MEMORANDUM OF UNDERSTANDING
April 2015

MEMORANDUM OF UNDERSTANDING RELATING TO THE
COMPREHENSIVE, CONTINUING, COOPERATIVE TRANSPORTATION
PLANNING AND PROGRAMMING PROCESS FOR THE CENTRAL
MASSACHUSETTS REGION

By and Between the

Massachusetts Department of Transportation
Central Massachusetts Regional Planning Commission
Worcester Regional Transit Authority
Worcester City Manager
Five Selectmen, each representing one of the five subregions

WHEREAS, the Massachusetts Department of Transportation (MassDOT)
(formerly the Executive Office of Transportation) has the statutory responsibility,
under Chapter 25 of the Acts of 2009, to conduct comprehensive planning for
and to coordinate activities and programs of the state transportation agencies;
and, the Massachusetts Department of Transportation-Highway Division
(MassDOT-Highway Division (formerly the Massachusetts Highway Department)
has the statutory responsibility under Chapter 25 of the Acts of 2009 for the
construction, maintenance and operation of the state roads and bridges and
serves as the principal source of transportation planning in the Commonwealth
and is responsible for the continual preparation of comprehensive and
coordinated transportation plans and program; and,

WHEREAS, the Central Massachusetts Regional Planning Commission
(CMRPC) is recognized by the MPO as the officially designated regional planning
agency for the central Massachusetts region and as such has statutory
responsibility for the coordinated and orderly development of the region,
including regional growth planning and transportation planning as provided for
under the provisions of Chapter 40B of the Massachusetts General Laws. The
CMRPC is comprised of local planning board members and alternates or
representatives of the chief elected officials of each of its 40 member local
governments; and,

WHEREAS, the Advisory Board of the Worcester Regional Transit Authority
(WRTA) is comprised of the chief elected officials or designee of 35 cities and
towns that have joined to form a regional transit authority under the provisions of
Chapter 25 of the Acts of 2009. The WRTA has the statutory responsibility for
providing mass transportation on an exclusive basis in the area constituting the
authority, to provide mass transportation including long and short range planning
elements together with implementation schedules for mass transportation
improvements; and,
WHEREAS, on June 24, 2003 the EOT, the Massachusetts Highway Department (predecessors of MassDOT), the WRTA, and the CMRPC signed a Memorandum of Understanding and on November 18, 2003 the Worcester City Manager and Five Selectman (one from each of the region’s outer subregions), signed the same Memorandum of Understanding (MOU), agreeing to work together in undertaking the comprehensive, continuing, and cooperative transportation planning process (3C process), required by the United States Department of Transportation under the provisions of section 134 of Title 23 of the United States Code, as amended, and those of Section 8 of Title 49 of the Federal Transit Act, as amended, and creating the Transportation Planning Committee (subsequently replaced by the MPO Advisory Committee), and

WHEREAS, the Governor of the Commonwealth, in response to the provisions of the Moving Ahead for Progress in the 21st Century Act (MAP-21) of 2012 and its predecessor acts, and rules and regulations related thereto, and in view of the responsibility for the transportation planning and programming process of the nine parties to this agreement, hereinafter referred to as the MPO, previously designated representatives from these parties to be the Metropolitan Planning Organization (MPO) for the central Massachusetts region; and

WHEREAS, 23 CFR 450.310 of the Code of Federal regulations provides that, to the extent possible, there be one agreement containing the understanding required by this section with respect to cooperatively carrying out transportation planning and programming among the MPO, State and publicly owned operators of mass transportation services; and

WHEREAS, the members of the MPO recognize that transportation planning and programming must be conducted as an integral part of and consistent with the regional planning and development process, and that the process must involve the fullest possible participation by state agencies, local governments, private institutions, other appropriate groups and the general public, including those more vulnerable to bear the impacts of a transportation project, program, service or activity; and

NOW, THEREFORE, the members of the Central Massachusetts Metropolitan Planning Organization do hereby jointly agree as follows:

OBJECTIVES OF THE FEDERAL 3C TRANSPORTATION PLANNING PROCESS
- The 3C process is comprehensive, including the effective integration of the various stages and levels of transportation planning and programming for the entire central Massachusetts region and examining all modes so as to assure a balanced planning and programming effort.
- The 3C process is continuing, affirming the necessity to plan for the short and long range needs of the regional transportation system, emphasizing the
interactive character of the progression from systems planning to project planning, programming, operations and implementation.

- The 3C process is cooperative, requiring effective coordination among public officials at all levels of government, and inviting the wide participation of all parties, public or private, at all stages of the transportation planning process.

FUNCTIONS OF THE CENTRAL MASS MPO

- The Central Mass MPO shall perform all functions as required in federal or state law including jointly developing, reviewing and adopting the region's annual transportation planning work program, the regional transportation plan, the transportation improvement program and conformity determinations as may from time to time be required of the Central Mass MPO by federal and state laws and regulations. Once adopted, these documents may require administrative modifications and amendments, the definition for which shall be contained in a separate document entitled "TIP Amendment/Modification Procedures", along with the procedures to be followed for each one.

- In meeting the provisions of the federal 3C process, the Central Mass MPO assumes the responsibility for the transportation planning process which may include: initiation of studies, evaluation and recommendation of transportation improvements and the programming of funds for transportation projects in the region for which funding is sought for implementation. While transportation studies may be conducted by other entities from time to time, the Central Mass MPO shall monitor their progress and make the final decision for any regionally significant project to be included in the Long Range Transportation Plan.

- The Central Mass MPO shall be the forum for cooperative decision making by officials of local government, regional planning commission, regional transit authority and state officials representing state transportation agencies.

- The Central Mass MPO is committed to operate its programs, services and activities in full compliance with Title VI of the Civil Rights Act of 1964, Executive Order 12898, 1994 (Environmental Justice), Executive Order 13166, 2000 (Limited English Proficiency), American with Disabilities Act of 1990, and other related federal nondiscrimination laws administered by the Federal Highway Administration, the Federal Transit Administration, or both or any State law, regulation or requirement.

MEMBERSHIP OF THE CENTRAL MASS MPO

The membership of the Central Massachusetts Metropolitan Planning Organization shall consist of the following ten (10) State, Regional, City and Sub-regional officials or their designees:

- Secretary of the Massachusetts Department of Transportation
- Administrator of the Massachusetts Department of Transportation-Highway Division
• Chair of the Central Massachusetts Regional Planning Commission
• Chair of the Worcester Regional Transit Authority Advisory Board
• Chief Executive Officer of the City of Worcester
• One selectman (or the Town Manager in the case of Southbridge) elected from each of the following subregions:

NORTH: Towns of Barre, Holden, Oakham, Paxton, Princeton, Rutland, West Boylston
NORTHEAST: Towns of Berlin, Boylston, Northborough, Shrewsbury, Westborough
SOUTHEAST: Towns of Blackstone, Douglas, Grafton, Hopedale, Mendon, Millbury, Millville, Northbridge, Sutton, Upton, Uxbridge
SOUTHWEST: Towns of Auburn, Charlton, Dudley, Oxford, Southbridge, Sturbridge, Webster
WEST: Towns of Brookfield, East Brookfield, Hardwick, Leicester, New Braintree, North Brookfield, Spencer, Warren, West Brookfield

The term for the five local members (outside of the City of Worcester) shall be 3 years.

The CMRPC, the WRTA, the City of Worcester and the five subregions will be entitled to a designee to represent them at meetings; however the member must provide (in writing) the name of the designee to the chair prior to the meeting. A member is required to notify the chair when there is a change in the designee.

The Secretary of the MassDOT and the Administrator of the MassDOT-Highway Division or their designees will represent their respective agencies. Both state agencies fully understand the importance of maintaining the continuity of the MPO membership and, as such, will do everything possible to abide by the standard imposed on other members.

The Chair of the Advisory Committee and a representative from both the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) shall be considered ex-officio, non-voting members of the Central Mass MPO.

The election process for the five sub-regions shall be approved and directed by the Central Mass MPO and be implemented by the staff of the Central Massachusetts Regional Planning Commission.

CHAIR AND VICE CHAIR
The Chair of the Central Mass MPO shall be the Secretary of MassDOT or his/her designee. In the absence of the Chair, the Vice Chair shall oversee the conduct of the meeting. The Vice Chair shall be chosen from the group of officials representing the City and five sub-regions and may be consulted on procedural and agenda issues as needed.
MEETINGS OF THE CENTRAL MASS MPO

The Central Massachusetts Metropolitan Planning Organization shall meet at least annually. Additional meetings may be called by the Chair or Vice Chair if supported by at least three other members.

VOTING

A quorum of the Central Mass MPO shall consist of sixty (60%) percent of the membership. Lack of a quorum shall not prevent an officially called meeting from coming to order, discussing agenda items.

Action to accept a motion relative to the Regional Transportation Plan and the Transportation Improvement Program shall be by an affirmative vote of a super majority (simple majority plus one) of those members present, provided that the implementing agency (defined as MassDOT-Highway Division for highway projects, the WRTA for transit projects and MassDOT for Commuter Rail projects) is included in the affirmative vote. An affirmative vote of a super majority of those members present is required for all other matters.

THE ADVISORY COMMITTEE

In order to facilitate the implementation of the 3C process and the functions of the Central Mass MPO, an advisory committee will be established to advise the MPO. Its members will be recruited and selected by the MPO in a manner that provides for the involvement of local government officials, transportation professionals, transportation providers, and individuals experienced in economic development, freight, commuter rail, smart growth, environmental issues, regional planning, or other interest groups, ensuring broad representation and a geographical balance of its participants. Its principal mission is as follows:

1. To advise the Central Mass MPO on all matters of policy affecting the conduct of the region’s 3C transportation planning and programming process.

2. To put forth recommendations on such regional transportation work activities, plans, studies, project priorities and financial constraints as may be required for the effective operation of the Central Mass MPO.

3. To provide maximum participation in the transportation planning and programming process by creating a forum and other opportunities to bring together officials of local government, public agencies, transportation providers, and individuals experienced in economic development, freight, commuter rail, smart growth, environmental issues, regional planning, and other interest groups and residents for open dialogue and the exchange of views on current transportation issues.

RESPONSIBLE AGENT FOR REGIONAL TRANSPORTATION PLANNING

The Central Massachusetts Regional Planning Commission shall provide, by state designation and consistent with applicable federal transportation laws, the transportation planning staff for the Central Mass MPO. The CMRPC shall
maintain a qualified staff of transportation professionals, subject to the availability
of federal and state funds. The CMRPC staff, as directed by its Executive
Director, shall be responsible for the maintenance of the 3C transportation
planning process and shall conduct transportation planning on behalf of the
MPO, including the implementation of the sub-regional member selection
process and staff support for the operation of the Advisory Committee. The
Executive Director of the CMRPC shall, when appropriate, sign letters on behalf
of the Central Mass MPO.

REVIEW OF MEMORANDUM
This Memorandum of Understanding supersedes the MOUs of March 2003 and
October 2010, and shall become effective upon the date of the signatures of the
Secretary of MassDOT, the Chair of the Central Massachusetts Regional
Planning Commission, the Chair of the Worcester Regional Transit Authority
Advisory Board, the Worcester City Manager, and the Five Selectmen (one from
each of the five outer subregions). The Signatories shall formally review the
contents of this MOU every four years, with the option to review it more often if
needed, make appropriate changes as necessary and mutually agreeable, and
record the results of the review in the minutes of the meeting at which the review
is conducted. At the time of the review, the MOU and any proposed changes
shall be circulated among all the Boards of Selectmen, the City Manager, and the
town managers of the Region for their review.

EXECUTION
The undersigned recognize the complexity of the transportation planning and
program process and will endeavor to ensure that all personnel involved in their
jurisdiction will cooperate fully in carrying out the intent and provisions of this
MOU, and any amendments or additions agreed to by the signatories.

Date 8 Apr 15
Stephanie Pollack Secretary, Massachusetts Department of Transportation

Date 4/8/15
Philip Joinville, for Chairperson, CMRPC

Date 4/8/15
Stephen O’Neil, Administrator, for Chairperson, WRTA

Date 4/8/15
Joseph Borbone, for Worcester City Manager

Date 4/8/15
Kathlyn Inman, Representative, North Subregion

Date 4/8/15
Maurice DePalo, Representative, Northeast Subregion
John Hebert, Representative, Southeast Subregion

Date 4-8-15

Dennis Lamarche, Representative, Southwest Subregion

Date 4-29-15

David Delanski, Representative, West Subregion