

MEMORANDUM OF UNDERSTANDING

by and between

THE COMMONWEALTH OF MASSACHUSETTS

THE BOSTON REGION METROPOLITAN PLANNING ORGANIZATION

and

THE CAPE ANN TRANSPORTATION AUTHORITY

and

THE METROWEST REGIONAL TRANSIT AUTHORITY

WHEREAS, the Commonwealth of Massachusetts through its Department of Transportation (MassDOT) is charged with administration of a federally certified continuing, cooperative and comprehensive (3C) transportation planning process among all Metropolitan Planning Organizations in Massachusetts;

WHEREAS, MassDOT is a member and Chair of the Boston Region Metropolitan Planning Organization (MPO)

WHEREAS the MPO is responsible for the implementation of a federally certified 3C transportation planning process within its Region, including financial resources for a multi-modal transportation system for the region as programmed in the fiscally constrained certification documents (Long Range Transportation Plan, Transportation Improvement Program and Unified Planning Work Program) and as studied and reported on in the Congestion Management Program and other studies supporting MPO decision-making;

WHEREAS, the Cape Ann Transportation Authority (CATA) and the MetroWest Regional Transit Authority (MWRTA) are entities responsible for developing, financing and contracting for the operation of public transportation facilities and services in several communities within the MPO Region;

WHEREAS, the MPO spells out in its MOU among MPO members that it is responsible for planning and programming financial resources for a multi-modal transportation system for the Boston region, activities which include preparation of the fiscally constrained certification documents; and

WHEREAS, the MPO is responsible for coordinating regional transit planning and funding by working with MassDOT, the MBTA, and other transit providers in the

region, and that MassDOT will coordinate RTA investment with the MPO when the MPO is setting priorities for programming;

WHEREAS, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) on July 19, 2011, jointly released a Transportation Planning Certification Review Final Report of the Metropolitan Transportation Planning Process for the MPO portion of the Boston Transportation Management Area;

WHEREAS, the TPCR notes in its recommendations that 23 CFR 450.314 states that, "...the MPO, MassDOT and the transit operator(s) shall cooperatively determine their mutual responsibilities carrying out the metropolitan transportation planning process." and that, "These responsibilities shall be clearly identified in written agreements among the MPO, MassDOT and the public transportation operator(s);" and

WHEREAS CATA and MWRTA each received a finding in their respective FTA Triennial Reviews that identify the need to develop a written agreement between them and the Boston Region MPO;

NOW, THEREFORE, this MOU memorializes the MPO's, MassDOT's, CATA's, and MWRTA's commitments to comply with 23 CFR 450.314 as cited above and to maintain consistency with the MPO's MOU, the parties will as follows:

MassDOT will:

- a) provide the MPO with current and timely information on public transit policy, legislation, regulations, laws;
- b) provide up-to-date information to the MPO on transportation project planning and costs; and
- c) support, as appropriate, MPO policies and initiatives

MPO will:

- a) work cooperatively with CATA and MWRTA to support, if the MPO deems appropriate and if possible, considering funding constraints, transit studies on CATA's and MWRTA's behalf;
- b) advise CATA and MWRTA on the availability of federal and state transportation funds as it receives such information through OTP, particularly for regional programming targets, discretionary grants, and other federal transportation funds; and
- c) work cooperatively with CATA and MWRTA to program federal transportation funds supporting their respective capital programs and operations, if the MPO deems appropriate and if possible, considering funding constraints; and seek their information and input in the process

CATA and MWRTA will:

- a) provide the MPO and MassDOT with updated project plans, specifications and cost estimates for their respective capital improvements that require programming of federal transportation funds, and

- b) furnish MassDOT with audited financial statements and capital/operating budgets in a timely, accurate manner as required by MassDOT, and
- c) attend MPO meetings (represented by CATA Administrator or designee and by the MWRTA Administrator or designee) at which funding and other matters related to CATA and/or MWRTA projects and programs are to be discussed and shall provide information for consideration by the MPO
- d) Support, as appropriate, MPO policies and initiatives

All Parties agree to:

- a) cooperate and consult on a continuous basis about plans, programs and projects; and
- b) consult on any future inconsistencies or conflicts that might arise between the parties to this MOU, in a collaborative, mutually supportive process, employing best efforts to reach a resolution satisfactory to all parties.

This Memorandum of Understanding shall not supersede preexisting federal, state or MPO policies or federal or state regulations in effect.

SIGNED AND DATED:

Richard A. Davey
Secretary and Chief Executive Officer
Massachusetts Department of Transportation, and
Chair, Boston Region Metropolitan Planning Organization

Paul Talbot, Administrator
Cape Ann Transportation Authority

Ed Carr, Administrator

MetroWest Regional Transportation Authority
