

CENTRAL MASSACHUSETTS
METROPOLITAN PLANNING ORGANIZATION



CMMPO

Memorandum of Understanding (MOU)

November 2023



Document Prepared by:
Staff of the Central Massachusetts Metropolitan Planning Organization
1 Mercantile Street, Worcester MA 01608

Prepared in cooperation with the Massachusetts Department of Transportation and the U.S. Department of Transportation – Federal Highway Administration and the Federal Transit Administration. The views and opinions of the Central Massachusetts Metropolitan Planning Organization expressed herein do not necessarily reflect those of the Massachusetts Department of Transportation or the U.S. Department of Transportation.

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Notice of Nondiscrimination Rights and Protections to Beneficiaries

Federal Title VI/Nondiscrimination Protections

The Central Massachusetts Metropolitan Planning Organization (CMMPO) hereby states its policy to operate its programs, services and activities in full compliance with federal nondiscrimination laws including Title VI of the Civil Rights Act of 1964 (Title VI), the Civil Rights Restoration Act of 1987, and related federal and state statutes and regulations. Title VI prohibits discrimination in federally assisted programs and requires that no person in the United States of America shall, on the grounds of race, color, or national origin, including limited English proficiency, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal assistance.

Related federal nondiscrimination laws administered by the Federal Highway Administration, the Federal Transit Administration, or both prohibit discrimination on the basis of age, sex, and disability. These protected categories are contemplated within the CMMPO's Title VI Programs consistent with federal and state interpretation and administration. Additionally, the CMMPO provides meaningful access to its programs, services, and activities to individuals with limited English proficiency, in compliance with US Department of Transportation policy and guidance on federal Executive Order 13166.

State Nondiscrimination Protections

The CMMPO also complies with the Massachusetts Public Accommodation Law, M.G.L. c272 §§ 92a, 98, 98a, prohibiting making any distinction, discrimination, or restriction in admission to or treatment in a place of public accommodation based on race, color, religious creed, national origin, sex, sexual orientation, disability or ancestry. Likewise, CMMPO complies with the Governor's Executive Order 526, section 4, requiring all programs, activities and services provided, performed, licensed, chartered, funded, regulated, or contracted for by the state shall be conducted without unlawful discrimination based on race, color, age, gender, ethnicity, sexual orientation, gender identity or expression, religion, creed, ancestry, national origin, disability, veteran's status (including Vietnam-era veterans), or background.

Filing a Complaint

Individuals who feel they have been discriminated against in violation of Title VI or related Federal nondiscrimination laws, must file a complaint within 180 days of the alleged discriminatory conduct to:

To file a complaint alleging violation of the State's Public Accommodation Law, contact the Massachusetts Commission Against Discrimination within 300 days of the alleged discriminatory conduct at:

Ms. Janet Pierce, Executive Director
Central Massachusetts Regional Planning
Commission
1 Mercantile Street, Suite 520
Worcester, MA 01608
(508) 756-7717

Massachusetts Commission Against
Discrimination (MCAD)
One Ashburton Place, 6th floor
Boston, MA 02109
(617) 994-6000
TTY: (617) 994-6196

Translation

English: If this information is needed in another language, please contact the CMRPC/CMMPO Title VI Specialist at (508) 756-7717.

Spanish: Si necesita esta información en otro lenguaje, favor contactar al especialista de Título VI de CMRPC/CMMPO al (508) 756-7717.

French: Si vous avez besoin d'obtenir une copie de la présente dans une autre langue, veuillez contacter le spécialiste du Titre VI de CMRPC/CMMPO en composant le (508) 756-7717.

Portuguese: Caso esta informação seja necessária em outro idioma, favor contatar o Especialista em Título VI do CMRPC/CMMPO pelo fone (508) 756-7717.

Vietnamese: Nếu bạn cần thông tin bằng ngôn ngữ khác, xin vui lòng liên lạc với Tiêu đề VI Chuyên CMRPC/CMMPO tại (508) 756-7717.

Chinese: 如果用另一种语言需要的信息，请联系第六章专门CMRPC/CMMPO (508) 756-7717.

Afrikaans: As jy inligting nodig het in 'n ander taal, kontak asseblief die Titel VI Spesialis CMRPC/CMMPO by (508) 756-7717.

ADA/ 504 Notice of Nondiscrimination

The CMMPO does not discriminate on the basis of disability in admission to its programs, services, or activities; in access to them; in treatment of individuals with disabilities; or in any aspect of their operations. The CMMPO also does not discriminate on the basis of disability in its hiring or employment practices.

This notice is provided as required by Title II of the American with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973. Questions, complaints, or requests for additional information regarding ADA and Section 504 may be forwarded to:

Ms. Janet Pierce, Executive Director
Central Massachusetts Regional Planning Commission
1 Mercantile Street
Suite 520
Worcester, MA 01608
(508) 756-7717

This notice and document are available from the CMMPO in large print, on audio tape, and in Braille upon request.

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**CMMPO MOU
November 2023**

**MEMORANDUM OF UNDERSTANDING (MOU)
RELATING TO THE
“3C” COMPREHENSIVE, CONTINUING, and COOPERATIVE
TRANSPORTATION PLANNING & PROGRAMMING PROCESS
FOR THE
CENTRAL MASSACHUSETTS METROPOLITAN PLANNING ORGANIZATION**

By and Between the Ten (10) Listed PARTIES

**Massachusetts Department of Transportation (MassDOT)
Massachusetts Department of Transportation Highway Division
Central Massachusetts Regional Planning Commission
Worcester Regional Transit Authority
Worcester City Manager
Five Select Board Persons, representing each of five subregions**

WHEREAS, the **Massachusetts Department of Transportation (MassDOT)** Office of Transportation Planning (OTP) has the statutory responsibility, under Chapter 25 of the Acts of 2009, to conduct comprehensive planning, including the ongoing preparation of comprehensive transportation plans and programs, and to coordinate the activities and programs of the State transportation agencies; and,

WHEREAS, the **Massachusetts Department of Transportation-Highway Division (MassDOT-Highway Division)** has the statutory responsibility under Chapter 25 of the Acts of 2009 for the construction, maintenance and operation of the State-owned and maintained highways and bridges and serves as the primary source of transportation planning in the Commonwealth; and

WHEREAS, the **Central Massachusetts Regional Planning Commission (CMRPC)** is comprised of local planning board members and alternates or designees of the chief elected official of each of the 40 member communities of the Central Massachusetts Metropolitan Planning Organization (CMMPO), is recognized by the CMMPO as the officially-designated regional planning agency for the Central Massachusetts region with the statutory responsibility for comprehensive and transportation planning as provided for in Chapter 40B, Section 9-19 of the Massachusetts General Laws; and

WHEREAS, the Advisory Board of the **Worcester Regional Transit Authority (WRTA)** is

comprised of the chief elected official or designee of 37 municipalities 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 public mass transportation on an exclusive basis in the area constituting the authority, to provide public mass transportation service under contract in areas outside the authority, and to prepare a program for public mass transportation, which includes long and short-range planning elements together with implementation schedules for public mass transportation improvements; and

WHEREAS, 23 CFR 450.314 of the Code of Federal Regulations provides that, to the extent possible, there be one agreement containing the understanding required with respect to cooperatively carrying out transportation planning and programming among the MPO, State and publicly-owned operators of public mass transportation services. An initial agreement was signed by the original four (4) member CMMPO in 1976. When the CMMPO expanded to ten (10) members, Massachusetts Executive Office of Transportation (now MassDOT OTP), the WRTA and the CMRPC signed an updated MOU on June 24, 2003. This was followed on November 18, 2003 when the Worcester City Manager and five Selectman (one from each transportation planning subregion) subsequently signed the updated CMMPO MOU agreeing to work together in undertaking the “3C” Process. The CMMPO’s MOU was last updated in May 2021; and

WHEREAS, the **Governor of the Commonwealth**, who originally designated the CMMPO in 1976, in response to all applicable federal legislation, most recently the provisions of the Infrastructure Investment and Jobs Act (IIJA) aka the Bipartisan Infrastructure Law (BIL), signed into law November 15, 2021 and its predecessor acts, notably the Intermodal Surface Transportation and Efficiency Act of 1991 (23 CFR Part 450.314 and 49 CFR Part 61.3 as amended), and all rules and regulations related thereto, and in view to the responsibility for the transportation planning and programming process of the ten (10) Parties to this agreement, hereafter referred to as the CMMPO, previously designated representatives from these Parties to be the CMMPO; and

WHEREAS, the members of the **CMMPO** 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, regional authorities, private institutions, other interested stakeholders and the general public, including traditionally underserved communities and transportation disadvantaged populations that are more likely to be disproportionately impacted by transportation projects, programs, services, or other activities. Accordingly, it is the utmost responsibility of all Parties to carry out the transportation planning process in full consideration of all applicable Title VI, limited English proficiency (LEP) and Regional Environmental Justice “Plus” (REJ+) regulations & requirements; and

WHEREAS, the CMMPO is a named Party, and has the responsibility to maintain and periodically update, the Worcester, Massachusetts – Connecticut (MA – CT) Urbanized Area (UZA) Memorandum of Understanding (MOU) agreement. Further, the CMMPO is a named Party to the Boston, MA UZA MOU and Providence, RI UZA MOU agreements. The CMMPO fully acknowledges the need to adhere to all three listed agreements and participate to the

fullest extent possible with these named planning partners. As necessary, the CMMPO may enter into other needed planning agreements with neighboring planning partners.

NOW, THEREFORE, the members of the CMMPO do hereby jointly agree as follows:

VOTING MEMBERS OF THE CENTRAL MASSACHUSETTS MPO

The voting members of the CMMPO shall consist of the following ten (10) State, regional, city and subregional elected officials or their designees:

- The **Secretary** of the Massachusetts Department of Transportation
- The **Administrator** of the Massachusetts Department of Transportation Highway Division
- The **Chair** of the Central Massachusetts Regional Planning Commission
- The **Administrator** of the Worcester Regional Transit Authority
- The **City Manager** of the City of Worcester
- Five **Select Board persons** (or Town Manager in Southbridge) representing 5 towns, one from each of the following CMRPC transportation planning 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

In addition, the Chairperson of the CMMPO Advisory Committee (detailed below), a representative from the Federal Highway Administration (FHWA) and a representative from the Federal Transit Administration (FTA) are considered “Ex-Officio”, non-voting members of the CMMPO. *(Usually, the federal agency liaisons are assigned to the CMRPC to serve in an ongoing advisory role.)*

Administrative Procedures: CMMPO Bylaws

Article 1: CMMPO Chair & Vice Chair

The Chair of the CMMPO shall be the Secretary of MassDOT or their designee. The Secretary of Transportation is Chair to all MPOs in the Commonwealth. Similarly, the Administrator of the MassDOT-Highway Division or their designee will represent that agency on a statewide basis.

Any assigned designees for both the MassDOT Secretary and MassDOT Highway Division Administrator are permanently authorized to participate and vote at meetings of the CMMPO.

The Vice Chair shall be elected from among the local members of the CMMPO representing the City of Worcester and the five planning subregions. Further, the CMMPO may elect other officers as deemed necessary. The Chair is the official representative of the CMMPO. In the absence of the Chair or designee (detailed below), a selected Vice Chair shall oversee meetings of the body. The Chair or any four members of the CMMPO are empowered to call meetings of the CMMPO, however, a quorum that includes the Chair or Vice Chair is necessary to vote on any action items, in particular those associated with federal certification document activities, including the Long-Range Transportation Plan (LRTP) and the Transportation Improvement Program (TIP). In addition, in absence of the Chair, the Vice Chair may be consulted on procedural and agenda issues as necessary.

Article 2: Subregional Member “Self-Selection Process”

The election process for the five transportation planning subregions shall be approved and directed by the CMMPO and subsequently implemented by the CMRPC Transportation Staff. The Subregional Membership Self-Selection Process occurs at a CMMPO Information & Member Selection meeting where the Select Board persons from each community in a particular subregion are asked to choose one (1) Select Board person from among the group to represent that planning subregion’s communities and (1) Select Board person as an alternate to the subregional representative on the CMMPO policy board for a three (3) year term. The CMRPC Transportation Staff facilitates the meetings when necessary, provides an overview of the role and responsibilities to the candidates for CMMPO membership as well as answers any questions. This process typically commences in August with an informational email to eligible Select Board participants. Next, the subregional selection meetings are held in September. Finally, in October, the new members begin their terms. In the event that the subregional representative loses their Select Board seat during the three (3) year term, the previously chosen alternate will then represent the subregion until the next term elections are conducted in the subregion. If the chosen alternate declines to serve, or is similarly not re-elected, a new self-selection process will be triggered and carried out by the CMMPO staff. An effort will be made to rotate community representation within the subregions.

Article 3: Member Term Lengths

Eligible chief elected officials representing each of the five planning subregions (Select Board Members), with exception of the city of Worcester, will be allowed to serve on the CMMPO for a maximum of six (6) years, or two three (3) year terms. At that time, CMMPO representation will automatically rotate to another eligible subregional community (detailed below). The CMRPC Transportation Staff will need to conduct the subregional “Self-Selection Process” to fill the rotating membership vacancy.

Article 4: Eligible Community Rotation

In order to provide transparent geographic equity for the CMMPO, after a CMMPO member serves a full six (6) years, or two three (3) year terms, that community must relinquish CMMPO

representation. At that time, CMMPO representation will automatically rotate to another eligible subregional community. Further, mandatory membership rotation will be followed by a minimum 3-year period before a chief elected official from that same community can again serve on the CMMPO. The CMRPC Transportation Staff will need to conduct the subregional "Self-Selection Process" to fill the rotating membership vacancy. In the rare event that no other Select Board persons in the subregion commits to serving on the CMMPO policy board, the CMMPO will determine how to effectively fill the mandatory community rotation vacancy. *(Note: The Worcester City Manager and their designee are exempt from the Geographic Equity - Community Rotation process.)*

Article 5: Meeting Attendance Consistency

Failure of the chief elected officials (Select Board Members) representing each of the five planning subregions to attend four (4) consecutive meetings of the CMMPO will lead to automatic forfeiture of active membership status AND forfeiture of host community eligibility for a period of three (3) years. Membership will need to "rotate" to another eligible subregional community for CMMPO representation. The CMRPC Transportation Staff will need to conduct the subregional "Self-Selection Process" to fill the forfeited membership vacancy.

Article 6: Member Designees

CMMPO members representing the CMRPC, the WRTA, the City of Worcester and the five transportation planning subregions unable to attend MPO meetings may send a designee to a meeting who is directly responsible and accountable to the official CMMPO member and organization they are representing. The designee may vote only with written and signed authorization (email is acceptable) from the CMMPO member addressed to the CMMPO Chair that is to be provided before or at the time of the meeting. If the CMMPO member designates the same individual to represent them at the CMMPO meetings, the written and signed authorization must be placed on file with the CMRPC Transportation Staff on an annual basis. Further, all local members are required to notify the CMMPO Chair whenever there is a change in the named designee. Notably, when necessary, the CMRPC Executive Director is the permanent designee for CMRPC Chair. Alternately, the Chair of the CMRPC Transportation Planning Committee can serve in place of the CMRPC Chair.

Article 7: CMMPO Meetings

The CMMPO, in order to fully maintain and support the ongoing 3C Process, will plan to meet on a monthly basis. The meetings will typically occur on the third Wednesday of the month at 4:00 PM. Robert's Rules of Order will be referenced to conduct the meetings and to resolve any procedural issues. The procedures in the endorsed Public Participation Plan (PPP) for the CMRPC planning region will also govern the proceedings of the CMMPO. Meetings can occur either in-person or can be accommodated in a virtual manner using an accessible software program such as Zoom or GoToMeeting. (Fully utilized at this time, proposed revisions for the PPP include the *formal* adoption of the provision for Virtual Public Involvement (VPI) through remote meetings using various technologies. Further, the provision for "hybrid" meetings will also be included in accordance with the Massachusetts' Open Public Meeting Law.)

Prior to the monthly meeting, an agenda shall be approved by the CMMPO Chair through MassDOT OTP. Further, if it is determined by the CMMPO Chair, in consultation with the CMRPC Transportation Staff, that the monthly meeting is not necessary, then the meeting can be cancelled. Also, if other factors prevent the regular monthly meeting to be held, the CMMPO Chair can act to postpone and reschedule the meeting in order to conduct any urgent business. Additional meetings of the CMMPO, if warranted, may be called by the Chair or Vice Chair if supported by at least four other members.

Article 8: CMMPO Voting

Votes of the CMMPO, including those on all federal certification documents - the Transportation Improvement Program (TIP); the Long Range Transportation Plan (LRTP); the Unified Planning Work Program (UPWP); Air Quality Conformity Determinations; and the Self-Certification Statement - shall be by a simple majority of those members present and voting, provided that one of the State agencies shall be included in the majority vote and at least six (6) members or designees are present.

A quorum of the CMMPO shall consist of sixty (60%) percent of the membership. Lack of a quorum shall not prevent an officially scheduled meeting from coming to order. The discussion of listed agenda items is allowed; however, no voting is permitted in the lack of a quorum. Further provisions of this article include the following:

- Action by the CMMPO to accept a motion relative to the LRTP and/or the TIP federal certification document activities shall be by an affirmative vote of a super majority of those members present (simple majority plus one), provided that the implementing agency (defined as MassDOT-Highway Division for highway projects, the WRTA for transit projects and the MassDOT Secretary or their designee for Commuter Rail projects) is included in the affirmative vote.
- Action by the CMMPO to accept a motion relative to all other matters shall be by an affirmative vote of a super majority of those members present (simple majority plus one)

FUNCTIONS OF THE CENTRAL MASSACHUSETTS MPO

The CMMPO is the designated transportation policy and project selection body for the Central Massachusetts planning region as long-required by federal transportation legislation. As such, the CMMPO shall perform all functions as required in federal or state law, including jointly developing, reviewing and endorsing the following federal certification documents and other products of the regional transportation planning program including the following:

- Unified Planning Work Program (UPWP), *prepared annually*
- Long-range Regional Transportation Plan (LRTP), addressing all major modes including the development of a financial plan that supports the LRTP, *updated every four years*

- Transportation Improvement Program (TIP), addressing major highway, bridge, transit & intermodal projects including the development of a financial plan that supports the TIP and the development and explicit posting of the annual listing of obligated projects, *prepared annually*
- Related Air Quality Conformity Determinations, *as necessary*
- Performance Management, addressing both highway & transit, status review of metrics and target setting, *prepared annually*
- Public Participation Plan, outreach plan adherence, *ongoing*
- Any other unanticipated transportation planning activities required by federal and state laws & regulations, *as necessary*

Further, once endorsed, these transportation planning documents may require amendments or administrative modifications. The most current Amendment and Administrative Adjustment procedures for the UPWP, LRTP and TIP are included within each stand-alone document.

The CMMPO shall be the forum as appropriate/pertinent for cooperative decision making by chief elected officials of general-purpose governments in the region, regional commissions, regional transit authorities, transportation agencies and State transportation officials.

In an overarching manner, the CMMPO 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), current Regional Environment Justice "Plus" (REJ+) regulations that encompass transportation disadvantaged and other identified vulnerable populations, 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 (FHWA), the Federal Transit Administration (FTA), or both as well as any applicable state law, regulation or requirement.

In the resolution of basic regional transportation policy, the CMMPO shall seek and consider the advice of the long-established CMMPO Advisory Committee. In so doing, the CMMPO shall provide the CMMPO Advisory Committee with information and analyses in the form of plans, programs and priorities so that the CMMPO Advisory Committee can carry out its function in a timely fashion.

Further, the CMMPO shall have the ability to appoint other committees it determines necessary to accomplish its business. Such committees shall consist of CMMPO members, their designees, the CMMPO Advisory Committee, and transportation stakeholders/partners as appropriate. The CMMPO shall assign duties to the committees.

OBJECTIVE OF THE FEDERAL "3C" TRANSPORTATION PLANNING PROCESS

The 3C Process is a comprehensive, continuous and cooperative transportation planning process resulting in plans, programs and operations consistent with the planning objectives of the metropolitan area.

- 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 effort. There is a simultaneous analysis of various related non-transportation elements, such as land use, economic development and demographics to assure consistency within a total planning process.
- The 3C Process is **Continuous**, affirming the necessity to plan for the short and long-range needs of the regional transportation multi-modal/intermodal system, emphasizing the interactive character (nature) of the progression from systems planning to project planning, programming, operations and implementation. Frequent updating and reevaluation of data and plans is necessary.
- The 3C Process is **Cooperative**, requiring effective coordination among public officials at all levels of government, and inviting the wide participation of all parties and stakeholders, public or private, at all stages of the transportation planning process. A key objective of the process is to resolve issues and controversies by providing a forum for negotiation and consensus building. At the same time, the process is not intended to operate, and cannot operate, to dilute the ultimate authority or responsibility of those State, regional, or local public officials who, pursuant to statute or under contract, review and/or implement transportation plans, programs and projects.

The 3C Process is intermodal and is intended to help provide the Central Massachusetts region with the ability to maintain, manage and operate a multimodal transportation system that provides a high level of mobility and safety for people and freight, consistent with fiscal and environmental resources.

It is the responsibility of the CMMPO to carry out the 3C Process, in cooperation with MassDOT and public transportation operators, and to develop the LRTPs and TIPs through a Performance Management-driven, outcome-based approach to planning. Furthermore, as federally-required, the ongoing metropolitan transportation planning process shall also develop the respective financial plans that support the LRTP and TIP. The CMMPO shall also explicitly develop an annual listing of obligated federal-aid projects and post the listing on the CMRPC agency website. *(While transportation studies in the region will likely be conducted by other entities, the CMMPO shall, as appropriate/pertinent, monitor their progress and subsequently decide if any suggested regionally-significant project can be included in the LRTP. This is considered a staff function on behalf of the CMMPO as necessary/pertinent regarding statewide activities.)*

THE CMMPO ADVISORY COMMITTEE

In order to support the ongoing functions of the CMMPO and to provide for the accomplishment of the objectives of the 3C Process, the CMMPO had previously established a permanent advice-giving committee known as the “CMMPO Advisory Committee”. The CMMPO Advisory Committee assists in establishing transportation policy and selecting improvement projects for the planning region. The Advisory Committee also provides recommendations to the CMMPO based on identified community needs.

Membership on the CMMPO Advisory Committee is comprised of individuals from a variety of backgrounds with a broad range of expertise. The CMRPC Transportation Staff, on behalf of the CMMPO, seek persons for membership such as local government officials, public agency officials, transportation professionals, transportation providers and individuals experienced in areas including but not limited to economic development, freight movement, passenger rail, smart growth, environmental issues, regional planning, or other pertinent stakeholders.

It is expected that the CMMPO Advisory Committee Chair will participate in all CMMPO meetings as an ex-officio member and will have the opportunity to comment and advise on matters being discussed.

The principal mission of the CMMPO Advisory Committee is the following:

- To advise the CMMPO on all matters of policy affecting the accomplishment of the region’s 3C Process for transportation planning and programming, including project screening, ranking and selection.
- To make recommendations on regional transportation work activities, plans, studies, project screening, ranking and selection and associated financial constraints as required.
- To provide for broad, purposeful participation in the transportation planning and programming process by maintaining a monthly a forum (and other potential opportunities) to bring together persons for open dialogue and the exchange of views on both known current and likely future transportation challenges.
- To facilitate, wherever possible, the consistency of transportation plans and programs for the region with the policies, priorities, and plans of affected State and regional agencies, local communities, private groups and individuals within the region.

STAFF & FINANCIAL RESOURCES FOR PLANNING

The CMRPC shall provide, by State designation and consistent with applicable federal transportation legislation, the transportation planning staff for the CMMPO. As such, the

CMRPC, overseen by its Executive Director, shall maintain a qualified staff of transportation professionals and staff with other pertinent expertise, subject to the ongoing availability of federal and state funds. (Occasionally, other parties, with full MassDOT approval, may provide additional resources to the regional planning program.)

The CMRPC Transportation Staff, as directed by its Executive Director, shall be responsible for the ongoing progression and maintenance of the federal 3C Process. All transportation planning work undertaken by the CMRPC Transportation Staff on behalf of the CMMPO shall be documented in an endorsed UPWP. In addition, staff is responsible for facilitating the periodic subregional member self-selection process from eligible subregional Select Board members as well as providing support for the ongoing activities of the CMMPO Advisory Committee.

REVIEW OF THE MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding, dated May 2021, supersedes the former CMMPO MOU of April 2015 and becomes effective on the date that all of the ten (10) listed Parties affix their signatures to this document. Regular periodic review of the CMMPO MOU will be conducted by the CMRPC Transportation Staff and included in the UPWP for the applicable federal fiscal year at a minimum of every four (4) years with the guidance of the CMMPO Advisory Committee. At that time, the CMRPC Transportation Staff will make necessary edits, refinements, updates and additions, and other changes as necessary and mutually agreeable, present the revised MOU to the CMMPO for endorsement consideration and record the results of the review in the minutes of the meeting at which the review is conducted. Subsequently, the new CMMPO MOU will be posted on the CMRPC agency website. Interim updates may also be required based on new federal guidance, including any new national transportation legislation or at the request of the CMMPO members. *(Accordingly, the next scheduled review for this MOU will occur prior to May 2025.)*

EXECUTION OF THE MEMORANDUM OF UNDERSTANDING

This Memorandum shall become effective upon the authorized signatures of all ten (10) Parties:

- The **Secretary** of the Massachusetts Department of Transportation
- The **Administrator** of the Massachusetts Department of Transportation Highway Division
- The **Chair** of the Central Massachusetts Regional Planning Commission
- The **Administrator** of the Worcester Regional Transit Authority
- The **City Manager** of the City of Worcester
- Five **Select Board persons** (or Town Manager in Southbridge) representing 5 towns, one from each of the following CMRPC transportation planning subregions:

The below listed Parties agree to the contents of the CMMPO MOU as their respective signatures indicate. All recognize the complexity of the transportation planning and programming process and will endeavor to ensure that all personnel involved in their jurisdiction will cooperate in a reasonable manner in carrying out the intent and provisions of this MOU. Accordingly, all Parties will actively seek to ensure that the intent and provisions of the MOU are sincerely applied and followed. This includes any amendments or additions that may periodically occur and that are agreed to by the Parties.

CENTRAL MASSACHUSETTS METROPOLITAN PLANNING ORGANIZATION
Endorsement of the
MEMORANDUM OF UNDERSTANDING (MOU)
RELATING TO THE
"3C" COMPREHENSIVE, CONTINUING, and COOPERATIVE
TRANSPORTATION PLANNING & PROGRAMMING PROCESS
Member Signature Page



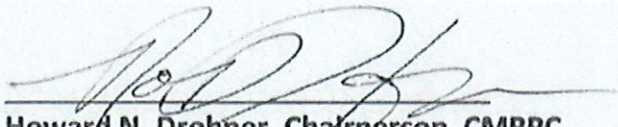
Date 02/29/24

Monica Tibbits-Nutt, Secretary, Massachusetts Department of Transportation

Ann Sullivan

Date 11/16/23

for Jonathan L. Gulliver, Administrator, MassDOT-Highway Division


for Howard N. Drobner, Chairperson, CMRPC

Date 11/27/2023

Joshua Rickman
Joshua Rickman, Administrator, WRTA

Date 11/16/2023


Eric D. Batista, Worcester City Manager

Date 2/21/24


Stephanie Mulroy, Representative, North Subregion

Date 11-30-23



Shelby Marshall, Representative, Northeast Subregion

Date 1/4/2024



Jesse Limanek Representative, Southeast Subregion

Date 1/2/24



John Daniel, Representative, Southwest Subregion

Date 11/16/23



Rick Eichacker, Representative, West Subregion

Date 11.17.23

The Signatories of the CMMPO (or their designees) took this action at a public meeting of the CMMPO on November 15, 2023.

Appendix A: CMMPO Advisory Committee Bylaws

Central Massachusetts Metropolitan Planning Organization

**CMMPO
ADVISORY COMMITTEE
BYLAWS**

Adopted January 24, 2024

LISTING of BYLAW ARTICLES

PREFACE

- Article 1: NAME**
- Article 2: PURPOSE & MISSION**
- Article 3: MEMBERSHIP**
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PREFACE

The CMMPO founded the “Advisory Committee” as a permanent advice-providing group, providing counsel to the CMMPO. At the direction of the CMMPO, the Advisory Committee assists in establishing transportation policy and selecting projects for programming. By supporting the ongoing functions of the CMMPO, the Advisory Committee provides for the accomplishment of the objectives of the federal “3C” Transportation Planning Process. Accordingly, the following Bylaw Articles have been crafted to provide both structure and stability to the Advisory Committee.

Article 1: NAME

The group will be known as the Central Massachusetts Metropolitan Planning Organization Advisory Committee, referred to herein as the “**Advisory Committee**”.

Article 2: PURPOSE & MISSION

The primary purposes of the Advisory Committee are the following:

- The purpose of the Advisory Committee is to involve stakeholders, interested parties and the general public in the transportation planning process carried out by the CMMPO.
- Further, the Advisory Committee provides a forum for broad public participation, encouraging technical, stakeholder and individual input.

The Advisory Committee is intended to bring together those interested in participating and assisting in the guidance of the region’s ongoing transportation planning program. Examples include:

- Local government officials (elected & appointed)
- Transportation disadvantaged populations
- Environmental interests
- Public agencies
- Model specialists
- Economic development agencies
- Technical experts
- Transportation providers
- Members of the public

Accordingly, the principal mission of the Advisory Committee consists of the following:

- To advise the CMMPO on all matters of policy affecting the accomplishment of the region’s “3C” Process for transportation planning and programming, including project screening, ranking and selection.
- To make recommendations on regional transportation work activities, plans, studies and associated financial constraints as required.
- To provide for broad, purposeful participation in the transportation planning and programming process by maintaining a monthly a forum (and other potential opportunities) to bring together persons for open dialogue and the exchange of views on both known current and likely future transportation challenges.

- To facilitate, wherever possible, the consistency of transportation plans and programs for the region with the policies, priorities, and plans of affected State and regional agencies, local communities, private groups and individuals within the region.

As such, the Advisory Committee’s purview encompasses all major modes of transportation operating in the planning region, in a multimodal & intermodal manner. Accordingly, the Advisory Committee’s responsibilities include the following:

- A. The solicitation and consideration of input from all stakeholders and members of the public interested in, and/or affected by the CMMPO’s transportation policy, plans or programs. Further, the Advisory Committee shall attempt to determine and consider the needs of those traditionally underserved communities and transportation disadvantaged populations that are more likely to be disproportionately impacted by transportation projects, programs, services, or other activities.
- B. The sharing of information about CMMPO transportation policy, plans or programs and decisions regarding same to its representative constituencies. Also reporting back similar information to the Advisory Committee from the representative constituencies.
- C. By the Advisory Committee’s activities, encourage involvement of the public throughout the CMMPO transportation planning process.
- D. At the direction of the CMMPO, the Advisory Committee will provide recommendations to the CMMPO based on the specialized knowledge of the membership as well as any submitted public input in the preparation of the following federal certification documents and other products of the regional transportation planning program including the following:
 - Long-Range Transportation Plan (LRTP), *updated every four years & amended/adjusted as necessary*
 - Transportation Improvement Program (TIP), including project screening and ranking, *prepared annually & amended/adjusted as necessary*
 - Unified Planning Work Program (UPWP), *prepared annually*
 - Related Air Quality Conformity Determinations, *as necessary*
 - Performance Management, *progress report prepared annually*
 - Public Participation Plan (PPP ~~POP~~), *updated periodically*
 - Review of regional thresholds, including the Regional Environmental Justice Plus (REJ+) thresholds, equity analyses and scenario planning options, *updated as necessary.*
 - Any other unanticipated transportation planning activities associated with the CMMPO’s requirement to effectively carry out the federal “3C” Transportation Planning Process, *as necessary*

The CMMPO must approve any activities of the Advisory Committee beyond the federal certification documents and other products related to the “3C” Process, previously listed. In addition, any written and verbal communication from the Advisory Committee to stakeholders, the public, including media, shall be done in consultation with the CMMPO Chair.

- E. Develop mutual relationships with other organizations interested in transportation planning, including serving as a liaison between the CMMPO and organizations to which the Advisory Committee member belongs. Advisory Committee members will keep their respective organizations and interests informed about CMMPO transportation policy, plans or programs and, in turn, bring any comments or questions to the Advisory Committee for consideration.

In support of the Advisory Committee’s transportation planning responsibilities, the Transportation Staff of the Central Massachusetts Regional Planning Commission (CMRPC), under the direction of the Executive Director, shall be permanently assigned to support the Advisory Committee within the scope of work reflected in the most current CMMPO Endorsed UPWP and subject to required financial constraint.

Article 3: MEMBERSHIP

Membership on the Advisory Committee is comprised of individuals, in a voluntary fashion, from a variety of backgrounds with a broad range of expertise. The CMRPC Transportation Staff, on behalf of the CMMPO, seeks persons for membership such as local government officials (elected & appointed), public agency officials, model specialists, transportation professionals, transportation providers and individuals experienced in areas including but not limited to economic development, freight movement, passenger rail, smart growth ~~land use~~, environmental topics, regional planning, environmental justice, bicycle and ~~&~~ pedestrian or other pertinent stakeholders with technical expertise.

- A. The Advisory Committee shall consist of at least 11 members but not more than 15 members. Designees to the official members are also permissible. Members should be willing to attend the Committee’s monthly meeting.
- B. Members shall represent areas of interest, and/or groups in the CMMPO planning region, and recruitment efforts will seek to represent this diverse range of expertise and experience.
- C. The Advisory Committee Chair and Vice-Chair shall approve new members of the Advisory Committee, following recruitment and screening by the CMRPC Transportation Staff. Recruitment efforts will attempt to seek out and include those traditionally underserved individuals/groups that are more likely to be disproportionately impacted by transportation projects, programs, services, or other activities.

Article 4: RECRUITMENT & TERM LIMITS

- A. Vacancies on the Advisory Committee shall be publicly advertised in the monthly CMRPC newsletter. Applicants shall submit an application form for membership screening provided by the CMRPC Transportation Staff. Selection shall be based on forming Advisory Committee representation from a broad cross-section of interests/expertise that include, but are not limited to, the following:
1. *Bicycling & Pedestrian Advocates*
 2. *Businesses/Chambers of Commerce*
 3. *Community Planners*
 4. *Departments of Public Health*
 5. *Economic Specialists*
 6. *Freight Movement, Railroads & Trucking*
 7. *Hiking Trail Advocates*
 8. *Land Use Specialists*
 9. *Low Income & Minority Advocates*
 10. *Municipal Public Works*
 11. *Natural Environment Advocates*
 12. *Neighborhood Groups*
 13. *Paratransit Transportation Advocates*
 14. *Public & Private Transit Providers*
 15. *Rural & Urban Representatives*
 16. *Transportation Engineers*
- B. In an overarching manner, the CMMPO, as well as any advice-giving Committee established by the CMMPO, is committed to operate in full compliance with all Title VI, LEP and EJ rules applicable to the CMMPO. These federal requirements, which encompass all the work of the CMMPO, shall be applied to the selection of Advisory Committee members. These work activities include:
- The Infrastructure Investment and Jobs Act (IIJA) aka Bipartisan Infrastructure Law (BIL), national transportation legislation, 2021 ~~2015~~
 - Title VI of the Civil Rights Act of 1964
 - Environmental Justice (EJ), Executive Order 12898, 1994
 - Limited English Proficiency (LEP), Executive Order 13166, 2000
 - American with Disabilities Act (ADA), 1990
 - Any other related federal nondiscrimination laws administered by the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), or both
 - Any applicable law, regulation or requirement of the Commonwealth
- C. The term length of the Advisory Committee membership shall begin on October 1st following appointment and expire in three years on September 30th, except under conditions of termination or membership forfeiture. Members shall serve no more than

two (2) consecutive terms (*total 6 (six) years*), the exception being if the members represent specific organizations, areas of interest or a technical specialty that potentially lacks qualified replacement volunteers. On a regular basis, the CMRPC Transportation Staff shall review the Committee membership while also checking the current standing of the Chair & Vice Chair.

- D. Continuing membership of the Advisory Committee shall depend on consistent, active participation. If a committee member fails to attend more than six (6) consecutive meetings, it will result in automatic forfeiture of the person's membership on the Advisory Committee.

Article 5: OFFICERS

The Officers shall be a Chair and a Vice Chair or, if agreed to by the membership, Co-Chairs and a Vice Chair. The Advisory Committee Chair shall be the primary contact for the Committee through the CMRPC Transportation Staff. The Chair will assist in setting agendas, in concert with the CMRPC Transportation Staff, and shall call and preside at the meetings.

As provided in the CMMPO's Memorandum of Understanding of November 2023 the Advisory Committee Chair, representing the Advisory Committee, shall be considered ex-officio, non-voting member of the CMMPO and should actively participate at all meetings of the CMMPO and will have the opportunity to comment and advise on matters being discussed. Further, the Advisory Committee Chair (or their designee(s)) shall have the opportunity to participate on all sub-committees appointed by the CMMPO, again as ex-officio, non-voting member(s).

The Advisory Committee Vice Chair shall serve in the absence of the Chair. The Vice Chair will actively participate in meetings of the CMMPO in the absence of the Chair of the Advisory Committee. If there is no Vice Chair, the Chair can request a member of the Advisory Committee to participate as ex-officio in meetings of the CMMPO in their absence.

Article 6: OFFICER ELECTIONS

Interested Advisory Committee members in good standing and exhibiting regular meeting attendance have the opportunity to nominate themselves or be nominated by other members for the Advisory Committee Officers of Chair & Vice Chair in June. Nominations from the floor, when duly seconded, will be accepted. In September, the elections for Chair & Vice Chair shall be held. Subsequently, the respective terms of the Advisory Committee Officers shall begin in October. At any time, in the event that the Chair cannot continue their term, then a special election will be held to fill the Advisory Committee leadership vacancy.

Article 7: MONTHLY MEETINGS

The Advisory Committee will schedule regular monthly meetings as necessary (typically on the fourth Wednesday of the month at 3:00 PM) with at least seven (7) days of prior notice to the scheduled meeting date. An agenda will also be provided to the Advisory Committee members at that time. Occasionally, Special Meetings may be called by the Chair with seven (7) days prior notice. All meetings of the Advisory Committee are open to the public.

The conduct of the meetings shall be governed by Roberts Rules of Order. Any individual is welcome to participate in the open public meetings of the Advisory Committee as a non-voting participant, however, only after being recognized to speak by the Chair. The Chair shall recognize all attendees seeking to address the Advisory Committee, with the exception being the discussion of a motion on the floor, where the Chair shall have discretion. *The virtual meeting option currently in use will be preserved by the CMRPC Transportation Staff.*

Article 8: QUORUM

A simple majority of 6 members present, or their official designees, and voting shall constitute a quorum and it is necessary for passage of all motions.

Article 9: MOTIONS

Motions will be accepted only if moved and seconded by the voting Advisory Committee members present, or their official designees, participating in a member's absence.

Article 10: VOTING

Each voting Advisory Committee member shall have one vote, to be cast when a motion is being considered. In the case of a member's absence, their official designee will have the ability to cast a vote.

Article 11: SUB-COMMITTEES

When deemed necessary, the Chair may appoint Sub-Committees to assist in carrying out the business of the Advisory Committee. Sub-Committees members will be appointed by the Chair.

Status updates by Sub-Committees shall be submitted to the supporting CMRPC Transportation Staff for subsequent report to the Advisory Committee. The Chair shall review a list of existing Sub-Committees and their membership prepared by the CMRPC Transportation Staff annually in October.

Article 12: AMENDMENTS & PERIODIC REVIEW

These Bylaws supersede those of June 23, 2021 and may be amended by a simple majority vote of the Advisory Committee at a regularly scheduled and advertised meeting. Specific notice of the proposed amendment shall be provided to members a minimum of seven (7) days prior to the scheduled meeting.

Further, regular updates to the CMMPO Advisory Committee Bylaws will occur in conjunction with the required, periodic reviews of the CMMPO Memorandum of Understanding (MOU), which will occur at a minimum of every four (4) years.