

MEMORANDUM OF UNDERSTANDING

BETWEEN THE GREENVILLE-PICKENS AREA TRANSPORTATION STUDY (GPATS),
THE GREENVILLE TRANSIT AUTHORITY,
AND THE CITY OF CLEMSON

SUMMARY

A Memorandum of Understanding between the Greenville Urbanized Area's Metropolitan Planning Organization (MPO), GPATS, and the authorized transit providers, for the purposes of detailing the functions and responsibilities of each, and to establish a basis for logistical and financial decisions.

PREAMBLE

WHEREAS, (1) the Greenville-Pickens Area Transportation Study adopted a resolution on March 17, 2014 to authorize GPATS as the Designated Recipient for Federal Transit Administration (FTA) apportionments in the Greenville Urbanized Area effective upon the joint concurrence of the public transportation providers residing within the Greenville Urbanized Area, and, and

WHEREAS, (2) the Greenville Transit Authority (GTA) and Clemson Area Transit (CAT), a department of the City of Clemson and governed by the Clemson City Council, both provide mass transit service within the Greenville Urbanized Area, and

WHEREAS, (3) FTA regulations, 23 CFR §450.310 *et seq*, require "an agreement between the MPO and operators of publicly owned transit services which specifies cooperative procedures for carrying out transportation planning (including corridor and subarea studies) and programming as required," and

WHEREAS, (4) FTA Section 5307/5340 apportionment funding may be sub-allocated from the certified Designated Recipient to certified Direct Recipients and Sub-Recipients thereof, and

WHEREAS, (5) FTA Section 5310 and 5339 apportionment funding may not be sub-allocated by the certified Designated Recipient, and

WHEREAS, (6) FTA Section 5303 funding is programmed annually in the GPATS Unified Planning Work Program,

THEREFORE BE IT KNOWN, that the following provisions of this Memorandum of Understanding are agreeable to all parties:

- 1) That the Greenville-Pickens Area Transportation Study (GPATS) shall apply to the South Carolina Department of Transportation (SCDOT) and the Federal Transit Administration (FTA) to be the sole Designated Recipient of FTA Apportionments for the Greenville Urbanized Area for the purposes of allocating the FTA Section 5307/5340 apportionment funding to area transit providers.
- 2) That the Greenville-Pickens Area Transportation Study (GPATS) shall apply to the South Carolina Department of Transportation (SCDOT) and the Federal Transit Administration (FTA) to be a Direct Recipient of FTA Apportionments for the Greenville Urbanized Area for the purposes of administering the distribution of the FTA Section 5310 and 5339 apportionment funding.
- 3) That the Greenville-Pickens Area Transportation Study (GPATS) shall administer any transit planning activities related and pursuant to the Designated Recipient status through the Federal Highway Administration Planning Grant (FHWA PL) and not through Section 5307 or 5303 Planning apportionments, which will be passed through to the transit providers.
- 4) That the Greenville Transit Authority will maintain its status of Direct Recipient, and receive a portion of the Greenville Urbanized Area Section 5307 and 5340 apportionment shared with Clemson Area Transit.
- 5) That Clemson Area Transit will apply to FTA to become a Direct Recipient, at which time they will receive a portion of the Greenville Urbanized Area Section 5307/5340 apportionment shared with the Greenville Transit Authority. GTA would be "Held Harmless" in the case in which CAT does not become a Direct Recipient.
- 6) That both transit providers operating within the Greenville UZA shall be required, upon execution of the agreement, to compile annual verification of ridership by route so long as the incentive tier is to be used as a variable in the formula. In the event that an acceptable method for verifying passenger data such as the use of automatic passenger counters (APCs) or electronic fare boxes is not available, the administration of random surveys to comply with the requirement of the National Transit Database (NTD) specifications shall be employed. These surveys shall be conducted by a third-party agency to ensure the accuracy of the information obtained. Only passenger data obtained from routes servicing the Greenville Urban Area shall be

used in the calculation of Unlinked Passenger Trips (UPT) or Passenger Miles Traveled (PMT) throughout the endurance of the agreement. If the transit provider offers service the origin or destination of which crosses into other urban or rural areas, only the percentage of ridership pertaining to the Greenville UZA shall be used in the calculation of the UPT or PMT and both the passenger data for the route as well as percentage of passengers pertaining to the Greenville UZA shall be provided.

- 8) **That** Clemson Area Transit will begin reporting Passenger Miles Traveled to the National Transit Database for Reporting Year 2016.

- 7) That in order to facilitate a smooth sub-allocation process, a pre-determined formula shall dictate the sub-allocation split of Section 5307/5340 apportionments between the Greenville Transit Authority and Clemson Area Transit. This formula shall be used as the means of allocating funds throughout the Greenville UZA until the 2020 census or until it is mutually deemed unessential by all parties privy to the Agreement.
 - a) The agreed-upon formula and related matters are detailed in the attached **5307/5340 Apportionment Sub-Allocation Formula Worksheet**.
 - b) The formula, as set in the attached worksheet, shall remain unchanged annually; however, the value of the variables set therein may change with updated annual information certified by the National Transit Database and GPATS.
 - c) The formula will utilize Unlinked Trips as opposed to Passenger Miles Traveled, for Federal Fiscal Year apportionments for FY 2014-2017, after which Passenger Miles Traveled will be used in its place.
 - d) The Section 5307/5340 funding sub-allocation split for FY 2014 apportionments, per the formula in Worksheet One, will be:
Greenville Transit Authority: 66.92% (\$1,980,132.69)
Clemson Area Transit: 33.08% (\$978,822.31)


- 8) That the FTA Section 5310 apportionment funding will not be directly sub-allocated unless otherwise allowed by federal legislation or the Federal Transit Administration. Until such times, this sectional funding shall be administered by GPATS, and shall be announced and applied for by eligible sub-recipients on an annual basis; recommendation of projects funded shall be made by a joint sub-committee of the GPATS Study Team (made up of GPATS, GTA, CAT, and other relevant staff) and decided upon by the GPATS Policy Committee.

- 9)** That the FTA Section 5339 apportionment funding will not be directly sub-allocated unless otherwise allowed by federal legislation or the Federal Transit Administration. Until such times, this sectional funding shall be administered by GPATS, and shall be announced and applied for by eligible sub-recipients on an annual basis; GTA and CAT will submit annually-updated Asset Management Plans to GPATS, to be used as a basis for recommendation of projects made by a joint sub-committee of the GPATS Study Team (made up of GPATS, GTA, CAT, and other relevant staff) and decided upon by the GPATS Policy Committee.
- 10)** That the FTA Section 5303 apportionment funding shall be scheduled in the annual GPATS Unified Planning Work Program, activities to be applied for by the transit providers in the months leading up to the UPWP approval.
- 11)** That for coordination and reporting purposes, the Greenville-Pickens Area Transportation Study (GPATS), the Greenville Transit Authority (GTA), and the City of Clemson agree to the following:
- a)** That both GTA and CAT will maintain active participation in the GPATS process, providing staff to meetings and sitting on the GPATS Study Team, and that GPATS will in turn maintain active participation in the processes of GTA and CAT.
 - b)** That GPATS Staff will coordinate FTA Section 53 apportionment grant cycles in a timely manner with GTA and CAT.
 - c)** That GTA and CAT will be prompt in any required reporting to GPATS
 - d)** That GTA and CAT will be prompt and thorough in providing accurate and verifiable data to update the funding sub-allocation formulas
 - e)** That GPATS will include all planning activities by GTA and CAT into the Long-Range Transportation Plan
 - f)** That GTA and CAT will provide GPATS with yearly 5-year budget projections for both operations and capital for use in the GPATS Transportation Improvement Program
 - g)** That GTA and CAT will provide GPATS with a copy of its yearly Program of Projects for GPATS Approval.
 - h)** That GTA and CAT will provide a list of all planning activities reimbursed using Section 53 funds for inclusion in the GPATS Unified Planning Work Program
 - i)** That GTA and CAT will provide annual Asset Management Plans to all parties for capital planning purposes.


Agreement to this Memorandum of Understanding entered into agreement upon this day, the 15th of September, 2014.



H. G. Butch Kirven, GPATS Chairman



James W. Fouché III, GTA Chairman



J. C. Cook III, Mayor of Clemson