

RESOLUTION

**ELMIRA-CHEMUNG TRANSPORTATION COUNCIL
POLICY COMMITTEE ENDORSEMENT**

NUMBER: 18-P1

DATE: July 19, 2018

**SUBJECT: Approval of Performance Management Agreement
between the Elmira-Chemung Transportation Council (ECTC),
New York State Department of Transportation (NYSDOT), and
Chemung County Transit System (C TRAN)**

MOVED BY: B. Kelly

SECONDED BY: C. Southard

CONSENSUS: YES 5 NO
ABSTENTIONS: 0
ABSENT: 1

**Performance Management Agreement
between
the Elmira-Chemung Transportation Council (ECTC),
New York State Department of Transportation (NYSDOT), and
Chemung County Transit System (C TRAN)**

WHEREAS, the United States Department of Transportation has promulgated transportation planning requirements in Title 23 Part 450 of the *Code of Federal Regulations* (23 CFR), and

WHEREAS, MPO(s), State(s), and providers of public transportation are required by 23 CFR 450.314(h) to cooperatively determine their mutual responsibilities in carrying out the performance-based planning and programming requirements established by federal law, and

WHEREAS, 23 CFR 450.314(h)(1) requires that "The MPO(s), State(s), and providers of public transportation shall jointly agree upon and develop specific written procedures for cooperatively developing and sharing information related to transportation performance data, the selection of performance targets, the reporting of performance targets, the reporting of performance to be used in tracking progress toward achievement of critical outcomes for the region of the MPO, and the collection of data for the State asset management plan for the National Highway System (NHS)," and

WHEREAS, 23 CFR 450.314(h)(2) allows for these provisions to be "Documented in some other means outside the metropolitan planning agreements as determined cooperatively by the MPO(s), State(s), and providers of public transportation," and

WHEREAS the ECTC has been designated by the Governor of the State of New York as the Metropolitan Planning Organization responsible for the comprehensive, continuing, and cooperative transportation planning process for the Elmira Urbanized Area.

NOW, THEREFORE, BE IT RESOLVED, that the parties do hereby agree to adhere to the following for coordination to meet performance-based planning and programming requirements in accordance with 23 CFR 450 and established federal guidance.

1. Transportation performance data

- a. NYSDOT will collect and provide ECTC with data used in developing statewide highway-related targets at the time the selection of the respective targets is coordinated with ECTC.
- b. As Tier II public transportation provider(s), Chemung County Transit System (C TRAN) will collect and provide ECTC and NYSDOT with the data used in developing its targets for all applicable measures at the time the selection of the respective targets is coordinated with ECTC and NYSDOT.

or

NYSDOT as the Sponsor of the Group Plan that includes Tier II public transportation provider(s) will collect and provide ECTC and Chemung County Transit System (C TRAN) with the data used in developing its targets for all applicable measures at the time the selection of the respective targets is coordinated with ECTC and Chemung County Transit System (C TRAN).

- c. If ECTC chooses to set its own target for any measure, it will collect and provide NYSDOT or the public transportation provider(s) with any supplemental data used in association with the MPO target setting process, if applicable.

2. Selection of transportation performance targets

- a. ECTC, NYSDOT, and Chemung County Transit System (C TRAN) will coordinate to the maximum extent practicable when setting performance targets.
 - (i) Coordination will include as many of the following opportunities as deemed appropriate for the measure: in-person meetings, webinars, conference calls, and email/written communication.
 - (ii) ECTC and Chemung County Transit System (C TRAN), as applicable, shall be given an opportunity to provide comments on NYSDOT statewide targets prior to NYSDOT setting statewide targets.
- b. NYSDOT will set statewide performance targets to meet the federal performance management requirements.
 - (i) NYSDOT will provide written notice to ECTC when NYSDOT sets a target. The submission of the target will begin the 180-day time-period within which the ECTC must set its performance target.
- c. As a Tier II public transportation provider(s), Chemung County Transit System (C TRAN) will set performance targets to meet the federal performance management requirements for transit asset management and transit safety (pending finalization of the transit safety rule).

or

NYSDOT as the Sponsor of the Group Plan that includes Tier II public transportation provider(s) Chemung County Transit System (C TRAN) will set performance targets to meet the federal performance management requirements for transit asset management and transit safety (pending finalization of the transit safety rule).

- (i) The Chemung County Transit System (C TRAN) or NYSDOT will provide written notice to ECTC when Chemung County Transit System (C TRAN) or NYSDOT sets a target(s). The submission of the target will begin the 180-day time-period within which the ECTC must set its performance target.
- d. ECTC will set performance targets within 180 days of NYSDOT and Chemung County Transit System (C TRAN) provider setting a target(s) by either supporting NYSDOT or Chemung County Transit System (C TRAN), or setting a separate target of their choosing for the MPO region.
 - (i) If ECTC chooses to support the state target, the MPO will provide documentation in the form of a Planning Committee/Policy Committee-approved resolution stating such to NYSDOT and the Chemung County Transit System (C TRAN) that the ECTC agrees to plan and program projects that will contribute toward achievement of the NYSDOT or Chemung County Transit System (C TRAN) target(s).
 - (ii) If ECTC chooses to set its own target, the MPO will develop the target in coordination with NYSDOT or the Chemung County Transit System (C TRAN), respectively. The MPO will provide NYSDOT or Chemung County Transit System (C TRAN) the opportunity to comment on MPO targets prior to ECTC adoption of the targets. The ECTC will provide written notice to NYSDOT and Chemung County Transit System (C TRAN) when the ECTC sets a target, providing the targets and the date the ECTC set the target.

3. Reporting of performance targets

- a. Reporting of targets and performance will be done as specified in 23 CFR 490, 49 CFR 625, and 49 CFR 673.
- b. NYSDOT will report all targets to FHWA and FTA as applicable. NYSDOT will provide written notice of these reported targets to ECTC.
- c. ECTC will report any MPO targets to NYSDOT.
- d. NYSDOT will include information outlined in 23 CFR 450.216(f) in any statewide transportation plan amended or adopted after May 27, 2018, and information outlined in 23 CFR 450.218(q) in any statewide transportation improvement program amended or adopted after May 27, 2018.
- e. ECTC will include information outlined in 23 CFR 450.324(g)(3-4) in any metropolitan transportation plan amended or adopted after May 27, 2018, and information outlined in 23 CFR 450.326(d) in any transportation improvement program amended or adopted after May 27, 2018.

4. Reporting of performance to be used in tracking progress toward attainment of critical outcomes

- a. Where available and practicable, NYSDOT will provide the ECTC with the statewide performance data used in developing progress reports.
 - b. If ECTC sets a different target than the statewide target the MPO will provide NYSDOT with MPO-wide performance data used to develop the progress report.
 - c. Where applicable, ECTC will provide data to NYSDOT for the CMAQ on-road emissions measure.
 - d. Where applicable, ECTC will provide NYSDOT and the public transportation provider(s) with a copy of the CMAQ Performance Plan prior to the required reporting date (initially October 1, 2022) per 23 CFR 490, subparts A, E, F, G & H.
5. The collection of data for the NYSDOT asset management plans for the NHS
- a. NYSDOT will be responsible for collecting bridge and pavement condition data for the State asset management plan for the entire NHS in New York State.


Signature page


MPO Planning Committee/Policy Committee Chair

7-23-18
Date


Public Transportation Provider(s) Chair or GM

7/23/18
Date


NYSDOT (Secretary or designee)

7/29/18
Date