CHARTER FOR

PIMA ASSOCIATION OF GOVERNMENTS, PROVIDERS OF PUBLIC TRANSPORTATION AND THE ARIZONA DEPARTMENT OF TRANSPORTATION

PERFORMANCE MEASURE TARGET SETTING AND DATA SHARING

This Charter is made and entered into by and among the Arizona Department of Transportation (ADOT) as the Designated Recipient for Federal formula funds in the non-urbanized areas, Pima Association of Governments (PAG) as the designated Metropolitan Planning Organization, the Regional Transportation Authority of Pima County (RTA) and the City of Tucson as providers of public transportation as the Designated Recipient for Federal formula funds in the urbanized areas, referred to collectively as the "PARTIES" or individually as a "PARTY".

This Charter shall become effective as of the date it has been approved by all PARTIES.

I. Purpose of the Charter

PAG, ADOT, RTA, and the City of Tucson shall jointly agree upon and develop specific written provisions for cooperatively developing and sharing information related to transportation performance data, the establishment of performance targets, the reporting of performance targets, the reporting of performance measures to be used in tracking progress toward attainment of critical outcomes for the PAG region, and the collection of data for the State asset management plan for the National Highway System.

This Charter is pursuant to planning agreement requirements for performance based planning as defined in applicable federal regulations (see 23 CFR Part 450.314(h)(1) and 23 CFR Part 450.314(h)(2)(ii)). Provisions outlined within this Charter do not modify or replace those outlined in other agreements between PARTIES.

II. Responsibilities of All Parties

a. All PARTIES acknowledge and agree to implement performance based planning in accordance with applicable federal regulations 23 CFR part 450, 23 CFR 490, 49 CFR 625 and 49 CFR 673.

b. All PARTIES shall coordinate on the establishment of targets to ensure consistency, to the maximum extent practicable.

c. All PARTIES will adopt performance targets for the metropolitan transportation planning process in accordance with Federal and State

requirements.

d. All PARTIES will ensure any of its reporting of targets and performance shall conform to applicable federal regulations.

III. **Responsibilities of the Arizona Department of Transportation**

a. Unified targets shall be developed jointly by ADOT and PAG. Non-Unified targets are required to be established by ADOT, and PAG shall have the option to agree and adopt them or calculate and establish PAG-specific targets.

b. ADOT will work with the PARTIES to develop draft statewide required performance targets in coordination with PAG, as applicable. Coordination may include in-person meetings, web meetings, conference calls, and/or email communication. ADOT shall provide PAG with a reasonable opportunity to provide comments on statewide targets prior to the adoption of final statewide targets.

c. ADOT shall take action necessary to meet all State and Federal laws required as related to Performance Based Planning and Programming and shall involve Parties as necessary and appropriate.

d. Upon request, and when not contractually prohibited, ADOT will share with the PARTIES data obtained or collected to support the development of statewide targets and in support of ongoing performance measure tracking.

e. ADOT will report its performance targets to the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA), as applicable. A copy of the report will be sent to the PARTIES at that time.

f. ADOT will be responsible for collecting bridge and pavement condition data. The data shall be used for but not limited to creation of the State Asset Management Plan for the National Highway System. Safety and other data to be collected as required.

g. To the maximum extent practicable, ADOT will include in its State Transportation Improvement Program (STIP) a description of the anticipated effect of the STIP toward achieving previously established and agreed upon performance targets.

h. ADOT's STIP will include a linkage from the investment priorities in the STIP to achievement of previously established and agreed upon performance targets.

IV. Responsibilities of the Pima Association of Governments

a. PAG will develop or adopt necessary, quantifiable targets for performance measures and will share documentation pertaining to the development, reporting and tracking of those targets with the PARTIES.

b. Upon request, and when not contractually prohibited, PAG will share with the PARTIES data obtained or collected in support of performance measure tracking.

c. The establishment of targets shall be developed in the PAG committee process with final approval by the PAG Regional Council.

d. PAG will report its performance targets to ADOT, FHWA and FTA, as applicable. A copy of all reports will be sent to the PARTIES at that time.

e. PAG will, by reference in the Regional Mobility and Accessibility Plan (RMAP) long range transportation plan, prepare a System Performance Report to report the condition and performance of the transportation system with respect to performance targets, including progress achieved by PAG toward the previously established and agreed upon performance targets.

f. To the maximum extent practicable, PAG will include in its Transportation Improvement Program (TIP) a description of the anticipated effect of the TIP toward achieving previously established and agreed upon performance targets.

g. PAG's TIP will include a linkage from the investment priorities in the TIP to achievement of previously established and agreed upon performance targets.

V. Responsibilities of the Providers of Public Transportation

a. The Providers of Public Transportation will establish transit asset management, safety and other required transit performance targets and share established targets with the PARTIES.

b. Upon request, and when not contractually prohibited, the Providers of Public Transportation will share with the PARTIES data obtained or collected in support of performance measure tracking.

c. Providers of public transportation will develop the measures as follows.

   i. The Regional Transportation Authority of Pima County and the City of Tucson will develop appropriate transit asset management plans, safety and other required performance targets through the PAG/RTA committee process and city council as appropriate. Technical

committee(s) will provide final recommendations to the PAG Regional Council, RTA Board, and Tucson City Council as deemed necessary. The PAG Regional Council, RTA Board, and Tucson City Council as the governing and policy-making bodies, will take final action as appropriate.

d. The Providers of Public Transportation will report performance targets to FTA. A copy of all reports will be sent to the PARTIES at that time.

VI. Conflict Resolution section

If disagreements arise regarding the implementation of this agreement, all PARTIES shall act in good faith to resolve the disagreement. If a resolution cannot be reached, the PARTIES to this agreement agree to meet and have a representative from the FHWA or the FTA to assist in resolving the disagreement. In the event a resolution still cannot be reached, the parties hereto agree to abide by required arbitration as set forth for public works in Agreement in Arizona Revised Statutes Section 12-1518.

VII. Term

This Charter shall become effective when fully executed by the PARTIES. It shall remain in full force and effect until it is terminated in writing by one or all of the PARTIES, whichever date occurs first.

All terms of the Charter are hereby acknowledged and agreed, as certified by the signatures of the Designated Officers affixed hereto:

Date 7/19/18

Farhad Moghimi, Executive Director

Regional Transportation Authority of Pima County

Date 7/18/18

Robin L. Raine, Interim Director

Department of Transportation

City of Tucson

Date 7/19/18

Farhad Moghimi, Executive Director

Pima Association of Governments

Date 7/27/18

Greg Byres, Director

Multimodal Planning Division

Arizona Department of Transportation