COMPENDIUM OF OPERATIONS and METROPOLITAN PLANNING AGREEMENT

Revised January 2014

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INTRODUCTION

This Compendium of Operations, including various Metropolitan Planning Agreements, contains the documented agreements and operating procedures that govern the New York Metropolitan Transportation Council (NYMTC), which is the Metropolitan Planning Organization (MPO) for the New York City, suburban Long Island and the lower Hudson Valley areas of New York State.

Included here are all the documents that define the organization and operation of NYMTC, including the Memorandum of Understanding between NYMTC's members; the Governor's designation of NYMTC as an MPO; various other key agreements; and the Organizational Operating Procedures and the Functional Operating Procedures that supplement the MOU.

This compendium is provided for reference and use in conducting NYMTC's business and is available to NYMTC members and the public for their information and use.

OVERVIEW

The federal legislation which authorizes funding for transportation improvements nationwide and its associated regulations require metropolitan areas to undertake a coordinated regional transportation planning process in order to be eligible for federal transportation funding. Per these regulations, the organizational mechanism for this regional planning process is the MPO. Although MPOs take a variety of forms nationwide, they are generally regional councils of governments whose members join together to undertake the prescribed metropolitan transportation planning process in order to receive federal reimbursement for the costs of transportation improvement projects.

NYMTC was designated as the MPO for New York City, Long Island and the lower Hudson Valley by the Governor of the State of New York in June 1982 after the dissolution of its predecessor, the Tri-State Regional Planning Commission (Tri-State). Tri-State, which was formed through a compact between the states of New York, New Jersey and Connecticut, had formerly fulfilled the MPO functions for the area that would be designated as NYMTC, as well as for northern New Jersey, southwestern Connecticut and several counties in New York State to the north of the NYMTC planning area. When the compact that formed Tri-State was dissolved in 1982, a number of smaller organizations were formed in the wake of the dissolution; NYMTC being one of them.

Organizationally, NYMTC was formed through a Memorandum of Understanding (MOU) between its member agencies. This MOU established NYMTC as a "council of transportation coordinating committees" using the geographically-oriented constituent committees that had operated under Tri-State as a basis for the new organization. The language of the MOU was passed by the New York State Legislature and signed into law and the Governor designated NYMTC as the MPO for its planning area.

MEMORANDUM OF UNDERSTANDING

The organizational basis of NYMTC is a foundation MOU among its constituent agencies that was executed in 1982. This MOU also forms the core of the metropolitan planning agreement required under federal planning regulations. The member agencies entered into this agreement through the action of the three transportation coordinating committees (TCCS) that came together to form NYMTC.

The 1982 MOU lays out the basic organizational forms and relationships of NYMTC as an MPO, including the continuation of the TCCs as standing committees of NYMTC; designation of the standing Program, Finance and Administration Committee (PFAC) to oversee NYMTC's day-to-day operations; designation of NYMTC advisory (non-voting) membership, the decision-making protocols of the organization; the form, functions and operating protocols of NYMTC's staff; and the operating protocols of the organization with regard to the three federally-mandated planning products: the Regional Transportation Plan, Transportation Improvement Program and Unified Planning Work Program. Finally, the MOU establishes a mechanism for coordinating with neighboring MPOs.

ADDENDA TO THE 1982 MOU

Over time, the information contained in the 1982 MOU proved insufficient to provide the detailed operational guidance critical to NYMTC's functioning, given the complexities of NYMTC's operation and the dynamic nature of the federal regulations which govern the MPO planning process. As needed, additional guidance has been provided through the adoption by NYMTC or its constituent committees of a series of supplemental agreements and operating procedures that effectively form a series of addenda to the 1982 MOU. The adoption of new agreements and operating procedures has allowed NYMTC to adjust its operations in response to new requirements and regional needs.

The supplemental agreements and operating procedures are not formally part of the 1982 MOU. However, in all cases they are formally and publicly adopted by NYMTC or its constituent committees and therefore join with the 1982 MOU to form the metropolitan planning agreement called for under federal planning regulations.

Supplemental Agreements and Organizational Operating Procedures – supplement and expand on the language of the 1982 MOU as it relates to different components of NYMTC's organization and its relationship to entities in its planning area and in the larger metropolitan region. The 1982 MOU also contains such procedures for the Council principals acting as NYMTC and for NYMTC's staff. The organizational operating procedures provide more detailed protocols for NYMTC's standing committees: PFAC, the Mid-Hudson South Transportation Coordinating Committee, Nassau-Suffolk Transportation Coordinating Committee and the New York City Transportation Coordinating Committee.

Functional Operating Procedures – supplement and expand on the language of the 1982 MOU as it relates to NYMTC's primary functions as an organization. The MOU contains such procedures for the collaborative production of the three main products of the metropolitan planning process: the Regional Transportation Plan, Transportation Improvement Program and Unified

Planning Work Program. Over time, changes to the federal planning regulations have necessitated the adoption of new operating procedures to accommodate new or revised regulatory requirements related to these products and/or establishing new required products or analyses. The functional operating procedures appear in the following order: Public Participation, Project Selection, Major Investment Studies, Congestion Management Process, Major Project Analysis and Financial Planning, Transportation Improvement Program and Statewide Transportation Improvement Program.

RESPONDING TO FUTURE NEEDS

As defined above, NYMTC's metropolitan planning agreement – as constituted by the MOU and supplemental agreements and organizational and functional operating procedures – is a living agreement which needs to respond to potential future changes to the federal planning regulations each time new federal transportation authorizing legislation is passed, as well as changing relationships with entities with NYMTC's planning area and in the larger metropolitan region. Given the dynamic nature of the federal regulatory process, NYMTC will continue to adopt new operating procedures and/or amend existing procedures as regulations and requirements change within the basic framework of the 1982 MOU.

I. Agreements

MEMORANDUM OF UNDERSTANDING
for
COUNCIL OF TRANSPORTATION COORDINATING COMMITTEES
June 30, 1982

This agreement is entered into this thirtieth day of June, 1982, by and between the Counties of Nassau, Putnam, Rockland, Suffolk, and Westchester, the City of New York, the Metropolitan Transportation Authority, and the New York State Department of Transportation, acting through the Mid-Hudson South, Nassau-Suffolk, and New York City Transportation Coordinating Committees.

WITNESSETH

WHEREAS, transportation of people and goods is vital to the economic and social well-being of the metropolitan area embracing the Counties of Nassau, Putnam, Rockland, Suffolk and Westchester and the City of New York; (hereinafter the "metropolitan area") and

WHEREAS, general purpose local governments of the metropolitan area, the State of New York, and local, regional and State agencies have a strong common interest in coordinating and cooperating in performing transportation planning to meet local, regional, state and federal goals and objectives; and

WHEREAS, the transportation, land use, and economic planning and development activities of public and private agencies within the metropolitan area are of such magnitude and complexity and of such potential degrees of mutual impact, as to make necessary a formally coordinated, comprehensive, and continuing transportation planning and decision process carried on cooperatively by local governments and agencies and the State; and

WHEREAS, Titles 23 and 49 of the Federal Statutes require such a transportation planning and programming process for the metropolitan area; and

WHEREAS, since 1975, the Mid-Hudson South, New York City, and Nassau-Suffolk Transportation Coordinating Committees (TCC) have been recognized by the State and Federal Governments as appropriate and effective subregional forums for cooperative transportation decision making by principal elected officials of general purpose local governments and local, regional, and State transportation agencies; and

WHEREAS, the members of the Mid-Hudson South, New York City, and Nassau-Suffolk TCC's have agreed to join together to form the Council of Transportation Coordinating Committees and, acting through the Council, to constitute the federally required Metropolitan Planning Organization for the metropolitan area; and

WHEREAS, pursuant to the Federal regulations, the Council of Transportation Coordinating Committees has been designated by agreement among the units of general purpose local governments and the Governor as the Metropolitan Planning Organization responsible, in

cooperation with the State and publicly owned operators of mass transportation services, for carrying out the urban transportation planning process specified in 23 CFR 450 and 49 CFR 613 and other applicable Federal regulations; and

WHEREAS, it is the purpose of this Memorandum of Understanding to delineate the roles and responsibilities and administrative, decision making, and staffing arrangements for the TCC's and the Council to carry out transportation planning and programming to continue the area's qualification for Federal transportation assistance;

NOW, THEREFORE, the parties do hereby agree to the following:

I. CONTINUATION OF TRANSPORTATION COORDINATING COMMITTEES – COMMITTEE MEMBERSHIP

A. The Mid-Hudson South Transportation Coordinating Committee is continued, with voting membership to include:

1. Westchester County Executive
2. Putnam County Executive
3. Chairman of Legislators, Rockland County
4. Mayor of the City of Yonkers (tenure of membership to be determined by the Mid-Hudson South Transportation Coordinating Committee)
5. Chairman, Metropolitan Transportation Authority
6. Commissioner, New York State Department of Transportation

B. The Nassau-Suffolk Transportation Coordinating Committee is continued, with voting membership to include:

1. Nassau County Executive
2. Suffolk County Executive
3. Chairman, Metropolitan Transportation Authority
4. Commissioner, New York State Department of Transportation

C. The New York City Transportation Coordinating Committee is continued, with voting membership to include:

1. Chairman, New York City Planning Commission, representing the Mayor of the City of New York
2. Commissioner, New York City Department of Transportation, representing the Mayor of the City of New York
3. Chairman, Metropolitan Transportation Authority
4. Commissioner, New York State Department of Transportation

II. COUNCIL MEMBERSHIP

The Council of Transportation Coordinating Committees shall have as voting members:

1. Westchester County Executive
2. Putnam County Executive
3. Chairman of Legislators, Rockland County

4. Nassau County Executive
5. Suffolk County Executive
6. Chairman, New York City Planning Commission, representing the Mayor of the City of New York
7. Commissioner, New York City Department of Transportation, representing the Mayor of the City of New York
8. Chairman, Metropolitan Transportation Authority
9. Commissioner, New York State Department of Transportation

This representation of the participating units of government is not intended to indicate a proportional or any other kind of weighting for voting purposes. Indeed, this representation shall remain in effect only as long as Council decisions are reached by consensus as defined herein.

Advisory (non-voting) membership on the Council and on each TCC shall include the Federal Highway Administration, Urban Mass Transportation Administration, U.S. Environmental Protection Agency, N.Y.S. Department of Environmental Conservation, and the Port Authority of New York and New Jersey.

Members of all TCC's and the Council may be represented by designated substitutes. Such designation shall be in writing to the Secretary.

III. OFFICERS

A. The Commissioner of the New York State Department of Transportation shall serve as permanent co-Chairperson of the Council with functional responsibility for agency operations. There shall be a rotating Council co-Chairperson, elected each year in turn by one of the TCC's from among its members. The rotation among TCC's for this purpose shall be decided by the Council.

B. The New York State Department of Transportation shall perform Secretarial services for the Council.

C. Each TCC shall elect officers according to its bylaws or operating procedures, except that the New York State Department of Transportation shall perform Secretarial services for each TCC.

IV. VOTING BY CONSENSUS

All actions taken by the TCC's and by the Council shall be by consensus of members. Consensus is defined to be unanimity of affected parties, with the co-Chairpersons judging the extent to which members are affected by proposed Committee or Council actions and declaring consensus or the lack thereof as the case may be.

V. CENTRAL STAFF

To meet area-wide transportation planning needs and to provide centralized services to the TCC's, the Council shall provide for a Central Staff, and a Staff Director appointed by the Council from a list provided by the permanent co-Chairperson. The Staff Director shall be accountable to the Council for results of that portion of the transportation planning program assigned to the Central Staff, and for the economy and efficiency of the Central Staff operation. Central Staff activities shall be limited to transportation and transportation related matters and may include:

1) data collection, monitoring and analysis,
2) demographic analysis and forecasting,
3) strategic transportation planning,
4) regional transportation systems planning,
5) travel simulation and modeling and other technical planning and planning services,
6) mapping services,
7) administrative services including contract administration, and
8) special studies of regional significance.

VI. UNIFIED PLANNING WORK PROGRAM

A. The Council shall establish goals, objectives, criteria, and standards for the development of work programs for the use of federal and other planning funds.

B. The Unified Planning Work Program shall comprise the following major work elements:

1. Central Staff
2. TCC Staff
3. Subregional Pass Through
4. Transit Operators Planning Program
5. Special Studies

C. 1. The work program of the Central Staff shall be determined annually by the Council.

2. A method for distributing funds for Special Studies shall be determined annually by the Council.

D. 1. The New York State Department of Transportation, shall, on behalf of the Council, make application annually to the Urban Mass Transportation Administration and to other Federal agencies as may be appropriate, for funds to support the Council's planning program. The Department shall make such funds, as well as funds received from the Federal Highway Administration, available to the Council for its decision on their use and distribution. The Department shall be the UMTA grant applicant for the Central Staff, TCC Staff, and Subregional Pass Through work elements of the UPWP. Applicants for UMTA grants to support the Transit Operators Planning and Special Studies work elements shall be determined annually in the UPWP.

2. The Council authorizes the Department and others as appropriate, to accept on behalf of the Council, the transfer of current grants that have been awarded to the Tri-State Regional Planning Commission.

3. The UPWP, as endorsed by the Tri-State Regional Planning Commission for federal fiscal year 1981 (Tri-State Program Year 1981/82), shall not be altered by the Council, except by consensus of the Council members as defined herein.

E. For the program year starting July 1, 1982, the allocation of funds to be made for the above major program elements except for Special Studies shall be determined by the Council.

F. For the program year starting July 1, 1982, Subregional Pass Through funds shall be made available to each county and city in proportion to its 1980 population; however, no county shall receive less than $25,000.

VII. TRANSPORTATION PLANS

A. The Council shall develop and review annually area-wide transportation goals and objectives, considering Federal and State policies and requirements, for the guidance of its constituent TCCs.

B. Each TCC shall develop and review and update, as necessary, a TCC Transportation Plan, consisting of long-range and short-range elements, including Transportation Systems Management components, and shall submit the Plan to the Council.

C. Upon receipt of the TCC Transportation Plans, the Council shall examine them with respect to its goals and objectives, reconcile any differences, inconsistencies, or conflicts by consensus as defined herein, integrate the Plans into an area-wide Transportation Plan, and endorse the resultant Plan as meeting the requirements of 23 CFR 450 and 49 CFR 613.

VIII. TRANSPORTATION IMPROVEMENT PROGRAM

A. Each TCC shall develop and update annually a TCC Transportation Improvement Program (TIP) in cooperation with State and local officials, regional and local transit operators, recipients authorized under Section 5 of the Urban Mass Transportation Act (49 USC 1604), and with input from other affected transportation and regional and local planning and implementing agencies. The TIP shall consist of improvements recommended from the short-range and long-range elements of the Transportation Plan developed under VII., and continuing or special planning studies.

B. The Council shall incorporate the TCC TIP's annually into an area-wide Transportation Improvement Program, including projects of a regional nature recommended by the Program, Finance, and Administration Committee (defined below) as initiated pursuant

to IX C.1, and shall endorse the Program as meeting the requirements of 23 CFR 450 and 49 CFR 613, provided that the Program is consistent with plans adopted by the Council. Additions, deletions, or any other changes to TCC TIP's shall not be made by the Council except by consensus of its members as defined herein.

C. The Transportation Improvement Program as endorsed by the Tri-State Regional Planning Commission for federal fiscal year 1983 shall not be altered by the Council except by consensus of Council members as defined herein.

IX. PROGRAM, FINANCE AND ADMINISTRATION COMMITTEE

The Council shall establish a Program, Finance and Administration Committee (PFAC), to be composed of staff representatives of the New York State Department of Transportation, the Metropolitan Transportation Authority, and one to be appointed by each of the Transportation Coordinating Committees. The Central Staff Director shall serve as Secretary to the Committee. The co-Chairpersons of the Council shall appoint the Chairperson of the Committee from among the Committee members.

A. The PFAC shall be responsible for overseeing the day-to-day operations of the MPO, including the following activities:

1. Monitoring and coordinating progress of the Council's Unified Planning Work Program to assure adherence to budgets and consistency with Federal regulations and local, state and federal objectives, and

2. Minor revisions to budgets and other aspects of the work program, as necessary during the program year.

B. The PFAC shall, in cooperation with the TCCs, develop annually a draft Unified Planning Work Program consistent with the requirements of 23 CFR 450 and 49 CFR 613, for recommendation for endorsement by the Council at the Council's Annual Meeting. The Work Program shall include Central and sub regional staff activities, Council member activities and special studies.

C. 1. Upon the initiation by any Council member of a project (or projects) of Region wide significance through the appropriate TCC(s), or changes to such projects, which for some reason must receive MPO endorsement during the interval between Council meetings, the PFAC shall be authorized to act for the Council to include such project(s) (or make such changes) in the Council's TIP. To the extent possible such TIP changes shall be recommended by the PFAC to the Council at its next meeting. In the case that approval of affected TCC's can not be secured, the Council will meet to decide the issue.

2. Upon the endorsement by a TCC of a change in its TIP, which change must for some reason be incorporated in the Council TIP during the interval between the Council's Annual Meetings, the PFAC shall be authorized to act for the Council to make such incorporation and shall make such incorporation, provided that the change is consistent with plans adopted by the Council.

D. Upon the request of any Council member of a change in the Council's Unified Planning Work Program, including the Program budget(s), which for some reason must receive MPO endorsement during the interval between the Council meetings, the PFAC shall be authorized to act for the council to make such a change. All actions taken by the PFAC concerning the UPWP shall be reported to all Council members within five working days. Such actions shall be effective unless a negative response is received from a Council member within ten working days.

X. NONREGIONAL TCC ACTIONS

The following actions by the TCC's, to be taken when necessary, shall be accepted as official MPO actions without formal ratification by the Council:

A. The delineation of and keeping up-to-date, subregional urban area boundaries in cooperation with the State.

B. The designation of appropriate federal-aid urban highway systems subject to concurrence of the New York State Department of Transportation.

C. The making of minor modifications to the TCC TIP, including minor changes in scope of endorsed projects, substitutions by the initiating agency of projects of similar scope, and deletions or additions of subregional projects (within available funding).

A complete and current record of such actions shall be maintained by the Central Staff and be available for inspection and use by Council members.

XI. COORDINATION WITH ADJACENT MPOS

Within six months from the date of execution of this Memorandum of Understanding, the Council shall develop procedures for coordinating its plans and programs, and its planning and programming processes, with adjacent Metropolitan Planning Organizations in the states of New York, New Jersey and Connecticut. The Council shall appoint a representative to work with these MPOs and to report back to the Council with recommendations on this matter as soon as possible.

XII. MEETINGS AND AGENDAS

A. 1. Each TCC shall have an annual meeting, held each year between January 15 and February 15. Its business agenda shall include:

   a. Election of Chairperson
   b. Endorsement of a TCC TIP with an Annual Element
   c. Endorsement of a TCC Transportation Plan
   d. Other business items requested by any member

   (During a transition period, additional TCC meetings may be necessary, until all of the above agenda items are on a schedule that allows for action on them by the TCC at its Annual Meeting.)

2. Special TCC meetings may be called at the request of any member of the TCC at any time, upon written request to the Secretary of the TCC.

3. The Secretary shall be responsible for scheduling all meetings.

4. A quorum for any TCC meeting shall be 2/3 of its voting members.

B. The Council shall have an Annual Meeting, held each year as soon as possible after all TCC Annual Meetings have been concluded, but no later than March 15.

1. The business agenda of this Annual Meeting of the Council shall include:

   a. Endorsement of the area-wide TIP and annual element

   b. Endorsement of the area-wide Transportation Plan

   c. Adoption of the UPWP

   d. Other business items requested by any members

2. Special Council meetings may be called at any other time upon written request of any member of the Council to the Secretary.

3. The Secretary shall be responsible for the scheduling of all meetings, including special meetings.

4. A quorum for any Council meeting shall be 2/3 of its voting members.

XIII. CENTRAL STAFF OPERATION

The New York State Department of Transportation shall provide for the financial operations of the Central Staff and ensure that the Central Staff activities are in compliance with applicable laws and regulations. The relative responsibilities of the Council and the Department for the Central Staff are detailed below. In all cases the responsibilities of the Council for the Central Staff shall be carried out on a day-to-day basis by the PFAC.

A. The Council shall be responsible for:

1. Program results:

   a. Assuring that the desired results or benefits of the Central Staff's work are being achieved, including that the Unified Planning Work Program activities are on schedule, of proper quality, and are documented and reported on in an appropriate manner.

   b. Assuring that the urban transportation planning objectives established by the Federal regulations and the Council itself are being met, including that the UPWP elements are responsive to Federal planning requirements and area transportation issues and problems.

2. Economy and efficiency of Central Staff operation:

   a. Assuring that desired results are achieved at lowest cost, including that Central Staff size, salary levels and other costs are appropriate and planning methods well chosen.

   b. Assuring that the Central Staff is managing or utilizing its resources (personnel, property, space, etc.) in an economical and efficient manner, including that management information systems, administrative procedures, organizational structures and other management tools are adequate.

3. Selecting consultants to perform activities in the Central Staff work program as provided for in the approved UPWP and negotiating professional services agreements, except that the Department shall be entitled to have a representative in all consultant selection decisions and fee negotiations that affect contracts held by the Department on behalf of the Council;

4. Approving all required task work programs (task amplifications) and preparing those required for Central Staff Activities;

5. Providing funds for a Central Staff Director and directing him/her to:

   a. Manage Central Staff planning activity to ensure continued compliance with Federal and State regulations;

   b. Prepare and maintain work budgets for all Central Staff planning activities and cash flow budgets for Central Staff operations;

   c. Assist the Department in establishing acceptable ledgers and accounting procedures to maintain complete and accurate records pertaining to revenues, expenses, work performed, and cash on hand;

d. Assist the Department in preparing appropriate documentation of payrolls, time records, grant charges, invoices, vouchers, purchases, and other expenses in accordance with State and Federal requirements;

e. Assist the Department with the establishment and maintenance of Central Staff-related accounting records and bookkeeping procedures;

B. The Department shall be responsible for:

1. Prefinancing the Central Staff operation for the Council prior to reimbursement;

2. Employing Central Staff and paying Central Staff salaries and fringe benefits;

3. Paying Central Staff operating expenses and program costs in accordance with the approved Unified Planning Work Program;

4. All Central Staff financial operations;

a. Controlling Central Staff revenues, expenditures, assets and liabilities to the extent necessary to meet the Department's obligations with respect to the State funds involved. Some examples of necessary controls would be:

<u>Cash Receipts</u>

- Cash which should have been received is, in fact, received, and is deposited promptly and intact.

<u>Cash Disbursements</u>

- Disbursements are authorized and for proper amounts.

- Disbursements are properly recorded, adequately supported by documentation and made for the purposes intended.

<u>Purchasing, Receiving, and Accounts Payable</u>

- Purchases of goods and services are properly authorized and made in accordance with established policies and procedures.

- Purchase transactions are recorded properly and on time.

- Charges to federally assisted programs arising from purchase transactions conform to cost principles proscribed under pertinent federal circulars and the terms of the federal grant(s).

Payroll

- Employees shown on the payroll records are authorized and hired in accordance with administrative requirements.
- Payrolls are accurately calculated on the basis of authorized rates of pay.
- Payroll deductions are made in accordance with existing legal requirements and contractual agreements.
- Payroll transactions are accurately recorded in the accounting records.
- Employees charged to federally assisted programs are authorized by the approved budget.
- Fringe benefit arrangements affecting federal grant programs are consistently applied to all the organization's operations, including non-federal activities.

Billings and Receivables

- Billings represent valid claims for goods shipped or services received and are based on established pricing policies.
- Billings and related receivables are recorded at the proper time.
- Noncash credits to receivable accounts are appropriately authorized and supported and are made in accordance with established policies.
- Billings and receivables are accurately recorded in the accounting records.

b. Assuring that the financial reports for Central Staff operations contain accurate, reliable, and useful financial data and are fairly presented.

5. Assuring that the Central Staff operation is in full compliance with all applicable Federal, State and local laws and regulations, including that all Central Staff activities are eligible for reimbursement and that all matching requirements are met.

C. New York State shall provide the non-federal share of Central Staff financing as detailed in the UPWP.

NASSAU-SUFFOLK TRANSPORTATION COORDINATING COMMITTEE

Sam Ippolito, Secretary
NEW YORK STATE OFFICE BL...
VETERANS MEMORIAL HIGHW...
HAUPPAUGE, NEW YORK 11787
TELEPHONE (516) 979-5080

Date: June 30, 1982

Subject: APPROVAL OF MEMORANDUM OF UNDERSTANDING ADOPTING A "COUNCIL OF TRANSPORTATION COORDINATING COMMITTEES" METROPOLITAN PLANNING ORGANIZATION RESTRUCTURING

From: Sam Ippolito, Secretary Sam Ippolito

To: S. Thyagarajan, Acting Director, Bi-State Regional Planning Commission

cc: Peter F. Cohalan, Suffolk County Executive
Francis T. Purcell, Nassau County Executive
William C. Hennessy, Commissioner, New York State Dept. of Transportation
Richard Ravitch, Chairman, Metropolitan Transportation Authority

This is to inform you that the voting members of the Nassau-Suffolk Transportation Coordinating Committee have adopted the Memorandum of Understanding setting up the "Council of Transportation Coordinating Committees" as the reorganized New York City area's Metropolitan Planning Organization (MPO). This is subject to the caveat that Mr. Purcell's approval be ratified by the Board of Supervisors at a later date and Mr. Cohalan's caveat that the Co-chairmen have co-equal decisionmaking authority. The new MPO reorganization will commence July 1, 1982 with initial direction provided by the Program, Finance and Administration Committee.

If you have further questions, please contact Mr. Larry Malsam of my staff at (516) 979-5120.

SI:MW
Enclosure

JUL 8 2004

INTERIM MAIL BALLOT OF NASSAU-SUFFOLK TRANSPORTATION COORDINATING COMMITTEE

June 15, 1982

Adoption of Memorandum of Understanding

Adoption of MOU for
Council of TCCs

☑ Approve ☐ Disapprove

Signature

FRANCIS T. PURCELL
Name

NASSAU COUNTY EXECUTIVE
Title, Agency

JUNE 25, 1982
Date

Approved
FIRST DEPUTY COUNTY COMPTROLLER 6/30/82
Peter T. King
County Comptroller

JUL 8 2004

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INTERIM MAIL BALLOT OF NASSAU-SUFFOLK TRANSPORTATION COORDINATING COMMITTEE

June 15, 1982

Adoption of Memorandum of Understanding

Adoption of MOU for
Council of TCCs

☑ Approve ☐ Disapprove

Signature

Name

Title, Agency

Date

JUL 8 2004

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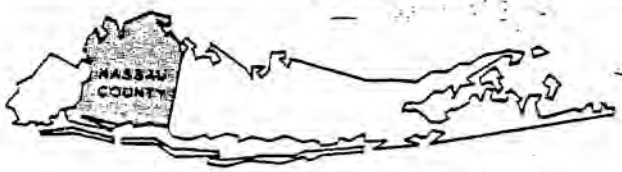

NASSAU COUNTY PLANNING DEPARTMENT

DIVISION OF TRANSPORTATION

HERBERT LIBERT
Director

FRANCIS T. PURCELL
County Executive

July 1, 1982

Mr. Sam Ippolito, Secretary
Nassau-Suffolk Transportation Coordinating Committee
New York State Office Building
Veterans Memorial Highway
Hauppauge, N. Y. 11787

Re: Approval of TCC Adoption of Memorandum of Understanding

Dear Mr. Ipplito:

As requested by William Hennessy, Commissioner, New York State Department of Transportation, enclosed is an Interim Ballot duly signed by County Executive Francis T. Purcell relative to the above.

Very truly yours,

HERBERT LIBERT
Director

enc.
HL/fp

JUL 8 2004

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State of New York

Metropolitan
Transportation
Authority

347 Madison Avenue New York, New York 10017 Phone 212 378-7000

RECEIVED
JUL 20 1982
U.M.T.A.
REGION 10

Members of the Board
Richard Ravitch
Chairman
Lawrence R. Bailey
Daniel T. Scannell
Vice Chairmen
Carol Bellamy
Stephen Berger
David W. Brown
Jane K. Butcher
Herbert J. Ebert
John P. McAlevey
Ronay Menschel
William J. Sheridan
Constantine Sidamon-Eristoff
Robert R. Wagner, Jr.
Robert T. Waldbauer
Acting Executive Director
David Z. Plavin

July 15, 1982

Mr. Larry Malsam
Nassau-Suffolk
Transportation Coordinating Committee
New York State Office Building
Veterans Memorial Highway
Hauppauge, N.Y. 11787

Dear Mr. Malsam:

Enclosed please find the approved mail ballots for the proposed TIP amendments of June 15 and June 22, 1982. These approvals cover the adoption of the MOU for the Council of TCC's and the Long Island Rail Road Air Compressor Demo project.

If you have any questions, please call me.

Sincerely,

Sheldon Fialkoff
Senior Transportation Planner

Encl.

JUL 8 2004

INTERIM MAIL BALLOT OF NASSAU-SUFFOLK TRANSPORTATION COORDINATING COMMITTEE

June 15, 1982

Adoption of Memorandum of Understanding

Adoption of MOU for
Council of TCCs

☑ Approve ☐ Disapprove

John M. Kaiser
Signature

John M. Kaiser
Name

Ass't Exec. Director MTA
Title, Agency

6/30/82
Date

JUL 8 2004

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FRANCIS T. PURCELL
COUNTY EXECUTIVE

OFFICE OF THE EXECUTIVE
NASSAU COUNTY EXECUTIVE BUILDING
ONE WEST STREET
MINEOLA, N. Y. 11501

June 30, 1982

Mr. W. C. Hennessy
Commissioner, NYSDOT
1220 Washington Avenue
State Campus
Albany, New York 12232

Dear Mr. Hennessy:

I am in receipt of your June 23rd letter regarding changes in the Council of TCC's Memorandum of Understanding.

In my capacity as a voting member of the Nassau/Suffolk Transportation Coordinating Council, I approve of the changes regarding co-chairpersons.

Sincerely,

Francis T. Purcell

FTP:HL:ser

JUL 8 2004

41 of 224

INTERIM MAIL BALLOT OF NASSAU-SUFFOLK TRANSPORTATION COORDINATING COMMITTEE

June 15, 1982

Adoption of Memorandum of Understanding

Adoption of MOU for
Council of TCCs

[X] Approve [ ] Disapprove

Signature

Peter F. Cohalan
Name

County Executive, Suffolk County
Title, Agency

Date

JUL 8 2004

42 of 224

COUNTY OF SUFFOLK

OFFICE OF THE COUNTY EXECUTIVE

PETER F. COHALAN
SUFFOLK COUNTY EXECUTIVE

JOHN C. GALLAGHER
CHIEF DEPUTY

RECEIVED
JUL - 6 1982
REG. ON 10

June 28, 1982

Mr. S. Ippolito, Secretary
Nassau-Suffolk Transportation Coordinating
Committee
New York State Office Building
Veterans Memorial Highway
Hauppauge, New York 11788

RE: MCU - Council of TCC's

Dear Mr. Ippolito:

I am returning the interim ballot endorsing the memorandum of understanding relating to the Council of Transportation Coordinating Committees. I believe that the Council could have performed effectively under the concept of a single rotating chairperson selected from among all of us each year. However, I am agreeing to the Co-chairperson arrangement with the understanding that decisions which are relegated to the Chair are likewise coequal.

At this time please convey my appreciation to Henry Peyrebrune and his staff as well as to all the TCC representative whose diligence for the past six months has resulted in developing a mechanism for continuing transportation planning for the region.

I look forward to participating in Council deliberations.

Sincerely yours,

PETER F. COHALAN
SUFFOLK COUNTY EXECUTIVE

PFC:kec
Enclosure:

JUL 8 2004

VETERANS MEMORIAL HIGHWAY • HAUPPAUGE, N.Y. 11788 • (516) 360-4000

INTERIM MAIL BALLOT OF NASSAU-SUFFOLK TRANSPORTATION COORDINATING COMMITTEE

June 15, 1982

Adoption of Memorandum of Understanding

Adoption of MOU for
Council of TCCs

[X] Approve [ ] Disapprove

Signature

William C. Hennessy
Name

Commissioner, New York State Department of Transportation
Title, Agency

JUL 09 1982
Date

JUL 8 2004

44 of 224

Planning

Interim Ballot

MEMORANDUM
DEPARTMENT OF TRANSPORTATION

DATE JUL 09 1982

SUBJECT NASSAU-SUFFOLK TRANSPORTATION COORDINATING COMMITTEE
INTERIM MAIL BALLOT
COUNCIL MEMORANDUM OF UNDERSTANDING

FROM W. C. Hennessy, Office of Commissioner, 5-506

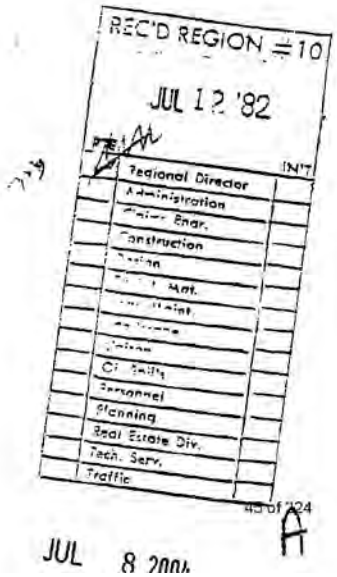
TO S. Ippolito, Secretary, NSTCC

cc: E. L. Peyrebrune, Office of Public Transportation, 5-502
E. W. Campbell, Planning Division, 4-115
W. S. Caswell/R. Breuer, File D-1-h(1), Planning and Research Bureau, 4-206
B. M. Hecht/File F-1
L. Malsam, Region 10

Attached is my signed affirmative ballot on the Council version of the MOU. My approval should be construed as incorporating the changes that I identified in my letter of June 23, 1982 to the TCC Members.

WCH:BMH:gjr

Attachment



July 23, 1982

Mr. Henry L. Peyrebrune
Assistant Commissioner for Public Transportation
New York State Department of Transportation
Building 5, Room 502
State Campus
1220 Washington Avenue
Albany, New York 12232

Dear Commissioner:

Re: Memorandum of Understanding Establishing a Council of TCC's as MPO for New York Urbanized Area

Attached are copies of the mail ballots returned by the members of the Mid-Hudson South Transportation Coordinating Committee, approving the MOU establishing a Council of TCC's as the MPO for the New York City Urbanized Area. The signed originals are being sent to Barry Hecht, via copy of this letter, for transmittal to FHWA.

Please note the conditions specified by the attachments to the Rockland and Westchester ballots; whether or not they compromise or otherwise affect local approval is unclear. In any case, please let me know if any further action by this TCC is necessary to address this or other issues.

If you have any questions, please contact Bruce Avery, in the Regional Planning and Development group, at extension 220.

Very truly yours,

A. E. Dickson, Secretary
Mid-Hudson South Transportation
Coordinating Committee

AED:ak

Attachment

cc: B. M. Hecht, Downstate Metro. Planning Section, Room 205, Bldg. 4
S. D. Phraner, Staff Director, New York Metro Trans. Council

JUL 8 2004

46 of 224

Mid Hudson South Transportation Coordinating Committee

MAIL BALLOT

In accordance with the written polling procedures as provided for in the Operating Procedures of the Mid Hudson South Transportation Coordinating Committee, I, the undersigned, as the Committee member representing TRI-STATE/BI-STATE R.P.C. have read and reviewed the Memorandum of Understanding, dated May 25, 1982, transmitted by Department of Transportation Commissioner Hennessy's letter of June 3, 1982, establishing a Council of TCC's as the Metropolitan Planning Organization (MPO) for the New York City Metropolitan Area, delineating the roles and responsibilities, and the administrative, decision-making, and staffing arrangements for the TCC's and the Council, and have taken the action indicated below.

☑ I hereby APPROVE OF and ENDORSE the Memorandum of Understanding

☐ I DO NOT APPROVE OF the Memorandum of Understanding (for the reasons cited below, as appropriate)

Comments: _____

Signature: _____

Name: S. THYAGARAJAN

Title: ACTING EXECUTIVE DIRECTOR

Date: June 15 82

JUL 8 1982

Mid Hudson South Transportation Coordinating Committee

MAIL BALLOT

In accordance with the written polling procedures as provided for in the Operating Procedures of the Mid Hudson South Transportation Coordinating Committee, I, the undersigned, as the Committee member representing NYSDOT, have read and reviewed the Memorandum of Understanding, dated May 25, 1982, transmitted by Department of Transportation Commissioner Hennessy's letter of June 3, 1982, establishing a Council of TCC's as the Metropolitan Planning Organization (MPO) for the New York City Metropolitan Area, delineating the roles and responsibilities, and the administrative, decision-making, and staffing arrangements for the TCC's and the Council, and have taken the action indicated below.

[X] I hereby APPROVE OF and ENDORSE the Memorandum of Understanding

[ ] I DO NOT APPROVE OF the Memorandum of Understanding (for the reasons cited below, as appropriate)

Comments: _____

Signature: W. C. Hennessy

Name: W. C. HENNESSY

Title: Commissioner, NYS Dept. of Transportation

Date: JUN 23 1982

JUL 8 2004

48 of 224

REG. DIR.	PERSNL
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Mid Hudson South Transportation Coordinating Committee

MAIL BALLOT

In accordance with the written polling procedures as provided for in the Operating Procedures of the Mid Hudson South Transportation Coordinating Committee, I, the undersigned, as the Committee member representing Putnam County, have read and reviewed the Memorandum of Understanding, dated May 25, 1982, transmitted by Department of Transportation Commissioner Hennessy's letter of June 3, 1982, establishing a Council of TCC's as the Metropolitan Planning Organization (MPO) for the New York City Metropolitan Area, delineating the roles and responsibilities, and the administrative, decision-making, and staffing arrangements for the TCC's and the Council, and have taken the action indicated below.

☑ I hereby APPROVE OF and ENDORSE the Memorandum of Understanding

☐ I DO NOT APPROVE OF the Memorandum of Understanding (for the reasons cited below, as appropriate)

Comments: Putnam County endorses this Memorandum of Understanding with the condition that:

(1) each chairperson shall have equal powers and responsibilities (pg 5); and (2) the chairpersons of the Council will appoint the chairperson of the Program, Finance, and Administration Committee (pg 9).

Signature: David D. Bruen

Name: David D. Bruen

Title: Putnam County Executive

Date: June 23, 1982

JUL 8 2004

Mid Hudson South Transportation Coordinating Committee

MAIL BALLOT

In accordance with the written polling procedures as provided for in the Operating Procedures of the Mid Hudson South Transportation Coordinating Committee, I, the undersigned, as the Committee member representing NYSTA, have read and reviewed the Memorandum of Understanding, dated May 25, 1982, transmitted by Department of Transportation Commissioner Hennessy's letter of June 3, 1982, establishing a Council of TCC's as the Metropolitan Planning Organization (MPO) for the New York City Metropolitan Area, delineating the roles and responsibilities, and the administrative, decision-making, and staffing arrangements for the TCC's and the Council, and have taken the action indicated below.

☑ I hereby APPROVE OF and ENDORSE the Memorandum of Understanding

☐ I DO NOT APPROVE OF the Memorandum of Understanding (for the reasons cited below, as appropriate)

Comments: _____

Signature: [signature]

Name: [illegible]

Title: [illegible]

Date: [illegible]

JUL 8 2004

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ADMIN.	REAL EST.

RECD JUL 16 1982 REG 8

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Mid Hudson South Transportation Coordinating Committee

MAIL BALLOT

In accordance with the written polling procedures as provided for in the Operating Procedures of the Mid Hudson South Transportation Coordinating Committee, I, the undersigned, as the Committee member representing Rockland County, have read and reviewed the Memorandum of Understanding, dated May 25, 1982, transmitted by Department of Transportation Commissioner Hennessy's letter of June 3, 1982, establishing a Council of TCC's as the Metropolitan Planning Organization (MPO) for the New York City Metropolitan Area, delineating the roles and responsibilities, and the administrative, decision-making, and staffing arrangements for the TCC's and the Council, and have taken the action indicated below.

[X] I hereby APPROVE OF and ENDORSE the Memorandum of Understanding

[ ] I DO NOT APPROVE OF the Memorandum of Understanding (for the reasons cited below, as appropriate)

Comments: In accordance with Resolution No. 477 of 1982 of the Rockland County Legislature, we object to the two votes given to New York City while other participants are given only one vote. Copy of Resolution is attached.

Signature: John T. Grant

Name: John T. Grant

Title: Chairman, Rockland County Legislature

Date: July 13, 1982

JUL 8 2004

51 of 224

Mid Hudson South Transportation Coordinating Committee

MAIL BALLOT

In accordance with the written polling procedures as provided for in the Operating Procedures of the Mid Hudson South Transportation Coordinating Committee, I, the undersigned, as the Committee member representing Westchester County, have read and reviewed the Memorandum of Understanding, dated May 25, 1982, transmitted by Department of Transportation Commissioner Hennessy's letter of June 3, 1982, establishing a Council of TCC's as the Metropolitan Planning Organization (MPO) for the New York City Metropolitan Area, delineating the roles and responsibilities, and the administrative, decision-making, and staffing arrangements for the TCC's and the Council, and have taken the action indicated below.

[X] I hereby APPROVE OF and ENDORSE the Memorandum of Understanding

[ ] I DO NOT APPROVE OF the Memorandum of Understanding (for the reasons cited below, as appropriate)

Comments: Westchester County's approval of the Memorandum of Understanding (MOU) is granted with the proviso that the MOU be amended as indicated in Commissioner Hennessy's letter of June 23, 1982, and with the additional understanding detailed in Attachment 1 to this mail ballot.

Signature: Alfred B. DelBello

Name: Alfred B. DelBello

Title: County Executive

Date: July 19, 1982

JUL 8 2004

52 of 224

Mid Hudson South Transportation Coordinating Committee

MAIL BALLOT

In accordance with the written polling procedures as provided for in the Operating Procedures of the Mid Hudson South Transportation Coordinating Committee, I, the undersigned, as the Committee member representing the City of Yonkers, New York have read and reviewed the Memorandum of Understanding, dated May 25, 1982, transmitted by Department of Transportation Commissioner Hennessy's letter of June 3, 1982, establishing a Council of TCC's as the Metropolitan Planning Organization (MPO) for the New York City Metropolitan Area, delineating the roles and responsibilities, and the administrative, decision-making, and staffing arrangements for the TCC's and the Council, and have taken the action indicated below.

[X] I hereby APPROVE OF and ENDORSE the Memorandum of Understanding

[ ] I DO NOT APPROVE OF the Memorandum of Understanding (for the reasons cited below, as appropriate)

Comments: _____

Signature: _____

Name: Angelo R. Martinelli

Title: Mayor

Date: July 21, 1982

JUL 8 2004 224

MEMORANDUM OF UNDERSTANDING CLARIFICATIONS LIST

This list provides the clarifications to the Memorandum of Understanding (MOU) from 1982. A few references in the MOU are outdated due to changes in organizations or other changes that have occurred since that date.

Page 2:

I. A. 3. "Chairman of Legislators, Rockland County" should be "Rockland County Executive".

I. A. 4. "Mayor of the City of Yonkers (tenure of membership to be determined by the Mid-Hudson South Transportation Coordinating Committee)" – As specified, the tenure was determined to be only for first few years.

II. 3. "Chairman of Legislators, Rockland County" should be "Rockland County Executive".

Page 3: Second paragraph – "Urban Mass Transportation Administration," should be "Federal Transit Administration".

Page 4: VI. D. 1. "Urban Mass Transportation Administration," should be "Federal Transit Administration".

"UMTA" should be "FTA".

Page 5: "…under Section 5 of the Urban Mass Transportation Act (49 USC 1604)" should be "…by FTA".

STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

HUGH L. CAREY
GOVERNOR

September 20, 1982

Dear Mr. Delli Bovi:

On January 26 I wrote Secretary Lewis designating the Council of Transportation Coordinating Committees as the Metropolitan Planning Organization for the New York State portion of the New York, N.Y. - Northeastern New Jersey urbanized area. Since that time, the Transportation Coordinating Committees have been developing a Memorandum of Understanding delineating the roles and responsibilities and administrative, decision making, and staffing arrangements for the Committees and the Council to carry out transportation planning and programming for the New York metropolitan area. On July 1, 1982, I signed into State law Chapter 451 of the Laws of 1982, which incorporates the final version of that Memorandum of Understanding and which specifies that "Upon adoption of a joint resolution by the transportation coordinating committees and approval of such resolution by the governor, the council shall be designated as the metropolitan planning organization for the New York portion of the .... urbanized area".

The members of the Committees have signed mail ballots approving the final form of the Memorandum of Understanding. I regard this action, taken together with the Memorandum itself, as constituting "adoption of a joint resolution". I hereby approve such resolution and reaffirm my earlier designation of the Council as the Metropolitan Planning Organization for the area. In response to the expressed desire of Committee members, the Council shall be known officially as the "New York Metropolitan Transportation Council".

Enclosed are copies of the Memorandum of Understanding and the signed mail ballots adopting it by the Council members. One copy of each of the Memorandum of Understanding and the ballots with original signatures have been sent to Victor Taylor of the Federal Highway Administration, and additional copies to John G. Bestgen, also of sthe Federal Highway Administration.

Sincerely,

/s/ Hugh L. Carey

Mr. Alfred A. Delli Bovi, Director
Urban Mass Transportation Administration
Region II
26 Federal Plaza, Suite 14-130
New York, New York 10278

Enclosures

cc: Commissioner Hennessy, State Department of Transportation
Mr. Brad Johnson, State Office of Federal Affairs

Pam
D-1
9/91

STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

HUGH L. CAREY
GOVERNOR

September 20, 1982

Dear Mr. Bestgen:

On January 26 I wrote Secretary Lewis designating the Council of Transportation Coordinating Committees as the Metropolitan Planning Organization for the New York State portion of the New York, N.Y. - Northeastern New Jersey urbanized area. Since that time, the Transportation Coordinating Committees have been developing a Memorandum of Understanding delineating the roles and responsibilities and administrative, decision making, and staffing arrangements for the Committees and the Council to carry out transportation planning and programming for the New York metropolitan area. On July 1, 1982, I signed into State law Chapter 451 of the Laws of 1982, which incorporates the final version of that Memorandum of Understanding and which specifies that "Upon adoption of a joint resolution by the transportation coordinating committees and approval of such resolution by the governor, the council shall be designated as the metropolitan planning organization for the New York portion of the .... urbanized area".

The members of the Committees have signed mail ballots approving the final form of the Memorandum of Understanding. I regard this action, taken together with the Memorandum itself, as constituting "adoption of a joint resolution". I hereby approve such resolution and reaffirm my earlier designation of the Council as the Metropolitan Planning Organization for the area. In response to the expressed desire of Committee members, the Council shall be known officially as the "New York Metropolitan Transportation Council".

Enclosed are copies of the Memorandum of Understanding and the signed mail ballots adopting it by the Council members. One copy of each of the Memorandum of Understanding and the ballots with original signatures have been sent to Victor Taylor of your staff, and additional copies to Alfred Delli Bovi of the Urban Mass Transportation Administration.

Sincerely,

/s/ Hugh L. Carey

Mr. John G. Bestgen
Federal Highway Administration
Region I
U.S. Department of Transportation
Leo W. O'Brien Federal Building, Room 729
Albany, New York 12207

Enclosures

cc: Commissioner Hennessy, State Department of Transportation
Mr. Brad Johnson, State Office of Federal Affairs

JOINT COOPERATIVE PLANNING AGREEMENT

This Agreement is entered into this twenty-fourth day of September, 2009, by and between the New York Metropolitan Transportation Council (NYMTC) as represented by its host agency and permanent co-chair, the New York State Department of Transportation, the transit operators who are recognized as designated recipients of funding through the Federal Transit Administration and who operate services within the NYMTC planning area; specifically, the Metropolitan Transportation Authority and its operating subsidiaries, including MTA New York City Transit, MTA Long Island Rail Road, MTA Long Island Bus, MTA Metro-North Railroad, and MTA Bus; the New York City Department of Transportation; the counties of Nassau, Putnam, Rockland, Suffolk and Westchester; the City of Long Beach in Nassau County; and the Town of Huntington in Suffolk County; and the New York State Department of Transportation as the direct recipient of the Federal-aid highway funds.

WHEREAS, the New York Metropolitan Transportation Council (NYMTC) was designated by the Governor of the State of New York as the Metropolitan Planning Organization (MPO) for New York City, Long Island and the lower Hudson Valley, and

WHEREAS, the member agencies of NYMTC entered into a Memorandum of Understanding (MOU) on June 13, 1982 to create an organizational structure, establish operating procedures, and agree to fulfill the Federal requirements for metropolitan planning, and

WHEREAS, the Governor of the State of New York has by delegation, duly authorized the Commissioner of Transportation of the State of New York to act of behalf of the State of New York, and

WHEREAS, the City of Long Beach in Nassau County and the Town of Huntington in Suffolk County are designated recipients of Federal transit funding in the NYMTC planning area that are not parties to the NYMTC MOU but who are parties to this agreement and accept the mutual responsibility for the required elements of the planning process, and

WHEREAS, Federal regulation *23 CFR 450.314* requires the MPO, the State, and the public transportation operator(s) to cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process. These responsibilities shall be clearly identified in written agreement(s) among the MPO, the State(s), and the public transportation operator(s) serving a metropolitan planning area. The written agreement(s) shall include specific provisions for cooperatively developing and sharing information related to the development of financial plans that support the metropolitan transportation plan, otherwise known as the "Regional Transportation Plan," "RTP" or "Plan", and the metropolitan Transportation Improvement Program, otherwise known as the "TIP," and development of the annual listing of obligated projects, and

WHEREAS, this Agreement shall not be construed to modify any existing agreement(s) 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 Part 450, *Subpart C* for the NYMTC metropolitan planning area, which is defined in the NYMTC MOU as consisting of the City of New York and the counties of Nassau, Putnam, Rockland, Suffolk and Westchester. These requirements will be fulfilled through NYMTC as the designated MPO in this area using the NYMTC MOU and various operating procedures that have been adopted to guide NYMTC's activities.

I. GENERAL PLANNING RESPONSIBILITIES

A. For parties to this agreement who are NYMTC members and are parties to the June 13, 1982 MOU, the following mechanisms will be used to implement the coordination and collaboration in the execution of the planning process as described below:

1. The NYMTC members are represented through their principals, who together form NYMTC, and through their principals' designated representatives on NYMTC's Program, Finance and Administration Committee (PFAC) and by their principals and/or their designees on one or more of its three transportation coordinating committees (TCCs). These bodies are defined in the MOU and their responsibilities and operations defined in various operating procedures contained in the MOU or subsequently adopted by these bodies. The MOU and subsequent operating procedures are contained in NYMTC's Compendium of Operations.

2. NYMTC, its PFAC and its TCCs have created and may continue to create formal and ad hoc subcommittees and working groups to facilitate various components of the planning process consistent with the responsibilities and operations defined in the MOU and subsequent operating procedures contained in the Compendium of Operations. The NYMTC members may also be represented on any or all of these formal and ad hoc subcommittees and working groups.

3. NYMTC staff supports the operation of NYMTC, its PFAC and its TCCs in the execution of the planning process, as well as all of the formal and ad hoc subcommittees and working groups which have been or may be created to facilitate various components of the planning process consistent with the responsibilities and operations defined in the MOU and subsequent operating procedures contained in the Compendium of Operations. NYMTC staff is available to the NYMTC members to facilitate coordination and collaboration in the execution of the planning process through these bodies and individually as member agencies of NYMTC.

4. The NYMTC members will participate in NYMTC, its PFAC and its TCCs as needed to coordinate their efforts and collaborate in the execution of the planning process and will be supported in these efforts by NYMTC staff. Their

participation in the process and in decision-making related to this process, and their provision of information, data and planning activities in support of this process, will be undertaken through NYMTC, its PFAC and its TCCs with the support and active involvement o0f NYMTC staff.

B. For parties to this agreement who are not parties to the June 13, 1982 MOU – the City of Long Beach and the Town of Huntington – the following mechanisms will be used to implement the coordination and collaboration in the execution of the planning process:

1. The City of Long Beach and the Town of Huntington will be represented in the process by the NYMTC member in whose jurisdiction they are located. For the City of Long Beach, that entity is Nassau County, and for the Town of Huntington, that entity is Suffolk County.

2. The City of Long Beach and the Town of Huntington will participate in the process and in decision-making related to this process, and in the provision of information, data and planning activities in support of this process, through the NYMTC member in whose jurisdiction they are located.

3. The City of Long Beach and the Town of Huntington will submit all required information and data as specified in subsequent sections of this agreement to support the execution of the planning process to the NYMTC member in whose jurisdiction they are located.

4. The City of Long Beach and the Town of Huntington will undertake all required planning activities as specified in subsequent sections of this agreement to support the execution of the planning process at the direction of the NYMTC member in whose jurisdiction they are located.

II. RESPONSIBILITIES FOR REQUIRED PLANNING PRODUCTS

A. Development of NYMTC's long-range metropolitan transportation plan (otherwise known as the "Regional Transportation Plan," "RTP" or "Plan") to the specifications described in and per the cycle prescribed by *23 CFR 450.322*. NYMTC's procedures for the development of the Plan are contained in sections 1 and 2 of its *Compendium of Operations,* which will be amended periodically in response to changes in Federal regulations, on pages 23, 98, 123, 132 and 149 through 152.

1. PFAC will convene an RTP Subcommittee to engage the NYMTC members – including NYSDOT, MTA, NYCDOT and the counties of Nassau, Putnam, Rockland, Suffolk and Westchester – in the development of a Plan not less than once every four years.

2. NYMTC TCCs will also play a role in the development of Plan components through the efforts of their constituent members, including NYSDOT, MTA, NYCDOT and the counties of Nassau, Putnam, Rockland, Suffolk and Westchester.

3. PFAC will convene a Forecasting Working Group to engage the NYMTC members – including NYSDOT, MTA, NYCDOT and the counties of Nassau, Putnam, Rockland, Suffolk and Westchester – in the development of socio-economic and demographic forecasts for use in the development of the Plan.

4. As NYMTC members, NYSDOT, MTA, NYCDOT and the counties of Nassau, Putnam, Rockland, Suffolk and Westchester will actively participate in the RTP Subcommittee, the Forecasting Working Group and the TCCs in the development of the Plan.

5. The City of Long Beach and the Town of Huntington will actively participate in these bodies through the NYMTC member in whose jurisdiction they are spatially located.

6. Information will be submitted through these bodies by the NYMTC members, the City of Long Beach and the Town of Huntington for the development of the Plan. This information will define current conditions, future needs, planned improvements and financial resources and needs, as well as the scope, schedule and cost of the improvement projects to be listed in the Plan.

7. NYMTC staff will support the work of the bodies in developing the goals and objectives of the Plan and in using the information submitted to produce the main components of the Plan – including current and future operating characteristics of the transportation system; forecasts of future travel, system needs and anticipated resources; and projects, project concepts and studies of subareas, corridors and system components to meet future needs.

B. The bodies responsible for the development of the Plan will also fulfill the specific provisions of the metropolitan planning agreement related to the Plan and TIP as described in *23 CFR 450.314(a)* as follows:

1. Cooperatively developing and sharing information related to the development of financial plans that support the metropolitan transportation plan and the metropolitan Transportation Improvement Program (TIP), including provision of current and historical data on capital and operating budgets and inventories of facilities and equipment for which each party has responsibility and jurisdiction. Information on the age and condition of facilities and equipment will also be provided as described in the following sections. NYMTC's procedures for the development of financial plans are contained in Section 3 of its *Compendium of Operations* as amended, on pages 223 and 224. Relevant financial planning products resulting from implementation of the procedures include the following:

a. A long-range forecast of capital and operating expenditures for the period of the Plan, which will include state-of-good-repair/normal replacement forecasts and operating/maintenance forecasts and/or estimates for the entire period. In addition, the long-range expenditures will include any fiscally-constrained improvement projects in the Plan or TIP that are not considered to be included in the above forecasts. NYMTC's member agencies, the City of Long Beach and the Town of Huntington will contribute all relevant information concerning transportation facilities, equipment and services under their jurisdictions for the long-range expenditure forecasts. NYMTC's staff will compile the information provided by the member agencies and apply agreed upon inflation rates to calculate aggregate expenditure forecasts in required "year-of-expenditure" dollars.

b. A long-range forecast of capital and operating resources anticipated to be available for the period of the Plan to fund operations, maintenance and capital projects. NYMTC's member agencies, the City of Long Beach and the Town of Huntington will contribute all relevant information concerning transportation funding programs and sources under their jurisdictions for the long-range resource forecasts. NYMTC's staff will compile the information provided by the member agencies and apply agreed upon escalation rates to calculate aggregate expenditure forecasts in required "year-of-expenditure" dollars.

c. An aggregate estimate of expenditures programmed into the existing TIP will be specified as a three-to-five year component of the long-range expenditure forecasts. NYMTC's member agencies, the City of Long Beach and the Town of Huntington will provide all necessary information about programmed projects for which they are the sponsoring agency to specify medium-range expenditures. NYMTC's staff will aggregate this information into project lists, for which medium-term expenditure estimates will be calculated in year-of-expenditure dollars.

d. An aggregate estimate of resources available for projects programmed into the existing TIP will be specified as a medium-range component of the long-range resource forecasts. NYMTC's member agencies, the City of Long Beach and the Town of Huntington will provide all necessary information about anticipated resources available from funding sources for which they have direct responsibility in order to specify medium-range resources. NYMTC's staff will aggregate this information into funding sources, for which medium-term resource estimates will be calculated in year-of-expenditure dollars.

C. Development and maintenance of NYMTC's medium-range TIP as described in the following sections to the specifications described in and per the cycle prescribed by *23 CFR 450.324.* NYMTC's procedures for the development of TIP are contained in sections 1, 2 and 3 of its *Compendium of Operations,* as amended, on page 23 and on pages 71 and 72, 93 and 94, 97 and 98, 104 through 108, 119 through 122, 127 through 130, 133 through 136, and 157 through 160.

1. NYMTC's TCCs will play a primary role in the development and maintenance of the TIP through the efforts of their constituent members, including NYSDOT, MTA, NYCDOT and the counties of Nassau, Putnam, Rockland, Suffolk and Westchester. For the annual distribution of Section 5307 formula funding, the Section 5307 Working Group, through the efforts of their constituent members, including NYSDOT, MTA, NYCDOT and the counties of Nassau, Putnam, Rockland, Suffolk and Westchester, will play a primary role in the recommendation of the distribution of funding in NYMTC's planning area.

2. The City of Long Beach and the Town of Huntington will actively participate in these activities through the municipal entity who is a NYMTC member in whose jurisdiction they are located.

3. Information will be submitted through the TCCs by the NYMTC members, the City of Long Beach and the Town of Huntington for the development and maintenance of the TIP, including information on the scope, schedule, and cost of improvement projects to be listed in the TIP and/or changes to those already listed.

4. The TCCs will also undertake, as required, the solicitation, rating, ranking and selection of project proposals for various funding sources such as Congestion Mitigation/Air Quality, Surface Transportation Program, Transportation Enhancement Program, Job Access/Reverse Commute, New Freedom and Section 5310.

5. The TCCs will also undertake, as required, the maintenance of the TIP through formal amendments and administrative modifications according to the relevant operating procedures.

6. On an annual basis, no later than 90 calendar days following the end of the program year, the TCCs will cooperatively develop listings 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 as defined in 23 CFR 450.332. Information will be submitted through the TCCs by the NYMTC members, the City of Long Beach and the Town of Huntington and will include project locations, descriptions, schedules and estimated costs.

7. NYMTC staff will support the work of the TCCs in developing and maintaining the TIP and the annual listing of obligated projects.

D. Development, maintenance and execution of the annual Unified Planning Work Program (UPWP) as a program of all planning activities to be undertaken in the NYMTC metropolitan planning area during a specific program year. NYMTC's procedures for the development of the Unified Planning Work Program are contained in sections 1 and 2 of its Compendium of Operations, as amended, on pages 22 and 23 and on pages 76 through 80. Specific activities will include:

1. NYMTC's PFAC and TCCs will play a primary role in the development and maintenance of the UPWP through the efforts of their constituent members, including NYSDOT, MTA, NYCDOT and the counties of Nassau, Putnam, Rockland, Suffolk and Westchester.

2. As NYMTC members, NYSDOT, MTA, NYCDOT and the counties of Nassau, Putnam, Rockland, Suffolk and Westchester will actively participate in PFAC and the TCCs as they develop and maintain the UPWP.

3. The City of Long Beach and the Town of Huntington will actively participate in these activities through the municipal entity who is a NYMTC member in whose jurisdiction they are located.

4. Information will be submitted through the TCCs by the NYMTC members, the City of Long Beach and the Town of Huntington for the development and maintenance of the UPWP, including information on the scope, schedule, and cost of planning projects to be listed in the UPWP and/or changes to those already listed.

5. PFAC will also undertake, as required, the rating, ranking and selection of planning project proposals for the UPWP, and will also undertake, as required, the maintenance of the UPWP through formal amendments and administrative modifications. NYMTC staff will support the work of PFAC and the TCCs in developing and maintaining the UPWP.

E. Maintenance of the Congestion Management Process (CMP) to the specifications described in 23 CFR 450.320, including a coordinated program for data collection and system performance monitoring to define the extent and duration of congestion, to contribute in determining the causes of congestion, and evaluates the efficiency and effectiveness of implemented actions, and the development of a CMP Status Report. NYMTC's procedures for the Congestion Management Process are contained in Section 3 of its Compendium of Operations, as amended, on pages 181 through 216. Specific activities will include:

1. PFAC's RTP Subcommittee will engage the NYMTC members -- including NYSDOT, MTA, NYCDOT and the counties of Nassau, Putnam, Rockland, Suffolk and Westchester – in the development of the CMP Status Report as required by law.

2. As NYMTC members, NYSDOT, MTA, NYCDOT and the counties of Nassau, Putnam, Rockland, Suffolk and Westchester will actively participate in the RTP Subcommittee for the development of each CMP Status Report.

3. The City of Long Beach and the Town of Huntington will actively participate in these committees through the municipal entity who is a NYMTC member in whose jurisdiction they are located.

4. Information will be submitted through the RTP Subcommittee by the NYMTC members, the City of Long Beach and the Town of Huntington for the development of the CMP Status Report.

5. This information will be used to forecast congestion as part of the CMP, including, but not limited to transit ridership and service levels; ridesharing programs, service areas and usage; traffic volumes; and roadway facility characteristics and geometry.

6. Information will also be provided on scope, schedule and cost of projects and project concepts related to forecasted congestion.

7. The RTP Subcommittee will also recommend individual studies, projects and project concepts for inclusion in the Plan and/or the TIP or UPWP based on the CMP.

8. NYMTC staff will support the work of the RTP Subcommittee in developing the CMP Status Report and in any specific studies undertaken as part of the CMP.

F. Completion of Regional Emissions Analyses and Transportation Conformity Determinations per the requirements of the Clean Air Act Amendments of 1990,42 U.S.C. 7504, as codified in 40 CFR Parts 51 and 6 NYCRR Part 240. Specific activities will include:

1. NYMTC's TCCs will play a primary role initially in the development, as needed, of Regional Emissions Analyses and Transportation Conformity Determinations to accompany adoption or amendment actions related to the Plan and TIP, or as deemed necessary by Federal regulations. Responsibility for the completion of Transportation Conformity Determinations will rest with NYMTC's PFAC.

2. As NYMTC members, NYSDOT, MTA, NYCDOT and the counties of Nassau, Putnam, Rockland, Suffolk and Westchester will actively participate in the TCCs as they provide information necessary to complete Regional Emissions Analyses and Transportation Conformity Determinations.

3. The City of Long Beach and the Town of Huntington will actively participate in these activities through the municipal entity who is a NYMTC member in whose jurisdiction they are located.

4. Information will be submitted through the TCCs by the NYMTC members, the City of Long Beach and the Town of Huntington for the completion, as needed, of Regional Emissions Analyses and Transportation Conformity Determinations, including information on the scope, schedule, and cost of improvement projects from the Plan and TIP classified as "non-exempt" or as "regionally significant." NYMTC staff will conduct the Regional Emissions Analyses and develop the Transportation Conformity Determinations using the information provided to the TCCs, for action by NYMTC as the MPO per its Operating Procedures.

5. As required by Federal or State law, regulation, requirement or policy related to air quality, energy use, and/or climate change, the TCCs and constituent members, will play an initial primary role in the development of specific other products and information related to air quality, energy use, and/or climate change as needed. Responsibility for the completion of these products will rest with NYMTC's PFAC.

G. Development of transportation planning studies and project development as required by 23 CFR 450.318. NYMTC's procedures for Major Project Analysis are contained in Section 3 of its Compendium of Operations, as amended, on pages 220 through 223. Specific activities will include:

1. PFAC's RTP Subcommittee will engage the NYMTC members -- including NYSDOT, MTA, NYCDOT and the counties of Nassau, Putnam, Rockland, Suffolk and Westchester – in the designation and analysis of Major Projects.

2. As NYMTC members, NYSDOT, MTA, NYCDOT and the counties of Nassau, Putnam, Rockland, Suffolk and Westchester will actively participate in the RTP Subcommittee to designate and analyze Major Projects.

3. The City of Long Beach and the Town of Huntington will actively participate in these committees through the municipal entity who is a NYMTC member in whose jurisdiction they are located.

4. Information will be submitted through the RTP Subcommittee by the NYMTC members, the City of Long Beach and the Town of Huntington for the designation and analysis of Major Projects.

5. Information will be provided on the scope, schedule and cost of projects and project concepts designated as Major Projects.

6. The RTP Subcommittee will recommend Major Project designations to PFAC for inclusion in the Plan and the UPWP.

7. NYMTC staff will support the work of the RTP Subcommittee in designating and analyzing Major Projects and will provide relevant information from the Plan to support the required analyses to be undertaken by the sponsors of Major Projects.

H. Collection and provision of data to support the products and analyses described above and the analytical tools and simulation models needed to produce the products and analyses. NYMTC issues guidance for the collection and provision of data annually as part of the development of the UPWP. Specific activities will include:

1. NYMTC's PFAC will play a primary role in the collection and provision of data through the efforts of their constituent members, including NYSDOT, MTA, NYCDOT and the counties of Nassau, Putnam, Rockland, Suffolk and Westchester. PFAC will also designate subcommittees and working groups to the development and execution of detailed surveys and in the analysis of census data.

2. As NYMTC members, NYSDOT, MTA, NYCDOT and the counties of Nassau, Putnam, Rockland, Suffolk and Westchester will actively participate in PFAC and any designated subcommittees or working groups to undertake the collection and provision of data.

3. The City of Long Beach and the Town of Huntington will actively participate in these activities through the municipal entity who is a NYMTC member in whose jurisdiction they are spatially located.

4. Data will be submitted through PFAC by the NYMTC members, the City of Long Beach and the Town of Huntington on the characteristics and condition of various components of the transportation system and on the usage of various components of the transportation system.

5. NYMTC staff will support the work of PFAC and any designated subcommittees or working groups in collection and provision of data.

III. PUBLIC INVOLVEMENT

A. Coordination and collaboration in the fulfillment of the public involvement requirements defined in 23 CFR 450.316 for the execution of the metropolitan planning process, including the production and adoption of all required products and analyses and the specific provisions related to the metropolitan planning agreement. NYMTC maintains procedures for public involvement as part of its compendium of Operations. Specifically,

1. NYMTC's PFAC and its TCCs will play a primary role in the fulfillment of the public involvement requirements and implementation of the recommendations in NYMTC's Public Involvement Plan through the efforts of its constituent members, including NYSDOT, MTA, NYCDOT and the counties of Nassau, Putnam, Rockland, Suffolk and Westchester.

2. The City of Long Beach and the Town of Huntington will actively participate in these activities through the municipal entity who is a NYMTC member in whose jurisdiction they are located.

3. NYMTC staff will support the work of PFAC in the fulfillment of the public involvement requirements and implementation of the recommendations in the Public Involvement Plan.

NEW YORK METROPOLITAN TRANSPORTATION COUNCIL

Joel P. Ettinger
Executive Director

PROGRAM, FINANCE AND ADMINISTRATION COMMITTEE (PFAC)

RESOLUTION #286: RECOMMENDATION FOR A JOINT COOPERATIVE PLANNING AGREEMENT TO FULFILL FEDERAL PLANNING REQUIREMENTS

WHEREAS, the New York Metropolitan Transportation Council (NYMTC) is a regional council of governments which is the metropolitan planning organization for New York City, Long Island and the lower Hudson Valley; and

WHEREAS, for purposes of compliance with metropolitan transportation planning provisions of the current Federal transportation legislation, the Safe, Accountable, Flexible, Efficient Transportation Equity Act-A Legacy for Users (SAFETEA-LU), the operation of NYMTC as a metropolitan planning organization must be consistent with all requirements for metropolitan planning; and

WHEREAS, Federal regulation *23 CFR 450.314* requires the Metropolitan Planning Organization (MPO), the State, and the public transportation operator(s) to cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process and that these responsibilities shall be clearly identified in written agreement(s) among the MPO, the State(s), and the public transportation operator(s) serving a metropolitan planning area; and

WHEREAS, *23 CFR 450.314* requires that the written agreement(s) shall include specific provisions for cooperatively developing and sharing information related to the development of financial plans that support the metropolitan transportation plan, otherwise known as the Regional Transportation Plan, or Plan, and the metropolitan Transportation Improvement Program, otherwise known as the TIP, and development of the annual listing of obligated projects, and

WHEREAS, the member agencies of NYMTC entered into a Memorandum of Understanding (MOU) on June 13, 1982 to create an organizational structure, establish operating procedures, and agree to fulfill the Federal requirements for metropolitan planning, and

WHEREAS, The City of Long Beach in Nassau County and the Town of Huntington in Suffolk County are designated recipients of Federal transit funding in the NYMTC planning area that are not parties to the NYMTC MOU but who are parties to this agreement and accept the mutual responsibility for the required elements of the planning process, and

WHEREAS, the attached Joint Cooperative Planning Agreement includes specific provisions for the MPO, the State, and the public transportation operator(s) to cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process and, specifically, for cooperatively developing and sharing information related to the development of financial plans that support the Plan and the TIP, and development of the annual listing of obligated projects

NOW, THEREFORE, BE IT RESOLVED that the Program, Finance and Administration Committee recommends that the Council adopt the Joint Cooperative Planning Agreement.

This resolution shall take effect on the seventeenth day of September, two thousand and nine.

ADOPTION: September 17, 2009

"I hereby certify that the above is a true copy of Resolution #286, Recommendation for a Joint Cooperative Planning Agreement to Fulfill Federal Planning Requirements, and was motioned by Samuel Hornick, representing the New York City Transportation Coordinating Committee and seconded by Patrick Gerdin, representing the Mid-Hudson South Transportation Coordinating Committee. This Resolution was adopted and passed unanimously."

Robert Zerrillo/PFAC Chairperson

New York Metropolitan Transportation Council
North Jersey Transportation Planning Authority
South Western Region Metropolitan Planning Organization
Greater Bridgeport / Valley Metropolitan Planning Organization
Housatonic Valley Council of Elected Officials

DRAFT MEMORANDUM OF UNDERSTANDING (MOU) FOR COORDINATION OF TRANSPORTATION PLANNING ACTIVITIES IN THE THREE STATE NEW YORK-NEW JERSEY-CONNECTICUT METROPOLITAN REGION

This Memorandum of Understanding (MOU) is made and entered into by and among the New York Metropolitan Transportation Council (NYMTC), the North Jersey Transportation Planning Authority (NJTPA), South Western Region Metropolitan Planning Organization (SWRMPO), the Greater Bridgeport / Valley MPO (GB/VMPO), and the Housatonic Valley Council of Elected Officials (HVCEO), collectively referred to hereinafter as "the PARTIES".

WHEREAS, the PARTIES acknowledge that portions of the three state New York-New Jersey-Connecticut metropolitan region are characterized by socio-economic and environmental interdependence, as evidenced through shared ecosystems, interconnected transportation systems and inter-related patterns of employment and population; and,

WHEREAS, NYMTC and NJTPA are part of a federally-designated Transportation Management Area (TMA) that, when combined with SWRMPO, GB/VMPO, and HVCEO, constitute one of the nation's largest commuter-sheds; and,

WHEREAS, 23 U.S.C. 134 and Section 8 of the Federal Transit Act require that Metropolitan Planning Organizations (MPOs) be designated for metropolitan regions and that they maintain a continuing, cooperative and comprehensive transportation planning process that results in plans and programs that consider all transportation modes and supports metropolitan community development and social goals; and,

WHEREAS, a key role for MPOs is to serve as forums for cooperative transportation planning and decision-making in metropolitan areas; and,

WHEREAS, 23 CFR 450.314(d) states that, where more than one MPO has authority within a metropolitan planning area or a nonattainment or maintenance area, there shall be an agreement between the state department(s) of transportation and the MPOs describing how their planning processes will be coordinated to assure the development of an overall transportation plan for the metropolitan planning area, and that in nonattainment or maintenance areas, the agreement shall include State and local air quality agencies; and,

WHEREAS, the FHWA/FTA Transportation Planning Certification Review for NYMTC (January 2007) and NJTPA (January 2006) had required that an agreement be fashioned which identifies how the above referenced five MPOs located in the New York, New Jersey and Connecticut commuter-shed would coordinate the development of transportation planning documents and would coordinate to meet the attainment of National Ambient Air Quality Standards (NAAQS); and,

WHEREAS, it was subsequently determined that, because of census boundary changes, participation in this agreement by the non-TMA MPOs (SWRMPO, GB/VMPO, and HVCEO) was not mandatory, but would be advisable as consistent with good planning principles; and,

WHEREAS, SWRMPO, GB/VMPO, and HVCEO are voluntary participants in this MOU; and,

WHEREAS, this MOU constitutes the aforementioned agreement in order to address the requirements of 23 CFR 450.314(d) for the PARTIES and the recommendations of the federal certification reviews of NYMTC and NJTPA; and,

WHEREAS, the PARTIES agree to follow this MOU in order to ensure coordination in the development of the mandated products of the metropolitan transportation planning process including the process for meeting attainment of NAAQS ; and,

WHEREAS, this MOU is intended to ensure that the products of each respective MPO transportation planning process takes into account the impacts of the plans and programs developed by the other MPOs; helps avoid duplication of effort; reflects consistency of approaches where possible; and ensures the consideration of the interests of all five MPOs;

NOW, THEREFORE, BE IT RESOLVED that the PARTIES hereto agree to perform in good faith the activities of voluntary coordination, cooperation and consultation amongst themselves, as follows:

General

1. Hold an annual meeting of the Executive Directors and appropriate key managers of the five MPOs which are PARTIES to this agreement, as well as interested policy board member agency representatives, including but not limited to, the public transit operating agencies and the Port Authority of New York and New Jersey, to discuss and review the areas of coordination, cooperation and consultation as outlined in this MOU. Representatives of the State Departments of Transportation and Environmental Protection/Conservation and other resource agencies in the three states will also be invited and encouraged to participate. The purpose of the annual meeting will be to engage in discussions of mutual interest with a focus on the development of the respective Unified Planning Work Programs (UPWPs) for the coming year. The annual meeting will also serve as a mechanism for assessing this MOU and for discussing further expectations and approaches, as appropriate.
2. Cooperate in efforts toward achieving, wherever possible, general consistency of plans through informal communication and document exchange.
3. Participate, to the extent practicable, in the transportation planning process of the other PARTIES through such activities, as are deemed appropriate, as technical committee memberships and/or meeting participation, including the use of the PARTIES' public participation processes and involvement in regional studies, as well as through informal and ongoing communications regarding same.

Unified Planning Work Program (UPWP)

1. As individual MPOs, make available UPWP products as appropriate to the other PARTIES.
2. Exchange information, including DRAFT copies of the UPWP, and maintain communication among the PARTIES regarding how best to achieve coordination and consistency among the Plans.
3. Discuss opportunities for collaborative activities that could be incorporated as tasks and/or products and thereby included in the Work Programs of the PARTIES, as appropriate, for the upcoming year.
4. Consider that the five MPOs will not necessarily be at the same stage of UPWP development at the same time, and that coordination will be tempered by the schedule of each MPO's planning process.

Modeling

1. Exchange modeling information at appropriate levels of geography, attempting where possible to relate the data to the MPOs' existing, respective Traffic Analysis Zone systems.
2. Share modeling as appropriate, including socio-economic, census, forecast and survey data and results; trip tables and travel demand model assumptions; and model validation data, state line traffic volumes and traffic volumes at the external boundaries of the other agencies' models.
3. Consult in the development of enhanced travel demand models.
4. Examine and utilize opportunities for joint development of TMA new modeling applications for the region as appropriate.

Transportation Plan

1. During the development of the Long-Range Transportation Plan, consult as appropriate all parties regarding key elements of the plan such as principles, scenarios, strategies, major project assumptions and key issues.
2. Exchange information, including DRAFT copies of the Long Range Plans and proposed amendments, and maintain communication among the PARTIES, including affording each other the opportunity to review and comment on projects proposed in the Long Range Plan, especially on projects that border, or have a significant impact upon, other PARTIES' MOU jurisdictions.

3. Consider that the five MPOs will not necessarily be at the same stage of plan development at the same time, and that coordination will be tempered by the schedule of each MPO's planning process.

Transportation Improvement Program

1. Consult in the development of TIPs.
2. Exchange information, including DRAFT copies of the TIP and proposed amendments, and maintain communication among the PARTIES, including affording each other the opportunity to review and comment on draft projects proposed in the TIP, especially on projects that border, or have a significant impact upon, other PARTIES' MOU jurisdictions.
3. Consider that the five MPOs will not necessarily be at the same stage of TIP development at the same time, and that coordination will be tempered by the schedule of each MPO's planning process.

Air Quality State Implementation Plan Conformity

1. Exchange information on the design concept and the design scope of projects that should be included in the regional emissions analysis.
2. Consult on the assumptions used in the mobile emissions model in each state.
3. Exchange information, including DRAFT copies of the Conformity Analysis, and maintain communication among the PARTIES.
4. Consider that the five MPOs will not necessarily be at the same stage of Conformity determination at the same time, and that coordination will be tempered by the schedule of each MPO's planning process.

Adopted:

New York Metropolitan Transportation Council:
Adopted Resolution # 249, January 17, 2008

North Jersey Transportation Planning Authority

Adopted Resolution # x, January 14, 2008

South Western Region Metropolitan Planning Organization

Adopted Resolution # x, January xx, 2008

Greater Bridgeport / Valley Metropolitan Planning Organization

Adopted Resolution # x, January xx, 2008

Housatonic Valley Council of Elected Officials

Adopted Resolution # x, January xx, 2008

GREATER BRIDGEPORT AND VALLEY METROPOLITAN PLANNING ORGANIZATION

Ansonia●Bridgeport●Derby●Easton●Fairfield●Monroe●Seymour●Shelton●Stratford●Trumbull

RESOLUTION 2008-4

AUTHORIZATION
TO SIGN THE MEMORANDUM OF UNDERSTANDING (MOU) FOR CORRIDANATION OF TRANSPORTATION PLANNING ACTIVITIES IN THE THREE STATE NEW YORK-NEW JERSEY-CONNECTICUT METROPOLITAN REGION

WHEREAS, the 23 CFR 450.314(d) states, that, where more than one MPO has authority within a metropolitan planning area or a non-attainment area, there shall be an agreement between the state departments of transportation and the metropolitan planning organizations describing how their planning processes will be coordinated; and

WHEREAS, the Greater Bridgeport and Valley Metropolitan Planning Organization is a part of the larger New York metropolitan transportation management area and included in the New York-Northern New Jersey-Connecticut non-attainment area and acknowledges the environmental, economic and transportation systems interdependencies and interconnections with portions of the three state New York-New Jersey-Connecticut metropolitan region; and

WHEREAS, the New York Metropolitan Transportation Council has drafted an MOU for the three state region that effectively complies with federal guidelines and the MPO is a voluntary participant in the MOU.

NOW, THEREFORE BE IT RESOLVED that the Greater Bridgeport and Valley MPO has reviewed the MOU and authorizes the Chairman to sign the MOU on behalf of the MPO and directs the Executive Directors of the Greater Bridgeport Regional Planning Agency and the Valley Council of Governments to perform in good faith the activities listed in the MOU..

This resolution shall become effective as of January 30, 2008.

We, the undersigned co-secretaries of Greater Bridgeport and Valley Metropolitan Planning Organization (MPO), Connecticut, do hereby certify that the resolution adopted by the MPO at a public meeting held on January 30, 2008, at which a quorum was present and that the same is a correct and true transcript from the original thereof.

James T. Wang, Executive Director
GBRPA – MPO Co-Secretary

Richard T. Dunne, Executive Director
VCOG – MPO Co-Secretary

Date: 1/30/08

Responsible Metropolitan Transportation Planning Agencies

GREATER BRIDGEPORT REGIONAL PLANNING AGENCY
525 Water Street, Transportation Center, Suite 1
Bridgeport, Connecticut 06604-4902
Phone: (203) 366-5405 Fax: 366-8437
E-mail: jtw@gbrpa.org

VALLEY COUNCIL OF GOVERNMENTS
12 Main Street, Derby Train Station
Derby, Connecticut 06418
Phone: (203) 735-8688 Fax: 735-8680
E-mail: rdunne@valleycog.org

RESOLUTION # A-504: APPROVAL OF A MULTI-PARTY PLANNING COORDINATION MEMORANDUM OF UNDERSTANDING (MOU)

WHEREAS, the North Jersey Transportation Planning Authority, Inc. (NJTPA) has been designated by the Governor as the Metropolitan Planning Organization (MPO) for the northern New Jersey region; and

WHEREAS, a key role for MPOs is to serve as a forum for cooperative transportation planning and decision-making in metropolitan areas; and

WHEREAS, portions of the three state New York-New Jersey-Connecticut metropolitan region constitute one of the nation's largest commuter-sheds; and

WHEREAS, the FHWA/FTA Transportation Planning Certification Reports for the NJTPA (January 2006) and NYMTC (January 2007) required that an agreement be fashioned which identifies how the five MPOs located in the New York, New Jersey and Connecticut commuter-shed would coordinate on the development of transportation planning documents and in meeting the attainment of National Ambient Air Quality Standards (NAAQS); and

WHEREAS, the five MPOs include:

- **North Jersey Transportation Planning Authority** (NJTPA) – which covers the 13 counties of northern New Jersey;
- **New York Metropolitan Transportation Council** (NYMTC) – which covers New York City, Long Island (Nassau and Suffolk Counties), and the lower Hudson Valley (Putnam, Rockland and Westchester Counties);
- **Southwestern Region Metropolitan Planning Organization** (SWRMPO) - which covers the Fairfield County, Connecticut cities of Norwalk and Stamford and the towns of Darien, Greenwich, New Canaan, Weston, Westport and Wilton;
- **Housatonic Valley Council of Elected Officials** (HVCEO) – which covers ten municipalities in western Connecticut (Fairfield and Litchfield Counties), including Bethel, Bridgewater, Brookfield, Danbury, New Fairfield, New Milford, Newtown, Redding, Ridgefield and Sherman;
- **Greater Bridgeport / Valley Metropolitan Planning Organization** (GB/VMPO) – which covers the Fairfield County towns of Bridgeport, Easton, Fairfield, Monroe, Stratford and Trumbull; and

WHEREAS, the above referenced five MPOs have collaborated to prepare this draft Memorandum of Understanding (MOU) for the coordination of transportation planning activities in the three-state New York, New Jersey and Connecticut metropolitan region; and

WHEREAS, the attached MOU is intended to ensure that the products of each respective MPO transportation planning process takes into account the impacts of the plans and programs developed by the other MPOs; and

WHEREAS, any material additions, deletions or changes to the attached MOU as adopted by the NJTPA will require the action of the NJTPA Board of Trustees, as well as that of the other four MPOs.

NOW, THEREFORE, BE IT RESOLVED that the NJTPA hereby approves the attached Multi-Party Planning Coordination MOU involving the NJTPA, NYMTC, SWRMPO, GB/VMPO, and HVCEO, whereby the parties agree to perform in good faith various activities of voluntary coordination, cooperation and consultation amongst themselves, with regard to the metropolitan transportation planning process.

BE IT FURTHER RESOLVED, that a copy of this resolution along with the attached documentation be forwarded to the New Jersey Department of Transportation; Federal Highway Administration ; Federal Transit Administration; NYMTC; SWRMPO; GB/VMPO; and HVCEO.

This Resolution shall take effect this 14th day of January, 2008

Certification

I hereby certify that the above is a true copy of a resolution adopted by the North Jersey Transportation Planning Authority at its scheduled meeting held on January 14, 2008.

Cliff Sobel
Deputy Executive Director, NJTPA

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HOUSATONIC VALLEY
COUNCIL OF ELECTED OFFICIALS
OLD BROOKFIELD TOWN HALL
162 WHISCONIER ROAD, BROOKFIELD, CT 06804
203-775-6256 FAX 203-740-9167 HVCEO.ORG

RESOLUTION ADOPTING A

MEMORANDUM OF UNDERSTANDING

FOR COORDINATION OF TRANSPORTATION PLANNING ACTIVITIES

IN THE NY - NJ - CT METROPOLITAN REGION

JANUARY 18, 2008

The Housatonic Valley Council of Elected Officials (HVCEO) is the state and federally designated Metropolitan Planning Organization for the conduct of transportation planning in the Housatonic Valley Planning Region of Connecticut.

HVCEO hereby certifies that the federally defined urban transportation planning process, conducted in accordance with the terms of metropolitan planning provisions of SAFETEA-LU, will be further conducted in accordance with the attached Memorandum of Understanding for Coordination of Transportation Planning Activities in the NY–NJ-CT Region.

The above mentioned Memorandum of Understanding for Coordination of Transportation Planning is hereby adopted as the policy of the HVCEO.

Andrea O'Connor, HVCEO Secretary
And First Selectman of Sherman, CT

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MEMORANDUM OF UNDERSTANDING FOR COORDINATION OF TRANSPORTATION PLANNING ACTIVITIES IN THE THREE STATE NY-NJ-CT METROPOLITAN REGION

New York Metropolitan Transportation Council
North Jersey Transportation Planning Authority
South Western Region Metropolitan Planning Organization
Greater Bridgeport / Valley Metropolitan Planning Organization
Housatonic Valley Council of Elected Officials

This Memorandum of Understanding (MOU) is made and entered into by and among the New York Metropolitan Transportation Council (NYMTC), the North Jersey Transportation Planning Authority (NJTPA), South Western Region Metropolitan Planning Organization (SWRMPO), the Greater Bridgeport / Valley MPO (GB/VMPO), and the Housatonic Valley Council of Elected Officials (HVCEO), collectively referred to hereinafter as "the PARTIES".

WHEREAS, the PARTIES acknowledge that portions of the three state New York-New Jersey-Connecticut metropolitan region are characterized by socio-economic and environmental interdependence, as evidenced through shared ecosystems, interconnected transportation systems and inter-related patterns of employment and population; and,

WHEREAS, NYMTC and NJTPA are part of a federally-designated Transportation Management Area (TMA) that, when combined with SWRMPO, GB/VMPO, and HVCEO, constitute one of the nation's largest commuter-sheds; and,

WHEREAS, 23 U.S.C. 134 and Section 8 of the Federal Transit Act require that Metropolitan Planning Organizations (MPOs) be designated for metropolitan regions and that they maintain a continuing, cooperative and comprehensive transportation planning process that results in plans and programs that consider all transportation modes and supports metropolitan community development and social goals; and,

WHEREAS, a key role for MPOs is to serve as forums for cooperative transportation planning and decision-making in metropolitan areas; and,

WHEREAS, 23 CFR 450.314(d) states that, where more than one MPO has authority within a metropolitan planning area or a nonattainment or maintenance area, there shall be an agreement between the state department(s) of transportation and the MPOs describing how their planning processes will be coordinated to assure the development of an overall transportation plan for the metropolitan planning area, and that in nonattainment or maintenance areas, the agreement shall include State and local air quality agencies; and,

WHEREAS, the FHWA/FTA Transportation Planning Certification Review for NYMTC (January 2007) and NJTPA (January 2006) had required that an agreement be fashioned which identifies how the above referenced five MPOs located in the New York, New Jersey and Connecticut commuter-shed would coordinate the development of transportation planning documents and would coordinate to meet the attainment of National Ambient Air Quality Standards (NAAQS); and,

WHEREAS, it was subsequently determined that, because of census boundary changes, participation in this agreement by the non-TMA MPOs (SWRMPO, GB/VMPO, and HVCEO) was not mandatory, but would be advisable as consistent with good planning principles; and,

WHEREAS, SWRMPO, GB/VMPO, and HVCEO are voluntary participants in this MOU; and,

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WHEREAS, this MOU constitutes the aforementioned agreement in order to address the requirements of 23 CFR 450.314(d) for the PARTIES and the recommendations of the federal certification reviews of NYMTC and NJTPA; and,

WHEREAS, the PARTIES agree to follow this MOU in order to ensure coordination in the development of the mandated products of the metropolitan transportation planning process including the process for meeting attainment of NAAQS ; and,

WHEREAS, this MOU is intended to ensure that the products of each respective MPO transportation planning process takes into account the impacts of the plans and programs developed by the other MPOs; helps avoid duplication of effort; reflects consistency of approaches where possible; and ensures the consideration of the interests of all five MPOs;

NOW, THEREFORE, BE IT RESOLVED that the PARTIES hereto agree to perform in good faith the activities of voluntary coordination, cooperation and consultation amongst themselves, as follows:

GENERAL

1. Hold an annual meeting of the Executive Directors and appropriate key managers of the five MPOs which are PARTIES to this agreement, as well as interested policy board member agency representatives, including but not limited to, the public transit operating agencies and the Port Authority of New York and New Jersey, to discuss and review the areas of coordination, cooperation and consultation as outlined in this MOU.

Representatives of the State Departments of Transportation and Environmental Protection/Conservation and other resource agencies in the three states will also be invited and encouraged to participate. The purpose of the annual meeting will be to engage in discussions of mutual interest with a focus on the development of the respective Unified Planning Work Programs (UPWPs) for the coming year.

The annual meeting will also serve as a mechanism for assessing this MOU and for discussing further expectations and approaches, as appropriate.

2. Cooperate in efforts toward achieving, wherever possible, general consistency of plans through informal communication and document exchange.

3. Participate, to the extent practicable, in the transportation planning process of the other PARTIES through such activities, as are deemed appropriate, as technical committee memberships and/or meeting participation, including the use of the PARTIES' public participation processes and involvement in regional studies, as well as through informal and ongoing communications regarding same.

UNIFIED PLANNING WORK PROGRAM (UPWP)

1. As individual MPOs, make available UPWP products as appropriate to the other PARTIES.

2. Exchange information, including DRAFT copies of the UPWP, and maintain communication among the PARTIES regarding how best to achieve coordination and consistency among the Plans.

3. Discuss opportunities for collaborative activities that could be incorporated as tasks and/or products and thereby included in the Work Programs of the PARTIES, as appropriate, for the upcoming year.

4. Consider that the five MPOs will not necessarily be at the same stage of UPWP development at the same time, and that coordination will be tempered by the schedule of each MPO's planning process.

2E

MODELING

1. Exchange modeling information at appropriate levels of geography, attempting where possible to relate the data to the MPOs' existing, respective Traffic Analysis Zone systems.

2. Share modeling as appropriate, including socio-economic, census, forecast and survey data and results; trip tables and travel demand model assumptions; and model validation data, state line traffic volumes and traffic volumes at the external boundaries of the other agencies' models.

3. Consult in the development of enhanced travel demand models.

4. Examine and utilize opportunities for joint development of TMA new modeling applications for the region as appropriate.

TRANSPORTATION PLAN

1. During the development of the Long-Range Transportation Plan, consult as appropriate all parties regarding key elements of the plan such as principles, scenarios, strategies, major project assumptions and key issues.

2. Exchange information, including DRAFT copies of the Long Range Plans and proposed amendments, and maintain communication among the PARTIES, including affording each other the opportunity to review and comment on projects proposed in the Long Range Plan, especially on projects that border, or have a significant impact upon, other PARTIES' MOU jurisdictions.

3. Consider that the five MPOs will not necessarily be at the same stage of plan development at the same time, and that coordination will be tempered by the schedule of each MPO's planning process.

TRANSPORTATION IMPROVEMENT PROGRAM

1. Consult in the development of TIPs.

2. Exchange information, including DRAFT copies of the TIP and proposed amendments, and maintain communication among the PARTIES, including affording each other the opportunity to review and comment on draft projects proposed in the TIP, especially on projects that border, or have a significant impact upon, other PARTIES' MOU jurisdictions.

3. Consider that the five MPOs will not necessarily be at the same stage of TIP development at the same time, and that coordination will be tempered by the schedule of each MPO's planning process.

AIR QUALITY STATE IMPLEMENTATION PLAN CONFORMITY

1. Exchange information on the design concept and the design scope of projects that should be included in the regional emissions analysis.

2. Consult on the assumptions used in the mobile emissions model in each state.

3. Exchange information, including DRAFT copies of the Conformity Analysis, and maintain communication among the PARTIES.

4. Consider that the five MPOs will not necessarily be at the same stage of Conformity determination at the same time, and that coordination will be tempered by the schedule of each MPO's planning process.

SOUTH WESTERN REGION
METROPOLITAN PLANNING ORGANIZATION

DARIEN • GREENWICH • NEW CANAAN • NORWALK • STAMFORD • WESTON • WESTPORT • WILTON
888 WASHINGTON BOULEVARD • STAMFORD, CT 06901 • (203) 316-5190 • FAX (203) 316-4995

RESOLUTION #2008-003 Endorsement of Memorandum of Understanding for Metro-New York Transportation Planning and Coordination

WHEREAS: NYMTC, NJTPA, SWRMPO, GB/VMPO, and HVCEO are part of a federally-designated Transportation Management Area (TMA) that constitutes one of the nation's largest commuter-sheds; and,

WHEREAS: 23 U.S.C. 134 and Section 8 of the Federal Transit Act require that Metropolitan Planning Organizations (MPOs) be designated for metropolitan regions and that they maintain a continuing, cooperative and comprehensive transportation planning process that results in plans and programs that consider all transportation modes and supports metropolitan community development and social goals; and,

WHEREAS: A key role for MPOs is to serve as forums for cooperative transportation planning and decision-making in metropolitan areas; and,

WHEREAS: 23 CFR 450.310(g) states that, where more than one MPO has authority within a metropolitan planning area or a nonattainment or maintenance area, there shall be an agreement between the state department(s) of transportation and the MPOs describing how their planning processes will be coordinated to assure the development of an overall transportation plan for the metropolitan planning area, and that in nonattainment or maintenance areas, the agreement shall include State and local air quality agencies; and,

WHEREAS: The MPOs agree to follow this MOU in order to ensure coordination in the development of the mandated products of the metropolitan transportation planning process including the process for meeting attainment of NAAQS; and,

WHEREAS: The MPOs agree to perform in good faith the activities of voluntary coordination, cooperation and consultation as spelled out in the MOU.

Now therefore, be it resolved, that the South Western Metropolitan Planning Organization hereby:

Endorses the Memorandum of Understanding for Coordination of Transportation Planning Activities in the Three State New York-New Jersey-CT Metropolitan Region.

This resolution is effective **January 28, 2008.**

Date: **January 28, 2008.**

By: Woody Bliss
Woody Bliss,
Chairman

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MEMORANDUM OF UNDERSTANDING
BETWEEN THE NEW YORK METROPOLITAN TRANSPORTATION COUNCIL, ORANGE COUNTY TRANSPORTATION COUNCIL, AND POUGHKEEPSIE-DUTCHESS COUNTY TRANSPORTATION COUNCIL REGARDING THE POUGHKEEPSIE OZONE NONATTAINMENT AREA AND TRANSPORTATION CONFORMITY

This agreement clarifies and outlines the cooperation and coordination between the Metropolitan Planning Organizations in the Poughkeepsie Ozone Nonattainment Area regarding transportation conformity activities.

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Act: A Legacy for Users (SAFETEA) requires that Metropolitan Planning Organizations be established in urbanized areas of over 50,000 population; and

WHEREAS, the New York Metropolitan Transportation Council (NYMTC) is the Metropolitan Planning Organization which is responsible for transportation planning in Putnam County; and

WHEREAS, the Orange County Transportation Council (OCTC) is the Metropolitan Planning Organization which is responsible for transportation planning in Orange County; and

WHEREAS, the Poughkeepsie-Dutchess County Transportation Council (PDCTC) is the Metropolitan Planning Organization which is responsible for transportation planning in Dutchess County; and

WHEREAS, the United States Environmental Protection Agency designated Dutchess, Orange, and Putnam Counties to be nonattainment for the 1997 8-hour ozone standard, effective June 15, 2004; and

WHEREAS, Dutchess, Orange, and Putnam Counties are collectively referred to as the Poughkeepsie Ozone Non-attainment Area; and

WHEREAS, by virtue of this nonattainment area including all or part of three Metropolitan Planning Organizations, a written agreement is required among the State department of transportation, affected local agencies and the Metropolitan Planning Organizations, in this case NYMTC, OCTC and PDCTC, to ensure appropriate coordination occurs so that air quality regulations are met and transportation projects can proceed; and

WHEREAS, recognizing that planning and programming cycles are at the discretion of the individual Metropolitan Planning Organization, NYMTC, OCTC, and PDCTC are committed to cooperating and coordinating their planning and programming activities as reasonable and necessary to produce consistency and to minimize unnecessary analyses and reporting requirements that could result from uncoordinated actions; and

WHEREAS, NYMTC, OCTC, and PDCTC are each responsible for their respective development and update of a transportation model; and

WHEREAS, to date, NYMTC, OCTC, and PDCTC have been successful in their coordination activities to maintain their Metropolitan Transportation Plans and Transportation Improvement Programs; and

WHEREAS, this coordination includes meeting together, as well as, meeting with NYSDOT on a regular basis, sharing assumptions and results of model runs, and coordinating the development of conformity determinations and documentation on a regular basis; and

WHEREAS, NYMTC, OCTC, and PDCTC agree to use the same applicable regional emissions test to demonstrate conformity; and

WHEREAS, this coordination has included and will continue to include coordination with the Interagency Consultation Group (ICG) comprised of the Federal Highway Administration, the Federal Transit Administration, the United State Environmental Protection Agency, the New York State Department of Environmental Conservation, and the New York State Department of Transportation; and

WHEREAS, in the case conflicts arise related to the demonstration of conformity in the Poughkeepsie Ozone Nonattainment Area affecting another Metropolitan Planning Organization in the Poughkeepsie Ozone Nonattainment Area, it is agreed that no Metropolitan Planning Organization will go public with any conformity data or draft determination until such conflict is resolved; and

WHEREAS, conflicts that do arise between the Metropolitan Planning Organizations in the Poughkeepsie Ozone Nonattainment Area will be resolved through the existing ICG process as stipulated in 6 NYCRR Part 240 NYS regulatory procedures and federal regulations; and

WHEREAS, this agreement will stay in force until revised by NYMTC, OCTC, and PDCTC or at such time revision is required due to regulatory changes; and

WHEREAS, NYMTC, OCTC, PDCTC or NYSDOT may request that this agreement be revised; and

Therefore, be it resolved that, NYMTC, OCTC and PDCTC hereby affirm their continued commitment to coordination and consultation with regard to the individual plans, programs, and projects that affect the Poughkeepsie Ozone Nonattainment Area.

NYMTC PFAC Chairperson	Date
OCTC Chairperson	Date
PDCTC Chairperson	Date

MEMORANDUM OF AGREEMENT FOR THE NEW YORK – CONNECTICUT SUSTAINABLE COMMUNITIES CONSORTIUM

This Agreement is entered into this tenth day of June, 2011, by and between the New York Metropolitan Transportation Council, the South Western Region Metropolitan Planning Organization, the Greater Bridgeport / Valley Metropolitan Planning Organization, the South Central Regional Council of Governments, the Long Island Regional Planning Council, the City of New York, the Long Island counties of Nassau and Suffolk, the lower Hudson Valley cities of Mount Vernon, New Rochelle, White Plains and Yonkers, the Connecticut Coastal Corridor cities of Norwalk, Stamford, Bridgeport and New Haven, and the Regional Plan Association.

W I T N E S S E T H

WHEREAS, the United States Department of Housing and Urban Development (HUD) has issued a Notice of Funding Availability (NOFA), for the Sustainable Communities Regional Planning Grant Program (the Grant Program) and

WHEREAS, the HUD NOFA requires that a consortium of cities, metropolitan planning organizations (MPOs) and non-profit regional councils and planning organizations be established in metropolitan regions seeking to apply for a planning grant through the Grant Program, and

WHEREAS, the HUD NOFA further requires that the planning area for which the planning grant is to be sought be defined by the boundaries of the MPOs who are members of the consortium applying for a planning grant through the Grant Program, and

WHEREAS, the HUD NOFA further requires that a consortium applying for a planning grant through the Grant Program include cities in the planning area for which the grant is being sought that contain at least 50% of the residential population of the planning area, and

WHEREAS, the HUD NOFA further requires that a consortium applying for a planning grant through the Grant Program include non-profit regional councils and regional planning organizations in the planning area for which the grant is being sought, and

WHEREAS, the HUD NOFA requires that a formal consortium agreement be executed no later than 120 days after the effective start date of the grant agreement with HUD, and

WHEREAS, the HUD NOFA requires that the consortium initiate eligible activities within 120 days of the effective date of the grant award, and

WHEREAS, the HUD NOFA specifies that the Period of Performance shall not exceed 36 (thirty-six) months and that the grant application must include 3–5 (three-to-five) year benchmark performance targets, and

WHEREAS, the HUD NOFA requires that the grantee must liquidate all obligations incurred under the award not later than 90 (ninety) days after the end of the funding period, and

WHEREAS, the HUD NOFA specifies that all applicants achieving a specified threshold score in submission will qualify for Preferred Sustainability Status and that applicants that meet this criterion will qualify for a broad spectrum of benefits including access to capacity building resources and will secure potential points in a number of funding opportunities managed by other federal agencies, and that applicants receiving Preferred Sustainability Status that do not receive funds in this funding round will be able to preserve certain aspects of their application for next year's round of completion; and

WHEREAS, HUD has issued a notice indicating it is granting $3.5 million in Federal funds for activities specified in the HUD NOFA in a planning area of the New York City metropolitan region defined by the boundaries of one metropolitan planning organization in New York State and three metropolitan planning organizations in the State of Connecticut.

NOW, THEREFORE, in response to the requirements of the HUD NOFA and to receive and execute the HUD funding under the Grant Program, the parties do hereby agree to join together through this Agreement to form a New York-Connecticut Sustainable Communities Consortium (the Consortium) whose primary purpose is to organize and execute a Sustainable Communities Planning Program (the Planning Program) leading to a Program and Execution Plan for Sustainable Development that will integrate and guide regional planning activities using funding received from the HUD Grant Program and following the related requirements laid out in the HUD NOFA.

The parties further agree that the Regional Plan Association (RPA), a not-for-profit regional planning organization, is the member of the Consortium assigned fiduciary responsibilities on behalf of the Consortium, and that**,** in its role as the fiduciary agent of the Consortium, RPA will act as the grant recipient for HUD funds and will enter into the necessary agreement(s) with HUD to submit the agreed upon deliverables and receive the funds granted on behalf of the Consortium.

The parties further agree that the committees, advisory structures and procedures described in this Agreement are intended to achieve multiple objectives. These include providing meaningful participation in the consortium decision-making process for a wide range of stakeholders, clearly defining implementation responsibilities for defined tasks, and establishing an efficient governance structure that allows timely implementation of the work program. As the program evolves, these procedures will be evaluated and adjusted as necessary and as outlined in Section 6 of this Agreement to best achieve these goals. Any changes will emphasize the Program's goal of engaging residents and stakeholders substantially and meaningfully in strategy development and decision making.

Additionally, the parties agree to the following:

I. CONSORTIUM AND STEERING COMMITTEE STRUCTURE AND RESPONSIBILITIES

A. The Consortium will be constituted by the organizations and entities entering into this Agreement. The organization of the Consortium and its constituent and advisory bodies is represented in the organization chart in Attachment A of this Agreement.

B. The name of the Consortium will be the New York-Connecticut Sustainable Communities Consortium. The Consortium may choose to publicly identify itself and the Planning Program with a brand or simpler identification.

C. The Consortium will comply with the terms and conditions specified by HUD for the Sustainable Communities Regional Planning Grant Program as defined in the Cooperative Agreement Terms and Conditions contained in Attachment B of this Agreement.

D. During the course of the Planning Program, the Consortium may wish to encourage multi-jurisdictional agreements that do not involve the entire Consortium for purposes of executing portions of the Planning Program. Any such agreements will be established independently of this Agreement and need not involve the Consortium as a whole.

E. The Consortium will be governed in all matters of its operation by the principal representatives identified by the organizations and entities which are parties to this Agreement. Those principal representatives will include the chairs of the policy boards of the metropolitan planning organizations and non-profit regional council and regional planning organizations and the chief elected officials of the county and city governments.

1. The Consortium principal representatives will choose co-chairs; one from among their New York members and the other from among their Connecticut members; and a secretary from among their members.

2. The Consortium principal representatives will designate a Steering Committee consisting of one representative from each of the Consortium members. The Consortium principal representatives will delegate to the Steering Committee responsibility for the development of Consortium policy in carrying out the Planning Program, and day-to-day operations of the Consortium.

    a. The Steering Committee will be responsible for overseeing the day-to-day operations of the Consortium and the Planning Program.

    b. The Steering Committee will be responsible for overseeing all aspects of the overall budget for the Planning Program, as defined in Schedule A, contained in Attachment C of the Agreement, including adjusting any part of the budget for the Planning Program as it progresses.

    c. The Steering Committee will be responsible for staffing for Planning Program coordination and committee support, drawing upon the resources of RPA and of the staffs of the MPOs and regional councils that are Consortium members, as part of the in-kind contributions defined in Schedule A, contained in Attachment C.

d. The Steering Committee will be responsible for overseeing the development of, reviewing and accepting all deliverables defined in Schedule B, contained in Attachment D of this Agreement, and authorizing RPA, as the fiduciary agent for the Consortium, to submit the final deliverables per Schedule A to HUD for Federal reimbursement.

e. The Steering Committee will be responsible for developing formats for the deliverables to be produced through the Planning Program as identified in Schedule B, contained in Attachment D, and criteria with which to judge their acceptability.

f. The Steering Committee will be responsible for withholding authorization for submission of deliverables to HUD that it deems unacceptable or below standard in the context of Schedule B, contained in Attachment D. In these cases, reimbursement for the deliverables to the responsible Consortium member or members will be delayed until an acceptable deliverable is produced for submission to HUD as set forth in the subrecipient agreement.

g. The Steering Committee will be responsible for establishing a process for reviewing applications for other HUD programs submitted to the Consortium by agencies and entities in the Consortium's planning area to determine the consistency of those applications with the Planning Program for the purpose of approving Preferred Sustainability Status priority points from HUD.

3. Among its first activities, the Steering Committee will undertake the following:

a. Appointing co-chairs; one from among the cities' representatives on the committee and one from among the MPOs' representatives; and a secretary from among its members.

b. Drafting overarching goals and major milestones for the Planning Program, providing an opportunity for public review of and comment on the draft goals and milestones, and recommending a final set of goals and milestones to the Consortium principal representatives for adoption.

c. Organizing and then maintaining information and resources for the Consortium, including coordinating the Consortium effort to develop and maintain a data repository, website, and network of listening posts, and will ensure full public access to information and data.

d. Convening two advisory subcommittees organized geographically in keeping with the locations of the specific execution projects in the Planning Program: a Northern Sector Subcommittee and an Eastern Sector Subcommittee.

4. The advisory subcommittees will consist of the member agencies of the MPOs and Long Island Regional Planning Council, in whose planning areas the execution planning is taking place, as well as representatives of agencies, municipalities, non-governmental organizations and community-based organizations identified in those areas.

    a. Each advisory subcommittee will elect a chair to serve on the Advisory Board.

    b. The Steering Committee may revise the structure of the advisory subcommittees as needed during the Planning Program.

II. DECISION-MAKING

A. All actions taken and decisions made by the Consortium and its committees and subcommittees, including the Advisory Board described in Section 9 below, will be by consensus of the affected members of those bodies.

1. Consensus will be defined as unanimity of affected parties, with the chair or co-chairs judging the extent to which Consortium, committee or subcommittee members are affected by the decision or action in question.

2. In cases where consensus on a prospective action or decision cannot be reached, the chair or co-chairs of the relevant body will convene the parties in question to work towards an agreement and achieve consensus.

3. Revisions to any provision or section of this Agreement, including changes to the membership of the Consortium, either at the suggestion of Consortium members or upon request from prospective members, will be made through the consensus decision of all of the Consortium principals.

III. MEETING PROTOCOLS

A. At a minimum, the Consortium principal representatives will meet annually to receive a formal status report on the progress of the Planning Program from the Steering Committee and take any actions or make decisions as needed. Other meetings may be convened by the Consortium co-chairs as needed.

1. All meetings of the Consortium principal representatives will be open to the public with appropriate notice given.

2. A quorum of the Consortium principal representatives will be required in order to conduct business at meetings of the Consortium principal representatives.

    a. A quorum for any meetings of the Consortium principal representatives will consist of two-thirds of the New York principal representatives and two-thirds of the Connecticut principal representatives.

B. At a minimum, the Steering Committee will meet at least quarterly to monitor the progress of the Planning Program and to carry out its responsibility for the development of Consortium policy in carrying out the Planning Program.

1. All meetings of the Steering Committee will be open to the public with appropriate notice given.

2. A quorum of the Steering Committee representatives will be required in order to conduct business at meetings of the Steering Committee.

a. A quorum for any Steering Committee meeting will be two-thirds of the New York members and two-thirds of the Connecticut members.

IV. ADVISORY BOARD

A. The Consortium principal representatives will convene an Advisory Board of state agencies, regional non-governmental organizations and representatives of the advisory subcommittees described in Section 5 above.

1. The Advisory Board will initially include:

a. Seven state agencies: the Connecticut Housing Finance Agency; the Connecticut Department of Economic and Community Development; the Connecticut Office of Policy and Management; the Connecticut Department of Transportation; the New York State Department of State; New York State Homes and Community Renewal; and the Empire State Development Corporation.

b. Six non-governmental organizations: the Local Initiatives Support Corporation; the Urban Land Institute; ICLEI Local Governments for Sustainability; WE ACT for Environmental Justice; the Connecticut Coalition for Environmental Justice; and the One Region Fund, a partnership of private funders in New York, New Jersey and Connecticut.

c. The North Jersey Transportation Planning Authority, the MPO for northern New Jersey, and the cities of Newark and Jersey City, New Jersey.

d. The chairs of the Steering Committee's two advisory subcommittees as described in Section 5.4of this Agreement.

e. Other members to be added at the discretion of the Steering Committee; including potentially other representatives from northern New Jersey and other locations in New York State and Connecticut.

2. The role of the Advisory Board will include the following:

   a. At a minimum, the Advisory Board will meet quarterly to advise the Consortium and its committees, to monitor the progress of the Planning Program and to make recommendations as needed for the development of Consortium policy in carrying out the Planning Program.

   b. In addition, the Advisory Board will take specific actions at key junctures in the Planning Program, as follows:

      i. The Advisory Board will help identify desired outcomes, processes and issues, and recommend to the Steering Committee a set of goals and major milestones for the Planning Program.

      ii. The Advisory Board will review drafts of the deliverables defined in Schedule B and make recommendations to the Steering Committee on those deliverables prior to their acceptance and authorization for submission to HUD.

      iii. The Advisory Board will provide input to and review drafts of the final Program and Execution Plan for Sustainable Development and make recommendations to the Steering Committee before the Plan is adopted.

      iv. The Advisory Board will regularly interact with the Steering Committee's two advisory subcommittees as described in Section 5.4 of this Agreement.

V. ADMINISTRATIVE ARRANGEMENTS

A. The Consortium will maintain the following administrative arrangements:

   1. RPA will be responsible for receiving and disbursing Federal funding granted by HUD for the purpose of executing the Planning Program.

      a. RPA will be responsible for maintaining accounts of all funding received and disbursed and for all financial and progress reporting required by HUD under the grant program.

      b. RPA will be responsible for all other aspects of the administration of Federal funding from HUD for the purpose of executing the Planning Program.

B. All contracts entered into by the Consortium or its individual members for the purpose of executing the Planning Program must be approved by the Steering Committee.

1. Procurement of professional services for the purpose of executing the Planning Program will follow processes prescribed for the use of Federal funds, per the requirements in the HUD Terms and Conditions (see Attachment B) and OMB circulars A-87, A-122 and A-133. State and local procurement requirements will be followed as necessary, but will be secondary to the Federal requirements.

2. A selection committee will be formed for each procurement with the approval of the Steering Committee. The individual selection committees will make recommendations after following processes consistent with the applicable procurement requirements, with final selection of professional service firms determined by the Steering Committee and approved by HUD.

3. At the direction of the Steering Committee, RPA, utilizing Federal funding from HUD, will enter into contracts with other consortium members and/or with private consultants selected by the Steering Committee to execute work for the Planning Program. Contracts will include accountability measures related to sections 5.2.4 through 5.2.6 of this Agreement.

C. The overall budget for the Planning Program, including Federal funding provided through HUD and various forms of matching and leveraged funds and in-kind services provided by the members of the Consortium, is defined in Schedule A of this Agreement.

VI. PLANNING PROGRAM COMPONENTS

A. The Consortium will undertake the following activities as part of the Planning Program. These activities are detailed in the Consortium Work Plan. A final report will incorporate actions and recommendations from all activities and will be adopted by the Consortium as the New York-Connecticut Program and Execution Plan for Sustainable Development.

1. RPA and the four metropolitan planning organizations will analyze the existing regional plans, as well as related plans developed by housing agencies, economic development entities and environmental agencies and organizations, to identify where these plans could be more fully integrated on either a functional or geographic level, where additional research, analysis or policy development could be productive, and where governmental policies could be better integrated with the goals of the plans.

a. As part of this analysis, RPA and the four metropolitan planning organizations will conduct public outreach activities throughout the Consortium's planning area that will gather additional input to advise the integration of existing plans and policies. Outreach activities will be undertaken in a geographically balanced fashion in order to solicit the broadest input from the planning area.

b. The goal of the public outreach activities will be to create a network of engaged government officials, civic and community leaders, business leaders, entrepreneurs, planners and private citizens that cuts across geographic, racial, ethnic, income and programmatic boundaries. Activities will be organized around the two advisory subcommittees described in Section 5.4 above.

2. RPA will conduct an initial comparison of regional housing, transportation, sustainability and other plans to identify gaps, redundancies, inconsistencies and potential areas where plans could be integrated. Each MPO will conduct further analysis of how plans in its jurisdiction could be enhanced or connected to plans in other jurisdictions.

3. Cities, MPOs and counties will identify changes in environmental permitting, land use regulations, transportation, housing and open space financing mechanisms, etc. that would address implementation barriers and ensure that Federal, State, local and private investments are working in concert. The responsible entities and actions needed to enact these changes will be identified, including those that can be implemented directly by the Consortium members and those that will require coordinated action with other levels of government.

4. Drawing on the expertise of the Consortium and advisory board members, RPA and the four MPOs will conduct an initial comparison of regional housing, transportation, sustainability and other plans to identify gaps, redundancies, inconsistencies and potential areas where plans could be further integrated. Each MPO will conduct further analysis of how plans in its jurisdiction could be enhanced or connected to plans in other jurisdictions.

5. The Long Island Regional Planning Council will develop a policy framework to advance the workforce and fair share housing goals of its Long Island 2035 Regional Sustainability Plan. In the event that the Council is unable to perform or direct such services, Nassau and Suffolk counties will recommend that such services be provided by a comparable entity. Such assignment of scope of services and funding shall be approved by a majority of the members of the Consortium, which approval shall not be unreasonably withheld.

6. RPA will work with the Local Initiatives Support Corporation (LISC), a member of the Advisory Board of the Planning Program, and other consortium members to develop oversight responsibilities, management protocols, selection criteria and other specifications for a fund that would provide early seed capital to discrete affordable housing development within ½ mile of public transportation. Funding from LISC and federal funding from HUD will cover a series of predevelopment expenses associated with the development of affordable housing, including preliminary plans, engineering and environmental reviews; and legal, marketing and preliminary feasibility assessments.

7. The New York City Department of City Planning, working in conjunction with the Mayor's Office of Long Term Planning and Sustainability, will conduct citywide strategic planning for building climate resilience. This project will include outreach to a range of stakeholders, include efforts to assess the risks, costs, and potential solutions for building climate resilience; and will outline an ongoing, dynamic, risk-based planning process that the City can employ that can take advantage of new information and projections as they become available.

8. The City of New Haven will advance plans for a transit oriented development at Union Station, converting an existing commuter train station to a new mixed use community. Project elements include new structured commuter parking, remerchandising/renovation of the train station and a new mixed use community on the Union Station site.

9. The City of Bridgeport will develop a feasibility plan for a new train station at the core of a 750-acre development corridor which runs from the Steel Pointe Harbor development project north to the Lake Success Business Park.

10. The City of Norwalk will develop a plan to introduce better bus, bicycle, car, pedestrian and circulator connectivity at the South Norwalk rail station.

11. The City of Stamford will complete a feasibility study for a new East Side train station.

12. The City of New Rochelle will complete a station area plan and create a transit-oriented development zone within ½ mile of Station Plaza.

13. The cities of Yonkers, Mount Vernon and New Rochelle, in collaboration with the New York Metropolitan Transportation Council, will define sustainable communities' issues and planning needs in the east-west Cross County Parkway corridor which connects these lower Hudson Valley cities. A corridor profile will be developed for use in the development of NYMTC's next Regional Transportation Plan.

    a. The cities of Yonkers and Mount Vernon will incorporate relevant findings, study data, and implementation strategies from other Consortium execution planning projects into locally-initiated planning activities and documents developed for the Yonkers, Ludlow, Fleetwood, Mount Vernon East and Mount Vernon West Metro-North station areas.

14. The New York City Department of City Planning, in collaboration with the New York City Department of Transportation and the MTA Metro-North Railroad, will study multiple existing Metro-North stations in the Bronx along with two stations proposed at Hunts Point and Parkchester to identify potential land use, transportation and urban design improvements as part of the plan to bring Metro-North to Penn Station.

15. The City of White Plains, in collaboration with the New York Metropolitan Transportation Council, and in consultation with other I-287 corridor communities, will define sustainable communities' issues and planning needs in the Tappan Zee Bridge/I-287 Corridor, including connections to railway and other transit hubs, existing and planned. A corridor profile will be developed for use in the development of NYMTC's next Regional Transportation Plan.

    a. The City of White Plains will incorporate relevant findings, study data, and implementation strategies from other Consortium execution planning projects into locally-initiated planning activities and documents developed for the White Plains Metro-North Train Station and North White Plains Metro-North Train Station.

    b. The New York Metropolitan Transportation Council will work with the City of White Plains and other communities in the Tappan Zee Bridge/Interstate 287 corridor to identify opportunities to update their comprehensive plans and zoning ordinances to institutionalize mixed-income transit-oriented development in conjunction with major transportation improvements under development in the corridor, including both bus rapid transit and train transit.

16. The New York City Department of City Planning will lead a coordinated, interdisciplinary neighborhood planning study of East New York, Brooklyn to identify and advance strategies for building sustainable communities through land use, transportation, education, employment, urban ecology and green technology.

17. Nassau County will conduct a feasibility study of sustainable infill development and opportunities to promote transit-oriented development in the vicinity of up to three MTA Long Island Rail Road stations in the Preliminary Regional Nassau Hub Study Area. The County will form a Steering Committee made up of Study Area residents, stakeholders, relevant municipal agencies and County staff to determine the locations to be studied and the types of analyses needed. Among the types of analyses for consideration are economic development and affordable housing opportunities, pedestrian and transportation facility infrastructure improvement and transportation linkages to major potential sites of employment, including the Grumman Property in Bethpage slated for redevelopment.

18. Suffolk County will develop and implement a Regional Transfer of Development Rights (TDR) study and program that would examine existing local, county and regional TDR programs such as those associated with the Pine Barrens, Suffolk County sanitary credits and local Town programs with particular focus on the five Regional Growth Centers identified with the County's study entitled "A Review of Selected Growth and Development Areas." Selected study areas would include, but not be limited to the Route 110 Office-Industrial Corridor, the Sagtikos Regional Development Zone, the Stony Brook High Tech Campus, Yaphank and the Town of Riverhead.

VII. CONSORTIUM RESPONSIBILITIES

A. The Consortium will execute the activities in Section 11 over the full 36 (thirty-six) months of the period of performance defined in the HUD NOFA and until liquidation of all obligations, such as the performance benchmark requirements, as mandated by the HUD NOFA.

1. The Consortium will produce all deliverables identified in Schedule B of this Agreement and submit those deliverables to HUD in order to receive Federal reimbursement for the Planning Program per Schedule A.

2. Per the requirement of the HUD NOFA, the Consortium will liquidate all obligations incurred under the award not later than 90 (ninety) days after the end of the funding period.

3. The Consortium will consider continuing this Agreement at the conclusion of the period of performance subject to the modification provisions of this Agreement in Section 6.3.

4. Should the Consortium continue to receive Preferred Sustainability Status after the conclusion of the Planning Program, members of the Consortium agree to consider extending this Agreement to timeframes specified in subsequent grant award opportunities subject to the modification provisions of this Agreement in Section 6.3.

II. Organizational Operating Procedures

PROGRAM, FINANCE AND ADMINISTRATION COMMITTEE (PFAC) OPERATING PROCEDURES

September – October 1982

I. GENERAL PURPOSE

The purpose of this committee is set forth generally in the joint Transportation Coordinating Committee (TCC) memorandum of understanding (MOU) establishing the PFAC. In addition, the PFAC provides day to day oversight of the operations of the New York Metropolitan Transportation Council (NYMTC) Metropolitan Planning Organization (MPO).

II. SPECIFIC RESPONSIBILITIES

A. Periodically assess the Council's adopted regional transportation plan, including consistency with social, economic, and environmental needs, and Federal and State requirements and regulations. Recommend to the Council or act on the Council's behalf to execute appropriate revisions as they become necessary.

B. Coordinate development of the Transportation Improvement Program (TIP) with local elected officials, transit operators and other officials. Projects are initiated through the appropriate TCC for inclusion in the TIP (See Appendix B.).

C. The PFAC is responsible for coordinating the development of procedures to meet Federal transportation planning regulations and requirements.

D. Develop and recommend to the Council policies and procedures for evaluating the consistency among the transportation plans and programs of the Council with those of adjacent MPOs, the Federal and other levels of government, and their agencies or affiliates.

E. Establish and implement procedures for the annual preparation of a recommended program of technical studies, and make recommendations to the Council for incorporation into the Unified Planning Work Program (UPWP). (See Appendix C.)

F. The Committee shall review the annual UPWP prepared by central staff and make recommendations thereon to the Council prior to submission of the work program to the federal funding agencies.

G. Establish and monitor working groups, as needed, on subjects requiring special attention. The Committee will receive reports and recommendations from the working groups and, if necessary, forward these to the Council for action.

III. RELATIONSHIP OF PFAC TO THE COUNCIL AND OTHERS

A. The annual endorsement of the Transportation Improvement Program (TIP/AE) shall be done by the Council with recommendations provided by the PFAC. The Council as a whole need only endorse the TIP annually – interim revisions will be endorsed by the PFAC or the TCC's as appropriate.

Nonregional matters shall be acted upon by the appropriate TCC(s) and need not be placed on the PFAC or Council agenda for ratification, as long as the recognized TCC has endorsed these actions. Nonregional matters are defined as:

1. Delineating urban area boundaries;

2. Designating federal aid urban highway systems; and

3. Minor modifications to the endorsed TIP

    a. Minor changes in scope of endorsed projects,

    b. Substitutions by the initiating agency of projects of similar scope,

    c. Deletions or additions of subregional projects (within prescribed funding).

The PFAC will undertake the necessary interim "regional" revisions of the TIP after receiving appropriate TCC actions on new projects to be added to the TIP. The PFAC may also establish limits to reasonable and prudent overprogramming on the TIP, and other TIP guidelines. "Interim" is defined as covering the interval between meetings of the Council.

B. On matters of transportation policy, the PFAC, drawing upon its participants, subcommittees and others, will formulate policy recommendations so that the Council may act upon them at its annual meeting. On some policy matters, when speedy response is required, the PFAC may act on behalf of the Council. The Council shall be advised of such action. (Reference MOU: IX, D.)

C. On other items of Council business pertaining to transportation policy where a general policy position has already been established by the Council, or if it is a matter of policy implementation, the PFAC may take interim action for the Council.

D. The PFAC will establish and maintain procedures to ensure appropriate participation of local officials and the public in transportation activities. Public officials, citizens, and others with an interest in transportation aspects of NYMTC's work are encouraged to make their interests known and to participate in the deliberations of the PFAC.

E. On all matters dealing with citizen participation and obtaining the views of the public on transportation issues, plans, programs, and proposals, the PFAC shall look to the citizen advisory mechanisms of its members as a prime source of advice.

F. The PFAC will carry out any other transportation oriented aspects of the Council business as directed by the Council or the co-chairpersons of the Council, and shall otherwise initiate and resolve actions for the Council on transportation matters as the need arises. In so doing the PFAC may create subcommittees, ad hoc task forces, or other special working groups in accordance with procedures described under D.8. below. Groups so created shall take their charge from, and report to, the PFAC.

G. Actions taken by the PFAC will be listed and distributed to all Council members.

IV. ORGANIZATIONAL MATTERS AND MEETING PROCEDURES

A. The chairperson of the PFAC shall preside over meetings. In the chairperson's absence, the meeting will be conducted by his designee. The staff director of the NYMTC central staff shall be the secretary of the PFAC.

B. Subregional citizen advisory groups may designate one or more of its members to participate in PFAC deliberations.

C. All meetings of the PFAC will be open to the public and press; the chairperson may set rules and procedures for their participation consistent with these procedures and with a standard meeting format. (See Appendix A.)

D. Voting on actions of the PFAC will be by consensus of members. Consensus is defined to be unanimity of affected parties, with the chairperson judging the extent to which members are affected by proposed Committee action and declaring consensus or the lack thereof as the case may be. In the case of actions which do not merit a special PFAC meeting but which should not await the next regular meeting, voting may be done by mail or phone with the results announced at the next PFAC meeting.

E. As a matter of practice, the PFAC's regular meetings are scheduled on the third Thursday of every other month. If the meeting day stipulated above falls on a holiday or is otherwise impractical, the chairperson shall designate another date. Special meetings may be called by the chairperson or members, provided notice of such meetings is given to persons on the mailing list in advance.

F. PFAC meeting notices and agendas shall be mailed by the central staff to all members and others who have requested them in writing from the staff director. Agendas shall be as determined by the chairperson after consideration of recommendations received from the staff and others. If at all practicable, the proposed agenda should reach recipients one week prior to the meeting day. A synopsis of each meeting, prepared by the Secretary, shall be transmitted to members as soon as possible thereafter. A brief highlight of PFAC actions will be sent to Council members within five (5) working days of the meeting.

G. In the event that matters arise requiring immediate PFAC action the secretary may use a mail ballot to poll members. Unless otherwise indicated on that ballot, voting members will have ten (10) working days from the postmark date of ballot to return their votes either by telephone or, preferably, by mail. Lack of response will be construed as an affirmative vote. The results of the poll will be reported at the next PFAC meeting and affected agencies/members will be notified at the time of balloting.

H. When there are particular issues or matters that require special consideration and/or longer term study, the PFAC chairperson may appoint a task force or similar working group to undertake the task. In general, task forces and working groups are intended to undertake assignments of limited duration. Membership shall be as agreed to by the membership and need not be limited to members (or their representatives) of the PFAC or the Council. Their composition should represent a balance of the various interests appropriate to the assigned function or task. The working group chairperson shall be designated or redesignated by the chairperson of the PFAC. The staff director or NYSDOT shall, if needed, assign a staff person to serve as a secretary of each task force or working group and be responsible for maintaining minutes and otherwise providing staff services, including timely reporting to the PFAC. The charge to each subcommittee, task force and working group shall be described in the synopsis of the PFAC meeting approving its creation.

I. To the extent applicable, task forces and working groups may operate under informal arrangements.

J. Task forces and working groups shall report to the PFAC or appropriate oversight group and shall make no reports, announcements, statements, etc., without first reporting to the PFAC and obtaining their comments, suggestions, reactions and approval.

PFAC OPERATING PROCEDURES –APPENDIX A
PROGRAM, FINANCE AND ADMINISTRATION COMMITTEE
STANDARD MEETING AGENDA

I. CALL TO ORDER, INTRODUCTIONS, CHAIRMAN'S REMARKS

1. Acceptance of Previous Meeting Synopsis
2. Report by Staff Director
   - activities of staff/administration
   - changes in agenda
   - notices, events, announcements, publications
3. Citizen Views (if any)

II. ACTION ITEMS

1. TIP Changes/Endorsements
2. Section 8 Study Changes
3. UPWP Changes
4. Other Actions Required (policy statements, comments on Federal regulations, plan endorsements, central staff activities, contractuals, TCC or Council initiated)

III. REGIONAL TRANSPORTATION ISSUES

IV. INFORMATION ITEMS

1. Subregional Activities and Announcements (reported by subregions)
2. Operator Activities (reported by operators)
3. Adjacent MPO Activities
4. Report of Working Groups
   - Section 5 Designated Recipients
   - Technical/Feasibility Project Selection

- Data Forecasting and Modeling
- Contract Review
- Others

5. Other

V. ADJOURNMENT/CONFIRMATION OF NEXT MEETING

PFAC OPERATING PROCEDURES – APPENDIX B
TRANSPORTATION IMPROVEMENT PROGRAM (TIP)
POLICY AND PROCEDURES

I. ANNUAL TIP UPDATE PROCEDURES

1. The New York Metropolitan Transportation Council (NYMTC) central staff will prepare a schedule for the development of the annual update.

2. NYMTC informs the Transportation Coordinating Committee (TCC) staff, through meetings and correspondence, of (a) the annual TIP update process, (b) an estimate of the financial resources, and (c) program regulations and requirements (i.e. elderly and handicapped requirements, energy regulations, etc.).

3. Each TCC shall develop a draft program based on its anticipated financial resources.

4. TCC staffs shall ensure that projects selected for the TIP (a) are derived from or not inconsistent with the metropolitan area's transportation plan or the applicable TCC or subregional plans, (b) conform with social, economic and environmental objectives, and (c) reflect public input.

5. TCC staffs shall submit draft TIP's to the TCC "principals" for approval.

6. NYMTC central staff shall prepare a draft narrative of the regional TIP based on the TCC endorsed components.

7. The Program, Finance and Administration Committee (PFAC) shall recommend the draft TIP for the New York metropolitan area (New York State portion) to the Council.

8. The Council shall approve the TIP and instruct the NYMTC staff director to transmit it to the New York State Department of Transportation (NYSDOT) and the Urban Mass Transportation Administration (UMTA).

9. The NYSDOT shall incorporate appropriate parts of the program into the statewide program of projects required under 23 U.S. Code 105, and forward it to the Federal Highway Administration (FHWA). The NYSDOT may submit comments about the program to UMTA within 30 days of receipt.

10. Funding agencies shall approve TIP projects, thus enabling project applications.

II. TIP MODIFICATION PROCEDURES

1. The affected agency shall transmit a description of the proposed modification to the appropriate TCC secretary.

2. The TCC secretary distributes a ballot for the proposed modifications to the project to (a) the TCC members for their approval, and (b) the NYMTC central staff for its information and records.

3. Each TCC shall develop and maintain written procedures for TIP modifications and other balloting, and shall act in accordance with these procedures.

4. The TCC secretary shall transmit TCC endorsed modifications to the NYMTC central staff director. This includes the original signed ballots.

5. For regionally significant TIP modifications, the PFAC secretary shall conduct a PFAC ballot.

6. Upon approval by appropriate parties, the staff director shall transmit the change, or appropriate resolution, to the NYSDOT commissioner and the UMTA regional administrator explaining that the action is consistent with plans and policies, and has been carried out according to procedures developed through the planning process. This action finalizes the modification. Copies are sent to the appropriate TCC staff and to the PFAC members.

7. The NYSDOT acts upon the TCC or PFAC endorsed modifications.

8. The appropriate federal funding agency approves the TIP modification, thus enabling the project sponsor to submit project applications to the funding agency.

9. The NYMTC central staff will maintain a log to track each of the above transactions.

PFAC OPERATING PROCEDURES – APPENDIX C
UMTA TECHNICAL/FEASIBILITY STUDY PROGRAM

A. PROJECT SELECTION PROCESS

The project selection and grant application process for the UMTA Technical/Feasibility Studies program for the current and future fiscal years as adopted by the New York Metropolitan Transportation Council is similar to the FY 1982-83 process as developed by the Tri-State Regional Planning Commission.

The anticipated limitations on UMTA Technical/Feasibility funds will be assessed. This limitation will require a continuing concentration upon the most critical problems confronting public transportation in our region.

The process is designed to accomplish the following managerial objectives:

Optimize Use of Limited Funds

Accelerate Grant Award and Project Initiation Cycle

Improve Program Efficiency and Effectiveness

The implementation of the process is described below and keyed to the chronology of events outlined in Exhibit 1 (which will be revised annually).

1. Program Objectives

   a. The planning objectives presented in the Regional Transportation Plan shall also serve as the planning objectives for the Program. (see Exhibit 2)

2. Proposal Solicitation

   a. A solicitation signifies the annual request for proposal submission to the Council. Sponsors are asked to develop proposals for a UMTA grant application, mindful that some projects will be relegated to Priority II status and some for advancement in the subsequent program year.

   b. Sponsor agencies shall submit the following:

      (1) New or substitute project proposals. For each new project proposed the following information is required (refer to Exhibit 3):

         (a) Project work program
         (b) Project cost proposal
         (c) Project task budget
         (d) Staffing plan
         (e) Synopsis of public review comments if possible.

(2) Twenty-five (25) copies of each proposal shall be submitted to the NYMTC Central Staff for distribution to TCC members. Each TCC member will receive a copy of all proposals.

3. Evaluation

   a. PFAC's Working Group will undertake the evaluation of the proposals to arrive at a proposed program of projects for the next program year's grant application. Consideration shall be given to promotion of program objectives, completeness of project proposals and general technical merit in keeping with the criteria as established by PFAC. Revision of cost estimates and/or work programs may be considered.

   b. PFAC's Working Group notifies TCC members of its proposed program of projects for review and comment.

4. Final Project Selection and FY 1983-84 Grant Application

   a. Following receipt of TCC comments, the PFAC Working Group will finalize the program of projects for submission to the PFAC for review and endorsement. Included may be projects selected for future fiscal year funding. The program of projects endorsed by PFAC for funding will be submitted to the Council for final approval.

   b. The proposed grant application then will be incorporated within the Council's Unified Planning Work Program and transmitted to UMTA by application from the New York State Department of Transportation. Projects which may be selected for future funding shall be appended to the current fiscal year grant application.

5. Proposal Submission

   All inquiries and submissions should be directed to:

   Manager, Systems Group
   New York Metropolitan Transportation Council
   One World Trade Center, 82nd Floor
   New York, NY 10048
   (212) 938-3353

B. CURRENT PROGRAM INITIATION

a. Upon notification of grant approval, sponsoring agencies will be expected to initiate work activity immediately. All sponsor agreements should be readied for execution no later than ninety (90) days from the date of notification except when delayed by circumstances beyond a sponsor's control.

b. If a sponsoring agency determines that the project objective or scope of the candidate project is no longer applicable because of changed conditions, technical or otherwise, it must notify the Central Staff in writing and State the extenuating circumstances, no later than sixty (60) days after UMTA grant approval. Use of the funds then will be subject to the provisions of part A.1.b of "Guidelines For Use of UMTA Technical/Feasibility Study Reserve Funds." (Section "C" of these Operating Procedures.).

c. For projects not started under the provisions of paragraphs "a" or "b" above, funds may be applied to a Priority II project subject to PFAC and UMTA approval, or will revert to the UMTA reserve, and be subject to the UMTA Guidelines for the use of such funds.

d. Sponsors not displaying productive work accomplishment in accordance with their project work schedule may jeopardize additional funding in the FY 1984-85 Program.

C. GUIDELINES FOR USE OF UMTA TECHNICAL/FEASIBILITY STUDY RESERVE FUNDS

I. For a New Study

1. a. Any agency eligible to sponsor a Section 8 project seeking to use reserved funds for a new study should submit to the Council's Central staff a detailed scope-of-work, task and the line item budgets and a staffing plan for review by PFAC.

   b. When a Sponsor voluntarily (i.e. not through any failure to meet requirements or guidelines) seeks to modify a study or studies, this sponsor shall be afforded the first opportunity to submit substitute proposals for any funds involved. Provided that the conditions above are met, such a sponsor request would be considered first by PFAC.

2. Once all elements required under Step 1 have been approved by PFAC the proponent should develop and submit for approval, a request for proposal if consultant services are to be used.

3. Upon satisfactory completion of Step 1 and if necessary, Step 2, the proponent should request from PFAC, a transfer of funds from reserve to the proposed study.

4. Upon PFAC approval of the above actions, the Council should submit to UMTA a request to revise the appropriate Section 8 grant budget to transfer the funds from reserve to the proposed study. The Council should submit to UMTA all of the documents required under Steps 1 and 2 above.

5. Upon UMTA approval of the proposal, a contract with the sponsoring agency should be executed expeditiously. If a consultant is to be retained, the request for proposal should be forwarded to potential consultants (including MBEs) so that contract with the selected consultant can be executed as promptly as possible.

II. For an approved study currently under-way which is experiencing cost-over-runs (additional funding for such studies will only be provided under special circumstances.)

1. The sponsoring agency seeking to use reserve funds for cost over-runs will provide justification to PFAC for the cost over-runs and the need for additional funds. If the funds are for consultant over-runs, the modified contracts should be transmitted to and approved by the Staff Committee on Contracts prior to PFAC consideration of the budget revision (additional funds should not be provided for cost over-runs that are deemed to be the fault of the consultant).

III. For an approved study currently under-way for which additional work requires supplemental funding

1. The submitting agency seeking to use "reserved" funds should submit a detailed revised scope-of-work for the study, including a revised task budget and an explanation of the need for the additional funds.

2. Once PFAC and the sponsoring agency agree upon the supplemental scope-of-work for the study, a request-for-proposal should be submitted if a consultant will perform the additional work. A sponsor that desires to use a consultant that has been performing the initial tasks should submit a sole-source justification to the Staff Committee on Contracts.

3. Upon reaching agreement upon the supplemental scope-of-work (and receiving the RFP or approval of the sole-source contract by the Staff Committee on Contracts) the sponsoring agency should request from PFAC the transfer of funds from reserve to the study.

4. Upon PFAC approval of the above actions, the Council should submit to UMTA a request to revise the appropriate Section 8 grant budget to transfer funds from reserve to the study. The Council should submit the supplemental scope-of-work with the request. If the agency intends to utilize in excess of $10,000 to continue the use of a consultant performing the initial part of the study, a sole-source package should also be provided.

UMTA TECHNICAL/FEASIBILITY STUDY PROGRAM FOR 1983-84

	Item	Timeframe
1)	Central Staff issues annual letter for candidate project proposals.	September 24, 1982
2)	Sponsor prospectus and proposals prepared.	Oct. 1 – Nov. 30, 1982
3)	Central Staff receives 25 copies of all proposals from TCC members.	November 30, 1982
4)	Central Staff distributes all proposals to each TCC member.	December 3, 1982
5)	Working Group conducts evaluation to identify a program of projects.	December 13-17, 1982
6)	Working Group notifies TCC's of the program of projects for review and comment.	December 17, 1982
7)	Working Group convenes to finalize the program of projects for 1983-84.	Week of January 10, 1983
8)	PFAC meeting to endorse Working Group's recommended program.	January 20, 1983
9)	Council approves the program as endorsed by PFAC.	Week of Feb. 7, 1983
10)	Council submits the final grant application through the New York State Department of Transportation (NYSDOT).	February 15, 1983
11)	NYSDOT and Council receive UMTA grant approval and notify sponsors.	April 1, 1983

Revision of 9/29/82

Attachment B.5

PFAC RESOLUTION NO. 8 – REVISONS TO UNFIED PLANNING WORK PROGRAM BUDGETS

WHEREAS, the New York Metropolitan Transportation Council is the Metropolitan Planning Organization (MPO) for the New York State portion of the New York, New York/northeastern New Jersey urbanized area; and

WHEREAS, according to the Memorandum of Understanding of the Council, the Program, Finance and Administration Committee (PFAC) provides policy guidance and recommendations to the Council on all matters; and

WHEREAS, expenditures for the central staff portion of the Unified Planning Work Program (UPWP) budget have differed in practice from what was originally proposed, and experience has shown that line items within the central staff portion of the budget might require future adjustment;

NOW, THEREFORE, BE IT RESOLVED by PFAC that in the interest of practicality and expediency the New York State Department of Transportation (NYSDOT) is authorized to make adjustments to line items in the central staff portion of the UPWP budget with the understanding that:

1. such adjustments will leave the total central staff budget figure unchanged;

2. line items will not be added or deleted;

3. unfunded line items will not be activated;

4. adjustments will be limited to twenty-five percent for line items originally budgeted at $25,000 or more; and

5. PFAC will receive prompt notification of any central staff budget adjustments made by the NYSDOT; and

That budget revisions not encompassed by these guidelines will be referred to PFAC for action;

BE IT FURTHER RESOLVED that the NYSDOT is authorized to file such budget revisions with the Federal Highway Administration, the Urban Mass Transportation Administration and other appropriate funding authorities.

This resolution shall take effect the 27th day of January, 1983.

ADOPTED: January 27, 1983

1984-85
SECTION 8 BROKERING PROCESS

In anticipation of the continuation of the UMTA Section 8 technical studies program, it is timely that a process be initiated to select projects to be submitted to UMTA by the Council for funding beginning on April 1, 1984. Accordingly, the following schedule is presented.

1.	Central Staff issues the annual call letter for candidate project proposals to TCC and Council members as indicated in the attached list.	September 23, 1983
2.	Sponsor proposals are prepared.	Oct. 3 – Dec. 1
3.	Central Staff receives 26 copies of all proposals from prospective sponsors.	December 1
4.	Central Staff distributes all proposals to: each sponsor, TCC staffs and UMTA Region II.	December 2
5.	The Section 8 Working Group conducts an initial Evaluation to identify a program of projects.	December 12-16
6.	Working Group notifies sponsors and UMTA of the initial program of projects for review and comment.	December 16
7.	Working Group reconvenes to finalize the program of projects for 1984-85.	Week of January 9, 1984
8.	PFAC meets to endorse Working Group's recommended program.	January 19
9.	Council approves the program as endorsed by PFAC.	Week of February 20
10.	Council submits the final grant application Through the New York State Department of Transportation (NYSDOT).	March
11.	NYSDOT and Council receive UMTA grant approval and notify sponsors.	April 1

9/1/83

Attachment B.2.
To the 5/16/85 PFAC Synopsis

CRITERIA FOR THE SELECTION OF REGIONAL HIGHWAY AND TRANSIT PROJECTS

The following criteria qualify any proposed study as "regional" in nature. Both general studies and those relating to the modes and facilities listed below may be eligible for special regional funding as it becomes available to the Council from federal sources. Eligible projects may include operation studies (TSM) as well as studies leading to the conceptual design of capital improvements. The criteria are also segmented by mode so that they can be used in considering either UMTA or FHWA-funded "regional" studies.

I. CRITERIA FOR REGIONAL HIGHWAY STUDIES

Multi-area or innovative studies that:

- encompass an area covered by two or more TCC's; or
- encompass all of one TCC area and are likely to have a substantial or significant impact upon an adjoining TCC area; or
- develop new methodologies or research techniques that are likely to have application in other parts of the region.

Highway studies leading to or related to:

- construction of limited access highways and/or arterial routes on new alignment(s), or the upgrading of existing routes which adds the equivalent of one lane (or more) of freeway traffic capacity in either direction; or
- major reconstruction or widening of limited access highways including their interchanges; or
- improvements to arterial routes resulting in divided highways or in undivided highways with more than two lanes of travel in one direction; or
- impact or traffic management studies dealing with any of the above types of facilities.

Intermodal studies leading to or related to:

- mode-change parking systems.

Bridge and tunnel studies related to the region's major water barriers.

Major airport studies related to:

- those facilities used by scheduled major airlines or used as prominent hubs for business or corporate aviation activities.

II. CRITERIA FOR REGIONAL TRANSIT STUDIES

Multi-area or innovative studies that:

- encompass an area covered by two or more TCC's; or
- encompass all of one TCC area and are likely to have a substantial or significant impact upon an adjoining TCC area; or
- develop new methodologies or research techniques that are likely to have application in other parts of the region.

Transit studies leading to or related to:

- any of the region's rapid transit systems; or
- any of the region's rail commuter and freight systems; or
- bus transportation providing inter-county service; or
- inter-county paratransit service; or
- major airport-related transit services; or
- inter-county recreation, tourist or similarly-oriented transit services; or
- public inter-county water transportation; or
- impact or efficiency management studies dealing with any of the above types of facilities.

Intermodal studies leading to or related to:

- multi-modal transportation centers; or
- intercity rail stations; or
- mode-change parking systems.

Major airport studies related to:

- those facilities used by scheduled major airlines or used as prominent hubs for business or corporate aviation activities.

SEQUENCE AND OBLIGATIONS FOR INITIATING TECHNICAL PROJECTS

(Projects with Consultants)

	Expressed in Calendar days from funding Notification
A. SPONSOR AGREEMENT	
1. Federal notification of funding authorization is received by the sponsor via the central staff.	1
2. All outstanding issues concerning the work program and budgets are resolved; the sponsor submits the final work program, task budget and project budget to the central staff. It is understood that in submitting the original proposal and agreeing to conduct the study, the sponsor will have made provisions to schedule staff to undertake the project.	50
3. The central staff forwards the sponsor agreement to the sponsor for execution.	60
4. The sponsor returns the executed copies to the central staff for submittal to Albany. (The ninety day span allows time for internal review and approvals at the sponsor agency and the transmittal of the contract package to the Contracts Bureau in Albany for final execution.)	150
5. The sponsor should receive a fully-executed agreement within six weeks of the receipt of the contract package at the NYSDOT's Contracts Bureau.	200
B. CONSULTANT AGREEMENT	
1. Federal notification of funding authorization is received by the sponsor agency via the central staff. The sponsor receives a list of prospective NYMTC-certified DBE/WBE firms interested in subconsulting work on the study.	1

	Expressed in Calendar Days from funding Notification
B. CONSULTANT AGREEMENT (Cont'd)	
2. The sponsor submits a draft request for proposals (RFP) and a list of prospective consultants to the central staff. Based on past experience, it is assumed that while the sponsor is processing the sponsor agreement through his approval process, i.e. step A.3., he will draft the RFP. This is an important feature of the timetable since it allows the subsequent steps to be completed within the 360 day limit.	90
3. The central staff sends comments to the sponsor within five days of receipt of the draft RFP. This step can also be accomplished at the same time as step A.3.	100
4. The sponsor revises the RFP to address the central staff's comments and begins the solicitation of consultants. This step can be accomplished at the same time as step A.4.	110
5. The consultant proposals are reviewed and the sponsor submits the consultant recommendation package to the central staff for action.	200
6. If the sponsor has requested that NYSDOT contract with the consultant, the central staff prepares and forwards the consultant designation request to NYSDOT–Albany within five days of receiving the sponsor's recommendation. The central staff will forward a copy of the specific standard consultant contract proposed for the study to the consultant recommended by the sponsor.	210

	Expressed in Calendar Days from funding Notification
B. CONSULTANT AGREEMENT (Cont'd)	
If the sponsor is contracting directly with the consultant, the central staff will review the recommendation and notify the sponsor concurring or conditionally concurring in the choice of consultant. The sponsor shall take the necessary steps to insure that the consultant commences technical work by the 260 day limit.	
7. The NYSDOT issues a notification of designation to the successful consultant, with a copy to the central staff and the sponsor. The consultant is instructed to contact the NYMTC Contract Manager to negotiate a contract.	260
8. The central staff and the sponsor negotiate a contract with the consultant, including a final work program and budget; the central staff forwards the draft contract to the consultant, sponsor and NYSDOT for comments. The comments are incorporated into the agreement and the central staff forwards the agreement to the consultant for execution. Elements of this task can be preliminarily initiated after step B.5.	310
9. The consultant returns the executed copies of the agreement to the central staff. The central staff forwards the contracts to the Contracts Bureau for final execution and processing.	320
10. The consultant should receive a fully-executed agreement within six weeks after receipt of the contract package by the NYSDOT Contracts Bureau. This step is critical since most consultants are reluctant to begin work before the agreement is fully executed.	360

SEQUENCE AND OBLIGATIONS FOR INITITIATING TECHNICAL PROJECTS

(Projects without Consultants)

	Expressed in Calendar Days from funding Notification
1. Federal notification of funding authorization is received by the sponsor via the central staff.	1
2. All outstanding issues concerning the work program and budget are resolved; the sponsor submits the final work program, task budget and project budget to the central staff. The sponsor and the central staff also agree to a mutually acceptable start date[1]. In no case will this date be later than 210 calendar days from the date of funding authorization. The start date should take into account the ability of the sponsor to organize the staff resources necessary to commence work. However, it is understood that in submitting the original proposal and agreeing to conduct the study, the sponsor will have made provisions to schedule staff to undertake the project within a reasonable period of time, i.e., within seven months.	50
3. The central staff forwards the sponsor agreement to the sponsor for execution.	60
4. The sponsor returns the executed copies to the central staff for submittal to Albany. (The ninety day span allows time for internal review and approvals at the sponsor agency and the transmittal of the contract package to the Contracts Bureau in Albany for final execution.)	150
5. The sponsor should receive a fully-executed agreement within six weeks of the receipt of the contract package at the NYSDOT's Contracts Bureau.	200

[1] For projects not requiring consultants, a mutually acceptable start date is defined as actually beginning technical work on the project.

SPECIAL STUDIES SUBSTITUTION GUIDELINES

These guidelines describe the process to be followed in the substitution of a new technical project for a project that has already been approved by the PFAC and included in NYMTC's current UPWP. The substitution would be initiated either by the project sponsor or by the PFAC.

The guidelines provide for the PFAC to compare existing prioritized (but not funded) technical proposals with the proposed substitution. Selection in this manner is consistent with the obligation of the Council to advance the region's top priority projects.

Among the many factors pertinent to selecting a substitute study, the PFAC shall consider at least the following:

1) the urgency of advancing a sponsor's particular substitute proposal rather than advancing another study proposal which has already been prioritized;

2) the elapsed time between the authorization to conduct the original study and the submission of the request for the substitute;

3) the availability of a sponsor's staff to commence work immediately; and

4) the propensity for the results of the substitute study to be implemented in a timely manner.

These guidelines, in conjunction with those for the project initiation guidelines will improve the Council's management and administration of technical study funds.

SEQUENCE & OBLIGATION FOR SUBSTITUTING TECHNICAL PROJECTS

The sponsor shall notify the staff director requesting the substitution of a new study for an approved study. Notification must be received at least four weeks prior to a scheduled PFAC meeting. This notification should include the following information: 1) justification for undertaking the new study and cancellation of the approved study; 2) a preliminary work program and budget for the new study; 3) an assurance that personnel are immediately available to commence work; and 4) identification of all funds necessary to finance the study.

In the event that the substitute proposal is not included in the Council's existing program(s) of priority projects, the central staff shall compare the list of prioritized projects with the substitution proposal and recommend the top three studies from which PFAC will select one.

For substitutions proposed by the MTA, the central staff shall compare the proposal to only those existing prioritized studies that are sponsored by the MTA and its affiliated operating agencies. This restriction is warranted because the MTA receives a separate technical study grant directly from UMTA. The funds from a cancelled MTA project must remain in the MTA grant.

Additionally, the central staff shall prepare two separate PFAC action items: a) the approval for the sponsor to cancel a specific project and place the funds in reserve; and b) the selection of another technical study to replace the cancelled project.

PFAC may either vote on both action items at once or defer endorsing a substitute proposal depending upon the Committee's review of the central staff's recommendation. Furthermore, the sponsor may have the opportunity to make a presentation to PFAC to support his request and to respond to the Committee's questions.

Once PFAC selects a study, the staff director will amend the affected grant, and immediately initiate action to secure federal funding authorization.

The sponsor of the new study approved by PFAC must adhere to the project initiation schedule which follows funding authorization; and the staff director shall report on the progress of that study in the initiation process as specified in the project initiation guidelines.

MID-HUDSON SOUTH TRANSPORTATION COORDINATING COMMITTEE (MHSTCC)

(June 30, 1997 – except "TIP Revisions Procedures" revised May 2008)

I. PURPOSE

Federal regulations require that each urbanized area, with a population of 50,000 or greater, have a planning process in order to receive federal transportation and planning funds. In the New York City urbanized area, the responsibility for implementing this transportation planning process is delegated to the New York Metropolitan Transportation Council (NYMTC). To be more responsive to the local needs of the various subregions in the metropolitan area, three transportation coordinating committees were formed. The Mid-Hudson South Transportation Coordinating Committee (MHSTCC) is the subregional planning organization for Putnam, Rockland, and Westchester Counties. The responsibility of the MHSTCC is to develop and approve transportation plans and programs within the counties and to ensure proper coordination and consistency with formal requirements.

II. FUNCTIONS

The Mid-Hudson South Transportation Coordinating Committee (TCC) shall be responsible for:

- Carrying out the metropolitan transportation planning process in compliance with Federal planning regulations and in cooperation with State agencies and authorities, local governments, elected officials, and transportation providers.

- Providing the forum for cooperative decision making on transportation issues by local elected officials, State agencies and authorities, and transportation providers within Westchester, Rockland and Putnam Counties.

- Updating and approving the Mid-Hudson South 5-year transportation improvement program. The transportation improvement program is then submitted to NYMTC and is combined with the NYC and Nassau/Suffolk TIPs, for metropolitan planning organization approval.

- Updating and approving the MHS component of the NYMTC Regional transportation plan every three years.

- Providing citizens, as well as public and private agencies, with the opportunity to participate in the transportation planning process for approval by NYMTC.

- Recommending the establishment of the Federal-Aid Urban Area boundaries and delineating the Federal-Aid Urban Highway system within those boundaries for approval by NYMTC.

- Coordinating its plans and programs, and its planning and programming process, with adjacent Metropolitan Planning Organizations (Newburgh-Orange County Transportation Council, Poughkeepsie-Dutchess County Transportation Council, North Jersey Transportation Planning Authority, and the Southwestern Regional Planning Agency).

III. MEMBERSHIP

The Mid-Hudson South TCC is an executive level committee supported by a technical staff. The composition of the Executive Committee is discussed below and the composition of the technical staff is discussed under Section 9.

As outlined in the Memorandum of Understanding, the Mid-Hudson South TCC Executive Committee shall have as voting members:

1. Putnam County Executive
2. Rockland County Executive
3. Westchester County Executive
4. Metropolitan Transportation Authority Chairman
5. New York State Department of Transportation Region 8 Director
6. New York State Thruway Authority Executive Director

Advisory (non-voting) membership on the Mid-Hudson South TCC shall include:

1. Federal Highway Administration
2. Federal Transit Administration
3. U.S. Environmental Protection Agency
4. New York State Department of Environmental Conservation
5. Port Authority of New York and New Jersey
6. SWRMPO (9/02)

New members may be nominated by any existing Committee member. Appointments shall be made by the Chairperson after the consent of the full Committee. Members may designate in writing an alternate official from the County or agency that is empowered to attend meetings and act in the member's behalf, with the authority to make decisions. In addition, the designation of permanent alternate members must also be in writing.

IV. OFFICERS

The officers of the Executive Committee shall consist of a Chairperson and a Secretary. The Secretary will provide administrative support services. The Chairperson and Secretary shall be selected from among the Committee's voting members by a majority vote, and will hold office for one year or until such time as a new Chairperson or Secretary is elected. The Committee may establish and fill any other offices necessary to carry out its work.

V. MEETINGS

Executive Meetings shall be held as necessary to accomplish the functions of the TCC, but not less than once a year. Recognizing that matters arise that demand the immediate attention of the Committee, any individual voting or non-voting member may request that the Chairperson convene the Committee. A meeting agenda will be available to the members approximately two weeks prior to the meeting. A voting member may designate an alternate official from the County or agency to act in his or her behalf at meetings. This designation must be in writing and receive the concurrence of the Chairperson.

Formal meetings of the MHSTCC are open to the public. However, special executive sessions may be called at the request of a Committee member. Technical staff members are invited to attend all executive meetings. At any of the meetings of the Executive Committee, the general rules of parliamentary procedure shall be observed. The regular order of business, unless otherwise modified by the Chairperson shall be as follows:

1. Call to Order
2. Roll Call
3. Call for Citizen Participation
4. Minutes of the Preceding Meeting
5. Communications and Announcements
6. Report and Actions on Old Business
7. New Business
8. Discussion of Press Release for Current Meeting, if appropriate
9. Adjournment
10. Issuance of Press Release by Chairperson, if appropriate

VI. DECISION MAKING

All actions taken by the Executive Committee shall be by the consensus of members. Consensus is defined to be unanimity of affected parties. Consensus can result from a vote taken at an executive meeting, from a mail ballot of the Mid-Hudson South TCC members conducted by the Secretary, or from a poll via telephone, fax, or e-mail of TCC voting members, also conducted by the Secretary.

At a TCC meeting, the Chairperson shall judge the extent to which members are affected by proposed TCC actions and shall declare a consensus, or the lack thereof, as the case may be. A quorum, consisting of a majority of voting members or their official designated representatives, must be present for the TCC to vote. During a mail ballot the Secretary, in consultation with the Chairperson of the Mid-Hudson South TCC or their official designee shall declare a consensus or lack thereof, as the case may be.

VII. TIP AMENDMENTS

Changes to the TIP will be made by Administrative Modification or Amendment.

Administrative Modification

In the Metropolitan Transportation Planning Final Rule an administrative modification means a minor revision to a long-range statewide or metropolitan transportation plan, Transportation Improvement Program (TIP), or Statewide Transportation Improvement Program (STIP) that includes minor changes to project/project phase costs, minor changes to funding sources of previously-included projects, and minor changes to project/project phase initiation dates. An administrative modification is a revision that does not require public review and comment, redemonstration of fiscal constraint or a conformity determination (in nonattainment and maintenance areas).

TCC members will be notified of all Administrative Modifications that are proposed.

Amendment

In the Metropolitan Transportation Planning Final Rule an amendment means a revision to a long-range statewide or metropolitan transportation plan, TIP or STIP that involved a major change to a project included in a metropolitan transportation plan, TIP or STIP including the addition or deletion of a project or a major change in project cost, project/phase initiation dates, or a major change in design concept or design scope. An amendment is a revision that requires public review and comment, redemonstration of fiscal constraint, or a conformity determination.

All amendments will be circulated for a 10 business day public review. All comments will be forwarded to TCC voting members as part of the amendment approval process.

All changes to the TIP will follow Federal regulations. Amendments can be voted on by TCC members by mail, fax, e-mail, telephone, paper balloting or at a meeting.

Fiscal constraint must be maintained for all actions.

All actions must meet all Federal requirements.

All changes to the STIP must be approved by the Federal agencies.

VIII. PUBLIC INVOLVEMENT PROCEDURES

Purpose: To increase and maintain active public involvement in the transportation planning process that is carried out by the Mid-Hudson South Transportation Coordinating Committee (MHSTCC) and its advisory committees, efforts will be used to educate the public about transportation issues, services, and projects, as well as to solicit information, assist in achieving consensus, and provide a way for citizens to share their perspectives with the policy makers in the region.

ISTEA Requirements: The Metropolitan Planning Regulations promulgated to comply with the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) include requirements for expanded public participation activities for states and metropolitan planning organizations (MPOs). The regulations require that MPOs provide proactive, timely information, reasonable public access to technical and policy information, adequate notice of public involvement activities, explicit consideration and response to public input, and consideration of the needs of those traditionally underserved by the transportation system. Examples of the public include: citizens, affected public agencies, representatives of transportation agencies, private providers of transportation, representatives of the elderly and disabled populations, and other interested parties.

General Public Participation Activities: The MHSTCC, its advisory committees and staff will continue to expand outreach efforts to various individuals, public interest groups and other groups (traditionally not involved) in transportation in the Mid-Hudson South area.

1. The MHSTCC public mailing list will be retained and through the cooperation and coordination with NYMTC and other TCC's, will be continually expanded and updated by the MHSTCC staff. The MHSTCC staff and the member agencies' staff will actively identify and include citizens and groups that are traditionally underserved by the transportation system.

2. Any person or agency requesting information about MHSTCC and/or the MPO process or expressing an interest in receiving announcements will automatically be added to the list. The individuals and groups on the mailing list will be periodically surveyed to determine their continued interest in the MHSTCC and its activities.

3. The MHSTCC and subregional agencies will notify the people and agencies on the mailing list and the lower Hudson Valley County media outlets about any public involvement activity 14 calendar days prior to the event ***to the extent possible.*** The notice will include date, time, location, and purpose or topic of the meeting. A public comment period will extend for an additional 7 calendar days after the public involvement activity.

4. A synopsis of the written or verbal comments resulting from meetings and the proposed responses, developed in conjunction with MHSTCC member agencies, will be prepared by the MHSTCC or subregional Staff and will be available upon request. All comments will be addressed and considered by the MHSTCC Technical Staff before the final product is submitted for endorsement to the MHSTCC.

5. Documentation and synopses of all public MHSTCC staff meetings will be prepared and retained by the MHSTCC staff and will be available upon request.

6. Data and technical policy information may be available from the MHSTCC staff or appropriate MHSTCC member agencies upon request. Data requests of significant size may be available within a reasonable period of time. Requests may involve reasonable fees for reproduction costs.

7. One of the ways in which the MHSTCC seeks to achieve the goals of the Public Involvement Procedures is through a Transportation Advisory Committee (TAC) or equivalent that each County in the Mid-Hudson South Region will maintain. These committees should include members of government agencies, private transportation providers, elected officials, special interest groups, advocacy groups, the general public, etc. The TAC will serve as the county committee that will review transportation issues, services, and projects along with the transportation improvement program, the long range transportation plan and corridor studies. Each county's TAC will hold a sufficient number of public meeting(s) to review all of the projects on the proposed TIP. Each county will be responsible for notifying the local news media of TAC meetings.

8. Another example of the way in which the MHSTCC seeks to increase public involvement is through the Mobility Advisory Committee (MAC), a committee established by the MHSTCC Technical Staff.

MOBILITY ADVISORY COMMITTEE

1. Purpose

   The Mobility Advisory Committee (MAC) will serve as an advisory steering group to the Mid-Hudson South Transportation Coordinating Committee. MAC's mission is to: (1) plan, recommend, and coordinate transportation policies and techniques to reduce the growth of vehicle miles of travel in the Mid-Hudson South region and (2) evaluate transportation management policies and techniques in terms of their effectiveness and efficiency.

2. Function

   MAC's responsibilities, as outlined in the MAC Operational Plan, are to advise Mid-Hudson South Transportation Coordinating Committee members on:

   a. Program Coordination and Evaluation

      1. Evaluate current MAC projects, programs, and initiatives in terms of their scope, cost, level of implementation, and probable impact on vehicle miles of travel.

      2. Conduct an ongoing evaluation process for MAC projects, programs, and initiatives as they come online.

3. Provide a centralized review of subgroup activities and proposals to reduce duplication of effort, maintain program consistency with the mission, and foster information sharing.

4. Advise the Mid-Hudson South TCC on how to address program implementation and funding concerns.

b. Program Development

1. Develop and propose market-based initiatives; i.e., incentives for desirable actions while allowing for discretionary market choices.

2. Develop and propose regulatory initiatives; i.e., requirements to achieve specific performance targets and alter market choices.

3. Develop and propose service initiatives, i.e., service expansion to alter market choices.

3. Membership

MAC is an advisory committee consisting of technical staff from the six voting MHSTCC members. In addition, MAC invites representatives from the employer community, the environmental community, disability community, and other interested parties, as well as government agencies and authorities at all levels, and representatives from transportation and transit agencies to help formulate recommendations for Mid-Hudson South TCC review. Agencies and organizations in neighboring counties and areas are also invited to participate in the process.

MAC establishes subcommittees on an as-needed basis. Representatives are invited to participate by the MHSTCC voting members based on their area of expertise. Subcommittees formed have been outlined in MAC's operational plan. Before recommending any projects, programs or policies for TCC consideration, subcommittees must have the formal approval of the MAC committee.

4. Officers

MAC shall elect annually (January) a chairperson who will chair the meetings, establish meeting agendas in consultation with the vice-chairs, and provide administrative support services. MAC may also choose to elect one or more vice chairs to assist with these duties. Vice chairpersons can also be elected if desired and will share administrative support responsibilities. The chairperson and vice chairpersons will be selected from the six MHSTCC voting members. Meeting agenda items may be proposed by any of the MAC members or participants. Any item proposed by a MAC subcommittee or individual participant deemed not appropriate for the MAC agenda by the MAC chair, may be forwarded directly to the MHSTCC *for further consideration.*

5. Meetings

Meetings and subcommittee meetings will be held as necessary to handle the functions of MAC. Meetings are usually held at least every two months and meeting notices will be sent out 14 days prior to the meeting to the extent possible. Synopses of the meetings are recorded, distributed for MAC's review, and transmitted to the MHSTCC.

6. Decision Making

Subcommittee must reach consensus in recommendations before sending them to MAC. Then MAC must reach consensus in all recommendations forwarded to the TCC for consideration. If consensus is not possible on an item, the conflicting views of MAC participants will be forwarded to the TCC for informational purposes.

The TCC, in turn, will communicate all decisions on MAC recommendations formally back to the MAC to ensure accurate communication between the bodies. In addition, the MAC chairperson or vice chairperson will report on a regular basis at the MHSTCC Technical Staff meeting on the status of MAC activities.

The chairperson or vice-chairs may speak on behalf of MAC. Other MAC members or participants may not speak on behalf of MAC or use their affiliation with MAC to endorse their own or agency's views.

Transportation Improvement Program (TIP): In addition to the activities discussed under General Public Participation, the following procedures apply to the preparation and update of the NYMTC TIP.

1. In the fall, the TCC staff will distribute a "call letter" to the expanded MHS mailing list which consists of each County's Transportation Advisory Committee or equivalent, announcing the beginning of the TIP update process. This letter will be signed by the relevant County Executive or their official designee. The call letter will include information on how municipalities and agencies can nominate a specific transportation project or service for consideration for Federal, State or local funding. The call letter will include information on how municipalities, agencies, and interested parties can participate in the transportation planning process. In addition, a schedule of the proposed TIP update and any other pertinent information will be included in the call letter.

2. Project nominations made by TAC members will be forwarded to the appropriate county agency per the instructions contained in the call letter. The county agencies will then distribute proposals to other TCC agencies as appropriate for detailed review and assessment. The TAC will then be convened to review all program nominations and projects currently shown on the MHS portion of the TIP.

3. The selection of projects included in the Transportation Improvement Program (TIP) is complex. The review of projects is an on-going process hosted by the TCC. The public participants at various stages through Advisory Committees, Public Information Meetings and hearings on individual projects. Public invitations to the TCC meetings are distributed as well. The MHSTCC will seek out and consider the needs of those traditionally underserved by existing transportation systems, including, but not limited to, low income and minority households and continue to expand outreach to those groups. Private transportation providers are also advised of the process and notified of meetings. Individual project meetings are scheduled by the planning and program management staffs of the New York State Department of Transportation (NYSDOT) Region. Local government agencies may exercise the same option.

4. Once a draft TIP submission is completed, the MHSTCC members will inform the general public, through press releases, that a TCC draft program is available for review. Any questions regarding the TIP will be addressed by the appropriate TCC staff members. When significant written and oral comments are received on the draft TIP, a summary, analysis, and a report on the disposition of comments shall be made part of the final TIP document. Throughout the TIP update process, new contacts will be added to the MHS mailing list to insure the broadest circulation. Any person or agency requesting information or having an interest in receiving announcements will automatically be added to the mailing list and will receive all public information.

5. After the final TIP is approved by the New York Metropolitan Transportation Council, a User Friendly TIP document will be distributed to all MHSTCC executive and technical members, to MHSTCC advisory committees, and the MHSTCC expanded mailing list. Any person or agency requesting an approved TIP will receive a copy and will be placed on the interested party mailing list.

6. All Major TIP Amendments (refer to Section 7, TIP Amendments) will be subject to public review prior to MHSTCC action. Notice of the amendment including project description and impact on the current approved TIP will be mailed to those listed on the MHSTCC Public Information mailing list. There will be a minimum 30 calendar day comment period since Rockland and Westchester Counties have been designated as part of the severe non-attainment area for the New York Metropolitan Area for Ozone.

Public Participation at MHSTCC Executive Committee Meetings: The following procedures will be followed at all MHSTCC Executive Committee meetings.

1. All persons attending a MHSTCC Executive Committee meeting, including MHSTCC members and the general public, will be asked to record their name, address and the interest or group they represent.

2. The general public will be given the opportunity to speak at each MHSTCC Executive Committee meeting under the public participation section of the agenda on any item pertinent to the agenda or the transportation planning process. This does not preclude the general public from commenting on any agenda item as it is being discussed, time permitting.

3. The Chairperson should be the official spokesperson for the MHSTCC to inform the public of the work of the transportation planning program, and to maintain good relations with the press and media. Upon request, any MHSTCC member can make a public statement or issue a press release on behalf of their organization. Any public statement issued on behalf of the MHSTCC must receive prior approval by all voting members of the MHSTCC.

Long Range Plan: In addition to the activities discussed under General Public Participation, the following procedures apply to the preparation and update of the Long Range Plan.

1. The MHSTCC and its advisory committees will provide data, analytical support, and recommendations to the NYMTC Central Staff in the (periodic) update of the Regional Long Range Transportation Plan as requested.

2. The MHSTCC and its advisory committees will provide opportunity for increased public comment and involvement regarding the Regional Long Range Transportation Plan update.

Review Period for Changes in Public Participation Process

1. The general public will have 45 calendar days to review and comment on these MHSTCC Public Participation Procedures through a public notice and direct mailing of the existing MHSTCC and County Transportation Advisory Committee mailing lists. Comments from the public will be documented and acted upon as appropriate with the concurrence of the TCC voting members.

2. There will be a periodic review of the MHSTCC Public Participation Procedures to address changes that may, from time to time, occur.

3. All subsequent changes to the Public Participation Procedures will follow the same 45 calendar day public review process noted above.

IX. TECHNICAL STAFF

The Technical Committee shall work in conjunction with the Executive Committee and shall be responsible for identifying transportation planning issues for consideration by the Executive Committee. The operating procedures for the Technical Committee are attached as Appendix A.

MID-HUDSON SOUTH TRANSPORTATION COORDINATING COMMITTEE TECHNICAL COMMITTEE OPERATING PROCEDURES APPENDIX A

I. GENERAL PURPOSE

The Technical Committee shall work in conjunction with the Executive Committee and shall be responsible for identifying transportation planning issues for consideration by the Executive Committee.

II. FUNCTIONS

1. Review and evaluate project candidates for inclusion within the proposed TIP.

2. Review and update the MHSTCC Transportation Improvement Program for endorsement by the MHSTCC voting members. The MHSTCC TIP will then be forwarded to NYMTC and combined with the other two TCC TIPs for NYMTC approval. In addition, the necessary MHS project information needed for NYMTC TIP conformity analysis will be forwarded to NYMTC.

3. Review and annually update the Unified Planning Work Program for endorsement by NYMTC.

4. Update the MHSTCC component of the NYMTC Long Range Plan for approval by the MHSTCC.

5. Participate in the review and update of the NYMTC transportation plan every three years.

6. Undertake and implement special studies as requested by MHSTCC.

7. Identify other specific areas of concern for further analysis of transportation related issues.

III. RESPONSIBILITIES

The Technical Committee shall meet as necessary to provide direct technical input into areas being studied, as identified in the transportation plan, the Unified Planning Work Program, or the Transportation Improvement Program. The technical staff will make recommendations to the voting members and provide ample time for their approval or disapproval.

IV. MEMBERSHIP

Membership of this committee shall consist of technical representatives appointed by the voting members from the following agencies and governments.

Westchester County	Metropolitan Transportation Authority
Rockland County	New York State Department of Transportation
Putnam County	New York State Thruway Authority

Formally designated committee members may send an alternate official from the county or agency to the Technical Committee meetings. Prior written authorization is required for alternate representatives to act on behalf of the county or agency.

The Staff Director of the MHSTCC or his/her designee will serve as Chairperson.

V. MEETINGS

The Technical Committee shall meet as necessary.

VI. MHSTCC SUPPORT STAFF

The MHSTCC support staff performs the every day tasks of preparing materials and Federal products for the review and approval of the executive and technical committees. Secretarial services will be provided by the MHSTCC support staff. Staff are NYMTC employees and are located in the regional office of the New York State Department of Transportation, Poughkeepsie.

NASSAU/SUFFOLK TRANSPORTATION COORDINATING COMMITTEE OPERATING PROCEDURES

April 1995

I. PURPOSE

Federal regulations require that each urbanized area, with a population of 50,000 or greater, have a planning process in order to receive Federal transportation and planning funds. The responsibility for implementing the planning process in the N/S TCC Region is the New York Metropolitan Transportation Council (NYMTC). To be more responsive to local needs of various subregions in the metropolitan area, three transportation coordinating committees were formed. The Nassau/Suffolk Transportation Coordinating Committee (N/S TCC) is the subregional planning organization for Nassau and Suffolk Counties. The responsibility of the N/S TCC is to develop and approve transportation plans and programs within the Counties and to ensure proper coordination and consistency with State and Federal requirements.

II. FUNCTIONS

The Nassau-Suffolk Transportation Coordinating Committee is responsible for the following activities:

- Carry out the planning process and develop the Unified Planning Work Program, transportation management systems, transportation plan and the Transportation Improvement Program (TIP), in cooperation with Federal, State and local governments, as well as other interested parties and the public.

- Coordinate with citizens, interested parties, local, County, State and Federal agencies.

- Update plans, programs and transportation studies in the Region.

- Provide citizens, interested parties, and public and private agencies an opportunity to participate in the planning process.

- Establish the Federal Aid Urban Area Boundary and delineate the Federal Highway System within these boundaries.

- Coordinate with the New York Metropolitan Transportation Council (NYMTC) and the other two (2) TCCs which are part of NYMTC.

III. MEMBERSHIP

The N/S TCC is an executive level committee supported by a technical staff. The committee includes voting members, and non-voting members. Voting members (sponsors) include:

1. New York State Department of Transportation Region 10 Regional Director.
2. Metropolitan Transportation Authority Chairman
3. Suffolk County Executive
4. Nassau County Executive

Non-voting (advisory) members include:

1. Federal Highway Administration
2. Federal Transit Administration
3. US Environmental Protection Agency
4. NYS Department of Environmental Conservation
5. Port Authority of New York and New Jersey
6. New York Metropolitan Transportation Council (NYMTC-Region Metropolitan Planning Organization).

New members may be nominated by Committee members. Appointments are made by the Chairperson with approval of all members of the Committee. Members may designate an alternate who is empowered to attend meetings and act in their behalf, with authority to make decisions.

IV. OFFICERS

The Officers of the N/S TCC shall be the Chairperson and Secretary. The Chairperson shall rotate each year between the County Executives of Nassau and Suffolk Counties. The term of office shall be one year starting January 2nd of each year.

The Secretary shall be the New York State Department of Transportation Region 10 Planning and Program Manager (RPPM). The Secretary does not vote. Technical support and secretarial services are provided by the NYMTC staff assigned to Region 10.

V. MEETINGS

Meetings shall be held as needed. The N/S TCC Principals Meeting shall be held at least annually to adopt the TIP. Any member of the Committee may request the Chairperson to convene the N/S TCC. A meeting agenda will be available to all members approximately two weeks prior to the meeting.

Formal meetings of the N/S TCC are open to the public. Executive Technical Meetings may be called at the request of a Committee member, but formal decisions and votes are not taken at Executive Meetings. Technical Staff are invited to attend all meetings.

Meetings follow the general rules of parliamentary procedure:

1. Call to order.
2. Roll call.
3. Call for citizen participation.
4. Minutes of the preceding meeting.
5. Communications and announcements.
6. New business.
7. Date for next meeting.

VI. DECISION MAKING

All actions taken by the Executive Committee shall be reached by consensus. Consensus is defined to be unanimity of affected parties. Consensus can result from a vote taken in an Executive Meeting, from a mail ballot of the N/S TCC members conducted by the Secretary, or from a telephone poll of TCC members, conducted by the Secretary.

At a TCC meeting, the Chairperson shall judge the extent to which members are affected by proposed TCC actions and shall declare a consensus, or the lack thereof, as the case may be. A quorum, consisting of a majority of voting members or their official designated representatives, must be present for the N/S TCC to vote.

VII. TIP AMENDMENTS

The items identified below are provided to indicate when it is necessary to amend the TIP. In general, there is a need to act only when the desired proposal modifies an approved First Year (Annual Element) Project, either as a result of the addition of a new project (phase) or deletion of a project (phase) or substantive revision to the scope of a project.

A TIP amendment is needed before Federal approval for funding can be obtained when the following substantive revisions are made to a project programmed in the First Year (Annual Element) of the TIP. If the TIP is amended by adding or deleting a project that contributes to or reduces emissions, a new conformity determination will be required.

Major amendments require a public comment period of 30 calendar days. The following are guidelines which determine a “major” TIP amendment:

1. Addition or deletion of a non-exempt project.
2. Addition or deletion of a significant new capacity (new lanes, new transit service or a comparable shift in demand due to travel demand management actions).
3. Addition or deletion of projects to provide new intermodal facilities.
4. Addition or deletion of larger infrastructure projects (requiring maintenance and protection of traffic plans that significantly affect traffic patterns) or significant replacement of transit facilities.

Generally, an amendment causing changes that will materially affect travel for the public should be considered major. Infrastructure amendments that do not alter the basic nature of the existing system (except for improving conditions) can be defined as minor and are not subject to public involvement requirements. The N/S TCC Technical Committee will be advised of all minor TIP amendments.

Minor amendments include the following:

1. Addition or deletion of a minor infrastructure project (no significant maintenance and protection of traffic required).
2. Addition or deletion of a minor ROW phase (not involving relocations).
3. Addition or deletion of projects that replace transit equipment with similar equipment.
4. Addition or deletion of safety projects.

A. Written Poll

The written poll of the committee shall be conducted in the following manner:

1. The Secretary shall distribute the proposed action and support documentation to all members of the Executive Committee and Technical Staff. The voting Executive members will receive their ballot by mail.

2. The notice shall specify a period of time from the mailing date within which to respond to the mail ballot. Once all mail ballots have been received from Committee members, the Secretary shall presume concurrence and shall be empowered to declare the Committee's approval of the proposed action and to transmit the action to the New York Metropolitan Transportation Council.

3. Executive members who wish to vote negatively, or who have comments, may indicate so by telephone, but are required to provide written confirmation of such action.

4. If any negative votes are received by the Secretary, or if any member has questions, comments or concerns about the proposed action, the Secretary shall suspend, delay, or terminate the balloting until the matter is resolved.

B. Telephone Poll

The telephone polling procedure shall be undertaken as an adjunct to the written poll, in those cases where responses to a proposed action are required in a short period of time wherein the conclusion of a written poll is unlikely. The results of a telephone poll shall be considered interim until corroborated by the written response of the required members. The telephone poll shall be conducted as follows:

1. Concurrent with the initiation of the written poll, the Secretary may contact each of the members by telephone requesting a response to the same action addressed

in the mail ballot or may, in the letter transmitting the mail ballot, request that each member's response be made by phone.

2. When the required members' responses have been received by telephone, the Secretary shall transmit those results to the New York Metropolitan Transportation Council in the usual manner with the appropriate documentation describing the TIP change or action.

3. The written poll shall be concluded in the usual manner, and the Secretary shall declare the Committee's approval of the proposed action and to transmit the action of the New York Metropolitan Transportation Council.

4. Should any negative responses be received via the telephone poll, the proposed action shall be considered disapproved until such time as any issue(s) prompting such responses can be resolved, or until conclusion of the written poll confirms or reverses such initial negative response.

C. Project Selection Process

Project selection from an approved TIP is a new feature resulting from ISTEA and the final planning regulations approved and issued by USDOT. The basic intent of Project Selection is to allow the program to be efficiently managed within the constraints of the approved fiscally constrained TIP by allowing flexibility in the delivery of the approved projects without requiring approval of each member each time a change to the approved TIP is made as long as all the approved projects in the TIP can be delivered and funded. Projects included in the first year of the TIP however, have priority for the resources available in that year and only when resources become available as a result of cost decreases in the value of a project scheduled in the first year or circumstances result in the delay of a first year project out of the first year, can these Project Selection procedures be utilized. Separate procedures have been designed for both FHWA funds and FTA funds.

D. Public Participation Procedures

The N/S TCC has adopted public participation procedures. These procedures are now recognized as part of these operating procedures.

E. Technical Staff

The N/S TCC Technical Staff will be responsible for providing overall technical support consistent with the objectives of ISTEA. The staff is comprised of representatives of the individual members of the Executive Committee. Each Executive Committee member may designate a person to the Technical Staff to represent him or her and to coordinate staff activities. Additional professional/technical representation may be requested to participate in the transportation planning process to provide technical expertise as needed. The Technical Staff will meet as needed to provide information to the Executive Committee. The Staff Director of the N/S TCC, or his/her designee, will serve as Chairperson.

PROJECT SELECTION PROCEDURES FOR NYMTC

Project selection from an approved TIP is a new feature resulting from ISTEA and the final planning regulations approved and issued by USDOT. The basic intent of Project Selection as proposed is to allow the program to be efficiently managed within the constraints of the approved fiscally constrained TIP by allowing flexibility in the delivery of the approved projects without requiring approval of each member each time a change to the approved TIP is made as long as all the approved projects in the TIP can be delivered and funded. It must be recognized that projects included in the first year of the TIP have priority for the resources available in that year and only when resources become available as a result of cost decreases in the value of a project scheduled in the first year or circumstances result in the delay of a first year project out of the first year, can these Project Selection procedures be utilized, subject to these procedures as defined below.

In circumstances where resources become available in the first year, the following actions are approved by the voting members of the New York Metropolitan Transportation Council, hereafter referred to as the Council for managing the program within the definition of fiscal constraint (including local funds) as approved by the Council:

FHWA (TITLE I) FUNDS

1. The NYSDOT is authorized to select other Title I funded projects from years 2 and/or 3 of the Council's TIP if funds are available and the project(s) is ready to be authorized.

2. In addition, NYSDOT is authorized to revise fund sources, with the exception of CMAQ and STP (STP Urban in MHSTCC), as long as the program remains fiscally constrained.

3. For CMAQ and STP (STP Urban in MHSTCC) funds, members of the appropriate TCC must be consulted and appropriate ranking mechanisms utilized, where practical before these funds could be utilized for a project that was not in the TIP with these fund sources. This consultation is not a formal TIP amendment under the ISTEA planning regulations but requires the consensus of members of the appropriate TCC.

The basis for selecting projects from years 2 or 3 or revising fund sources will be to first select other projects from within the same TCC and, if other projects in that TCC are not ready for advancement, to expand the project selection to the DOT Region (in Region 8) and then Statewide. Projects scheduled in the first year that are deferred because of schedule delays will be moved to the revised implementation date. The NYSDOT will continue with past procedures to request FHWA to authorize all projects when they are ready to be implemented.

FTA (TITLE III) FUNDS

1. The respective Designated Recipients in the NYMTC Region are likewise authorized to select other Title III projects in years 2 and/or 3 of the approved TIP for advancement to FTA assuming that fiscal constraint is maintained and that no first year projects ready to be implemented are delayed as a result of Project Selection.

2. The Designated Recipients in the NYMTC Region are also authorized to revise fund sources of projects within the definition of fiscal constraint (including local funds).

The basis for selecting projects will be, in order of priority, other projects in the approved TIP by the same recipients, other projects in the approved TIP by other recipients and finally other projects in the approved STIP in other areas of the State.

These procedures also provide for the advancement of other Title I and Title III funded projects in years 2 and 3 of the approved TIP even when sufficient savings or deferrals cannot be identified. Similar to the requirement in item #3 for Title I funds, projects in years 2 and/or 3 can be advanced for authorization after consultation with other TCC members that identify the project or projects that would be delayed to subsequent years. Again, this would not require a formal amendment.

NEW YORK CITY TRANSPORTATION COORDINATING COMMITTEE OPERATING PROCEDURES

November 1995

I. PURPOSE

The purpose of the New York City Transportation Coordinating Committee (NYCTCC) is,

- to provide a mechanism for carrying out its mandates as a subregional adjunct arm to the Metropolitan Planning Organization (MPO), the New York Metropolitan Transportation Council (NYMTC), and in accordance with the memorandum of Understanding executed June 30, 1982 which created the Regional MPO and three transportation Subregional Transportation Coordinating Committees (TCC) in the downstate New York Metropolitan Area, and

- to meet Federal regulations as specified in 23 CFR and 49 CFI and other Federal Statutes necessary to qualify for Federal transportation assistance.

II. FUNCTIONS

The NYCTCC shall be responsible for:

- Implementing a continuing, comprehensive, and coordinated planning process in close cooperation with the New York Metropolitan Transportation Council and local government agencies,

- Develop long range and short range transportation plan components consistent with the overall regional (NYMTC) plan,

- Conduct technical studies and analyses,

- Develop and approve a five-year Transportation Improvement Program for New York City,

- Provide a forum for public input in matters relating to transportation plans, policies, and programs, and

- Resolve other related issues as they come up and are identified by the TCC.

III. MEMBERSHIP

The NYCTCC is an executive level committee supported by a technical staff. As outlined in the Memorandum of Understanding of 1982, the NYCTCC includes both voting and non-voting (Advisory) members. Voting members include the following:

- Commissioner, New York City Department of Transportation
- Regional Director, New York State Department of Transportation
- Chairman, New York City Department of City Planning
- Chairman, Metropolitan Transportation Authority

Non-voting members serve in an advisory capacity and include the following:

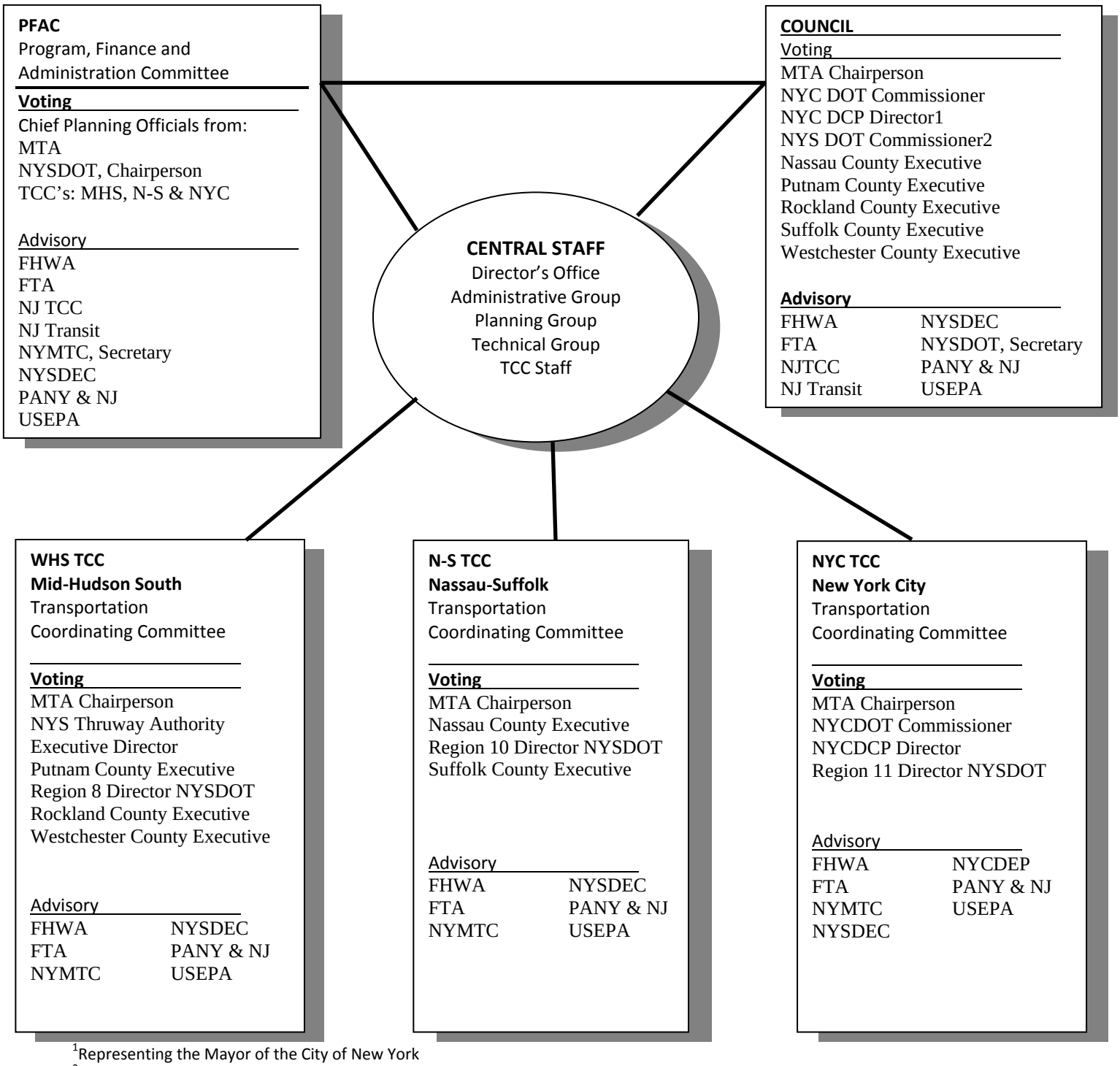
- Executive Director, Port Authority of New York & New Jersey
- Commissioner, New York State Department of Environmental Conservation
- Commissioner, New York City Department of Environmental Protection
- Divisional Administrator, Federal Highway Administration
- Eastern Area Divisional Administrator, Federal Transit Administration
- Regional Administrator, U.S. Environmental Protection Agency
- Director, New York Metropolitan Transportation Council

A member may designate a substitute who is empowered to attend meetings and act in his/her behalf, with the authority to make decisions. Such designation shall be in writing to the Secretary. The TCC members shall also from time to time as the need arises call in other public agencies or organizations to address transportation-related issues in their area of expertise.

New York Metropolitan Transportation Council

Organizational Relationships

Figure 2



[1]Representing the Mayor of the City of New York

[2]NYSDOT Commissioner, _____ Co-Chairperson

(The rotating Co-Chairperson serves equally among the three TCC's.)

IV. OFFICER'S NYCTCC REPRESENTATIVES, AND TIP COORDINATORS

The Chairperson shall be designated on a rotating basis between the Commissioner of the NYC Department of Transportation and the Chairman of the NYC Department of City Planning. The term of office shall be for one year or until such time that the annual update of the NYCTCC Transportation Improvement Program is approved by the voting members of the NYCTCC.

The office of Secretary shall be held by the Planning and Program Manager of the New York State Department of Transportation Regional Office. The position of Secretary shall have no voting authority. The secretarial and administrative services to the NYCTCC shall be provided by the NYCTCC staff under the direction of the Secretary and in coordination with the current Chairperson.

The NYCTCC shall also fill the New York Metropolitan Transportation Council positions of rotating Co-Chairperson, and PFAC representatives.

The office of Co-Chairperson of the New York Metropolitan Transportation Council rotates among the three TCC's with each filling the position for a period of one year. The voting members of the NYCTCC shall choose between Commissioner of the NYC Department of Transportation and the Chairman of the NYC Department of City Planning each time the NYCTCC is to occupy the position on the Council.

The position of the NYCTCC Representative to PFAC shall be chosen annually by the voting members of the NYCTCC and shall be chosen between the Commissioner of the NYC Department of Transportation and the Chairman of the NYC Department of City Planning.

Each voting member shall designate a TIP Coordinator who is qualified and authorized to carry out all day-to-day responsibilities concerning the TIP or TIP Amendments on behalf of the respective principal of each voting member's agency/department. Each TIP Coordinator shall be responsible for coordination of all inter-agency/department staff, TIP Amendments and approval and submission of all products such as project lists and narratives for the TIP document to the NYCTCC Staff. Principals shall notify the Secretary of the NYCTCC in writing of their designate, and shall submit written notification of any new appointments to this function. This function shall be designated at all times. The individual designated shall be available on an as needed basis to carry out the functions of the TIP Coordinator in a timely manner.

V. MEETINGS

The NYCTCC shall meet as often as necessary to carry out its functions, with a minimum of two Public Principals meetings annually. The business agenda of the Annual Meeting shall include the following:

a. Election of a Chairperson
b. Election of a NYCTCC PFAC Representative

c. Election of a Co-Chairperson of the NYMTC Council (every third year)
d. Endorsement of the NYCTCC TIP or TIP Amendments as necessary
e. Other business items requested by any member

NYCTCC annual meetings shall be open to the public. Any member of the NYCTCC may request that the TCC Staff schedule additional Special Meetings of the NYCTCC. The TCC staff shall be responsible for scheduling all meetings.

The general rules of parliamentary procedure shall be observed at all NYCTCC meetings. An agenda for each meeting shall be made available to members of the NYCTCC and the general public prior to each meeting.

The regular order of business, unless otherwise modified by the Chairperson is as follows:

a. Call to Order and Roll Call
b. Introductions and Chairperson's Remarks
c. Minutes of Proceeding Meeting
d. Call for Public Comments
e. Reports and Actions on Old Business
f. New Business
g. Discussion of Press Release for Current Meeting, if Appropriate
h. Agenda and Schedule for Next Meeting
i. Adjournment

NYCTCC Staff level public meetings will be held from time to time to conduct necessary business; report the status of issues to the public; solicit public feedback on those issues as well as others identified by the public. The NYCTCC staff will also recommend approval of the annual TIP to the NYCTCC Principals, if appropriate.

Executive working sessions may be called by the Chairperson for preliminary discussion of specific topics. The Chairperson shall decide whether the session shall be open to the public. At the discretion of the Chairperson, other individuals may carry out the discussion on the issue(s). No final decisions on TCC issues shall be made at these executive sessions. A quorum for any NYCTCC meeting shall be 2/3 of its voting members.

VI. DECISION MAKING

All actions taken by the NYCTCC shall be by consensus of voting members. Consensus is defined to be unanimity of affected parties. The Chairperson shall declare whether there is consensus or the lack thereof as the case may be.

All actions by the NYCTCC on topics (e.g., plan approvals, TIP approval and major TIP amendments, and NYCTCC resolutions) may take place by either polling a quorum of voting members at any NYCTCC meeting, by written ballot, or by the NYCTCC Staff polling all voting members by phone. This would occur after there has been an opportunity to comment by members of the public in person or in writing.

Sponsor(s) of both written and phone ballots must make their request for such action in writing prior to the NYCTCC Staff distributing the ballots.

The NYCTCC Staff shall distribute written ballots with supporting documentation to voting members. Members shall respond to the ballot within the period specified in the ballot notice (generally one week). Advisory members and technical staff of the NYCTCC shall be sent information copies of the ballot.

Phone ballots may be requested by members when it is possible that the processing time of a written ballot may prevent the desired goal of the amendment. All phone ballots shall be carried out by the NYCTCC Staff. Voting members shall return a written confirmation of the phone ballot to the TCC staff within one week.

All NYCTCC members shall inform the Secretary of any questions, concerns, or reservations they may have in approving the Final NYCTCC TIP as soon as possible (minimum of one week prior to the Principals Meeting held to approve the TIP).

If there is a lack of consensus or if there are concerns regarding proposed action, the Secretary, acting through the Chairman, may suspend, delay, or terminate the balloting until the matter is resolved. They may also, if there is consensus, set aside the issue in question and complete the approval process of the balance of the package or program under consideration.

VII. PUBLIC NOTIFICATION AND INVOLVEMENT

The Federal Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) Metropolitan Planning regulations (23 CFR part 450) include requirements for expanded public participation activities for the states and Metropolitan Planning Organizations (MPOs). The regulations require that MPOs and, by extension, the NYCTCC in the New York City area provide proactive, timely information, reasonable public access to technical and policy information, adequate notice of public involvement activities, explicit consideration and response to public input, and consideration of the needs of those traditionally underserved by the transportation system. The NYCTCC will continue to expand outreach efforts to various individuals, public interest groups and other groups traditionally not involved with transportation issues in the New York City area. The following is a synopsis of the expanded NYCTCC Public Participation Procedures approved in September 1994. The complete text is shown in Appendix A.

The NYCTCC public mailing list will be maintained and continually expanded and updated by the NYCTCC Staff. The individuals and groups on the mailing list will be periodically surveyed to determine their continued interest in the NYCTCC and its activities. The NYCTCC will share our mailing list with other agencies or interest groups as requested for appropriate transportation related mailings.

The Chairperson should be the official spokesperson for the NYCTCC to inform the public of the work of the transportation planning program, and to maintain good relations with the public, the press, and the media. Upon request, any NYCTCC member can make a public statement or issue a press release on behalf of their organization. Any public statement issued on behalf of the NYCTCC must receive prior approval by all voting members of the NYCTCC.

The NYCTCC staff will notify the people and agencies on the mailing list and the New York City media outlets about any public involvement activity 14 calendar days prior to the event. The notice will include date, time, location and purpose or topic of the meeting. All NYCTCC public involvement activities will be held at a centrally located facility which is accessible to the physically challenged.

All persons attending a NYCTCC staff or Principal's meetings, including NYCTCC members and the general public, will be asked to record their name, address, and the interest or group they represent.

The general public shall be given an opportunity to speak on any item pertinent to the agenda or the transportation planning process at each meeting of the NYCTCC. The Chair will specify the time limits and, at his/her discretion, permit the general public to speak on other topics which may not be relevant to the agenda.

If a large number of speakers are anticipated, each person will be registered to speak prior to the meeting, indicating the topic they wish to address. This will allow the meeting to proceed in an orderly fashion. This does not preclude the general public from commenting on any agenda item as it is being discussed, time permitting.

Questions or comments may be submitted for consideration and response in advance of the public meeting if the interested party cannot attend in person.

A public comment period will extend for an additional 7 calendar days after the public involvement activity. Comments made during the meeting may be verbal; however, written comments are preferred. The post-meeting comments must be in writing.

The public may also visit the NYCTCC offices for review of documents by prior appointment.

A synopsis of the major written or verbal comments resulting from NYCTCC public meetings and the responses, developed in conjunction with NYCTCC members, will be prepared by the NYCTCC Staff and made available upon request seven days after the extended public comment period.

Data, technical and policy information will be available from the NYCTCC Staff or appropriate NYCTCC members upon request. Data requests of extreme size will be made available within a reasonable period of time. Except for the TIP, requests for documents of more than twenty-five pages will be provided at a nominal reproduction cost.

The NYCTCC staff, at the direction of its members will periodically update and distribute its existing communication vehicles including the "User-Friendly" Summary of the Transportation Improvement Program (TIP) and GIS-based graphics for its Community Board meeting updates. The NYCTCC will also continue accepting suggestions from the public while developing other mechanisms and media outlets to communicate transportation issues as the measures are deemed effective and as staff time permits.

VIII. TIP UPDATE

Each fall, a "call letter" will be sent to municipalities, participating agencies, and interested parties announcing the beginning of the annual TIP update process. This letter will be produced and signed by the current NYCTCC Staff Director in consultation with the NYCTCC voting members. The call letter will include information on how citizens, Community Boards, Borough Presidents offices, City Council and agencies can request consideration of a specific transportation project and have it compete for Federal, State, or local funding. It will also summarize how the public can participate in the transportation planning process. In addition, a schedule for the proposed TIP update and any other pertinent information will be included in the letter which is widely distributed by the NYCTCC staff to the NYCTCC mailing list.

The NYCTCC staff will review all projects and scope proposals received in conjunction with the NYCTCC members. Proposals for a particular facility will be referred to the appropriate agency responsible for its operation. A draft listing of projects to be programmed within the available funds will be made jointly by the NYCTCC voting members for subsequent public review.

The NYCTCC staff will make a determination as to each project's exempt/non-exempt Clean Air Conformity status in cooperation with the voting members. They will then develop the data with the NYCTCC members, and forward it to NYMTC for processing. The NYCTCC will annually assist NYMTC in the TIP/SIP Conformity process.

Public meetings will be held by the NYCTCC to discuss the TIP development process, projects on the existing TIP, and proposed projects being considered for addition to the TIP. In addition to public comments, any comments or suggestions on transportation projects or programs developed by the Citizen Advisory Committees of the respective NYCTCC membership will be forwarded by that member for consideration of the NYCTCC as a whole. All comments and responses made during the review of the draft TIP will be published as an appendix to the final TIP.

After the final NYCTCC TIP is endorsed, it will be distributed to all members, their subcommittees, and a wide variety of transportation agencies and special interest groups identified on the TIP mailing list. Any person or agency requesting a final TIP will receive a copy and will be placed on the interested party mailing list. A "User-Friendly" summary of the TIP will also be produced and widely distributed. Copies of the TIP will also be available for public review at all NYC libraries.

IX. TIP ACTIONS

A TIP Action can be classified as a Major Amendment, Minor Amendment, or Project Selection.

A TIP amendment is needed when it is necessary to add or delete a project (defined as a phase such as Preliminary Engineering, ROW, or Construction) from the TIP. This would include cost increases that force a project to be deleted from the TIP to maintain fiscal constraint. There will be two types of TIP amendments, "major" and "minor". All other TIP actions will be accommodated under the NYMTC Project Selection Procedures.

Major amendments should include, at a minimum, adding or deleting a "non-exempt" project ("non-exempt" as defined under the 1990 Clean Air Act "amended to projects which affect future regional emissions"). Major amendments would also include the addition or deletion of significant new capacity (e.g. new lanes, new transit links), projects which provide new intermodal facilities that involve more than one agency, major Right-of-Way (ROW) acquisition phases, larger infrastructure projects or significant upgrading of transit facilities that may impact travel patterns or system capacity. For major amendments, public notification is mandatory. Opportunity for public comment and NYCTCC response will be 30 days. The NYCTCC voting members will approve major amendments after the 30 day public review process. The amendment will then be transmitted to NYMTC who will endorse it after a second 30 day review process. The amendment will then be transmitted to the NYSDOT Main Office for inclusion into the Statewide Transportation Improvement Program (STIP).

Minor amendments include: the addition or deletion of a minor infrastructure or safety project with no significant increase in capacity or major alteration in travel patterns; the addition or deletion of a minor ROW phase; or the addition of deletion of projects that replace transit equipment (e.g. bus replacement). For minor amendments, public notification could be deferred until the next regular TIP update. The public will be notified of the changes made midway through the next regularly scheduled TIP update.

Project Selection from an approved TIP is a new feature administrative procedure resulting from ISTEA. The intent of Project Selection as proposed is to allow the program to be efficiently managed within the constraints of the approved fiscally constrained TIP. This is done by allowing flexibility in the delivery of the approved projects without requiring approval of each member each time a change to the approved TIP is made as long as all the approved projects in the TIP can be delivered and funded. Projects included in the first year of the TIP have priority for the resources available in that year.

Only when resources become available as a result of cost decreases in the value of a project scheduled in the first year or circumstances result in the delay of a first year project out of the first year, can the Project Selection procedures be utilized. Separate procedures have been designed for both FHWA funds and FTA funds. Public notification could be deferred until the next regular TIP update. The public will be informed of the changes made under the Project Selection Process as part of the next regularly scheduled TIP update. The complete text of the Project Selection procedure is shown in Appendix B.

X. PROJECTS FUNDED WITH FLEXIBLE FUNDING

(CMAQ & STP Urban Starting with FFY 1994-1995)

Projects will be submitted for prioritization by the NYCTCC at the best possible estimate of cost. Upon NYCTCC voting member recommendation for approval for funding with flexible funds, projects will be programmed with the contingency factor used by the sponsoring agency. Requirements which exceed the available contingency must be met by the project sponsor with other funds or flexible funds identified by the sponsor as provided for below.

Unused allocations due to project cost savings or low bids will remain within the purview of the sponsor if the selected project scope remains unchanged, and the sponsor has other selected projects which are in need of funds regardless of the year it was selected. The respective sponsor is responsible for notifying the NYCTCC Staff whose job it is to maintain and keep available documentation of a balanced Federal-aid program. If the sponsor has project savings or low bids but does not have selected projects which are in need of funds, these funds will go back into the available allocations for NYCTCC voting members reallocation. The NYCTCC approves projects, not dollars, to any particular sponsor.

Projects approved for funding and authorized to begin, but which do not begin during the fiscal year of said authorization, shall automatically be carried over as approved projects to the next fiscal year. Failure to begin by the end of the second year of authorization shall cause the project to be subject to review by NYCTCC voting members with the sponsor providing justification for the delay. If the NYCTCC voting members decide that inadequate justification has been provided the project funds will be returned to the available allocations. The project sponsor can subsequently resubmit the same project for NYCTCC consideration during a later competition. This procedure is known as the NYCTCC Malchovian Principles and is included as Appendix C.

The proposed deletion of a CMAQ funded project by a sponsor must be discussed by NYCTCC. A CMAQ funded project cannot be deleted to fund overruns on a sponsor's other CMAQ projects without providing a credible emissions offset equal to or better than the original CMAQ project. If the project was "non-exempt", a SIP commitment or utilized for regional Conformity benefit (including exempt projects) the sponsor will be responsible for providing pertinent emission offsets, and all relevant data analysis or work with other TCC members to develop the pertinent offsets.

Funds remaining in the flexible fund "available for allocation" pot at the end of the Federal fiscal year will roll over into the allocations available for the next 5-year Capital Program, subject to Federal and State guidelines.

Subject to the established Project Selection Procedures noted above, the NYCTCC reserves the right to approve additional projects for flexible funding when it determines that such action is appropriate, and, as surplus funds become available. The NYCTCC further reserves the right, as appropriate on an exception basis, to approve the use of surplus funds for cost increases of exceptional projects that may need it.

XI. TRANSPORTATION ISSUES

Forum(s) will be organized and held periodically for the express purpose of discussing current subregional transportation projects or focusing on local issues, goals, potential actions and recommendations. Examples can include, but are not limited to, roundtable discussions; interactive cable TV; radio call-in; and focus sessions with specific groups. Agendas will be developed in cooperation with NYCTCC's members and NYMTC. Notice of the public meetings and relevant support material will be mailed or faxed to all those listed on the NYCTCC mailing list. The results of these forums will serve as input into Long Range Plan and TIP development.

All significant written or verbal comments and the NYCTCC responses will be summarized and forwarded to the appropriate transportation agency(ies). Copies will be retained by the NYCTCC staff and will be available upon request.

If any transportation issue, goal, or potential action subsequently differs significantly from that discussed at the open forums, those changes will be communicated in an appropriate manner back to the public.

XII. LONG RANGE PLAN

The NYCTCC will provide data and analytical support to the NYMTC Central Staff in the (periodic) update of the Long Range Plan. That information will be provided to the public as requested.

The NYCTCC will provide opportunity for increased public comment and involvement regarding the Long Range Plan update.

Documentation

These NYCTCC Operating Procedures are an update of the September 1991 version and therefore supersede the older version. For ease of reference, the Public Participation Procedures, the Project Selection procedures, and the Malchovian Principles are incorporated into this document. Should there be any discrepancy between these Operating Procedures and the aforementioned documents, the original document (the Public Participation Procedures, the Project Selection Procedures, or the Malchovian Principles) specifically written to address the topic should be referred to as the guidance. Those documents are included as Appendixes A, B, & C on the following pages.

APPENDIX A

NYCTCC
REVISED PUBLIC PARTICIPATION PROCEDURES

Final – September 1994

PURPOSE: To increase and maintain active public involvement in the transportation planning process that is carried out by the New York City Transportation Coordinating Committee (NYCTCC) and its subcommittees. Public participation efforts will be used to educate the public about major transportation issues and projects, solicit information from citizens, assist in achieving consensus, and provide a way for citizens to share their vision with the policy makers in the region. Prior to further describing participation opportunities, it is important to understand the organizational structure involved.

ORGANIZATION: Federal regulations require each urbanized area to have a planning process in order to receive Federal transportation and planning funds. The responsibility for implementing this process and formulating these plans and programs is delegated to a Metropolitan Planning Organization (MPO) in each of the nation's urban areas. To be more responsive to the local needs of the various subregions in the metropolitan area, a modified approach to the planning process was adopted by our region's MPO, the New York Metropolitan Transportation Council (NYMTC). The goal is to provide the private sector, general public, local government, and affiliated agencies the opportunity to participate in the planning process. This was done through the decentralization of the decision-making authority of the MPO to sub-regional organizations known as transportation coordinating committees. Within the NYMTC region, the following three transportation coordinating committees were formed: Mid-Hudson South, New York City, and Nassau-Suffolk. The New York City Transportation Coordinating Committee (NYCTCC) is the subregional planning organization for the 5 boroughs of New York City. The most important role of the NYCTCC is the preparation of the Transportation Improvement Program (TIP), a document that outlines capital transportation improvements programmed over a five year time frame.

Voting members of the NYCTCC are: New York City Department of Transportation, New York City Planning Commission, Metropolitan Transportation Authority and New York State Department of Transportation.

Advisory members include: New York Metropolitan Transportation Council, New York State Department of Environmental Conservation, The Port Authority of New York and New Jersey, Federal Highway Administration, Federal Transit Administration, U.S. Environmental Protection Agency, NYC Department of Environmental Protection.

ISTEA REQUIREMENTS: The Federal Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) Metropolitan Planning Regulations (23 CFR part 450) include requirements for expanded public participation activities for the states and Metropolitan Planning Organizations (MPOs). The NYCTCC endorses and fully supports these requirements. Methods to achieve these goals are explained throughout the document. The regulations require that MPOs and, by extension in the NYMTC area, the three TCC's, provide proactive, timely information, reasonable public access to technical and policy information, adequate notice of public involvement activities,

explicit consideration and response to public input, and consideration of the needs of those traditionally underserved by the transportation system. Examples of the public include: citizens, affected public agencies, representatives of transportation agency employees, other affected employee representatives, private providers of transportation and other interested parties.

I. GENERAL PUBLIC PARTICIPATION ACTIVITIES:

1. Outreach Expansion Efforts

The NYCTCC, its subcommittees and staff, will continue to expand outreach efforts to various individuals, public interest groups and other groups (traditionally not involved) with transportation issues in the New York City area. The NYCTCC staff will actively identify and include citizens and groups that are traditionally underserved by the transportation system.

2. Notification

a) Mailing List

The NYCTCC public mailing list will be retained and continually expanded and updated by the NYCTCC staff. Any person or agency requesting information or expressing an interest in receiving announcements will automatically be added to the list. The individuals and groups on the mailing list will be periodically surveyed to determine their continued interest in the NYCTCC and its activities. The NYCTCC will actively solicit names of individuals or groups from other agencies or interest groups. In turn, the NYCTCC will share our mailing list with other agencies or interest groups as requested for transportation related mailings.

b) Public Staff Meetings

The NYCTCC staff will notify the people and agencies on the mailing list and the New York City media outlets about any public involvement activity 14 calendar days prior to the event. The notice will include date, time, location and purpose or topic of the meeting. Documentation and synopses of all NYCTCC staff meetings will be prepared and retained by the NYCTCC staff, and will be available upon request.

c) Information Index

Data, technical and policy information will be available from the NYCTCC staff or appropriate NYCTCC members upon request. Data requests of extreme size will be made available within a reasonable period of time. Except for the TIP, requests for documents of more than twenty-five pages will be provided at a nominal cost.

3. Existing Communication Media Updates

The NYCTCC staff, at the direction of its members, will periodically update and distribute its existing communication vehicles including the "User-Friendly" Summary of the Transportation Improvement Program (TIP), and GIS-based graphic for its Community Board meeting updates. The NYCTCC will also continue accepting suggestions from the public while developing other mechanisms and media outlets to communicate transportation issues as the measures are deemed effective.

4. Cooperation

The NYCTCC's policy is to work in cooperation with the central staff and the other 2 TCC's. Cooperation in public participation activities include but are not limited to:

a) the sharing of mailing lists b) identification of new interested citizens c) discussion of issues which cross TCC or regional boundaries or have a regional impact d) reference of all informational inquiries to the appropriate TCC member.

5. Review and Comment Opportunities

All NYCTCC public involvement activities will be held at a centrally located facility which is accessible to the physically challenged. A public comment period will extend for an additional 7 calendar days after the public involvement activity. Comments made during the meeting may be verbal; however, written comments are preferred. The post-meeting comments must be in writing. The MPO (NYMTC) will also provide opportunities for public comment and review on periodically updated work such as the TIP and the Long-Range Plan. The public may also visit the NYCTCC offices for review of documents by prior appointment. A synopsis of the major written or verbal comments resulting from NYCTCC public meetings and the responses, developed in conjunction with NYCTCC members, will be prepared by the NYCTCC staff and made available upon request seven days after the extended public comment period.

II. PUBLIC PARTICIPATION FOR THE TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

In addition to the activities discussed under General Public Participation the following procedures apply to the preparation and update of the TIP.

1. Update Notification

Each fall, a "call letter" will be sent to municipalities, participating agencies, and interested parties announcing the beginning of the annual TIP update process. This letter will be signed by the current NYCTCC staff director and distributed by the NYCTCC staff. The call letter will include information on how citizens, Community

Boards, Borough Presidents offices, City Council and agencies can request a specific transportation project and be considered for Federal, State, or local funding and how to participate in the transportation planning process. In addition, a schedule of the proposed TIP update and any other pertinent information will be included in the letter.

2. Proposal Review

The NYCTCC staff will review all projects and scope proposals received in conjunction with the NYCTCC members. Proposals for the Port Authority of NY & NJ facilities will be referred to PANYNJ. Proposals for projects on the State system will be directed to the NYSDOT. Local roads and franchise transit proposals will be directed to the New York City Department of Transportation. All subway, commuter rail and bus transit projects under the jurisdiction of NYC Transit will be referred to the MTA. Any other project proposals will be referred to the appropriate agency.

3. Conformity Analysis

The NYCTCC staff will make a determination as to each project's exempt/non-exempt status in cooperation with the voting members. They will then develop the data, and forward it to NYMTC for processing. This data will be available to the public as requested. The NYCTCC will annually assist NYMTC in the TIP/SIP conformity process.

4. Public Staff Meetings for the TIP

Public meetings will be held by the NYCTCC staff to discuss the TIP development process, projects on the existing TIP, and proposed projects being considered for addition to the TIP. In addition to public comments, any comments or suggestions on transportation projects or programs developed by the Citizen Advisory Committees of the respective NYCTCC membership will be forwarded by that member for consideration of the NYCTCC as a whole. All comments and responses made during the review of the draft TIP will be published as an appendix to the final TIP.

5. TIP Distribution

After the final NYCTCC TIP is endorsed, it will be distributed to all members, their subcommittees, and a wide variety of transportation agencies and special interest groups identified on the TIP mailing list. Any person or agency requesting a final TIP will receive a copy and will be placed on the interested party mailing list. A "User-Friendly" summary of the TIP, available to an even wider audience, will be produced and distributed. Copies of the TIP will also be available for public review at all NYC libraries.

III. PUBLIC PARTICIPATION FOR TRANSPORTATION IMPROVEMENT PROGRAM (TIP) AMENDMENT

1. Definition of a TIP amendment: A TIP amendment is needed only when it is necessary to add or delete a project (defined as a phase such as preliminary engineering; ROW construction) from the TIP. This would include cost increases that force a project to be deleted from the TIP to maintain fiscal constraint. There will be two types of TIP amendments, "major" and "minor". All other TIP actions will be accommodated under the project selection procedures.

2. Major Amendments Categorization

   Major amendments should include, at a minimum, adding or deleting a "non-exempt" project ("non-exempt" as defined under the 1990 Clean Air Act "amended to projects which affect future regional emissions"). Major amendments would also include the addition or deletion of significant new capacity (e.g. new lanes, new transit links), projects which provide new intermodal facilities that involve more than one agency, major ROW acquisition phases, larger infrastructure projects or significant upgrading of transit facilities that may impact travel patterns or system capacity. Public notification of a major amendment is mandatory. Opportunity for public comment and NYCTCC member response will be 30 days. The NYCTCC voting members will approve major amendments after the 30 day public review process. The amendment will then be transmitted to NYMTC who will endorse it after a second 30 day review process.

3. Minor Amendment Categorization

   Minor amendments should include the addition or deletion of a minor infrastructure or safety projects with no significant increase in capacity or major alteration in travel patterns, the addition or deletion of a minor ROW phase, or the addition or deletion of projects that replace transit equipment (e.g. bus replacement). Public notification of minor amendments could be deferred until the next regular TIP update.

4. Project Selection Process

   Project selection from an approved TIP is a new feature resulting from ISTEA and the final planning regulations approved and issued by USDOT. The basic intent of Project Selection as proposed is to allow the program to be efficiently managed within the constraints of the approved fiscally constrained TIP by allowing flexibility in the delivery of the approved projects without requiring approval of each member each time a change to the approved TIP is made as long as all the approved projects in the TIP can be delivered and funded. Projects included in the first year of the TIP however, have priority for the resources available in that year and only when resources become available as a result of cost decreases in the value of a project scheduled in the first year

or circumstances result in the delay of a first year project out of the first year, can these Project Selection procedures be utilized. Separate procedures have been designed for both FHWA funds and FTA funds. The members of the NYCTCC will be notified of the changes made under the Project Selection Process.

IV. PARTICIPATION AT NYCTCC PUBLIC MEETINGS:

The following procedures will be followed at all NYCTCC meetings open to the public.

1. All persons attending a NYCTCC staff or Principal's meeting, including NYCTCC members and the general public, will be asked to record their name, address, and the interest or group they represent.

2. The general public will be given the opportunity to speak at each NYCTCC meeting under the public participation section of the agenda or the transportation planning process. The Chair will specify the time limits. If a large number of speakers are anticipated, each will be registered to speak prior to the meeting, indicating the topic they wish to address. This will allow the meeting to proceed in an orderly fashion. This does not preclude the general public from commenting on any agenda item as it is being discussed, time permitting.

3. Recommendations from the public or groups will be documented and acted upon as appropriate.

4. Questions or comments may be submitted for consideration and response in advance of the public meeting if the interested party cannot attend in person.

5. The Chairperson should be the official spokesperson for the NYCTCC to inform the public of the work of the transportation planning program, and to maintain good relations with the press and media. Upon request, any NYCTCC member can make a public statement or issue a press release on behalf of their organization. Any public statement issued on behalf of the NYCTCC must receive prior approval by all voting members of the NYCTCC.

V. TRANSPORTATION ISSUES:

In addition to the activities discussed under General Public Participation, the following procedures apply to the preparation and update of the transportation issues affecting New York City.

1. Forum(s) will be organized and held annually with the express purpose of discussing current subregional transportation projects or focusing on local issues, goals, potential actions and recommendations. Examples can include, but are not limited to roundtable discussions; interactive cable TV; radio call-in; and focus sessions with specific groups. Agendas will be developed in cooperation with NYCTCC's members and NYMTC. Notice of the public meetings and relevant support material will be mailed or faxed to all those listed on the NYCTCC mailing list.

2. All significant written or verbal comments and the NYCTCC responses will be summarized and forwarded to the appropriate transportation agency(ies). Copies will be retained by the NYCTCC staff and will be available upon request.

3. If any transportation issue, goal or potential action subsequently differs significantly from the one discussed at the open forums, those changes will be communicated in an appropriate manner to the public.

4. Once the public review process for the Major Metropolitan Transportation Investment (MMTI) has been developed by members of the MPO, that process will be consistent with these Public Participation Procedures.

VI. LONG RANGE PLAN:

In addition to the activities discussed under General Public Participation, the following procedures apply to the preparation and update of the Long Range Plan.

1. The NYCTCC will provide data and analytical support to the NYMTC Central Staff in the (periodic) update of the Long Range Plan. That information will be provided to the public as requested.

2. The NYCTCC will provide opportunities for increased public comment and involvement regarding the Long Range Plan update.

VII. SUBSEQUENT REVIEW PROCEDURES

1. The general public will have 45 days to review and comment on these NYCTCC Public Participation Procedures through a public notice and direct mailing of the existing NYCTCC mailing list. Comments from the public will be documented and acted upon as appropriate with the concurrence of the NYCTCC voting members.

2. There will be a periodic review of the NYCTCC Public Participation Procedures to address changes that may from time to time occur.

3. All subsequent changes to the Public Participation Procedures will follow the same 45 day public review process noted above. A NYCTCC public meeting will be held to announce proposed changes at the onset of the 45 day public review process.

APPENDIX B

PROJECT SELECTION PROCEDURES FOR NYMTC

Project Selection from an approved TIP is a new feature resulting from ISTEA and the final Planning regulations approved and issued by USDOT. The basic intent of Project Selection as proposed is to allow the program to be efficiently managed within the constraints of the approved fiscally constrained TIP by allowing flexibility in the delivery of the approved projects without requiring approval of each member each time a change to the approved TIP is made as long as all the approved projects in the TIP can be delivered and funded. It must be recognized that projects included in the first year of the TIP have priority for the resources available in that year and only when resources become available as a result of cost decreases in the value of a project scheduled in the first year or circumstances result in the delay of a first year project out of the first year, can these Project Selection procedures be utilized, subject to these procedures as defined below.

In circumstances where resources become available in the first year, the following actions are approved by the voting members of the New York Metropolitan Transportation Council, hereafter referred to as the Council, for managing the program within the definition of fiscal constraint (including local funds) as approved by the Council:

FHWA (TITLE I) FUNDS

1. The NYSDOT is authorized to select other Title I funded projects from years 2 and/or 3 of the Council's TIP if funds are available and the project(s) is ready to be authorized.

2. In addition, NYSDOT is authorized to revise fund sources, with the exception of CMAQ and STP (STP Urban in MHSTCC), as long as the program remains fiscally constrained.

3. For CMAQ and STP (STP Urban in MHSTCC) funds members of the appropriate TCC must be consulted and appropriate ranking mechanisms utilized, where practical, before the funds could be utilized for a project that was not in the TIP with these fund sources. This consultation is not a formal TIP amendment under the ISTEA Planning regulations but requires the consensus of the appropriate TCC members.

4. The basis for selecting projects from years 2 or 3 or revising fund sources will be to first select other projects from within the same TCC and, if other projects in this TCC are not ready for advancement, to expand the project selection to the DOT Region (in Region 8) and then Statewide. Projects scheduled in the first year that are deferred because of schedule delays will be moved to the revised implementation date. The NYSDOT will continue with past procedures to request FHWA to authorize all projects when they are ready to be implemented.

FTA (TITLE III) FUNDS

1. The respective Designated Recipients in the NYMTC Region are likewise authorized to select other Title III projects in years 2 and/or 3 of the approved TIP for advancement to FTA assuming that fiscal constraint is maintained and that no first year projects ready to be implemented are delayed as a result of Project Selection.

2. The Designated Recipients in the NYMTC Region are also authorized to revise fund sources of projects within the definition of fiscal constraint (including local funds).

   This basis for selecting projects will be, in order of priority, other projects in the approved TIP by the same recipients, other projects in the approved TIP by other recipients and finally other projects in the approved STIP in other areas of the State.

   These procedures also provide for the advancement of other projects in years 2 and 3 of the approved TIP even when sufficient savings or deferrals cannot be identified. Similar to item #3 for Title I funds, projects in years 2 and/or 3 can be advanced for authorization after consultation with other TCC members that identify the project or projects that would be delayed to subsequent years are identified. Again, this would not require a formal amendment.

APPENDIX C

MACHLOVIAN PRINCIPLES FOR PROJECTS FUNDED WITH FLEXIBLE FUNDS

(CMAQ & STP Urban Starting with FFY 1994-1995)

1. Projects will be submitted for prioritization by the NYCTCC at the best possible estimate of cost. Upon NYCTCC approval for funding with flexible funds, projects will be programmed with the contingency factor used by the sponsoring agency. Requirements, which exceed the available contingency, must be met by the project sponsor with other funds or flexible funds as provided for in Section #2 below.

2. Unused allocations due to project cost savings or low bids will remain within the purview of the sponsor if the selected project scope remains unchanged, and the sponsor has other selected projects which are in need of funds regardless of year it was selected. If the sponsor has project savings or low bids but does not have selected projects which are in need of funds, these funds will go back into the available allocations pot for NYCTCC voting members reallocation. The NYCTCC approves projects, not dollars to any particular sponsor.

3. Projects approved for funding and authorized to begin, but which do not begin during the fiscal year of said authorization, shall automatically be carried over as approved projects to the next fiscal year. Failure to begin by the end of the second year of authorization shall cause the project to be subject to review by NYCTCC voting members with the sponsor providing justification for the delay. If the NYCTCC voting members decide that inadequate justification has been provided the project funds will be returned to the pot for reallocation. The project sponsor can subsequently resubmit the same project during a later competition.

4. The proposed deletion of CMAQ funded project by a sponsor must be discussed by NYCTCC. A CMAQ funded project cannot be deleted to fund overruns on a sponsor's other CMAQ projects. If the project was "non-exempt", a SIP commitment or utilized for regional conformity benefit (including exempt projects) the sponsor will be responsible for providing pertinent emission offsets, and all relevant data analysis or work with other TCC members to develop the pertinent offsets. Funds remaining in the flexible fund "available for allocation" pot at the end of the State fiscal year (March 31) will roll over into the allocations available for the next 5-Year Capital Program, subject to Federal and State guidelines.

5. Subject to established Project Selection Procedures, the NYCTCC reserves the right to approve additional projects for flexible funding when it determines that such action is appropriate, and, as surplus funds become available. The NYCTCC further reserves the right, as appropriate on an exception basis, to approve the use of surplus funds for cost increases of exceptional projects that may need it.

SUPPLEMENTAL OPERATING PROCEDURES FOR ORGANIZATIONAL RESPONSIBILITIES

OVERVIEW

The Memorandum of Understanding which is NYMTC's originating document establishes specific organizational responsibilities for the Council itself, the Transportation Coordinating Committees and the Program, Finance and Administration Committee.

ORGANIZATIONAL PROVISIONS IN THE MEMORANDUM OF UNDERSTANDING

- The Council is responsible for establishing the framework of and adopting the three major federally-mandated planning products: the Regional Transportation Plan, the Transportation Improvement Program and the Unified Planning Work Program.
- The Council is also responsible for developing procedures for coordinating its plans and programs and its planning and programming processes with adjacent metropolitan planning organizations in the states of New York, New Jersey, and Connecticut, and for appointing a representative to work to work with these MPOs and to report back to the Council.
- The Transportation Coordinating Committees (TCCs) are responsible for contributing information and project listings from their planning areas to the Regional Transportation Plan and Transportation Improvement Program.
- The TCCs are also responsible for several specific, non-regional actions, including:
    - The delineation and update of subregional urban area boundaries in conjunction with the State;
    - The designation of appropriate federal-aid urban highway systems subject to the concurrence of the State; and
    - Minor modifications to the TIP, including minor changes in the scope of endorsed projects, substitutions by the initiating agency of projects of similar scope, and deletions and additions of subregional projects within available funding.
- The Council is further responsible for establishing a Program, Finance and Administration Committee (PFAC) to be composed of staff representatives of the New York State Department of Transportation, the Metropolitan Transportation Authority and one to be appointed by each of the TCCs.
- The PFAC is responsible for overseeing the day-to-day operations of NYMTC, including monitoring and coordinating the progress of the Unified Planning Work Program and minor revisions to budgets and other aspects of the Unified Planning Work Program.
- The PFAC is also responsible for annually developing and recommending a draft Unified Planning Work Program, in conjunction with the TCCs, for Council adoption.

- The PFAC is authorized to act for the Council to include or make changes to projects of regional significance in the Transportation Improvement Program and to make changes to the Unified Planning Work Program.

ORGANIZATIONAL OPERATING PROCEDURES

To implement the provisions of the Memorandum of Understanding, NYMTC adopted Organizational Operating Procedures which further refine the responsibilities of the PFAC and the TCCs. The organizational operating procedures which cover the PFAC include the following responsibilities:

- Periodically assess the Council's adopted Regional Transportation Plan, including consistency with social, economic and environmental needs, and federal and state requirements and regulations. Recommend to the Council or act on the Council's behalf to execute appropriate revisions as they become necessary.

- Coordinate development of the Transportation Improvement Program with local elected officials, transit operators and other officials. Projects are initiated through the appropriate TCC for inclusion in the TIP. Recommend adoption of the TIP to the Council.

- Coordinate the development of procedures to meet federal transportation planning regulations and requirements.

- Develop and recommend to the Council policies and procedures for evaluating the consistency among the transportation plans and programs of the Council with those of adjacent metropolitan planning organizations, the federal and other levels of government, and their agencies or affiliates.

- Establish and implement procedures for the annual preparation of a recommended program of technical studies, and make recommendations to the Council for incorporation into the Unified Planning Work Program.

- Review the annual Unified Planning Work Program prepared by central staff and make recommendations thereon to the Council prior to submission of the work program to the federal funding agencies.

- Establish and monitor working groups, as needed, on subjects requiring special attention. The Committee will receive reports and recommendations from the working groups and, if necessary, forward these to the Council for action.

- Formulate transportation policy recommendations for Council action and take interim action on policy positions already taken by the Council.

- Establish and maintain procedures to ensure appropriate participation of local officials and the public in transportation activities. On all matters dealing with citizen participation and obtaining the views of the public on transportation issues, plans, programs, and proposals; look to the citizen advisory mechanisms of the members as a prime source of advice.

- Carry out any other transportation-oriented aspects of the Council business as directed by the Council or the co-chair persons of the Council and initiate and resolve actions for the Council on transportation matters, as the need arises.

SUPPLEMENTAL OPERATING PROCEDURES

1. The PFAC's oversight responsibility of the day-to-day operations of NYMTC, along with its responsibilities to carry out any other transportation-oriented aspects of the Council business and its specific responsibilities with regard to the Regional Transportation Plan and Transportation Improvement Program will be understood to include the following actions not specified in the Memorandum of Understanding or related organizational operating procedures:

    a. Adoption of the Transportation Conformity Determinations which accompany newly developed Regional Transportation Plans and Transportation Improvement Programs, as well as amendments to projects contained therein that are deemed as "non-exempt" under the Clean Air Act Amendments of 1990.

    b. Amendments to the Regional Transportation Plan to maintain the fiscal constraint of the planning process.

    c. Adoption of socio-economic and demographic forecasts that serve as a basis for federally-required forecasts of mobile source emissions and traffic congestion.

    d. Recommendation of the Regional Transportation Plan to the Council for adoption.

2. The PFAC's responsibility for developing and recommending to the Council policies and procedures for evaluating the consistency among the transportation plans and programs of the Council with those of adjacent metropolitan planning organizations, the federal and other levels of government, and their agencies or affiliates will be understood to include the following actions not specified in the Memorandum of Understanding or related organizational operating procedures:

    a. Adoption of agreements and/or memoranda of understanding with adjacent metropolitan planning organizations, the federal and other levels of government, and their agencies or affiliates.

3. The PFAC's responsibility for establishing and maintaining procedures to ensure appropriate participation of local officials and the public in transportation activities will be understood to include the following actions not specified in the Memorandum of Understanding or related organizational operating procedures:

    a. Adoption of and revision of federally-mandated public involvement plans.

    b. Adoption of policies and procedures which implement the provisions of federally-mandated public involvement plans.

    c. Assurance that the federal agencies responsible for reviewing and accepting NYMTC's adopted planning products and analyses are provided, at a minimum, the required thirty day review period after NYMTC's adoption of the product or analysis and before its mandated due date.

4. It will further be understood that, at the direction of the Council or the Council co-chair persons, the PFAC may initiate and resolve actions and take adoption, amendment or endorsement actions on any aspects of the Council's business not specifically stated as responsibilities of the Council in the Memorandum of Understanding.

III. Functional Operating Procedures

OVERALL PUBLIC PARTICIPATION PROCEDURES

OVERVIEW

NYMTC's public participation process functions on three distinct levels: regional (i.e., NYMTC as an organization), subregional (NYMTC's Transportation Coordinating Committees, or TCCs), and local (NYMTC's individual member agencies).

The regional level involves regularly scheduled meetings of the Council, its Program, Finance and Administration Committee (PFAC) and numerous workshops and advisory working group meetings on a host of planning issues and products.

The subregional level involves activities that take place within NYMTC's three TCCs covering New York City, Long Island, and the lower Hudson Valley. Each TCC holds meetings on subregional planning issues, such as the Mobility Advisory Forum for the Mid-Hudson South TCC.

The local level involves efforts that take place through NYMTC's individual member agencies. Each member agency has its own public participation program for developing its own planning process. Member agencies also have public participation elements within their individual work programs that are funded federally through NYMTC.

NYMTC's five federally-mandated products are:

- The Unified Planning Work Program, which details the planning efforts that will be undertaken each program year;
- The Transportation Improvement Program, a four year fiscally-constrained program of transportation improvement projects;
- The Regional Transportation Plan, which lays out a minimum 20-year long-range vision for the future of the region;
- Transportation Conformity Determinations under the Clean Air Act as amended in of 1990; and
- The Congestion Management Process, which must be undertaken since NYMTC is in a transportation management area as defined by federal planning regulations.

In developing these mandated planning products, federal regulations require NYMTC to "provide citizens, affected public agencies, representatives of transportation agency employees, private providers of transportation, and other interested parties with a reasonable opportunity to participate in the planning process." Additionally, the Clean Air Act Amendments of 1990 require that NYMTC provide a "reasonable opportunity for public review and comment on the Transportation Conformity Determination and supporting materials prior to formal action on a Conformity Determination."

Per federal requirements, NYMTC maintains a Public Involvement Plan (PIP) that describes explicit procedures, strategies and desired outcomes for ten discreet required elements, and which provides a strategic framework for NYMTC's public involvement efforts. The PIP will be publicly available on NYMTC's website. It incorporates these procedures while detailing the goals, strategies and desired outcomes for NYMTC's overall public involvement program.

1. DISTRIBUTION AND AVAILABILITY OF PUBLIC INFORMATION

The following procedures for the distribution and availability of public information apply to NYMTC's various activities:

1. Maintain and enhance distribution lists in order to provide public information to individuals and groups so they can participate in NYMTC's various activities.

    a. NYMTC will enhance its distribution lists to include people and organizations not traditionally involved in the planning process, as well as any Tribal Nations located within its planning area.

    b. Public information will be distributed to the distribution lists as required using USPS mail, fax, email, and posting on the website and through social media.

2. Maintain a relationship with community-based organizations, non-governmental organizations and Tribal Nations throughout NYMTC's planning area that are willing to disseminate public information to their constituents on NYMTC's behalf. This grouping of organizations will be known as the Regional Planning Corps.

3. Maintain and enhance a distribution list of media outlets and organizations throughout NYMTC's planning area, including community newspapers, blogs, local news channels and information-oriented websites.

4. Maintain both a website and social media outlets in order to distribute public information related to NYMTC's activities.

    a. Provide hard copy of public information upon request to the interested public.

5. Where feasible, use visualization techniques and information graphics to convey information to the public related to NYMTC's activities.

6. The following organizational steps will be taken for the distribution and availability of public information:

    a. When a public solicitation of project proposals for federal grant and/or funding programs which require the administrative oversight of a metropolitan planning organization is undertaken, hold workshops throughout NYMTC's planning area to advise the interested public and potential grantees of the details of the federal grant and funding programs.

b. Hold public information sessions on key aspects of NYMTC's mandated planning products and related technical tools and analyses.

c. Provide explanatory materials at official and other public meetings to provide information on the regional planning process, NYMTC's activities, and the topic of the public meeting.

d. To the extent practical, official and other public meetings will include a webcast or webinar to extend the reach of the meeting.

2. PROVISIONS FOR GATHERING PUBLIC INPUT

NYMTC will use the following techniques and mechanisms for gathering public input on topics relevant to the regional planning process. The application of these techniques will be detailed in the Public Involvement Plan.

1. Feature interactive components on NYMTC's website for gathering input and feedback from users.

2. Maintain social media outlets and use them to solicit input and feedback.

3. Employ Internet-based technologies such as webcasts and webinars to expand the reach of its public meetings and gather input and feedback from a wider range of participants.

4. Make public comment forms available at official and other public meetings for anyone wishing to submit comments that will become part of the meeting record.

5. Take the following organizational steps to gather public input:

    a. Maintain advisory working groups on topics relevant to the regional planning process. These working groups will hold public meetings on a regular basis to gather input and feedback on these topics.

    b. Maintain technical advisory committees for specific areawide, corridor, feasibility and/or technical studies financed through the Unified Planning Work Program. The technical advisory committees will be drawn from the elected officials, community-based organizations, stakeholders in the area impacted by the study.

    c. Hold a minimum of two public meetings or workshops open to the general public for specific areawide, corridor, feasibility and/or technical studies financed through the Unified Planning Work Program.

        i. At a minimum, public meetings should be held at the beginning of the activity and then again when draft final product(s) or deliverable(s) are available.

        ii. Public meetings will conducted in a manner consistent with Section 4.2 of these procedures.

d. Hold one or more of the following sessions to gather input and feedback during the development process for NYMTC's mandated planning products: public comment periods; community visioning sessions; public workshops; public open house sessions; and public information sessions.

e. Conduct public comment periods and public review meetings to gather comments and feedback on drafts of the mandated planning products.

f. To the extent practical, other public meetings will include a webcast or webinar to extend the reach of the meeting.

3. INTEGRATION WITH STATEWIDE PLANNING

Metropolitan public participation processes shall be coordinated with statewide public participation processes wherever possible to enhance public consideration of the issues, plans, and programs and reduce redundancies and cost. NYMTC will therefore actively seek to integrate the public involvement program undertaken as part of the metropolitan transportation planning process with public involvement activities undertaken as part of the statewide transportation planning process.

1. NYMTC will pursue improvements to the integration of its public involvement program with statewide public involvement activities through its participation in the New York State Association of Metropolitan Planning Organizations.

    a. Better integration of public involvement will be sought for both the federally-mandated planning products and for planning studies and activities of statewide significance and/or significance to two or more metropolitan planning organizations.

2. NYMTC will also pursue improvements to integration with statewide activities in Connecticut and New Jersey through its participation in the Metropolitan Area Planning (MAP) Forum, which was formed through a memorandum of understanding between NYMTC, the North Jersey Transportation Planning Authority, and three adjacent metropolitan planning organizations in southwestern Connecticut.

    a. Better integration of public involvement will be sought for both the federally-mandated planning products and for planning studies and activities of statewide significance and/or significance to two or more metropolitan planning organizations.

4. PUBLIC MEETINGS

I. Official Meetings

All official meetings of NYMTC, its TCCs and its designated committees convened to conduct the public business of NYMTC are open to the public and are subject to the following procedures:

1. Public notice of official meetings will be made a minimum of two weeks prior to the meeting in a manner consistent with Section 1 of these procedures.

    a. In the event of emergency official meetings, notice will be posted on the website and through social media a minimum of 72 hours in advance of the meeting.

2. Public information relevant to the official meetings will be available at the time of public notice in a manner consistent with Section 1 of these procedures.

3. Public comments on the meeting agenda and actions will be solicited at the time of the public notification of the meeting.

    a. Written comments will be requested to be received by close-of-business on the third business day prior to the meeting.

    b. Written comments received by that deadline will be shared with the NYMTC members for their consideration in advance of the meeting.

    c. Written comments received after that deadline will be made available to the NYMTC members for their consideration on the day of the meeting.

4. Official meetings will be held in ADA-compliant locations which are proximate to public transportation services.

    a. Translation services will be made available for officials meetings upon request if received at least three (3) days in advance of the meeting.

5. Public comments will be accepted in writing during official meetings for the consideration of NYMTC's members. Time will also be allocated in official meeting agendas for individuals or groups to convey their comments verbally on a first-come, first-served basis. The time allocated will not be exceeded.

    a. Comments received during official meetings will become part of the meeting record.

    b. Those wishing to convey comments verbally during an official meeting will be required to register to speak prior to the meeting, indicating the topic that they wish to address and submitting a written version of their comments.

        i. Speakers will be heard based on the order of their registration and asked to limit their verbal comments to not more than three minutes.

        ii. The total duration of verbal comments heard during an official meeting will not exceed the time allocated on the meeting agenda for public comments.

iii. The written comments of any registered speaker who is not able to speak during the allocated time in the meeting agenda will become part of the meeting record.

iv. Public comment forms will be made available at each official meeting for anyone wishing to submit comments that will become part of the meeting record and for those who register to speak but do not have a written version of their comments.

II. Other Public Meetings

Other public meetings conducted by NYMTC and its TCCs, which are undertaken for purposes of public involvement and outreach, include but are not limited to community visioning sessions, public workshops, public open house sessions, public information sessions, and public review meetings, are subject to the following procedures:

1. Public notice of other public meetings will be made a minimum of two weeks prior to the meeting in a manner consistent with Section 1 of these procedures.

2. Public information relevant to other public meetings will be available at the time of public notice in a manner consistent with Section 2 of these procedures.

3. Other public meetings will be held in ADA-compliant locations which are proximate to public transportation services.

    a. Translation services will be made available for public meetings upon request if received at least three (3) days in advance of the meeting.

4. To the extent practical, other public meetings may be held twice at each individual location; once during regular business hours and again in the evening. However, the number and times of meetings may be customized to each location and meeting type to reflect the nature of the meeting and to optimize the convenience of intended audiences.

5. Input and feedback at other public meetings will be gathered in a manner consistent with Section 2 of these procedures.

    a. Synopses of input and feedback offered at other public meetings will be provided to NYMTC's members and relevant NYMTC committees and subcommittees for consideration.

6. Public meeting materials will be posted on NYMTC's website in advance of the meeting for the use of remote participants.

5. MANDATED PLANNING PRODUCTS

I. Transportation Improvement Program (TIP)

NYMTC's TIP is a program of projects – capital and operational – which reflects the region's transportation priorities. The projects in the NYMTC's TIP are recommended by each Transportation Coordinating Committee (TCC) based on the federal funding available for roadway projects in that TCC through the regional offices of the New York State Department of Transportation: Region 11, which is coterminous with the planning area of the New York City TCC; Region 10, which is coterminous with the planning area of the Nassau/Suffolk TCC; and a portion of Region 8, which includes the planning areas of three other MPOs and one rural county, in addition to planning area of the Mid-Hudson South TCC.

Federal funds for transit services are allocated to Urbanized Zone Areas (UZAs). The NYMTC planning area is parts of UZAs which also include portions of the states of New Jersey and Connecticut. These funds are ultimately suballocated to the transit operators in NYMTC's planning area. Each time the TIP is updated or a project or project phase is revised the air quality status of the affected projects must also be addressed.

TIP Development

The following procedures apply to the development of a new NYMTC TIP:

1. NYMTC's TCCs will hold public meetings during each TIP development cycle prior to the release of a draft TIP to provide updates on, answer questions about and receive comments on transportation improvement projects in each TCC's planning area.

    a. The meetings will be held in a manner consistent with Sections 1, 2 and 4.2 of these procedures.

2. NYMTC's TCCs will compile listings of projects to be included in a new TIP and a draft TIP will be prepared for public review.

3. Public notice will be provided at the beginning of a thirty (30) calendar day public comment period on the final draft of the TIP. Public review meetings will be held during the public comment period.

    a. Notification will be provided in a manner consistent with Section 1 of these procedures and, as feasible, the meetings will be accompanied by webcasts or webinars to expand their reach.

    b. The meetings will be conducted in a manner consistent with Sections 1, 2 and 4.2 of these procedures.

    c. Comments received on the draft TIP will be considered and resolved in writing and included with the final documents.

i. Should significant changes to the draft TIP be made as a result of the consideration and resolution of comments received which raise new material issues which interested parties could not reasonably have foreseen from the public participation efforts, an additional opportunity for public comment on the revised plan or TIP shall be made available. NYMTC will provide an additional opportunity for public comment; at a minimum, a new ten (10) calendar day public comment period will be initiated.

4. Public official meetings will be held by each TCC to endorse their respective listings. These official meetings will be announced and conducted in a manner consistent with Sections 1, 2 and 4.1 of these procedures.

5. A public official meeting of PFAC will be held to recommend the TIP to the Council for adoption. This official meeting will be announced and conducted in a manner consistent with Sections 1, 2 and 4.1 of these procedures.

6. A public official meeting of the Council will be held to adopt the TIP. This official meeting will be announced and conducted in a manner consistent with Sections 1, 2 and 4.1 of these procedures.

7. Upon adoption by the Council, the final TIP will be made available on the website in a manner consistent with Section 1 of these procedures.

Amendments to the NYMTC TIP

The following procedures apply to the amendment of an existing NYMTC TIP:

1. For amendments to the TIP which require public review, at a minimum, a ten (10) calendar day public comment period will be held prior to action.

    a. Notification of this period and the revised projects or project will be provided in a manner consistent with Section 1 of these procedures of this document.

    b. The public notice will be posted on the NYMTC website at the time of the announcement, along with draft documentation, in a manner consistent with Section 1 of these procedures.

2. Comments received will be considered and appropriate responses will be reflected in the documentation prior to the amendment actions. All comments will be forwarded to the TCC members for their consideration as part of the amendment package. The compiled comments and responses will also be shared with the commenter(s) and posted on the NYMTC website.

II. Regional Transportation Plan (The Plan) and Congestion Management Process (CMP) Status Report

Per federal requirements, NYMTC must adopt a new Plan every four years, accompanied by a CMP Status Report. The Plan describes the existing transportation system and presents long-range needs, issues and choices to guide the regional planning process. The Status Report presents long-range forecasts of traffic congestion in NYMTC's planning area, specific performance measurements to identify areas of high congestion, and a long-range program to reduce traffic congestion. NYMTC develops each Plan and accompanying Status Report at both the TCC and organizational level.

NYMTC's public participation process for developing each Plan and Status Report is an ongoing, proactive process to engage the public in meaningful involvement at various points in the multi-year development process.

Plan and Status Report Development

The following procedures apply to the development of NYMTC's Plan and Status Report:

1. Public information sessions will be held on the CMP and on key Plan sections and topics to provide information and gather input and feedback.

    a. Notification will be provided in a manner consistent with Section 1 of these procedures and the sessions will be accompanied by webcasts and/or webinars to expand their reach.

    b. The sessions will be conducted in a manner consistent with Sections 1, 2 and 4.2 of these procedures.

    c. Information on the key sections and topics will be developed in a manner consistent with Sections 1 and 2 of these procedures to guide the public discussion at the information sessions.

    d. The information sessions will also address and will review planning assumptions and the development process to inform the public and gather input on issues relevant to this process.

2. The main public outreach component of the Plan and Status Report development process will consist of public open houses/visioning sessions/workshops in each of the five New York City boroughs and five suburban counties within NYMTC's planning area.

    a. Notification will be provided in a manner consistent with Section 1 of these procedures and, as feasible, the sessions will be accompanied by webinars to expand their reach.

    b. The sessions will be conducted in a manner consistent in a manner consistent with Sections 1, 2 and 4.2 of these procedures.

3. Internet-based applications will be employed to supplement the main component, as will the website and social media outlets in a manner consistent with Section 2 of these procedures.

4. Public notice will be provided of the beginning of a thirty (30) calendar day public comment period on the final drafts of the Plan and the Status Report. Public review meetings will be held during the public comment period.

    a. Notification will be provided in a manner consistent with Section 1 of these procedures and, as feasible, the sessions will be accompanied by webinars to expand their reach.

    b. The meetings will be conducted in a manner consistent in a manner consistent with Sections 1, 2 and 4.2 of these procedures.

    c. Comments received on the draft Plan and Status Report will be considered and resolved in writing and included with the final documents.

        i. Should significant changes to the draft Plan and Status Report be made as a result of the consideration and resolution of comments received which raise new material issues which interested parties could not reasonably have foreseen from the public participation efforts, an additional opportunity for public comment on the revised Plan and/or Status Report shall be made available. NYMTC will provide an additional opportunity for public comment; at a minimum, a new ten (10) calendar day public comment period will be initiated.

5. A public official meeting of PFAC will be held to recommend the Plan and Status Report to the Council for adoption. This official meeting will be announced and conducted in a manner consistent with Sections 1, 2 and 4.1 of these procedures.

6. A public official meeting of the Council will be held to adopt the Plan and Status Report. This official meeting will be announced and conducted in a manner consistent with Sections 1, 2 and 4.1 of these procedures.

7. Upon adoption by the Council, the final Plan and Status Report will be made available on the website in a manner consistent with Section 1 of these procedures.

Amendments to the Plan and Status Report

The following procedures apply to the amendment of NYMTC's Plan and Status Report:

1. For amendments to the Plan and/or Status Report, at a minimum, a ten (10) calendar day public comment period will be held prior to action.

    a. Notification of this period and the amendment details will be provided in a manner consistent with Section 1 of these procedures.

b. The public notice will be posted on the NYMTC website at the time of the announcement, along with draft documentation, in a manner consistent with Section 1 of these procedures.

2. Comments received will be considered and appropriate responses will be reflected in the documentation prior to the amendment actions. All comments will be forwarded to the NYMTC members for their consideration as part of the amendment package. The compiled comments and responses will also be shared with the commenter(s) and posted on the NYMTC website.

III. UNIFIED PLANNING WORK PROGRAM (THE WORK PROGRAM)

Work Program Development

To satisfy federal requirements, NYMTC adopts a one-year work program every year which describes the transportation planning projects proposed to receive federal planning funds during the course of a program year, as well as cataloguing other transportation planning activities taking place in NYMTC's planning area regardless of fund source.

The following procedures apply to the development of NYMTC's annual Work Program:

1. Using the Regional Transportation Plan and the Congestion Management Process Status Report as a basis, a Planning Prospectus will be developed and maintained to define NYMTC's planning priorities, particularly with regard to the subregional planning needs of NYMTC's constituent counties and boroughs.

    a. The Prospectus, which will be publicly available on the website, will synthesize the transportation planning needs in NYMTC's region and foster increased collaboration between agencies, governments, and public interests. Its basis in the Plan will enhance and reinforce the linkages between NYMTC's longer-range regional planning work, its Congestion Management Process and more immediate planning activities of the Work Program.

    b. The Prospectus will be formulated largely through the public sessions described above during the development of each Plan and Status Report.

2. A draft Work Program will be developed each year through program building undertaken by the staff and by the member agencies that use federal funding through the Work Program. This program building exercise will use the federal requirements, the Plan, the Status Report and the Prospectus to guide program development.

3. Public notice will be provided of the beginning of a thirty (30) calendar day public comment period on the final draft of the Work Program. Public review meetings will be held during the public comment period.

    a. Notification will be provided in a manner consistent with Section 1 of these procedures and, as feasible, the sessions will be accompanied by webinars to expand their reach.

b. The meetings will be conducted in a manner consistent in a manner consistent with Sections 1, 2 and 4.2 of these procedures.

c. Comments received will be considered and addressed in writing and included with the final Plan.

4. A public official meeting of PFAC will be held to recommend the Work Program to the Council for adoption. This official meeting will be announced and conducted in a manner consistent with Sections 1, 2 and 4.1 of these procedures.

5. A public official meeting of the Council will be held to adopt the Work Program. This official meeting will be announced and conducted in a manner consistent with sections 1, 2 and 4.1 of these procedures.

6. Upon adoption by the Council, the final Work Program will be made available on the website in a manner consistent with Section 1 of these procedures.

Amendments to the Work Program

The following procedures apply to the amendment of NYMTC's annual Work Program:

1. For amendments to the Work Program, at a minimum, a ten (10) calendar day public comment period will be held prior to action.

   a. Notification of this period and the amendment details will be provided in a manner consistent with Section 1 of these procedures.

   b. The public notice will be posted on the NYMTC website at the time of the announcement, along with draft documentation, in a manner consistent with Section 1 of these procedures.

2. Comments received will be considered and appropriate responses will be reflected in the documentation prior to the amendment actions. All comments will be forwarded to the NYMTC members for their consideration as part of the amendment package. The compiled comments and responses will also be shared with the commenter(s) and posted on the NYMTC website.

IV. Transportation Conformity Determinations

Transportation Conformity Determinations are developed to demonstrate that the TIP and Plan comply with the mobile source emissions milestones set forth in the New York State Implementation Plan for Air Quality. Conformity Determinations are completed to satisfy the requirements of the Clean Air Act as amended in 1990.

The following procedures apply to the development of NYMTC's Transportation Conformity determinations:

1. A public information session will be held as part of every TIP development cycle to inform the public of transportation conformity requirements and approaches, and developments at the federal, state and regional levels.

2. Public notice will be provided at the beginning of a thirty (30) calendar day public comment period on the final draft of a Transportation Conformity Determination.

    a. Public review meetings will be held during the public comment period with the exception of Conformity Determinations that do not require a change in the regional emission analysis for NYMTC.

    b. Notification will be provided in a manner consistent with Section 1 of these procedures and, as feasible, the sessions will be accompanied by webinars to expand their reach.

    c. The meetings will be conducted in a manner consistent in a manner consistent with Sections 1, 2 and 4.2 of these procedures.

    d. Comments received will be considered and addressed in writing and included with the final Plan.

3. A public official meeting of PFAC will be held to adopt the Conformity Determination. This official meeting will be announced and conducted in a manner consistent with Sections 1, 2 and 4.1 of these procedures.

4. Upon adoption by PFAC, the final Conformity Determination will be made available on the website in a manner consistent with Section 1 of these procedures.

V. Public Involvement Plan (PIP)

Per federal requirements, NYMTC developed and adopted an initial PIP in 2007 to demonstrate how it is meeting and will meet federal requirements for public participation in the planning process. The PIP defines a process for providing citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process.

The following procedures apply to the periodic update of NYMTC's PIP:

1. The PIP will be updated every five years, at a minimum.

    a. During an update cycle, NYMTC will convene the Regional Planning Corps described in Section 1.2 of these procedures for the purpose of reviewing, critiquing and suggesting improvements to the PIP and overall public involvement program.

    b. NYMTC will also perform an Internet-based general survey using its website and hold a public information session open to the general public for the purpose of reviewing, critiquing and suggesting improvements to the PIP and overall public involvement program.

        i. Public notification of the survey and public information session will be consistent with Sections 1 and 4.2 of these procedures.

2. Public notice will be provided at the beginning of a forty-five (45) calendar day public comment period on the final draft of an updated PIP.

    a. Public review meetings will be held during the public comment period.

    b. Public notification will be provided in a manner consistent with Section 1 of these procedures and, as feasible, the sessions will be accompanied by webinars to expand their reach.

    c. The meetings will be conducted in a manner consistent in a manner consistent with Sections 1, 2 and 4.2 of these procedures.

    d. Comments received will be considered and addressed in writing and included with the final PIP.

3. A public official meeting of PFAC will be held to adopt the updated PIP. This official meeting will be announced and conducted in a manner consistent with Sections 1, 2 and 4.1 of these procedures.

4. Upon adoption by PFAC, the final PIP will be made available on the website in a manner consistent with Section 1 of these procedures.

Council Resolution #94-3 Public Participation Procedure

WHEREAS, the New York Metropolitan Transportation Council is designated by the Governor of New York State as the Metropolitan Planning Organization (MPO) for the Downstate New York Metropolitan Area; and

WHEREAS, membership in an MPO, designated as a transportation management area which the Council is,…"shall include local elected officials, officials of agencies which administer or operate major modes of transportation in the metropolitan area…and appropriate State Officials"; and

WHEREAS, Congress passed and the President signed into law the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) to develop a national intermodal transportation system that is economically efficient and environmentally sound, that provides the foundation for the nation to compete in the global economy, and that will move people and freight in an energy efficient manner; and

WHEREAS, in accordance with Federal Metropolitan and Statewide Planning Regulations 23 CFR 450.316 (b) (1) (i), each Metropolitan Planning Organization (MPO) will publish and adopt its own more detailed Public Involvement Procedures; and

WHEREAS, the Federal regulations require: early and continuing public involvement throughout the planning and programming process, with reasonable opportunity for public comment; and

WHEREAS, these public participation procedures meet the guidelines outlined in the final ISTEA planning regulations issued October 28, 1993.

NOW, THEREFORE, BE IT RESOLVED:

THAT the New York Metropolitan Transportation Council hereby adopts the attached public participation procedures to guide the Council's activities.

BE IT FURTHER RESOLVED:

THAT the Council hereby adopts the Public Participation Procedures of the Council's three Transportation Coordinating Committees.

This resolution shall take effect this 22nd day of September 1994.

ADOPTED: September 22, 1994

ATTACH – B.2

The ISTEA planning regulations require public involvement for TIP amendments, and in serious and above nonattainment areas a public comment period of 30 days is required for major amendments.

Definitions of a TIP amendment A TIP amendment is needed only when it is necessary to add or delete a project (defined as a phase) from the TIP. This would include cost increases that force a project to be deleted from the TIP to maintain fiscal constraint. All other TIP actions should be accommodated under project selection procedures.

Major amendments Should include at a minimum adding or deleting a non-exempt project. Major amendments should include the addition or deletion of significant new capacity (new lanes, new transit service, new bicycle lanes or a comparable shift in demand due to TDM actions), the addition or deletion of projects to provide new intermodal facilities and the addition or deletion of major ROW acquisition phases (at a minimum those involving relations of homes and businesses). The addition or deletion of larger infrastructure projects (requiring MPT plans that effect traffic patterns significantly) or significant upgrading of transit facilities should also be included in major amendments.

Generally, an amendment causing changes that will materially affect travel for the public should be included in major amendments – MPT requiring changes in travel patterns, new transit equipment that will affect the travel environment of the public, etc. Infrastructure amendments that do not alter the basic nature of the existing system (except for improving condition) could be defined as minor and hence subject to a lesser degree of public involvement. For minor amendments, public notification could be deferred until the next TIP update.

Minor amendments should include the addition or deletion of minor infrastructure projects with no significant MPT required (significant MPT is defined as that which requires an alteration in travel patterns), the addition or deletion of a minor ROW phase, and the addition or deletion of projects that replace transit equipment with similar equipment.

NYMTC'S PUBLIC PARTICIPATION INPUT FORM Revised 7/8/94

1. NAME AND DATE OF MEETING ATTENDED: _____

2. YOUR NAME AND/OR NAME OF ORGANIZATION: _____

_____

3. CONTACT PERSON & POSITION: _____

4. ADDRESS & TELEPHONE NO.: _____

5. NAME OF PLAN/PROJECT/MEETING/PUBLICATION: _____

_____

6. WHAT ISSUE (S)/CONCERN (S) ARE YOU ADDRESSING?: _____

_____

_____

7. WHAT IS/ARE THE IMPACT (S) OF THE ISSUE (S)/CONCERN (S) ON

TRANSPORTATION AT THE LOCAL/REGIONAL LEVEL? _____

_____

_____

8. YOUR RECOMMENDATION (S): _____

_____

9. OTHER COMMENTS: _____

_____

Return this form to: **Norma Hessic**
New York Metropolitan Transportation Council
One World Trade Center – Suite 82 East
New York, NY 10048
Telephone No.: 212-938-3342 – FAX: 212-938-3295

III. Functional Operating Procedures

PROJECT SELECTION PROCEDURES FOR NYMTC

Project Selection from an approved TIP is a new feature resulting from ISTEA and the final Planning regulations approved and issued by USDOT. The basic intent of Project Selection as proposed is to allow the program to be efficiently managed within the constraints of the approved fiscally constrained TIP by allowing flexibility in the delivery of the approved projects without requiring approval of each member each time a change to the approved TIP is made as long as all the approved projects in the TIP can be delivered and funded. It must be recognized that projects included in the first year of the TIP have priority for the resources available in that year and only when resources become available as a result of cost decreases in the value of a project scheduled in the first year or circumstances result in the delay of a first year project out of the first year, can these Project Selection procedures be utilized, subject to these procedures as defined below.

In circumstances where resources become available in the first year, the following actions are approved by the voting members of the New York Metropolitan Transportation Council, hereafter referred to as the Council, for managing the program within the definition of fiscal constraint (including local funds) as approved by the Council:

FHWA (TITLE I) FUNDS

1. The NYSDOT is authorized to select other Title I funded projects from year 2 and/or 3 of the Council's TIP if funds are available and the project(s) is ready to be authorized.

2. In addition, NYSDOT is authorized to revise fund sources, with the exception of CMAQ and STP (STP Urban in MHSTCC), as long as the program remains fiscally constrained.

3. For CMAQ and STP (STP Urban in MHSTCC) funds, members of the appropriate TCC must be consulted and appropriate ranking mechanisms utilized, where practical before these funds could be utilized for a project that was not in the TIP with these fund sources. This consultation is not a formal TIP amendment under the ISTEA Planning regulations but requires the consensus of members of the appropriate TCC.

The basis for selecting projects from years 2 or 3 or revising fund sources will be to first select other projects within the same TCC and, if other projects in that TCC are not ready for advancement, to expand the project selection to the DOT Region (in Region 8) and then Statewide. Projects scheduled in the first year that are deferred because of schedule delays will be moved to the revised implementation date. The NYSDOT will continue with past procedures to request FHWA to authorize all projects when they are ready to be implemented.

FTA (TITLE III) FUNDS

1. The respective Designated Recipients in the NYMTC Region are likewise authorized to select other Title III projects in years 2 and/or 3 of the approved TIP for advancement to FTA assuming that fiscal constraint is maintained and that no first year projects ready to be implemented are delayed as a result of Project Selection.

2. The Designated Recipients in the NYMTC Region are also authorized to revise fund sources of projects within the definition of fiscal constraint (including local funds).

The basis for selecting projects will be, in order of priority, other projects in the approved TIP by the same recipients, other projects in the approved TIP by other recipients and finally other projects in the approved STIP in other areas of the State.

These procedures also provide for the advancement of other Title I and Title III funded projects in years 2 and 3 of the approved TIP even when sufficient savings or deferrals cannot be identified. Similar to the requirement in item #3 for Title I funds, projects in years 2 and/or 3 can be advanced for authorization after consultation with other TCC members that identify the project or projects that would be delayed to subsequent years. Again, this would not require a formal amendment.

COUNCIL RESOLUTION #94-5

ADOPTION OF THE NEW YORK METROPOLITAN TRANSPORTATION COUNCIL PROJECT SELECTION PROCEDURE

WHEREAS, the New York Metropolitan Transportation Council (NYMTC) is designated by the Governor of New York State as the Metropolitan Planning Organization (MPO) for the Downstate New York Metropolitan Area; and

WHEREAS, in accordance with Federal Regulation Part 450, Subpart C23 CFR Chapter I and Part 613, Subpart B, 49 CFR Chapter VI, issued September 1975, which require that each MPO shall develop a transportation improvement program as a staged multi-year program of transportation improvement projects and services consistent with the long range transportation plan; and

WHEREAS, the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 specifies that the transportation improvement program shall include all projects in the metropolitan area that are proposed for funding with USC Title 23 or Federal Transit Act monies; and

WHEREAS, the Council has approved procedures by which the subregional transportation improvement programs are cooperatively developed by local, State and regional transportation, planning and environmental officials, and are endorsed by the appropriate transportation coordinating committees; and

WHEREAS, the NYMTC has been designated as a transportation management area; and

WHEREAS, ISTEA requires that the transportation improvement program and the statewide transportation improvement program be fiscally constrained by Federal Fiscal Year and by fund category and, as a result, there is a commitment to implement all projects contained in the TIP regardless of the year in which they appear; and

WHEREAS, there is a need to efficiently administer and implement the projects contained in the approved transportation improvement program, it is also recognized that the project costs shown on the program at this time are reasonable estimates which may change during the course of project development; and

WHEREAS, ISTEA now permits the management of the transportation improvement program by the establishment of agreed upon project selection procedure which will significantly reduce the administrative workload of advancing already approved projects in the program; and

WHEREAS, projects identified in the first year of the transportation improvement program have first right to funds available.

NOW THEREFORE BE IT RESOLVED, the New York Metropolitan Transportation Council hereby adopts the attached project selection procedure; and

BE IT FURTHER RESOLVED, that such procedures shall be adhered to by the MPO, the transit operators and the State when it is necessary to utilize the project selection procedure to ensure the efficient use of the available funds in the current Federal Fiscal Year for projects in the approved transportation improvement program and State transportation improvement program.

ADOPTED: September 22, 1994

MAJOR INVESTMENT STUDY PROCEDURES RESCINDED

AS OF NOVEMBER 14, 2013
(RESOLUTION 375)

NEW YORK METROPOLITAN TRANSPORTATION COUNCIL

Joel P. Ettinger
Executive Director

PROGRAM, FINANCE AND ADMINISTRATION COMMITTEE (PFAC)

RESOLUTION #375
RESCIND THE OPERATING PROCEDURES GOVERNING MAJOR INVESTMENT STUDIES

WHEREAS, the New York Metropolitan Transportation Council (NYMTC) is a regional council of governments which is the metropolitan planning organization for New York City, Long Island and the lower Hudson Valley; and

WHEREAS, NYMTC's operational relationships and procedures are defined and established in the June 1982 Memorandum of Understanding between NYMTC's members; and

WHEREAS, since 1982, the Memorandum of Understanding has been periodically supplemented by the adoption of new operating procedures in response to new or revised planning requirements promulgated through periodic federal transportation legislation; and

WHEREAS, on February 16, 1995, PFAC adopted operating procedures governing Major Metropolitan Transportation Investment Criteria and Major Investment Studies; and

WHEREAS, these procedures were adopted in compliance with metropolitan transportation planning provisions of the federal transportation legislation in place at that time: the Intermodal Surface Transportation Efficiency Act (ISTEA) which was enacted in 1991; and

WHEREAS, the federal requirement for Major Investment Studies was eliminated under the Transportation Equity Act for the 21st Century (TEA-21), which was enacted in 1998; and

WHEREAS, under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), which was enacted in 2005, two new requirements were established for major project analysis and for financial planning; and

WHEREAS, in compliance with these new requirements, on June 19, 2008, PFAC adopted operating procedures governing Major Project Analysis in Resolution #258; and

WHEREAS, these new procedures established the collaborative framework through which NYMTC and its members fulfilled the planning requirements for major project analysis and financial planning; and

WHEREAS, NYMTC wishes to streamline its procedures regarding major transportation projects as defined in 23 U.S.C. 106(h), as amended, while remaining in compliance with federal requirements; and

WHEREAS, NYMTC has completed a review of the two operating procedures governing major transportation projects; and

WHEREAS, that review has also determined that operating procedures adopted through Resolution #258 are adequate for meeting federal requirements while providing sufficient opportunity for regional collaboration with regard to major transportation projects as defined in 23 U.S.C. 106(h), as amended.

NOW, THEREFORE, BE IT RESOLVED, that PFAC hereby rescinds the operating procedures adopted on February 16, 1995, and

BE IT FURTHER RESOLVED, that, going forward, only the operating procedures adopted on June 19, 2008 through Resolution #258 will apply to major transportation projects as defined in 23 U.S.C. 106(h), as amended.

The resolution shall take effect on the fourteenth of November, two thousand thirteen.

ADOPTED: November 14, 2013

"I hereby certify that the above is a true copy of Resolution #375, Rescind the Operating Procedures Governing Major Investment Studies, and was motioned by Mr. Jack Schmidt, representing the New York City Transportation Coordinating Committee and seconded by Mr. John Pilner, representing the Mid-Hudson South Transportation Coordinating Committee. This Resolution was adopted and passed unanimously."

Ron Epstein, PFAC Chair

III. Functional Operating Procedures

CONGESTION MANAGEMENT PROCESS PROCEDURES

Adopted November 16, 2006

1. INTRODUCTION

The New York Metropolitan Transportation Council (NYMTC) is a regional council of governments which serves as the Metropolitan Planning Organization (MPO) designated by the Governor of the State of New York and certified by the Federal government for New York City, Long Island, and Lower Hudson Valley (Figure 1). NYMTC's jurisdiction includes an area of approximately 2,440 square miles with a population approaching 13 million people. The region has one of the most extensive transportation networks in the world, with 477 miles of commuter rail, 225 miles of rail rapid transit, 22,806 centerline miles of roadways, as well as several commercial airports and maritime facilities for passengers and goods.

INSERT FIGURE 1

The roadway network in the NYMTC region is vital to the movement of people and goods, and the functioning of the region's economy. Roughly seventy percent of the New York metropolitan region's 4.9 million daily commuters travel on modes that rely on the roadway network: 53% in cars, trucks, vans or taxis; 8% on buses and 8% on foot.[2] Further, nearly all freight east of the Hudson River is moved by trucks on the roadway network. However, despite its extensive multi-modal transportation system, recent studies by the Texas Institute of Transportation indicate that the New York metropolitan area experiences nearly 400 million total person-hours of delay, second in the country only to the Los Angeles metropolitan area in total delay.[3]

With a population that far exceeds the minimum threshold of 200,000 that is specified in Federal planning regulations, the NYMTC region is a federally-designated Transportation Management Area (TMA). As a TMA, NYMTC is required by Federal regulations (23 CFR 500.109) to develop and implement a regional Congestion Management Process (CMP) as an integral part of its ongoing regional planning process.

In addition, other Federal regulations (23 CFR 450.320) link air quality planning with the CMP; stating: "In TMAs designated as non-attainment for ozone or carbon monoxide, Federal funds may not be programmed for any project that will result in a significant increase in carrying capacity for single occupancy vehicles…unless the project results from a Congestion Management Process."

Although Federal transportation legislation has mandated the assessment and management of available roadway capacity through a CMP in TMAs before new roadway capacity can be added to the network, MPOs are given a good deal of flexibility in establishing their CMP procedures. Hence each MPO has customized their approach to their CMP. This document explains the procedures that NYMTC utilizes in implementing its CMP. The procedures

[2] The 70% figure includes 0.4% who bicycle to work. The 30% who use off-street modalities include 25% who take the subway, 4% who ride commuter rail, and 0.2% who take ferries (numbers do not add up due to rounding). U.S. Census Bureau, Census 2000 Summary File 3

[3] Federal Regulation. CMS section 500:109

explained here are intended to integrate the CMP into NYMTC's existing planning activities. This document also describes additional data needs and performance measures that might be considered for inclusion in the CMP in the future. The NYMTC's CMP provides the means to measure current and forecasted roadway congestion conditions and provides the tools to identify and evaluate strategies to address regional congestion problems.

2. WHAT IS A CMP?

The Federal Highway Administration (FHWA) defines roadway congestion in the following manner:

> *Congestion is the level at which transportation system performance is no longer acceptable due to traffic interference. The level of system performance deemed acceptable by State and local officials may vary by type of transportation facility, geographic location (metropolitan area or subarea, rural area) and/or time of day."*

The CMP is a systematic planning process for measuring, reporting and managing roadway congestion on a region-wide basis. As defined in Federal regulation, "an effective CMP is a systematic process for managing congestion that provides information on system performance and on alternative strategies for alleviating congestion and enhancing the mobility of persons and goods to levels that meet State and local need." A region which is a TMA must establish a viable CMP before Federal funds can be used to increase the Single Occupancy Vehicle (SOV) capacity of the roadway system.

A CMP is one component of a larger regional planning process, and it is important to describe its role within the overall system. A well-defined CMP is not a replacement for existing planning procedures, and congestion is not the only factor under consideration when planning the priority of transportation improvements. The proper role of the CMP is as a specific element that adds value to the planning process by providing agencies, the public and decision-makers with a tool by which congestion can be examined in greater detail and more effectively addressed.

Since NYMTC's region is a TMA which does not currently attain specific air quality standards, additional Federal requirements may apply to the CMP, including:

- All reasonable, multi-modal Transportation Demand Management (TDM)/Operations and Supply Management (OSM) strategies must be analyzed in corridors where roadway capacity increase is proposed.

- If the analysis demonstrates that the TDM/OSM strategies cannot offset the need for additional capacity, the CMP shall identify all reasonable strategies for managing the SOV facility effectively.

- All TDM/OSM strategies identified in the CMP shall be incorporated into SOV projects or committed to by the State and the MPO.

- Federal funds may not be programmed in a non-attainment TMA for any roadway or SOV project unless based on an approved CMP.

The FHWA recommends the following seven key components for an effective CMP:

1) *Area of Application* – the CMP must cover a well-defined area

2) *System Definition* – the CMP must define the transportation network that will be analyzed.

3) *Performance Measures* – the CMP must define the metrics by which it will measure congestion (for example, vehicle hours of delay or average speed)

4) *Performance Monitoring Plan* – there must be a regularly scheduled plan for examining the transportation network and evaluating the status of congestion

5) *Identification and Evaluation of Strategies* – there must be a systematic program, or toolbox, for selecting congestion mitigation strategies and evaluating potential benefits.

6) *Monitoring Strategy Effectiveness* – the strategies must be monitored to assure positive benefits

7) *Implementation and Management* – there must be a plan for implementing the CMP as part of the regional transportation planning process.

As shown both in this document and in the NYMTC's 2005 CMS Status Report, NYMTC's CMP includes all of these critical elements.

3. GOALS AND COMPONENTS OF THE CMP

NYMTC's CMP is a systematic process for planning to address regional congestion by exploring the basic questions of where, when, and to what extent congestion occurs. The CMP also identifies and evaluates strategies that can be considered by NYMTC's members for reducing and managing congestion.

The overall goal of the CMP is to reduce growth of future SOV trips, particularly during peak travel periods. Consistent with the goals of NYMTC's 2005-2030 Regional Transportation Plan, the CMP is intended to:

- Improve the mobility of people and goods by reducing vehicle hours of delay and person hours of delay;

- Improve the reliability and convenience of the transportation system, ensuring ease of use, acceptable travel times and reasonable costs;

- Manage the transportation system efficiently to accommodate existing and anticipated demand for movement of people and goods; and,

- Provide information on system performance and alternative strategies for alleviating congestion.

In order to accomplish these goals, NYMTC's CMP has been designed to provide:

- Performance measures for measuring regional levels of delay and congestion;
- A database for measuring changes in the regional traffic conditions;
- Computerized highway and transit networks that can be used for simulating regional travel patterns, for estimating regional congestion, and for displaying the results on Geographic Information System (GIS) maps;
- A status report on congestion in the region that is provided as part of the update of the NYMTC's Regional Transportation Plan;
- Forecasts of future congestion levels based upon the latest regional population and employment forecasts;
- Procedures for evaluating, at a regional level, strategies for reducing and managing congestion; and
- Procedures for assessing the most effective strategies through NYMTC's Unified Planning Work Program and advancing them to implementation via the Transportation Improvement Program.

As explained in the following sections, the CMP has been designed to make use of the Best Practice Model (BPM), NYMTC's transportation simulation model, for traffic and delay simulations, and to integrate the findings of the CMP into NYMTC's metropolitan transportation planning process.

4. RELATIONSHIP OF CMP TO THE PLANNING PROCESS

The CMP procedures closely integrate the CMP with the metropolitan transportation planning process, as illustrated in Figure 2. The CMP is integrated into the planning process as part of the development of the following regional planning and programming documents:

- The Regional Transportation Plan (Plan) – which defines the region's transportation needs and lays out a long range planning framework for improving the transportation system over a minimum of a twenty-year period
- The Transportation Improvement Program (TIP) – which is a five year program of all proposed federally funded transportation projects in the NYMTC region, and
- The Unified Planning Work Program (Work Program) – which defines NYMTC's short term (1-2 years) planning priorities

As shown in Figure 2, the CMP involves the direct participation of NYMTC's member agencies. At the regional level, the BPM is used as the principal tool for estimating the extent of existing congestion, forecasting the level of future congestion, and evaluating mitigation strategies within the CMP. At the project level, other appropriate planning tools are also

utilized to meet CMP requirements. The CMP utilizes a series of analytical tools, consisting of the BPM, the Post Processor for Air Quality (PPAQ), the Post Processor for Congestion Management Processes (PPCMP), and the Performance Queries for Surface Transportation (PEQUEST) to forecast and analyze travel in the NYMTC region. Those projects or programs that cannot be evaluated using the BPM are assessed with other techniques to estimate their effect on congestion; these are known as "off-model" analyses and are used for projects such as programs to increase telecommuting. The modeling process applied to the CMP is described in more detail in Section 6.

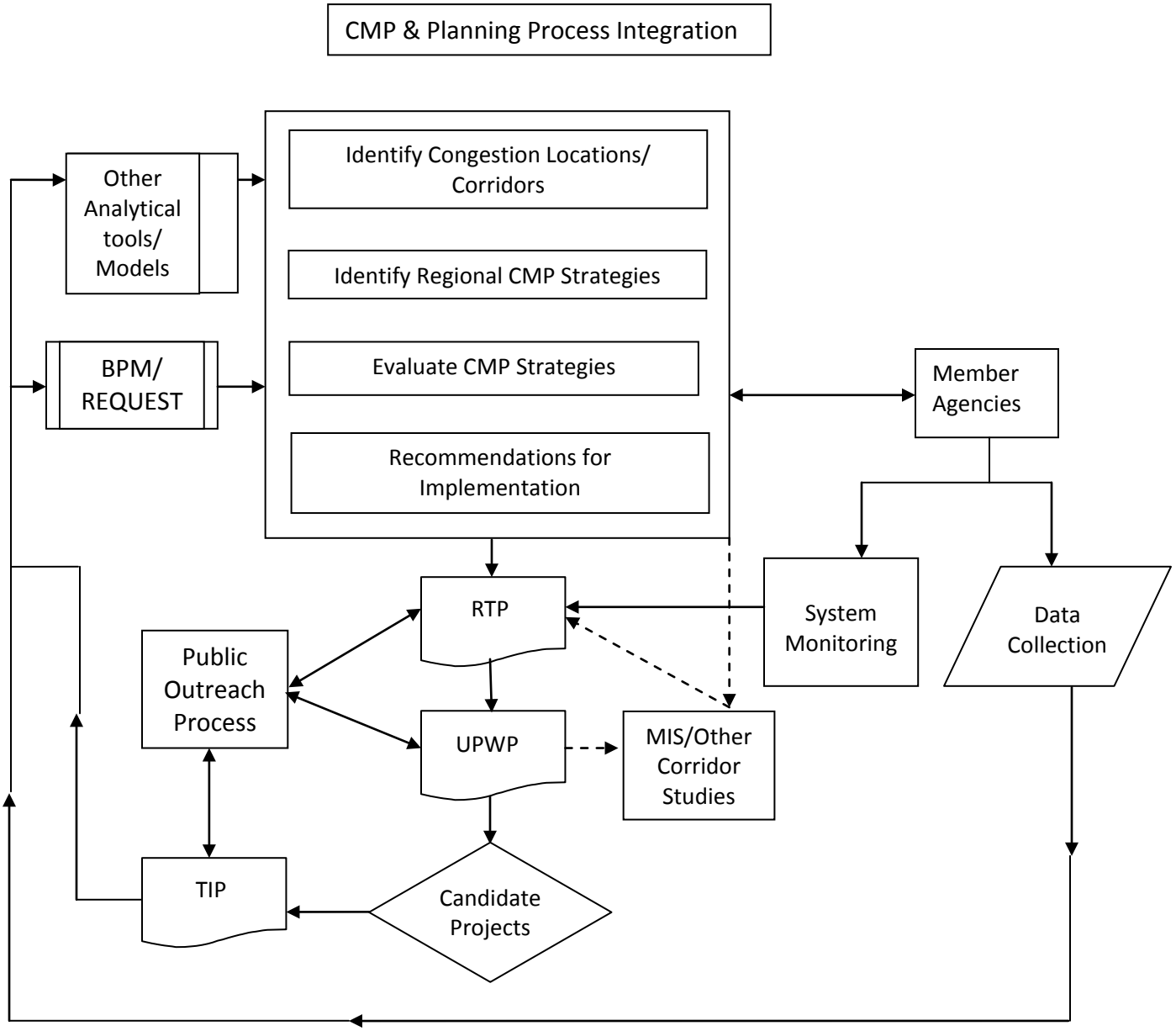
For selected congestion locations, the CMP provides a toolbox of strategies to address congestion for consideration by the member agencies. The member agencies propose mitigation projects utilizing the feasible strategies identified through the CMP. This process is repeated every planning cycle, or as needed by the members. Thus, it is both an interactive and iterative process.

System monitoring and data collection are also critical elements of the integration of CMP into NYMTC's overall planning process. Monitoring and data collection efforts provide feedback on the effectiveness of strategies at various levels, which ultimately influences regional policy, planning, and programming of projects for addressing congestion.

The CMP can also influence the development of major project analyses and corridor or area-wide studies in two ways. First, it provides system performance information which may be used to identify corridors or segments for detailed analysis. Second, the CMP toolbox identifies alternative congestion management strategies for consideration in studies of this type, which ultimately define transportation improvements. When traffic congestion is referenced in the Purpose and Need statement of a study, the study should consider congestion management strategies included in the CMP as a starting point for the development of alternative strategies.

This does not preclude the study from considering other strategies that may not be in the CMP, nor does it require that the study select a strategy from the CMP as the preferred alternative.

Figure 2


CMP & Planning Process Integration
Other Analytical tools/ Models
BPM/ REQUEST
Identify Congestion Locations/ Corridors
Identify Regional CMP Strategies
Evaluate CMP Strategies
Recommendations for Implementation
Member Agencies
System Monitoring
Data Collection
RTP
Public Outreach Process
UPWP
MIS/Other Corridor Studies
TIP
Candidate Projects

5. PERFORMANCE MEASURES

Performance measures are the foundation stones of a CMP. They are established to quantify levels of congestion and to provide analytical framework by which congestion trends can be determined. Transportation system performance is a subjective as well as objective concept, so it is essential that it is measured and presented in a way that the public can readily understand.

The basic criteria for CMP performance measures were outlined in FHWA's 1990 National Urban Congestion Management Report (Pisarski, 1990). The report suggests that congestion measures should be:

- Credible, and intuitively accepted as a reasonable expression of the problem,
- Easily defined; to permit uniform interpretation,
- Feasible to collect, within the reasonable range of activities of the participating agencies, and
- Cost and labor sensitive, reflecting the realities of the skills and resources available to the MPO and participating agencies.

Table 1 illustrates typical performance measures used in CMP evaluation along with a brief description of the data required.

Selected Performance Measures

The following eight performance measures are utilized by NYMTC in its CMP. These performance measures can be calculated from available data already calculated in the planning process, therefore eliminating the expense of collecting new data. These measures will provide a wide assessment of the key components of congestion:

Primary Performance Measures:

I. Demand-to-Capacity (D/C) Ratio is a measure that reflects the level of mobility and the quality of travel of a roadway facility or a section of a roadway facility. It compares the roadway capacity with the number of vehicles that desire to travel past a point during a specified period. The capacity of a roadway segment is defined as the theoretical maximum volume that can be processed by that segment during a specified time period. Capacity is a function of several factors including number of lanes and lane width, signalization, parking characteristics, geometric characteristics, terrain, etc.

TABLE 1

PERFORMANCE MEASURES & DATA SPECIFICATIONS

Performance Measures	**Data Specifications**
Demand/Capacity Ratio	Estimated Trip demand based on Travel Demand Model, Socio-economic data, Roadway Capacity
Volume/Capacity Ratio	AADT, Roadway Geometry
Level of Service	Peak Hour Volume, Length of Roadway
Vehicle Hours-Delay	Length of Roadway, Peak Hour Average Speed
Person Hours-Delay	Vehicle Occupancy, Peak Hour Average Speed, Length of Roadway
Travel Time Index/Rate	Free flow Travel Time, Peak Period Travel Time, Roadway Length, Free Flow Speed, Congested Speed
Vehicle Density/Lane Miles of Congestion	Roadway Capacity, Roadway Volume, Roadway Length
Highway Mobility Index	Roadway Length, Free Flow Travel Speed, Peak Hour Travel Speed, Vehicle Delay
% Travel Time in Congestion/Atypical Congestion	Free Flow Travel Time, Actual Travel Time
Accessibility Index	Percentage of population within x minutes of y percent of employment sites
Travel Speed	Free Flow Travel Speed, Peak Hour Travel Speed, Roadway Length
PMT by Speed	Peak Hour Volume, Length of Roadway, Vehicle Occupancy, Free Flow Travel Speed, Peak Hour Travel Speed
Vehicle Miles Traveled	Peak Hour Volume, Length of Roadways
Vehicle Hours Traveled	Peak Hour Volume, Length of Roadways, Average Peak Hour Speed
Person Miles Traveled	Vehicle Occupancy, Length of Roadways, Peak Hour Volume
Person Hours Traveled	Vehicle Occupancy, Peak Hour Volume, Length of Roadways, Average Peak Hour Speed
Transit Mobility Index/Transit System Measures	Transit System Breakdown, Transit Utilization Rate, Transit Capacity
Walk/Bike Mobility Index	Inventory of Bicycle and Pedestrian Facility
Average Vehicle Occupancy	Vehicle Occupancy, Roadway Length, Peak Hour Volume
Intermodality Index/Mode Shares	Park & Ride Capacity, Transit Lots Capacity
Freight Delay (Truck & Rail)	Freight System Breakdown, Freight System Capacity, Freight System Roadway Length, Free Flow Travel Speed, Peak Hour Travel Speed
Incident Measures Environmental Measures	Roadway Congestion due to Incidents, Incidents types, Emission Density, Length of Roadway
Excess Fuel Consumption	Free Flow Vehicle Fuel Usage, Peak Hour Vehicle Fuel Usage
Safety/Accidents (Property Damage/Injuries/Fatalities)	Peak Hour Recorded Number of Accidents, Length of Roadway, Type of Accident
Economic Development	Jobs Created, New Housing Starts, Economic Cost of Lost Travel Time

It should be noted that the D/C ratio is different from the Volume-to-Capacity (V/C) ratio which is typically used in a CMP. The volume on a roadway is the total number of vehicles, including passenger vehicles, trucks and buses, using that facility during a particular time period. Existing volumes can be determined by conducting manual and automated traffic counts. However, under saturated flow conditions (i.e., severe congestion and stop-and-go traffic), when volumes are at or exceeding the theoretical capacity of the roadway, field counts do not reflect the actual trip demand and do not provide reliable information about the intensity of congestion. Because actual demand could be higher than the traffic volume being processed under these conditions, the D/C ratio is the better statistic to be used to define congestion, since it allows estimation of congestion based on travel demand.

By definition, a roadway where the demand is at or near capacity is considered to be congested. Typically, a D/C ratio of 0.8 (i.e., 80% of the roadway's capacity) can be considered the start of moderate congestion. As the D/C ratio approaches 1.0, the segment will experience severe congestion conditions resulting in significant delays.

PEQUEST calculates D/C ratios and speeds by first determining the vehicle-moving capacity of a roadway link using *Highway Capacity Manual* standards, based on facility type, area type and number of lanes. The forecasted demand from the BPM adjusted to reflect time of day variation, is loaded onto the link, and an initial D/C ratio is calculated. If control devices such as traffic signals are present, supplemental analysis is performed using the signalized and unsignalized intersection procedures from the *Highway Capacity Manual*. If the D/C ratio is greater than approximately 1.2 for a specified hour, PEQUEST also employs an algorithm to distribute trips to "shoulder hours" before or after the peak travel hour. Speeds are then calculated using the D/C ratios and other link attributes.

PEQUEST utilizes a complex technique to calculate the average D/C ratios for roadway links over a four-hour 6 a.m. - 10 a.m. weekday peak period. This process is controlled by four factors: the link D/C threshold, the intersection D/C threshold, the peak period width, and the disposition of over-capacity demand.

Performance Measure: D/C ratio for the 6 a.m. – 10 a.m. weekday period

Data Required:

Peak period traffic counts
Length of Roadway
Location of roadway segment (to and from)
Number of lanes in each direction
Lane capacity for vehicles and total capacity of vehicles per hour

Performance Standard:

D/C Ratio	Congestion Level
< 0.8	Uncongested
0.8 – 1.0	Congested
>1.0	Severely Congested

II. Vehicle Hours of Delay (VHD) is a common measure of congestion on roadways. VHD is the sum total of delay experienced by all vehicles on the network. Delay can be thought of as the difference between estimated actual travel speed and free flow travel speed (i.e., travel speed in the absence of congestion), and is therefore a measure that is readily understood by the traveling public.

Performance Measures: Total VHD for the 6 a.m. – 10 a.m. weekday period

Data Required:

Length of roadways
Free flow speed on roadways
Average speed on each of the roadways during the peak period
Posted speed limits on roadways

Performance Standard:

VHD is calculated on a county-wide or borough-wide basis, summed for all roadway links of each facility type

III. Person Hours of Delay (PHD) is calculated by multiplying VHD by the average vehicle occupancy rate (rates of 1.48 was used for New York City, 1.75 for Nassau and Suffolk counties; and 1.44 for Westchester, Rockland, and Putnam counties) in order to estimate the delay experienced by individual people.

Performance Measure: Total PHD for the 6 a.m. – 10 a.m. weekday period

Data Required:

Length of roadways
Free flow speed on roadways
Average speed on each of the roadways during the peak hour
Average auto occupancy by roadway by county

Performance Standard:

PHD is calculated on a county-wide or borough-wide basis, summed for all links of each facility type for the 6 a.m. – 10 a.m. weekday period. PHD is currently calculated by using county-level occupancy factors developed from the vehicle occupancy survey conducted by National Household Travel Survey conducted by U.S. Department of Energy in 2001. These factors are an average for the entire day; in future reports this will be replaced by specific peak-period factors once this data becomes available.

Secondary Performance Measures:

I. **Vehicle Miles Traveled (VMT)** is the sum of distances traveled by all motor vehicles in a specified region. The BPM is used to generate estimates of the average trip lengths for vehicles in the region. The average trip length measure can then be used in estimating vehicle miles of travel, which in turn is used in estimating gasoline usage or mobile source emissions of air pollutants.

II. **Average Travel Speed** is the calculation of a weighted average of speed. The average speed for each element of the road system is multiplied by the amount of travel on that system. Using the amount of travel as a weighting factor provides a way to get an average "system experience" of travelers for each portion of the road system. This fundamental concept is used in the Urban Mobility Study methodology. The average speed is calculated by the following formula:

$$\text{Average Speed (mph)} = \frac{\text{Average Freeway Speed} \times \text{Freeway VMT} \div \text{Average Arterial Speed} \times \text{Arterial VMT}}{\text{Freeway VMT} \div \text{Arterial VMT}}$$

III. **Lane-Miles of Congestion** is a measure that reflects the level of mobility provided by a roadway or a section of a roadway. It indicates the road space that functions at less than free-flow speeds during the peak. It compares actual roadway volume with maximum acceptable volume for that roadway. A roadway is defined as congested if the annual average daily traffic (AADT) volume is equal to or greater than 85 percent of the maximum acceptable volume for that roadway.

IV. **Travel Time Index (TTI)** is the ratio of peak period to free-flow travel times, considering only recurring delays. For example, a TTI of 1.5 for a specific route indicates that if the free-flow time on that route is 30 minutes, the travel time during peak congestion is 45 minutes.

6. Measuring and Forecasting Congestion

NYMTC's modeling tools used to measure current and future congestion in the region include a regional network-based simulation model, the BPM, and three post processors for congestion analysis: PPAQ, PPCMP, and PEQUEST. The application of these models in the CMP is described below.

- ***The Best Practice Model (BPM)***

The BPM is a network-based transportation simulation model. It covers 28 contiguous counties in the New York – New Jersey – Connecticut metropolitan area. It is comprised of a set of journey-based travel demand forecasting models. The BPM uses GIS-based highway and transit networks to simulate the transportation system. The highway network has 53,000 roadway links containing all minor arterial roadways and those of higher classifications. The transit network contains 2,756 route variations coded that encompass commuter rail, subway, express bus, local bus and ferry routes. The region simulated in the BPM is divided into 3,586 transportation analyses zones.

A large amount of data was collected to develop the base year BPM, including:

- NYMTC Household Interview Survey, which is a 24-hour activity based survey for 11,000 households in the region,
- Population, Household, and Employment data by the Transportation Analyses Zones,
- Traffic counts from over 2,200 locations,
- Transit ridership data on all transit services in the region, and
- Travel time data.

The BPM first generates total number of trips that are produced by and attracted to each transportation analysis zone based on the socio-economic characteristics of each household in the zone and employment opportunities in the zone. Then the trips are fed into the mode choice/destination models that produce trips for each origin/destination pair of transportation analysis zone by travel mode, trip purpose, and time of day. The trips are then assigned to the highway network to produce estimates of traffic flow and roadway link-level delays.

- ***Post Processors***

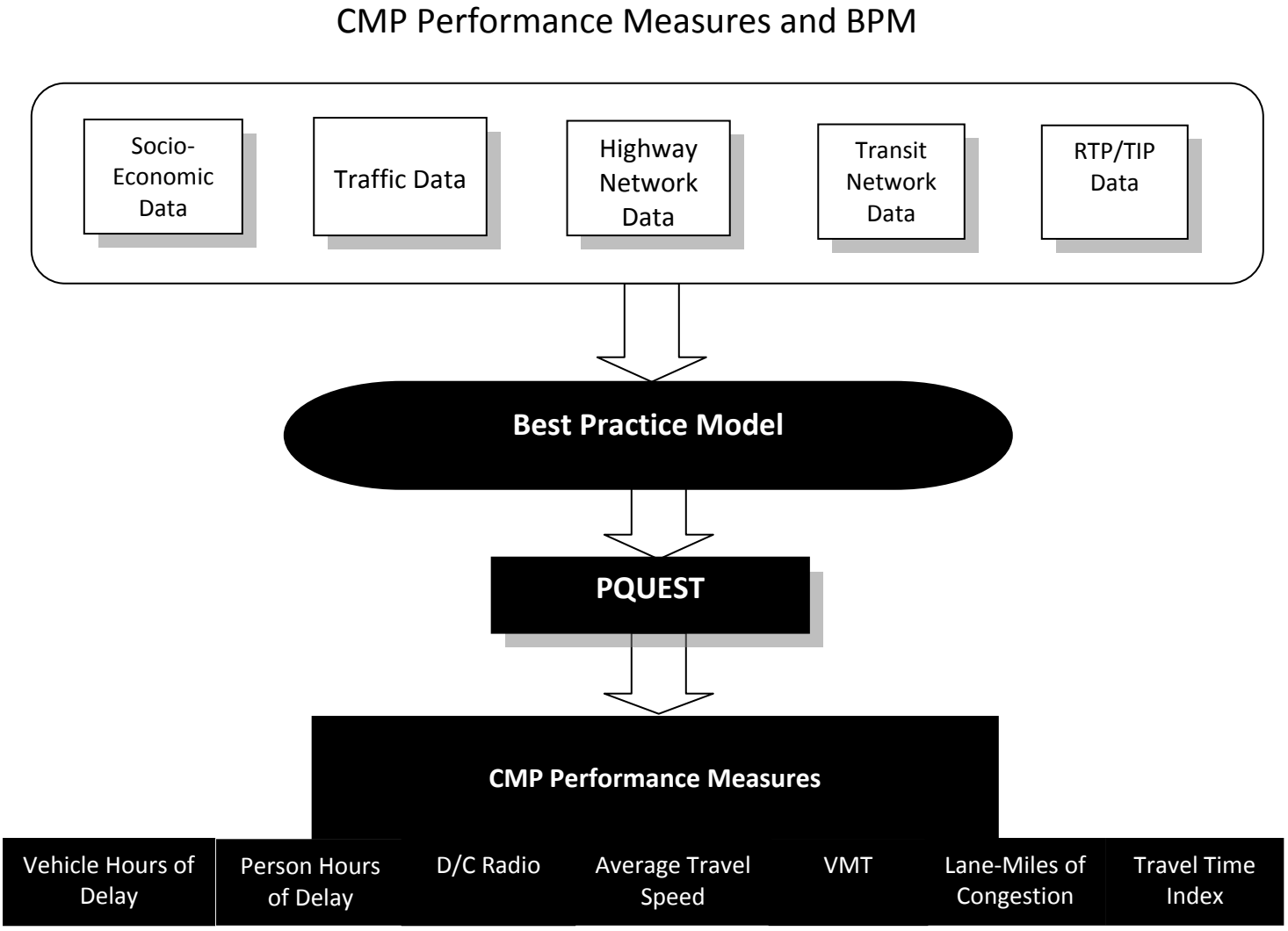
The post processors (PPAQ, PPCMP and PEQUEST) are flexible software systems used to further process trip information generated by the BPM and calculate congestion, emissions of various pollutants and system performance reporting capabilities for both general operational analysis and for emissions analysis. These systems provide an effective means of analyzing improvements to the transportation system and their impacts on congestion that can not be accurately represented in the BPM.

The Transportation Simulation Modeling Process

The modeling process begins by running highway assignments with the Best Practice Model to produce output that include initial speeds, volumes, and other data. These data serve as the primary input into the post processors, which adjusts the initial volumes and speeds calculated by the BPM to account for the impacts of traffic signals and other adjustments. They then use the congested speeds and delays to determine the amount of person travel for each roadway link and to estimate the amount of non-recurring congestion that occurs. Non-recurring congestion includes delays due to accidents or other incidents, and is a major contributor to delay, impacting congested speeds and air pollution. By including these delays in the speed calculations, the post processors allow for more accurate representation of the transportation system and provide the opportunity to analyze transportation improvement projects that might impact incident response times in the future. The final step in the process is to calculate Level of Service (LOS) and other performance measures and to generate reports summarizing the network performance measures.

The overall process for generating and evaluating CMP performance measures using the BPM and PEQUEST is shown in Figure 3.

FIGURE 3


CMP Performance Measures and BPM
Socio-Economic Data
Traffic Data
Highway Network Data
Transit Network Data
RTP/TIP Data
Best Practice Model
PQUEST
CMP Performance Measures
Vehicle Hours of Delay
Person Hours of Delay
D/C Radio
Average Travel Speed
VMT
Lane-Miles of Congestion
Travel Time Index

7. Required Data

NYMTC's CMP is built upon large databases that describe the region, its socioeconomic/demographic patterns, its travel patterns, and its transportation system, both currently and in the future.

A. Regional Travel Patterns

Travel patterns in the NYMTC region are always changing. While this usually means that vehicular volumes are growing, growth rates can vary by location and time of day. To monitor these changing conditions, vehicular counts are collected for roadway links represented in the BPM on a three year cycle.

- **Traffic Counts** - Traffic counts are needed to monitor the changes in vehicular volume over time and to recalibrate the BPM traffic assignments. Counts are taken at over 2,200 locations around the NYMTC 10-county region. Traffic counts are compared to the modeled vehicular volumes for all links on that same border to determine if the modeled volumes are reasonable. The collection of traffic data is organized and standardized by NYMTC's measures. Counts are conducted for a minimum of 72 hours, to assure adequate statistical sampling.

- **Vehicle Occupancy Rates** – Vehicle Occupancy Rates are used to calculate Person Hours of Delay. This data will primarily be collected for major arterials and will include statistical sampling of vehicle occupancy rates during peak and off peak periods in addition to daily rates.

- **Vehicle Speed** – Actual vehicular speeds are sampled along the major corridors. This data is used to calibrate the BPM speed estimates. Sampling is conducted on 26 routes over 5 time periods (AM, Midday, PM, Evening, and Night). In the future, NYMTC will supplement these data using the TRANSMIT project on a regular basis to calibrate and update the BPM every three years. NYMTC and its member agencies may also utilize speed data collected by Traffic Management Centers through ITS equipments/sensors and also collect speed data using GPS based equipments on arterials not covered by ITS system to supplement ITS data.

- **Transit Services** – Transit service data is needed to recalibrate the BPM making sure the model's multi-modal choice models are still adequate. This data is stored in GIS files attached to the BPM transit networks. A plan will be developed to collect the transit data from all private and public operators. Examples of data items include:

    - Routes or line changes

    - Schedules

- Station and stop boarding/alighting counts,
- Line ridership reports, and
- Estimates of dwell time at high volume stations or bus stops.

Any data available in regular reporting mechanisms (such as the FTA Section 15 Reports) will also be used to achieve proper ongoing data coverage for CMP analysis.

- **Commodity Flows** – Data will be describing the flow of freight in the region. While the focus of the CMP will primarily be truck movements, the overall freight database will also include commodity-flow data. The BPM also produces a truck and commercial vehicle trip table, which distributes trips from each origin to all the destinations in the 28 counties of New York, New Jersey, and Connecticut. As more data becomes available, the models will be enhanced so that truck delays can be estimated and forecasted in the future.

B. Regional Transportation Network

The regions' highways and transit networks are represented in the BPM and must also be maintained to accurately represent the current and future transportation system.

- **Highway Network** - the BPM highway network is GIS-based and includes all minor arterials and higher classifications of roadway facilities. There are about 53,000 links in the highway network and 3,600 transportation analysis zones (TAZs). The network links include attributes such as number of lanes, functional class, capacity, free flow speeds, high-occupancy vehicle lanes, tolls, signals per mile, and parking restrictions by time of the day. Truck routes are also coded in the network. The networks will be maintained to reflect the accuracy of the physical attributes of the actual network.

- **Transit Network** – the BPM transit networks cover 28 counties in the tri-state region. The transit networks include all modes: commuter rail, subway, bus (local, limited and express) and ferry routes. There are 2,756 transit routes coded in the network, representing services provided by both the private and public operators. For each route, information on the number of stops or stations, service frequency, travel times, and access limitations are stored in the GIS database. The transit network also contains data on park-and-ride access to transit.

C. Regional Socio-Economic/Demographic Patterns

The BPM assigns trips to the highway and transit network based on 3,600 TAZs which simulate the generation and attraction of travel across the region. Socio-economic and geographical data are used to accurately calculate these TAZs.

- **Current Conditions** – NYMTC collects and maintains a large amount of socio-economic data (SED) for thirty one counties in and around the NYMTC region. The SED is disaggregated by TAZs and is an important input to the BPM. The data collected includes:

- Total population,
- Population in group quarters,
- K-12 enrollment,
- Housing units by type (single family and multifamily),
- Households,
- Average household size,
- Employment by industry,
- Earnings (annual average wages) by industry,
- Floor space (residential and non residential),
- Primary employment by land use, and
- Household income

NYMTC also produces SED forecasts by TAZ at five-year intervals up to the horizon year of the Regional Transportation Plan. Future development patterns are also estimated in the form of future employment and labor force forecasts. This data is used as an input to the BPM to forecast future travel patterns and to develop estimates for future congestion.

D. Estimating Current and Future Delay

NYMTC estimates current and future vehicle- and person-hours of delay as part of the periodic update of the Regional Transportation Plan.

Current Congestion and Delay

Current traffic conditions are estimated using collected data combined with modeling techniques. As mentioned in Section 4, traffic counts and speed data are collected at about 2,200 locations around the region. This data, which is updated every three years at each location, is used to calibrate the BPM traffic assignments. Region-wide traffic assignments are then generated with the BPM, reflecting actual changes in traffic since the preceding analysis. The assigned volumes are then post processed to estimate the measures of delay – both link-level and county-wide.

This data is used in several ways. Link-level delays, measured as D/C ratio, are shown in GIS maps and used in public workshops to generate public discussion about congestion in each of the ten counties in the NYMTC region. Also, area-wide congestion and delays are estimated and analyzed at the county level, using the performance measures described later in this

document. The county-level analysis estimates the changes in delay and congestion since the last planning cycle. This information is an important consideration in the development of the Regional Transportation Plan, especially in the development of projects and strategies that are included in the Plan's recommendations.

Future Congestion and Delay

Forecasts of future congestion and related delay are an important part of NYMTC's CMP. NYMTC's BPM will develop these forecasts, which will also be done every four years as part of the update of the Regional Transportation Plan. The forecasts of future congestion and delay will become part of the statement of future conditions to be addressed by the Plan.

The primary input into the forecasts will be NYMTC's adopted socio-economic forecasts, which include population, employment and income. The BPM uses these inputs to forecast future trips. The BPM generates future trip tables, does a mode-split estimation, and then assigns trips to the future network, creating link-level travel demand. These results are then post-processed to estimate delay on routes in the network and to identify congested roadways.

Other BPM outputs such as speeds and traffic volumes are used to calculate other performance measures. Taken together, these results give NYMTC's members the tools necessary to determine if the investments identified in the Plan can produce the desired future results. The BPM's GIS component displays the results of the assessment of current and future congestion on maps for public review and for analysis by the staff of NYMTC and its member agencies.

8. Identifying Locations for Analysis and Developing Approaches to Congestion Management

NYMTC's CMP identifies congested links in the highway network according to specified criteria based primarily on D/C ratio as calculated through the BPM. Congestion is currently categorized for the CMP on the basis of the following parameters using the average of a four-hour weekday morning period for current and future conditions:

- D/C<0.8 is considered *uncongested*
- D/C>0.8 and <1.0 is considered *congested*
- D/C>1.0 is considered *severely congested*

For identification of the congested locations, an average D/C ratio for a four hour peak period is used, as opposed to an absolute peak hour. This approach takes into account both intensity and duration of congestion to identify congested links, as required by Federal regulation. Prioritizing congested locations for more detailed study can be accomplished through the use of additional performance measures such as vehicle hours of delay and/or person hours of delay, as well as other factors such as safety and operational issues related to the location.

Once areas of congestion have been selected for further analysis, CMP strategies should be evaluated for their feasibility for mitigating the congestion. In general, the strategies are prioritized according to the following hierarchy:

- Actions that decrease travel demand;

- Actions that alter travel demand by shifting automobile trips into transit, ridesharing or non-auto modes;

- Actions that improve the operation of the roadway system; and

- Actions that increase the capacity of the roadway system by increasing transit services or adding travel lanes.

The goal of the CMP is primarily to reduce future vehicle trips as a means of reducing congestion. Adding roadway capacity to accommodate demand for more vehicle trips can be considered only when congestion cannot be effectively managed through vehicle trip reduction.

A CMP "toolbox" which contains potential approaches to congestion mitigation is attached to this report as Appendix A. These approaches are divided into the eight categories shown below. For each of the eight categories, three to six options are provided, along with their potential benefits, estimated cost and anticipated time frame. When confronted with a congestion issue, each toolbox approach should be considered in turn and an initial evaluation made as to the appropriateness of the related option. The eight categories of approaches are:

- Roadway system improvements that reduce vehicular demand by increasing use of shared-ride modes (including premium treatments such as adding special use lanes for high-occupancy vehicles and transit);

- Transit service improvements and incentives (including transit fare incentive programs) where appropriate;

- Pedestrian and bicycle system improvements;

- Transportation Demand Management strategies to increase and facilitate various forms of ridesharing and trip reduction;

- Intelligent Transportation System and Transportation Supply Management strategies (including traveler information and signal coordination);

- Access management strategies (including driveway consolidation frontage roads);

- Land development strategies (including transit-oriented and pedestrian-oriented development); and

- Parking management strategies (including premium or free parking at the trip destination for those who rideshare and parking pricing.

9. Defining and Evaluating Conceptual Congestion Management Approaches

The final aspect of NYMTC's CMP is the evaluation of potential approaches to congestion management. Many of these strategies will be defined conceptually during preparation of the Regional Transportation Plan while others will emerge during detailed feasibility, subarea, or congestion management studies which focus on congestion identified in the Plan.

As stated above, the BPM output illustrates locations where congestion thresholds are exceeded on roadway facilities throughout the region. NYMTC's member agencies, with input from the public, will consider and propose conceptual approaches where feasible to manage congestion in problem areas identified through this analysis. Potential conceptual approaches will then be further defined and evaluated through specific planning studies or analyses.

The NYMTC member agencies will take the lead in evaluating the impacts of conceptual approaches to congestion. NYMTC's BPM is the primary tool for analyzing the regional effectiveness of the approaches. Other analysis packages may be employed to evaluate more localized congestion impacts, but they will all use the underlying assumptions and inputs of the BPM as a platform.

10. Implementation and Monitoring of Congestion Management Approaches

Through the regular update of the Regional Transportation Plan and follow on planning studies, the CMP will identify feasible congestion management improvements and then the other components of NYMTC's planning process will be employed to move selected improvements to implementation.

For example, once specific improvements have been defined, they can be considered for inclusion in the Transportation Improvement Program, or TIP. NYMTC's TIP is updated every two years and amended as needed. The TIP enables improvement projects of all types to receive Federal funds for implementation. As CMP-related improvements are implemented, their impacts on congestion will be accounted for in congestion forecasts undertaken in the on-going planning process. On a region-wide basis, the effectiveness of implemented strategies will be incorporated into the subsequent update through the monitoring and reporting of the performance measures. Section 5 of this document describes the types of performance measures that are typically assessed to monitor the effectiveness of CMP strategies. In conjunction with updates of the Plan, overall system performance will also be reported periodically in the CMP Status Report.

11. Corridor or Subarea Congestion Management Studies

Corridor or subarea Congestion Management (CM) studies will be conducted by the agency with jurisdiction over the roadway segments in question. The studies will define the scope of CMP-related improvements that may be needed, in roadway capacity in response to current or future congestion problems identified in the Regional Transportation Plan. The agency with jurisdiction over the roadway segment(s) under study will be the lead agency in the CM study and responsible for study management and financing.

- ***Congestion Management Studies as Part of the Regional Planning Process*** – when the RTP and/or CMP Status Report identifies specific congestion problems, the NYMTC member with jurisdiction over the roadway segment(s) in question may choose to undertake a CM study to identify the most effective improvements for mitigating the congestion. The CM study will evaluate a full range of options, including additions to roadway capacity; operational improvements to more effectively manage the existing capacity; new or improved transit services, and demand management strategies. The selected improvements could then be added to NYMTC's TIP for implementation.

- ***Congestion Management Studies in Response to Added SOV Highway Capacity*** – in a transportation management area, Federal regulations require a CM study whenever the addition of new SOV (Single Occupant Vehicle) roadway capacity is considered. In this situation, the CM study must be completed by the agency which has jurisdiction over the roadway segment(s) in question before the project is included in the TIP. The CM study must: 1) demonstrate that travel demand reduction and operational management strategies cannot fully satisfy the need for additional capacity in the project corridor and that additional SOV capacity is warranted; 2) must identify all reasonable strategies to manage the SOV facility effectively (or to facilitate its management in the future) that will maintain the functional integrity of the lane or lanes; and 3) include other highway-based travel demand reduction and operational management strategies appropriate for the corridor, but not appropriate for incorporation into the SOV facility itself. In accordance with Federal requirements, all travel demand reduction and operational management strategies that have been identified and deemed feasible will be incorporated into the SOV capacity expansion project or committed to by the State and NYMTC for implementation.

CM studies are a subset of the Federal CMP requirements. They must identify and evaluate the anticipated performance and expected benefits of appropriate congestion management strategies. The goal of these strategies is to contribute to the more efficient use of existing and future transportation systems based on the NYMTC region established CMP performance measures. CM studies may be included within other studies, including subarea or corridor planning studies, major project analyses and environmental impact analyses.

In the NYMTC region, CM studies will be conducted in response to congestion problems identified in the Regional Transportation Plan and subsequent planning process. Any highway project included in the regional planning process which meets the criteria described above, whether or not Federal funding is utilized, could include a CM study-type analysis. However, a CM study is not required for pure state-of-good-repair or maintenance projects. It is also not required for a project considering additions to linear roadway capacity if less than one mile in length. Although a CM study can be performed at any stage of the planning process but prior to inclusion of the project in the TIP, it is recommended that it be performed as early as possible in order to support the project planning process.

CM studies should include the following elements:

1) A statement of the ultimate objectives of the CM study and a description of the study area.

2) A description of extent of congestion in the study area utilizing performance measures identified earlier in the document.

3) A description of the causes of congestion in the study area.

4) An evaluation of the strategies for the study area that meet each of the following types in order:

   - Actions that decrease demand for trip making, especially during peak periods;
   - Actions that place trips into transit or other non-auto modes;
   - Other actions that reduce future SOV trips;
   - Actions that optimize system operation for vehicles; and,
   - Actions that increase the capacity of the roadway system by adding general purpose lanes.

     The proposed actions should come from a CMP "toolbox" which would include such options as increased bus transit service, better access management, or increased signal optimization.

5) Utilization of the NYMTC BPM, in conjunction with other software packages as needed (or other suitable analytic tools), to estimate reduction in traffic congestion resulting from proposed actions. Congestion reduction must be estimated in all counties within the scope of the corridor study. The parameters must include at a minimum reduction in Vehicle Hours of Delay (VHD) and Person Hours of Delay (PHD) during the AM and PM peak periods.

6) A summary table of the overall effect of the proposed actions on congestion during peak travel period(s).

7) An implementation schedule, implementation and monitoring responsibilities and possible funding sources for each CMP strategy (or combination of strategies) proposed for implementation.

   Although subject to FHWA review, ultimate review and certification of the adequacy of the CM study is the responsibility of the implementing agency.

12. Cost of Congestion

Estimates for the cost per hour of delay vary according to different sources, but are generally based on the estimated average wage in the region, slightly adjusted by the cost to trucks of delayed delivery of goods. A summary of the cost of congestion utilized by different U.S. MPOs is provided in Table 1. As listed in this table, the estimates for the cost of an hour of delay range from a low value of $6.12 in Washington State to a high value of $15.59 for a nation-wide average in 1995 dollars.

Cost of Congestion throughout United States

Source	Cost of Delay	Units	Year	Region
2001 Baltimore Regional Transportation Plan *Baltimore Regional Transportation Board*	$12.96	Dollars/vehicle-hour	1996	Baltimore Area
2003-08 TIP Capital District Transportation Committee (Albany, NY)	$8.18	Dollars/vehicle-hour	1991	Albany Area
Texas Transportation Institute *Urban Mobility Report (2004)*	$13.45	Dollars/person-hour	2002	Average U.S. Urban Area
RAND California	$12.85	Dollars/person-hour	N/A	California
United States Department of Transportation	$12.70	Dollars/person-hour	1998	Nationwide
HERS Model	$15.59	Dollars/vehicle-hour	1995	Nationwide
IDAS Model	$9.63	Dollars/person-hour	1995	Nationwide
Caltrans	$8.16	Dollars/person-hour	2000	California
Washington State Department of Transportation	$6.12	Dollars/person-hour	2000	Washington State

Limited sources of data are available to estimate travel time by vehicle type. [FHWA's HERS (Highway Economic Requirements System) tool, based on slightly different parameters than those assumed in the table above (such as inclusion of the cost of depreciation), and provides the following values by vehicle type in 1995 dollars.] These rates were then inflated to 2005 dollars based on an inflation rate of three percent per year.

Value of Travel Time by Vehicle Type

Vehicle Type	1995 Dollars/veh. Hour	2005 Dollars/veh. Hour
Small Auto	$15.71	$21.11
Medium Auto	$15.75	$21.17
4-Tire Truck	$17.84	$23.98
6-Tire Truck	$19.98	$26.85
3-4 Axle Truck	$23.66	$31.80
4-Axle Combination Truck	$25.49	$34.26
5-Axle Combination Truck	$25.24	$33.92

The United States Department of Transportation (USDOT) estimated a national average cost per vehicle-hour of delay for passenger cars (exclusive of trucks) of $12.70 as of 1998. If inflated by three percent per year, this results in a national rate of $15.62 by 2005. However, it would be expected that this value would be higher in the New York City area, in which wages tend to be higher than the national average. In 2001, the New York State Department of Transportation (NYSDOT) established a 2001 value of $20.46 per vehicle-hour of delay for all vehicles based on the application of the Cost Calculator model (COCA).[4] COCA was developed by the NYSDOT as a spreadsheet tool to calculate the hourly cost of delay. The COCA model takes into account variables such as average vehicle occupancy for automobiles and trucks, percent auto and truck traffic, average salary rates of New York State residents and truck drivers, the value of freight per hour of delay time, and the value of wasted fuel per hour of delay. COCA also assumes an overall truck percentage of 6 percent. The model does not differentiate the value of time by different truck classifications but assumes an average truck driver hourly wage of $21 per hour[5] and a value to delay freight one hour in a truck of $39. If an inflation rate of three percent per year is applied to the 2001 estimation of cost of delay, the hourly delay costs in 2005 are $23.00 for all vehicles and $43.89 for trucks.

13. NYMTC's Responsiveness to Federal Highway Administration (FHWA) Guidelines for an Effective CMP

The Federal Highway Administration recommends seven key attributes for an effective CMP. As indicated in the following list, the NYMTC's CMP provides for each of these attributes. Reference to the specific section of the Procedures Manual which discusses the specific attribute is indicated parenthetically.

[4] Mobility Management Section of Planning and Strategy Group, NYSDOT, "An Explanation of the Cost Calculator (COCA)," February 5, 2001.

[5] If inflated at an annual rate of three percent to 2005, this would result in an hourly wage of $24.34. For 2005, the Bureau of Labor Statistics reports a median hourly wage of $18.53 for truck drivers in the New York-Northern New Jersey-Long Island NY-NJ-CT-PA SMSA. The hourly wage rate for the 75th percentile is $21.71 and $26.54 for the 90th percentile.

1. ***Area of Application – the CMP must cover a well-defined area.***

   The NYMTC CMP applies to the entire NYMTC planning area. (See Section 1 of the Procedures Manual)

2. ***System Definition – the CMP must define the transportation network that will be analyzed.***

   The transportation network analyzed for the NYMTC CMP is included in the Regional Transportation Plan.

3. ***Performance Measures – the CMP must define the metrics by which it will measure congestion (i.e., vehicle hours of delay, average speed).***

   Performance measures currently utilized by the NYMTC CMP include level of service, demand to capacity ratio (D/C), vehicle hours of delay, and person hours of delay. Additional performance measures are proposed for future incorporation into the CMP. (See Section 7)

4. ***Performance Monitoring Plan – there must be a regularly scheduled plan for examining the transportation network and evaluating the status of congestion.***

   The NYMTC's CMP is integrated into the overall NYMTC planning process and involves ongoing examination of the transportation network and the status of congestion. (See Section 4 for an overview of the process)

5. ***Identification and Evaluation of Strategies – there must be a systematic program, or toolbox, for selecting congestion mitigation strategies and evaluating potential benefits.***

   The NYMTC's CMP has established a systematic program for determining congestion "hot spot" locations, identifying appropriate mitigation strategies, and evaluating their potential benefits utilizing the NYMTC BPM and related post processors. (See Sections 8 and 9)

6. ***Monitoring Strategy Effectiveness – the strategies must be monitored to assure positive benefits.***

   At the local level, monitoring the effectiveness of individual CMP projects is primarily the responsibility of the implementing agency. At the regional level, the effectiveness of CMP strategies is incorporated into subsequent updates to the CMP and through the monitoring of performance measures. (See Section 10)

7. ***Implementation and Management – there must be a plan for implementing the CMP as part of the regional transportation planning process.***

   Implementation and management of the NYMTC's CMP are fully integrated into the overall NYMTC transportation planning process. (See Sections 4 and 10) Based on the documentation of the NYMTC's CMP as presented in the Procedures Manual, the NYMTC's CMP addresses all seven key CMP attributes as specified by FHWA.

Appendix A: CMP Toolbox

Table TLBX-1 Potential Highway Strategies

Strategies/Projects	Congestion and Mobility Benefits	Implementation Costs and other Impacts	Implementation Timeframe
1a. Increasing Number of Lanes without Highway Widening This takes advantage of "excess" width in the highway cross section used for breakdown lanes or median.	• Increase capacity	• Construction and engineering • Maintenance	• Short-term: 1 to 5 years (includes planning, engineering, and implementation)
1b. Geometric Design Improvements This includes widening to provide shoulders, additional turn lanes at intersections, improved sight lines, auxiliary lanes to improve merging and diverging.	• Increase mobility • Reduce congestion by improving bottlenecks • Increase traffic flow and improve safety.	• Costs vary by type of design	• Short-term: 1 to 5 years
1c. HOV Lanes This increases corridor capacity while at the same time provides an incentive for single-occupant drivers to shift to ridesharing. These lanes are most effective as part of a comprehensive effort to encourage HOVs, including publicity, outreach, park-and-ride lots, and rideshare matching services.	• Reduce Congestion by reducing VMT • Reduce regional trips • Increase vehicle occupancy • Improve travel times • Increase transit use and improve bus travel times	• HOV, separate ROW costs • HOV, barrier separated costs. • HOV, contra flow costs • Annual operations and enforcement • Can create environmental and community impacts	• Medium-term: 5 to 10 years (includes planning, engineering, and construction)
1d. Super Street Arterials This involves converting existing major arterials with signalized intersections into "super streets" that feature grade-separated intersections.	• Increase capacity • Improve mobility	• Construction and engineering substantial for grade separation • Maintenance variable based on area	• Medium-term: 5 to 10 years (includes planning, engineering and implementation)
1e. Highway Widening by Adding Lanes This is the traditional way to deal with congestion.	• Increase capacity, reducing congestion in the short term. • Long-term effects on congestion depend on local conditions	• Costs vary by type of highway constructed; in dense urban areas can be very expensive • Can create environmental and community impacts	• Long-term: 10 or more years (includes planning, engineering and construction)

Source: Adapted from ITE, *A Toolbox for Alleviating Traffic Congestion* by Cambridge Systematics, Inc.

Table TLBX-2 Potential Transit Strategies

Strategies/Projects	Congestion Impacts	Implementation Costs	Implementation Timeframe
2a. Reducing Transit Fares This encourages additional transit use, to the extent that high fares are a real barrier to transit.	• Reduce daily VMT • Reduce congestion • Increase ridership	• Loss in revenue per rider • Capital costs per passenger trip • Operating costs per passenger trip • Operating subsidies needed to replace lost fare revenue • Alternative financial arrangements need to be negotiated with donor agencies.	• Short-term: Less than one year
2b. Increasing Bus Route Coverage or Frequencies This provides better accessibility to transit to a greater share of the population. Increasing frequency makes transit more attractive to use.	• Increase transit ridership • Decrease travel time • Reduce daily VMT	• Capital costs per passenger trip • Operating costs per passenger trip • New bus purchases likely	• Short-term: 1 to 5 years (includes planning, engineering and construction)
2c. Implementing Park-and-Ride Lots These can be used in conjunction with HOV lanes and/or express bus services. They are particularly helpful for encouraging HOV use for longer distance commute trips.	• Reduce congestion by increasing vehicle occupancy rate • Increase mobility and transit efficiency	• Structure costs for transit stations	• Medium-term: 5 to 10 years (includes planning, engineering and construction)
2d. Implementing Rail Transit This best serves dense urban centers where travelers can walk to their destinations. Rail transit from suburban areas can sometimes be enhanced by providing park-and-ride lots.	• Reduce daily VMT	• Capital costs per passenger • New systems require large up-front capital outlays and ongoing sources of operating subsidies, in addition to funds that may be obtained from federal sources, under increasingly tight competition.	• Long-term: 10 or more years (includes planning, engineering and construction)

Source: Adapted from ITE, *A Toolbox for Alleviating Traffic Congestion* by Cambridge Systematics, Inc.

Table TLBX-3 – Potential Bicycle and Pedestrian Strategies

Strategies/Projects	Congestion Impacts	Implementation Costs	Implementation Timeframe
3a. New Sidewalks and Designated Bicycle Lanes on Local Streets Enhancing the visibility of bicycle and pedestrian facilities increases the perception of safety. In many cases, bike lanes can be added to existing roadways through restriping.	• Increase mobility and access • Increase non-motorized mode shares • Separate slow-moving bicycles from motorized vehicles. • Reduce incidents	• Design and construction costs for paving, striping, signals and signing • ROW costs if widening necessary • Bicycle lanes may require improvements to roadway shoulders to ensure acceptable pavement quality	• Short-term: 1 to 5 years (includes planning, engineering and construction)
3b. Improved Bicycle Facilities at Transit Stations and Other Trip Destinations Bicycle racks and bike lockers at transit stations and other trip destinations increase security. Additional amenities such as locker rooms with showers at workplaces provide further incentives for using bicycles.	• Increase bicycle mode share • Reduce motorized vehicle congestion on access routes	• Capital and maintenance costs for bicycle racks and lockers, locker rooms	• Short-term: 1-5 years (includes planning, engineering and construction)
3c. Design Guidelines for Pedestrian Oriented Development Maximum block lengths, building setback restrictions, and streetscape enhancements are examples of design guidelines that can be codified in zoning ordinances to encourage pedestrian activity.	• Increase pedestrian mode share • Discourage motor vehicle use for short trips • Reduce VMT, emissions	• Capital costs largely borne by private sector; developer incentives may be necessary • Public sector may be responsible for some capital and/or maintenance costs associated with right-of-way improvements. • Ordinance development and enforcement costs.	• Short-term: 1 to 5 years
3d. Improved Safety of Existing Bicycle and Pedestrian Facilities Maintaining lighting, signage, striping, traffic	• Increase non-motorized mode share • Reduce incidents	• Increased monitoring and maintenance costs • Capital costs of	• Short-term: 1 to 5 years

Strategies/Projects	Congestion Impacts	Implementation Costs	Implementation Timeframe
control devices, and pavement quality, and installing curb cuts, curb extensions, median refuges, and raised crosswalks can increase bicycle and pedestrian safety.		sidewalk improvements and additional traffic control devices	
3e. Exclusive Non-Motorized Rights-of-Way. Abandoned rail rights-of-way and existing parkland can be used for medium- to long-distance bike trails, improving safety and reducing travel times.	• Increase mobility • Increase non-motorized mode shares • Reduce congestion on nearby roads • Separate slow-moving bicycles from motorized vehicles. • Reduce incidents	• ROW Costs • Construction and Engineering Costs • Maintenance Costs	• Medium-term: 5 to 10 years (includes planning, engineering, and construction)

Source: Adapted from ITE, *A Toolbox for Alleviating Traffic Congestion* by Cambridge Systematics, Inc.

Table TLBX-4- Potential TDM Strategies

Strategies/Projects	Congestion Impacts	Implementation Costs	Implementation Timeframe
4a. Alternative Work Hours This allows workers to arrive and leave work outside of the traditional commute period. It can be on a scheduled basis or a true flex-time arrangement.	• Reduce peak period VMT • Improve travel time among participants	• No capital costs • Agency costs for outreach and publicity • Employer costs associated with accommodating alternative work schedules	• Employer-based • Short-term: 1 to 5 years
4b. Telecommuting This involves employees to work at home or regional telecommute center instead of going into the office. They might do this all the time, or only one or more days per week.	• Reduce VMT • Reduce SOV trips	• First-year implementation costs for private-sector (per employee for equipment) • Second-year costs tend to decline	• Employer-based • Short-term: 1 to 5 years
4c. Pricing This involves pricing facilities to encourage off-peak or HOV travel, and includes time-variable road, and cordon (area) tolls, high occupancy/toll (HOT) lanes and vehicle-use fees.	• Reduce peak period VMT • Reduce SOV trips	• First-year implementation costs for public- sector	• Short-term: 1 to 5 years
4d. Ridesharing This is typically arranged/encouraged through employers or transportation management agencies (TMA), which provide ride-matching services.	• Reduce work VMT • Reduce SOV trips	• Savings per carpool and vanpool riders • Costs per year per free parking space provided • Administrative costs	• Employer –based • Short-term: 1 to 5 years

Source: Adapted from *ITE, A Toolbox for Alleviating Traffic Congestion* by Cambridge Systematics, Inc.

Table TLBX-5 – Potential ITS and TSM Strategies

Strategies/Projects	Congestion Impacts	Implementation Costs	Implementation Timeframe
5a. Traffic Signal Coordination This improves traffic flow and reduces emissions by minimizing stops on arterial streets.	• Improve travel time • Reduce the number of stops • Reduce VMT, VHD and PHT by vehicle miles per day, depending on program	• O&M costs per signal • Signalized intersections per mile costs variable	• Short-term: 1 to 5 years
5b. Reversible Traffic Lanes These are appropriate where traffic flow is highly directional.	• Increase peak direction capacity • Reduce peak travel times • Improve mobility	• Barrier separated costs per mile • Operation costs per mile • Maintenance costs variable	• Short-term: 1 to 5 years
5c. Freeway Incident Detection and Management Systems This is an effective way to alleviate non-recurring congestion. Systems typically include video monitoring, dispatch systems, and sometimes roving service patrol vehicles.	• Reduce accident delay • Reduce travel time • Reduce VHT and PHT	• Capital costs variable and substantial • Annual operating and maintenance costs	• Medium- to Long-term: likely 10 years or more
5d. Ramp Metering This allows freeways to operate at their optimal flow rates, thereby speeding travel and reducing collisions.	• Decrease travel time • Decrease accidents • Improve traffic flow on major facilities	• O&M costs • Significant costs associated with enhancements to centralized control system • Capital costs	• Medium-term: 5 to 10 years
5e. Highway Information Systems These systems provide travelers with real-time information that can be used to make trip and route choice decisions.	• Reduce travel times and delay • Some peak-period travel shift	• Design and implementation costs variable • Operating and maintenance costs variable	• Medium-term: 5 to 10 years
5f. Advanced Traveler Information Systems This provides an extensive amount of data to travelers, such as real time speed estimates on the web or over wireless devices, and transit vehicle schedule progress.	• Reduce travel times and delay • Some peak-period travel and mode shift	• Design and implementation costs variable • Operating and maintenance costs variable	• Medium-term: 5 to 10 years

Source: Adapted from *ITE, A Toolbox for Alleviating Traffic Congestion* by Cambridge Systematics, Inc.

Table TLBX-6 – Potential Access Management Strategies

Strategies/Projects	Congestion Impacts	Implementation Costs	Implementation Timeframe
6a. Left Turn Restriction; Curb Cut and Driveway Restrictions Turning vehicles can impede traffic flow and are more likely to be involved in crashes.	• Increased capacity, efficiency on arterials • Improved mobility on facility • Improved travel times and reduced delay for through traffic • Fewer incidents	• Implementation and maintenance costs vary; range from new signage and striping to more costly permanent median barriers and curbs.	• Short-term: 1 to 5 years (includes planning, engineering, and implementation)
6b. Turn lanes and New or Relocated Driveways and Exit Ramps In some situations, increasing or modifying access to a property can be more beneficial than reducing access.	• Increased capacity, efficiency • Improved mobility and safety on facility • Improved travel times and reduced delay for all traffic	• Additional right-of-way costs • Design, construction, and maintenance costs	• Short-term: 1 to 5 years (includes planning, engineering, and implementation)
6c. Interchange Modifications Conversion of a full cloverleaf interchange to a partial cloverleaf, for example, reduces weaving sections on a freeway.	• Increased capacity, efficiency • Improved mobility on facility • Improved travel times and reduced delay for through traffic • Fewer incidents due to fewer conflict points	• Design and construction costs	• Short-term: 1 to 5 years (includes planning, engineering and implementation)
6d. Minimum Intersection/Interchange Spacing Reduces number of conflict points and merging areas, which in turn reduces incidents and delays.	• Increased capacity, efficiency • Improved mobility on facility • Improved travel times and reduced delay for through traffic • Fewer incidents	• Part of design costs for new facilities and reconstruction projects.	• Medium-term: 5 to 10 years (includes planning, engineering, and implementation)

Strategies/Projects	Congestion Impacts	Implementation Costs	Implementation Timeframe
6e. Frontage Roads and Collector-Distributor Roads Frontage Roads can be used to direct local traffic to major intersections on both super arterials and freeways. Collector-distributor roads are used to separate exiting, merging, and weaving traffic from through traffic at closely-spaced interchanges	• Increased capacity, efficiency • Improved mobility on facility • Improved travel times and reduced delay for through traffic • Fewer incidents due to fewer conflict points	• Additional right of way costs • Design, construction, and maintenance costs	• Medium-term: 5 to 10 years (includes planning, engineering, and implementation)

Source: Adapted from ITE, *A Toolbox for Alleviating Traffic Congestion* by Cambridge Systematics, Inc.

Table TLBX-7 – Potential Land Use Strategies

Strategies/Projects	Congestion Impacts	Implementation Costs	Implementation Timeframe
7a. Mixed-Use Development This allows many trips to be made without automobiles. People can walk to restaurants and services rather than use their vehicles.	• Increase walk trips • Decrease SOV trips • Decrease in VMT • Decrease vehicle hours of travel	• Public costs to set up and monitor appropriate ordinances • Economic incentives used to encourage developer buy-in	• Long-term: 10 or more years
7b. Infill and Densification This takes advantage of infrastructure that already exists, rather than building new infrastructure on the fringes of the urban area.	• Decrease SOV • Increase transit, walk, and bicycle • Doubling density decreases VMT per household • Medium/high vehicle trip reductions	• Public costs to set up and monitor appropriate ordinances • Economic incentives used to encourage developer buy-in	• Long-term: 10 or more years
7c. Transit-Oriented Development This clusters housing units and/or businesses near transit stations in walkable communities	• Decrease SOV share • Shift carpool to transit • Increase transit trips • Decrease VMT • Decrease in vehicle trips	• Public costs to set up and monitor appropriate ordinances • Economic incentives used to encourage developer buy-in	• Long-term: 10 or more years

Source: Adapted from *ITE, A Toolbox for Alleviating Traffic Congestion* by Cambridge Systematics, Inc.

Table TLBX-8 – Potential Parking Management Strategies

Strategies/Projects	Congestion Impacts	Implementation Costs	Implementation Timeframe
8a. On-Street Parking and Standing Restrictions Enforcement of existing regulations can substantially improve traffic flow in urban areas. Peak-period parking prohibitions can free up extra general purpose travel lanes or special bus or HOV "diamond" lanes.	• Increase peak-period capacity • Reduce travel time and congestion on arterials • Increase HOV and bus mode shares	• Design, construction, and maintenance costs for signage and striping • Rigid enforcement of parking restrictions	• Short-term: 1 to 5 years (includes planning, engineering, and implementation)
8b. Employer/Landlord Parking Agreements Employers can negotiate leases so that they pay only for the number of spaces used by employees. In turn, employers can pass along parking savings by purchasing transit passes or reimbursing non-driving employees with the cash equivalent of a parking space.	• Reduce work VMT • Increase non-auto mode shares	• Economic incentives used to encourage employer and landlord buy-in	• Metropolitan and Employer-based • Short-term: 1 to 5 years
8c. Preferential or Free Parking for HOVs This provides an incentive for workers to carpool.	• Reduce work VMT • Increase vehicle occupancy	• Relatively low costs, primarily borne by the private sector, include signing, striping, and administrative costs	• Metropolitan and Employer-Based • Short-term: 1 to 5 years
8d. Location-Specific Parking Ordinances Parking requirements can be adjusted for factors such as availability of transit, a mix of land uses, or pedestrian-oriented development that may reduce the need for on-site parking. This encourages transit-oriented and mixed-use development.	• Reduce VMT • Increase transit and non-motorized mode shares	• Economic incentives used to encourage developer buy-in	• Long-term: 10 or more years

Source: Adapted from *ITE, A Toolbox for Alleviating Traffic Congestion* by Cambridge Systematics, Inc.

[i] The 70% figure includes 0.4% who bicycle to work. The 30% who use of-street modalities include 25% who take the subway, 4% who ride commuter rail, and 0.2% who take ferries (numbers do not add up due to rounding). U.S. Census Bureau, Census 2000 Summary File 3
Federal Regulation. CMS section 500:109
Federal Regulation. CMS section 500:109

Mobility Management Section of Planning and Strategy Group, NYSDOT, "An Explanation of the Cost Calculator (COCA), February 5, 2001.
If inflated at an annual rate of three percent to 2005, this would result in an hourly wage of $24.34. For 2005, the Bureau of Labor Statistics reports a median hourly wage rate of $18.53 for truck drivers in the New York – Northern New Jersey-Long Island NY-NJ-CT-PA SMSA. The hourly wage rate for the 75th percentile is $21.71 and $26.54 for the 90th percentile.

III. Functional Operating Procedures

Major Project Analysis and Financial Planning Procedures

OPERATING PROCEDURES FOR MAJOR PROJECT ANALYSIS

(Revised June 13, 2008)

OVERVIEW

The following procedures of the New York Metropolitan Transportation Council (NYMTC) respond to new requirements under the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), which was signed into law on August 10, 2005, regarding transportation improvement projects regarded as "major projects." These procedures are designed to meet regulatory requirements governing major projects, using final guidance issued by the Federal Highway Administration (issued January 19, 2007), in the metropolitan transportation planning process.

1) Legislative Citation: Public Law 109-59, Section 1904(h)

"(h) MAJOR PROJECTS. –

"(1) IN GENERAL. – Notwithstanding any other provision of this section, a recipient of federal financial assistance for a project under this title with an estimated total cost of $500 million or more, and recipients for such other projects as may be identified by the Secretary, shall submit to the Secretary for each project –

"(A) a project management plan; and

"(B) an annual financial plan.

"(2) PROJECT MANAGEMENT PLAN. – A project management plan shall document-

"(A) the procedures and processes that are in effect to provide timely information to the project decision makers to effectively manage the scope, costs, schedules, and quality of, and the Federal requirements applicable to, the project; and

"(B) the role of the agency leadership and management team in the delivery of the project.

"(3) FINANCIAL PLAN. – A financial plan shall –

"(A) be based on detailed estimates of the cost to complete the project; and

"(B) provide for the annual submission of updates to the Secretary that are based on reasonable assumptions, as determined by the Secretary, of future increases in the cost to complete the project.

"(i) OTHER PROJECTS. – A recipient of federal financial assistance for a project under this title with an estimated total cost of $100 million or more that is not covered by subsection (h) shall prepare an annual financial plan. Annual financial plans prepared under this subsection shall be made available to the Secretary for review upon the request of the Secretary."

2) NYMTC Procedures

1 – Designation of Major Projects

a) Major projects will be identified by sponsoring agencies working in the context of the regulations and NYMTC.

i) For the purposes of the NYMTC transportation planning process, major projects are considered to be those with an estimated total cost of $100 million or more to be funded through federal financial assistance and/or any other projects identified by FHWA as major projects.

ii) For transit projects that do not include FHWA funding, the major project requirements do not apply. Transit projects that have no FHWA funding would only be subject to FTA's New Starts process and NEPA requirements.

iii) Projects meeting the thresholds for major projects that are multi-modal in nature are subject to the major project requirements for all of the alternatives being considered. Both the major projects and the New Starts/NEPA processes will apply to multi-modal projects.

b) Once identified, the major project must be specified in NYMTC's Regional Transportation Plan.

i) The major project must be specified in the constrained element of the Plan, except in cases where it is defined as a pure planning study. Then it may be specified in the Plan's vision element.

(1) If the NEPA process has commenced for the project, it must be specified in the constrained element as a prerequisite for federal review of a Draft Environmental Impact Statement and for federal funding to be used to begin preliminary design.

ii) The major project specification in the Plan must include a purpose and need statement, a description of a reasonable range of alternatives for the major project, particularly for projects in the constrained element – a range of potential project costs and contingencies related to the alternatives if appropriate, and descriptions of potential environmental justice/Title VI implications of the project, critical environmental areas that might be affected by the project and historic preservation implications of the project. This information must be provided regardless of whether the major project is placed in the vision element of the Plan or the fiscally-constrained element.

(1) The costs specified in the major project specification must be accounted for in the Plan's long-range fiscal assessment.

iii) All applicable public review requirements related to the amendment of the Plan must be followed to specify a major project.

c) Once specified in the Plan, the major project will be subject to the applicable federal requirements and FHWA guidance.

The requirements specify that a Financial Plan and Project Management Plan shall be submitted to the FHWA/FTA for major projects. Per these operating procedures, copies of these Plans will also be submitted to the NYMTC Executive Director.

OPERATING PROCEDURES FOR FINANCIAL PLANNING

OVERVIEW

The following procedures of the New York Metropolitan Transportation Council (NYMTC) respond to new regulations promulgated under the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), which was signed into law on August 10, 2005. These procedures are designed to meet regulatory requirements governing financial planning.

1. Legislative Citation: 23 CFR 450.314(a)

"(a) The MPO, the State(s), and the public transportation operator(s) shall cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process. These responsibilities shall be clearly identified in written agreements among the MPO, the State(s), and the public transportation operator(s) serving the MPA. To the extent possible, a single agreement between all responsible parties should be developed. The written agreement(s) shall include specific provisions for cooperatively developing and sharing information related to the development of financial plans that support the metropolitan transportation plan."

2. NYMTC Procedures

NYMTC will maintain an Integrated Financial Assessment (IFA) for its planning process which establishes the parameters for fiscal constraint for both the Regional Transportation Plan and the Transportation Improvement Program (TIP).

The IFA will contain the following components:

1. A long-range forecast of capital and operating expenditures for the period of the Regional Transportation Plan, which will include state-of-good-repair/normal replacement forecasts and operating/maintenance forecasts for the entire period. In addition, the long-range expenditures will include any fiscally-constrained improvement projects in the Plan or TIP that are not considered to be included in the above forecasts.

    a. NYMTC's member agencies will contribute all relevant information concerning transportation facilities, equipment and services under their jurisdictions for the long-range expenditure forecasts.

    b. NYMTC's staff will compile the information provided by the member agencies and apply agreed upon inflation rates to calculate aggregate expenditure forecasts in required "year of expenditure" dollars.

2. A long-range forecast of capital and operating resources anticipated to be available for the period of the Regional Transportation Plan to fund operations, maintenance and capital projects.

a. NYMTC's member agencies will contribute all relevant information concerning transportation funding programs and sources under their jurisdictions for the long-range resource forecasts.

b. NYMTC's staff will compile the information provided by the member agencies and apply agreed upon escalation rates to calculate aggregate expenditure forecasts in required "year-of-expenditure" dollars.

3. An aggregate estimate of expenditures programmed into the existing TIP will be specified as a three-to-five year component of the long-range expenditure forecasts.

   a. NYMTC's member agencies will provide all necessary information about programmed projects for which they are the sponsoring agency to specify medium-range expenditures.

   b. NYMTC's staff will aggregate this information into project lists, for which medium-term expenditure estimates will be calculated in year-of-expenditure dollars.

4. An aggregate estimate of resources available for projects programmed into the existing TIP will be specified as a medium-range component of the long-range resource forecasts.

   a. NYMTC's member agencies will provide all necessary information about anticipated resources available from funding sources for which they have direct responsibility in order to specify medium-range resources.

   b. NYMTC's staff will aggregate this information into funding sources, for which medium-term resource estimates will be calculated in year-of-expenditure dollars.

5. A regional balance sheet will be maintained in the IFA which displays the relationship between forecasted resources and expenditures and - in doing so - establishes the parameters for the fiscal constraint of both the Plan and TIP.

6. NYMTC's members will adopt the IFA in conjunction with major actions involving the Plan and TIP.

   a. A new IFA will be adopted at the time that a new Plan or TIP is adopted.

   b. Actions amending the Plan or TIP will reference the IFA for the purposes of determining the required fiscal constraint of these two products.

   c. TIP amendments will reference the relevant section of the IFA and that section will be updated as needed through the action of the Transportation Coordinating Committee which adopts the amendment.

   d. Plan amendments will also reference the relevant section of the IFA and that section will be updated as needed through the action of the Program, Finance and Administration Committee or the Council itself which adopts the amendment.

NEW YORK METROPOLITAN TRANSPORTATION COUNCIL

Joel P. Kittinger
Executive Director

PROGRAM, FINANCE AND ADMINISTRATION COMMITTEE

RESOLUTION #258
ADOPTION OF OPERATING PROCEDURES GOVERNING MAJOR PROJECT ANALYSIS AND FINANCIAL PLANNING

WHEREAS, the New York Metropolitan Transportation Council (NYMTC) is a regional council of governments which is the metropolitan planning organization for New York City, Long Island and the lower Hudson Valley; and

WHEREAS, for purposes of compliance with metropolitan transportation planning provisions of the current Federal transportation legislation, the Safe, Accountable, Flexible, Efficient Transportation Equity Act-A Legacy for Users (SAFETEA-LU), the operation of NYMTC as a metropolitan planning organization must be consistent with all requirements for metropolitan planning; and

WHEREAS, under 23 USC Section 134, SAFETEA-LU introduced two new requirements for major project analysis and for financial planning; and

WHEREAS, NYMTC's operational relationships and procedures are defined and established in the June 1982 Memorandum of Understanding between NYMTC's members; and

WHEREAS, since 1982, the Memorandum of Understanding has been periodically supplemented by the adoption of new operating procedures in response to new or revised planning requirements promulgated through periodic Federal transportation legislation; and

WHEREAS, NYMTC had previously adopted an addendum to its current 2005-2030 Regional Transportation Plan for the purposes of SAFETEA-LU compliance which addressed these new requirements; and

WHEREAS, NYMTC had previously adopted an Integrated Financial Assessment of its current 2008-2012 Transportation Improvement Program and 2005-2030 Regional Transportation Plan which addressed these requirements; and

WHEREAS, NYMTC's members have also determined that new operating procedures are needed to govern the activities of NYMTC and its member agencies in fulfillment of these requirements for major project analysis and financial planning under SAFETEA-LU; and

WHEREAS, these new procedures will establish the collaborative framework through which NYMTC and its members will continue to fulfill the planning requirements for major project analysis and financial planning;

NOW, THEREFORE, BE IT RESOLVED, that the Program, Finance, and Administration Committee hereby adopts the attached operating procedures to govern its activities in fulfillment of the major project analysis and financial planning requirements under SAFETEA-LU.

The resolution shall take effect on the nineteenth day of June, two thousand eight.

ADOPTED: *June 19, 2008*

"I hereby certify that the above is a true copy of Resolution #258, Adoption of Operating Procedures Governing Major Project Analysis and Financial Planning, and was motioned by Lawrence Berger, representing the Nassau/Suffolk Transportation Coordinating Committee, and seconded by John Pilner, representing the Mid-Hudson South Transportation Coordinating Committee. This resolution was adopted unanimously by the Program, Finance, and Administration Committee members on the above mentioned date."

Robert Zerrillo, PFAC Chair

TRANSPORTATION IMPROVEMENT PROGRAM (TIP) AND THE STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP) REVISION OPERATING PROCEDURES

Approved September 17, 2009

INTRODUCTION

These *TIP/STIP Revision Operating Procedures* outline the procedures agreed upon by the NYMTC TCC members* to revise project listings on the approved Transportation Improvement Program (TIP) and the Statewide Transportation Improvement Program (STIP). FTA and FHWA do not approve NYMTC's TIP document presented for council approval or TIP modifications to the TIP. FTA and FHWA do approve amendments to the STIP. Since the STIP must include all projects listed on the TIP, the use of the terms TIP and STIP are synonymous in these procedures.

There are two types of revisions to the TIP. A minor revision is considered an administrative modification, and a major revision is considered an amendment.

The following procedures are consistent with 23 CFR Part 450 of the Statewide Transportation Planning; Metropolitan Transportation Planning; Final Rule.

DEFINITIONS

Administrative Modification

In the Metropolitan Transportation Planning Final Rule an administrative modification "means a minor revision to a long-range statewide or metropolitan transportation plan, TIP, or STIP that includes minor changes to project/project phase costs, minor changes to funding sources of previously-included projects, and minor changes to project/project phase initiation dates. An administrative modification is a revision that does not require public review and comment, redemonstration of fiscal constraint, or a conformity determination (in nonattainment and maintenance areas)." (23 CFR 450.104 Definitions)

Amendment

In the Metropolitan Transportation Planning Final Rule an amendment "means a revision to a long-range statewide or metropolitan transportation plan, TIP, or STIP that involves a major change to a project included in a metropolitan transportation plan, TIP, or STIP, including the addition or deletion of a project or a major change in project cost, project/project phase initiation dates, or a major change in design concept or design scope..." "An amendment is a revision that requires public review and comment, redemonstration of fiscal constraint, or a conformity determination." (23 CFR 450. 104 Definitions)

* These *procedures shall also apply to other public transit operators which are not members of NYMTC but which are designated recipients of the Federal Transit Administration, as specified in the metropolitan planning agreement per federal requirements.*

CLARIFICATIONS ON SPECIFIC OR UNIQUE SITUATIONS

While the Metropolitan Transportation Planning Final Rule provides the above definitions, FTA, FHWA, NYMTC members and NYMTC staff thought that certain specific processes needed to be addressed to avoid uncertainty on how to proceed under specific or unique situations. These operating procedures are to be used as a guide in administering all TCC TIP administrative modifications and/or amendments.

Fiscal Constraint

In non-attainment and maintenance areas, projects included in the first two years of the TIP and STIP shall be limited to those for which funds are available or committed. Federal guidance on financial planning and fiscal constraint is available at http://www.fhwa.dot.gov/planning/guidfinconstr_qa.htm.

Fiscal constraint must be maintained for all actions. For the purpose of these Operating Procedures, fiscal constraint for FHWA projects is defined as maintaining the amount of funding programmed in each year of the TIP so that it does not exceed the fiscal funding allocated for each of the STIP years and the overall amount of funds available over the timeframe of the STIP. Fiscal constraint shall be documented for each action.

In the case of FTA funded projects, future year TIP allocation estimates are based on transportation authorization. Annually, appropriations bills are enacted and apportionments and allocations are published by the FTA in the *Federal Register.* As a result, in order to maintain and document fiscal constraint, FTA funds programmed on the TIP need to be consistent with the amounts shown in the *Federal Register.*

Earmarks and Discretionary Funds

Earmarks and other discretionary funds are new revenue sources that can only be used for a specific purpose as outlined in the *Federal Register,* and are by their nature fiscally constrained. These funds do not require the redemonstration of fiscal constraint unless the sponsoring agency is also adding other federal funds to the project. Transit earmark amounts need to be consistent with the amounts published by FTA in the *Federal Register,* including any rescissions.

Public Review

An amendment to the TIP requires 10 calendar days for public review. If the TIP amendment is due solely to project cost increases and the scope of the project – or project phase as programmed in the TIP – does not change, and in the case where public review has already been conducted on the project (or project phase) by the sponsoring agency (for example as part of a federally required Program of Projects notice, required for FTA Section 5307 formula funds), that public review shall constitute the required amendment public review. The sponsor-held public review must have occurred within three years of the requested TIP amendment, otherwise a new public review must occur. The notice of a project published in the *Federal Register* shall constitute the required amendment public review.

In the case of an amendment where a project is shown on the TIP, including the committed column, and has gone through either the TIP or a project level public review process, an additional public review will not be necessary prior to processing the amendment.

Public review for non-exempt projects may be combined with the public notice in the NYMTC Conformity Determination. The public review notice will be sent to the applicable TCC mailing list via email, mail or fax. If an e-mail address is available, the notice shall be sent by e-mail. If not, fax will be utilized. If a fax number is not available, mail will be utilized. The mailing list will be updated on a regular basis along with periodic major updates. The proposed amendment may also be posted on the NYMTC website during the public review period and paper copies will be made available upon request. Any public comments will be forwarded to the TCC voting members as part of the amendment approval process.

Changing Project Funding from Local Funding to Federal Funding

If a project is shown with 100% local funds and is being changed to include federal funds, this action will be processed as an amendment. If public review has already occurred, then only approval by the TCC voting members and subsequent STIP processing is required.

Rollover

Rollover could occur for projects that were shown in the previously approved TIP/current TIP committed column, but due to delay in progressing the project are not in the current TIP. Projects that are listed in the last year of the immediate prior TIP and that will be obligated in the first year of the current TIP, do not require an amendment and may be moved into the TIP with an administrative modification as long as the TIP's fiscal constraint is maintained or the action results in an amount of funds programmed in the TIP that are consistent with the allocation in the *Federal Register*. This is referred to as the "rollover" and is consistent with NYMTC's rollover clause in the TIP approval resolution.

FHWA projects do require a STIP amendment to be added back on to the STIP.

Withdrawn Projects

Projects which are withdrawn due to lack of expenditures or progress will need to be added back on to the TIP as an amendment. If the project is not shown on the current TIP, including the committed column, an additional public review will be necessary. A STIP amendment is also necessary to add the project back onto the STIP.

Cost

For federally funded projects, amendments are required when the total project cost increases, based upon the following threshold criteria:

- FHWA – an increase of $10 million or greater
- FTA – an increase of 25% or greater.

NYMTC will work with project sponsors to determine the total project cost, e.g. in cases in which a project is programmed over multiple years, assigned multiple project identification numbers (PINs), or represented in multiple phases in the TIP and/or Regional Transportation Plan.

CMAQ Funded Projects

Voting member concurrence will be required when changes to CMAQ (and STP Urban in MHSTCC) funded projects are processed as Administrative Modifications. TCC member concurrence will occur via e-mail, telephone, fax, or paper notification. Voting members will be notified of the revision request and allowed five calendar days to voice any objections to the revision.

STEPS IN THE PROCESS

1. Project sponsor completes a TIP Change Request Form with marked up TIP strips, and submits to TCC staff.

2. TCC staff determines if the change is an administrative modification or amendment based on these Operating Procedures. If requested by TCC staff, the project sponsor shall provide additional information on the proposed TIP change (for example, the number of traffic lanes, project cost).

3. TCC staff, in coordination with the project sponsor, submits the project for NYSDOT Environmental Science Bureau/Interagency Consultation Group review.

4. Public review occurs, as applicable.

5. TCC staff process the action.

6. For Administrative Modifications, the action is entered into the eSTIP database and then forwarded to NYMTC Central Staff for further processing to NYS DOT.

7. For Amendments, the action is entered into eSTIP, forwarded to NYMTC Central Staff, and then NYSDOT. NYSDOT will approve (or disapprove) the request in eSTIP for subsequent approval/disapproval by the federal agencies.

8. Project sponsors will be notified of completed actions by the individual performing the action.

9. Project sponsors will be copied on all TIP action/amendment correspondence.

VOTING MEMBER APPROVAL

Amendments can be voted on by NYMTC TCC voting members (or designee) by mail, fax, e-mail, phone or paper ballot, or at a meeting. As per the TCC Operating Procedures, consensus is required for the approval of an amendment. If any negative votes are received or objections are raised, the action will be suspended until the objection is resolved or consensus is declared. The names of the voting members and their designee are kept on file with the TCC.

RESOLUTION OF ISSUES

The project sponsor and TCC will work to resolve issues of whether the project falls within the category of administrative modification or amendment. If an issue cannot be resolved, the TCC would seek guidance from FTA and FHWA, as applicable.

In the event an amendment is approved and then there are subsequent issues with a project, a subsequent action would need to be approved by consensus to revise the approved amendment.

PROCEDURES REVIEW

The TIP Revision Procedures shall be reviewed after one year from the approval date. The procedures shall also be reviewed following passage of new federal re-authorization legislation.

The following table summarizes the aforementioned parameters:

Table of Procedures	*Administrative Modification*	*Amendment*
Project Cost		
• *Below Thresholds*	√	
• *Above Thresholds*		√
Project/Phase Initiation Date		
• *Within the 4-year STIP*	√	
• *Outside the 4 years of the STIP*		√
• *Change to a non-exempt project affecting the regional conformity determination*		√
Rollover		
• *Within resources*	√	
• *When redemonstration of fiscal constraint is needed*		√
Fund Sources		
• *Local to Federal*		√
• *Federal to Federal*	√	
• *Earmark – adding funds to existing project*	√	
• *New funds not previously programmed (e.g. ferry boat discretionary, highway SIP*		√
Addition or Deletion		
• *Addition of a new project*		√
• *Deletion of a project*		√
• *Split out of a block project*		
~ *Regional preventative maintenance*	√	
~ *Recreational trails, Safe Routes to School, high risk rural roads, scenic byways, Section 5310, JARC, etc.*	√	
• *Addition of a minor phase*	√	
• *Addition of a R.O.W. acquisition or construction phase*		√
• *Project under construction below thresholds*	√	
• *Project under construction above thresholds*		√
• *Project split into multiple PINs for implementation/construction*	√	
• *Separate project combined for implementation/construction into one PIN.*	√	
• *Addition of a withdrawn project*		√

TIP Revision Request Form

(Please contact your TCC director for assistance with this form.)

PIN:	
Project Name:	
Project Sponsor:	
Date:	
Submitted by:	

Air Quality

Air Quality Classification: ☐ Exempt ☐ Non-Exempt

Air Quality Code:

Public Review: ☐ Already Conducted ☐ Needed

Redemonstration of Fiscal Constraint Required: ☐ Yes ☐ No

Impact to Conformity Determination: ☐ Yes ☐ No

Type of Revision	Amendment	Administrative Modification
☐ Addition of New Project	☐	☐
☐ Deletion of Existing Project	☐	☐
☐ Project Scope Change	☐	☐
☐ Cost Change	☐	☐
☐ Fund Source Change	☐	☐
☐ Schedule Change	☐	☐

Action processed as: ☐ Administrative Modification ☐ Amendment

Project Details and Reason for Change

Joel P. Ettinger
Executive Director

PROGRAM, FINANCE, AND ADMINISTRATION COMMITTEE (PFAC)

RESOLUTION #287 – ADOPTION OF THE TRANSPORTATION IMPROVEMENT PROGRAM REVISION OPERATING PROCEDURES

WHEREAS, the New York Metropolitan Transportation Council (NYMTC) is a regional council of governments which is the metropolitan planning organization for New York City, Long Island and the lower Hudson Valley; and

WHEREAS, updated metropolitan transportation planning regulations were enacted and printed in the *Federal Register* on February 14, 2007; and

WHEREAS, to be consistent with federal regulations, it is necessary to update the Transportation Improvement Program (TIP) revision procedures; and

WHEREAS, the members of the Program, Finance and Administration Committee (PFAC) and the Transportation Coordinating Committees (TCCs) have developed new TIP Operating Procedures that comply with the federal regulations; and

WHEREAS, these procedures provide guidance on how revisions to the TIP will be conducted; and

WHEREAS, the members of NYMTC agree to utilize these procedures when making changes to the TIP;

THEREFORE BE IT RESOLVED that the voting members of PFAC agree that these TIP Revision Operating Procedures are hereby adopted.

This resolution shall take effect on the seventeenth day of September, two thousand and nine.

ADOPTED: September 17, 2009

"I hereby certify that the above is a true copy of Resolution #287, Adoption of the Transportation Improvement Program Revision Operating Procedures, and was motioned by John Pilner, representing the Mid-Hudson South Transportation Coordinating Committee and seconded by Lawrence Berger, representing the Nassau/Suffolk Transportation Coordinating Committee. This Resolution was adopted and passed unanimously."

Robert Zerrillo, PFAC Chairperson

The 70% figure includes 0.4% who bicycle to work. The 30% who use of-street modalities include 25% who take the subway, 4% who ride commuter rail, and 0.2% who take ferries (numbers do not add up due to rounding). U.S. Census Bureau, Census 2000 Summary File 3

Federal Regulation. CMS section 500:109

Federal Regulation. CMS section 500:109

Mobility Management Section of Planning and Strategy Group, NYSDOT, "An Explanation of the Cost Calculator (COCA), February 5, 2001.

If inflated at an annual rate of three percent to 2005, this would result in an hourly wage of $24.34. For 2005, the Bureau of Labor Statistics reports a median hourly wage rate of $18.53 for truck drivers in the New York – Northern New Jersey-Long Island NY-NJ-CT-PA SMSA. The hourly wage rate for the 75th percentile is $21.71 and $26.54 for the 90th percentile.