

Cooperative Agreement

An Agreement between

Tri-County Regional Planning Commission,
Peoria-Pekin Urbanized Area Transportation Study Policy Committee,
Illinois Department of Transportation,
Greater Peoria Mass Transit District (CityLink),
and East Peoria Mass Transit District

For

Cooperative Transportation Planning and Programming

Approved: August 1, 2008



IDOT



CityLink

This cooperative agreement is entered into by and between Tri-County Regional Planning Commission (TCRPC), Peoria-Pekin Urbanized Area Transportation Study (PPUATS) Policy Committee, the Greater Peoria Mass Transit District (CityLink), the East Peoria Mass Transit District, , and the State of Illinois acting by and through the Illinois Department of Transportation. This agreement established a cooperative intergovernmental framework for the Tri-County Regional Planning Commission which is charged with providing continuing, cooperative and comprehensive transportation planning in and around the Peoria-Pekin Urbanized Area.

WHEREAS 23 USC Section 134 of US Code as amended by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) , require that each urbanized area with a population of 50,000 or more, as a condition to the receipt of Federal capital or operating assistance for transportation, have a continuing, cooperative and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the urbanized area; and

WHEREAS Article VII, Section 10A of the Constitution of the State of Illinois and the Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq. enable parties here to enter into agreements among themselves and provide authority for intergovernmental cooperation; and

WHEREAS The authority and powers of the Commission are in accordance with the provisions of Chapter 34 Sections 152a-152d. 3,1957 Illinois Revised Statutes as now and hereafter amended, and pursuant to the "Resolution for Establishment of a Tri-County Regional Planning Commission," passed and approved by Peoria County, Tazewell County and Woodford County, on March 12, 1958, as amended; and

WHEREAS, The Tri-County Regional Planning Commission, the Illinois Department of Transportation and the Transit Operators have participated in transportation planning for the Peoria Urbanized Area since 1964, through the Peoria-Pekin Urbanized Area Transportation Study committees; and

WHEREAS, Section 112(f)3 of the 1973 Federal Highway Act authorizes the Governor to designate a Metropolitan Planning Organization responsible for carrying out transportation planning in urbanized areas in cooperation with the state; and

WHEREAS, a May 3, 1976 communication from Governor Dan Walker, acknowledged the Tri-County Regional Planning Commission as the designated Metropolitan Planning Organization for transportation planning in the Peoria-Pekin Urbanized Area; and

WHEREAS, the Tri-County Regional Planning Commission as the MPO is eligible to receive PL funds authorized by Section 104, Title 23 United States Code and

planning funds authorized by Section 9 of the Urban Mass Transportation Administration Act of 1964, as amended (49 USC 1607a) ; and

NOW, THEREFORE, the Tri-County Regional Planning Commission has been designated the MPO for the Peoria-Pekin Urbanized area and accepts the responsibilities and obligations that come with this designation: and

NOW, THEREFORE, The Tri-County Regional Planning Commission delegates all MPO functions to the Peoria-Pekin Urbanized Area Transportation Study Policy Committee; and

NOW, THEREFORE, IT IS AGREED by and between the parties including Tri-County Regional Planning Commission, Peoria-Pekin Urbanized Area Transportation Study Policy Committee, Illinois Department of Transportation, Greater Peoria Mass Transit District (CityLink), and East Peoria Mass Transit District hereto that:

Article I.

TCRPC Relationship with PPUATS Policy Committee

It is agreed by and between the Tri-County Regional Planning Commission and the Peoria-Pekin Urbanized Area Transportation Study Policy Committee that:

- A. The Peoria-Pekin Urbanized Area Transportation Study Policy and Technical Committees have been incorporated within the organizational structure of the Tri-County Regional Planning Commission
- B. The Peoria-Pekin Urbanized Area Transportation Study Policy Committee is designated as the committee responsible for transportation planning policy matters such as the long range transportation plan, annual Transportation Improvement Program, transportation planning activities in the urbanized area, and any other necessary plans to meet federal guidelines.
- C. The Peoria-Pekin Urbanized Area Transportation Study Policy Committee recognizes that Tri-County Regional Planning Commission has been designated as the Metropolitan Planning Organization. However, final approval of transportation related decisions are the responsibility of PPUATS Policy.
- D. The Tri-County Regional Planning Commission retains the right to request reconsideration of decisions or issues addressed by PPUATS Policy. The request to reconsider must be passed by a majority vote of the Tri-County Regional Planning Commission.
- E. PPUATS when appropriate and timely will provide opportunities for review and comment to the Tri-County Regional Planning Commission and the PPUATS Technical Committee. PPUATS will always offer opportunities for comments to TCRPC and PPUATS Technical Committee of federally required documents such

as the Long Range Transportation Plan, and the Annual Transportation Improvement Program.

- F. The Tri-County Regional Planning Commission will provide adequate staff for administrative services to the Peoria-Pekin Urbanized Area Transportation committees in connection with the transportation planning activities.
- G. The Tri-County Regional Planning Commission will oversee and be responsible for transportation planning funds.
- H. The Tri-County Regional Planning Commission and PPUATS Policy will annually adopt a joint funding agreement, which provides the required match for transportation planning funds.

Article II

Purpose and Duties of PPUATS to perform MPO responsibilities as delegated by TCRPC

Peoria-Pekin Urbanized Area Transportation Study (PPUATS) is created to perform and carry out a continuing, cooperative and comprehensive transportation planning process for the Peoria-Pekin Urbanized Area in accordance with applicable Federal laws, policies and procedures, and with the cooperation and assistance of its members and the U.S. Department of Transportation. Unless otherwise specified by subsequent amendments to 23 U.S.C. 134 and 49 U.S.C. 1607, the duties of PPUATS shall include:

- A. The continued functioning of the PPUATS Policy Committee, to oversee and coordinate the process for the area in a manner that will insure that the transportation planning and programming decisions are reflective of the needs of local and state governments, transit operations, and the general public.
- B. The development and maintenance of a Long Range Transportation Plan (LRTP) for the Peoria-Pekin Urbanized Area, including strategies to make more efficient use of existing transportation systems and to integrate local land use/development decisions and regional transportation investments.
- C. The development and annual update of a Transportation Improvement Program (TIP), which reflects the Policy Committee's priorities for federal and state investments in the urbanized area's transportation systems, to be developed in accordance with the Long Range Transportation Plan and other pertinent policies adopted by the PPUATS Policy Committee.
- D. The development and annual update of a Unified Planning Work Program (UPWP), which coordinates the area's transportation planning activities and establishes the priorities for planning initiatives to be undertaken by PPUATS.
- E. The development and update of a Public Participation Plan (PPP), which established a consistent communication policy to be carried out by PPUATS as it relates to regional plans and activities.
- F. Other planning and project development activities necessary to address transportation issues in the area.

Article III.

General Organization and Duties of PPUATS

- A. PPUATS shall consist of a Policy Committee, a Technical Advisory Committee, and other standing or temporary/special purpose committees as needed to carry out the duties and functions of PPUATS.
- B. The PPUATS Policy Committee shall be the recognized decision-making body for the Metropolitan Planning Organization serving the Peoria-Pekin Urbanized Area. The Policy Committee shall guide and approve all PPUATS planning activities, and shall have final authority over all decision-making matters within the jurisdiction of TCRPC.
- C. The PPUATS Technical Advisory Committee shall be established for the purpose of providing professional technical advice and recommendations to the PPUATS Policy Committee, and conducting or overseeing the technical planning functions and duties of PPUATS.

Sub Article III.1

PPUATS Policy Committee Structure and Responsibilities

See PPUATS POLICY BYLAWS adopted July 9th, 2003

Sub Article III.2

PPUATS Technical Advisory Committee Structure and Responsibilities

See PPUATS TECHNICAL BYLAWS adopted September 25th, 2002

Article IV

Illinois Department of Transportation

PPUATS shall conduct a comprehensive regional transportation planning process for Peoria/Pekin Urbanized area in a manner consistent with applicable provisions of Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). The Illinois Department of Transportation shall participate in said regional planning process through the following actions:

- A. Submit a program of projects for consideration to the annual Transportation Improvement Program document.
- B. Participate in staff level committees and subcommittees as requested by PPUATS.
- C. Assist with providing data to PPUATS upon request, concerning transportation plans, programs, and funding.
- D. Assist with analyses for major transportation capital investments to conform to priorities established in the metropolitan area's long-range transportation plan.

Article V

Public Transit Operators

PPUATS shall conduct a comprehensive regional transportation planning process for Peoria/Pekin Urbanized area in a manner consistent with applicable provisions of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). Public Transit Operators shall participate in said regional planning process through the following actions:

- A. Submit a program of projects for consideration to the annual Transportation Improvement Program document, according to a timetable established by PPUATS.
- B. Participate in staff level committees and subcommittees as requested by PPUATS.
- C. Ensure that plans that require federal funding support for implementation, including plans for major transit capital investments conform to priorities established in the metropolitan area's long-range transportation plan.
- D. Public Transit Operators shall assist PPUATS in securing data and source materials concerning transit plans, programs, and funding necessary to the effective accomplishment of the transportation planning process.

Article VI

Operating Clauses of the Agreement

Sub Article VI.1

Equal Opportunity Assurance

The parties involved in this Agreement hereby certify that as a condition of receiving Federal financial assistance to conduct transportation planning activities, they will ensure:

- A. That the intent of Title VI of the 1964 Civil Rights Act (42 USC 2000d-1) which state "No person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" is met.
- B. That the PPUATS will compile, maintain and submit in a timely manner Title VI information required by FTA Circular 4702.1 and in compliance with the U.S. Department of Transportation Title VI regulation 49 CFR Part 21.9.
- C. That the PPUATS will make it known to the public that the persons alleging discrimination on the basis of age, race, color or national origin, as it relates to the provision of transportation services and transit-related benefits, may file a

complaint with Federal Transit Administration and/or the U.S. Department of Transportation.

- D. All meetings shall be open to the public and conducted in accordance with the Illinois Open Meetings Act.

Sub Article VI.2

Amendments & Severability

- A. If any one or more of the provisions of this Agreement is declared unconstitutional or contrary to law, the validity of the remainder of the Agreement shall not be affected thereby.
- B. This Agreement is subject to amendment when a majority of all representatives of the PPUATS Policy Committee adopts the amendment.

Sub Article VI.3

Ratification & Termination

- A. This cooperative Agreement shall become effective upon approval by all signatory parties and shall remain in effect until a majority of the governing board of any party elects to terminate this agreement. This cooperative agreement may be supplemented with amendments or separate agreements between the parties to establish financial arrangements to specific workloads or to identify any other necessary arrangements.
- B. Designation of the MPO by the Governor and approval of the Agreement by the State of Illinois shall be considered acceptance of the provisions and objectives contained herein and shall constitute an agreement between the jurisdictions heretofore mentioned to cooperate in the continuing, cooperative and comprehensive transportation planning process for the Peoria-Pekin Urbanized Area.
- C. A jurisdiction which is eligible and wishes to be a part of this Agreement may do so by adoption of a resolution: said resolution agreeing to the provisions of this Agreement shall be delivered to the PPUATS Policy Committee. Addition of eligible jurisdictions is subject to the approval of the majority of PPUATS Policy Members
- D. Any party to this Agreement may withdraw by giving written notice to the PPUATS Policy Committee, not less than thirty (30) days prior to the effective date of termination. Termination from this agreement shall not relieve the withdrawing party from compliance with federal requirements for cooperative transportation planning and programming.
- E. Time of Performance: The parties shall commence their mutual responsibilities on the day of execution of this Agreement, and shall continue in this regard for thirty (30) days following the receipt of written notice of termination by either party from the other.

- F. Entire Agreement: This Agreement with its attachments and related laws, regulation and documents referenced herein, contains all of the terms agreed upon between the parties with respect to the subject matter herein and supersedes all prior agreements, arrangements and understanding, written or oral with respect to the subject matter herein.

Signature Page

Approved on this 26th day of June
Tri-County Regional Planning Commission

2008 by the

By Caroline Lebeck
Attest Jeff Helm

Approved on this 2nd day of July
Peoria-Pekin Urbanized Area Transportation Study Policy Committee

2008 by the

By Don Ruff
Attest Thomas McMeel

Approved on this 1st day of August
Illinois Department of Transportation

2008 by the

By Scott Niles
Attest John

Approved on this 14th day of July
Greater Peoria Mass Transit District

2008 by the

By Don Shaw
Attest Sharon H. McBride

Approved on this 14th day of July
East Peoria Mass Transit District

2008 by the

By Earl C. Smith
Attest Nichelle Evans