

INTERGOVERNMENTAL AGREEMENT TO SPECIFY
COOPERATIVE PROCEDURES
FOR CARRYING OUT TRANSPORTATION PLANNING AND PROGRAMMING

THIS AGREEMENT, made and entered into this day of 2015 by and between York Adams Transportation Authority d/b/a "rabbittransit", and the York Area Metropolitan Planning Organization ("YAMPO"), and the Commonwealth of Pennsylvania, Department of Transportation ("PennDOT"), hereafter called PennDOT.



WITNESSETH

WHEREAS, YAMPO was designated as the designated Metropolitan Planning Organization (MPO) for York County in accordance with Section 134 of 23 U.S.C, and Section 4(a) of the Urban Mass Transportation Act of 1964; and

WHEREAS, the Statewide and Metropolitan Planning Regulations (23 CFR 450) were promulgated jointly by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) and became effective on November 29, 1993, to implement provisions of the Intermodal Surface Transportation Efficiency Act of 1991; and

WHEREAS, 23 CFR Part 450.312 Subpart (a) of said Federal Regulations requires that the MPO in cooperation with the State and with operators of publicly provided transit service shall be responsible for carrying out the metropolitan transportation planning process; and the MPO, the State and transit operators shall cooperatively determine their mutual responsibilities in the conduct of the planning process, including corridor refinement studies; and that they shall cooperatively develop the Unified Planning Work Program (UPWP), Transportation Plan, and Transportation Improvement Program (TIP); and

WHEREAS, on November 24, 1993, the Environmental Protection Agency (EPA) promulgated a final rule (40 CFR 51 and 93) which required MPOs and the United States Department of Transportation (DOT) to make conformity determinations for metropolitan transportation plans and Transportation Improvement Programs (TIPs) before they are adopted, approved, or accepted; and

WHEREAS, pursuant to 71 P.S. §512(a), PennDOT has the duty to develop programs designed to foster efficient and economical public transportation services in the State; and,

WHEREAS, YAMPO has entered into an agreement with PennDOT, for the Conformity State Implementation Plan; and

WHEREAS, nothing in the agreement hereto will alter the provisions of the Conformity State Implementation Plan; and

WHEREAS, York County Planning Commission provides the lead staff planning support for YAMPO; and

WHEREAS, the parties hereto desire to organize and conduct a continuing, comprehensive, coordinated transportation planning process for York County consistent with said Federal Regulations, and with the policies of the Federal Government, the State of Pennsylvania and YAMPO established pursuant thereto. NOW, THEREFORE, for and in consideration of the foregoing premises and of the mutual promises set forth below, the Parties agree, with the intention of being legally bound, as follows:

(1) YAMPO shall be the forum for cooperative decision-making by principal elected officials of general purpose local government. YAMPO shall be responsible for ensuring the maintenance of planning eligibility for state and federal transportation grants and the maintenance of adequate transportation plans and programs including the development of the Unified Planning Work Program (UPWP), Regional Transportation Plan and Transportation Improvement Program (TIP) specified in the aforementioned 23 CFR Part 450, in cooperation with the State and rabbittransit.

(2) rabbittransit and PennDOT will continue as members of YAMPO or any forums or committees that may be created for the purpose of regional transit planning decision making. Mass transportation related plans, programs and reviews will be considered by rabbittransit and PennDOT prior to any action being taken by YAMPO's standing committees. All meeting notices and agendas for YAMPO's standing committees will be prepared by YCPC staff and sent to rabbittransit and PennDOT.

(3) rabbittransit shall compile records and maintain adequate operating data concerning all aspects of the transit system and market in accordance with PennDOT's "Operating Guidelines and Standards for Mass Transportation Assistance Programs" as well as FTA's National Transit Database (Section 5336) Reporting Systems guidelines and shall make such data available to YAMPO and PennDOT upon request.

(4) rabbittransit shall provide YAMPO and PennDOT with copies of federal and state grant applications and grant approvals upon request.

(5) rabbittransit shall be responsible for the planning and implementation of its own program administration, contract activities and engineering for capital projects. YAMPO and PennDOT may provide technical and other assistance in these activities, within budget constraints, upon request.

(6) YCPC staff, in compliance with the approved UPWP, shall be responsible for the completion of needed materials to support and to provide recommendations consistent with locally adopted transportation goals and objectives for rabbittransit's Title VI program, service planning activities and the Coordinated Public Transit – Human Services Transportation Plan.

(7) rabbittransit and YAMPO shall comply with the Commonwealth's Contractor Responsibility Provisions; Contractor Integrity Provisions; Offset Provision; Commonwealth Nondiscrimination/Sexual Harassment Clause (or Federal Nondiscrimination Clause, where federal funds are utilized); the Provisions Concerning the Americans with Disabilities Act, and Right-to-Know-Law Provisions, all of which are incorporated herein by reference.

(8) This **AGREEMENT** shall remain in full force and effect, so long as the parties hereto shall not mutually terminate it. In the case of mutual termination or individual withdrawal, a requirement thereof shall be six (6) months notice in writing, stating reason(s) for withdrawal of termination by the terminator or withdrawer, delivered by registered mail to the other parties, hereto; such notice to be accompanied by a certified and attested proof of due and proper action authorizing such notice of termination or withdrawal.

(9) Any changes, corrections, or additions to the IGA shall be in writing in the form of a letter amendment signed by all parties, setting forth the proposed change, correction, or addition. The letter amendment shall be considered fully executed when signed by all parties and representatives of PennDOT's Office of Chief Counsel and the Office of Comptroller Operations.

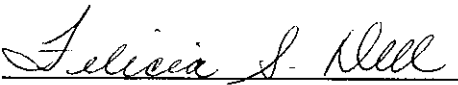
(10) Each of the parties whose signature appear below, and their respective agencies, agree to make every effort to fulfill the stipulations contained herein.

(11) In the event of a dispute, controversy or claim arising out of or relating to this IGA, or the breach, termination or invalidity thereof (a "claim"), the Parties will use their best efforts to settle promptly such dispute through direct negotiation.

THE PARTIES HEREBY ACKNOWLEDGE the foregoing as the terms and conditions of their agreement.

York Area Metropolitan Planning Organization:


James L. Arey, Chairman Date 6/4/15


Felicia Dell, Secretary Date 6/4/15

York Adams County Transportation Authority

Raymond Rosen 6/4/15
Raymond Rosen, Chairman Date

Richard Farr 6/4/15
Richard Farr, Executive Director Date

COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF TRANSPORTATION

James Ritzman 6/15/15
James Ritzman, Deputy Secretary Date

Adam Grimes 6/4/15
Adam Grimes, MPO Representative Date

APPROVED AS TO LEGALITY
AND FORM

BB
8/6/15 BY Michael Hline
for Chief Counsel 8/7/15 Date

BY [Signature]
Deputy General Counsel 8/13/15 Date

BY David E. Stover 8/25/15
Deputy Attorney General Date

FUNDS COMMITMENT DOC. NO. _____
CERTIFIED FUNDS AVAILABLE UNDER
SAP NO. _____

SAP COST CENTER _____
GL ACCOUNT _____
AMOUNT NA

BY Rich Zerkow 9/30/15
for Comptroller Operations Date

**RESOLUTION 1524
EXECUTING AUTHORITY FOR YAMPO BUSINESS**

WHEREAS, York Adams Transportation Authority (YATA) is an active participant of the York Area Metropolitan Planning Organization (YAMPO), and

WHEREAS, YATA, as a member, has administrative responsibilities in authorizing transportation planning and programming, and

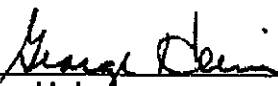
NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of York Adams Transportation Authority to hereby authorize the Chairman of the Board of Directors and the Executive Director to execute any documents that implement the action of the motion voted on by YAMPO. This can include PennDOT agreements, intergovernmental agreements and resolutions.

CERTIFICATION OF OFFICERS

OF

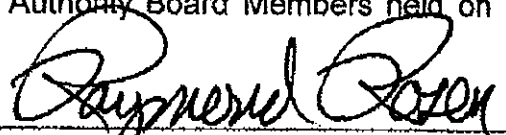
YORK ADAMS TRANSPORTATION AUTHORITY

I certify that the foregoing is a sound and true copy of a Resolution adopted at a legally convened meeting of the York Adams Transportation Authority Board Members held on June 29, 2015.



George Heim
Secretary
York Adams Transportation Authority

attest:



Raymond Rosen
Chairman
York Adams Transportation Authority

RESOLUTION

**PENNDOT AGREEMENT / CONTRACTS
FOR THE YAMPO**

BE IT RESOLVED that the York Area Metropolitan Planning Organization (YAMPO) authorizes the Chairman or the Secretary of the Coordinating Committee to execute any documents that implement the action of the motion voted on by YAMPO. This can include PennDOT agreements, intergovernmental agreements, contracts and amendments thereafter for the June 2015- June 2016 timeframe.

ATTEST:

By *Felicia S. Hill*
Signature

Secretary
Title

6 Aug. 2015

SIGNED:

By *James L. Aron*
Signature

Chairman
Title

6 Aug 2015

