

AMENDED AND RESTATED JOINT METROPOLITAN PLANNING AGREEMENT  
BETWEEN  
LAKE-SUMTER MPO  
AND METROPLAN ORLANDO

THIS AMENDED AND RESTATED JOINT METROPOLITAN PLANNING AGREEMENT (“Agreement”), entered on the date indicated below, is by and between the Lake~Sumter Metropolitan Planning Organization (“Lake-Sumter MPO”) and MetroPlan Orlando, a transportation planning organization (“MetroPlan”), hereinafter collectively referred to as “the parties”.

**WITNESSETH**

**WHEREAS**, the Lake-Sumter MPO and MetroPlan are metropolitan planning organizations established by Section 339.175, Florida Statutes for the purpose of encouraging and promoting the safe and efficient management, operation and development of surface transportation systems; and

**WHEREAS**, the Lake-Sumter MPO and MetroPlan serve an Urbanized Area (UZA) in both Metropolitan Planning Areas (MPA); and

**WHEREAS**, on February 14, 2018, the parties entered into a Joint Metropolitan Planning Agreement, pursuant to 23 CFR § 450.314, in which the parties formalized their continued cooperation together to address the transportation needs in those areas where they share boundaries (“2018 Planning Agreement”); and

**WHEREAS**, staff and policy board members from both the Lake-Sumter MPO and MetroPlan Orlando already coordinate regional transportation issues through participation in the Metropolitan Planning Organization Advisory Council (MPOAC), the Central Florida MPO Alliance (CFMPOA), and the monthly coordination on Metropolitan Transportation Plan (MTP) efforts; and

**WHEREAS**, Lake-Sumter MPO and MetroPlan desire to amend and restate their Joint Metropolitan Planning Agreement.

**NOW THEREFORE, IN CONSIDERATION** of the mutual terms, understandings, and conditions, hereinafter set forth, the parties hereby agree as follows:

1. **Recitals**. The foregoing recitals are true and correct and incorporated herein by this reference.
2. **Purpose**. The purpose of this Agreement is to formalize the agreement between the parties to continue to cooperate in carrying out the metropolitan transportation planning process in accordance with Section 339.175, Florida Statutes, 23 C.F.R 450.312, and the goals and requirements of the most recent federal legislation. The Lake-Sumter MPO and MetroPlan entered into the 2018 Planning Agreement and now enter into this current Agreement to set forth the obligations and responsibilities so as to best manage the interconnections. The purpose of the

Agreement is not to be an approval of a merger of the individual parties into a single metropolitan planning organization.

3. **Effective Date.** This Agreement shall become effective upon the date the last party hereto executes it ("Effective Date"). By executing this Amended and Restated Joint Metropolitan Planning Agreement, the Lake-Sumter MPO and MetroPlan agree that that 2018 Planning Agreement is terminated as of the Effective Date of this Agreement.

4. **Planning Products and Timeframes.** The parties hereby agree to coordinate and collaborate in good faith and with due diligence to each product described below:

**(a) Regional Transportation Model**

The parties are working together with the Florida Department of Transportation (FDOT) and other neighboring MPOs to develop a coordinated update to the Central Florida Regional Planning Model (CFRPM). FDOT will oversee and coordinate the development, validation, use, maintenance, and future improvement of this model. The parties agree to continue to support and coordinate all travel demand modeling activities through the monthly LRTP Committee and at the CFMPOA.

**(b) Regional Long Range Transportation Plan (LRTP)**

The parties will continue to coordinate and collaborate on a Regional Multi-Modal Transportation System that connects the two Metropolitan Planning Areas (MPA). The system will continue to remain a component of each MPO's MTP and will continue to identify regionally significant Multi-Modal projects.

**(c) Joint Regional Project Priorities**

On the basis of the Joint Regional Multi-Modal Transportation System addressed in paragraph 4(b) above, the MPOs agree to continue adopting priorities for funding un-programmed improvements on the State Strategic Intermodal System (SIS), for Regional Bicycle and Pedestrian connections, Transportation Systems Management & Operations projects, and Transportation Regional Incentive Program (TRIP) projects that will be competing for statewide discretionary funding. The parties also agree to continue adopting priorities jointly through the CFMPOA. Both sets of Joint Regional Project Priorities consistent with Long Range Transportation Plans or Metropolitan Transportation Plans must be adopted by each MPO's governing board. Either MPO governing board may require that the Joint Regional Project Priorities be reconsidered at any time. This collaboration and the products developed will recur each subsequent year during the duration of this Agreement and will be a continuing obligation and commitment.

**(d) Joint Regional Public Involvement Process Component**

The parties will collaborate to maintain continued coordination on projects located in, and connecting to each MPA. Projects located in the Urbanized Area (UZA) will be noticed on both MPOs websites.

(e) **Web Page and Project Coordination**

The parties will continue to maintain project related links to both MPOs web pages, and notices of projects addressed in paragraph 4(d).

(f) **Transportation Performance Measures and Target Setting**

The parties will collaborate and cooperatively develop information related to transportation performance measures. Both parties supported the FDOT targets for Federal Performance Measures, and will continue to coordinate on the assessment and significant progress toward meeting Federal Performance Targets.

(g) **Transportation Improvement Program (TIP)**

The parties will coordinate to ensure the development of a consistent five-year Transportation Improvement Program (TIP) within the shared Orlando UZA located in the Lake-Sumter MPO MPA. Transportation improvements in the shared UZA located in the Lake-Sumter MPO MPA that are not included in the MetroPlan Orlando Long Range Transportation Cost Feasible Plan, are not eligible for the Transportation Management Area (TMA) funding associated with the Orlando UZA. MetroPlan will coordinate and incorporate Transportation Improvement Projects, in the shared UZA for information only, including local projects on and off the federal aid system.

(h) **Unified Planning Work Program (UPWP)**

The parties agree that these coordination efforts and outcomes shall be documented in subsequent transmittals of the Unified Planning Work Program (UPWP) and other planning products, to the State, the U.S. Department of Transportation, Federal Highway Administration and the Federal Transit Administration.

5. **Conflict Resolution.** The parties to this Agreement concur that if an issue is otherwise irresolvable, their staffs will organize a joint meeting of the MPO governing boards to resolve said matter. If the parties are unable to resolve the issue at the joint meeting, they agree to submit the issue to the East Central Florida Regional Planning Council (ECFRPC) for non-binding arbitration. Notwithstanding any such resolution process, the parties to this agreement do not waive their respective rights to seek declaratory judgment as provided in Chapter 86, Florida Statutes.

6. **Term and Termination.** This Agreement shall become effective upon the Effective Date and shall remain in effect until terminated by the parties. A party seeking to terminate this Agreement must provide written notice to the other party. Upon receipt of the notice of intent to terminate, the parties will enter a written termination agreement memorializing the responsibilities to be provided after the date of termination.

7. **Modifications.** No modification, amendment, or alteration of the terms or conditions contained herein shall be effective unless contained in a written document executed by the parties, with the same formality and of equal dignity herewith.

8. **Entire Agreement.** This document embodies the entire agreement between the parties. It may not be modified or terminated except as provided herein.

9. **Severability.** If any provision of this Agreement is found by a court of competent jurisdiction to be invalid, it shall be considered deleted here from, and shall not invalidate the remaining provisions.

10. **Counterparts.** This Agreement may be executed in any number of counterparts each of which, when executed and delivered, shall be an original, but all counterparts shall together constitute one and the same instrument.

11. **Additional Agreements.** In addition to this Agreement, additional agreements may be or may have been executed between the Lake~Sumter MPO and MetroPlan, including but not limited to the interlocal agreement constituting the Central Florida MPO Alliance, of which both the Lake~Sumter MPO and MetroPlan Orlando are parties along with, the River to Sea TPO, the Space Coast TPO, Ocala/Marion County Transportation Planning Organization, and the Polk TPO.

**IN WITNESS WHEREOF**, the parties hereto have made and executed this Agreement on the respective dates under each signature, each party by and through its authorized representative.

ATTEST:

**LAKE~SUMTER METROPOLITAN  
PLANNING ORGANIZATION**

\_\_\_\_\_  
Doris LeMay, Executive Assistant

Reviewed as to form and legality:

\_\_\_\_\_  
Nick Girone, Chair

This day \_\_ of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Melanie Marsh, MPO Attorney

**METROPLAN ORLANDO**

ATTEST:

\_\_\_\_\_  
Cathy Goldfarb, Coordinator and  
Recording Secretary

Approved as to Form and Legality:

\_\_\_\_\_  
John Dowless, Chairman

This \_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Steven Bechtel  
MetroPlan Orlando General Counsel