

MEMORANDUM OF UNDERSTANDING (MOU)

Among

COLORADO DEPARTMENT OF TRANSPORTATION (CDOT),

REGIONAL TRANSPORTATION DISTRICT (RTD)

And

DENVER REGIONAL COUNCIL OF GOVERNMENTS (DRCOG)

for the

THE ESTABLISHMENT OF A PROCESS TO FACILITATE TRANSIT ASSET
MANAGEMENT (TAM) TARGET SETTING FOR THE FAST ACT PERFORMANCE
MEASURES

23 USC 150(c) establishes requirements for performance measures and targets for safety, infrastructure condition, system performance, freight, and air quality. The pertinent federal regulations require an agreement between CDOT, DRCOG, and public transit agencies, including activities related to required safety, infrastructure condition, system performance, and transit performance measure targets.

This MOU identifies the process between CDOT, RTD and DRCOG in order to set required national performance measure targets pertaining to TAM.

The FAST Act, 23 USC 150(c), and of its implementing regulations, 49 CFR § 625.45, require FTA Chapter 53 grant recipients or subrecipients to develop asset management plans for their public transportation assets, including vehicles, facilities, equipment, and other infrastructure. Tier I Public Transportation Providers must develop individual TAM Plans, and Tier II providers may participate in the CDOT-sponsored Group TAM Plan. These plans must include, among other things, measures and targets for the condition of specific transit related assets that are reported annually to the National Transit Database (NTD).

Further, requirements in 23 CFR § 450.314 (h) state: "The Metropolitan Planning Organizations (MPOs), States (CDOT), and the providers of public transportation (RTD) shall jointly agree upon and develop specific written provisions for cooperatively developing and sharing information related to transportation performance data, the selection of performance targets, the reporting of performance targets, the reporting of performance to be used in tracking progress toward attainment of critical outcomes for the region of the MPO (see § 450.306d), and the collection of data for the State asset management plans for the National Highway System (NHS)".

In order to implement 23 CFR § 450.314(h), CDOT, RTD and DRCOG agree to the following TAM performance-based planning and programming as outlined below:

1. Transit Asset Management Performance Targets

- A. TAM plans will be integrated with the development of the Transportation Improvement Program/Statewide Transportation Improvement Program (TIP/STIP). Each TAM Plan will cover a four-year horizon and will be updated no less frequently than every four years.
- B. The following national SGR performance measures for capital assets apply to TAM plans [49 CFR § 625.43]:
 - i. Equipment: (non-revenue) service vehicles. Percentage of vehicles that have met or exceeded their Useful Life Benchmarks (ULB).
 - ii. Rolling stock: Percentage of revenue vehicles within a particular asset class that have met or exceeded their ULB.
 - iii. Infrastructure: For fixed-guideway, track, signals, and systems, the percentage of track segments with performance restrictions.
 - iv. Facilities: Percentage of facilities rated below condition 3.0 on the Transit Economic Requirements Model (TERM) scale.
- C. Setting Performance Targets:
 - i. Tier I and II providers, in coordination with sponsors as appropriate, must set asset class initial targets for each of the applicable performance measures by January 1, 2017 for the following fiscal year [49 CFR 625.45]. Future targets will be set at least once every fiscal year by January 1st [49 CFR 625.45].
 - ii. RTD, CDOT, and DRCOG will coordinate to the extent practicable in the development and selection of State of Good Repair (SGR) measures and determination of targets.
 - iii. DRCOG established their initial targets in November 2018.
 - iv. DRCOG TAM targets are not required to be updated annually, but may be revisited when DRCOG adopts its Regional Transportation Plan and/or TIP as needed or applicable.

2. DRCOG, CDOT and RTD will share with one another sufficient information necessary to understand the SGR performance measures and targets as set out in Section 1 of the MOU (“SGR Data Summary”). CDOT and RTD also will share annual narrative reports that provide a description of any change in the condition of their transit system from the previous year and progress made during the year to meet performance targets, as reported to the National Transit Database (NTD) (“Plan Summary”). SGR Data Summaries will be shared by October 1st annually or within 30 days of the completion of any TAM Plan updates as applicable. Plan Narratives will be shared within 30 days of annual NTD reporting deadlines. The first SGR performance measures and targets will be shared in 2018 and the first narrative shared upon completion of the 2019 plan year report [49 CFR § 625.55]. The Parties will use any information exchanged solely for the purpose of performance based planning and regulatory compliance and will not share such information for any other purpose without prior written approval by the owner of the information.

3. In order to comply with 49 CFR § 625.53, CDOT and RTD will make available any pertinent records or documents supporting the TAM Plan including performance measures and targets documentation, investment strategies, and annual condition assessment reports [49 CFR § 625.53].

4. This MOU reflects the Parties' common understanding of their mutual commitments to comply with applicable law, rules, and regulations.

COLORADO DEPARTMENT OF TRANSPORTATION

Signed: David Krutinger

Name & Title: David Krutinger, Director Division of Transit and Rail

Date: 12-21-2018

REGIONAL TRANSPORTATION DISTRICT

Signed: Michael S. Meender

Name & Title: MICHAEL S. MEENDER, CSO, AGM SAFETY, SECURITY & ASSET MANAGEMENT

Date: 12/26/18

DENVER REGIONAL COUNCIL OF GOVERNMENTS

Signed: Ron Papsdorf

Name & Title: Ron Papsdorf, Director, Transportation Planning and operations

Date: 12-27-18