

# FTA

FEDERAL TRANSIT ADMINISTRATION

## City of Gadsden Gadsden Transportation Services ADA Paratransit Compliance Review

Final Report  
October 2018



U.S. Department of Transportation  
Federal Transit Administration

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## Table of Contents

Executive Summary .....	1
1. General Information .....	3
2. Jurisdiction and Authorities.....	5
3. Purpose and Objectives .....	7
3.1 Purpose .....	7
3.2 Objectives.....	7
4. Introduction to the City of Gadsden .....	9
4.1 Introduction to Paratransit Services and Organizational Structure .....	9
5. Scope and Methodology.....	11
5.1 Scope .....	11
5.2 Methodology .....	12
6. Findings and Advisory Comments .....	18
6.1 Comparable Paratransit Service .....	18
6.2 Paratransit Eligibility Process .....	18
Absence of Administrative Burdens.....	18
Paratransit Eligibility Standards .....	19
Accessible Information.....	20
Eligibility Determinations or Presumptive Eligibility within 21 Days .....	21
Written Eligibility Determinations including Specific Reasons for Denials or Temporary or Conditional Eligibility Determinations .....	22
Recertification of Eligibility at Reasonable Intervals .....	23
Administrative Appeals Process for Denials or Decisions Granting Conditional or Temporary Eligibility .....	23
Complementary Paratransit for Visitors.....	24
6.3 Types of Service.....	24
6.4 Service Criteria for Complementary Paratransit .....	25
Service Area .....	25
Response Time .....	26
Fares .....	27

---

No Trip Purpose Restrictions .....	27
Hours and Days of Service .....	28
Absence of Capacity Constraints .....	28
No restrictions on the number of trips provided to an eligible individual .....	28
No waiting list for access to the service .....	29
No substantial numbers of significantly untimely pickups for initial or return trips	29
No substantial numbers of trip denials or missed trips .....	30
No substantial numbers of trips with excessive trip lengths .....	32
No operational patterns or practices limiting the availability of service to ADA eligible people .....	33
6.5 Subscription Service.....	34
6.6 Reasonable policies for proposed service suspensions for missing scheduled trips and the right to appeal.....	34
6.7 Complaint Resolution and Compliance Information .....	36
6.8 Nondiscrimination.....	36
6.9 Training Requirements.....	37
6.10 Service Under Contract with a Private Entity (if applicable).....	38
6.11 Service Provided by Another Public Entity (if applicable).....	38
6.12 Coordination of Service .....	39
Summary Table of Compliance Review Findings .....	40
Attachment A: FTA Notification Letter to the City of Gadsden .....	46

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# Executive Summary

## Objective and Methodology

This report reviews the City of Gadsden's (City) complementary paratransit service provided by the City's department of transportation, Gadsden Transportation Services (GTS) in Gadsden, AL. Its objective is to verify whether the City is meeting its obligations under the ADA to provide paratransit as a complement to its fixed-route service.

This compliance review included three stages:

1. Preparation: compilation of information covering policies and procedures and interviews with eligible paratransit riders and local disability organizations
2. Site visit: a three-person review team's observation of how the City handles trip requests, scheduling and dispatching, examinations of eligibility applications and related documents (including appeals), and interviews with City employees
3. Analysis and reporting: using site visit data, identification of deficiencies requiring corrective actions and suggestions of effective practices in complementary paratransit service

## Key Findings

The City of Gadsden's (City) paratransit program includes the following positive program elements:

### Positive Program Elements

- The City's ADA paratransit service area extends beyond the minimum three-quarter-mile corridors and into neighboring communities, including areas receiving no fixed-route service. In addition, the ADA service provision policies often exceed minimum requirements.
- The City's on-time performance for pickups exceeds its 92 percent standard.
- Virtually all the City's ADA paratransit eligibility determinations are made within one to two days of receipt of completed application.

The City of Gadsden's (City) paratransit program has the following administrative deficiencies that are easily correctable to bring their program into compliance with 49 CFR Parts 27, 37 and 38.

### Administrative Deficiencies

- The City does not support its long-standing agency policies of no ADA capacity denials and no missed trips with sufficient data documentation, tracking, and reporting.

Please see Section 6 for a discussion of all deficiencies. The Summary Table of Compliance Review Findings (following Section 6) lists all findings. Unless otherwise stated, the City of Gadsden must address all deficiencies within 60 days of receipt of this report.

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## 1. General Information

This chapter provides basic information concerning this compliance review of the City of Gadsden. Information on the City of Gadsden, the review team, and the dates of the review is presented below.

<b>Grant Recipient:</b>	City of Gadsden
<b>City/State:</b>	Gadsden, Alabama
<b>Grantee Number:</b>	1016
<b>Executive Official:</b>	Sherman Guyton, Mayor
<b>On-site Liaison:</b>	Meinrad Tabengwa
<b>Report Prepared By:</b>	Milligan & Company, LLC
<b>Dates of On-site Visit:</b>	July 24 – 27, 2018
<b>Review Team Members:</b>	Cynthia Lister, Team Leader Habibatu Atta, Reviewer Kristin S. Tighe, Reviewer

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## 2. Jurisdiction and Authorities

Public entities that operate fixed-route transportation services for the general public are required by the U.S. Department of Transportation (DOT) regulations implementing the Americans with Disabilities Act of 1990 (ADA) to provide ADA complementary paratransit service for persons who, because of their disability, are unable to use the fixed-route system. These regulations (49 CFR Parts 27, 37, 38, and 39) include eligibility requirements and service criteria that must be met by ADA complementary paratransit service programs. Section 37.135(d) of the regulations required that ADA complementary paratransit service met these criteria by January 26, 1997.

The Federal Transit Administration (FTA) is responsible for ensuring compliance with the ADA and the DOT regulations implementing the ADA.

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### **3. Purpose and Objectives**

This chapter discusses the purpose and objectives of an FTA ADA complementary paratransit compliance review and the review process.

#### **3.1 Purpose**

Pursuant to 49 CFR §§27.19 and 27.123, as part of its oversight efforts, the FTA, through its Office of Civil Rights, conducts periodic reviews of fixed-route transit and ADA complementary paratransit services operated by its grantees. Compliance with all applicable requirements of the Americans with Disabilities Act (ADA) of 1990 (42 USC 12101-12213) including the DOT's ADA regulations is a condition of eligibility for receiving Federal financial assistance.

#### **3.2 Objectives**

The primary objective of this paratransit review is to verify whether a public operator of a fixed-route transit system that benefits from FTA funding is meeting its obligations under the ADA to provide paratransit as a complement to its fixed-route service. This review examines the policies, procedures and operations of the transit system's ADA complementary paratransit system concerning service provision, including origin-to-destination service; eligibility, including the process used to determine who is eligible for the service; receiving and resolving complaints; and meeting the ADA complementary paratransit service criteria as specified in 49 CFR §37.131.

The review team observed dispatch, reservations, and scheduling operations, and analyzed service statistics, basic service records, and operating documents. To verify the accuracy of the public operator's reported information and evaluate its methodology, the review team also conducted its own independent analysis of sample data. In addition, FTA solicited comments from eligible riders and from local disability organizations.

This report will summarize findings and advisory comments. Findings of deficiency require corrective action and/or additional reporting. Advisory comments are statements detailing recommended or suggested changes to policy or practice to ensure effective practices under the ADA.

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## 4. Introduction to the City of Gadsden

The City of Gadsden, Alabama, provides public transit under the name of Gadsden Transportation Services (GTS). All service is directly operated by the recipient. Fixed-route service is operated as the Gadsden Trolley Company with eight vehicles and four routes, using 12 part-time drivers with two unfilled positions. In addition, two street supervisors oversee on-the-road service for both fixed-route and paratransit operations. Weekday fixed-route service is provided from 6 a.m. to 6 p.m. and Saturday from 9 a.m. to 2 p.m., with no Sunday service. Jointly, the City transit and paratransit services are overseen by three managers and three staff members. The City administration, operations, customer service, and paratransit eligibility, as well as maintenance and fueling activities all take place at the agency headquarters at 1699 Chestnut Street. At the time of the review, City managers anticipated moving to renovated facilities approximately one mile away during late 2018.

The City serves significant numbers of older, disabled, and/or low-income individuals. Gadsden is the county seat of Etowah County. Results of the 2010 U.S. Census show that the per capita income for this city was \$18,610. About 20.2 percent of families and 24.9 percent of the population were below the poverty line, including 38.9 percent of those under age 18 and 14.3 percent of those age 65 or over. The Census reports that 36,856 people, 15,171 households, and 9,183 families resided in the city.

### 4.1 Introduction to Paratransit Services and Organizational Structure

The City of Gadsden operates dial-a-ride transportation for its complementary paratransit using nine vehicles with 11 part-time drivers plus two unfilled positions. Complementary paratransit street supervision responsibilities are shared with fixed-route service. The City makes its complementary paratransit service available along three-quarter-mile corridors on each side of the fixed routes during the same days and hours as fixed-rate service. The City's website provides service information regarding ADA paratransit service and its other demand-response programs at <https://www.cityofgadsden.com/432/ADA-Elderly-Service>. The City co-mingles ADA-eligible and non-ADA-eligible riders. On a space-available basis, the City also offers same-day service and additional demand response service beyond the minimum ADA service area, extending through the remaining portions of Gadsden into the adjoining areas of Attalla and Rainbow City. As a result, the City estimates its total service area to encompass almost 75 square miles.

The City's paratransit ridership for fiscal years 2016 through 2018 is shown in the table below:

<b>City of Gadsden Paratransit Ridership and Denials</b>			
<b>Fiscal Year</b>	<b>All Paratransit Trips</b>	<b>Disability Paratransit Trips (includes ADA riders)</b>	<b>ADA Denials</b>
2016	30,116	14,440	not collected
2017	29,759	15,272	not collected
2018	22,777	10,483	0

The City did not collect and tabulate ADA capacity denials until June 2018, but has maintained a policy of zero ADA capacity denials for many years. The City of Gadsden management appears committed to providing high-quality paratransit and fixed-route service, including vehicle and technology replacement, by maximizing limited budgetary resources. The City's transportation operating budget in FY 2018 was \$341,850, including fuel and driver salaries. The City replaced vehicles in FY 2016 for a total of \$251,912. All fixed-route and paratransit vehicles appeared to be well-maintained and in good repair.

## 5. Scope and Methodology

The purpose of this review is to provide FTA with a tool for determining whether a public operator of a fixed-route system is in compliance with the paratransit requirements under DOT ADA regulations. However, the deficiencies identified and findings made in this report are by necessity limited to the information available to and the observations made by the review team at the time of the site visit. A lack of findings in a particular review area does not constitute endorsement or approval of an entity's specific policies, procedures or operations; instead, it simply indicates that no deficiencies in the delivery of service were observed at the time of the review.

The scope of the review and the methodology employed by the review team are described in greater detail below.

### 5.1 Scope

The review focused on whether Gadsden's ADA paratransit service operates according to the service criteria specified in 49 CFR §37.131 of the DOT ADA regulations, and without capacity constraints prohibited under 49 CFR § 37.131(f). The review examined the City's service area, response time, fares, and hours and days of service, as well as its policies, standards and procedures for monitoring service provisions, including on-time performance, on-board travel time, telephone hold times, and avoiding trip denials and missed trips. The review seeks to ascertain whether service is being provided to eligible individuals within at least the minimum required service area on a next-day basis, during the same hours and days as the fixed-route system, for not more than twice the fixed-route fare for the same trip; whether there are patterns or practices that result in a substantial number of trip limits, trip denials, untimely pickups, and/or trips of excessive length; policies which cause riders to arrive late to appointments; or long telephone hold times, as defined by the transit system's established standards (or typical practices if standards do not exist).

Overall, the complementary paratransit compliance review included the following regulatory requirements:

- Complaint resolution and compliance information (49 CFR §§ 27.13(b), 27.121(b), and 37.17)
- Nondiscrimination (49 C.F.R. §37.5)
- Service under contract (49 CFR § 37.23) (if applicable)
- Requirement for comparable complementary paratransit service (49 CFR §37.121)
- ADA paratransit eligibility: Standards (49 CFR §37.123)
- Paratransit eligibility process (49 CFR § 37.125) including:
  - Information is made available in accessible formats upon request
  - A decision is made within 21 days or presumptive eligibility is granted pending a decision

- There is written notification of all decisions
- All denials or conditional eligibility determinations are completed in writing with specific reasons for the decision
- There is an administrative appeals process for denials and conditional eligibility determinations
- Reasonable policies for suspending service to eligible riders who establish a pattern or practice of missing trips
- Complementary paratransit service for visitors (49 C.F.R. §37.127)
- Types of service (49 CFR § 37129)
- Service criteria for complementary paratransit (49 CFR §37.131) including:
  - Service area
  - Response time
  - Fares
  - Trip purpose restrictions
  - Hours and days of service
  - Capacity constraints
- Subscription service (49 C.F.R. 133) (if applicable)
- Training requirements (49 C.F.R. 173)

## 5.2 Methodology

The FTA Office of Civil Rights sent a notification letter to the City of Gadsden's Mayor, Sherman Guyton, on May 16, 2018 confirming the dates for the review and requesting that information be sent to the review team in advance of the on-site visit (Attachment A).

Prior to the on-site visit, the review team examined the following service information:

- The City of Gadsden's description of how its ADA complementary paratransit service is structured
- Public information describing the City's ADA complementary paratransit service
- The City's standards or goals for on-time performance, trip denials, missed trips, paratransit trip length, on-time performance, and telephone hold times, which were contained in the document provided by recipient entitled *Gadsden Enclosure 1 Items*.

As requested by the FTA, the City of Gadsden made additional information available during the visit:

- Copies of completed driver manifests for recent months
  - Thirty-six months of the City's service data, including the number of trips requested
  - Records of the City's customer comments and complaints related to capacity issues: trip denials, on-time performance, travel time, and telephone access
  - Procedures for reporting passenger service complaints and other incidents
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- The City's summaries of transportation complaints
- A dial-a-ride fleet roster
- A listing of paratransit employees and their start dates
- Capital and operating budgets and cost data for the City's transportation department.

The on-site review of the City of Gadsden's ADA complementary paratransit service took place from July 24 – 27, 2018. The review began with an opening conference, held at 9:00 a.m. CDT on Tuesday, July 24, 2018, at the agency's offices at 1699 Chestnut Street, Gadsden, AL 35901. The following people participated in the meeting:

Federal Transit Administration (FTA), Office of Civil Rights

- John Day, Program Manager for Policy and Technical Assistance (by telephone)

City of Gadsden

- Nick Hall, Director of Planning
- Meinrad Tabengwa, Transportation Planner
- Kerry Payne, Transit Coordinator

Milligan and Company, LLC

- Sandra Swiacki, Project Director (by telephone)
- Cynthia Lister, Lead Reviewer
- Habibatu Atta, Reviewer
- Kristin Tighe, Reviewer

Following the opening conference, the review team met with City managers to discuss the information sent in advance as well as the information and material made available on site. The City's complementary paratransit policies and procedures were discussed. Team members also reviewed the site visit logistics with City managers, who provided a tour of the City's transportation facilities.

For the remainder of the day on Tuesday, July 24, the review team examined data for the sample week (June 17-23, 2018). Team members discussed the process in place to record and respond to fixed-route and paratransit customer complaints and requested copies of complaints from recent months. The review team discussed the complementary paratransit eligibility determination process with City managers and gathered eligibility files to examine. In the afternoon, the review team verified fares, the service area, days and hours of service, and observed the process for taking reservations.

On Wednesday, July 25, the review team continued policy analysis, data review, and on-site observations. Team members continued observation of trip reservation, scheduling and dispatching processes. The lead scheduler/dispatcher was interviewed. The review team met with the operations staff and manager to discuss procedures used to develop the final driver manifests, and began examining completed driver manifests as a part of verification of on-time performance

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and the accuracy of its customer no-show process. The review team commenced driver interviews and continued reviewing eligibility files.

The review team paid particular attention to policies regarding trip reservations and whether any trip caps or waiting lists were used. The review team conducted observations and interviewed staff and managers to ascertain whether callers were being steered to use alternate transportation in lieu of ADA paratransit. Additionally, the review team researched whether there appeared to be a pattern or practice of denying a significant number of trip requests. This portion of the review examined the policies and procedures concerning negotiation of requested trip times.

The review team gathered and analyzed the following information:

- Comments from riders and advocates through telephone interviews, and through a review of comments and complaints on file at FTA and the City
- Reservations policies and performance standards
- Service reports prepared by the City showing, for the past three years, the number of the City trips in total and the number of trips provided to individuals with disabilities
- Direct observations by review team members of the handling of trips, and interviews with City staff about the ability to accommodate trip requests by ADA-eligible riders

On Thursday, July 26, the review team continued observing the reservations and dispatching processes and examining on-time performance, on-board travel times, and eligibility determination records. The review team compared on-board paratransit travel times with those on the fixed-route service, with an emphasis on paratransit trips with lengthy travel times. City managers were interviewed regarding resources, budgeting, and staffing. The team completed driver interviews.

On Friday, July 27, the review team tabulated the various data that had been gathered and prepared for the exit conference. The exit conference took place at 10 a.m. CDT at the agency's office. Participating in the conference were:

Federal Transit Administration (FTA)

- John Day, Program Manager for Policy and Technical Assistance, Office of Civil Rights (by telephone)
- Nicole Spivey, Community Planner, Region IV (by telephone)

City of Gadsden

- Nick Hall, Director of Planning
- Meinrad Tabengwa, Transportation Planner
- Kerry Payne, Transit Coordinator

Milligan and Company, LLC

- Sandra Swiacki, Project Director (by telephone)
- Cynthia Lister, Lead Reviewer
- Habibatu Atta, Reviewer
- Kristin Tighe, Reviewer

FTA provided the City of Gadsden with a draft copy of the report for review and response. The City had no comments to the draft report.

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### 5.3 Stakeholder Interviews

This section discusses information on the service or policy issues resulting from interviews with representatives from the local disability community and local disability advocacy organizations concerning the subject of this review. The review team interviewed four complementary paratransit riders and three representatives of disability agencies that serve paratransit riders. Following is a summary of comments received:

**Eligibility:** No respondents reported concerns or problems with the certification process. One individual said that the City made it easy to get the photo ID card and did not charge for this. An agency representative stated that City staff are helpful in assisting applicants. Another said decisions are made swiftly.

**Telephone access:** Interviewees reported no difficulties with telephone access, saying most of the time, phones are answered within one minute, even during peak hours. One reported slightly longer wait times around the first and 15<sup>th</sup> of the month, “but not a long time. These are when everyone calls to reserve.” When asked, respondents said that requests for Monday ADA service made on Sundays using voice mail are always honored at the requested time.

**Reservations, denials, and wait lists:** Respondents reported that staff usually accepts requested times and very rarely negotiates pickup times. None had ever experienced or been told of a capacity denial, caps on service, or use of a wait list for complementary paratransit service.

**On-time performance:** None of the interviewees reported problems with on-time performance. Agency representatives said vehicles are “always” reliably on time for drop-offs and pickups. One rider said that her vehicle usually arrives early and always waits until she is ready to board. The remaining respondents said vehicles are always on time. “I visit my mom three times a week and they are always on time. You can count on them.” An agency representative said that in transporting riders to and from dialysis services, drivers give assistance, are “very aware of time constraints” and “wait whenever necessary for the patient.”

**Overly long trips:** No respondents reported concerns about long rides on a vehicle. One said that after many years of service, the only lengthy trip ever experienced was when someone backed into the paratransit van and it was necessary to wait for police.

**Drivers:** Interviewees spoke favorably about drivers, describing them as respectful, courteous, and responsive to riders’ needs and requests. “They are wonderful.” All riders and representatives queried said that drivers routinely provide assistance to and from the door.

**Resolving complaints:** All respondents reported that the City is responsive to rider or agency concerns and managers follow up immediately and personally.

**Other comments:** One rider commented, “Thank God for this program. Being in a wheelchair, I get to get around, pay bills, go to church, and do what I need to do. It’s a good service and I thank God for the service every day.” Another rider stated, “It would be good if the service ran to Southside,” but added that no public transit serves that area. All interviewees spoke very positively about the service.

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## 6. Findings and Advisory Comments

This chapter details the findings for each of the areas pertinent to the regulations found in 49 CFR Sections 27, 37 and 38 outlined in the Scope and Methodology section above. For each area, an overview of the relevant regulations and a discussion of the regulations as they apply to the City of Gadsden’s paratransit system is provided below, with corrective actions and a timetable to correct deficiencies for each of the requirements and sub-requirements where necessary.

Findings are expressed in terms of “deficiency” or “no deficiency.” Findings of deficiency denote policies or practices found to be not in compliance with DOT ADA regulations or matters for which FTA requires additional reporting to determine whether an ADA compliance issue exists.

Findings of deficiency shall always require corrective action and/or additional reporting, and will always be expressed as:

- A statement concerning the policy or practice in question at the time of the review.
- A statement concerning the DOT ADA requirements being violated or potentially being violated.
- A statement concerning the required corrective action to resolve the issue.

Advisory comments are statements detailing recommended or suggested changes to policies or practices to ensure effective practices under the ADA or otherwise assist the entity in achieving or maintaining compliance.

### 6.1 Comparable Paratransit Service

**Requirement:** Under 49 CFR 37.121, the transit agency operating a fixed-route system must provide paratransit service to individuals with disabilities that is comparable to the level of service provided to individuals without disabilities who use the fixed-route system.

**Discussion:** During this compliance review, no deficiencies were found with the requirement for comparable complementary paratransit service.

### 6.2 Paratransit Eligibility Process

#### Absence of Administrative Burdens

**Requirement:** Under 49 CFR 37.125, the transit agency must establish an eligibility process for complementary paratransit. The process may not impose unreasonable administrative burdens on applicants, and, since it is part of the entity’s nondiscrimination obligations under §37.5(d), may not involve “user fees” or application fees to the applicant.

**Discussion:** During this compliance review, no deficiencies were found with the requirement to not impose unreasonable administrative burdens on applicants.

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Applicants may call the agency office to obtain ADA service information or request an ADA application form. The application and professional verification forms are also available on the City website for download. Applicants submit completed applications by mail, fax, or in person. The ADA paratransit eligibility determination process does not include an interview or in-person assessment, although the manager may call the applicant or treating professional to follow up or obtain additional information. All applicants found eligible receive a photo ID; the City provides free transportation to obtain this card.

### **Paratransit Eligibility Standards**

**Requirement:** Under 49 CFR 37.123 (e)(1)-(3), the transit agency's eligibility processes, application materials and public information must be comprehensive enough to permit the transit system to determine that the following individuals are ADA paratransit eligible:

Any individual with a disability who is unable, as the result of a physical or mental impairment (including a vision impairment), and without the assistance of another individual (except the operator of a wheelchair lift or other boarding assistance device), to board, ride, or disembark from any vehicle on the system which is readily accessible to and usable by individuals with disabilities

Any individual with a disability who needs the assistance of a wheelchair lift or other boarding assistance device and is able, with such assistance, to board, ride and disembark from any vehicle which is readily accessible to and usable by individuals with disabilities

Any individual with a disability who has a specific impairment-related condition which prevents the individual from traveling to a boarding location or from a disembarking location

**Discussion:** During this compliance review, no deficiencies were found with the transit agency's ADA paratransit eligibility process.

The City uses a written application and professional verification form to make an ADA eligibility determination. The agency accepts information from several categories of professionals who can provide reliable information about the applicant's functional abilities as these relate to accessible fixed-route use. At the time of the site visit, the City had almost 100 individuals in its database certified as ADA paratransit-eligible and classed as active users—a total of 58 certified in FY 2017 and 2018, and approximately 30 dating from FY 2016 or before who continue to use complementary paratransit service. Reviewers found that the City has provided unconditional eligibility to all applicants who submitted completed applications in FY 2017 and FY 2018. The City offers temporary but not conditional eligibility.

<b>City of Gadsden ADA Paratransit Service: Eligibility Determinations by Category Two-year period ending June 30, 2018</b>		
<b>Outcomes</b>	<b>Total Number of Determinations</b>	
	<b>FY 2017</b>	<b>FY 2018</b>
Unconditional eligibility	32	26
Temporary eligibility	0	0
Ineligible	0	0
Visitor eligibility	0	0
Incomplete or withdrawn	4	6
<b>TOTAL</b>	<b>36</b>	<b>32</b>

The team reviewed all 68 eligibility files. For the 58 completed applications, all determinations seemed reasonable.

At the time of the review, the City's Transit Coordinator had been responsible for the agency's ADA eligibility process for approximately two and one-half years. He reviews submitted applications (averaging two or three each month), telephones applicants and designated professionals to follow up when documents are incomplete, evaluates completed applications, and makes eligibility determinations. All actions are logged and dated in a computerized spreadsheet which lists all application activity. When an applicant is found ADA-eligible, a customer file is created and in addition, to alert anyone handling a reservation request, the individual is flagged as an ADA paratransit rider. (This assures that the rider's eligible trip requests will always be accommodated within the ADA scheduling window.)

The City makes ADA paratransit applications and professional verification forms available by mail, and on-line for downloading from the agency website. Reviewers observed City staff explaining the ADA eligibility requirements and process to callers at length. Nonetheless, when incomplete applications are submitted, the Transit Coordinator follows up with these applicants. He stated that while the usual reason for incomplete applications is the delay in receiving the professional verification, some applicants opt to withdraw, and others decide to use another demand-response program.

### **Accessible Information**

**Requirement:** Under 49 CFR 37.125(b), the transit agency must make all information about the process, materials necessary to apply for eligibility, and notices and determinations concerning eligibility available in accessible formats, either as a rule or upon request.



**Discussion:** During this compliance review, no deficiencies were found with the requirement to provide accessible eligibility information, or with how the transit agency communicates the availability of materials in accessible formats to applicants and potential applicants.

The agency's website provides a "DART User Guidelines" ADA paratransit handbook and ADA application. Both contain statements that information in accessible formats is available upon request, with contact information provided. City management confirmed their process for providing such materials when requested.

### **Eligibility Determinations or Presumptive Eligibility within 21 Days**

**Requirement:** Under 49 CFR 37.125(c), if the transit agency has not made an eligibility determination on the 21<sup>st</sup> day following the submission of a complete application, it must treat the applicant as eligible on the 22<sup>nd</sup> day and have a process in place to provide service to the applicant beginning on the 22<sup>nd</sup> day and until the eligibility determination has been made. The transit agency's process must communicate the right to this presumptive eligibility to applicants so they are aware of their rights to schedule and use the service, beginning on the 22<sup>nd</sup> day.

**Discussion:** During this compliance review, no deficiencies were found with the requirement to have a presumptive eligibility process in place and/or make an eligibility determination within 21 days of receipt of a complete application, or to communicate an applicant's right to presumptive eligibility.

The City's "DART User Guidelines" ADA paratransit handbook, and the ADA paratransit application each state that if the City has not made a determination within 21 days of receipt of the completed application, temporary eligibility will be granted.

The review team examined the 58 applications for which the City issued ADA eligibility determinations in FY 2017 and 2018. They found that virtually all determinations were made and letters mailed within one to two days of receipt of the completed application. None exceeded five days' processing time. City staff informed reviewers that in cases where the applicant urgently needs service, telephone notification is used and trip requests are accommodated immediately.

<b>City of Gadsden ADA Paratransit Service: Application Processing Time for ADA Paratransit Determinations Two-year period ending June 30, 2018</b>		
<b>Days Required to Make Determination and Issue Notification Letter</b>	<b>Total Number of Determinations</b>	
	<b>FY 2017</b>	<b>FY 2018</b>
Same Day	25	21
One Day	4	3
Two Days	1	1
Three Days	0	1
Four Days	1	0
Five Days	1	0
Six to Twenty-One Days	0	0
<b>TOTAL</b>	<b>32</b>	<b>26</b>

### **Written Eligibility Determinations including Specific Reasons for Denials or Temporary or Conditional Eligibility Determinations**

**Requirement:** Under 49 CFR 37.125(d), determinations of eligibility must be made in writing. If applicants are found to be ineligible, the determination must state the specific reasons for the decision (a mere statement that the applicant has been found to be ineligible is not sufficient). If an individual has been determined to be conditionally or temporarily eligible, the determination must state the conditions under which eligibility is granted and the basis for that determination. Information concerning the applicant's right to appeal under §37.125(g) must also be provided.

**Discussion:** During this compliance review, no deficiencies were found with the requirement to make eligibility determinations in writing, or with how the transit agency communicates eligibility determinations or the right to an appeal to applicants.

The review team examined the 58 applications for which the City issued ADA eligibility determinations in FY 2017 and 2018. They found that all determinations were made in writing and included the information which US DOT regulations require. These letters notified applicants that they had been found unconditionally eligible and therefore did not include appeal information. However, the City maintains a file of templates for use when needed in preparing determination letters of ineligibility or temporary eligibility. Reviewers found that these sample letters provided all required information, including appeal information and examples of specific reasons for the determination.

## Recertification of Eligibility at Reasonable Intervals

**Requirement:** Under 49 CFR 37.125(f), the transit agency is permitted to require paratransit riders to recertify eligibility at reasonable intervals. As stated in Appendix D, a reasonable interval would be between one and three years.

**Discussion:** During this compliance review, no deficiencies were found with the City's policies regarding recertification.

Presently the City certification letters state that eligibility is good for two years and that customers will then need to reapply. However, the City's practice has been to extend eligibility indefinitely to the approximately 30 individuals certified prior to FY 2017 as unconditionally ADA-eligible, and to encourage those certified thereafter to reapply, rather than to terminate anyone's eligibility. With only an additional 58 riders certified during FY 2017 and 2018 (all of whom are unconditionally eligible), City managers said that riders have the option to reapply, and some do, but the transit agency does not intend to make riders ineligible if they do not reapply.

## Administrative Appeals Process for Denials or Decisions Granting Conditional or Temporary Eligibility

**Requirement:** Under 49 CFR §37.125(g), the transit agency must have a process for administering appeals through which individuals who are denied eligibility can obtain review of the denial. The transit agency is permitted to require written notice, within 60 days of its written decision denying or limiting eligibility that the applicant wishes to exercise his or her right to an appeal hearing. The transit agency cannot require the "filing of a written appeal."

The appeal process must include an opportunity for the applicant to be heard and to present information and arguments, with appropriate separation of authority (i.e., a decision by a person not involved with the initial decision to deny eligibility). Appeal decisions must be provided in writing and explain the reasons for denying the appeal. The appeal hearing must be scheduled within a reasonable amount of time, and if a decision has not been made within 30 days of the completion of the appeal process, the appellant must be provided paratransit service from that time until and unless a decision to deny the appeal is issued, as required.

**Discussion:** During this compliance review, no deficiencies were found with the process or documents by which ADA applicants can appeal eligibility denials or decisions that limit eligibility.

Although the agency offers temporary eligibility, the City does not make determinations of conditional eligibility. All completed ADA applications submitted to the City during the past two and one-half years have been found unconditionally eligible. Nonetheless, reviewers confirmed that the City has appropriate policies, procedures, and documents in place to notify applicants of their right to appeal and how to do so, and also to administer eligibility appeals and assure timely decisions and notification thereof, while maintaining separation of authority.

As previously mentioned, the City maintains a file of templates for use when needed in preparing ADA determination letters of ineligibility or temporary eligibility. Reviewers verified that these sample letters provide all required information, including notification of the right to appeal, appeal information, and examples of specific reasons for the determination.

The City's ADA eligibility appeal process is initiated by applicants completing a brief appeal request form, to be submitted within 60 days of the date of the determination letter. Appellants can request an in-person hearing and can bring representatives to the hearing. Alternate-format information and interpreters are available upon request. The City will provide free transportation to/from the hearing. The City will arrange a hearing date within a month. The panel hearing the appeal includes a City representative not involved in the original decision, a disability community member, and an individual with professional knowledge of the appellant's specific disability. The panel must render its decision in writing within 30 days after the completed proceeding; if not, the appellant is considered presumptively eligible for ADA paratransit service.

### **Complementary Paratransit for Visitors**

**Requirement:** Under 49 CFR 37.127(d) and (e), paratransit service must be made available to visitors not residing in the jurisdiction(s) served by [Transit System] for any combination of 21 days during any 365-day period, beginning with the visitor's first use of the service during the 365-day period. The transit system must treat as eligible all visitors who present information that they are eligible for paratransit service in the jurisdiction in which they reside; for those who do not present such documentation, the transit system may require documentation of the individual's place of residence and, if the individual's disability is not apparent, of his or her disability. In no case may the transit system require a visitor to apply for or receive eligibility certification for its own paratransit system before providing this service.

**Discussion:** During this compliance review, no deficiencies were found with the City's policy and process for making paratransit service available to individuals meeting the definition of a visitor.

The City's written visitor policy provides up to 21 days of eligibility during a 365-day period to visitors who present documentation of ADA eligibility documentation from another jurisdiction, or documentation of disability, and also to visitors without documentation whose disability is apparent or who declare themselves to be unable to use fixed-route service. The eligibility manager told reviewers that upon receipt and system entry of required information, visitors could use service within one day. Information about visitor service is available on the agency website in the DART ADA Program.

## **6.3 Types of Service**

**Requirement:** Under 49 CFR 37.129(a), the transit agency's ADA complementary paratransit service must be provided on an origin-to-destination-basis. The transit agency may determine through its local planning process whether to establish either door-to-door or curb-to-curb service as the basic mode of paratransit service. Where the local planning process establishes

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curb-to-curb service as the basic paratransit service mode, however, provision must still be made to ensure that the service available to each passenger actually gets the passenger from his or her point of origin to his or her destination point. To meet this origin-to-destination requirement, service may need to be provided to some individuals, or at some locations, in a way that goes beyond curb-to-curb service.

**Discussion:** During this compliance review, no deficiencies were found with the requirement to provide origin-to-destination service to eligible riders or the transit agency's procedures to provide additional assistance beyond the curb if needed due to disability for eligible riders to complete their trips.

City managers stated that the agency provides origin-to-destination service—that additional assistance is provided beyond the vehicle to/from the origin or destination point whenever requested, when the need is apparent, or by prior arrangement. During driver and stakeholder interviews, reviewers verified that door-to-door service is routinely being provided by drivers. After reviewing the City's driver training, operator manual, printed public information, and website contents, team members confirmed that origin-to-destination service is established agency policy.

## 6.4 Service Criteria for Complementary Paratransit

**Requirement:** Section 12143(c)(3) of the ADA directed the Secretary of Transportation to establish minimum criteria to establish service criteria to be used when determining whether the service provided by paratransit is comparable to the regular fixed-route system. These criteria are contained in 49 CFR 37.131, and include service area, response time, fares, hours and days of service, and prohibit restrictions on trip purpose and capacity constraints that limit the availability of service to eligible individuals. The review team assessed the transit agency's ADA paratransit system using these criteria as described below.

### Service Area

**Requirement:** Under 49 CFR 37.131(a)(1), all public operators of a fixed-route system must provide complementary paratransit service that covers, at a minimum, all areas within a ¾-mile radius of all of its bus routes, and within a "core service area" that includes any small areas that may be more than ¾-mile from a bus route, but are otherwise surrounded by served corridors. This includes any areas that cross political boundaries or taxing jurisdictions, but are within a ¾-mile radius of a fixed route, unless the public transit agency does not have the legal authority to operate in those areas. For entities operating a light rail or rapid rail system, the paratransit service area must also include a ¾-mile radius around each station, with service provided from points within the service area of one station to points within the service area of another.

**Discussion:** During this compliance review, no deficiencies were found with the requirement to provide ADA paratransit service to eligible individuals to and from origins and destinations within the service area.

The City's ADA paratransit service area includes all areas within a three-quarter-mile radius of its fixed routes. However, on a space-available basis, the City also offers all its riders same-day service and additional demand response service beyond the minimum ADA service area, extending through the remaining portions of Gadsden into the adjoining areas of Attalla and Rainbow City. As a result, the City estimates its total service area encompasses almost 75 square miles.

## Response Time

**Requirements:** Under 49 CFR 37.131(b), the transit agency must schedule and provide paratransit service to any ADA complementary paratransit eligible person at any requested time on a particular day in response to a request for service made the previous day, including during times comparable to normal business hours on a day when the offices are not open before a service day. Reservations may be taken by reservation agents or by mechanical means. Under 49 CFR 37.131(b)(2), while the transit agency may negotiate pickup times with the rider prior to the trip being scheduled, it cannot require the rider to schedule a trip to begin more than one hour before or after the individual's desired departure time. Any greater deviation would exceed the bounds of comparability. The transit agency must have policies and procedures in place to ensure that schedulers and dispatchers do not adjust the rider's negotiated pickup time or the pickup window without the rider's consent.

Under 49 CFR 37.131(b)(4), if the transit agency proposes to change its reservations system, it shall comply with the public participation requirements equivalent to those of §37.137 (b) and (c). The transit agency may permit advance reservations to be made up to 14 days in advance of an eligible individual's desired trips, subject to the same trip negotiation requirements as next-day trips required under §37.131(b)(2).

**Discussion:** During this compliance review, no deficiencies were found with the response time requirements.

During three two-hour observation sessions in the call center, City managers and staff demonstrated their recognition and understanding of ADA response time requirements. Team members also observed that the agency does not typically negotiate pickup times. Rather, staff, almost without exception, offer riders the times they request. Additionally, to assure compliance with the City's longstanding policy prohibiting ADA capacity denials, the agency has identified ADA-eligible callers through markers placed in their customer files so that staff will know that their trip requests must be accommodated within 60 minutes of the requested pickup time.

The City accepts ADA paratransit trip requests from one to 30 days in advance, and telephone reservations can be made Monday through Friday from 6:00 a.m. to 6:00 p.m. and on Saturday from 9:00 a.m. to 2:00 p.m. They also accept same-day requests if capacity is available. Reviewers confirmed that next-day trip requests are accommodated: On Sunday, to make a next-day reservation for a Monday trip, customers are asked to leave detailed trip information on voice email. Staff then confirm these trip reservations early on Monday morning. The same procedure is used for next-day reservations for days following a holiday when the office is closed. Whether the request is made directly or via voice mail, the City's policy is that all ADA-eligible trip requests must be honored.

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During schedule and manifest reviews, and call center observations, the review team saw no evidence of improper schedule changes or use of wait lists.

## Fares

**Requirement:** Under 49 CFR §37.131(c), ADA paratransit fares must be no more than twice the fixed-route fare for the same trip at the same time of day on the fixed-route system, excluding discounts. The transit agency must allow eligible riders to travel with at least one companion (with additional companions accommodated on a space-available basis). If the passenger is accompanied by a personal care attendant (PCA), the transit system must provide service to one companion in addition to the PCA. Companions may be charged the same fare as the eligible rider; no fare may be charged for a PCA.

**Discussion:** During this compliance review, no deficiencies were found with the requirements for comparable paratransit fares or policies or practices concerning fares, PCAs or companions.

The base fare for City fixed-route service is \$0.50; the base fare for ADA paratransit service for ADA-paratransit-eligible riders and their companions (and also for general public demand-response riders classed as “disabled” or “senior”) is \$0.75. Personal care attendants ride free. In addition, ADA paratransit riders pay no additional fare when traveling beyond the minimum ADA service area, or for same-day service. The City lists and explains its fares in the paratransit rider handbook and on the agency website.

## No Trip Purpose Restrictions

**Requirement:** Under 49 CFR 37.131(d), there can be no restrictions or priorities based on trip purpose. When a user reserves a trip, the entity will need to know the origin, destination, time of travel, and how many people are traveling. The entity does not need to know why the person is traveling, and should not even ask.

**Discussion:** During this compliance review, no deficiencies were found with the requirements that ADA paratransit service be provided free from restrictions or priorities based on trip purpose.

The City’s “DART User Guidelines” state that service will be provided without regard to trip purpose. Staff did not ask or record trip purpose when reviewers observed them taking requests for paratransit trips. In discussing the eligibility process, managers stated that decisions are made without regard to priorities based on trip purpose.

## Hours and Days of Service

**Requirement:** Section 37.131(e) of the DOT ADA regulations requires that the ADA complementary paratransit service be available during the same hours and days as the fixed-route service. This means that if a trip can be taken between two points on the entity's fixed-route system at a specific time of day, it must also be able to be taken on paratransit. It also means that the service area may change depending upon the time of day or day of the week, when certain routes or areas may not be served. This requirement applies on a route-by-route basis. For example, an area that has fixed-route bus service on weekdays but not weekends must have ADA complementary paratransit service (provide trips) on weekdays but not necessarily on weekends; an area that has bus service from 5 a.m. until 9 p.m. must have ADA complementary paratransit service, at minimum, from 5 a.m. until 9 p.m.

**Discussion:** During this compliance review, no deficiencies were found with the requirements that ADA paratransit service be provided during the same hours and days as fixed-route service.

The City provides fixed-route service from 6 a.m. to 6 p.m. Monday through Friday, and from 9 a.m. to 2 p.m. Saturday. The paratransit service hours and days mirror fixed-route hours and service is available whenever fixed-route service is available. The review team examined scheduling software and manifests to verify that the City accepts requests for pickup up to 30 minutes before the end of fixed-route service and shortly after its commencement.

## Absence of Capacity Constraints

**Requirement:** Under 49 CFR 37.131(f), the transit agency may not limit the availability of complementary paratransit service to ADA paratransit eligible individuals by any of the following: restrictions on the number of trips an individual will be provided; waiting lists for access to the service; or any operational pattern or practice that significantly limits the availability of service to ADA paratransit eligible persons. Such patterns or practices include, but are not limited to, substantial numbers of significantly untimely pickups for initial or return trips, substantial numbers of trip denials or missed trips, or substantial numbers of trips with excessive trip lengths.

### No restrictions on the number of trips provided to an eligible individual

**Requirement:** Under 49 CFR 37.131(f)(1), the transit agency may not impose restrictions on the number of trips that will be provided to an eligible rider.

**Discussion:** During this compliance review, no deficiencies were found with the requirements that ADA paratransit be provided without limiting the number of trips that an eligible rider may take.

The City does not limit the number of trips its ADA paratransit riders may reserve. There is no mention of restricting the number of trips an individual may take in the City's "DART User Guidelines" rider handbook or on the agency website.

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### No waiting list for access to the service

**Requirement:** Under 49 CFR 37.131(f)(2), the transit agency is prohibited from establishing policies or engaging in practices and/or procedures which establish waiting list(s) for accessing the service.<sup>1</sup>

**Discussion:** During this compliance review, no deficiencies were found with the requirements that ADA paratransit service be provided without the use of waiting list(s).

While onsite, the review team did not observe staff denying trip requests or placing any requests on waiting lists. Reviewers found no evidence of use of a waiting list in agency policies or practices.

### No substantial numbers of significantly untimely pickups for initial or return trips

**Requirement:** Under 49 CFR 37.131(f)(3)(i)(A), the transit agency must provide ADA paratransit service without any substantial numbers of significantly untimely pickups for initial or return trips.

**Discussion:** During this compliance review, no deficiencies were found with the requirements that ADA paratransit service be provided without substantial numbers of significantly untimely pickups.

The City's on-time performance standard for its total co-mingled service (i.e., paratransit and demand-responsive service) is 92 percent (including early arrivals), and the agency monitors performance on a monthly basis. The agency uses a 30-minute on-time window (15/15) and requires riders to be ready throughout the window. Drivers are required to wait five minutes within the window for riders to board before departing. The City prohibits drivers from pressuring riders to board in advance of the window and requires drivers to notify dispatch if a rider does not appear, so that dispatch can attempt to contact the rider.

The City exceeds its agency standard. The City's monthly on-time performance data for the final six months of FY 2018 collected by the agency's paratransit software shows 97.1 percent on-time performance (including early) for total co-mingled service, and 98 percent for trips identified as "disability", which includes all ADA paratransit trips.

The review team used data collected by Route Match, the City's transit operations software, to examine independently 140 "disability" trips randomly selected from the sample week June 17 – 23, 2018. This independent analysis showed 95 percent on-time performance for disability-based service during the sample period.

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<sup>1</sup> Under §37.133(c), waiting lists may only be established for participation in subscription service that may be offered as part of the transit agency's paratransit system.

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<b>Calculated On-time Performance City of Gadsden “Disability” Trips Sample Week: June 17 – 23, 2018</b>		
<b>Total trips in Sample</b>	<b>140</b>	<b>100 percent</b>
<b>In window (-15/+15) or Early</b>	<b>133</b>	<b>95 percent</b>
<b>Late (arrival after window)</b>		
<b>Late (arrival after window)</b>	<b>7</b>	<b>5 percent</b>
1-15 minutes late	7	
16-30 minutes late	0	
>30 minutes late	0	

In addition, further analysis showed that among the sampled trips, 26 individuals using wheelchairs experienced the same level of, better, or very close on-time performance (100 percent vehicle arrival in the window or early for wheelchair users) as did 114 riders who were ambulatory (107 arrivals in the window or early; seven late; 94 percent on-time performance for ambulatory riders). The randomly selected sample did not include any trips scheduled by appointment.

None of the stakeholders interviewed by the review team reported problems with late vehicles or unreliable service. All spoke positively about the City’s on-time performance.

### **No substantial numbers of trip denials or missed trips**

**Requirement:** Under 49 CFR 37.131(f)(3)(i)(B), the transit agency must provide ADA paratransit service without substantial numbers of trip denials or transit agency missed trips. A denial occurs whenever a transit system is unable to provide a trip on a next-day basis as requested by an eligible passenger between points within the paratransit service area, at a time when the fixed-route system is operating, subject to the limitations on trip time negotiation. Under 49 CFR 37.131(b) of the DOT ADA regulations, the transit system may negotiate pickup times with a passenger, but cannot require the passenger to schedule a trip to begin more than one hour before or after his or her desired departure time. If the trip cannot be arranged within this timeframe a denial has occurred whether or not the passenger accepts a departure time of more than one hour earlier or later. In addition, when a denied trip makes a subsequent requested trip impossible, as could occur in the case of an individual taking a round trip to and from a specific location, two trips have been denied.

**Discussion:** During this compliance review, no deficiencies were found with the requirements that ADA paratransit service be provided without substantial numbers of trip denials or missed trips. A deficiency was found with the transit agency’s service monitoring efforts in that the City does not support its long-standing agency policies of no ADA capacity denials and no missed trips with sufficient data documentation, tracking, and reporting.

Based on team members' observations and data review, and the City's policies regarding ADA trip denials and missed trips, the City does not appear to incur any ADA trip denials or missed trips. Nonetheless, due to insufficient data collection, tracking, and reporting, it is difficult for the City to substantiate these achievements.

In responding to FTA's pre-review request for information, the City provided this definition of ADA capacity denial: "...trips that the ADA customer cannot get for the time and day that they request, whenever dial-a-ride cannot provide a trip within 60 minutes before or after the desired time. All ADA denials must be documented. Even when an ADA rider accepts a time more than one hour earlier or later, because the original trip was not arranged within the one-hour time frame, the original trip request counts as an ADA capacity denial and it must be documented. ADA trip requests must be accommodated within one hour before or after the requested time. The goal is zero ADA trip denials." This definition does not mention ADA trip denials which prevent the anticipated return trip, and which must be counted as two denials.

In discussions with agency personnel, the reviewers concluded that all managers and staff recognize and understand the regulatory requirements governing ADA denials. The City policy requires zero ADA capacity denials and also zero trip reservation negotiations which shift trip times beyond the 60-minute threshold. In support of this policy, the City has used the paratransit scheduling system to enable ready identification of ADA-eligible trip requests during the trip reservation process. During reservations observations by the review team, no ADA capacity denials occurred. Finally, as of June 18, 2018, the City began tracking and reporting ADA capacity denials. For the 30-day period June 18 – July 18, 2018, reviewers' analysis of trip reservation documentation examined 34 documented trip denials. Team members identified three as adversarial denials (trip refusals by ADA-eligible riders), and 31 as trips denied to non-ADA-eligible riders. None were ADA capacity denials. None of the stakeholders interviewed by the review team had experienced a capacity denial or knew anyone who had, nor did they express concerns about capacity denials.

The review team discussed with managers the requirement to ensure that all staff understand what a capacity denial is, and to maintain ADA capacity denial documentation, tracking, and reporting in order to identify and address potential capacity constraints, and to document the agency's performance achievements.

Similarly, reviewers found that the City does not track missed trips and thus was unable to provide data for these. The agency's definition of a missed trip is "...trips the customer does not take because our service is not on time (within the 30 minute on-time window)." The City's standard and unwritten policy for missed trips is zero and staff stated to reviewers that the agency's policy is that missed trips are prohibited. In examining trip data and manifests the reviewers found no missed trips, nor did they identify situations where a missed trip occurred, but the customer was incorrectly made a no-show. The review team discussed with managers the requirement to routinely track and report on missed trips (or the absence of these) in order to identify and address potential capacity constraints and, again, document performance achievements.

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**Corrective Action and Schedule:** Within 60 days of the issuance of the final report, the City must develop and then generate, on a monthly basis, complementary paratransit performance reports. These reports should document and support the agency's policies and standards regarding ADA capacity denials and missed trips and provide statistics both for all dial-a-ride ridership (including demand response transportation), and complementary paratransit ridership by individuals with disabilities. The City must also provide to FTA the agency's definitions of ADA capacity denials and missed trips, including statements of the agency's standard for each.

### **No substantial numbers of trips with excessive trip lengths**

**Requirement:** Under 49 CFR 37.131(f)(3)(i)(C), the transit agency must provide ADA paratransit service without substantial numbers of trips with excessive trip lengths.

Comparability is based on the length of time required to make a similar trip between the same two points using the fixed-route system, including time spent traveling to and from a boarding point and waiting for the fixed-route vehicle to arrive. FTA recommends basing paratransit travel time on the comparable fixed-route travel time, plus 20-30 minutes to allow for a reasonable estimate of time spent walking to and from a bus stop, waiting for the bus to arrive, and making any necessary transfers from one vehicle to another.

**Discussion:** During this compliance review, no deficiencies were found with the requirements that ADA paratransit service be provided without substantial numbers of trips with excessive trip lengths.

City managers stated to reviewers that the agency considers 45 minutes of travel time to be, in general, comparable to fixed-route travel times. Anything over 45 minutes is considered excessive. Their goal is to keep 92 percent of travel time under 45 minutes. In attempting to establish comparability to the City's fixed-route service, reviewers first noted that two north-south routes and one east-west route each run 60-minute schedules, while the second east-west route runs a 30-minute schedule. Reviewers also found that in this locality they were unable to make use of trip planning software applications. Finally, they found that many dial-a-ride trips serve points outside the fixed-route service area, making it impossible to determine comparable travel times for a significant number of complementary paratransit trips with any degree of specificity.

Reviewers were able to establish basic trip lengths, and to compare these with the City's 45-minute trip length standard. Using data from the sample week June 17 – 23, 2018, the review team independently examined a random sample of trips classed as "disability" trips. This category includes all trips by ADA-paratransit-eligible individuals. Reviewers' analysis showed that for the sample week, a majority of sample trips were less than 30 minutes in duration. In cases where fixed-route data was available, team members found that many sample paratransit trips took less time than comparable trips using fixed route. No trips in the sample exceeded 55 minutes of on-vehicle time. Examination of sample trips where duration was 45 minutes or longer showed that all began, ended, or were entirely located outside the ADA paratransit service area and where no fixed-route service is available.

Stakeholders interviewed by the review team did not express concerns about excessive trip length.

### **No operational patterns or practices limiting the availability of service to ADA eligible people**

**Requirement:** This section also prohibits any operational patterns or practices that significantly limit availability of service to ADA eligible people. Examples of such operational patterns or practices include insufficient capacity to take reservations, long telephone hold times, and untimely drop-offs for appointments.

**Discussion:** During this compliance review, no deficiencies were found with the requirements that ADA paratransit service be provided without the use of any operational patterns or practices that significantly limit the availability of service to ADA eligible people.

With regard to telephone access, the review team observed no potential constraints other than the City's inability to collect and report usage data, a circumstance that at present is not within the agency's power to correct.

The City's transportation facility is part of the City of Gadsden municipal phone system. This means that customers call a central number and then follow the prompts to reach different units. Depending on the time of day, as many as three dispatchers located in the call center answer fixed route and paratransit calls of all kinds – dial-a-ride trip requests for all programs; service information for fixed route and dial-a-ride; ADA eligibility; customer service inquiries such as lost and found; other calls to be transferred elsewhere in the agency. Simultaneously, these dispatchers are also responding to radio and computer messages from complementary paratransit and fixed-route drivers.

In discussing its telephone standards, management reported: "Telephone call-handling standards for both reservations and dispatching are to try to limit hold times to three minutes or less with a maximum of five minutes, with the call pick up time being within five rings, and calling back abandoned calls when and as soon as possible." During three observation sessions in the call center, reviewers observed that staff routinely met or exceeded these goals. In addition, they found that the City has established an overflow procedure where during high-volume call periods, calls in queue roll over to the administrative offices for the director, operations manager, or grants manager to respond.

Team members learned that the current municipal system does not permit the City to track usage or lengths of time on hold/in queue. The system constraints mean that no telephone data is available and no individual reports can be generated. However, the new City transportation headquarters facility will feature an updated telephone system. Reviewers discussed with the agency the requirement to track and report phone usage, and the importance of telephone data in identifying potential staffing issues and capacity constraints.

Stakeholders interviewed by team members did not cite telephone access as a concern and reported no problems with it.

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## 6.5 Subscription Service

**Requirement:** Under 49 CFR 37.133, transit agencies are permitted (but not required) to provide subscription service (pre-arranged trips at a particular time not requiring individual trip reservations for each trip). If provided, however, subscription service may not comprise more than 50 percent of the available trips at any given time unless the system is experiencing no capacity constraints.

**Discussion:** During this compliance review, no deficiencies were found with the requirements concerning the provision of subscription trips as part of the ADA paratransit program.

The review team's analysis of service usage showed high subscription ridership in early weekday morning and late afternoon hours. Managers stated that they are aware of and monitor subscription trip levels. However, they believe that the agency's longstanding policy of zero ADA capacity denials, and its prioritization of ADA trip requests when necessary, assure that all ADA-eligible trip requests will continue to be accommodated within the mandated span of one hour before to one hour after the requested time.

## 6.6 Reasonable policies for proposed service suspensions for missing scheduled trips and the right to appeal

**Requirement:** Section 37.125(h) of the DOT ADA regulations states that transit agencies "may establish an administrative process to suspend, for a reasonable period of time, the provision of complementary paratransit service to ADA eligible individuals who establish a pattern or practice of missing scheduled trips." FTA has permitted transit systems to regard late cancellations as no-shows if and only if they have the same operational effect on the system as a no-show, generally less than 1–2 hours of the scheduled trip time.

Under 49 CFR 37.125(h)(1), trips missed by riders for reasons beyond their control, including trips missed due to operator or transit system error, must not form the transit agency's basis for determining that such a pattern or practice exists. The transit agency's policies must therefore distinguish between no-shows that are within the rider's control and those that are not, and propose sanctions only on the basis of the former. In order to establish whether a rider has engaged in a pattern or practice of missing scheduled trips, the transit agency must also account for a passenger's frequency of use. The appeals process required under §37.125(g) must be available to an individual on whom sanctions have been imposed, and the sanction must be stayed pending the outcome of the appeal.

**Discussion:** During this compliance review, no deficiencies were found with the requirements concerning the City's no-show and late cancellation or service suspension and appeal policies.

The City states its policies and procedures regarding no-shows in its "No-Show & Late Cancellation Policy", "Suspension Appeals Process", and "ADA Paratransit Suspension Appeal Request Form", all of which are posted on and downloadable from the City website. Additionally, the City describes these policies in the "DART User Guidelines".

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The review team examined The City's no-show and suspension policy and procedures, and its suspension appeal request form. These appear to be within the regulatory requirements listed above.

The City policy defines a no-show or late cancellation as when the rider or representative has not cancelled the trip two hours or more before the scheduled pickup window, and the vehicle arrives at the scheduled pickup location within the 30-minute pickup window, and the rider cancels at the door or the driver cannot reasonably see the rider approaching the vehicle within five minutes of the vehicle's arrival at the pickup location. The policy specifically excludes no-shows beyond the rider's control.

Reviewers noted that the agency's policy takes into account frequency of use, stating that riders may be suspended from service after establishing a pattern and practice of no-shows—incurring five or more no-shows in one calendar month, while at the same time the number of no-shows represents more than 15 percent of trips booked by the rider during the same month.

The City policy includes written notification of no-shows and notes that the agency will issue a written warning after compiling five no-shows in a calendar month. The notification communicates in writing the rider's right to appeal, and imposes reasonable, progressive sanctions. For ADA riders, the first month's no-shows bring a letter of warning; the second, third, and fourth violations bring suspensions of five, ten, and fifteen days respectively. Loss of subscription service takes effect with three no-shows in one calendar month.

The City has established an appropriate service suspension appeal policy and procedures which provide due process, and which parallel its ADA paratransit eligibility appeal process. To appeal a service suspension, riders must return a completed Suspension Appeal Request Form to the City within 14 days from the date of the notification letter. Appellants are encouraged to provide additional information and can participate in an in-person hearing if they wish, but this is not mandatory. They can bring representatives to the hearing. Upon request, the City will make alternate-format information and interpreters available. The City will provide free transportation to/from the hearing. After receiving the request form, the City arranges a mutually convenient hearing date and the suspension is stayed until the hearing panel has rendered a decision. The panel hearing the appeal includes a City representative not involved in the original decision, a disability community member, and an individual with professional knowledge of the appellant's specific disability. The panel must render its decision in writing within 30 days after the completed proceeding; if not, the appellant continues to be eligible to use ADA paratransit service until a decision has been issued.

The City tracks and monitors riders' accumulation of no-shows and follows up by phone with riders, whenever possible on the same day. Team members examined vehicle manifests for the sample week to ascertain whether drivers had properly coded no-shows and late cancellations, comparing the date and time with the pickup window of each trip request. This analysis showed that coding was correct, and that the agency's tracking of customer no-shows appears appropriate. Team members also learned, however, that aside from immediate customer follow up, the City does not enforce this policy. Thus, no no-show-related service suspensions or appeals have taken place during the two and a half years preceding the on-site review.

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## 6.7 Complaint Resolution and Compliance Information

**Requirements:** Under 49 CFR §§ 27.13(a) and 37.17(a), the transit agencies must designate at least one person to coordinate its efforts to comply with the nondiscrimination requirements contained in DOT ADA regulations.

Under 49 CFR §§ 27.13(b) and 37.17(b), the transit agency must adopt procedures that incorporate appropriate due process standards and provide for the prompt and equitable resolution of complaints. This includes sufficiently advertising to the public the process for filing a complaint. Public advertising will typically include the agency's website. The complaint procedures must be accessible to and usable by individuals with disabilities. Finally, a transit agency must promptly communicate its response to the complaint allegations, including its reasons for the response, to the complainant by a means that will result in documentation of the response.

Under 49 CFR § 27.121(b), the agency must keep all complaints of noncompliance on file for one year and a record of all such complaints (which may be in summary form) for five years. Establishing these policies and procedures is the responsibility of the transit agency, not its contractors.

**Discussion:** During this compliance review, no deficiencies were found with the requirements to resolve complaints promptly and equitably and keep summaries of complaints on file, or to sufficiently advertise the process for filing complaints.

The City website and "DART User Guidelines" contain contact information for submitting complaints and commendations, and other customer concerns. Additionally, the website contains a downloadable ADA complaint form which also outlines the process and timeline for handling and resolving ADA noncompliance complaints. The Transportation Director is the individual identified on the website to oversee complaint procedures and to receive complaints for both fixed-route and paratransit programs. His phone number is provided.

The City's internal policy is, whenever possible, to respond to customer and agency service concerns immediately and by phone. Otherwise, the standard is to resolve the complaint within five working days. Complaints must be logged on a computer spread sheet including a detailed account of the complaint, contact information, dates and names involved in the investigation, and how, when and by whom the matter was resolved. Personal meetings with customers are routinely part of the complaint resolution process. The agency retains detailed complaint records indefinitely (more than five years).

## 6.8 Nondiscrimination

**Requirement:** Under 49 CFR 37.5, the transit agency is prohibited from discriminating against an individual with a disability in connection with the provision of transportation service, or denying any individual with a disability the opportunity to use the transportation services it

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provides to the general public. Discriminatory practices include and are not limited to requiring the use of alternate transportation services, requiring persons with disabilities to be accompanied by an attendant, imposing user fees or special charges upon people with disabilities, and requiring people with disabilities to use designated priority seating.

**Discussion:** During this compliance review, no deficiencies were found with regard to nondiscrimination requirements.

The review team was alert to the potential for encouraging, coaching, or requiring applicants and ADA-paratransit-eligible riders to enroll in or use other non-ADA complementary demand-response programs offered by the City. During four days onsite, reviewers observed no such actions on the part of staff or managers. Rather, they often heard staff explaining the ADA paratransit program to callers and saw them mail out ADA applications. They observed that the City co-mingles ADA- and non-ADA-eligible riders on the same vehicles, with all riders receiving the same service during the same hours and days. Review of the agency website and printed materials likewise showed no evidence of urging or requiring individuals to use other special transportation services.

The City imposes no charges for complementary paratransit photo ID cards or transportation to obtain the card.

## 6.9 Training Requirements

**Requirement:** Under 49 CFR 37.173, each public or private entity which operates a fixed-route or demand responsive system shall ensure that personnel are trained to proficiency, as appropriate to their duties, so that they operate vehicles and equipment safely and properly assist and treat individuals with disabilities who use the service in a respectful and courteous way, with appropriate attention to the difference among individuals with disabilities.

**Discussion:** During this compliance review, no deficiencies were found with the requirement to train personnel to proficiency as appropriate to their duties.

Concerning drivers, the City trains one or sometimes two drivers at a time. Accordingly, the City has developed an apprenticeship-style, hands-on approach to driver training using experienced lead drivers, supported by a detailed operator's manual outlining policies and procedures. A CDL with passenger endorsements is mandatory. Drivers are cross-trained to provide both fixed-route and dial-a-ride service, spending approximately half their instructional time with each service. Training first involves riding along for observation and demonstrations, then on the road accompanied driving and supervision. In addition to training in using the technology installed on fixed-route and dial-a-ride vehicles, and complementary paratransit and City policies and procedures, ADA-related topics covered include disability sensitivity, passenger assistance, mobility aid securement, and customer service/customer relations. All training is to proficiency. All drivers receive a minimum of 30 working days of on the road training, supplemented by periodic refresher training.

The four City drivers interviewed by the review team described their training as satisfactory. The interviewees included new hires and longtime employees. All appeared appropriately trained and sensitive to the need to treat riders with disabilities respectfully and courteously. All stated that they provide door-to-door service. All appeared to understand the 30-minute on-time window. Interviews with seven ADA stakeholders described drivers as courteous, professional, well-trained, and caring.

During the past year, the City acquired upgrades to its Route Match automated scheduling system. Managers stated that they planned to ensure all staff members are trained in using the software's full capabilities for reporting purposes, particularly in order to enhance schedule review.

### **6.10 Service Under Contract with a Private Entity (if applicable)**

**Requirements:** Under 49 CFR 37.23, the transit agency must ensure that any private entity with which it has entered into a contract or other arrangement to provide ADA paratransit service meets all the obligations of the DOT ADA regulations, including those for service provision and vehicle acquisition, that the transit agency would be required to meet, if it provided the service directly.

The transit agency must have policies and procedures in place to monitor the performance of its contractor(s) and ensure that these requirements are met. The transit agency is not permitted to neglect monitoring or to limit its monitoring to the terms and conditions of its contract or other arrangement with the private entity or entities.

**Discussion:** This provision is not applicable. The City operates its fixed-route and paratransit service in-house. No contractors are used.

### **6.11 Service Provided by Another Public Entity (if applicable)**

**Requirement:** Part 37 of title 49, Code of Federal Regulations, applies to any public entity that provides designated public transportation or intercity or commuter rail transportation. Under 49 CFR 37.21(b), for entities receiving Federal financial assistance from the Department of Transportation, compliance with the applicable requirements of Part 37 is a condition of section 504 of the Rehabilitation Act of 1973 and of receiving financial assistance. Where a transit agency relies on another public entity to provide paratransit service on its behalf, the transit agency remains responsible for meeting the requirements of 49 CFR Part 37. In other words, the transit agency must ensure that the service provided on its behalf meets all of the requirements that the transit agency would be required to meet, if the transit agency provided the service directly. The transit agency must have policies and procedures in place to monitor the performance of such service to ensure that these requirements are met; the transit agency is not permitted to defer to the public entity operating the service.

**Discussion:** This provision is not applicable. No other public entity provides paratransit service for the City of Gadsden.

## 6.12 Coordination of Service

**Requirement:** Under 49 CFR 37.139(g), public transit operators were required to address efforts to coordinate service with other fixed-route operators with overlapping or contiguous service areas or jurisdictions when developing their complementary paratransit plans. Coordination is an ongoing process; while these efforts are likely to have evolved over time, it is expected that such transit systems will have a mechanism in place to ensure that paratransit riders have an ability to make interjurisdictional trips on a comparable basis to individuals using the fixed-route system.

**Discussion:** This provision is not applicable. No other fixed-route operators have service areas or jurisdictions which overlap or are contiguous with the City's service area.

## Summary Table of Compliance Review Findings

Item	Requirement of 49 CFR Part 27 or 37 or 38	Reference	Site Visit Finding deficiency/ no deficiency or advisory comment	Finding(s) of Deficiency	Suggested Corrective Action	Response Days/Date
1	Comparable paratransit service	37.121	No deficiency	-	-	-
2	Absence of administrative burden	37.125 & 37.5	No deficiency	-	-	-
3	Paratransit eligibility standards	37.123 (e)(1)-(3)	No deficiency	-	-	-
4	Accessible information	37.125(b)	No deficiency	-	-	-
5	Eligibility determinations within 21 days	37.125(c)	No deficiency	-	-	-
6	Written eligibility determinations including specific reasons for denials or temporary or conditional	37.125(d)(e)	No deficiency	-	-	-

<b>Item</b>	<b>Requirement of 49 CFR Part 27 or 37 or 38</b>	<b>Reference</b>	<b>Site Visit Finding deficiency/ no deficiency or advisory comment</b>	<b>Finding(s) of Deficiency</b>	<b>Suggested Corrective Action</b>	<b>Response Days/Date</b>
7	Recertification of eligibility at reasonable intervals	35.125(f)	No deficiency	-	-	-
8	Administrative appeals process for denials and conditional eligibility	37.125(g)	No deficiency	-	-	-
9	Complementary paratransit for visitors	37.127	No deficiency	-	-	-
10	Types of service	37.129	No deficiency	-	-	-
11	Service area	37.131(a)	No deficiency	-	-	-
12	Response time	37.131(b)	No deficiency	-	-	-
13	Fares	37.131(c)	No deficiency	-	-	-

Item	Requirement of 49 CFR Part 27 or 37 or 38	Reference	Site Visit Finding deficiency/ no deficiency or advisory comment	Finding(s) of Deficiency	Suggested Corrective Action	Response Days/Date
14	No trip purpose restrictions	37.131(d)	No deficiency	-	-	-
15	Hours and days of service	37.131(e)	No deficiency	-	-	-
16	Absence of capacity constraints	37.131(f)	See items 17-22 below	-	-	-
17	No restrictions on the number of trips provided to an individual	37.131(f)(1)	No deficiency	-	-	-
18	No waiting list for access to the service	37.131(f)(2)	No deficiency	-	-	-
19	No substantial numbers of significantly untimely pickups for initial or return trips	37.131(f)(3)(i)(A)	No deficiency	-	-	-

<b>Item</b>	<b>Requirement of 49 CFR Part 27 or 37 or 38</b>	<b>Reference</b>	<b>Site Visit Finding deficiency/ no deficiency or advisory comment</b>	<b>Finding(s) of Deficiency</b>	<b>Suggested Corrective Action</b>	<b>Response Days/Date</b>
20	No substantial numbers of trip denials or missed trips	37.131(f)(3)(i)(B) 37.131(3)(1)(B)	Deficiency	Insufficient data collection, tracking, and reporting	The City must develop and then generate, on a monthly basis, complementary paratransit performance reports. These reports should document and support the agency's policies and standards regarding ADA capacity denials and missed trips and provide statistics both for all dial-a-ride ridership (including demand response transportation), and complementary paratransit ridership by individuals with disabilities. The City must also provide to FTA the agency's definitions of ADA capacity denials and missed trips, including statements of the agency's standard for each.	Within 60 days of the issuance of the final report

<b>Item</b>	<b>Requirement of 49 CFR Part 27 or 37 or 38</b>	<b>Reference</b>	<b>Site Visit Finding deficiency/ no deficiency or advisory comment</b>	<b>Finding(s) of Deficiency</b>	<b>Suggested Corrective Action</b>	<b>Response Days/Date</b>
21	No substantial numbers of trips with excessive trip lengths	37.131(f)(3)(i)(c)	No deficiency	-	-	-
22	No operational patterns or practices significantly limiting service availability	37.131(f)	No deficiency	-	-	-
23	Subscription Service	37.133	No deficiency	-	-	-
24	No-show, late cancel and reasonable service suspension & appeal policies	37.125(h)(1)-(3)	No deficiency	-	-	-
25	Complaint Resolution & Compliance Information	27.13(b) & 27.121	No deficiency	-	-	-
26	Non-discrimination	37.5	No deficiency	-	-	-
27	Training	37.173	No deficiency	-	-	-



<b>Item</b>	<b>Requirement of 49 CFR Part 27 or 37 or 38</b>	<b>Reference</b>	<b>Site Visit Finding deficiency/ no deficiency or advisory comment</b>	<b>Finding(s) of Deficiency</b>	<b>Suggested Corrective Action</b>	<b>Response Days/Date</b>
28	Service under Contract	37.23	Not applicable	-	-	-
29	Service provided by another public entity	37.21(b)	Not applicable	-	-	-
30	Coordination of service	37.139(g)	Not applicable	-	-	-

## **Attachment A: FTA Notification Letter to the City of Gadsden**



U.S. Department Of  
Transportation  
**Federal Transit  
Administration**

Headquarters

East Building, 5th Floor, TCR  
1200 New Jersey Ave., SE  
Washington, D.C. 20590

May 16, 2018

Mr. Sherman Guyton  
Mayor  
City of Gadsden  
90 Broad Street  
Gadsden, AL 35901

Dear Mr. Guyton:

The Federal Transit Administration (FTA) is responsible for ensuring compliance with the Americans with Disabilities Act of 1990 (ADA) and the Department of Transportation's (DOT) implementing regulations at 49 CFR Parts 27, 37, 38 and 39 as they apply to public transportation. As part of its ongoing oversight efforts, FTA through its Office of Civil Rights conducts a number of on-site ADA compliance reviews of grant recipients. The City of Gadsden (the City) has been selected for a review of its ADA complementary paratransit service to take place during the week of July 23, 2018.

The purpose of this review will be to determine whether the City of Gadsden is meeting its obligations to provide paratransit service as a complement to its fixed route bus service in accordance with the service criteria and eligibility requirements contained in Subpart F of 49 CFR Part 37, and other related requirements contained in 49 CFR Parts 27, 37 and 38.

The review process includes data collection and analysis prior to the on-site visit, an opening conference, on-site observation and analysis of the City of Gadsden's ADA complementary paratransit service, and an exit conference. The entire on-site portion of the review will be completed within four days. FTA has engaged the services of Milligan and Company, LLC (Milligan), of Philadelphia, PA, to conduct this compliance review. The Milligan team and FTA representatives will participate in the opening and exit conferences, with FTA participating by telephone.

We request an opening conference at **9 a.m. on Tuesday, July 24, 2018** to introduce the Milligan team and FTA representatives to the City of Gadsden, including you or your designee, the paratransit service manager, the ADA coordinator, and other key staff. During the opening conference, the review team members will present an overview of the on-site activities.

Because review team members will spend considerable time on site during the week, please provide them with temporary identification and a workspace within or near the City paratransit offices for the duration of their visit. Please let us know if you will designate a member of your staff to serve as the City's liaison with the review team and to coordinate the on-site review and address questions that may arise during the visit.

So that we may properly prepare for the on-site visit, we request that you provide the information described in Enclosures 1 and 2. Enclosure 1 consists of items that must be received **within 30 calendar days of the date of this letter**.

Electronic copies of documents are preferred. Please upload them to Milligan's file transfer protocol (FTP) site. Your reviewer will reach out to you concerning the use of the FTP site. Please be prepared to designate a point of contact for your agency, for which user access should be provided. You also have the option of sending the documents via email to Sandra Swiacki at [sswiacki@milligancpa.com](mailto:sswiacki@milligancpa.com).

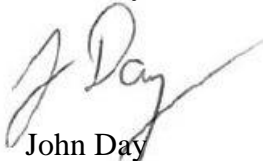
Enclosure 2 consists of items that the Milligan team will review on-site beginning on Tuesday, July 24, 2018, immediately after the opening conference.

We request the exit conference be scheduled for **10 a.m. on Friday, July 27, 2018** to afford an opportunity for the reviewers to discuss their observations with you and your agency. We request that you or your designee, the ADA paratransit service manager, the ADA coordinator, and other key staff attend the exit conference. The FTA Office of Civil Rights will make findings and will provide them to you in a draft report. You will have an opportunity to comment on the draft before FTA finalizes the report. The Final Report, when issued to the City, will be considered a public document subject to release under the Freedom of Information Act, upon request.

City representatives are welcome to accompany the review team during the on-site activities, if you so choose. If you have any questions or concerns prior to the opening conference, please contact me at 202-366-1671 or via e-mail at [john.day@dot.gov](mailto:john.day@dot.gov).

Thank you in advance for your assistance and cooperation as we undertake this process. We look forward to working with the City of Gadsden and the Mobility/Paratransit staff.

Sincerely,



John Day  
Program Manager for Policy  
and Technical Assistance

cc: Yvette Taylor, Regional Administrator, FTA Region IV  
Doretha Foster, Regional Civil Rights Officer, FTA Region IV  
Meinrad Tabengwa, Transportation Director, City of Gadsden

The City of Gadsden (the City)  
ADA Complementary Paratransit Compliance Review

**Enclosure 1**

**The following information must be submitted to Milligan within 30 calendar days from the date of this letter.**

1. A description of how ADA complementary paratransit service is structured and provided, including:
  - How trip requests/reservations are handled (by a central reservation office? by the contractor?) and the address(es) where reservations are taken
  - How trips are scheduled (by a central scheduling office? by the contractor?) and the address(es) of the scheduling office(s).
  - How dispatching is handled (centrally? by the contractor?) and the address of the central dispatch office or the contractor's dispatch office(s).

Note that the Milligan team may contact you in advance to discuss this first question.

2. A copy of the current carrier and broker contract(s), if service is contracted out.
3. A copy of the ADA complementary paratransit Driver Manual
4. A copy of the ADA Complementary Paratransit application & materials, including visitor service
5. Written description of the agency's ADA eligibility appeal process
6. Copies of the ADA Complementary Paratransit Rider Handbook, and/or service brochure, or other documents that explains to the public and eligible riders how trips are requested and how service is provided
7. A copy of the agency's No-Show suspension policy, if applicable
8. A description of the complementary paratransit service standards, including:
  - The on-time performance standards for pickups and drop-off (how is "on-time" defined and what is the goal for the percentage of trips to be provided within each standard?)
  - Trip denials and missed trips (how are these defined and what is the transit agency's standard regarding acceptable numbers or percentages of trip denials or missed trips?)
  - Travel time (on-board time) standards, including maximum travel time (if applicable) (how is this defined? what travel time is considered comparable to fixed route and what travel time is considered excessive? What are the agency's goals for the percentages of trips to be provided within each standard?)

The City of Gadsden (the City)  
ADA Complementary Paratransit Compliance Review

9. Telephone call-handling performance standards for calls to reservation and dispatch, including:
  - Maximum and standard queue/hold times
  - Call pick up time
  - Calls abandoned
  - Goals for percentage of calls to be answered within these established standards
10. Samples of driver manifests (described in Item #1 of Enclosure 2 attached) and samples of records, reports, or tabulations of the complementary paratransit information (described in Item #3 of Enclosure 2 attached)
11. Capital and operating budget and expenditure information for complementary paratransit service for the three most recent fiscal years, including the current Federal fiscal year
12. The number of complementary paratransit trips, requested, scheduled, provided, and trips denied for the three most recent fiscal years, including the current Federal fiscal year
13. Three copies of the fixed route system map

City of Gadsden (the City)  
ADA Complementary Paratransit Compliance Review

**Enclosure 2**

We request that the following information and/or assistance be available for review and analysis at the **beginning of the on-site visit**:

1. Copies of completed driver manifests for the most recent six-month period (for each of the agency's contractors, if applicable)
2. ADA eligibility determination information by month for most recent 12 months, showing:
  - Total applications received
  - Total denied eligibility
  - Total approved for: temporary, unconditional, conditional eligibility
  - Total eligibility appeals and outcomes
  - Number of completed application considered and processed
  - Number of applications determined incomplete
3. The following complementary paratransit data, by month, for the most recent six-month period (paper copies as well as in electronic format, if available):
  - Trips requested
  - Trips scheduled
  - Trips denied
  - Canceled trips
  - Passenger no-shows
  - Carrier missed trips
  - Trips provided (to eligible riders only, and to all passengers)
  - An itemization of trips requested, scheduled, and provided by recognized geographic areas, communities, or zones.
  - A listing of trips denied each month showing:
    - customer's name
    - origin
    - requested destination
    - date and time
    - if the person was ambulatory or used a wheelchair
  - On-time performance information
  - A listing of trips that exceeded the trip length standards, showing:
    - the customer name
    - origin
    - requested destination
    - date and time
    - if the person was ambulatory or used a wheelchair

City of Gadsden (the City)  
ADA Complementary Paratransit Compliance Review

- Telephone call management records (if available), showing:
    - hold times by date and time
    - total call volume
    - calls answered
    - calls abandoned
    - other call management performance data maintained
4. A list of complaints for the most recent six-month period related to or alleging capacity constraints related to ADA complementary paratransit service showing:
    - Customer 's name
    - Nature of complaint
    - Date of trip request, if applicable
    - Requested origin, destination, date and time
    - Scheduled trip time (if applicable) and carrier
    - Date complaint submitted and format (phone, letter, email, in person)
    - Resolution and any corrective action taken (any corrective actions requested and taken)
  5. The following ADA paratransit eligibility information:
    - Copies of eligibility guidelines and policies and any assessment or interview forms
    - Sample letters of all types of determination (unconditional, conditional, temporary, trip eligible (if applicable))
    - Other letters related to receipt of applications, incomplete applications, eligibility appeals and other eligibility issues
    - Total number of ADA paratransit eligible individuals
    - Any documentation, policies, procedures and correspondence related to service suspensions for passenger no-shows
    - Access to eligibility files and appeals records
  6. Work shift assignments for reservationists (call-takers), schedulers, dispatchers, and drivers
  7. Access to personnel records showing hire and termination dates for reservationists (call-takers), schedulers, dispatchers, drivers, and road supervisors
  8. Current complementary paratransit fleet roster with vehicle type, make and model year and odometer reading, (designating whether the vehicles are accessible or inaccessible), numbers of accessible and inaccessible spares. For each accessible vehicle, please include the design load of the lift or ramp
  9. Run structure (vehicles in service by hour of day)
  10. Access to the most recent six months of daily vehicle pullout records showing late pullouts and closed runs



City of Gadsden (the City)  
ADA Complementary Paratransit Compliance Review

11. Vehicle availability reports for most recent six months
12. Copies of vehicle pre-trip inspection and preventive maintenance form(s)
13. Assistance with viewing and capturing parameters used in the scheduling software
14. Assistance with viewing and collecting data on vehicle run structures and peak pullout requirements
15. Subscription trips: percentage for most recent six months; for sample week, by hour
16. Training curricula for each type of complementary paratransit employee
17. Procedures for providing information and communication in accessible formats