

SOUTHWESTERN PENNSYLVANIA COMMISSION

RESOLUTION NO. 8-08

A RESOLUTION OF THE SOUTHWESTERN PENNSYLVANIA COMMISSION ("SPC") to approve and authorize signature of the Memorandums of Understanding by and between Southwestern Pennsylvania Commission, Pennsylvania Department of Transportation and the Operators of Public Transportation in the Southwestern Pennsylvania Metropolitan Planning Area Specifying Cooperative Procedures for Carrying Out Transportation Planning and Programming.

WHEREAS, SPC was established as a regional planning commission with the Counties of Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Lawrence, Washington, and Westmoreland and the City of Pittsburgh as Participating Political Subdivisions pursuant to the regional Planning Law, May 29, 1956, P.L. 1845, as amended: and,

WHEREAS, SPC was established pursuant to Section 3 of the Intergovernmental Cooperation Act, Number 180, July 12, 1972, as the designated Metropolitan Planning Organization (MPO) for the Pittsburgh Metropolitan Planning Area; and,

WHEREAS, the Statewide and Metropolitan Planning Regulations (23 CFR 450) were promulgated jointly by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) and became effective on November 29, 1993, to implement provisions of the Intermodal Surface Transportation Efficiency Act of 1991; and,

WHEREAS, 23 CFR Part 450.312 Subpart (a) of said Federal Regulations requires that the MPO in cooperation with the state and with operators of publicly provided transit services shall be responsible for carrying out the metropolitan transportation planning process; and that the MPO, the state and transit operators shall cooperatively determine their mutual responsibilities in the conduct of the planning process, including corridor refinement studies; and that they shall cooperatively develop the unified planning work program, transportation plan, and transportation improvement program; and,

WHEREAS, on February 14, 2007, 23 CFR Part 450.314 Subpart (a) was added in response to changes in the federal planning process in accordance with the Safe, Accountable, Flexible and Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU) which requires that: 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 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 and the metropolitan TIP and the annual listing of obligated projects; and,

WHEREAS, on November 24, 1993, the Environmental Protection Agency (EPA) promulgated a final rule (40 CFR 51 and 93) which required MPOs and the United States Department of Transportation (DOT) to make conformity determinations for metropolitan transportation plans and transportation improvement programs (TIPs) before they are adopted, approved, or accepted; and,

WHEREAS, the parties named in the Agreement desire to organize and conduct a continuing, comprehensive, coordinated transportation planning process for the Southwestern Pennsylvania Metropolitan Planning Area, consistent with said Federal Regulations, and with the policies of the Federal Government, the Commonwealth of Pennsylvania and SPC established pursuant thereto.

NOW, THEREFORE, BE IT RESOLVED that the Southwestern Pennsylvania Commission authorizes its Chairman, Secretary-Treasurer or Executive Director to sign the individual Memorandums of Understanding by and between Southwestern Pennsylvania Commission, Pennsylvania Department of Transportation and Operators of Public Transportation in the Southwestern Pennsylvania Metropolitan Planning Area Specifying Cooperative Procedures for Carrying Out Transportation Planning and Programming.

I, Rodney Ruddock, HEREBY CERTIFY that I am Secretary-Treasurer of the SOUTHWESTERN PENNSYLVANIA COMMISSION: that the foregoing resolution was adopted, in accordance with the By-Laws, by the Members of said Commission at a meeting duly called and held on the 28th day of April 2008, a quorum being present and that said resolution is now in full force and effect.

IN TESTIMONY WHEREOF I hereto subscribe my name as Secretary-Treasurer.

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Secretary-Treasurer