

CHARTER FOR
SIERRA VISTA METROPOLITAN PLANNING ORGANIZATION (SVMPO), VISTA
TRANSIT AND THE ARIZONA DEPARTMENT OF TRANSPORTATION (ADOT)
PERFORMANCE MEASURE TARGET SETTING AND DATA SHARING

This Charter is made and entered into by and among Arizona Department of Transportation (ADOT) as the Designated Recipient for Federal formula funds in the non-urbanized areas, Sierra Vista Metropolitan Planning Organization (SVMPO) as the designated Metropolitan Planning Organization, and Vista Transit, operated by the City of Sierra Vista and the Designated Recipient for Federal formula funds in the urbanized area, 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

The PARTIES agree to cooperatively develop and share information related to transportation performance data, the establishment and reporting of performance targets, tracking of progress made towards attainment of performance measures for the SVMPO region, and data related to the State's 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 Pertaining to Target Setting & Data Sharing

- a. All PARTIES acknowledge and agree to implement performance-based planning in accord with applicable federal regulations 23 CFR part 450, 23 CFR 490, 49 CFR 625 and 49 CFR 673.
- b. All PARTIES will coordinate on the establishment of targets to ensure consistency, to the maximum extent practicable.
- c. The PARTIES will adopt performance targets for the metropolitan transportation planning process in accordance with Federal and State requirements.
- d. The PARTIES will ensure that their respective reporting of targets and performance will conform to applicable federal regulations.
- e. Performance Measure targets are required to be established by ADOT, and SVMPO, with consultation with Vista Transit on applicable targets, have the option to agree and adopt them or calculate and establish SVMPO-specific targets.

III. Responsibilities of the Arizona Department of Transportation

- a. ADOT will develop statewide required performance targets in coordination with SVMPO, as applicable. Coordination may include in-person meetings, web meetings, conference calls, and/or email communication. ADOT agrees to provide SVMPO with a reasonable opportunity to provide comments on statewide targets prior to the adoption of final statewide targets.
- b. ADOT shall take all actions necessary to meet State and Federal laws required as related to Performance Based Planning and Programming and shall involve all other PARTIES as necessary and appropriate.

- c. ADOT will report its performance targets to FHWA and FTA, as applicable. A copy of the report will be sent to the PARTIES at that time.
- d. 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 will also be collected, as required.
- e. 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.
- f. 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 and will link investment priorities to the established performance targets.

IV. Responsibilities of the Sierra Vista Metropolitan Planning Organization

- a. SVMPO, will review State targets and will either adopt those targets or will develop quantifiable targets for performance measures and will share documentation pertaining to the development, reporting and tracking of those targets with the PARTIES.
- b. The establishment of performance targets will be developed in the SVMPO committee process with final approval by the SVMPO Executive Board.
 - i. SVMPO will receive Vista Transit performance targets for transit asset management, safety and other required transit performance measures targets and, barring a substantive reason, agree to recommend them as the SVMPO targets.
 - ii. SVMPO will receive Vista Transit's Transit Asset Management Plan, and will provide that Plan to ADOT and FTA, as applicable.
 - iii. SVMPO will receive ADOT performance targets for the rural areas and barring a substantive reason, recommend them for adoption as the SVMPO target.
- c. SVMPO will report performance targets and annual progress to FHWA and FTA, as applicable. A copy of all reports will be sent to the PARTIES at that time.
- d. Upon request, and when not contractually prohibited, SVMPO will share with the PARTIES data obtained or collected in support of performance measure tracking.
- e. SVMPO will, by reference in the Long Range Transportation Plan (LRTP), a System Performance Report that includes the condition and performance of the transportation system with respect to performance targets, including progress achieved by SVMPO toward the previously established and agreed upon performance targets.
- f. To the maximum extent practicable, SVMPO 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 and will link investment priorities to the established performance targets.

V. Responsibilities of Vista Transit

- a. Under FTA Section 5307, Vista Transit will establish transit asset management, safety and other required transit performance targets and share established targets with the PARTIES.
- b. Vista Transit will develop, with input through the Vista Transit committee process, the following required plans and performance measures:
 - i. The Transit Asset Management Plan, known as TAM;

- ii. Other performance targets, such as safety measures, and operational statistical data.
- c. Vista Transit will report performance targets and submit their Transit Asset Management Plan to SVMPO and other applicable state or federal agencies, including the National Transit Database.
- d. Upon request, and when not contractually prohibited, Vista Transit will share with the PARTIES data obtained or collected in support of performance measure tracking.

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 Federal Highway Administration or the Federal Transit Administration 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 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:

M.E. Normand

 Michael Normand, Transportation Administrator
 Vista Transit

Date 9/20/2018

Sharon G. Flissar

 Sharon G. Flissar, Public Works Director,
 City of Sierra Vista

Date 9/25/18

Frederick W. Mueller

 Frederick W. Mueller, Chair, Sierra Vista Metropolitan
 Planning Organization

Date 9/20/18

Greg Byres

 Greg Byres, Multimodal Planning Division Director
 Arizona Department of Transportation

Date 10/20/18