

Performance Management Agreement between the Central Mississippi Planning and Development District and the City of Jackson

THIS AGREEMENT is made between the Central Mississippi Planning and Development District, acting as the designated Metropolitan Planning Organization (MPO) for the Jackson Urbanized Area (hereinafter referred to as the “MPO”) and the City of Jackson, acting as the designated transit provider for the Jackson Urbanized Area.

WHEREAS, on May 27, 2016, the final rule for statewide and metropolitan transportation planning was published, based on 2012’s Moving Ahead for Progress in the 21st Century (MAP-21) Act and 2015’s Fixing America’s Surface Transportation (FAST) Act, and

WHEREAS the United States Department of Transportation (DOT) promulgated transportation planning regulations in 23 CFR 450.314 based on this final rule, and

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

WHEREAS, the 23 CFR 450.314(h) requires that 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 attainment 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, the phase-in deadline for this requirement is May 27, 2018 (*see 23 CFR 450.340*).

NOW THEREFORE, the parties do hereby agree to adhere to the following coordination mechanisms to meet performance-based planning and programming requirements for highways in accordance with 23 CFR 450.314(h) and established federal guidance.

1. GENERAL

- a) This agreement shall supersede any areas of previous agreements or memorandums of understanding executed by the MPO or the City of Jackson where conflicts exist and shall remain in effect from the date of this Agreement until amended or terminated. This Agreement may be terminated with thirty (30) days prior notification under any or all of the following conditions:
 - i) By mutual agreement and consent of the parties hereto, or
 - ii) As a consequence of the failure of the parties hereto to comply with the provisions of the

Agreement in a satisfactory manner in accordance with the rules and regulations of the MPO, proper allowances being made for circumstances beyond the control of the parties thereof.

- b) Recognizing that the agreement and process outlined below may change based on future rulemakings and guidance, the following two -pronged approach addresses 23 CFR 450.314 (h).
 - i) Agreement between the MPO and the City of Jackson as the provider of public transportation on applicable provisions through agreement of this document.
 - ii) Agreement between the MPO and the Mississippi Department of Transportation (MDOT) on applicable provisions through documentation included in the appropriate cooperative agreement(s) between the MPO and relevant state transportation agency.

2. TRANSIT PERFORMANCE DATA

- a. The City of Jackson will provide the MPO with any regional transit asset management performance data, available to the City of Jackson, necessary to develop targets based on the MPO's planning area boundaries.
- b. If the MPO chooses to develop their own transit asset management target for any measure, they will provide the City of Jackson with any supplemental data they utilize in the target-setting process.

3. SELECTION OF PERFORMANCE TARGETS

- a. The City of Jackson will develop draft transit performance targets in coordination with the MPO. Coordination may include in-person meetings, web meetings, conference calls, and/or email communication. The MPO shall be given an opportunity to provide comments on the City of Jackson targets before final targets are adopted by the City of Jackson.
- b. If the MPO chooses to adopt their own target for any transit measure, they will develop draft MPO transit performance targets in coordination with the City of Jackson. Coordination methods will be at the discretion of the MPO, but the City of Jackson shall be given an opportunity to provide comments on draft MPO transit performance targets prior to final approval.

4. REPORTING OF PERFORMANCE TARGETS

- a. Transit performance targets will be reported by the City of Jackson to the Federal Transit Administration (FTA), as applicable. The MPO will be notified when the City of Jackson has reported final transit performance targets.
- b. MPO performance targets will be reported to MDOT. For each target, the MPO will provide the following information no later than 180 days after the date MDOT or relevant providers of public transportation establishes performance targets, or the date specified by federal code.

- i. A determination of whether the MPO is 1) agreeing to plan and program projects so that they contribute toward the accomplishment of an established statewide or relevant providers of public transportation performance target, or 2) setting a quantifiable target for that performance measure for the MPO's planning area.
 - ii. If a quantifiable target is set for the MPO planning area, the MPO will provide any supplemental data used in determining any such target.
 - iii. Documentation of the MPO's target or support of the statewide or relevant public transportation provider's target will be provided in the form of a resolution or meeting minutes.
- c. The MPO and the City of Jackson working cooperatively will include information outlined in 23 CFR 450.324 (f) (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.
- d. Reporting of targets and performance by the City of Jackson and the MPO shall conform to 23 CFR 490.

5. REPORTING OF PERFORMANCE TO BE USED IN TRACKING PROGRESS TOWARD ATTAINMENT OF CRITICAL OUTCOMES FOR THE REGION OF THE MPO

The City of Jackson will provide the MPO with the performance data used in developing transit targets specific to the designated transit providers service area.

6. EXECUTION

Therefore, this agreement is entered into as of the 19th day of June, 2018 by and between the Central Mississippi Planning and Development District as the designated MPO and the City of Jackson as the designated transit provider respectively for the Jackson Mississippi Urbanized Area.

**Central Mississippi Planning
And Development District**



Michael Monk
Chief Executive Officer

City of Jackson, Mississippi



Chokwe Antar Lumumba
Mayor

ATTEST:



Butch Lee, Chairman
Metropolitan Planning
Policy Committee



Mukesh Kumar, Director
City of Jackson Planning Division

Performance Management Agreement between the Central Mississippi Planning and Development District and the Mississippi Department of Transportation

THIS AGREEMENT is made between the Mississippi Transportation Commission, by and through the Executive Director of the Mississippi Department of Transportation (hereinafter referred to as “MDOT”) and the Central Mississippi Planning and Development District, acting as the designated Metropolitan Planning Organization (MPO) for the Jackson Urbanized Area (hereinafter referred to as the “MPO”).

WHEREAS, on May 27, 2016, the final rule for statewide and metropolitan transportation planning was published, based on 2012’s Moving Ahead for Progress in the 21st Century (MAP-21) Act and 2015’s Fixing America’s Surface Transportation (FAST) Act, and

WHEREAS the United States Department of Transportation (DOT) promulgated transportation planning regulations in 23 CFR 450.314 based on this final rule, and

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

WHEREAS, the 23 CFR 450.314(h) requires that 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 attainment 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, the phase-in deadline for this requirement is May 27, 2018 (*see 23 CFR 450.340*).

NOW THEREFORE, the parties do hereby agree to adhere to the following coordination mechanisms to meet performance-based planning and programming requirements for highways in accordance with 23 CFR 450.314(h) and established federal guidance.

1. GENERAL

- a) This agreement shall supersede any areas of previous agreements or memorandums of understanding executed by the MPO or MDOT where conflicts exist and shall remain in effect from the date of this Agreement until amended or terminated. This Agreement may be terminated with thirty (30) days prior notification under any or all of the following conditions:
 - i) By mutual agreement and consent of the parties hereto, or

- ii) As a consequence of the failure of the parties hereto to comply with the provisions of the Agreement in a satisfactory manner in accordance with the rules and regulations of the DOT, proper allowances being made for circumstances beyond the control of the parties thereof.
- b) Recognizing that the agreement and process outlined below may change based on future rulemakings and guidance, the following two -pronged approach addresses 23 CFR 450.314 (h).
 - i) Agreement between the MDOT and the MPO on applicable provisions through agreement of this document.
 - ii) Agreement between each MPO and relevant public transit agencies on applicable provisions through documentation included in the appropriate cooperative agreement(s) between the MPO and relevant public transit agencies.

2. TRANSPORTATION PERFORMANCE DATA

- a. MDOT will provide the MPO with any regional performance data, available to MDOT, necessary to develop targets based on the MPO's planning area boundaries.
- b. If the MPO chooses to develop their own target for any measure, they will provide MDOT with any supplemental data they utilize in the target-setting process.

3. SELECTION OF PERFORMANCE TARGETS

- a. MDOT will develop draft statewide performance targets in coordination with the MPO. Coordination may include in-person meetings, web meetings, conference calls, and/or email communication. The MPO shall be given an opportunity to provide comments on statewide targets before final statewide targets are adopted.
- b. If the MPO chooses to adopt their own target for any measure, they will develop draft MPO performance targets in coordination with MDOT. Coordination methods will be at the discretion of the MPO, but MDOT shall be given an opportunity to provide comments on draft MPO performance targets prior to final approval.

4. REPORTING OF PERFORMANCE TARGETS

- a. Statewide performance targets will be reported to FHWA and FTA, as applicable. The MPO will be notified when MDOT has reported final statewide targets.
- b. MPO performance targets will be reported to MDOT. For each target, the MPO will provide the following information no later than 180 days after the date MDOT or relevant provider of public transportation establishes performance targets, or the date specified by federal code.
 - i. A determination of whether the MPO is 1) agreeing to plan and program projects so that they contribute toward the accomplishment of MDOT or relevant provider of public transportation performance target, or 2) setting a quantifiable target for

that performance measure for the MPO's planning area.

- ii. If a quantifiable target is set for the MPO planning area, the MPO will provide any supplemental data used in determining any such target.
 - iii. Documentation of the MPO's target or support of the statewide or relevant public transportation provider target will be provided in the form of a resolution or meeting minutes.
- c. MDOT 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.
 - d. The MPO will include information outlined in 23 CFR 450.324 (f) (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.
 - e. Reporting of targets and performance by MDOT and the MPO shall conform to 23 CFR 490.

5. REPORTING OF PERFORMANCE TO BE USED IN TRACKING PROGRESS TOWARD ATTAINMENT OF CRITICAL OUTCOMES FOR THE REGION OF THE MPO

MDOT will provide the MPO with the statewide performance data used in developing statewide targets, and will also provide the MPO with subsets of the statewide data, based on their planning area boundaries.

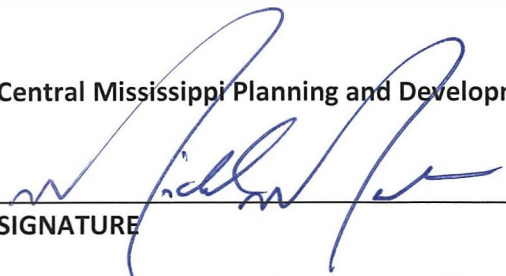
6. THE COLLECTION OF DATA FOR THE STATE ASSET MANAGEMENT PLANS FOR THE NHS

MDOT will be responsible for collecting bridge and pavement condition data for the State asset management plan for the NHS.

EFFECTIVE DATE

The effective date of this agreement is the date by which all required parties have signed.

Central Mississippi Planning and Development District:



SIGNATURE 5-24-18
DATE

Micheal Monk, Chief Executive Officer

PRINTED NAME AND TITLE OF SIGNATORY (above)

Mississippi Department of Transportation:



SIGNATURE 6/14/18
DATE

Melinda McGrath, P.E., Executive Director PM21 PG802