

AGREEMENT
Relating to the Comprehensive, Continuing, and Cooperative
Transportation Planning Process for Dutchess County, New York

By and Among the

Poughkeepsie-Dutchess County Transportation Council
County of Dutchess, New York
City of Poughkeepsie, New York
New York State Department of Transportation
Metropolitan Transportation Authority
New York State Bridge Authority

This Agreement, made as of March 16, 2011, by and among the Poughkeepsie-Dutchess County Transportation Council, County of Dutchess, City of Poughkeepsie, New York State Department of Transportation, Metropolitan Transportation Authority, and New York State Bridge Authority, identifies and specifies the roles, responsibilities, and cooperative procedures for carrying out transportation planning and programming consistent with Title 23 Section 450 (23 CFR 450) Subpart C of the Code of Federal Regulation.

WHEREAS, the Poughkeepsie-Dutchess County Transportation Council (PDCTC) (hereinafter referred to as the "Council") in accordance with federal and state law has been designated by the Governor of the State of New York as the Metropolitan Planning Organization (MPO) responsible, together with the State, for the comprehensive, continuing, and cooperative transportation planning and programming process in Dutchess County; and

WHEREAS, the County of Dutchess, the City of Poughkeepsie, and the Metropolitan Transportation Authority (MTA) are designated recipients of Federal Transit Administration (FTA) funding in Dutchess County; and

WHEREAS, 23 CFR 450.314 requires an MPO, the State, and public transportation operators to cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process; and

WHEREAS, said regulation requires that these responsibilities be clearly identified in written agreements among the MPO, the State, and public transportation operators serving the metropolitan planning area; and

WHEREAS, said regulation further states that, to the extent possible, a single agreement between all responsible parties should be developed; and

WHEREAS, said regulation requires that the written agreements include specific provisions for cooperatively developing and sharing information related to the development of financial plans that support the Metropolitan Transportation Plan (MTP), Transportation Improvement Program (TIP), and development of the Annual Listing of Obligated Projects; and

WHEREAS, the Council entered into a previous written agreement with the Orange County Transportation Council and Ulster County Transportation Council on March 7, 2006 that describes how the three MPOs will carry out metropolitan transportation planning requirements specific to the Mid-Hudson Valley Transportation Management Area; and

WHEREAS, the subject of this resolution (hereinafter referred to as the “Agreement” shall not be construed to modify any existing agreement or MOU between the parties; and

WHEREAS, as agreed by the parties, this Agreement may be revised as required by law or regulation or as a result of changes in the parties or the local procedures for carrying out the metropolitan planning process; now therefore be it

RESOLVED, that the parties do hereby agree to fulfill all requirements of the metropolitan transportation planning process for planning products and analyses as defined in 23 CFR 450 for the Dutchess County portion of the Poughkeepsie-Newburgh, NY urbanized area, and that these requirements will be fulfilled through the Council as the designated MPO for Dutchess County; and,

RESOLVED, the County of Dutchess, City of Poughkeepsie, New York State Department of Transportation, Metropolitan Transportation Authority, and New York State Bridge Authority do hereby agree as follows:

1. Purpose

a. This Agreement serves as the written agreement specified in 23 CFR 450.314, which establishes the mutual responsibilities for metropolitan transportation planning, to include information sharing and financial planning, between the Poughkeepsie-Dutchess County Transportation Council (PDCTC) (hereinafter referred to as the “Council”) and the following State agencies and public transportation operators:

- 1) County of Dutchess
- 2) City of Poughkeepsie
- 3) New York State Department of Transportation
- 4) Metropolitan Transportation Authority
- 5) New York State Bridge Authority

b. This Agreement includes specific provisions for cooperatively developing and sharing information between the Council and the parties listed in Section I (a) above, as it relates to the development of financial plans that support the Metropolitan Transportation Plan (MTP) and Transportation Improvement Program (TIP), and the development of the Annual Listing of Obligated Projects and Congestion Management Process (CMP) for the Mid-Hudson Valley Transportation Management Area (hereinafter referred to as the “TMA”).

2. Metropolitan Transportation Plan

a. The Council is responsible for developing a Metropolitan Transportation Plan (MTP) for its planning area, which is defined as the whole of Dutchess County, New York. The MTP

serves as the official multimodal transportation plan for the county, and is adopted and updated by the Council through the metropolitan transportation planning process. The MTP shall address no less than a twenty (20)-year planning horizon and include long- and short-range strategies and actions to maintain the transportation system so that it supports the safe and efficient movement of people and goods in and through the planning area – based on current and future transportation demand.

b. The Council will update the MTP as required by 23 CFR 450.322 to confirm that it is consistent with current and forecasted transportation and land-use conditions and trends. The Council may revise the MTP at any time, consistent with this Agreement, with or without extending the horizon year.

c. As per 23 CFR 450.322, the MTP is required to include the following:

- 1) The projected transportation demands of persons and goods in the planning area over the period of the MTP.
- 2) A description of existing and proposed transportation facilities in the planning area.
- 3) Operational and management strategies to improve the performance of existing transportation facilities to relieve vehicle congestion and maximize the safety and mobility of people and goods.
- 4) Consideration of the results of the TMA Congestion Management Process.
- 5) An assessment of the capital investment and transportation/land-use strategies needed to preserve the existing and projected transportation system.
- 6) Sufficient project level information to demonstrate air quality conformity.
- 7) A discussion of potential environmental mitigation strategies to maintain or restore environmental conditions affected by the MTP.
- 8) Consideration of pedestrian and bicycle transportation facilities.
- 9) Consideration of transportation and transit enhancement activities.
- 10) A Financial Plan that demonstrates how the MTP will be implemented. The Financial Plan shall contain system-level estimates of costs and revenue sources that are reasonably expected to be available to adequately operate and maintain federal-aid highways and public transportation systems within the planning area.

d. In order for the Council to adequately address the above items, the parties listed in Paragraph 1 (a) of this Agreement shall be required to provide the following system and financial information for those transportation facilities or transit equipment under their responsibility or jurisdiction:

- 1) Inventory and condition of highway and bridge facilities located in the planning area.
- 2) Inventory and condition of transit equipment and facilities located or used in the planning area.
- 3) Current and historical data on transportation system use.
- 4) Capital and operating budgets.
- 5) Forecasts, if available, of future transportation demand. Forecast data should be as specific to the planning area as possible and cover the MTP planning period.

- 6) Sufficient information on regionally significant and non-exempt projects to adequately determine conformity.
- 7) Forecasts of capital, maintenance, and operating expenditures that are needed to maintain the transportation system in a state of good repair during the MTP planning period.
- 8) Forecasts of federal, state, local, and private funds anticipated to be available during the MTP planning period that will fund capital, maintenance, and operations projects.
- 9) Type, scope, timing, and cost of projects needed to maintain the transportation system in a state of good repair.
- 10) Type, scope, timing, and cost of projects needed to meet future transportation demand during the MTP planning period.

e. The above information will be made available to the Council no less than one (1) year prior to the date that the existing MTP is scheduled to lapse. Exceptions to this deadline will be granted by the Council on a case-by-case basis.

f. Local municipalities that are responsible for federal-aid eligible roads will be requested to provide expenditure estimates needed to maintain those facilities in a state of good repair and to meet future travel demands; these estimates should be provided no less than one (1) year prior to the date that the current MTP will lapse. Exceptions to this deadline will be granted by the Council on a case by case basis.

g. The MTP Financial Plan will also include recommendations on any additional revenue strategies to fund projects and programs recommended in the MTP.

3. Transportation Improvement Program (TIP)

a. The Council is responsible for developing a Transportation Improvement Program (TIP) for the planning area. The TIP serves as the official prioritized listing of federally funded transportation projects in the planning area. The TIP is adopted by the Council as part of the metropolitan transportation planning process and shall cover a period of no less than four (4) years and be updated at least every four (4) years. The TIP update cycle will coincide with the update cycle for the Statewide Transportation Improvement Program (STIP).

b. As per 23 CFR 450.324, the TIP shall include the following:

- 1) Capital and non-capital surface transportation projects or project phases that are proposed for funding under 23 U.S.C. and 49 U.S.C. Chapter 53.
- 2) Regionally significant projects requiring an action by the Federal Highway Administration (FHWA) or Federal Transit Administration (FTA), whether or not they are funded with federal funds.
- 3) For each project or project phase, the TIP shall include the following information:
 - a) Sufficient descriptive material (i.e. type of work, length, location, termini) to identify the project.
 - b) Estimated total project cost.

- c) Amount of federal funds proposed to be obligated during each program year for the project or phase.
- d) Agency responsible for carrying out the project or phase.

c. The TIP shall also include a Financial Plan that demonstrates how the approved TIP can be implemented. This will include the identification of resources from public and private sources that are reasonably expected to be made available to carry out the TIP. The TIP shall include a project or project phase only if the Council can reasonably anticipate the availability of funding to complete the project by the project sponsor's estimated completion date. Project sponsors shall be responsible for demonstrating that local match funds will be available to complete the project.

d. In order for the Council to develop a Financial Plan for the TIP, those parties listed in Paragraph 1 (a) and all other project sponsors seeking to program a project on the TIP shall demonstrate to the Council that sufficient funding is available to complete the project.

e. The New York State Department of Transportation will provide the Council with federal and state funding targets for the TIP period as soon as they become available.

4. Unified Planning Work Program (UPWP)

a. The Unified Planning Work Program (UPWP) shall serve as the formal statement of work for the Council and will be developed and formally adopted by the Council as part of its metropolitan transportation planning process. The UPWP shall include a description of the federally funded planning activities expected to be carried out during the program year; it shall also identify who will perform the work, the cost and time frame for the work, and the source of funds.

b. The UPWP shall cover a period of no more than one (1) year and be updated annually. The UPWP program year will coincide with the New York State Fiscal Year (SFY) calendar.

c. The UPWP will be developed in cooperation with the parties in this agreement.

d. The New York State Department of Transportation will provide the Council with the amount of available federal planning funds for the UPWP period as soon as they become available.

5. Annual Listing of Obligated Projects

a. As per 23 CFR 450.334, the Council shall develop an Annual Listing of Obligated Projects (hereinafter referred to as the "Obligation Report") that lists projects for which funds under 23 U.S.C. and 49 U.S.C. Chapter 53 were obligated in the preceding year-meaning federal funds were authorized and committed by New York State or a designated recipient in the preceding program year, and authorized by the FHWA or awarded as a grant by the FTA.

b. The Council shall publish the Obligation Report no later than ninety (90) days following the end of the Federal Fiscal Year (September 30th). The Obligation Report will also be made available on the Council's website.

c. For each project or project phase listed in the Obligation Report, the following information shall be included:

- 1) Sufficient descriptive material (i.e. type of work, length, location, termini) to identify the project.
- 2) Estimated total project cost.
- 3) Project sponsor.
- 4) Amount of federal funds requested in the TIP.
- 5) Amount of federal funding that was obligated during the preceding year.
- 6) Amount of federal funding remaining and available for subsequent years.

d. In order for the Council to complete the Obligation Report, the following member agencies shall be required to provide the above information, no later than forty-five (45) days after the end of the Federal Fiscal Year, for their respective transportation systems:

- 1) New York State Department of Transportation-Region 8 (for all FHWA funds)
- 2) Metropolitan Transportation Authority/Metro-North Railroad
- 3) Dutchess County Division of Mass Transit
- 4) City of Poughkeepsie Department of Public Works (Bus System)

6. Congestion Management Process (CMP)

a. As per 23 CFR 450.320, the Council, in conjunction with Orange County Transportation Council (OCTC) and Ulster County Transportation Council (UCTC), shall address congestion management within the TMA through a process that provides for the safe and effective integrated management and operation of the multimodal transportation system, based on a cooperatively developed and implemented metropolitan-wide strategy, of new and existing transportation facilities eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53 through the use of travel demand reduction and operational management strategies.


b. The Council may, on behalf of the OCTC and UCTC, request data from the parties to this Agreement to update or implement the CMP.

7. The parties to this Agreement further agree to share any other information necessary to meet federal transportation planning requirements as necessary.

8. The parties further agree that nothing in this Agreement shall be interpreted to mean that the Council has oversight powers over non-federally funded transportation projects sponsored by the Metropolitan Transportation Authority or New York State Bridge Authority; nor does it require Council or any other party's approval of another party's non-federally funded transportation related projects, or in any way infringe on a party's authority to conduct such projects.

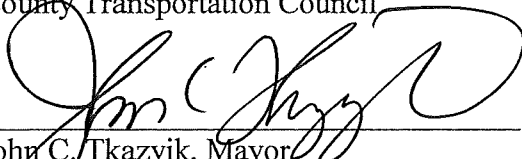
9. The parties further agree that this Agreement shall not abrogate, infringe upon, or modify any other agreement, MOU, policy, plan, or procedure approved or adopted by the Council, County of Dutchess, City of Poughkeepsie, New York State Department of Transportation, Metropolitan Transportation Authority, or New York State Bridge Authority.

IN WITNESS WHEREOF, the parties have agreed to the terms hereof and their authorized officials have affixed their signatures below as of the first date above stated.



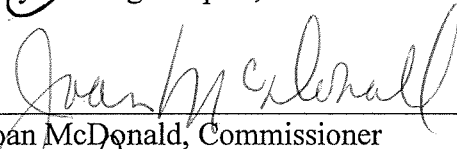
William R. Steinhaus, County Executive/Chairperson
County of Dutchess, New York/Poughkeepsie-Dutchess
County Transportation Council

3/21/11
Date



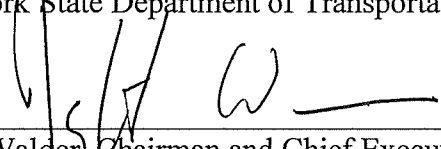
John C. Tkazyik, Mayor
City of Poughkeepsie, New York

3/23/11
Date



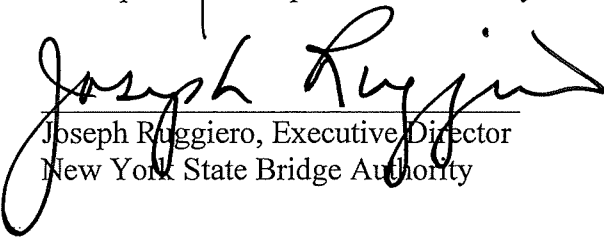
Joan McDonald, Commissioner
New York State Department of Transportation

4/18/11
Date



Jay H. Walder, Chairman and Chief Executive Officer
Metropolitan Transportation Authority

5/3/11
Date



Joseph Ruggiero, Executive Director
New York State Bridge Authority

5/19/11
Date

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