit-related services; and

WHEREAS, the term of this Contract was originally scheduled to end on June 30, 2010; and

WHEREAS, the Parties have previously amended the Contract to extend the term through June 30, 2013, and this date is the current termination date; and

WHEREAS, the Parties are desirous of again extending the term of the Contract through June 30, 2014 as provided hereinafter.

NOW THEREFORE, in consideration of these premises, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Metro and the MCT hereby agree as follows:

1. The term of the Contract is hereby extended for a period of one (1) year beyond the current termination date, to and including June 30, 2014.

2. Except as amended hereby, all other terms and conditions of the Contract shall remain unchanged and in full force and effect for this extended term.

IN WITNESS WHEREOF, Metro and the District have executed this Memorandum of Agreement to the Contract as of the day and year first written above.

MADISON COUNTY TRANSIT DISTRICT

BY: ___________________________
   Jerry Kane, Managing Director

THE BI-STATE DEVELOPMENT AGENCY
OF THE MISSOURI-IllINOIS
METROPOLITAN DISTRICT

BY: ___________________________
   John Nations, President and CEO
RESOLUTION 14-04

AUTHORIZING DISADVANTAGED BUSINESS ENTERPRISE PROGRAM UPDATES PURSUANT TO FEDERAL REQUIREMENTS

WHEREAS, the Madison County Mass Transit District (District) is responsible for the provision of public mass transportation services pursuant to Section 3 of the Local Mass Transit District Act, as approved on July 21, 1959, as amended (70 ILCS 3610 et. seq.); and,

WHEREAS, as a recipient of federal funds, the District is required by the United States Department of Transportation, Federal Transit Administration, to administer an ongoing Disadvantaged Business Enterprise Program pursuant to 49 CFR Part 26; and,

WHEREAS, the District is required by the United States Department of Transportation, Federal Transit Administration, to submit an updated Disadvantaged Business Enterprise Program to comply with 49 CFR Part 26.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE MADISON COUNTY MASS TRANSIT DISTRICT THAT:

1. Madison County Mass Transit District approves the Madison County Mass Transit District's Disadvantaged Business Enterprise Program, revised July 2013, as attached.

2. Jerry J. Kane, Managing Director of Madison County Mass Transit District, is authorized to file the updated Madison County Mass Transit District's Disadvantaged Business Enterprise Program to the Federal Transit Administration.

3. Jerry J. Kane, Managing Director of the Madison County Mass Transit District, is authorized and directed to take any and all actions as may reasonably be required to enact and administer said program, and maintain the District in full compliance with the provisions of 49 CFR Part 26.

ADOPTED by the Madison County Mass Transit District, Madison County, Illinois, on this twenty-fifth day of July 2013.

Daniel L. Corbett, Chairman

J. Terry Allan

Edward A. Hagnauer

Rose Marie Chadwick

Bruce A. Malone

APPROVED as to Form:

John T. Papa, Legal Counsel
CERTIFICATE

I, Erin Werner, do hereby certify that I am the fully qualified and acting Secretary of the Board of Trustees of the Madison County Mass Transit District, and as such Secretary, I am the keeper of the records and files of the Madison County Mass Transit District.

I do further certify that at a duly constituted and legally convened meeting of the Board of Trustees of the Madison County Mass Transit District held on Thursday, July 25, 2013, a resolution was adopted in full accordance and conformity with the by-laws of the Madison County Mass Transit District and the statutes of the State of Illinois, as made and provided, and that the following is a full, complete, and true copy of the pertinent provisions of said Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE MADISON COUNTY MASS TRANSIT DISTRICT THAT:

1. Madison County Mass Transit District approves the Madison County Mass Transit District’s Disadvantaged Business Enterprise Program, revised July 2013, as attached.

2. Jerry J. Kane, Managing Director of Madison County Mass Transit District, is authorized to file the updated Madison County Mass Transit District’s Disadvantaged Business Enterprise Program to the Federal Transit Administration.

3. Jerry J. Kane, Managing Director of the Madison County Mass Transit District, is authorized and directed to take any and all actions as may reasonably be required to enact and administer said program, and maintain the District in full compliance with the provisions of 49 CFR Part 26.

I further certify that the original of the complete said resolution is on file in the records of the Madison County Mass Transit District in my custody. I do further certify that the foregoing Resolution remains in full force and effect.

IN WITNESS WHEREOF, I have hereunto affixed my official signature as Secretary of the Madison County Mass Transit District on this twenty-fifth day of July 2013.

Erin Werner
Madison County Mass Transit District
Disadvantaged Business Enterprise (DBE) Program

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Attachments

A Signed Policy Statement
B Organizational Chart
C Sample Forms
I POLICY STATEMENT

The Madison County Mass Transit District (MCT) has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U.S. Department of Transportation (USDOT), 49 CFR Part 26. It is MCT policy to ensure that DBEs, as defined in Part 26, have an equal opportunity to receive and participate in USDOT-assisted contracts. This policy encompasses the following actions:

- Ensure nondiscrimination in the award and administration of USDOT-assisted contracts by MCT;
- Create a level playing field on which DBEs can compete fairly for USDOT-assisted contracts issued by MCT;
- Ensure that the DBE Program is narrowly tailored in accordance with applicable law;
- Ensure that only firms that fully meet 49 CFR Part 26 eligibility standards and certified by the Illinois Uniform Certification Program (ILUCP) are permitted to participate as DBEs;
- Help remove barriers to the participation of DBEs in USDOT-assisted contracts issued by MCT;
- Assist in the development of firms that can compete successfully in the market place outside the DBE Program.

Erin Werner, Administrative Assistant, is the delegated DBE Liaison Officer (DBELO). In this capacity, Ms. Werner, at the direction of the Managing Director, is responsible for implementing various aspects of the DBE Program. In the event that the delegated DBELO is unable to fulfill her obligations as DBELO (i.e. due to an extended leave of absence, change in employment status, etc.), the Managing Director is authorized to designate an interim and/or replacement DBELO. Implementation of the DBE Program is accorded the same priority as compliance with all other legal obligations incurred by MCT in its financial assistance agreements with USDOT.

This policy statement is distributed to all directors, managers, supervisors, and procurement personnel, and is conspicuously posted in the workplace for the information of other employees and visitors. MCT also distributes this policy statement to DBE and non-DBE business organizations known to be available to perform work on USDOT-assisted contracts, primarily via legal advertisements in publications of community and business organizations representing minority and/or women-owned disadvantaged businesses and through dissemination to Small Business Development Centers.

A copy of the signed policy statement is noted as Attachment A.
II APPLICABILITY

As a recipient of financial assistance from USDOT, MCT is required to implement a DBE Program in accordance with 49 CFR Part 26, which is incorporated herein by reference. The DBE Program applies to all MCT contracts that are funded, in whole or in part, by USDOT financial assistance. In the event of any conflicts or inconsistencies between the Regulations and this DBE Program with respect to USDOT-assisted contracts, the Regulations shall prevail.

III DEFINITIONS

MCT has adopted terms as defined in 49 CFR §26.5 to describe and carry out its DBE program. Some of the more common terms are defined below for convenience of the reader.

Disadvantaged Business Enterprise (DBE) means a for-profit, small business concern: 1) that is at least fifty-one percent (51%) owned by one or more individuals who are both socially and economically disadvantaged, or, in the case of a corporation, in which fifty-one percent (51%) of the stock is owned by one or more socially and economically disadvantaged individuals; and 2) whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.

Good Faith Efforts means efforts to achieve a DBE goal or other requirement of this part which, by their scope, intensity, and appropriateness to the objective, can reasonably be expected to fulfill the program requirement.

Race-Conscious measure or program is one that is focused specifically on assisting only DBEs, including women-owned DBEs.

Race-Neutral measure or program is one that is, or can be, used to assist all small businesses. For the purposes of this part, race-neutral includes gender-neutrality.

Recipient is any entity, public or private that receives Federal financial assistance from USDOT. The term “recipient” includes MCT acting either as a grantee or sub grantee to which Federal funds have been passed through by a grantee.

SBA Certified firm refers to firms that have a current, valid certification from or recognized by the SBA under the 8(a) BD or SDB programs.

Small Business Concern means, with respect to firms seeking to participate as DBEs in DOT-assisted contracts, a small business concern as defined pursuant to section 3 of the Small Business Act and Small Business Administration regulations implementing it (13 CFR part 121) that also does not exceed the cap on average annual gross receipts specified in 49 CFR 26.65(b)
IV DBE LIAISON OFFICER

MCT has no direct employees, but instead contracts with the Agency for Community Transit, Inc. (ACT), a not-for-profit entity, to carry out all day-to-day administrative functions, including the procurement of goods and services applicable to the DBE program. The Managing Director of MCT also serves as the Executive Director of ACT. For purposes of this section, references to MCT and ACT are synonymous.

Erin Werner, Administrative Assistant, is designated by the Managing Director to serve as DBE Liaison Officer (DBELO). In the event that the delegated DBELO is unable to fulfill her obligations as DBELO (i.e. due to an extended leave of absence, change in employment status, etc.), the Managing Director is authorized to designate an interim and/or replacement DBELO. The DBELO may be contacted at the following address, telephone and e-mail address:

Erin Werner
Administrative Assistant
Madison County Mass Transit District
P.O. Box 7500
Granite City, Illinois 62040-7500
Telephone: (618) 797-4600
e-mail: ewerner@mct.org

The DBELO is responsible for implementing all aspects of the DBE program and for ensuring that MCT complies with all provisions of 49 CFR Part 26. The DBELO has direct, independent access to the Managing Director concerning DBE program matters. An organization chart displaying the DBELO’s position in the organization appears in Attachment B.

The DBELO is responsible for developing, implementing, and monitoring the DBE program, in coordination with MCT management staff as appropriate. The DBELO has a staff of two persons to assist in the administration of the program. The duties and responsibilities of the DBELO include:

- Work with MCT department heads and the Managing Director to establish overall annual DBE goals.
- Identify upcoming procurement and contracting activities and ensure that appropriate DBE goals are included in solicitations.
- Provide information concerning MCT DBE policy, goals, and contracting opportunities to business and other organizations that represent disadvantaged business community members.
- Notify known DBEs of upcoming contracting and subcontracting opportunities through legal advertisements in minority-oriented publications, Small Business Development Centers and correspondence with representative business associations. Ensure that bid notices and requests for proposals are made available to DBEs in a timely manner.
- Participate on internal bid/proposal evaluation committees established by MCT to assist in the selection of bids and proposals.
- Review third party contracts and purchase requisitions for compliance with the DBE program.
- Monitor the compliance of MCT contractors and subcontractors with DBE commitments. Compile and report statistical data and other information documenting DBE program activities and results consistent with USDOT requirements.
• Analyze agency progress toward DBE goal attainment and identify ways to improve progress.
• Advise the Managing Director regarding DBE matters and achievement.
• Act as liaison to Illinois Department of Transportation (IDOT) in matters pertaining to the Illinois Uniform Certification Process (ILUCP)

The DBELO is afforded unrestricted access to MCT staff and consultants as necessary to carry out DBE-related activities. All personnel, whether employed by MCT, ACT, or retained by contract, are ultimately responsible to the Managing Director. To the extent that DBE functions are part of the assigned work of employees or consultants, their achievements in this area are considered in staff performance evaluations and consultant contract reviews.

V GOALS FOR DBE PARTICIPATION

1. DBE Goal Determination
MCT establishes an overall three year DBE goal for USDOT-assisted projects pursuant to the guidelines of 49 CFR 26.45. The goal calculations is a percentage of all FTA funds, excluding federal funds used to purchase transit vehicles, which MCT will expend in FTA-assisted contracts in the three forthcoming federal fiscal years. Following is a summary of the steps used to develop the goal.

Projected the Number and Types of Projects - Consistent with federal regulations, MCT first projects the number and types of USDOT-assisted contracts to be awarded by MCT during the DBE goal’s three year period.

Determining a Base Figure of Relative Availability of DBE Participation - The base figure of relative availability of DBE participation is based on the bidders list formula. MCT determines the number of DBE bidders for contracts awarded by MCT. The number of DBE firms that bid on these USDOT-assisted MCT contracts is divided by the total number of all businesses that bid on prime or subcontracts during the same period.

Adjusting the Base Figure – MCT then reviews past experience with DBE participation and current regional factors which might affect DBE participation. This includes but is not limited to reviewing the current capacity of DBE’s to perform work in DOT-assisted contracting in comparison to past years; reviewing information obtained through consultation with minority, woman and general contractor groups; any information available related to DBE potential for growth such as bonding and insurance issues; data on employment, education and training.

Projected Percentage of Goals to Be Achieved Through Race-Neutral and Race-Conscious Measures – MCT would prefer to meet one hundred percent (100%) of its DBE goal using race neutral methods. However, history notes that the expected DBE participation has been realized through a combination of race/gender-conscious and race/gender-neutral measures. Therefore, MCT reviews the past goals and possible race neutral opportunities for the anticipated projects and then determines the percentage of the DBE goal to be obtained through race-neutral and race-conscious measures.
2. Publication and Adoption of Three Year Goal

Pursuant to 49 CFR §26.45(g)(2) MCT will publish its proposed overall goal in both general circulation and DBE-focused media, including but not necessarily limited to the Edwardsville Intelligencer and Alton Telegraph, which are local general circulation newspapers, and in the St. Louis American, which is a minority-focused newspaper. The notice is issued no later than June 1.

The notice will include a statement that the methodology and proposed goal are available for inspection by the public for thirty (30) days from the date of publication. The notice will also include a statement that MCT will accept public comments to the proposed goal and methodology for a period of forty-five (45) days from the date of publication, and will provide instructions for the submission of comments. An example of the publication notice is provided in Figure 1.

Figure 1

Disadvantaged Business Enterprise
FFY 20xx, 20xx, 20xx DBE Goal

Madison County Mass Transit District, in conformance with U.S. Department of Transportation (DOT) regulations, 49 CFR Part 26, has established a FFY 20XX, 20XX, 20XX three goal for DBE participation of ___ percent (___%) of its applicable contracting opportunities supported with Federal Transit Administration funds. The goal is based on anticipated available procurements, prior District experience with the DBE program, and the availability of qualified DBE firms for the type of projects anticipated during the FY’s 20XX, 20XX, and 20XX. The District’s DBE Program, and a description of how the goal was determined is available for public inspection for thirty (30) days from the date of this public notice during regular business hours at the address indicated below. Public comments regarding the goal will be accepted by the District for forty-five (45) days from date of this public notice. Comments are for informational purposes only and should be directed to the following address:

Madison County Mass Transit District
One Transit Way
Granite City, IL 62040-7500
Attn: DBE Liaison Officer

Upon conclusion of the public comment period, the DBELO will prepare a summary report analyzing the comments and recommending modifications to the annual overall DBE goal or methodology as appropriate. Recommendations will be submitted to the Managing Director for consideration. If no comments are received that would significantly change the goals analysis, the results of the public comment period will be presented as an informational matter to the Board of Trustees with no further action required. If changes are recommended by the Managing Director, the Board of Trustees will review the public comments and make a final determination as to the annual DBE participation goal.

VI FOSTERING SMALL BUSINESS PARTICIPATION

As MCT strives towards realizing the maximum level of DBE participation utilizing race-neutral efforts, a natural result is fostering small business participation.

MCT uses the definition of small business concerns set out in 49 CFR part 26.5. This will ensure that all small businesses allowed to participate in the program are subject to the same size standards and consequently, compete with similarly-sized businesses. A small business will be considered qualified if it is listed with the SBA and/or the IL UCP.
MCT's has developed the following measures to offer contracting requirements which facilitate competition by small business concerns, and take reasonable steps to eliminate obstacles to their participation.

1. Schedule pre-bid and pre-proposal conferences at times that qualified small business would be better able to attend.

2. Provide informational conferences as appropriate to explain procedures and forms, presentation of bids, quantities, and specifications as well as required documentation of specific efforts to involve subcontractors and joint venture partners.

3. Encourage prime contractors to subcontract portions of work they might otherwise perform with their personnel to qualified small business, including DBE's by including language in solicitation documents.

4. Unbundle large procurements, such as construction and other multiple phase projects, into smaller contracts whenever feasible to encourage bids and proposals from qualified small businesses.

5. Encourage prime contractors to develop or increase opportunities for small businesses to participate in varied types of work in addition to assuming increasingly significant projects by including language in solicitation documents.

6. Ensure that a reasonable number of prime contracts are of a size that small businesses, including DBE's, can reasonably perform by working with procurement specialist and engineers as projects are developed.

7. Make available, at no charge, to prospective small businesses relevant procurement materials that might assist such parties in formulating their bid or proposal, except where MCT is legally restricted from making such information available.

8. Provide notice of advertisements to Small Business Development Centers within the MCT regional area.

9. Require prompt payment clauses in contracts.

VII DBE PARTICIPATION BY RACE-CONSCIOUS MEANS

Should MCT become aware the DBE goal is not being obtained through race-neutral means, actions will be taken to utilize race-conscious measures such as those outlined below.

1. ILUCP Availability

Make available, either by printed or electronic means, the ILUCP Directory containing the names and addresses of certified firms and individuals doing business within the procurement area.
2. **Set Contract Specific Goals for DBE participation.**

MCT will establish contract goals only on those USDOT-assisted contracts that have subcontracting possibilities, and not necessarily every such contract. The contract goal will be developed to reflect the circumstances of the specific contract (e.g., type and location of work, availability of DBEs to perform the particular type of work.)

A. **Awarding Contracts with Contract-Specific Goals**

MCT shall award contracts to the lowest responsive and responsible bidder/offeror consistent with its adopted procurement procedures. Upon the decision to establish a goal for a particular contract, the determination shall be made as to whether compliance with the good faith effort requirements shall be a determination of responsiveness or responsibility in the contract award process. DBE subcontractor information will either be required 1) at the time of bid/proposal submission as a point of responsiveness or 2) at a date prior to award of the contract as a point of responsibility. The solicitation documents will clearly state which methodology is being utilized.

**DBE Required Submittal Information**

Each solicitation for which a contract goal has been established will require bidders/offerors to submit the following information on the DBE Participation forms (See Attachment C):

a) The names and addresses of DBE firms that will participate in the contract;
b) A description of the work that each DBE will perform;
c) The dollar amount of the participation of each DBE firm participating;
d) Written and signed documentation of commitment to use a DBE subcontractor whose participation it submits to meet a contract goal;
e) Written and signed confirmation from the DBE that it is participating in the contract as provided in the prime contractors commitment; and
f) If the contract goal is not met, evidence of good faith efforts.

**Evaluation of DBE Certification Status and/or Good Faith Efforts**

MCT shall require that any DBEs listed by bidders for participation in the contract be certified DBEs as of the time of required submittal of documents. The DBELO shall review the Bidder’s DBE submittal to confirm each DBE firm’s certification status. MCT shall accept current certifications by the ILUCP.

Should the established contract goal not be met by utilizing certified DBE, the bidder must show that all necessary and reasonable steps were taken to achieve the contract goal. Necessary and reasonable steps are those which, by their scope, intensity and appropriateness to the objective, could reasonably be expected to obtain sufficient DBE participation, even if they were not successful. MCT will consider the quality, quantity, and intensity of the kinds of efforts that the bidder has made. Mere *pro forma* efforts, in other words, efforts done as a matter of form, are not good faith efforts; rather, the bidder is expected to have taken genuine efforts that would be reasonably expected of a bidder actively and aggressively trying to obtain DBE participation sufficient to meet the contract goal.

The following is a list of types of action that MCT will consider as part of the evaluation of the bidder’s good faith efforts to obtain participation. These listed factors are not intended to be a mandatory checklist and are not intended to be exhaustive. Other factors or efforts brought to the attention of MCT may be relevant in appropriate cases, and will be considered.
(1) Soliciting through all reasonable and available means (e.g. attendance at pre-bid meetings, advertising and/or written notices) the interest of all certified DBE companies that have the capability to perform the work of the contract. The bidder must solicit this interest within sufficient time to allow the DBE companies to respond to the solicitation. The bidder must determine with certainty if the DBE companies are interested by taking appropriate steps to follow up initial solicitations.

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

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

(4) a. Negotiating in good faith with interested DBE companies. It is the bidder's responsibility to make a portion of the work available to DBE subcontractors and suppliers and to select those portions of the work or material needs consistent with the available DBE subcontractors and suppliers, so as to facilitate DBE participation. Evidence of such negotiation includes the names, addresses, and telephone numbers of DBE companies that were considered; a description of the information provided regarding the specifications for the work selected for subcontracting; and evidence as to why additional agreements could not be reached for DBE companies to perform the work.

b. A bidder using good business judgment would consider a number of factors in negotiating with subcontractors, including DBE subcontractors, and would take a firm's price and capabilities as well as contract goals into consideration. However, the fact that there may be some additional costs involved in finding and using DBE companies is not in itself sufficient reason for a bidder's failure to meet the contract DBE goal, as long as such costs are reasonable. Also, the ability or desire of a bidder to perform the work of a contract with its own organization does not relieve the bidder of the responsibility to make good faith efforts. Bidders are not, however, required to accept higher quotes from DBE companies if the price difference is excessive or unreasonable.

(5) Not rejecting DBE companies as being unqualified without sound reasons based on a thorough investigation of their capabilities. The bidder's standing within its industry, membership in specific groups, organizations, or associations and political or social affiliations (for example union vs. non-union employee status) are not legitimate causes for the rejection or non-solicitation of bids in the bidder's efforts to meet the project goal.

(6) Making efforts to assist interested DBE companies in obtaining bonding, lines of credit, or insurance as required by the contract or Contractor.

(7) Making efforts to assist interested DBE companies in obtaining necessary equipment, supplies, materials, or related assistance or services.

(8) Effectively using the services of available minority/women community organizations; minority/women contractors' groups; local, state, and federal minority/women business assistance offices; and other organizations as allowed on a case-by-case basis to provide assistance in the recruitment and placement of DBE companies.

If MCT determine that the apparent successful bidder has made a good faith effort to secure the work commitment of DBE companies to meet the contract goal, MCT will award the contract provided that it is otherwise eligible for award. If MCT determines that the bidder has failed to meet the requirements of the DBE goal and that a good faith effort has not been made, MCT will notify the
Contractor. The notification shall include a statement of reasons why good faith efforts have not been found.

**Administrative Reconsideration**

If MCT determines that the bidder has failed to meet the requirements to meet the DBE goal and that a good faith effort has not been made, MCT will notify the bidder/offeror. The notification shall include a statement of reasons why good faith efforts have not been found.

Within five (5) days of being informed by MCT that it is not responsive because it has not documented sufficient good faith efforts, a bidder/offeror may request administrative reconsideration. In such case, the bidder/offeror should make this request in writing to the Managing Director of MCT, who has not played any role in the original determination that the bidder/offeror did not document sufficient good faith efforts. As part of this reconsideration, the bidder/offeror will have the opportunity to provide written documentation or argument concerning the issue of whether it met the goal or made adequate good faith efforts to do so. The bidder/offeror will have the opportunity to meet in person with the Managing Director to discuss the issue of whether it met the goal or made adequate good faith efforts attempting to do so. MCT will send the bidder/offeror a written decision on reconsideration, explaining the basis for finding that the bidder/offeror did or did not meet the goal or make adequate good faith efforts to do so.

**B. Good Faith Efforts when a DBE is Replaced/Terminated on a Contract**

The prime contractor will be required to give notice in writing to the DBE subcontractor, with a copy to MCT, of its intent to request to terminate and/or substitute, and the reason for the request. Additionally, the prime contractor must give the DBE five days to respond to the prime contractor’s notice and advise MCT and the contractor of the reasons, if any, why it objects to the proposed termination of its subcontract and why MCT should not approve the prime contractor’s action.

MCT will require that a prime contractor not terminate or substitute a DBE subcontractor/supplier without MCT’s prior written consent. This is applicable to both post-award terminations, as well as to pre-award deletions of or substitutions for DBE firms put forward by offerors in negotiated procurements.

If a termination of a DBE’s subcontract is approved, or a DBE subcontractor fails to complete its work on the contract for any reason, MCT will require the prime contractor to make good faith efforts to find another DBE subcontractor/supplier to perform at least the same amount of work under the contract as the DBE that was terminated, to the extent needed to meet the contract goal established for the procurement.

**C. Calculating DBE Participation**

When a DBE participates in a contract, MCT counts only the value of the work actually performed by the DBE toward DBE goals. In addition, a DBE must perform a commercially useful function on the contract to be counted. A commercially useful function is generally performed when the DBE is responsible for the work and is carrying out its responsibilities by actually performing, managing, and supervising the work involved. MCT is governed by the provisions of 49 CFR part 26.55 on questions of commercially useful functions as it affects the work. Specific counting guidelines are provided in 49 CFR part 26.55, the provisions of which govern over the summary contained herein.
(1) DBE as the Contractor: 100 percent goal credit for that portion of the work performed by the DBE's own forces, including the cost of materials and supplies. Work that a DBE subcontracts to a non-DBE does not count toward the DBE goals.

(2) DBE as a joint venture Contractor: 100 percent goal credit for that portion of the total dollar value of the contract equal to the distinct, clearly defined portion of the work performed by the DBE's own forces.

(3) DBE as a subcontractor: 100 percent goal credit for the work of the subcontract performed by the DBE's own forces, including the cost of materials and supplies, excluding the purchase of materials and supplies or the lease of equipment by the DBE subcontractor from the prime Contractor or its affiliates. Work that a DBE subcontractor in turn subcontracts to a non-DBE does not count toward the DBE goal.

(4) DBE as trucker: 100 percent goal credit for trucking participation provided the DBE is responsible for the management and supervision of the entire trucking operation for which it is responsible. At least one truck owned, operated, licensed, and insured by the DBE must be used on the contract. Credit will be given for the following:
   a. The DBE may lease trucks from another DBE firm, including an owner-operator who is certified as a DBE. The DBE who leases trucks from another DBE receives credit for the total value of the transportation services the lessee DBE provides on the contract.
   b. The DBE may also lease trucks from a non-DBE firm, including from an owner-operator. The DBE who leases trucks from a non-DBE is entitled to credit only for the fee or commission it receives as a result of the lease arrangement.

(5) DBE as a material supplier:
   a. 60 percent goal credit for the cost of the materials or supplies purchased from a DBE regular dealer.
   b. 100 percent goal credit for the cost of materials or supplies obtained from a DBE manufacturer.
   c. 100 percent credit for the value of reasonable fees and commissions for the procurement of materials and supplies if not a regular dealer or manufacturer.

DBE achievement will not be counted toward the overall goal until the DBE has been paid. The DBELO will track the participation of DBEs in contract-specific goal contracts separately from the participation of DBEs that is considered race-neutral. Any portion of a DBE's participation that is achieved after the certification of the DBE has been removed during the performance of a contract will not be counted.

VIII ADMINISTRATIVE REQUIREMENTS

1. MCT Assurance of Non-discrimination
MCT shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR part 26. The recipient shall take all necessary and reasonable steps under 49 CFR part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts.

2. Transit Vehicle Manufacturers Goals
MCT will require each transit vehicle manufacturer, as a condition of being authorized to bid or propose on USDOT-assisted transit vehicle procurements, to certify that it has complied with the applicable requirements of 49 CFR Part 26.
3. DBE Financial Institutions
MCT is not aware of any bank in Southwestern Illinois currently qualified as a DBE. It is MCT policy to periodically re-investigate whether DBE-qualified banks or financial institutions have come into existence in the region. The primary source for MCT information concerning this issue is the Federal Reserve Board website (www.federalreserve.gov/releases/mob/). MCT will consider using such institutions as opportunities materialize. It is also MCT policy to maintain its bank accounts within the defined service area boundaries of the Transit District to the extent possible.

MCT encourages prime contractors on USDOT-assisted contracts to make use of DBE-qualified banks as available in their home communities.

4. DBE Directory
MCT is a member of the Illinois Unified Certification Program (ILUCP), which is administered by the Illinois Department of Transportation (IDOT). The ILUCP maintains a statewide DBE directory, which is on the IDOT website at: http://www.dot.state.il.us/ucp/ucp.html.

The Directory lists certified DBE firms in alphabetical order by the industry categories and the IDOT districts in which the firms have indicated they are available. MCT is within IDOT District 8.

MCT will furnish a copy of the DBE Directory to any prospective bidders and proposers unable to access the IDOT website or otherwise obtain a copy of the Directory on its own. It is the responsibility of the prime contractor to confirm a DBE certification according to the type of work/services called for in the scope of work. Only those firms certified and listed in the ILUCP at the time of required document submittal may be utilized in meeting a DBE contract goal.

5. Bidders' List
MCT maintains a list containing information about all DBE and non-DBE firms that bid or quote on USDOT-assisted contracts tendered by MCT. The information is used when calculating DBE goals from year to year. The bidders' list includes the name, address, DBE status, years doing business and annual gross receipts of firms. MCT employs various practices to collect this information. A clause is included in all USDOT-assisted contracts requiring prime contractors to report the name and contact information of all firms quoted in subcontracts to MCT which includes a classification designation. If the USDOT-assisted contract has a DBE goal attached, additional information is collected by the contractor and submitted as noted in the procurements documents. When there is no DBE goal associated to the contract MCT requests that DBE firms quoting on subcontracts report business background information directly to MCT.

6. Over-Concentration
MCT has not identified that over-concentration exists in the types of work that DBEs perform.

7. Assistance to Prospective Bidders and Proposers
MCT does not have a business development or mentor-protégé program, but does participate in transit industry associations (American Public Transit Association, Illinois Public Transit Association) and advertises contractor opportunities in both trade-specific and general circulation publications. Additionally, the following forms of assistance are offered by MCT:

A. Pre-bid and pre-proposal informational conferences are convened as appropriate for the benefit of both DBE and non-DBE firms. The DBELO explains DBE procedures and forms, presentation of
bids, quantities, and specifications as well as required documentation of specific efforts to involve DBE subcontractors and joint venture partners.

B. Make available for review by prospective DBE bidders and proposers relevant procurement materials that might assist such parties in formulating their bid or proposal, except where MCT is legally restricted from making such information available.

C. Bid/proposal bond requirements may be reduced or waived to the extent allowable by law when such consideration is requested by a prospective bidder or proposer that is an eligible qualified small business.

D. Conduct workshops when they relate to specific programmed or actual procurements that are sufficiently unique and/or complex such that a workshop is warranted. In such instances, the Managing Director will determine the duration and content of the workshop.

8. Dissemination of Policy Statement
The DBELO distributes copies of the Policy Statement signed and dated by the Managing Director to purchasing staff, department directors and managers, and throughout the business community, including DBEs and non-DBEs that perform work on USDOT-assisted contracts for MCT. The Policy Statement is posted on the MCT website (www.mct.org) and is available in print and alternative formats upon request by interested members of the public and business community. Additionally, MCT makes reference to the policy in contract specifications and advertisements of all USDOT-assisted contracts.

9. No Quotas or Set-Asides
MCT does not use quotas or set-asides in any way in the administration of its DBE program.

10. Reporting Requirements
MCT provides reports regarding actual DBE participation and goals as required by 49 CFR Part 26 to USDOT and IDOT. The DBE Uniform Report reviewing MCT commitments and awards to certified DBE is submitted in TEAM semiannually. Prior to December 31, an analysis of the previous federal fiscal year’s (FFY) goal attainment is completed and reviewed with the Managing Director. Recommendations for the next FFY are discussed and documented.

IX REQUIRED CONTRACT PROVISIONS/CLAUSES
MCT will include the following paragraphs in all USDOT-assisted contracts and subcontracts with contractors/suppliers. Additionally, MCT requires the Contractor to include these requirements in each subcontract, modified only if necessary to identify the affected parties:

1. Policy It is the policy of the U.S. Department of Transportation that disadvantaged business enterprises as defined in 49 CFR Part 26 shall have an equal opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this agreement. Consequently, the DBE requirements of 49 CFR Part 26 apply to this agreement.

2. Non-Discrimination MCT shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE Program or the requirements of 49 CFR Part 26. MCT shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of DOT-
assisted contracts. MCT’s DBE Program, as required by 49 CFR Part 26 and as approved by
DOT, is incorporated by reference in this agreement. Implementation of this program is a legal
obligation and failure to carry out its terms shall be treated as a violation of this agreement.

3. **Small Business and DBE Obligation** MCT and its Contractors agree to ensure that small
businesses (including disadvantaged business enterprises) as defined in 49 CFR Part 26 have an
equal opportunity to participate in the performance of contracts and subcontracts financed in whole
or in part with Federal funds provided under this agreement. In this regard, MCT and its sub­
recipients, Contractors, and subcontractors shall take all necessary and reasonable steps in
accordance with 49 CFR Part 26 to ensure that small businesses (including disadvantaged business
enterprises) have an equal opportunity to compete on and perform contracts.

4. **Contract Assurance** The Contractor or subcontractor/suppliers shall not discriminate on the basis
of race, color, national origin, or sex in the performance of this contract. The Contractor shall carry
out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted
contracts. Failure by the Contractor to carry out these requirements is a material breach of this
contract, which may result in the termination of this contract or such remedy as MCT deems
appropriate.

5. **Prompt Payment** The prime Contractor agrees to pay each subcontractor under this prime
contract for satisfactory performance of its contract no later than thirty (30) days from the receipt
of each payment the prime Contractor receives from MCT. The prime Contractor agrees further to
return retainage payments to each subcontractor within thirty (30) days after the receipt of payment
from MCT for work satisfactorily completed. Any delay or postponement of payment from the
above referenced time frame may occur only for good cause following written approval of MCT.
This clause applies to both DBE and non-DBE subcontractors.

6. **DBE and Small Business Financial Institutions** MCT encourages prime contractors to make use
of DBE and small business financial institutions in their home communities as is practical.

X MONITORING AND ENFORCEMENT

1. **Monitoring Actual DBE Participation**
The DBELO monitors actual DBE participation by tracking contractor and subcontractor reports of
payments. The DBELO may require prime contractors and DBE subcontractors and suppliers to
provide appropriate documentation to verify such payments. DBE participation is counted toward
contract goals and the annual overall goal in accordance with the 49 CFR Part 26. Credit toward
overall or contract goals will only be given upon satisfactory evidence that payments were actually
made to DBEs.

2. **Monitoring Payments to DBEs**
The DBELO shall maintain a running tally of actual payments to DBE firms for work committed to
them at the time of contract award. MCT will conduct random reviews of contract payments to ensure
the actual amount paid to DBE subcontractors equals or exceeds the dollar amounts stated in the
schedule of DBE participation. MCT will randomly contact subcontractors to confirm the
subcontractor actually did perform the work reported as such by the prime contractor.
MCT will require prime contractors to maintain records and documents of payments to DBEs for three (3) years following the performance of the contract. These records must be made available for inspection upon request by any authorized representative of MCT or USDOT. This reporting requirement also extends to any certified DBE subcontractor.

3. Enforcement Mechanisms
MCT will notify USDOT-FTA of any false, fraudulent, or dishonest conduct in connection with the program. FTA may initiate suspension or debarment proceeding under 2 CFR parts 180 and 1200. Additionally, the FTA may refer such claims to the Department of Justice, for prosecution under 18 U.S.C 1001 or other applicable provisions of law. MCT may consider action under its legal authority, including responsibility determinations in future contracts. MCT has available several remedies to enforce the DBE requirements contained in its contracts, including, but not limited to, breach of contract action pursuant to the terms of the contract.

XI DBE CERTIFICATION

MCT is a member of the Illinois Unified Certification Program (ILUCP), which is administered by the Illinois Department of Transportation (IDOT). The ILUCP meets all relevant requirements of 49 CFR Part 26. Five entities in the State of Illinois currently certify DBEs on behalf of the ILUCP. In addition to IDOT, these include the City of Chicago, Chicago Transit Authority (CTA), PACE and Metra.

The ILUCP is based on the concept of statewide reciprocity among participating agencies. MCT honors a DBE certification issued by any of the aforementioned five entities, and defers all DBE certification and recertification activities to the ILUCP. For information about the certification process or to apply for certification, firms are directed to the IDOT website: http://www.dot.state.il.us/ucp/ucp.html.
Attachment A

SIGNED POLICY STATEMENT
Disadvantaged Business Enterprise
Policy Statement

The Madison County Mass Transit District (MCT) has established a Disadvantaged Business Enterprise (DBE) program in accordance with regulations of the U.S. Department of Transportation (USDOT), 49 CFR Part 26. It is MCT policy to ensure that DBEs, as defined in part 26, have an equal opportunity to receive and participate in USDOT-assisted contracts. This policy encompasses the following actions:

- Ensure nondiscrimination in the award and administration of USDOT-assisted contracts by MCT;
- Create a level playing field on which DBEs can compete fairly for USDOT-assisted contracts issued by MCT;
- Ensure that the DBE Program is narrowly tailored in accordance with applicable law;
- Ensure that only firms that fully meet 49 CFR Part 26 eligibility standards and certified by the Illinois Uniform Certification Program (ILUCP) are permitted to participate as DBEs;
- Help remove barriers to the participation of DBEs in USDOT-assisted contracts issued by MCT;
- Assist in the development of firms that can compete successfully in the marketplace outside the DBE Program.

Erin Werner, Administrative Assistant is the delegated DBE Liaison Officer (DBELO). In this capacity, Ms. Werner, at the direction of the Managing Director, is responsible for implementing various aspects of the DBE program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by MCT in its financial assistance agreements with USDOT.

This policy statement is distributed to all directors, managers, supervisors and procurement personnel, and is conspicuously posted in the workplace for the information of other employees and visitors. MCT also distributes this policy statement to DBE and non-DBE business organizations known to be available to perform work on USDOT-assisted contracts, primarily via legal advertisements in publications of community and business organizations representing minority and/or women-owned disadvantaged businesses and through dissemination to Small Business Development Centers.

Daniel L. Corbett
Chairman, Board of Trustees

Date
Attachment C

SAMPLE FORMS
## Subcontractor's List

Bidder shall identify all proposed subcontractors/Suppliers

<table>
<thead>
<tr>
<th>A</th>
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<td><strong>Gross receipts of Firm</strong></td>
<td><strong>Work Tasks To be assigned</strong></td>
<td><strong>Total Estimated Value of Work</strong></td>
<td><strong>Small Business SBA or ILUCP</strong></td>
<td><strong>IL DBE CERTIFIED YES/NO</strong></td>
<td><strong>If DBE is supplier or trucking firm for Subcontractor Provide Full Name and complete Form O</strong></td>
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<td>Sample Subcontractor</td>
<td>22 years</td>
<td>under $ 500,000</td>
<td>masonry work</td>
<td>197,000</td>
<td>Subcontractor in Column A - Yes</td>
<td>Supplier - Yes</td>
<td>DBE - Susie's Bricks</td>
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**SUB TOTALS**

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Madison County Mass Transit District Disadvantaged Business Enterprises Program
## Madison County Mass Transit District
### Disadvantaged Business Enterprises Program

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<th>Full Name of Subcontractor</th>
<th>Age of Firm</th>
<th>Gross receipts of Firm</th>
<th>Work Tasks To be assigned</th>
<th>Total Estimated Value of Work</th>
<th>Small Business SBA or ILUCP</th>
<th>IL DBE CERTIFIED YES/NO</th>
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|                           |             | $under $ 500,000       |                           |                              |                            |                         |
|                           |             | $500,000 to $1 mil     |                           |                              |                            |                         |
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|                           |             | $2 mil to $5 mil       |                           |                              |                            |                         |
|                           |             | above $5 mil           |                           |                              |                            |                         |

7

|                           |             | $under $ 500,000       |                           |                              |                            |                         |
|                           |             | $500,000 to $1 mil     |                           |                              |                            |                         |
|                           |             | $1 mil to $2 mil       |                           |                              |                            |                         |
|                           |             | $2 mil to $5 mil       |                           |                              |                            |                         |
|                           |             | above $5 mil           |                           |                              |                            |                         |

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|                           |             | $under $ 500,000       |                           |                              |                            |                         |
|                           |             | $500,000 to $1 mil     |                           |                              |                            |                         |
|                           |             | $1 mil to $2 mil       |                           |                              |                            |                         |
|                           |             | $2 mil to $5 mil       |                           |                              |                            |                         |
|                           |             | above $5 mil           |                           |                              |                            |                         |

9

|                           |             | $under $ 500,000       |                           |                              |                            |                         |
|                           |             | $500,000 to $1 mil     |                           |                              |                            |                         |
|                           |             | $1 mil to $2 mil       |                           |                              |                            |                         |
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|                           |             | above $5 mil           |                           |                              |                            |                         |

10

|                           |             | $under $ 500,000       |                           |                              |                            |                         |
|                           |             | $500,000 to $1 mil     |                           |                              |                            |                         |
|                           |             | $1 mil to $2 mil       |                           |                              |                            |                         |
|                           |             | $2 mil to $5 mil       |                           |                              |                            |                         |
|                           |             | above $5 mil           |                           |                              |                            |                         |

Column TOTAL page 2

Column TOTAL page 1

Column TOTAL page 1 + page 2

I certify that it is the intent of _____________________________ to use the DBE subcontractors listed to meet the contract goal of _____%.

name of bidding contractor

Bidder representative signature _____________________________ Title _____________________________ Name of Bidding Contractor _____________________________ Date _____________________________

Page 2 of 2
Madison County Mass Transit District
Disadvantaged Business Enterprises Program

DBE Intent to Perform
This form must be completed by each firm listed as a DBE on Subcontractor's List and submitted with the bid or as a matter of responsibility prior to contract award.

Name of DBE Firm: 
Address: 

Contact number: (___) ____-______ Contact Person: ____________________________

This serves as confirmation that ________________________(DBE subcontractor) is committed to working with _____________________(bidding contractor) if awarded the contract.

Work tasks to be completed: _____________________________

I certify that the above mentioned DBE firm is IL DBE certified in the area of work tasks defined above.

DBE classification: _____ Black American owned
_____ Hispanic American owned
_____ Native American owned
_____ Subcontinent American owned
_____ Asian-pacific American owned
_____ Non-minority Woman owned

Gross Receipts: _____ under $ 500,000
_____ $ 500,000 to $ 1 mil
_____ $ 1 mil to $ 2 mil
_____ $ 2 mil to $ 5 mil
_____ above 5 mil

Age of Firm:

My signature indicates all above true and accurate to the best of my knowledge.

Date: ____________________________

DBE Authorized Representative's Signature/Title

Office use only
IL UCP Directory ______ areas ___________________ reviewed by _______________
reviewed by ___________ date ____________
**DBE Unavailability Certification**

*This form must be completed submitted with the bid or as a matter of responsibility prior to contract award for all DBE’s contacted that are unable to work on the project. A comparable document may be substituted for this form only if all information below is provided and a signature is included.*

Bidder’s documents should show that it took all necessary and reasonable steps to achieve a DBE goal or other requirement of 49 CFR 26 which, by their scope, intensity, and appropriateness to the objective, could reasonably be expected to obtain sufficient DBE participation even if they were not fully successful. Suggested actions that show good faith effort are identified in the instructions to bidders. If the DBE goal was not met, bidder shall complete this form and/or provide other evidence of good faith efforts.

I, __________________________, __________________________ of __________________________, certify that on __________________________, I contacted __________________________ (Name of bidding company) (Date) __________________________ (DBE Subcontractor) to obtain a bid for the work items listed below to be performed on this project: __________________________

<table>
<thead>
<tr>
<th>WORK ITEMS SOUGHT</th>
<th>FORM OF BID SOUGHT</th>
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To the best of my knowledge and belief, said DBE subcontractor was unavailable (exclusive of unavailability due to lack of agreement on price) for work on this project, or was unable to prepare a bid for the following reason(s):

__________________________________________________

__________________________________________________

__________________________________________________

Signature of person that contacted DBE firm: __________________________

[make additional copies as needed]
DBE Payment Certification
(Form to be submitted within 15 days of payment)

The contractor/subcontractor is required to pay its DBE certified subcontractors/suppliers/trucking firm performing work related to this contract for satisfactory performance of that work no later than 30 days after the contractor/subcontractor's receipt of payment for that work.

Payment made by: ___________________________ (Contractor's Name)

DBE Firm’s name: ___________________________

Date DBE’s invoice was received: ________________

Date MCT paid contractor/$ amount ________ (date and $ on the check)

Date DBE was paid: ___________________________

Amount DBE was paid: ________________________

This is the final payment to this DBE firm. _____yes _____ no

I certify the information is true and accurate to the best of my knowledge.

_________________________ _______________________
Payor’s Signature Date

Office use only
Payment received on ________________
Confirmed by ________________ Date
## Monthly DBE Status Report

Reporting for month of _________________

Contractor: _____________________________________________

<table>
<thead>
<tr>
<th></th>
<th>Name of DBE Firm</th>
<th>B Paid as of last submittal</th>
<th>C Current Month Payments</th>
<th>D Total Payments through reporting period (Column B + Column C)</th>
<th>E Original Estimated value of work</th>
<th>F Current Status of goal (Column E - Column D)</th>
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Total

I have no knowledge of any change in the certification status of the DBE subcontractors listed above. The information provided is complete and accurate to the best of my knowledge.

__________________________________________  _____________________________
Contractor's Signature                      Date

Office use only
Reviewed by ___________________ Date _______________ Construction goal % ___________
Confirmation of DBE Status Report  
Completed by MCT Representative

This document serves as a tracking method that the Site Manager or MCT designee is randomly confirming that the people completing the DBE Firm assigned work are in fact the DBE firm's employees.

Reporting for Month of ____________, 20___  
Project: __________________________________________

<table>
<thead>
<tr>
<th>A</th>
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<tr>
<td>Date</td>
<td>Time</td>
<td>Work Task Being Performed</td>
<td>DBE Firm Assigned work</td>
<td>Name of Working Employee asked</td>
<td>Employee states is an employee of DBE firm noted in Column D.</td>
<td>Yes or No</td>
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RESOLUTION 14-05

AUTHORIZING EQUAL EMPLOYMENT OPPORTUNITY PROGRAM
REVISIONS PURSUANT TO FEDERAL REQUIREMENTS

WHEREAS, the Madison County Mass Transit District (District) is responsible for the provision of public mass transportation services pursuant to Section 3 of the Local Mass Transit District Act, as approved July 21, 1959, as amended (70 ILCS 3610/1 et. seq.); and,

WHEREAS, as a recipient of federal funds, the District is required by the United States Department of Transportation, Federal Transit Administration to administer an ongoing Equal Employment Opportunity Program; and,

WHEREAS, the District is required by the United States Department of Transportation, Federal Transit Administration to submit program updates pursuant to guidelines as described in Federal Transit Administration Circular 4704.1; and,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE MADISON COUNTY MASS TRANSIT DISTRICT THAT:


2. The Madison County Mass Transit District file with the United States Department of Transportation, Federal Transit Administration the revised Equal Employment Opportunity Program.

3. Jerry J. Kane, Managing Director of the Madison County Mass Transit District, is hereby authorized to take any and all actions as may reasonably be required to enact and administer said program, and maintain the District in full compliance with the provisions of Federal Transit Administration Circular 4704.1.

ADOPTED by the Board of Trustees of the Madison County Mass Transit District, Madison County, Illinois, on this fifth day of July 2013.

Daniel L. Corbett, Chairman

J. Terry Allan

Edward A. Hagmayer

Approved as to Form:

John T. Papa, Legal Counsel
CERTIFICATE

I, Erin Werner, do hereby certify that I am the fully qualified and acting Secretary of the Board of Trustees of the Madison County Mass Transit District, and as such Secretary, I am the keeper of the records and files of the Madison County Mass Transit District.

I do further certify that at a duly constituted and legally convened meeting of the Board of Trustees of the Madison County Mass Transit District held on Thursday, July 25, 2013, a resolution was adopted in full accordance and conformity with the by-laws of the Madison County Mass Transit District and the statutes of the State of Illinois, as made and provided, and that the following is a full, complete, and true copy of the pertinent provisions of said Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE MADISON COUNTY MASS TRANSIT DISTRICT THAT:


2. The Madison County Mass Transit District file with the United States Department of Transportation, Federal Transit Administration the revised Equal Employment Opportunity Program.

3. Jerry J. Kane, Managing Director of the Madison County Mass Transit District, is hereby authorized to take any and all actions as may reasonably be required to enact and administer said program, and maintain the District in full compliance with the provisions of Federal Transit Administration Circular 4704.1.

I further certify that the original of the complete said resolution is on file in the records of the Madison County Mass Transit District in my custody. I do further certify that the foregoing Resolution remains in full force and effect.

IN WITNESS WHEREOF, I have hereunto affixed my official signature as Secretary of the Madison County Mass Transit District on this twenty-fifth day of July 2013.

[Signature: Erin Werner]
EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

FY 2013 – 2016

MADISON COUNTY MASS TRANSIT DISTRICT
GRANITE CITY, ILLINOIS

Submitted
January 2013

Revised
July 2013
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I BACKGROUND

This report presents the updated FY 2013-2016 Equal Employment Opportunity Program (EEO Program) of the Madison County Mass Transit District (MCT). MCT was created in 1980 to improve local public transportation services in Madison County, Illinois. Since that time, the system has grown steadily to its current fleet of 121 fixed route and paratransit vehicles operated in daily service.

MCT itself operates no services directly, but historically has contracted with three entities for service delivery. Until 1985, the system was entirely fixed route and all services were operated by the St. Louis regional operator, Bi-State Development Agency of Missouri and Illinois, d/b/a Metro. When MCT inaugurated new paratransit service in 1985, it contracted with the Agency for Community Transit, Inc. (ACT) for service delivery. ACT, a public, non-profit 501(c)(3) agency incorporated in the State of Illinois, was created specifically for the purpose of serving MCT in this manner. ACT was given added responsibility for local fixed route shuttle services beginning in 1986, and has steadily acquired additional operating responsibilities in subsequent years. By 1991, transit system expansion led MCT to contract with Mayflower Contract Services (later Laidlaw Transit Services, Inc.), a private, for-profit operator. The contract with Laidlaw was terminated in early 1997, and much of the service operated by Metro was transferred to ACT on December 1, 1997. Since May 1998, ACT has operated all regular fixed routes and complementary paratransit services. Providing transit and paratransit services on behalf of MCT continues to be ACT’s exclusive function. As the board of MCT appoints the board of ACT, ACT is considered to be a subcomponent of MCT.

MCT is overseen by a five-member Board of Trustees appointed by the Madison County Board, and a Managing Director who serves as the MCT’s chief executive officer. The Board has a long-term contract with ACT to provide management services for MCT, including employment of the Executive Director and other personnel necessary to deliver transit services. The Managing Director of MCT serves as the Executive Director of ACT, and the current Chairman of MCT is also on the board of ACT.

As described in Federal Transit Administration (FTA) Circular 4704.1, MCT is responsible for having an Equal Employment Opportunity Program by virtue of its status as a recipient and sub-recipient of FTA Section 5307 and 5309 funds. Although MCT itself does not employ 50 or more transit-related employees, the exclusive functional relationship between MCT and ACT, which does retain over 50 transit-related employees for the purposes of MCT, dictates that an EEO Program be maintained. The EEO Program is intended to be a written, detailed, results oriented set of procedures designed to achieve prompt and full utilization of minorities and women at all levels and in all parts of MCT and ACT’s work force.

ACT operates all of MCT’s regular fixed route and complementary paratransit services. Recognizing the unique relationship between MCT and ACT, this updated FY 2013-2016 EEO Program presents the affirmative action goals for the combined work force of both organizations. Accordingly, subsequent references to MCT and ACT throughout this document may be considered interchangeable.
Madison County Mass Transit District
FY 2013-2016 Equal Employment Opportunity Program

ACT has strived to eliminate all outstanding incidences of significant underutilization of minorities and females in its work force. This is the result of the documented measures taken to assure nondiscrimination on the basis of race, color, religion, sex, national origin, age or disability in matters of employment. This updated plan additionally defines an ongoing strategy to prevent future statistical imbalances in minority and female employment relative to their availability in the applicable local and regional labor markets, and to maintain full utilization of minorities and women at all levels of ACT's work force. Implementation of this plan will ensure that ACT avoids any practice or procedure that might foster or perpetuate discriminatory barriers to employment for all individuals in the future.
II POLICY STATEMENT

The Agency for Community Transit, Inc. (ACT) is committed to extending equal employment opportunities to all persons regardless of race, color, creed, national origin, sex, age or disability. This commitment applies to the recruitment, selection, training, and supervision of all employees in all job categories without regard to the above listed attributes, except where there exists a bona fide occupational qualification.

To support attainment of this commitment, it shall remain the policy of ACT to implement and maintain an EEO Program that includes goals and timetables to achieve employment levels for minorities and females consistent with their availability in the relevant labor markets. Implementation of this program is the responsibility of the Administrative Assistant, who serves as the EEO Officer under the direction of the Executive Director. All ACT management and supervisory personnel share in this responsibility and perform specific tasks as assigned by the Executive Director to assure that EEO Program goals and timetables are achieved. Managers and supervisors are evaluated in part on the basis of the success of their efforts in carrying out EEO Program activities.

All ACT employees and applicants for employment shall be treated fairly in matters of employment, and shall have the right to file a complaint with the EEO Officer if they believe that they have been discriminated against by ACT. Successful achievement of this policy will benefit ACT through fuller utilization and development of previously underutilized human resources.

The EEO Policy Statement which was issued by the Agency for Community Transit’s Executive Director is posted in conspicuous locations so that employees, applicants, and the general public are cognizant of the agency’s EEO commitment. A copy of the posted EEO Policy Statement is provided on the following page.
EQUAL EMPLOYMENT OPPORTUNITY PROGRAM
POLICY STATEMENT

Agency for Community Transit, Inc. (ACT) is committed to extending equal employment opportunities to all persons regardless of race, color, creed, national origin, sex, age, or disability. This commitment relates to all terms and conditions of employment, such as recruitment, selection, promotion, termination, transfer, layoff, recall, training, and compensation, except where there is a bona fide occupational qualification.

To support attainment of its commitment, it is the policy of ACT to implement and maintain an equal opportunity (EEO) program that includes goals and timetables to achieve employment levels for minorities and females consistent with their availability in the relevant labor market. Implementation of this program is the responsibility of ACT’s Administrative Assistant, who shall act as the EEO Officer under the direction of the ACT Executive Director. All ACT management and supervisory personnel share in this responsibility and perform specific tasks as assigned by the Director to assure that EEO program goals and timetables are achieved. Managers and supervisors will be evaluated in part on the basis of the success of their efforts in carrying out EEO program activities.

All ACT employees and applicants for employment shall be treated fairly in all matters of employment, and shall have the right to file a complaint with the EEO Officer if they believe that they have been discriminated against by ACT.

Successful achievement of this policy will benefit ACT through fuller utilization and development of previously underutilized human resources.

Jerry J. Kane, Executive Director

Date
III DISSEMINATION PROCESS

A critical element of EEO Program implementation is the aggressive notification of the various parties involved regarding organizational commitments to equal employment opportunity and affirmative action. ACT utilizes a variety of internal and external communication measures to ensure effective communications. These are summarized in the following paragraphs.

A. Internal Communication

ACT employees are informed about the EEO Program through the following methods:

1. The EEO Program policy statement is posted conspicuously on all employee bulletin boards located in the ACT facility.
2. The EEO Program policy statement is included in the ACT Employee Handbook distributed to each new employee and discussed during employee orientation.
3. A copy of the EEO Program is available for review at ACT’s administrative office by all interested employees and applicants for employment.
4. Meetings with management and supervisory personnel have been convened in the past to explain the intent of the policy and individual responsibilities for effective implementation. Additional meetings will be held in the future as new managers are integrated into the organization.
5. Nondiscrimination clauses are included in all union agreements.

B. External Communication

Applicants, vendors and other interested parties outside of the organization are notified of the EEO Program through the following methods:

1. All known sources of employee recruitment are notified of ACT’s policy regarding nondiscrimination.
2. All recruitment advertisements state that ACT is an equal opportunity employer. Minority organizations and newspapers are notified regularly when ACT is undertaking a recruitment action.
3. The ACT employment application is reviewed periodically to ensure that every applicant is afforded the maximum opportunity to display his/her job-related qualifications.
4. ACT includes EEO provisions in all specifications used for competitive procurements.
IV RESPONSIBILITY FOR EEO PROGRAM IMPLEMENTATION

Responsibility for implementation of ACT's Equal Employment Opportunity Program is shared by all directors, managers and supervisors within the organization. The specific role of each is described below:

A. Board of Directors

The Board oversees the continuing implementation and refinement of the EEO Program. The Board is responsible for reviewing EEO Program progress reports.

B. Executive Director

The Executive Director of ACT is responsible for the development and effective implementation of the EEO program, including the approval of personnel actions. Specific functions of the Executive Director include:

- Recommending to the Board of Directors solutions to problems identified in the realm of equal employment opportunity;
- Review of all investigation of all formal charges of discrimination, including recommendations for appropriate response and coordination with applicable regulatory agencies;
- Review of all requests for reasonable accommodation of work duty for people with disabilities as applicable to the American with Disabilities Act.
- Monitoring employment recruitment, selection, promotion, layoff, termination and transfer policies and practices to ensure conformance to EEO policies;
- Liaison between ACT and MCT, FTA and the Illinois Department of Transportation;
- Liaison between ACT and external organizations concerned with employment opportunities for minorities and women.

C. Administrative Assistant /EEO Officer

The Executive Director has assigned the Administrative Assistant as the EEO Officer to carry out the day-to-day implementation of the EEO Program. In the event that the designated EEO Officer is unable to fulfill the obligations of the position (i.e. due to an extended leave of absence, change in employment status, etc.), the Executive Director is authorized to designate an interim and/or replacement EEO Officer. The EEO Officer is responsible for the following:

- Internal and external communication practices;
- Facilitation of workshops involving management and supervisory personnel;
- Implementation of reporting systems that identify EEO Program achievements;
- Measurement of affirmative action effectiveness;
- Periodic revision of affirmative action goals;
- Providing assistance to ACT managers and supervisors with particular aspects of the EEO Program;
- Oversight of training programs to ensure that EEO Program elements are appropriately covered;
- Review of all requests for reasonable accommodation of work duty for people with disabilities as applicable to the American with Disabilities Act.
- Monitoring employment recruitment, selection, promotion, layoff, termination and transfer policies and practices to ensure conformance to EEO policies;
- Investigation of all formal charges of discrimination, including recommendations for appropriate response and coordination with applicable regulatory agencies;
- Liaison between ACT and MCT, FTA and the Illinois Department of Transportation;
- Liaison between ACT and external organizations concerned with employment opportunities for minorities and women.

D. Managers and Supervisors

It is the responsibility of all managers and supervisory personnel to cooperate with efforts to implement the EEO Program. Managers and supervisors are responsible for the following:

- Assisting in the identification of problems and implementation of solutions;
- Ensuring that all employee qualifications are considered for promotions and transfers;
- Ensuring the prevention of harassment of employees placed through affirmative action efforts;
- Ensuring that employees placed through affirmative action efforts are given the training and support necessary to achieve success on the job.
- Participating in the review and/or investigation of complaints alleging discrimination at the direction of the EEO Officer or Executive Director.
V UTILIZATION ANALYSIS

The purpose of this analysis is to identify those job categories where there is an underutilization or concentration of minorities and female employees within the ACT organization in relation to their availability in the applicable (local or regional) labor market. This determination is made by comparing the distribution of females and minority male incumbents within each job classification to the availability of these groups in the applicable labor market from which future ACT employees are recruited. The results are used as the basis for the action plan that includes goals and timetables for elimination of the underutilization or concentration.

A. Work Force Analysis

Table I, available on page 10, reflects the current distribution of ACT employees by sex, race and job category. As of June 30, 2012, ACT employed 266 persons, a decrease of 6 since the completion of the EEO Program in 2010. Approximately 67% of all ACT employees are transportation operative workers with the remainder distributed among maintenance and administrative positions. Changes in work force composition during the preceding three years are noted below:

- The total number of minority employees in the ACT work force decreased from 52 to 49 (19% to 18%). A majority of the minority employees were of African American origin with four persons of Hispanic origin, two American Indian-Alaska Natives, and one employee claiming two or more origins.
- The total number of female employees in the ACT work force continues to be 40%. The present female work force includes 18 of African-American origin, one female of Hispanic descent, and one American Indian-Alaska Native.
- The percentage of white males in the work force remains constant at 49%.

B. Labor Availability Analysis

Also appearing on Table I is the most recent available distribution of labor availability by sex, race and job category. This information, based on 2000 census data, was obtained from the State of Illinois Department of Employment Security, Economic Information and Analysis Division for the local (Madison County) and regional (St. Louis MSA - Illinois section, consisting of five counties) labor markets.

The assumption was made that employees who are recruited into positions within the "officials/managers", "professionals", and "sales workers" job classifications are likely to be drawn from the five-county region, and that all other job categories are likely to be drawn from within Madison County.

The data indicates that availability of minority applicants range from a low of 6.2% among administrative support workers to a high of 13.4% among transportation and material moving operative workers. Minority population comprised approximately 9.8% of the population of Madison County in 2000.
The availability of female applicants ranges from 6.1% among the skilled crafts to 77.9% among administrative support workers. Female population comprised approximately 51.8% of the population of Madison County in 2000.

C. Incidence of Underutilization/Concentration

For purposes of this discussion, "underutilization" refers to a condition where there are fewer minorities and/or females in a particular job category that would reasonably be expected based on their presence in the relevant labor market. "Concentration" means a higher representation of a particular minority group in a job category as compared to their representation in the relevant labor market.

1. Female Employees

Overall, the percentage of female employees in the ACT work force is 40%. Minority female incumbents as a percentage of total female employees is 19%, an insignificant decreased from 2010. 18 of the minority females employed by ACT at the close of FY 2012 were African-American, one female of Hispanic descent, and one American Indian-Alaska Native.

A comparison of the work force and labor market by employee classification at the end of FY 2012 revealed that underutilization of females occurred in six classifications: Service Workers (69%), Professionals (43%), Technicians (65%), Administrative Support Workers (1%), Craft Workers (6%), and Officials/Managers (6%). However, a significant concentration of females was observed in three classifications, notably Sales Workers (11%), Transportation Operative Workers (30%) and Laborers (9%).

2. Minority Employees

Overall, the percentage of minority employees decreased from 19% in FY 2009 to 18% in FY 2012. Minority male employees in the work force remained constant at 11% during the same period. Minority males, as a percentage of total male employees, remained at 18%. 24 of the minority males employed by ACT at the close of FY 2012 were of African-American origin, three were of Hispanic ancestry, one was American Indian or Alaskan Native, and one noted with two or more races.

A comparison of the work force and labor market by employee classification at the end of FY 2012 revealed that underutilization of minorities occurred in four categories: Service Workers (13%), Technicians (13%), Administrative Support Workers (.2%) and Professionals (13%). A concentration of minority employees was present in five employee categories at the close of FY 2012. These included Sales Workers (24%), Transportation Operative Workers (14%), Laborers (2%), Craft Workers (.1%), and Officials/Managers (.4%). These figures are affected by the small number of positions in all job categories other than Transportation Operative Workers and Administrative Support Workers.
## TABLE 1
MADISON COUNTY MASS TRANSIT DISTRICT/AGENCY FOR COMMUNITY TRANSIT
WORKFORCE ANALYSIS BY JOB GROUP
June 30, 2012

<table>
<thead>
<tr>
<th>Job Category</th>
<th>Wage/Salary Range(1)</th>
<th>All Employees</th>
<th>Minority Employees</th>
<th>Current Period</th>
<th>Availability Factor (2)</th>
<th>Percent of Underutilization</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Total M F</td>
<td>MAHAPIAIAN</td>
<td>Two or more MAHAPIAIAN</td>
<td>All Minority All Minority All Minority All Minority</td>
<td>All Minority All Minority</td>
</tr>
<tr>
<td>Officials/Managers</td>
<td>64,000 - 115,000</td>
<td>12 8 4</td>
<td>1 0 0 0 0 0</td>
<td>0 0 0 0 0 0</td>
<td>8.3% 33.3%</td>
<td>7.9% 39.3%</td>
</tr>
<tr>
<td>Professionals</td>
<td>30,000 - 70,000</td>
<td>9 7 2</td>
<td>0 0 0 0 0 0</td>
<td>0 0 0 0 0 0</td>
<td>0.0% 22.2%</td>
<td>12.5% 65.3%</td>
</tr>
<tr>
<td>Technicians</td>
<td>28,000 - 33,000</td>
<td>1 1 0</td>
<td>0 0 0 0 0 0</td>
<td>0 0 0 0 0 0</td>
<td>0.0% 0.0%</td>
<td>13.1% 65.2%</td>
</tr>
<tr>
<td>Sales Workers</td>
<td>31,000 - 40,000</td>
<td>3 1 2</td>
<td>1 0 0 0 0 0</td>
<td>0 0 0 0 0 0</td>
<td>33.3% 66.7%</td>
<td>8.9% 55.8%</td>
</tr>
<tr>
<td>Admin Support Workers</td>
<td>28,000 - 51,000</td>
<td>26 6 20</td>
<td>1 0 0 0 0 0</td>
<td>1 0 0 0 0 0</td>
<td>7.7% 76.9%</td>
<td>7.9% 77.9%</td>
</tr>
<tr>
<td>Craft Workers</td>
<td>33,000 - 60,000</td>
<td>16 16 0</td>
<td>0 1 0 0 0 0</td>
<td>0 0 0 0 0 0</td>
<td>6.3% 0.0%</td>
<td>6.2% 6.1%</td>
</tr>
<tr>
<td>Operatives</td>
<td>32,000 - 55,000</td>
<td>178 103 75</td>
<td>18 2 0 1 1</td>
<td>17 1 0 1</td>
<td>23.0% 42.1%</td>
<td>9.1% 12.6%</td>
</tr>
<tr>
<td>Laborers</td>
<td>20,000 - 44,000</td>
<td>19 15 4</td>
<td>3 0 0 0 0 0</td>
<td>0 0 0 0 0 0</td>
<td>15.8% 21.1%</td>
<td>13.4% 12.1%</td>
</tr>
<tr>
<td>Service Workers</td>
<td>21,000 - 24,000</td>
<td>2 2 0</td>
<td>0 0 0 0 0 0</td>
<td>0 0 0 0 0 0</td>
<td>0.0% 0.0%</td>
<td>13.4% 69.0%</td>
</tr>
</tbody>
</table>

**Total** | 266 159 107 | 24 3 0 1 1 | 18 1 0 1 |

**Notes:**
1- Hourly rates, where applicable, were annualized on an assumption of 2080 hours per year and rounded to the nearest $1000.

2 - Market area for officials/managers, professionals, and sales workers is the five-county St. Louis MSA (Illinois section) as determined by the Illinois Department of Employment Security. For all other categories, the market area is Madison County.
VI GOALS and TIMETABLES

A. Analysis of FY 2010-2012 Program Goal Achievement

The FY2010 – 2012 EEO Program Goals were designed to maintain minority and female employment levels in all labor classifications. Although particular goal categories were not realized, the overall program is considered successful.

Approximately 67%, up from 64% in FY2010, of the ACT employees are transportation operative workers with the remainder distributed among the other eight categories. Therefore, even a single hire affects the numerical percentages. Anticipated hiring for a management position, and secretarial position did not take place, which resulted in the inability to realize the goals with these two categories. Additionally, retention of employees during 2010-2012 was greater than expected. Therefore, the opportunities for new hires, a requisite to attainment of the job category goals, was minimized.

Although the following does not alter the numerical figures of the transportation operative workers category because the position of operator and the first line supervisor is within the same category, it is worth noting one female and one minority male were promoted into first line supervisory positions. A similar promotion was completed within the administrative support workers category moving one minority male into a first line supervisory role.

B. FY 2013-2016 EEO Program Goals

The following action plan is proposed to address the conditions described in Section V Utilization Analysis. Consistent with Federal guidelines, the plan includes short-range numerical hiring goals and longer-range percentage goals for attaining a balanced workforce.

Based on current information, ACT expects the work force to remain relatively static during FY 2013 through FY 2015. Total employment is projected to increase from 266 to 269 employees by June 30, 2013.

Short Range Goals – FY 2013 (July 1, 2012 – June 30, 2013)

Table 2, available on page 13, provides the numerical hiring goals for FY 2013. The goals are designed to maintain minority and female employment levels in all labor classifications. In order to avoid double-counting minority females in the current ACT workforce, the goals shown on Table 2 are distinguished between all females and minority males.

ACT estimates the need to fill a total of 28 positions during FY 2013. 25 of the 28 employment opportunities will be transportation operative workers.

Discussion of the hiring goals follows.

- Officials/Managers (1 expansion positions)
At the close of FY 2013 the work force consisted of 12 officials and managers, of whom four were females, eight were white males and one was a minority male. One expansion position is anticipated during FY 2013. ACT will endeavor to recruit one minority candidate for this position. The net addition of a minority female would result in substantially lowering (.6% to .8%) the underutilization level of all females in this job category.

- **Administrative Support Workers (1 replacement position)**
  At the close of FY 2012 the work force consisted of 26 incumbents; 19 of whom were white females, 5 of whom were white males, one minority female, and one minority male. During FY 2013, it is anticipated that one person will be hired in this category. Hiring one minority female would result in a slight improvement to the underutilization of all females in this job category (7% to 6%).

- **Sales Workers (1 replacement position)**
  At the close of FY 2012 the work force consisted of 3 incumbents of whom one was a minority male and two were white females. During FY 2013, one vacancy of an existing position is expected to occur. This position has an overutilization in both minority male and all females. ACT will endeavor to recruit a minority female into this position which would result in an increase in minority utilization in this job category.

- **Transportation Operative Workers (23 replacement positions, 2 expansion positions)**
  At the close of FY 2013 the transportation operative workers (bus drivers and road supervisors) work force consisted of 178 incumbents, of whom 22 were minority males and 75 were females. During FY 2013, 23 existing positions and two expansion positions are expected to be available. As there is currently a concentration of both minority males and females within this job classification, ACT will endeavor to maintain current percentages of these categories of individuals.

**Long Range Goals – FY 2013 – FY 2015**

Based on current information, ACT projects no increase in employment after FY 2013. It is anticipated that the total ACT work force will rise to approximately 269 employees by the close of FY 2013 with no additional increase through FY 2015. During this period, ACT’s goal will be to stabilize the composition of the work force at approximately 14% minority males and 45% females. Balancing adjustments within particular job classifications will be attempted as vacancies arise.
TABLE 2  
MADISON COUNTY MASS TRANSIT DISTRICT  
WORKFORCE GOALS BY JOB TITLE AND GROUP  
FY 2013 - 2015

<table>
<thead>
<tr>
<th>Job Category</th>
<th>Total Employees as of 6/30/2012</th>
<th>Future Period: July 1, 2012 - June 30, 2013</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male Total</td>
<td>Female Total</td>
</tr>
<tr>
<td></td>
<td>White</td>
<td>All</td>
</tr>
<tr>
<td>Officials/Managers</td>
<td>12</td>
<td>7</td>
</tr>
<tr>
<td>Professionals</td>
<td>9</td>
<td>7</td>
</tr>
<tr>
<td>Technicians</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Sales Workers</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>Administrative Support</td>
<td>26</td>
<td>5</td>
</tr>
<tr>
<td>Craft Workers</td>
<td>16</td>
<td>15</td>
</tr>
<tr>
<td>Operatives</td>
<td>178</td>
<td>81</td>
</tr>
<tr>
<td>Laborers</td>
<td>19</td>
<td>12</td>
</tr>
<tr>
<td>Service Workers</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td>266</td>
<td>130</td>
</tr>
</tbody>
</table>

NUMERIC GOALS FOR FY 2013

<table>
<thead>
<tr>
<th>Job Category</th>
<th>Male New Hires</th>
<th>Female New Hires</th>
<th>Male Promotions</th>
<th>Female Promotions</th>
<th>Male Total</th>
<th>Female Total</th>
<th>% rate of White</th>
<th>% rate of All Minority</th>
<th>% rate of All Minority</th>
<th>Anticipated Workforce 6/30/2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Officials/Managers</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>100%</td>
<td>0%</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>Professionals</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0%</td>
<td>0%</td>
<td>9</td>
<td></td>
</tr>
<tr>
<td>Technicians</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0%</td>
<td>0%</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Sales Workers</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>100%</td>
<td>0%</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Administrative Support</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>100%</td>
<td>0%</td>
<td>26</td>
<td></td>
</tr>
<tr>
<td>Craft Workers</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0%</td>
<td>0%</td>
<td>16</td>
<td></td>
</tr>
<tr>
<td>Operatives</td>
<td>12</td>
<td>7</td>
<td>6</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>28%</td>
<td>24%</td>
<td>180</td>
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</tr>
<tr>
<td>Laborers</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0%</td>
<td>0%</td>
<td>19</td>
<td></td>
</tr>
<tr>
<td>Service Workers</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0%</td>
<td>0%</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>12</td>
<td>10</td>
<td>6</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>36%</td>
<td>21%</td>
<td>269</td>
<td></td>
</tr>
</tbody>
</table>

PROJECTED PERCENTAGE REPRESENTATION: FY 2013 - 2016

<table>
<thead>
<tr>
<th>Job Category</th>
<th>FY 2013 Female</th>
<th>FY 2013 Male</th>
<th>FY 2014 Female</th>
<th>FY 2014 Male</th>
<th>FY 2015 Female</th>
<th>FY 2015 Male</th>
<th>FY 2016 Female</th>
<th>FY 2016 Male</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>All Minority</td>
<td>All Minority</td>
<td>All Minority</td>
<td>All Minority</td>
<td>All Minority</td>
<td>All Minority</td>
<td>All Minority</td>
<td>All Minority</td>
</tr>
<tr>
<td>Officials/Managers</td>
<td>39.0%</td>
<td>8.0%</td>
<td>39.0%</td>
<td>8.0%</td>
<td>39.0%</td>
<td>8.0%</td>
<td>39.0%</td>
<td>8.0%</td>
</tr>
<tr>
<td>Professionals</td>
<td>22.0%</td>
<td>0.0%</td>
<td>22.0%</td>
<td>0.0%</td>
<td>22.0%</td>
<td>0.0%</td>
<td>22.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Technicians</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Sales Workers</td>
<td>67.0%</td>
<td>33.0%</td>
<td>67.0%</td>
<td>33.0%</td>
<td>67.0%</td>
<td>33.0%</td>
<td>67.0%</td>
<td>33.0%</td>
</tr>
<tr>
<td>Administrative Support</td>
<td>72.0%</td>
<td>4.0%</td>
<td>72.0%</td>
<td>4.0%</td>
<td>72.0%</td>
<td>4.0%</td>
<td>72.0%</td>
<td>4.0%</td>
</tr>
<tr>
<td>Craft Workers</td>
<td>0.0%</td>
<td>6.3%</td>
<td>0.0%</td>
<td>6.3%</td>
<td>0.0%</td>
<td>6.3%</td>
<td>0.0%</td>
<td>6.3%</td>
</tr>
<tr>
<td>Operatives</td>
<td>42.0%</td>
<td>13.0%</td>
<td>42.0%</td>
<td>13.0%</td>
<td>42.0%</td>
<td>13.0%</td>
<td>42.0%</td>
<td>13.0%</td>
</tr>
<tr>
<td>Laborers</td>
<td>22.0%</td>
<td>17.0%</td>
<td>22.0%</td>
<td>17.0%</td>
<td>22.0%</td>
<td>17.0%</td>
<td>22.0%</td>
<td>17.0%</td>
</tr>
<tr>
<td>Service Workers</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
</tr>
</tbody>
</table>
VII ASSESSMENT OF EMPLOYMENT PRACTICES

ACT has applied equal employment opportunity practices consistently since its formation in 1985. The following paragraphs summarize ACT's current practices.

A. Employee Selection

The selection of personnel for all ACT position classifications adheres to a defined process that accommodates all applicable Federal regulations, including the Commercial Driver License (CDL) for all vehicle operatives and selected maintenance positions, as well as USDOT Alcohol/Drug Screening and Americans with Disabilities Act (ADA) regulations for all positions.

1. Resume/Application Screening - Incoming resumes are reviewed in the context of applicable preference criteria.

For bus driver positions, preference criteria include: (a) prior driving experience; (b) valid CDL license with bus endorsement; (c) stable employment record reflecting a pattern of long tenure in positions and few gaps between jobs; (d) prior experience working with the public; (e) consistent wage and benefit expectations; and, (f) Madison County residency.

For maintenance positions, preference criteria include: (a) prior experience in related maintenance positions i.e. for a mechanic prior experience with servicing, maintenance and repair of buses or comparable vehicles; (b) relevant education or training; (c) stable employment record reflecting a pattern of long tenure in positions and few gaps between jobs; (d) consistent wage and benefit expectations; and (e) Madison County residency.

For administrative positions, preference criteria include: (a) appropriate academic background and attainment; (b) prior experience in a relevant job, field or discipline; (c) stable employment record reflecting a pattern of long tenure in positions and few gaps between jobs; (d) consistent wage and benefit expectations; and (e) Madison County residency.

Every candidate is required to complete the standard employment application prior to the interview meeting.

2. Telephone Interview - Qualified candidates are contacted to discuss the position and determine their interest in employment with ACT. A face to face interview is scheduled if continuing interest is shown.

3. Interview - Candidates meet with the Human Resources Manager and position supervisor to discuss work history and qualifications. Situational exercises are used to assess knowledge base and decision making skills. Bus driver and dispatcher candidates are queried for knowledge of Madison County community locations and street network. Candidates for supervisory and management positions may participate in a second interview with other managers and/or the Executive Director.
4. **Physical Examination** - All offers of employment are contingent upon the positive outcome of a pre-employment physical examination, drug screen, and background reference check.

5. **Staff Review** - Upon completion of interviews, interviewing notes and application are reviewed by Agency staff as appropriate, including the position supervisor, Human Resources Manager, EEO Officer and the Executive Director.

6. **Background Check** – Offers of employment are contingent upon acceptable confirmation of motor vehicle reports, criminal records, and employment verifications. These background records are completed on each candidate. Personal references may be contacted by telephone and/or written verification.

### B. Seniority, Upgrading and Training

ACT does not generally apply seniority-based criteria to define employment rights, except as provided for by its collective bargaining agreement with the Service Employees International Union – Local 1 to determine the sequence of bidding and extra work assignment awards among comparably qualified employees. The tenure of non-represented employees may be considered by individual supervisors when assigning work shifts or assignments to comparably qualified employees within a position classification.

Internal candidates are given full and equal consideration for open positions. However, decisions regarding upgrading, promoting, or transferring current ACT employees into different positions are made on the basis of an employee’s performance record and qualifications and how those qualifications meet the needs of the position available.

Prior to driving in revenue service, all bus drivers are provided with a minimum of two weeks formal training. Maintenance personnel are provided with individualized training appropriate to the position classification. Administrative personnel, including managers, primarily train on the job. All employees complete a new employee orientation which includes awareness training of the EEO policy.

### C. Compensation Practices

Wages and benefits for represented bus drivers are determined through the collective bargaining agreement. This covers 67% of the positions in the organization.

Non-represented personnel are compensated according to an established wage range commensurate with the general market for related skills and duties and are subject to periodic adjustment.

All full-time employees, not represented through a collective bargaining unit are eligible for a benefits package consisting of health and welfare insurance, and paid time for vacation, personal holiday, holidays and sick leave. Upon hire, all non-represented employees are
eligible to participate in a "403b" retirement plan. After one year of continuous service, ACT will match the employee contribution within established limits.

**D. Disciplinary, Discharge and Termination Practices**

Disciplinary, discharge and termination practices for collective bargaining unit represented bus drivers are covered under the collective bargaining agreement. This covers 64% of the positions in the organization. The agreement contains grievance and arbitration language to guide the adjudication of disputes or differences of opinion raised by a bus driver or drivers against the Agency in matters involving disciplinary actions up to and including termination.

Non-represented employees are advised in writing upon offer of employment that they are considered at-will employees of ACT. Disciplinary actions up to and including termination, are determined on the basis of the policy infraction and past work performance of the employee. A non-represented employee who commits a criminal act or an act of serious malfeasance or negligence that endangers a fellow employee or ACT property is subject to immediate termination. An employee whose work performance falls below acceptable standards in matters such as the quality of work undertaken or accomplished, quality of judgment exercised, recurring absence or tardiness, inappropriate behavior and the like, is subject to progressive discipline as is appropriate. Such discipline may include any or all of the following:

- The employee receives written warning notification of the inappropriate action/behavior. This notice to include the future expectations for the employee’s behavior/action and future disciplinary action should the behavior/action at issue continue or reoccur.

- The employee receives an unpaid suspension from work duties. Upon notification of the disciplinary suspension, the employee receives written warning notification of the inappropriate action/behavior. This notice to include the future expectations for the employee’s behavior/action and future disciplinary action should the inappropriate behavior/action continue or reoccur.

- The employee is terminated from employment with the Agency for Community Transit.

Non-termination disciplinary actions are generally administered by the direct supervisor of the subject employee. Prior to a final termination action, the performance records and current inappropriate action/behavior of the employee is reviewed by both the EEO Officer and Executive Officer.

**E. Assessment of Inhibiting Practices**

ACT believes that none of its employee recruitment, selection, or compensation practices inhibits the recruitment, selection and retention of minorities and females as described in the FTA circular. This is reflected by the generally balanced utilization of the ACT work force.
VIII MONITORING AND REPORTING SYSTEM

The EEO Officer reviews all recruitment actions, hiring practices, training programs and disciplinary procedures.

Two computer systems, the Applicant Tracking and the Personnel System, provide tracking mechanisms for all recruitment, training, transfer, promotions and discipline actions. These programs allow for the tracking of all events by race and gender. Standard Quarterly and semi-annual reports from the Applicant Tracking and Personnel System are generated by the EEO Officer and used to monitor and evaluate the status of the ACT workforce. Additional reports are developed and sourced as appropriate.

The EEO Officer provides a formal EEO Status report on a semi-annual basis at a routine monthly meeting of the ACT Directors and Managers. Quarterly updates are provided when deemed applicable. With each position work order, the supervisor and/or manager work with the EEO Officer and Human Resources Manager, reviewing the current EEO status and goals of a department.

The Executive Director provides direction to the EEO Officer and periodically presents EEO Program progress reports to the Board of Directors.

The EEO Officer tracks all EEO complaints in an Excel spreadsheet accessible to the Executive Director.
IX COMPLAINT PROCEDURE

Agency for Community Transit
Equal Employment Opportunity Program
Complaint Procedure

Any person who believes that he or she, individually, or as a member of any specific class of person, has been subjected to discrimination on the basis of race, color, creed, national origin, sex, age, or handicap may file a written complaint with the Agency for Community Transit.

Filing Complaints of Discrimination

A. Complaints may be submitted in writing to the EEO Officer or Executive Director.
   Agency for Community Transit
   EEO Officer
   PO Box 7500
   One Transit Way
   Granite City, IL 62040.7500

B. All complaints must be submitted promptly.

C. The complaint must state, as fully as possible, the specific facts and circumstances of the alleged discrimination.

D. In cases where the complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the EEO Officer. The EEO Officer will assist the person in converting the verbal complaint to a written document.

E. All complaints submitted, must be signed by the complainant or his/her representative.

Investigation of the Complaint

A. The EEO Officer and Executive Director or his/her designee shall promptly review the complaint to determine if there is sufficient merit to warrant an investigation.

B. A complaint shall be regarded as meriting investigation unless:
   1. It clearly appears on its face to be frivolous or trivial;
2. During the review process, the party complained against voluntarily concedes noncompliance and agrees to take appropriate remedial action;
3. During the review process, the complainant withdraws the complaint; or,
4. Other good cause for not investigating the complaint exists.

C. In the event that the complainant has not provided sufficient information to make a determination, the EEO Officer will request additional information providing adequate time for the complainant to respond. Failure of the complainant to submit additional information within the designated timeline may be considered good cause to terminate the investigation.

D. The EEO Officer and Executive Director or his/her designee shall promptly and thoroughly investigate the complaint of discrimination.

E. Investigators' report will include:
   1. Summary of the complaint,
   2. Description of the investigation, including summary of interviews conducted and person(s) contacted
   3. Statement of investigator's findings.

Disposition of Complaint

A. If an investigation results in the confirmation of an act of discrimination the appropriate corrective action will be taken.

B. If an investigation does not result in confirmation of an act of discrimination all parties will be so notified.
REASONABLE ACCOMMODATION PROCESS

Agency for Community Transit
Reasonable Accommodation Process

The Agency for Community Transit, Inc. (ACT) is committed to extending equal employment opportunities to all persons regardless of race, color, creed, national origin, sex, age or disability. This commitment applies to the recruitment, selection, training, and supervision of all employees in all job categories without regard to the above listed attributes, except where there exists a bona fide occupational qualification.

The Agency shall comply with all applicable requirements of the Americans with Disabilities ACT (ADA) and the Illinois Human Rights Act (IHRA). The Administrative Assistant, serving as the EEO Officer under the direction of the ACT Executive Director, is responsible for the implementation and compliance of these processes.

Requests for Reasonable Accommodation

Any individual, whether an employee or applicant, who is disabled as defined under the statutes of the ADA and IHRA, who satisfies the skill, experience and education requirements of the employment position, and who, with or without reasonable accommodation, can perform the essential functions of such position, may request a reasonable accommodation.

A. Reasonable accommodation requests are submitted in writing to the Administrative Assistant who serves as the EEO Officer.

Requests must include:
1. Name of the employee or applicant requesting the accommodation
2. Position currently held or being applied for.
3. A description of the accommodation being requested.
4. Explanation of the disability and its limitations applicable to the request for accommodation.
5. Signature and date of the requester.

B. Upon receipt of the request the EEO Officer will meet with the individual making the request to determine whether a reasonable accommodation is necessary to enable the individual to perform the essential functions of the position.

As applicable, a direct supervisor(s), Human Resource Manager, and Executive Director may participate in exploratory information meetings and the decision to determine whether a request for accommodation is reasonable as outlined by the ADA and IHRA.

C. The requesting individual will receive notice of the decision in a timely manner.
Grievance Procedure

Any individual, whether a current employee or applicant, who believes that he/she has been discriminated against, has been informed of conduct constituting discrimination, or who witnesses discrimination, should promptly submit a complaint to the EEO Officer or Executive Director in accordance with the following procedures. Once informed, the EEO Officer and/or the Executive Director shall be responsible for the investigation and grievance procedures contained herein.

A. Any individual wishing to submit a complaint must submit a statement to the EEO Officer or Executive Director. The statement should state the specific facts and/or perceived wrongful act (e.g., location, names, dates, times) to be investigated. All such complaints should be submitted promptly.

B. The EEO Officer and Executive Director or his/her designee shall promptly and thoroughly investigate the complaint describing the claimed discriminatory violation.

C. If an investigation confirms a violation has occurred, the Agency will take corrective action, including discipline of any employee found to be willfully negligent and/or discriminatory as applicable to the ADA or IHRA.
XI BOARD RESOLUTION
Insert Board Resolution
XII ORGANIZATIONAL CHART
Madison County Mass Transit District
Agency for Community Transit
Organizational Chart
WHEREAS, the Madison County Mass Transit District (District) is responsible for the provision of public mass transportation services pursuant to Section 3 of the Local Mass Transit District Act, as approved July 21, 1959, as amended (70 ILCS 3610/1 et. seq.); and,

WHEREAS, as a recipient of federal funds, the District is required by the United States Department of Transportation, Federal Transit Administration to administer an ongoing Equal Employment Opportunity Program; and,

WHEREAS, the District is required by the United States Department of Transportation, Federal Transit Administration to submit program updates pursuant to guidelines as described in Federal Transit Administration Circular 4704.1; and,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE MADISON COUNTY MASS TRANSIT DISTRICT THAT:


2. The Madison County Mass Transit District file with the United States Department of Transportation, Federal Transit Administration the revised Equal Employment Opportunity Program.

3. Jerry J. Kane, Managing Director of the Madison County Mass Transit District, is hereby authorized to take any and all actions as may reasonably be required to enact and administer said program, and maintain the District in full compliance with the provisions of Federal Transit Administration Circular 4704.1.

ADOPTED by the Board of Trustees of the Madison County Mass Transit District, Madison County, Illinois, on this twenty-fifth day of July 2013.

[Signatures]

Daniel L. Corbett, Chairman

J. Terry Allan

Rose Marie Chadwick

Edward A. Hagnauer

Bruce A. Malone

APPROVED as to Form:

[Signature]

John T. Papa, Legal Counsel
CERTIFICATE

I, Erin Werner, do hereby certify that I am the fully qualified and acting Secretary of the Board of Trustees of the Madison County Mass Transit District, and as such Secretary, I am the keeper of the records and files of the Madison County Mass Transit District.

I do further certify that at a duly constituted and legally convened meeting of the Board of Trustees of the Madison County Mass Transit District held on Thursday, July 25, 2013, a resolution was adopted in full accordance and conformity with the by-laws of the Madison County Mass Transit District and the statutes of the State of Illinois, as made and provided, and that the following is a full, complete, and true copy of the pertinent provisions of said Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE MADISON COUNTY MASS TRANSIT DISTRICT THAT:


2. The Madison County Mass Transit District file with the United States Department of Transportation, Federal Transit Administration the revised Equal Employment Opportunity Program.

3. Jerry J. Kane, Managing Director of the Madison County Mass Transit District, is hereby authorized to take any and all actions as may reasonably be required to enact and administer said program, and maintain the District in full compliance with the provisions of Federal Transit Administration Circular 4704.1.

I further certify that the original of the complete said resolution is on file in the records of the Madison County Mass Transit District in my custody. I do further certify that the foregoing Resolution remains in full force and effect.

IN WITNESS WHEREOF, I have hereunto affixed my official signature as Secretary of the Madison County Mass Transit District on this twenty-fifth day of July 2013.

Erin Werner
EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

FY 2013 – 2016

MADISON COUNTY MASS TRANSIT DISTRICT
GRANITE CITY, ILLINOIS

Submitted
January 2013

Revised
July 2013
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I BACKGROUND

This report presents the updated FY 2013-2016 Equal Employment Opportunity Program (EEO Program) of the Madison County Mass Transit District (MCT). MCT was created in 1980 to improve local public transportation services in Madison County, Illinois. Since that time, the system has grown steadily to its current fleet of 121 fixed route and paratransit vehicles operated in daily service.

MCT itself operates no services directly, but historically has contracted with three entities for service delivery. Until 1985, the system was entirely fixed route and all services were operated by the St. Louis regional operator, Bi-State Development Agency of Missouri and Illinois, d/b/a Metro. When MCT inaugurated new paratransit service in 1985, it contracted with the Agency for Community Transit, Inc. (ACT) for service delivery. ACT, a public, non-profit 501(c)(3) agency incorporated in the State of Illinois, was created specifically for the purpose of serving MCT in this manner. ACT was given added responsibility for local fixed route shuttle services beginning in 1986, and has steadily acquired additional operating responsibilities in subsequent years. By 1991, transit system expansion led MCT to contract with Mayflower Contract Services (later Laidlaw Transit Services, Inc.), a private, for-profit operator. The contract with Laidlaw was terminated in early 1997, and much of the service operated by Metro was transferred to ACT on December 1, 1997. Since May 1998, ACT has operated all regular fixed routes and complementary paratransit services. Providing transit and paratransit services on behalf of MCT continues to be ACT’s exclusive function. As the board of MCT appoints the board of ACT, ACT is considered to be a subcomponent of MCT.

MCT is overseen by a five-member Board of Trustees appointed by the Madison County Board, and a Managing Director who serves as the MCT’s chief executive officer. The Board has a long-term contract with ACT to provide management services for MCT, including employment of the Executive Director and other personnel necessary to deliver transit services. The Managing Director of MCT serves as the Executive Director of ACT, and the current Chairman of MCT is also on the board of ACT.

As described in Federal Transit Administration (FTA) Circular 4704.1, MCT is responsible for having an Equal Employment Opportunity Program by virtue of its status as a recipient and sub-recipient of FTA Section 5307 and 5309 funds. Although MCT itself does not employ 50 or more transit-related employees, the exclusive functional relationship between MCT and ACT, which does retain over 50 transit-related employees for the purposes of MCT, dictates that an EEO Program be maintained. The EEO Program is intended to be a written, detailed, results oriented set of procedures designed to achieve prompt and full utilization of minorities and women at all levels and in all parts of MCT and ACT’s work force.

ACT operates all of MCT’s regular fixed route and complementary paratransit services. Recognizing the unique relationship between MCT and ACT, this updated FY 2013-2016 EEO Program presents the affirmative action goals for the combined work force of both organizations. Accordingly, subsequent references to MCT and ACT throughout this document may be considered interchangeable.
ACT has strived to eliminate all outstanding incidences of significant underutilization of minorities and females in its work force. This is the result of the documented measures taken to assure nondiscrimination on the basis of race, color, religion, sex, national origin, age or disability in matters of employment. This updated plan additionally defines an ongoing strategy to prevent future statistical imbalances in minority and female employment relative to their availability in the applicable local and regional labor markets, and to maintain full utilization of minorities and women at all levels of ACT's work force. Implementation of this plan will ensure that ACT avoids any practice or procedure that might foster or perpetuate discriminatory barriers to employment for all individuals in the future.
II POLICY STATEMENT

The Agency for Community Transit, Inc. (ACT) is committed to extending equal employment opportunities to all persons regardless of race, color, creed, national origin, sex, age or disability. This commitment applies to the recruitment, selection, training, and supervision of all employees in all job categories without regard to the above listed attributes, except where there exists a bona fide occupational qualification.

To support attainment of this commitment, it shall remain the policy of ACT to implement and maintain an EEO Program that includes goals and timetables to achieve employment levels for minorities and females consistent with their availability in the relevant labor markets. Implementation of this program is the responsibility of the Administrative Assistant, who serves as the EEO Officer under the direction of the Executive Director. All ACT management and supervisory personnel share in this responsibility and perform specific tasks as assigned by the Executive Director to assure that EEO Program goals and timetables are achieved. Managers and supervisors are evaluated in part on the basis of the success of their efforts in carrying out EEO Program activities.

All ACT employees and applicants for employment shall be treated fairly in matters of employment, and shall have the right to file a complaint with the EEO Officer if they believe that they have been discriminated against by ACT. Successful achievement of this policy will benefit ACT through fuller utilization and development of previously underutilized human resources.

The EEO Policy Statement which was issued by the Agency for Community Transit’s Executive Director is posted in conspicuous locations so that employees, applicants, and the general public are cognizant of the agency’s EEO commitment. A copy of the posted EEO Policy Statement is provided on the following page.
EQUAL EMPLOYMENT OPPORTUNITY PROGRAM
POLICY STATEMENT

Agency for Community Transit, Inc. (ACT) is committed to extending equal employment opportunities to all persons regardless of race, color, creed, national origin, sex, age, or disability. This commitment relates to all terms and conditions of employment, such as recruitment, selection, promotion, termination, transfer, layoff, recall, training, and compensation, except where there is a bona fide occupational qualification.

To support attainment of its commitment, it is the policy of ACT to implement and maintain an equal opportunity (EEO) program that includes goals and timetables to achieve employment levels for minorities and females consistent with their availability in the relevant labor market. Implementation of this program is the responsibility of ACT’s Administrative Assistant, who shall act as the EEO Officer under the direction of the ACT Executive Director. All ACT management and supervisory personnel share in this responsibility and perform specific tasks as assigned by the Director to assure that EEO program goals and timetables are achieved. Managers and supervisors will be evaluated in part on the basis of the success of their efforts in carrying out EEO program activities.

All ACT employees and applicants for employment shall be treated fairly in all matters of employment, and shall have the right to file a complaint with the EEO Officer if they believe that they have been discriminated against by ACT.

Successful achievement of this policy will benefit ACT through fuller utilization and development of previously underutilized human resources.

Jerry J. Kane, Executive Director
Date
III DISSEMINATION PROCESS

A critical element of EEO Program implementation is the aggressive notification of the various parties involved regarding organizational commitments to equal employment opportunity and affirmative action. ACT utilizes a variety of internal and external communication measures to ensure effective communications. These are summarized in the following paragraphs.

A. Internal Communication

ACT employees are informed about the EEO Program through the following methods:

1. The EEO Program policy statement is posted conspicuously on all employee bulletin boards located in the ACT facility.
2. The EEO Program policy statement is included in the ACT Employee Handbook distributed to each new employee and discussed during employee orientation.
3. A copy of the EEO Program is available for review at ACT’s administrative office by all interested employees and applicants for employment.
4. Meetings with management and supervisory personnel have been convened in the past to explain the intent of the policy and individual responsibilities for effective implementation. Additional meetings will be held in the future as new managers are integrated into the organization.
5. Nondiscrimination clauses are included in all union agreements.

B. External Communication

Applicants, vendors and other interested parties outside of the organization are notified of the EEO Program through the following methods:

1. All known sources of employee recruitment are notified of ACT’s policy regarding nondiscrimination.
2. All recruitment advertisements state that ACT is an equal opportunity employer. Minority organizations and newspapers are notified regularly when ACT is undertaking a recruitment action.
3. The ACT employment application is reviewed periodically to ensure that every applicant is afforded the maximum opportunity to display his/her job-related qualifications.
4. ACT includes EEO provisions in all specifications used for competitive procurements.
IV RESPONSIBILITY FOR EEO PROGRAM IMPLEMENTATION

Responsibility for implementation of ACT's Equal Employment Opportunity Program is shared by all directors, managers and supervisors within the organization. The specific role of each is described below:

A. Board of Directors

The Board oversees the continuing implementation and refinement of the EEO Program. The Board is responsible for reviewing EEO Program progress reports.

B. Executive Director

The Executive Director of ACT is responsible for the development and effective implementation of the EEO program, including the approval of personnel actions. Specific functions of the Executive Director include:

- Recommending to the Board of Directors solutions to problems identified in the realm of equal employment opportunity;
- Review of all investigation of all formal charges of discrimination, including recommendations for appropriate response and coordination with applicable regulatory agencies;
- Review of all requests for reasonable accommodation of work duty for people with disabilities as applicable to the American with Disabilities Act.
- Monitoring employment recruitment, selection, promotion, layoff, termination and transfer policies and practices to ensure conformance to EEO policies;
- Liaison between ACT and MCT, FTA and the Illinois Department of Transportation;
- Liaison between ACT and external organizations concerned with employment opportunities for minorities and women.

C. Administrative Assistant / EEO Officer

The Executive Director has assigned the Administrative Assistant as the EEO Officer to carry out the day-to-day implementation of the EEO Program. In the event that the designated EEO Officer is unable to fulfill the obligations of the position (i.e. due to an extended leave of absence, change in employment status, etc.), the Executive Director is authorized to designate an interim and/or replacement EEO Officer. The EEO Officer is responsible for the following:

- Internal and external communication practices;
- Facilitation of workshops involving management and supervisory personnel;
- Implementation of reporting systems that identify EEO Program achievements;
- Measurement of affirmative action effectiveness;
- Periodic revision of affirmative action goals;
- Providing assistance to ACT managers and supervisors with particular aspects of the EEO Program;
- Oversight of training programs to ensure that EEO Program elements are appropriately covered;
- Review of all requests for reasonable accommodation of work duty for people with disabilities as applicable to the American with Disabilities Act.
- Monitoring employment recruitment, selection, promotion, layoff, termination and transfer policies and practices to ensure conformance to EEO policies;
- Investigation of all formal charges of discrimination, including recommendations for appropriate response and coordination with applicable regulatory agencies;
- Liaison between ACT and MCT, FTA and the Illinois Department of Transportation;
- Liaison between ACT and external organizations concerned with employment opportunities for minorities and women.

D. Managers and Supervisors

It is the responsibility of all managers and supervisory personnel to cooperate with efforts to implement the EEO Program. Managers and supervisors are responsible for the following:

- Assisting in the identification of problems and implementation of solutions;
- Ensuring that all employee qualifications are considered for promotions and are transfers;
- Ensuring the prevention of harassment of employees placed through affirmative action efforts;
- Ensuring that employees placed through affirmative action efforts are given the training and support necessary to achieve success on the job.
- Participating in the review and/or investigation of complaints alleging discrimination at the direction of the EEO Officer or Executive Director.
V UTILIZATION ANALYSIS

The purpose of this analysis is to identify those job categories where there is an underutilization or concentration of minorities and female employees within the ACT organization in relation to their availability in the applicable (local or regional) labor market. This determination is made by comparing the distribution of females and minority male incumbents within each job classification to the availability of these groups in the applicable labor market from which future ACT employees are recruited. The results are used as the basis for the action plan that includes goals and timetables for elimination of the underutilization or concentration.

A. Work Force Analysis

Table 1, available on page 10, reflects the current distribution of ACT employees by sex, race and job category. As of June 30, 2012, ACT employed 266 persons, a decrease of 6 since the completion of the EEO Program in 2010. Approximately 67% of all ACT employees are transportation operative workers with the remainder distributed among maintenance and administrative positions. Changes in work force composition during the preceding three years are noted below:

- The total number of minority employees in the ACT work force decreased from 52 to 49 (19% to 18%). A majority of the minority employees were of African American origin with four persons of Hispanic origin, two American Indian-Alaska Natives, and one employee claiming two or more origins.
- The total number of female employees in the ACT work force continues to be 40%. The present female work force includes 18 of African-American origin, one female of Hispanic descent, and one American Indian-Alaska Native.
- The percentage of white males in the work force remains constant at 49%.

B. Labor Availability Analysis

Also appearing on Table 1 is the most recent available distribution of labor availability by sex, race and job category. This information, based on 2000 census data, was obtained from the State of Illinois Department of Employment Security, Economic Information and Analysis Division for the local (Madison County) and regional (St. Louis MSA - Illinois section, consisting of five counties) labor markets.

The assumption was made that employees who are recruited into positions within the “officials/managers”, “professionals”, and “sales workers” job classifications are likely to be drawn from the five-county region, and that all other job categories are likely to be drawn from within Madison County.

The data indicates that availability of minority applicants range from a low of 6.2% among administrative support workers to a high of 13.4% among transportation and material moving operative workers. Minority population comprised approximately 9.8% of the population of Madison County in 2000.
The availability of female applicants ranges from 6.1% among the skilled crafts to 77.9% among administrative support workers. Female population comprised approximately 51.8% of the population of Madison County in 2000.

C. Incidence of Underutilization/Concentration

For purposes of this discussion, "underutilization" refers to a condition where there are fewer minorities and/or females in a particular job category that would reasonably be expected based on their presence in the relevant labor market. "Concentration" means a higher representation of a particular minority group in a job category as compared to their representation in the relevant labor market.

1. Female Employees

Overall, the percentage of female employees in the ACT work force is 40%. Minority female incumbents as a percentage of total female employees is 19%, an insignificant decreased from 2010. 18 of the minority females employed by ACT at the close of FY 2012 were African-American, one female of Hispanic descent, and one American Indian-Alaska Native.

A comparison of the work force and labor market by employee classification at the end of FY 2012 revealed that underutilization of females occurred in six classifications: Service Workers (69%), Professionals (43%), Technicians (65%), Administrative Support Workers (1%), Craft Workers (6%), and Officials/Managers (6%). However, a significant concentration of females was observed in three classifications, notably Sales Workers (11%), Transportation Operative Workers (30%) and Laborers (9%).

2. Minority Employees

Overall, the percentage of minority employees decreased from 19% in FY 2009 to 18% in FY 2012. Minority male employees in the work force remained constant at 11% during the same period. Minority males, as a percentage of total male employees, remained at 18%. 24 of the minority males employed by ACT at the close of FY 2012 were of African-American origin, three were of Hispanic ancestry, one was American Indian or Alaskan Native, and one noted with two or more races.

A comparison of the work force and labor market by employee classification at the end of FY 2012 revealed that underutilization of minorities occurred in four categories: Service Workers (13%), Technicians (13%), Administrative Support Workers (.2%) and Professionals (13%). A concentration of minority employees was present in five employee categories at the close of FY 2012. These included Sales Workers (24%), Transportation Operative Workers (14%), Laborers (2%), Craft Workers (.1%), and Officials/Managers (.4%). These figures are affected by the small number of positions in all job categories other than Transportation Operative Workers and Administrative Support Workers.
<table>
<thead>
<tr>
<th>Job Category</th>
<th>Wage/Salary Range(^{(1)})</th>
<th>All Employees</th>
<th>Minority Employees</th>
<th>Current Period:</th>
<th>Availability:</th>
<th>Percent of Underutilization:</th>
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<td></td>
<td>Total M F</td>
<td>Male AA Hisp API AIAN Two or more AA Hisp API AIAN</td>
<td>Current Percentage All Minority Female</td>
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<td>7.9% 39.3% 0.4% 6.0%</td>
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<tr>
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<td>12.5% 65.3% 12.5% 43.1%</td>
</tr>
<tr>
<td>Technicians</td>
<td>28,000 - 33,000</td>
<td>1 1 0</td>
<td>0 0 0 0 0 0</td>
<td>0 0 0 0 0 0</td>
<td>0.0% 0.0%</td>
<td>13.1% 65.2% 13.1% 65.2%</td>
</tr>
<tr>
<td>Sales Workers</td>
<td>31,000 - 40,000</td>
<td>3 1 2</td>
<td>1 0 0 0 0 0</td>
<td>0 0 0 0 0 0</td>
<td>33.3% 66.7%</td>
<td>8.9% 55.8% -24.4% -10.9%</td>
</tr>
<tr>
<td>Admin Support Workers</td>
<td>28,000 - 51,000</td>
<td>26 6 20</td>
<td>1 0 0 0 0 0</td>
<td>1 0 0 0 0 0</td>
<td>7.7% 76.9%</td>
<td>7.9% 77.9% 0.2% 1.0%</td>
</tr>
<tr>
<td>Craft Workers</td>
<td>33,000 - 60,000</td>
<td>16 16 0</td>
<td>0 1 0 0 0 0</td>
<td>0 0 0 0 0 0</td>
<td>6.3% 0.0%</td>
<td>6.2% 6.1% -0.1% 6.1%</td>
</tr>
<tr>
<td>Operatives</td>
<td>32,000 - 55,000</td>
<td>178 103 75</td>
<td>18 2 0 1 1 1</td>
<td>17 1 0 0 1 1</td>
<td>23.0% 42.1%</td>
<td>9.1% 12.6% -13.9% -29.5%</td>
</tr>
<tr>
<td>Laborers</td>
<td>20,000 - 44,000</td>
<td>19 15 4</td>
<td>3 0 0 0 0 0</td>
<td>0 0 0 0 0 0</td>
<td>15.8% 21.1%</td>
<td>13.4% 12.1% -2.4% -9.0%</td>
</tr>
<tr>
<td>Service Workers</td>
<td>21,000 - 24,000</td>
<td>2 2 0</td>
<td>0 0 0 0 0 0</td>
<td>0 0 0 0 0 0</td>
<td>0.0% 0.0%</td>
<td>13.4% 69.0% 13.4% 69.0%</td>
</tr>
</tbody>
</table>

Notes:
1- Hourly rates, where applicable, were annualized on an assumption of 2080 hours per year and rounded to the nearest $1000.

2- Market area for officials/managers, professionals, and sales workers is the five-county St. Louis MSA (Illinois section) as determined by the Illinois Department of Employment Security.
For all other categories, the market area is Madison County.
VI GOALS and TIMETABLES

A. Analysis of FY 2010-2012 Program Goal Achievement

The FY2010 – 2012 EEO Program Goals were designed to maintain minority and female employment levels in all labor classifications. Although particular goal categories were not realized, the overall program is considered successful.

Approximately 67%, up from 64% in FY2010, of the ACT employees are transportation operative workers with the remainder distributed among the other eight categories. Therefore, even a single hire affects the numerical percentages. Anticipated hiring for a management position, and secretarial position did not take place, which resulted in the inability to realize the goals with these two categories. Additionally, retention of employees during 2010-2012 was greater than expected. Therefore, the opportunities for new hires, a requisite to attainment of the job category goals, was minimized.

Although the following does not alter the numerical figures of the transportation operative workers category because the position of operator and the first line supervisor is within the same category, it is worth noting one female and one minority male were promoted into first line supervisory positions. A similar promotion was completed within the administrative support workers category moving one minority male into a first line supervisory role.

B. FY 2013-2016 EEO Program Goals

The following action plan is proposed to address the conditions described in Section V Utilization Analysis. Consistent with Federal guidelines, the plan includes short-range numerical hiring goals and longer-range percentage goals for attaining a balanced workforce.

Based on current information, ACT expects the work force to remain relatively static during FY 2013 through FY 2015. Total employment is projected to increase from 266 to 269 employees by June 30, 2013.

Short Range Goals – FY 2013 (July 1, 2012 – June 30, 2013)

Table 2, available on page 13, provides the numerical hiring goals for FY 2013. The goals are designed to maintain minority and female employment levels in all labor classifications. In order to avoid double-counting minority females in the current ACT workforce, the goals shown on Table 2 are distinguished between all females and minority males.

ACT estimates the need to fill a total of 28 positions during FY 2013. 25 of the 28 employment opportunities will be transportation operative workers.

Discussion of the hiring goals follows.

- Officials/Managers (1 expansion positions)
At the close of FY 2013 the work force consisted of 12 officials and managers, of whom four were females, eight were white males and one was a minority male. One expansion position is anticipated during FY 2013. ACT will endeavor to recruit one minority candidate for this position. The net addition of a minority female would result in substantially lowering (6% to .8%) the under utilization level of all females in this job category.

- **Administrative Support Workers (1 replacement position)**
  At the close of FY 2012 the work force consisted of 26 incumbents; 19 of whom were white females, 5 of whom were white males, one minority female, and one minority male. During FY 2013, it is anticipated that one person will be hired in this category. Hiring one minority female would result in a slight improvement to the underutilization of all females in this job category (7% to 6%).

- **Sales Workers (1 replacement position)**
  At the close of FY 2012 the work force consisted of 3 incumbents of whom one was a minority male and two were white females. During FY 2013, one vacancy of an existing position is expected to occur. This position has an overutilization in both minority male and all females. ACT will endeavor to recruit a minority female into this position which would result in an increase in minority utilization in this job category.

- **Transportation Operative Workers (23 replacement positions, 2 expansion positions)**
  At the close of FY 2013 the transportation operative workers (bus drivers and road supervisors) work force consisted of 178 incumbents, of whom 22 were minority males and 75 were females. During FY 2013, 23 existing positions and two expansion positions are expected to be available. As there is currently a concentration of both minority males and females within this job classification, ACT will endeavor to maintain current percentages of these categories of individuals.

**Long Range Goals – FY 2013 – FY 2015**

Based on current information, ACT projects no increase in employment after FY 2013. It is anticipated that the total ACT work force will rise to approximately 269 employees by the close of FY 2013 with no additional increase through FY 2015. During this period, ACT's goal will be to stabilize the composition of the work force at approximately 14% minority males and 45% females. Balancing adjustments within particular job classifications will be attempted as vacancies arise.
### TABLE 2

**MADISON COUNTY MASS TRANSIT DISTRICT**  
**WORKFORCE GOALS BY JOB TITLE AND GROUP**  
**FY 2013 - 2015**

<table>
<thead>
<tr>
<th>Job Category</th>
<th>Total Employees as of 6/30/2012</th>
<th>Future Period: July 1, 2012 - June 30, 2013</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male</td>
<td>Female</td>
</tr>
<tr>
<td>Officials/Managers</td>
<td>12</td>
<td>7</td>
</tr>
<tr>
<td>Professionals</td>
<td>9</td>
<td>7</td>
</tr>
<tr>
<td>Technicians</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Sales Workers</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>Administrative Support</td>
<td>26</td>
<td>5</td>
</tr>
<tr>
<td>Craft Workers</td>
<td>16</td>
<td>15</td>
</tr>
<tr>
<td>Operatives</td>
<td>178</td>
<td>81</td>
</tr>
<tr>
<td>Laborers</td>
<td>19</td>
<td>12</td>
</tr>
<tr>
<td>Service Workers</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td>266</td>
<td>130</td>
</tr>
</tbody>
</table>

#### NUMERIC GOALS FOR FY 2013

<table>
<thead>
<tr>
<th>Job Category</th>
<th>New Hires</th>
<th>Promotions</th>
<th>Total</th>
<th>% rate of Workforce</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male White</td>
<td>Female All</td>
<td>Male White</td>
<td>Female All</td>
</tr>
<tr>
<td>Officials/Managers</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Professionals</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Technicians</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Sales Workers</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Administrative Support</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Craft Workers</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Operatives</td>
<td>12</td>
<td>7</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>Laborers</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Service Workers</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>12</td>
<td>10</td>
<td>6</td>
<td>0</td>
</tr>
</tbody>
</table>

#### PROJECTED PERCENTAGE REPRESENTATION: FY 2013 - 2016

<table>
<thead>
<tr>
<th>Job Category</th>
<th>FY 2013 Female</th>
<th>FY 2013 Male</th>
<th>FY 2014 Female</th>
<th>FY 2014 Male</th>
<th>FY 2015 Female</th>
<th>FY 2015 Male</th>
<th>FY 2016 Female</th>
<th>FY 2016 Male</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>All</td>
<td>Minority</td>
<td>All</td>
<td>Minority</td>
<td>All</td>
<td>Minority</td>
<td>All</td>
<td>Minority</td>
</tr>
<tr>
<td>Officials/Managers</td>
<td>39.0%</td>
<td>8.0%</td>
<td>39.0%</td>
<td>8.0%</td>
<td>39.0%</td>
<td>8.0%</td>
<td>39.0%</td>
<td>8.0%</td>
</tr>
<tr>
<td>Professionals</td>
<td>22.0%</td>
<td>0.0%</td>
<td>22.0%</td>
<td>0.0%</td>
<td>22.0%</td>
<td>0.0%</td>
<td>22.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Technicians</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Sales Workers</td>
<td>67.0%</td>
<td>33.0%</td>
<td>67.0%</td>
<td>33.0%</td>
<td>67.0%</td>
<td>33.0%</td>
<td>67.0%</td>
<td>33.0%</td>
</tr>
<tr>
<td>Administrative Support</td>
<td>72.0%</td>
<td>4.0%</td>
<td>72.0%</td>
<td>4.0%</td>
<td>72.0%</td>
<td>4.0%</td>
<td>72.0%</td>
<td>4.0%</td>
</tr>
<tr>
<td>Craft Workers</td>
<td>0.0%</td>
<td>6.3%</td>
<td>0.0%</td>
<td>6.3%</td>
<td>0.0%</td>
<td>6.3%</td>
<td>0.0%</td>
<td>6.3%</td>
</tr>
<tr>
<td>Operatives</td>
<td>42.0%</td>
<td>13.0%</td>
<td>42.0%</td>
<td>13.0%</td>
<td>42.0%</td>
<td>13.0%</td>
<td>42.0%</td>
<td>13.0%</td>
</tr>
<tr>
<td>Laborers</td>
<td>22.0%</td>
<td>17.0%</td>
<td>22.0%</td>
<td>17.0%</td>
<td>22.0%</td>
<td>17.0%</td>
<td>22.0%</td>
<td>17.0%</td>
</tr>
<tr>
<td>Service Workers</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
</tr>
</tbody>
</table>
VII ASSESSMENT OF EMPLOYMENT PRACTICES

ACT has applied equal employment opportunity practices consistently since its formation in 1985. The following paragraphs summarize ACT’s current practices.

A. Employee Selection

The selection of personnel for all ACT position classifications adheres to a defined process that accommodates all applicable Federal regulations, including the Commercial Driver License (CDL) for all vehicle operatives and selected maintenance positions, as well as USDOT Alcohol/Drug Screening and Americans with Disabilities Act (ADA) regulations for all positions.

1. Resume/Application Screening - Incoming resumes are reviewed in the context of applicable preference criteria.

   For bus driver positions, preference criteria include: (a) prior driving experience; (b) valid CDL license with bus endorsement; (c) stable employment record reflecting a pattern of long tenure in positions and few gaps between jobs; (d) prior experience working with the public; (e) consistent wage and benefit expectations; and, (f) Madison County residency.

   For maintenance positions, preference criteria include: (a) prior experience in related maintenance positions i.e. for a mechanic prior experience with servicing, maintenance and repair of buses or comparable vehicles; (b) relevant education or training; (c) stable employment record reflecting a pattern of long tenure in positions and few gaps between jobs; (d) consistent wage and benefit expectations; and (e) Madison County residency.

   For administrative positions, preference criteria include: (a) appropriate academic background and attainment; (b) prior experience in a relevant job, field or discipline; (c) stable employment record reflecting a pattern of long tenure in positions and few gaps between jobs; (d) consistent wage and benefit expectations; and (e) Madison County residency.

   Every candidate is required to complete the standard employment application prior to the interview meeting.

2. Telephone Interview - Qualified candidates are contacted to discuss the position and determine their interest in employment with ACT. A face to face interview is scheduled if continuing interest is shown.

3. Interview - Candidates meet with the Human Resources Manager and position supervisor to discuss work history and qualifications. Situational exercises are used to assess knowledge base and decision making skills. Bus driver and dispatcher candidates are queried for knowledge of Madison County community locations and street network. Candidates for supervisory and management positions may participate in a second interview with other managers and/or the Executive Director.
4. **Physical Examination** - All offers of employment are contingent upon the positive outcome of a pre-employment physical examination, drug screen, and background reference check.

5. **Staff Review** - Upon completion of interviews, interviewing notes and application are reviewed by Agency staff as appropriate, including the position supervisor, Human Resources Manager, EEO Officer and the Executive Director.

6. **Background Check** – Offers of employment are contingent upon acceptable confirmation of motor vehicle reports, criminal records, and employment verifications. These background records are completed on each candidate. Personal references may be contacted by telephone and / or written verification.

**B. Seniority, Upgrading and Training**

ACT does not generally apply seniority-based criteria to define employment rights, except as provided for by its collective bargaining agreement with the Service Employees International Union – Local 1 to determine the sequence of bidding and extra work assignment awards among comparably qualified employees. The tenure of non-represented employees may be considered by individual supervisors when assigning work shifts or assignments to comparably qualified employees within a position classification.

Internal candidates are given full and equal consideration for open positions. However, decisions regarding upgrading, promoting, or transferring current ACT employees into different positions are made on the basis of an employee’s performance record and qualifications and how those qualifications meet the needs of the position available.

Prior to driving in revenue service, all bus drivers are provided with a minimum of two weeks formal training. Maintenance personnel are provided with individualized training appropriate to the position classification. Administrative personnel, including managers, primarily train on the job. All employees complete a new employee orientation which includes awareness training of the EEO policy.

**C. Compensation Practices**

Wages and benefits for represented bus drivers are determined through the collective bargaining agreement. This covers 67% of the positions in the organization.

Non-represented personnel are compensated according to an established wage range commensurate with the general market for related skills and duties and are subject to periodic adjustment.

All full-time employees, not represented through a collective bargaining unit are eligible for a benefits package consisting of health and welfare insurance, and paid time for vacation, personal holiday, holidays and sick leave. Upon hire, all non-represented employees are
eligible to participate in a “403b” retirement plan. After one year of continuous service, ACT will match the employee contribution within established limits.

D. Disciplinary, Discharge and Termination Practices

Disciplinary, discharge and termination practices for collective bargaining unit represented bus drivers are covered under the collective bargaining agreement. This covers 64% of the positions in the organization. The agreement contains grievance and arbitration language to guide the adjudication of disputes or differences of opinion raised by a bus driver or drivers against the Agency in matters involving disciplinary actions up to and including termination.

Non-represented employees are advised in writing upon offer of employment that they are considered at-will employees of ACT. Disciplinary actions up to and including termination, are determined on the basis of the policy infraction and past work performance of the employee. A non-represented employee who commits a criminal act or an act of serious malfeasance or negligence that endangers a fellow employee or ACT property is subject to immediate termination. An employee whose work performance falls below acceptable standards in matters such as the quality of work undertaken or accomplished, quality of judgment exercised, recurring absence or tardiness, inappropriate behavior and the like, is subject to progressive discipline as is appropriate. Such discipline may include any or all of the following:

- The employee receives written warning notification of the inappropriate action/behavior. This notice to include the future expectations for the employee’s behavior/action and future disciplinary action should the behavior/action at issue continue or reoccur.
- The employee receives an unpaid suspension from work duties. Upon notification of the disciplinary suspension, the employee receives written warning notification of the inappropriate action/behavior. This notice to include the future expectations for the employee’s behavior/action and future disciplinary action should the inappropriate behavior/action continue or reoccur.
- The employee is terminated from employment with the Agency for Community Transit.

Non-termination disciplinary actions are generally administered by the direct supervisor of the subject employee. Prior to a final termination action, the performance records and current inappropriate action/behavior of the employee is reviewed by both the EEO Officer and Executive Officer.

E. Assessment of Inhibiting Practices

ACT believes that none of its employee recruitment, selection, or compensation practices inhibits the recruitment, selection and retention of minorities and females as described in the FTA circular. This is reflected by the generally balanced utilization of the ACT work force.
VIII   MONITORING AND REPORTING SYSTEM

The EEO Officer reviews all recruitment actions, hiring practices, training programs and
disciplinary procedures.

Two computer systems, the Applicant Tracking and the Personnel System, provide tracking
mechanisms for all recruitment, training, transfer, promotions and discipline actions. These
programs allow for the tracking of all events by race and gender. Standard Quarterly and
semi-annual reports from the Applicant Tracking and Personnel System are generated by the
EEO Officer and used to monitor and evaluate the status of the ACT workforce. Additional
reports are developed and sourced as appropriate.

The EEO Officer provides a formal EEO Status report on a semi-annual basis at a routine
monthly meeting of the ACT Directors and Managers. Quarterly updates are provided when
deemed applicable. With each position work order, the supervisor and/or manager work with
the EEO Officer and Human Resources Manager, reviewing the current EEO status and goals
of a department.

The Executive Director provides direction to the EEO Officer and periodically presents EEO
Program progress reports to the Board of Directors.

The EEO Officer tracks all EEO complaints in an Excel spreadsheet accessible to the
Executive Director.
IX COMPLAINT PROCEDURE

Agency for Community Transit
Equal Employment Opportunity Program
Complaint Procedure

Any person who believes that he or she, individually, or as a member of any specific class of person, has been subjected to discrimination on the basis of race, color, creed, national origin, sex, age, or handicap may file a written complaint with the Agency for Community Transit.

Filing Complaints of Discrimination

A. Complaints may be submitted in writing to the EEO Officer or Executive Director.
   Agency for Community Transit
   EEO Officer
   PO Box 7500
   One Transit Way
   Granite City, IL 62040.7500

B. All complaints must be submitted promptly.

C. The complaint must state, as fully as possible, the specific facts and circumstances of the alleged discrimination.

D. In cases where the complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to the EOO Officer. The EEO Officer will assist the person in converting the verbal complaint to a written document.

E. All complaints submitted, must be signed by the complainant or his/her representative.

Investigation of the Complaint

A. The EEO Officer and Executive Director or his/her designee shall promptly review the complaint to determine if there is sufficient merit to warrant an investigation.

B. A complaint shall be regarded as meriting investigation unless:
   1. It clearly appears on its face to be frivolous or trivial;
2. During the review process, the party complained against voluntarily concedes noncompliance and agrees to take appropriate remedial action;
3. During the review process, the complainant withdraws the complaint; or,
4. Other good cause for not investigating the complaint exists.

C. In the event that the complainant has not provided sufficient information to make a determination, the EEO Officer will request additional information providing adequate time for the complainant to respond. Failure of the complainant to submit additional information within the designated timeline may be considered good cause to terminate the investigation.

D. The EEO Officer and Executive Director or his/her designee shall promptly and thoroughly investigate the complaint of discrimination.

E. Investigators' report will include:
   1. Summary of the complaint,
   2. Description of the investigation, including summary of interviews conducted and person(s) contacted
   3. Statement of investigator's findings.

Disposition of Complaint

A. If an investigation results in the confirmation of an act of discrimination the appropriate corrective action will be taken.

B. If an investigation does not result in confirmation of an act of discrimination all parties will be so notified.
X REASONABLE ACCOMODATION PROCESS

Agency for Community Transit
Reasonable Accommodation Process

The Agency for Community Transit, Inc. (ACT) is committed to extending equal employment opportunities to all persons regardless of race, color, creed, national origin, sex, age or disability. This commitment applies to the recruitment, selection, training, and supervision of all employees in all job categories without regard to the above listed attributes, except where there exists a bona fide occupational qualification.

The Agency shall comply with all applicable requirements of the Americans with Disabilities ACT (ADA) and the Illinois Human Rights Act (IHRA). The Administrative Assistant, serving as the EEO Officer under the direction of the ACT Executive Director, is responsible for the implementation and compliance of these processes.

Requests for Reasonable Accommodation

Any individual, whether an employee or applicant, who is disabled as defined under the statutes of the ADA and IHRA, who satisfies the skill, experience and education requirements of the employment position, and who, with or without reasonable accommodation, can perform the essential functions of such position, may request a reasonable accommodation.

A. Reasonable accommodation requests are submitted in writing to the Administrative Assistant who serves as the EEO Officer.

Requests must include:
1. Name of the employee or applicant requesting the accommodation
2. Position currently held or being applied for.
3. A description of the accommodation being requested.
4. Explanation of the disability and its limitations applicable to the request for accommodation.
5. Signature and date of the requester.

B. Upon receipt of the request the EEO Officer will meet with the individual making the request to determine whether a reasonable accommodation is necessary to enable the individual to perform the essential functions of the position.

As applicable, a direct supervisor(s), Human Resource Manager, and Executive Director may participate in exploratory information meetings and the decision to determine whether a request for accommodation is reasonable as outlined by the ADA and IHRA.

C. The requesting individual will receive notice of the decision in a timely manner.
Grievance Procedure

Any individual, whether a current employee or applicant, who believes that he/she has been discriminated against, has been informed of conduct constituting discrimination, or who witnesses discrimination, should promptly submit a complaint to the EEO Officer or Executive Director in accordance with the following procedures. Once informed, the EEO Officer and/or the Executive Director shall be responsible for the investigation and grievance procedures contained herein.

A. Any individual wishing to submit a complaint must submit a statement to the EEO Officer or Executive Director. The statement should state the specific facts and/or perceived wrongful act (e.g., location, names, dates, times) to be investigated. All such complaints should be submitted promptly.

B. The EEO Officer and Executive Director or his/her designee shall promptly and thoroughly investigate the complaint describing the claimed discriminatory violation.

C. If an investigation confirms a violation has occurred, the Agency will take corrective action, including discipline of any employee found to be willfully negligent and/or discriminatory as applicable to the ADA or IHRA.
XI BOARD RESOLUTION
Insert Board Resolution
XII ORGANIZATIONAL CHART
Insert Organizational Chart