

**MEMORANDUM OF AGREEMENT  
BY AND BETWEEN  
AREA PLAN COMMISSION OF TIPPECANOE COUNTY,  
INDIANA DEPARTMENT OF TRANSPORTATION, AND  
GREATER LAFAYETTE PUBLIC TRANSPORTATION CORPORATION**

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This Memorandum of Agreement is made by and between Area Plan Commission of Tippecanoe County (hereinafter referred to as APCTC), Indiana Department of Transportation (hereinafter referred to as INDOT), and Greater Lafayette Public Transportation Corporation (hereinafter referred to as CityBus).

**WHEREAS**, the most recent Federal Transportation Authorization Legislation requires the establishment of Metropolitan Planning Agreements between the state, the metropolitan planning organization, and public transportation operator(s) in accordance with 23 CFR § 450.314; and

**WHEREAS**, the metropolitan transportation planning process includes APCTC, INDOT, and CityBus; and

**WHEREAS**, transportation planning incorporates a comprehensive, cooperative, and continuing process with relevant agencies including Federal Highway Administration (FHWA) and Federal Transit Authority (FTA); and

**WHEREAS**, APCTC is the designated MPO for the Metropolitan Planning Area (MPA); and

**WHEREAS**, the MPA boundary is determined by agreement between APCTC and the Governor of Indiana, referencing the latest U.S. Census Bureau's Decennial Census; and

**WHEREAS**, INDOT administers the statewide Tier II Transit Asset Management Plan, and is therefore the Tier II group plan leader; and

**WHEREAS**, CityBus is the designated recipient for Section 5307 funding in the Urbanized Area; and

**NOW THEREFORE** APCTC, INDOT, and CityBus mutually agree as follows:

## **RESPONSIBILITIES OF APCTC**

### **METROPOLITAN TRANSPORTATION PLAN (MTP)**

1. APCTC shall develop a Metropolitan Transportation Plan (MTP), in accordance with the requirements of 23 CFR § 450.324, that addresses the planning factors from the most recent federal transportation authorization bill.
2. APCTC shall follow the most recent version of the INDOT, MPO, & RPO Planning Cooperative Procedures Manual for the development of the MTP.
3. APCTC shall develop the MTP in consultation with the other parties in this agreement at minimum once every 5 years.
4. APCTC develops the financial plan for the MTP that demonstrates the fiscal constraint with respect to available and projected sources of revenue.
5. APCTC is responsible for developing and maintaining a travel demand forecasting model for the MPA. APCTC will share the results of Travel Demand Forecasting with INDOT and CityBus as requested.
6. MTP amendments and administrative modifications follow the procedures outlined by APCTC's procedures and Public Participation Plan in place at the time of amendment.
7. The APCTC Policy Board/Committee approves the MTP and its periodic updates.

### **TRANSPORTATION IMPROVEMENT PROGRAM (TIP)**

8. APCTC shall develop a Transportation Improvement Program (TIP), in accordance with 23 CFR § 450.326, that addresses planning regulations from the most recent federal transportation authorization bill.
9. APCTC shall follow the most recent version of the INDOT, MPO, & RPO Planning Cooperative Procedures Manual for the development of the TIP.
10. APCTC develops the TIP in cooperation with INDOT, FHWA, FTA, CityBus, and other agency partners in accordance with the agreed-upon schedule for the INDOT Statewide Transportation Improvement Program (STIP).
11. The TIP shall reflect the investment priorities established in the current MTP, cover a period of no less than 4 years.
12. APCTC will develop the financial plan for the TIP that demonstrates how the approved TIP can be implemented, indicates resources from public and private sources that are reasonably expected to be made available to carry out the TIP, and recommends any additional financing strategies for needed projects and programs.

13. The TIP shall include all federal aid funding projects as well as regionally significant projects, regardless of funding source, within the MPA. Federal funds, other than Metropolitan Planning (PL) dollars, identified for transportation planning activities in the UPWP, must be included in the TIP.
14. APCTC TIP is approved by the Governor of Indiana and incorporated into the STIP which is approved by FHWA and FTA.
15. APCTC will process TIP amendments and administrative modifications in accordance with applicable APCTC TIP amendment and administrative modification procedures as well as INDOT's amendment/modification procedures.
16. The Annual Listing of Obligated Projects (ALOP) will adhere to the process outlined in 23 CFR § 450.334 and as referenced in the most recent version of the INDOT, MPO, & RPO Cooperative Procedures Manual.

### **UNIFIED PLANNING WORK PROGRAM (UPWP)**

17. APCTC will prepare a Unified Planning Work Program (UPWP), in accordance with 23 CFR § 450.308, that addresses the Federal Planning Emphasis Areas (PEAs) identified by FHWA and FTA.
18. APCTC shall follow the most recent version of the INDOT, MPO, & RPO Planning Cooperative Procedures Manual for the development of the UPWP.
19. APCTC will prepare a Unified Planning Work Program (UPWP) in cooperation and consultation with INDOT, FHWA, FTA and CityBus.
20. APCTC will prepare a UPWP for the fiscal year that will take effect beginning on July 1<sup>st</sup> and will provide the draft UPWP to INDOT Technical Planning & Programming.
21. APCTC will submit a final UPWP to INDOT Technical Planning & Programming in a timely manner that allows for final review and recommendation for approval to FHWA and FTA.
22. APCTC will submit invoices on a timely basis, following the most recent version of the INDOT, MPO, & RPO Cooperative Procedures Manual.
23. APCTC will submit a Cost Allocation Plan (CAP) in accordance with 2 CFR § 200.416 and the most recent version of the INDOT, MPO, & RPO Planning Cooperative Procedures Manual.

## **PERFORMANCE-BASED PLANNING & PROGRAMMING (PBPP)**

24. APCTC shares data and information with INDOT and CityBus to assist with the development of performance targets.
25. APCTC may review and provide comments on proposed INDOT or CityBus performance targets prior to final adoption.
26. APCTC shall provide documentation to INDOT that either supports the statewide performance targets as established by INDOT or provides an alternate set of performance targets.
  - a) In the case that APCTC chooses to adopt the statewide performance targets as established by the INDOT, the expected documentation is a resolution or meeting minutes by the APCTC Policy Board/Committee.
  - b) In the case that APCTC chooses to adopt an alternate set of performance targets, the expected documentation is a description of the procedure used to set alternate performance targets as well as a resolution or meeting minutes by the APCTC Policy Board/Committee. APCTC will be responsible for reporting the two-year and four-year performance targets within the federal reporting system for the MPA.
27. APCTC includes information outlined in 23 CFR § 450.324 (f) (3-4) in any MTP amended or adopted after May 27, 2018, and information outlined in 23 CFR § 450.326 (d).
28. Reporting of targets and performance measures by APCTC shall conform to 23 CFR § 490, 49 CFR § 625, and 49 CFR § 673.

## **PUBLIC PARTICIPATION & INVOLVEMENT**

29. APCTC will maintain a Public Participation Plan that is adopted by the APCTC Policy Board/Committee. The Public Participation Plan will include coordination with the INDOT public participation process.
30. APCTC shall follow the Public Participation Plan throughout the planning process, including, but not limited to the development of the MTP and the TIP.
31. APCTC's TIP participation process will serve to meet the public participation requirements of CityBus.
32. APCTC will comply with all appropriate federal assurances, civil rights, and DBE requirements, Title VI guidance, ADA requirements, and procurement activities guidelines.
33. APCTC shall comply with the required provisions of Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21.

## **TRANSIT PLANNING**

34. APCTC will sponsor and participate on committees related to the provision and coordination of transit and para-transit services.
35. APCTC will serve as the lead for the development of the Coordinated Public Transit Human Services Transportation Plan.

## **RESPONSIBILITIES OF INDOT**

INDOT Technical Planning & Programming provides Planning Liaisons to coordinate with APCTC. INDOT Planning Liaisons regularly attend APCTC Technical Board/Committee meetings and APCTC Policy Board/Committee meetings. The INDOT District Capital Program Manager will attend APCTC Technical Board/Committee meetings and have voting representation for INDOT. INDOT District Deputy Commissioners will attend APCTC Policy Board/Committee meetings and have voting representation for INDOT.

### **MTP & TIP**

1. INDOT develops the Statewide Long-Range Transportation Plan (LRTP) in congruence with APCTC's MTP.
2. INDOT will coordinate with APCTC on MTP development and INDOT LRTP development.
3. INDOT will coordinate with APCTC in the development of APCTC's TIP and the development INDOT's STIP.
4. INDOT will develop planned improvement needs on state jurisdictional highways for the development of APCTC's TIP and INDOT's STIP.
5. INDOT will provide APCTC with estimates of available federal and state funding in a timely manner for the development of the financial plans demonstrating the fiscal constraint of APCTC's MTP and TIP. Should funding information be delayed for any reason, APCTC may flat-line funding based on past information.
6. INDOT will develop the STIP in congruence with APCTC's transportation planning process and incorporate APCTC's approved TIP by reference or amendment in its entirety.
7. INDOT will provide timely lists of INDOT projects within the MPA. Project information includes DES #, clear project description, total project cost, state and federal share, federal funding program or source, and letting date or fiscal year.
8. INDOT will develop a Statewide Transportation Improvement Program (STIP) that includes the review and written approval of APCTC's TIP in a timely manner.
9. INDOT will provide a list of projects (including investments in pedestrian walkways and bicycle transportation facilities) for which funds under 23 U.S.C. or 49 U.S.C., Chapter 53 were obligated in the preceding program year. The list of projects will be sorted specifically to include only projects within the MPA. Project information will include DES #, county, sponsor, district, route, project description, work type, phase, fund type, federal obligation amount, advanced construction amount, if any total obligation and obligation date. This will support APCTC in developing the Annual List of Obligated Projects (ALOP).
10. INDOT will collect and share transportation system information with APCTC to facilitate a cooperative transportation planning process and will conduct training sessions and workshops on pertinent topics.

## **UNIFIED PLANNING WORK PROGRAM (UPWP)**

11. INDOT Technical Planning & Programming will assign a planning liaison to participate in transportation planning activities related to the UPWP such as review of the document, preparation of contracts following its approval, review of billings submitted by APCTC, etc.) and to assist with coordination of the PEAs identified by FHWA and FTA.
12. INDOT will provide PL and Transit 5303 estimates to the Indiana MPO Council's PL Committee annually.
13. INDOT Technical Planning & Programming will review and provide approval of the UPWP in a timely manner and begin development of the required contracts and purchase orders. INDOT will strive for a timely notice-to-proceed, a signed contract and a purchase order.
14. INDOT Technical Planning & Programming will review progress reports through the Planning Liaison and initiate the reimbursement of invoices pursuant to applicable Federal Regulations and Indiana Code 5-17-5, Public Purchases.
15. Properly submitted invoices shall be reviewed and processed for payment following the procedures as outlined by the Auditor of the State of Indiana.

## **PERFORMANCE-BASED PLANNING & PROGRAMMING (PBPP)**

16. INDOT will collect bridge and pavement condition data for the state asset management plan for the National Highway System (NHS). INDOT shall coordinate changes to the NHS with APCTC.
17. INDOT, as the Tier II transit provider group plan leader, will collect transit data and produce the Tier II Group Transit Asset Management Plan, to include all Tier II transit providers who elect not to create their own Transit Asset Management Plan.
18. INDOT will provide APCTC with the statewide performance data used in developing statewide targets. Updates of this data will include prior performance data.
19. INDOT will develop draft statewide performance targets in coordination with all Indiana MPOs. Coordination may include in-person meetings, web meetings, conference calls, and/or email communication.
20. INDOT shall give all Indiana MPOs an opportunity to provide comments on statewide targets before final statewide targets are adopted.
21. INDOT performance targets will be reported to FHWA and FTA as applicable.
22. INDOT 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.

23. Reporting of targets and performance by INDOT shall conform to 23 CFR § 490, 49 CFR § 625, and 49 CFR § 673.



## **RESPONSIBILITIES OF CITYBUS**

### **METROPOLITAN TRANSPORTATION PLAN (MTP)**

1. CityBus will provide data, including financial planning information, upon request, and participate in the development of the MTP update.
2. CityBus will provide copies of its Transportation Development Plan, as updated.
3. CityBus will provide MTP amendment requests to APCTC according to the applicable schedule.

### **TRANSPORTATION IMPROVEMENT PROGRAM (TIP)**

4. CityBus will provide a Financial Capacity Analysis showing a 5-year Financial Plan as part of the TIP development process.
5. CityBus will provide a 5-year capital project and operating plan (program of projects) for inclusion in the TIP to APCTC. The capital and operating plan will be updated annually and submitted with the Financial Capacity Analysis. This will be reviewed by the INDOT Transit Office within the Multimodal Division.
6. CityBus will provide TIP amendment requests to APCTC according to the applicable schedule.
7. CityBus will provide a copy (PDF file preferred) to APCTC of each final grant request to FTA and provide a copy of each grant award acceptance.
8. CityBus will provide on an annual basis, no later than 90 calendar days following the end of the program year, a list of transit projects for which funds under 23 U.S.C. or 49 U.S.C., Chapter 53 were obligated in the preceding program year.

### **UNIFIED PLANNING WORK PROGRAM (UPWP)**

9. CityBus will provide APCTC with details for any significant planning activities requiring the use of federal funds and/or planning document outlined in this agreement.

### **PERFORMANCE-BASED PLANNING & PROGRAMMING (PBPP)**

10. CityBus will annually update their Transit Asset Management Plan and performance targets.
11. CityBus may share and request comments on proposed transit targets with INDOT and APCTC prior to adopting them.
12. CityBus will provide APCTC with performance data used in developing targets, as requested.

13. As the designated recipient of federal transit funds, CityBus will offer to complete a Group TAM for eligible subrecipients. If a Group TAMP is completed, CityBus will share its performance data and targets with APCTC and INDOT.
14. CityBus will share the public transit safety plan, any amendments, and its supporting documentation and data with INDOT and APCTC.
15. Reporting of targets and performance by CityBus shall conform to 23 CFR § 490, 49 CFR § 625, and 49 CFR § 673.

### **PUBLIC PARTICIPATION & INVOLVEMENT**

16. CityBus will assist, as requested by APCTC, in any public meetings regarding transit.
17. CityBus will coordinate with APCTC to ensure that the TIP participation process states it will serve to meet CityBus' public participation requirements for the Program of Projects (POP).

### **TRANSIT PLANNING**

18. CityBus will provide a staff liaison to assist with transit planning efforts.
19. CityBus will participate on the Executive Committee, APCTC Technical Board/Committee and APCTC Policy Board/Committee.
20. CityBus will participate in the development of the Coordinated Public Transit Human Services Transportation Plan.
21. CityBus will be responsible for its Capital Improvement Plan and its ADA Compliance Plan and other activities directly related to the operation of public transit services in APCTC's Urbanized Area.
22. CityBus, as the designated recipient of federal transit funds, will be required to maintain all necessary records in support of the expenditure of funds where it is a direct recipient and oversight of expenditures of CityBus' subrecipients. For all other monies, those direct recipients are responsible to maintain records and make them available to all necessary parties.
23. CityBus is responsible for the local matching dollars for all funds for which it is a direct recipient. CityBus is not responsible for the local matching dollars for its subrecipients.
24. CityBus agrees that it will comply with all required federal objectives.

## **SIGNATORIES & AUTHORIZATION**

**IN WITNEES WHEREOF**, the undersigned executive staff members of APCTC, INDOT, and CityBus have authorized this Memorandum of Agreement on the dates indicated.

### **INDIANA DEPARTMENT OF TRANSPORTATION (INDOT)**

Deputy Commissioner of Capital Program Management	Date

### **AREA PLAN COMMISSION OF TIPPECANOE COUNTY (APCTC)**

Executive Director	Date

### **GREATER LAFAYETTE PUBLIC TRANSPORTATION CORPORATION (CityBus)**

President & CEO	Date