

Performance Management Agreement between the Gulf Regional Planning Commission 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 Gulf Regional Planning Commission, acting as the designated Metropolitan Planning Organization (MPO) for the Mississippi Gulf Coast 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.

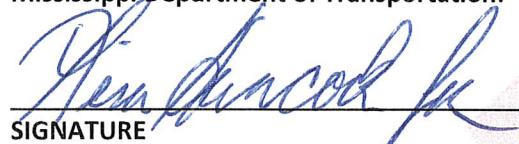
Gulf Regional Planning Commission:


SIGNATURE

6/4/2018
DATE

Paul J. Carin, Executive Director of Gulf Regional Planning Commission
PRINTED NAME AND TITLE OF SIGNATORY (above)

Mississippi Department of Transportation:


SIGNATURE

6/14/18
DATE

Melinda McGrath, P.E., Executive Director

pon21 pg 802