

COMMITTEE MEETING TITLE JPACT

DATE 2-11-82

NAME

AFFILIATION

G	Winston Kueth	Clackamas County	
/G	Vic Rhodes	City of Portland	
✓G	John Price	FHWA	
✓G	FRANK ANGELO	WASHINGTON COUNTY	
/G	STEVE DOTERRER	CITY OF PORTLAND	
✓G	Sarah Salazar	Port of Portland	ITR
✓S-	Keith Lawton	Metro	

AGENDA MANAGEMENT SUMMARY

TO: JPACT
FROM: Executive Officer
SUBJECT: Endorsing Definitions of Roles, Responsibilities and Funding for Special Needs Transportation

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Approve execution of Metro/ODOT/Tri-Met agreement establishing roles, responsibilities and funding for Special Needs Transportation.
- B. POLICY IMPACT: The primary change resulting from this agreement will be to prohibit the use of vehicles owned by private non-profit corporations acquired with UMTA 16(b)(2) funding from using the vehicles to provide special handicapped service under contract to Tri-Met. This will allow private (for profit) firms to compete for these contractual services.

With this change, Tri-Met will acquire needed vehicles under the Section 3 program and provide them to operators under a competitive bidding process. 16(b)(2) funding will still be available to private, non-profit corporations in the Portland area but only for use to serve specific client groups not served by Tri-Met.

- C. BUDGET IMPACT: None.

II. ANALYSIS:

- A. BACKGROUND: In the past, UMTA has funded vehicle acquisitions by private, non-profit corporations which have subsequently been used to provide service under contract to Tri-Met. Since these funds can only be granted to private, non-profit corporations, these vehicles can neither be owned by Tri-Met nor a private, for-profit operator. This results in an unfair financial advantage for non-profit corporations, thereby closing out for-profit corporations.

The agreement also reaffirms several other roles, responsibilities and funding agreements currently in operation, including:

- . Section 18 eligibility and local match responsibility; and
- . Special Needs Planning and Programming responsibilities.

- B. ALTERNATIVES CONSIDERED: Continuation of current practices resulting in discrimination against private, for-profit operators.
- C. CONCLUSION: Motion recommending execution of Metro/Tri-Met/ODOT agreement.

DRAFT

Intergovernmental Agreement

This Agreement dated _____, 1982, between the Tri-County Metropolitan Transportation District of Oregon (hereinafter "Tri-Met") and the Oregon Department of Transportation, Public Transit Division (hereinafter "Division") and the Portland Metropolitan Service District (hereinafter "MSD"), provides as follows:

RECITALS

IN ORDER TO clarify responsibilities for special needs transportation among the parties to this Agreement; and

IN ORDER TO ensure coordination and cooperation in the delivery of local, State and federal funds; and

IN ORDER TO better serve the transportation disadvantaged of the Tri-Counties,

AGREEMENTS

IT IS AGREED:

1. Term

The term of this Agreement shall be from _____, 1982, to and including ~~July 1, 1983~~

including June 30, 1984 unless sooner terminated under the provisions hereof.

2. Services

A. Special Needs Transportation Within Tri-Met Boundaries

1. Operations

- a. Tri-Met agrees to provide special needs transportation service, alone or through subcontractors, within Tri-Met boundaries.
- b. Tri-Met may apply for operating funds under ^{Urban Mass} ~~Federal~~ ~~Transportation Administration (UMTA)~~ ~~Highway Administration (FHWA)~~ Formula Program for Nonurbanized Areas, Section 18, (hereinafter "Section 18"), and provide special needs transportation in rural areas within Tri-Met boundaries in any county where another local government agency does not provide ^{the} local match.

2. Capital

- a. It is the intent of the parties to phase-out vehicles funded under the Urban Mass Transportation Administration Elderly and Handicapped Capital Grant Program, Section 16(b)(2), (hereinafter, "Section 16(B)(2)"), ^{which are in use for} ~~for use in~~ special needs transportation service under contract to Tri-Met within District boundaries

by July 1, 1983.

~~during the term of this Agreement.~~

- b. To this end, Tri-Met shall provide some special needs transportation vehicles which can be transferred or leased to subcontracting agencies, including public, private-nonprofit, and private-for-profit. The number of vehicles to be provided by Tri-Met will depend upon availability.

These vehicles shall not be funded through the Section 16(b)(2) program.

B. Special Needs Transportation Outside Tri-Met Boundaries

1. Operations

- a. Tri-Met shall apply for operating funds under Section 18 in any county where another local government agency provides ^{the} matching funds.
- b. In counties where Tri-Met is a recipient of Section 18 ^{and where the local match is provided by another agency} operating funds, ^{the} Tri-Met agrees to provide special needs transportation service, alone or through subcontractors, in rural areas outside Tri-Met boundaries.

2. Capital

In those counties where Tri-Met is a recipient of Section 18 operating funds, Tri-Met shall be the applicant for Section 18 capital grants.

C. Urban Mass Transportation Administration Elderly and Handicapped Capital Grant Program, Section 16(b)(2), Within Tri-Met Boundaries

The Division shall review Section 16(b)(2) grants within Tri-Met boundaries and approve grants only for client-specific transportation which the Division finds Tri-Met cannot adequately provide *effective the date of this agreement.*

D. Elderly and Capital Grant Program, 16(b)(2), Outside Tri-Met Boundaries

1. The Division shall review and approve 16(b)(2) grants outside Tri-Met boundaries.
2. The Division shall coordinate 16(b)(2) operations in the area outside Tri-Met boundaries.

E. Planning

1. MSD and Tri-Met will work together to conduct planning for special needs transportation inside their respective boundaries.
2. In any area outside Tri-Met boundaries where Tri-Met is a recipient of Section 18 operating funds, Tri-Met

shall conduct special needs transportation planning.

3. MSD shall review and endorse, as appropriate, all locally-adopted special needs transportation plans within the tri-counties. [^]
and programs
4. MSD shall apply for an Urban Mass Transportation Administration Planning and Technical Studies grant, Section 8, to fund its participation in planning for special needs transportation.

3. Termination for Convenience

Any party to this Agreement may terminate this Agreement in whole or in part at any time by written notice to both other parties.

TRI-COUNTY METROPOLITAN TRANSPORTATION
DISTRICT OF OREGON
BY _____

OREGON DEPARTMENT OF TRANSPORTATION
PUBLIC TRANSIT DIVISION

General Manager

Administrator

METROPOLITAN SERVICE DISTRICT
BY _____

APPROVED AS TO FORM:

Executive Director
officer

Counsel

A G E N D A M A N A G E M E N T S U M M A R Y

TO: JPACT
FROM: Executive Officer
SUBJECT: Approving the FY 1983 Unified Work Program (UWP)

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Approve the UWP containing the transportation planning work program for FY 1983. Authorize the submittal of grant applications to the appropriate funding agencies.
- B. POLICY IMPACT: Approval will mean that grants can be submitted and contracts executed so work can commence on July 1, 1982 in accordance with established Metro priorities.
- C. BUDGET IMPACT: The UWP matches the projects and studies reflected in the proposed Metro budget to be submitted to the Tax Supervisory and Conservation Commission.

II. ANALYSIS:

- A. BACKGROUND: The FY 1983 UWP describes the transportation/air quality planning activities to be carried out in the Portland/Vancouver metropolitan region during the fiscal year beginning July 1, 1982. Included in the document are federally funded studies to be conducted by Metro, Regional Planning Council of Clark County (RPC), Tri-Met, the Oregon Department of Transportation (ODOT) and local jurisdictions.

The Oregon portion of the FY 83 UWP major emphasis areas include:

- RTP Refinement
- Southwest Corridor Study
- Elderly and Handicapped Plan
- Energy Contingency Plan
- Regionwide Transitway Plan--Phase I

- B. ALTERNATIVES CONSIDERED: The alternative of not conducting the various studies was considered and rejected because of critical nature of issues to be addressed in solving the region's transportation problems.
- C. CONCLUSION: Adoption of the resolution will ensure application for federal funds will be made in a timely manner so as to continue transportation projects in FY 83.

KT:gl/2842B/214
5/6/82

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF APPROVING THE) RESOLUTION NO.
FY 1983 UNIFIED WORK PROGRAM (UWP))
) Introduced by the Joint
) Policy Advisory Committee on
) Transportation

WHEREAS, The Unified Work Program (UWP) describes all federally-funded transportation/air quality planning activities for the Portland/Vancouver metropolitan area to be conducted in FY 1983; and

WHEREAS, The FY 83 UWP indicates federal funding sources for transportation/air quality planning activities carried out by Metro, Regional Planning Council of Clark County (RPC), the Oregon Department of Transportation (ODOT), Tri-Met and the local jurisdictions; and

WHEREAS, The FY 83 UWP contains an agreement on interagency responsibilities between ODOT, Tri-Met and Metro, and RPC and Metro; and

WHEREAS, Approval of the FY 83 UWP is required to receive federal transportation planning funds; and

WHEREAS, The FY 83 UWP is consistent with the proposed Metro budget submitted to the Tax Supervisory and Conservation Commission; and

WHEREAS, The FY 82 UWP includes a work element for a Bi-State Transit Assessment that is proposed to be reprogrammed in the FY 83 UWP for a Regional Transitway Plan--Phase I; and

WHEREAS, The FY 83 UWP has been reviewed and agreed to by the Transportation Policy Alternatives Committee (TPAC) the Joint Policy Advisory Committee on Transportation (JPACT) and the RPC; now, therefore,

BE IT RESOLVED,

1. That the FY 83 UWP is hereby approved and the FY 82 UWP amended.
2. That the FY 83 UWP is consistent with the continuing, cooperative and comprehensive planning process and is hereby given positive A-95 Review action.
3. That the Metro Executive Officer is authorized to apply for, accept and execute grants and agreements specified in the UWP.

ADOPTED by the Council of the Metropolitan Service District this _____ day of _____, 1982.

Presiding Officer

KT:gl
2841B/214
5/6/82