

**MEMORANDUM OF AGREEMENT
RELATING TO MUTUAL RESPONSIBILITIES
IN CARRYING OUT THE METROPOLITAN
TRANSPORTATION PLANNING PROCESS IN THE
SPOKANE METROPOLITAN PLANNING AREA**

This Memorandum of Agreement (MOA) is entered into, by the SPOKANE REGIONAL TRANSPORTATION COUNCIL (“SRTC”), the SPOKANE TRANSIT AUTHORITY (“STA”), and the STATE OF WASHINGTON, acting by and through the WASHINGTON STATE DEPARTMENT OF TRANSPORTATION (“STATE” and/or “WSDOT”). SRTC, STA, and WSDOT are collectively referred to as the “Parties” and individually as “Party” in this MOA.

RECITALS

WHEREAS, SRTC, as the designated Metropolitan Planning Organization (MPO) for the Spokane Metropolitan Planning Area (MPA), is charged with the responsibility of carrying out transportation planning and programming processes that lead to the development and operation of an integrated, intermodal transportation system; and

WHEREAS, STA, as a public transportation benefit area authority pursuant to RCW 36.57A, is the sole public transit operator within the MPA and designated recipient of federal transit funding within the Spokane Urbanized Area; and

WHEREAS, WSDOT is the state highway agency as referenced in Title 23CFR and Title 49CFR with the responsibility to preserve, manage and operate the state-owned transportation system’s facilities and services including, but not limited to, highways, ferries, airports, and rail; and

WHEREAS, the Parties desire to ensure a continuing, cooperative, and comprehensive transportation (“3-C” Process) for the Spokane MPA that involves cooperation and coordination between and among SRTC, STA, and WSDOT; and

WHEREAS, WSDOT is responsible for conducting a “3-C” Process as defined by 23 CFR 450.206 and is the administrator of all federal planning funds received or to be received for conducting the 3-C Process as defined in 23 USC 104(f) (4) (A) and 49 USC 5305(d) (2); and

WHEREAS, WSDOT is responsible for delivering a federally compliant statewide transportation plan, engaging in the metropolitan and non-metropolitan planning processes as both a network asset manager and a compliance and fiduciary agent of the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) by administering federal pass through funds to the Metropolitan Planning Organizations in Washington, including SRTC; and

WHEREAS, it is desirable and consistent with federal requirements to formalize the roles and responsibilities of SRTC, STA, and WSDOT in order to cooperatively carry out their respective metropolitan and statewide transportation planning and programming requirements to support effective regional and state transportation plan implementation.

NOW, THEREFORE, pursuant to RCW 39.34 and the above recitals that are incorporated herein, it is mutually agreed as follows:

SECTION 1: PURPOSE

The purpose of this MOA is to define the processes for cooperation, communication, and exchanging information among the Parties to ensure that the metropolitan transportation planning process is consistent with 23 CFR 450.314. This MOA includes specific provisions for cooperatively developing and sharing of information related to financial plans that support the Metropolitan Transportation Plan, the metropolitan Transportation Improvement Program (TIP), and the annual listing of obligated projects.

SECTION 2: AUTHORITY

2.1 Compliance with Applicable Laws and Regulations

SRTC, STA, and WSDOT shall comply with all applicable local, state, and federal laws and regulations in effect at the time of execution of this MOA. Nothing contained herein shall modify an existing duty or responsibility of any Party, except to the extent expressly set forth herein.

2.2 Spokane Regional Transportation Council

The Spokane Regional Transportation Council, a voluntary association and joint board in accordance with RCW 39.34.030, is the single MPO designated by the Governor of Washington for the Spokane MPA. SRTC is organized through an Interlocal Agreement of its members, consisting of representatives from Spokane County, cities and towns within Spokane County, WSDOT, and STA, and is responsible for fulfilling the federal metropolitan planning requirements as prescribed in the current Federal Surface Transportation Act, 23 USC 134, 23 CFR 450, and 49 CFR 613. SRTC is also the federally designated Transportation Management Area (TMA) for the Spokane Metropolitan Planning Area (23 CFR 134 (k)) and the state designated Regional Transportation Planning Organization (RTPO) for Spokane County (RCW 47.80 and WAC 468-86).

2.3 Spokane Transit Authority

STA is a public transportation benefit area authority and municipal corporation pursuant to RCW 36.57A and as established by resolution by the Spokane County Public Transportation Improvement Conference. In the creation of STA, component cities of the Spokane County Public Transportation Benefit Area transferred all rights to construct and operate public transit to STA. Consistent with authority granted by the Legislature, STA has contracted with the Federal Transit

Administration, an agency of the United States Department of Transportation, through a Master Agreement as amended periodically, to enable the corporation to be an eligible recipient of certain federal funds.

2.4 Washington State Department of Transportation

The Washington State Department of Transportation (WSDOT) is the steward of a large and robust transportation system, and is responsible for ensuring that people and goods move safely and efficiently. In addition to building, maintaining, and operating the state highway system, WSDOT is responsible for the state ferry system, and works in partnership with others to maintain and improve local roads, railroads, airports, and multi-modal alternatives to driving.

WSDOT tracks, reports, and manages its programs and projects according to the six transportation policy goals adopted by the Legislature in RCW 47.04.280. The six policy goals are safety, preservation, mobility (congestion relief), environment, stewardship, and economic vitality. These goals are interdependent and support the overall vision for all transportation agencies (like WSDOT) in the state.

SECTION 3: POLICY DEVELOPMENT AND REGIONAL COORDINATION

3.1 Scope of Metropolitan Transportation Planning Process

SRTC, as the MPO, in cooperation with WSDOT and STA, conducts a metropolitan planning process that is continuous, cooperative, and comprehensive and provides for the consideration of projects, strategies and services that will address the eight planning factors as specified in 23 CFR 450.306. This planning process will be carried out in coordination with the state transportation planning processes conducted by WSDOT as required by 23 CFR 450 (Subpart B).

3.2 SRTC Board and Committee Structure

SRTC operates through a Board that has adopted Bylaws establishing its officers, voting procedures, committees, public participation, and related matters. STA and WSDOT participate as voting members of the SRTC Board.

The SRTC Board has established a Transportation Technical Committee (TTC), which provides project input and helps assure a coordinated and well-considered regional transportation system. SRTC is responsible for coordination and administration of the TTC. STA and WSDOT participate as voting members of the TTC.

The SRTC Board has established a Transportation Advisory Committee (TAC) to provide transparency and a community perspective on transportation planning issues. SRTC is responsible for coordination and administration of the TAC. STA and WSDOT agree to provide information and updates to the TAC as appropriate about their respective plans, studies, and programs.

3.3 SRTC Unified Planning Work Program

On an annual or biennial basis, SRTC develops a Unified Planning Work Program (UPWP) that describes, to the extent practicable, all major transportation and related public transportation planning activities in the MPA for the next one- or two-year period, regardless of funding sources or the agencies conducting the activities. The UPWP shall include a budget that outlines SRTC's work activities to be conducted, the schedule for completion, and the work to be produced.

Between January and May of each year, or every other year, SRTC, in cooperation with WSDOT, STA, the local jurisdictions and other members of the MPO, will prepare the UPWP as required by 23 CFR 450.308. Formally, the work program will be reviewed by the TTC and the TAC, and approved by the SRTC Board. The UPWP and budget may be amended at any time by SRTC in accordance with its adopted operational procedures and pending approval by WSDOT, FTA and FHWA.

By December 31 of each year, WSDOT will inform SRTC of expected allocations of FHWA Metropolitan Planning funds (PL funds), FTA Section 5303 funds, State Regional Transportation Planning Organization (RTPO) funds, and any other State administered funds that are available to SRTC for the following State fiscal year.

SRTC agrees to coordinate with STA and WSDOT in developing and preparing the work program. STA agrees to provide SRTC with the public transportation planning components for the area within STA's Public Transportation Benefit Area (PTBA) and WSDOT agrees to provide SRTC with the State's transportation work components within Spokane MPA. The Parties agree to cooperatively review their proposed work components to enhance coordination and avoid duplicate work efforts.

3.4 Boundary Designation

The Metropolitan Planning Area (MPA) boundary is defined within 23 CFR 450.312 and as agreed to between SRTC and the Governor of Washington. The MPO planning process is conducted within the defined MPA boundary.

Boundary adjustments must adhere to 23 CFR 450.310, with agreement of the Governor. The MPA boundary will be reviewed following each decennial census, and at intermediate intervals as prompted by requests by local or state governments to modify the current MPA boundary. SRTC shall prepare and maintain a description and map of the current MPO boundary, and make it available to its member agencies and the public.

3.5 Regional Data Coordination

An integral part of the development and maintenance of the regional transportation planning process is a coordinated and consistent monitoring of the performance of the regional

transportation system. The Parties agree to coordinate in the collection, analysis, and dissemination of data in support of the regional transportation planning process.

To help ensure consistency in planning activities, SRTC shall periodically provide WSDOT and STA with current and forecasted demographic, economic, transportation, and other appropriate data as is mutually agreed upon by the Parties. Data requests will be coordinated and processed according to the SRTC's established data request policy. Requests for data to STA and WSDOT will be coordinated and processed according to their established data request procedures.

3.6 Regional Travel Demand Model

SRTC develops, maintains, and updates the regional travel demand model that is used for the MTP and TIP, transportation studies, and evaluating transportation related air quality impacts within the Spokane MPA. SRTC agrees to consult with WSDOT and STA regarding various modeling issues, including software platforms, data requirements, and overall model performance. SRTC agrees to provide the model and information from the model to STA and WSDOT for their own planning purposes. Data requests for model information will be coordinated and processed according to the SRTC's established data request policy.

In some instances, STA and WSDOT may modify the SRTC travel demand model to meet their specific planning purposes. When such modifications are made, STA and WSDOT agree: 1) to provide a written list of the modifications to SRTC; and 2) that the modified model will not be portrayed as the SRTC travel demand model, unless prior written consent is provided by SRTC.

3.7 Self Certification and Federal Certification

At least every four years and as part of the submittal of the proposed TIP, SRTC and WSDOT shall certify that the metropolitan transportation planning process is being carried out in accordance with all applicable federal planning requirements. In addition, FHWA and FTA jointly review and evaluate the planning process no less than once every four years. SRTC is responsible for ensuring compliance with the applicable federal regulations, and agrees to engage STA and WSDOT throughout the federal certification process.

SECTION 4: TRANSPORTATION PLANNING

4.1 Metropolitan Transportation Plan

The Metropolitan Transportation Plan (MTP) is the comprehensive transportation planning document for the Spokane MPA. SRTC agrees to prepare, adopt, and maintain a Metropolitan Transportation Plan in accordance with 23 USC 134, 23 CFR 450 and 49 CFR 5303(i). The parties agree to work together cooperatively to validate data utilized in preparing other existing modal plans for providing input into the metropolitan transportation plan. SRTC agrees to provide the adopted plan for informational purposes to WSDOT, STA, the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA).

The Parties agree to monitor internal plans, studies, and other activities to identify potential issues or conflicts with the MTP and will work together to take actions with a goal to resolve any potential issues or conflicts. WSDOT and STA agree to provide technical assistance and information to SRTC during the development or amendment of the MTP.

SRTC agrees to consult and coordinate with WSDOT and STA during the MTP update process to ensure continued consistency with respective transportation plans. The Parties agree to coordinate parallel planning activities and provide consistency between metropolitan and statewide planning outcomes. This includes mutual consideration of visions and priorities articulated in each entity's transportation planning documents and project selection process.

MTP amendments are undertaken for the purpose of adding, deleting, significantly changing a regionally significant project, or changing a project between scheduled MTP updates as long as the remaining MTP horizon is at least 20 years at the time of the amendment action. SRTC will ensure that MTP amendments adhere to relevant federal planning requirements and are developed and adopted through the metropolitan transportation planning process. When SRTC determines that an update of the MTP is necessary, it will notify WSDOT and STA in writing. This notification shall include information regarding both the update process and the schedule that SRTC intends to follow. SRTC will consult and coordinate with WSDOT and STA as it develops potential modifications to the MTP. After SRTC Board approval of such plan updates, SRTC will notify WSDOT and STA in writing of the final content of the updates.

4.2 Statewide Transportation Plan

The State also develops transportation plans in compliance with federal regulations in order to receive particular federal funds. These plans include: 1) The Long-Range Statewide Transportation Plan (Washington Transportation Plan 2007-2026) that the Washington State Department of Transportation is committed to update as per the agreement with the Federal Highway Administration and the Federal Transit Administration. This plan allows the state to receive federal surface transportation funds for cities, counties, and state highways; 2) The Strategic Highway Safety Plan (Target Zero) that is developed by the Washington State Traffic Commission, the Washington State Patrol, and the Washington State Department of Transportation. If this plan complies with regulations from the Federal Highway Administration, then the state is eligible to receive federal funds for highway safety improvements; and 3) The State Rail Plan (Washington State 2010-2030 Freight Rail Plan) that is developed by the Washington State Department of Transportation in compliance with the Federal Rail Administration regulations. This plan allows the state to receive federal funds for freight rail improvements.

When WSDOT determines that an update or modification to the portion of the statewide plan that specifically relates to the Spokane MPA is necessary, it will notify SRTC in writing. This notification will include information regarding both the process and schedule WSDOT intends to follow. WSDOT will consult and coordinate with MPOs including SRTC and with STA during this process to

assure continued consistency with the MTP. Upon approval of such updates, WSDOT will formally notify SRTC in writing of the final content of the updates.

All statewide multimodal transportation plan components and elements that relate to the Spokane MPA and the region's Metropolitan Transportation Plan are to be mutually consistent. WSDOT agrees that the statewide transportation plan, in relation to the Spokane MPA, shall be developed in cooperation with SRTC (23 CFR 450.214(f)). The state-owned component which includes preservation, maintenance, operations, safety and capacity improvement elements for state owned facilities shall serve as the basis for preparing the six-year regional transportation improvement program and the two-year biennial request to the legislature (See RCW 47.06.050 [1] [a] through [c]).

4.3 Air Quality Conformity

SRTC is responsible for compliance with Section 176(c) of the Clean Air Act by coordinating the development of transportation plans and improvement programs with the State Implementation Plan (SIP) development process. SRTC shall meet minimum Federal conformity provisions as set forth in 40 CFR 93. The Parties agree to participate in periodic interagency consultation meetings to ensure compliance of plans and programs with Federal conformity provisions.

SRTC agrees to develop and maintain a written agreement with the Washington State Department of Ecology (DOE), the designated agency for air quality planning under section 174 of the Clean Air Act (42 USC 7504), describing the respective roles and responsibilities for air quality related transportation planning. WSDOT and STA agree to provide available data to SRTC for regional and hot spot air quality analyses.

4.4 Congestion Management Process

SRTC, as a Transportation Management Area, is required to address congestion management through a process that provides for safe and effective integrated management and operation of the multimodal transportation system, based on a cooperatively developed and implemented metropolitan-wide strategy (23 CFR 450.320 and 23 CFR 500.109). As part of this process, SRTC agrees to establish performance measures in cooperation with WSDOT and in consultation with STA. WSDOT and STA agree to provide available data to SRTC in support of this process.

WSDOT and SRTC agree that the information resulting from their respective management process activities will be considered in developing and updating the statewide multimodal transportation plan and the Metropolitan Transportation Plan. These processes will also inform project-selection decisions for updating the Statewide Transportation Improvement Program (STIP) and the Regional Transportation Improvement Program. WSDOT agrees to cooperate with SRTC in the development and implementation of management systems or processes under state responsibility.

4.5 Coordinated Public Transit-Human Services Transportation Plan

The Parties shall ensure coordination and consistency between the local coordinated public transit-human services transportation plan (HST Plan) and other statewide and regional planning processes as described in 23 CFR part 450 and 49 CFR part 613. SRTC shall lead the development of the HST Plan in partnership with Spokane Transit and other providers of human services transportation. SRTC agrees to present the HST Plan to SRTC Policy Board for approval, with concurrence by the STA Board of Directors.

4.6 Roadway Functional Classification

23 CFR 470.105(b) establishes WSDOT as the primary responsible agency for developing and updating a statewide highway functional classification system. Pursuant to RCW 47.05.021 and the Federal Surface Transportation Act (MAP 21) WSDOT must analyze and classify designated state highways by their function and importance. 23 CFR 470.105(b) provides that WSDOT must perform the classification process in coordination with local agencies. SRTC agrees to assist WSDOT in developing and maintaining the Federal Functional Classification system, and to provide comments to WSDOT regarding requests from local agencies to designate a roadway or to change the designation of a roadway.

4.7 Transportation Planning Studies and Project Development

The Parties agree to cooperate on the identification, conduct, and completion of major corridor and subarea studies to assure effective integration of long- and short-range planning and to refine the Metropolitan Transportation Plan, as consistent with the provisions of 23 CFR 450.212 and 23 CFR 450.318. The Parties also agree to coordinate in identifying projects as part of SRTC's Unified Planning Work Program development process.

4.8 Procedures for Reviewing Mutual Plans

The parties agree to review and provide comments as appropriate on mutual plans. The purpose of this review is not part of a formal approval process, but rather to help ensure regional consistency. The parties agree to work cooperatively to address discrepancies when they are identified.

SECTION 5: TRANSPORTATION PROGRAMMING

5.1 Transportation Improvement Program

In cooperation with WSDOT and STA, SRTC is responsible for developing, adopting and maintaining an approved four-year regional Transportation Improvement Program (TIP) (23 CFR 450.324). The TIP contains all projects that have been approved and programmed by SRTC for federal funding after having been found consistent with the MTP and applicable state and federal planning and air quality requirements. The TIP must also include all regionally significant projects, whether or not federal funding is used, when such projects are found to be consistent with the MTP and applicable planning and air quality regulations and guidelines. The four-year regional TIP must be

financially constrained to those funds that are available or reasonably expected to be available during that time frame.

At least every two years, SRTC shall cooperatively develop and/or update a regional four-year TIP for all federally funded projects and regionally significant transportation projects regardless of funding source. This financially constrained TIP shall be developed through a cooperative process involving WSDOT and STA. In accordance with federal regulation, the development of the SRTC's TIP will also be coordinated with other interested parties, per SRTC's Public Involvement Policy. SRTC's TIP shall be provided to WSDOT in October of the given SRTC TIP-update year, for incorporation into the Statewide Transportation Improvement Program (STIP) (23 CFR 450 216 [b]).

WSDOT shall work cooperatively with SRTC in recommending programming and project selection for state transportation projects eligible for relevant federal funding under WSDOT's project selection responsibility, for inclusion in the SRTC's TIP (23 CFR 450.330 (c)). SRTC's cooperatively developed and adopted TIP shall be included as approved in the STIP by WSDOT, upon such regional TIP meeting conditions of requisite regional air quality conformity findings and approval by the Governor.

Recommendations for WSDOT's programming of state highway components in the regional TIP shall be based on statewide transportation plans and area/corridor specific studies and shall be consistent with the Metropolitan Transportation Plan.

Recommendations for STA's programming of transit system components shall be based on STA's most recent Capital Improvement Program as adopted by the STA Board of Directors and any administrative changes thereto related to funding sources, or as otherwise provided by STA.

To assist in developing SRTC's regional TIP, WSDOT and STA agrees to provide its estimate of available federal and state revenue that can be utilized in developing the TIP. The Parties agree to work cooperatively to develop final estimates of funds that are reasonably expected to be available to support the TIP (23 CFR 450.324 (h)), as defined in Section 7.2-Financial Planning.

5.2 Statewide Transportation Improvement Program

The Statewide Transportation Improvement Program (STIP) is a four-year, fiscally constrained, prioritized program of transportation projects, compiled from local and regional plans, along with the long range statewide multimodal transportation plan. These projects have been identified through state, regional and local planning processes, as the highest priority for the available funding to preserve and improve the state's transportation network.

WSDOT is responsible for developing the STIP and is also responsible for working cooperatively with SRTC to develop the STIP as it relates to the Spokane MPA. WSDOT agrees to work

cooperatively with SRTC and STA in developing reasonable financial principles and information for the STIP.

WSDOT agrees to coordinate with FHWA and FTA to develop and adopt procedures and criteria for incorporating STIP/TIP amendments and administrative modifications into the STIP. SRTC agrees to develop and document procedures, criteria, and schedules for amendments and administrative modifications that are consistent with the WSDOT, FHWA, and FTA approved criteria and schedule. SRTC agrees to submit requests for STIP/TIP amendments and administrative modifications to WSDOT via the web based STIP. On a monthly basis from January through October, WSDOT agrees to compile the projects submitted by SRTC and to submit them to FHWA and FTA for approval.

5.3 Annual Listing of Obligated Projects

The Parties agree to work cooperatively to develop an annual listing of projects within SRTC's boundaries for which federal transportation funds were obligated in the preceding program year. This requirement applies to projects funded with all federal funding sources.

WSDOT and STA agree to provide SRTC with all project obligation reports within 45 days of the end of the transportation program year (typically the end of the calendar year). SRTC will publish the annual listing and make it available to WSDOT, STA, and the public as provided in SRTC's Public Participation Plan within 90 days of the end of the program year.

5.4 STA Program of Projects

As the Designated Recipient for the Spokane Region, STA is the entity designated by the Governor of Washington to receive and apportion federal funds under Title 49 USC.

As the designated recipient for FTA funds, STA is responsible for developing the Program of Projects for apportioned FTA funds in the Spokane Urbanized Area (UZA), in a manner that is consistent with the requirements of the United States Code and the Code of Federal Regulations. Annually, STA will provide SRTC with its recommended Program of Projects for inclusion in the TIP. STA will notify SRTC of its intended use of FTA funds apportioned to STA under 49 U.S. sections 5307, 5310 and 5339 for the upcoming calendar year. STA will utilize a Public Participation Process that complies with 49 USC 5307(b) in developing its Program of Projects.

SECTION 6: PUBLIC INVOLVEMENT

6.1 SRTC Public Participation Plan

SRTC will develop, adopt, and implement proactive public participation outcomes, including a Public Involvement Policy, in accordance with 23 USC 134 (i) (5) and 23 CFR 450.316. To coordinate effective planning and programming activities, the Parties to this MOA shall, to the maximum extent practicable, coordinate their public information efforts and seek joint opportunities for public involvement.

6.2 STA Public Participation

STA will adopt and use its own Public Participation Plan as included in its comprehensive plan to provide citizens, affected public agencies, and all interested Parties with reasonable opportunity to be involved in the public transportation planning process and to review and comment at key decision points as specified in 23 CFR 450.316. STA agrees to coordinate its outreach activities related to transit planning with SRTC.

6.3 WSDOT Public Participation

WSDOT will develop and use a documented public involvement process that provides opportunities for public review and comment at key decision points, as required to comply with 23 CFR 450.210. To coordinate effective planning and programming activities, WSDOT, to the maximum extent practicable, will coordinate their public information efforts and seek joint opportunities for public involvement.

SECTION 7: FINANCIAL PLANNING AND FUNDING

7.1 Distribution of Planning Funds

In consultation with SRTC, WSDOT agrees to develop, implement, and periodically review a transparent process for the distribution of federal planning funds to SRTC. SRTC agrees to work cooperatively with WSDOT in this process. WSDOT agrees to coordinate with FHWA and FTA to develop procedures for the efficient and timely transfer of funds to SRTC.

WSDOT has the responsibility under 23 USC 104(f) (4) (A) to allocate the Metropolitan Planning (PL) grant funds to MPOs, including SRTC. As required by 23 CFR 420.109, WSDOT shall make all PL funds authorized by 23 U.S.C. 104(f) available to SRTC in accordance with a formula developed by WSDOT, in consultation with the MPOs, and approved by the FHWA Division Administrator.

WSDOT has the responsibility under 49 USC 5305(d)(2) to allocate the FTA Metropolitan Planning grant funds to MPOs, including SRTC. Amounts apportioned to WSDOT shall be made available no later than thirty (30) calendar days after the date of apportionment to SRTC under a formula that: considers the population of urbanized areas; provides an appropriate distribution for urbanized areas to carry out a cooperative planning process; the State develops in cooperation with MPOs, including SRTC, and; is approved by the FTA Regional Administrator.

7.2 Financial Planning

As defined in 23 CFR 450.104, a "Financial Plan" means documentation to be included with a metropolitan transportation plan and TIP that demonstrates the consistency between reasonably available and projected sources of federal, state, local and private revenues, and the costs of implementing proposed transportation system improvements (23 CFR 450.104).

Federal requirements for financial planning are defined in 23 CFR 450.314 (metropolitan planning agreements), 23 CFR 450.322 (development and content of the metropolitan transportation plan), 23 CFR 450.324 (development and content of the transportation improvement program), and 23 CFR 450.332 (annual listing of obligated projects). The Parties agree to cooperatively develop and share information related to the development of financial plans to support these activities.

The Parties agree to work cooperatively to develop estimates of revenue that demonstrates financial constraint for the Metropolitan Transportation Plan (MTP) and the Transportation Improvement Program (TIP). SRTC agrees to develop and maintain procedures and methodologies, in cooperation with STA and WSDOT, for generating revenue forecasts that are consistent with federal guidance for financial forecasting. WSDOT agrees to provide historical information regarding funding levels and expenditures by county area and available forecasts of future state and federal revenues. STA agrees to provide historical information and forecasts for future funding. In the event that WSDOT and STA provide disparate assumptions for the future availability of federal funds, the parties agree to work cooperatively to determine a consistent forecasting methodology that demonstrates financial constraint.

7.3 Funding Accountability

SRTC is responsible for programming all projects that receive federal funds and all regionally significant projects. The Parties agree to work cooperatively to ensure that SRTC selects projects for funding based on regional priorities. WSDOT agrees to provide quarterly updates on the delivery of funds programmed by SRTC. SRTC agrees to develop, implement, and periodically review strategies to ensure delivery of programmed funds within its programming area.

7.4 Suballocation of Federal Funds

SRTC is responsible for selecting and programming projects for federal funding that is suballocated to SRTC through WSDOT. WSDOT is responsible for determining the suballocation amounts, in consultation with SRTC and other MPOs statewide. WSDOT agrees to develop, implement, and periodically review an accounting process for suballocating Surface Transportation Program, Congestion Management and Air Quality (CMAQ), Transportation Alternatives (TA), and/or other funds that are designated by the federal government to be suballocated to MPO's. As part of this process, WSDOT agrees to provide a transparent accounting of how much funding is received by WSDOT in total and annually, and all the steps applied to get to the regional allocations.

SECTION 8: MISCELLANEOUS PROVISIONS

8.1 Replacement Clause

This MOA fully supersedes and replaces the related applicable Transportation Planning Agreements between SRTC and WSDOT dated June 30, 1994, and between SRTC and STA dated January 10, 2008.

8.2 Other Agreements

This MOA shall supplement, but not abrogate, infringe upon, or modify the existing Interlocal Agreement establishing SRTC, or the Metropolitan/Regional Transportation Planning Organization Agreement between WSDOT and SRTC.

8.3 Dispute Resolution

In the event that a dispute arises regarding any matter addressed in or related to this Agreement and before any other action, the disputing Parties agree to first attempt to resolve the dispute by face-to-face meetings or telephone calls between the disputing Parties' authorized representatives.

If the matter remains unresolved following face-to-face meetings or telephone calls between the disputing Parties' authorized representatives, the disputing Parties agree to discuss and consider entering into a mediation process led by a neutral third party mediator before taking any other action.

8.4 Amendments and Modifications

Any Party may request changes to this MOA at any time by written notice to the other Parties. Such changes that are mutually agreed upon by and between the Parties shall be incorporated by written amendment to this MOA and executed by the Parties to this MOA.

8.5 Severability

If any of the provisions of this MOA are held to be illegal, invalid or unenforceable, all other provisions shall remain in full force and effect.

8.6 Execution and Term

This Agreement, including any amendments thereto, shall remain in full force and effect unless modified, revoked or rescinded by formal action of any party and shall take effect immediately upon execution by the last signing party. Any official notifications between the Parties to this MOA that would substantially affect the terms or conditions of this MOA shall be directed to the Agreement Managers as noted below:

Washington State Department of Transportation
Attn: Secretary of Transportation
P.O. Box 47316
Olympia, WA 98504-7316

Spokane Transit Authority
Attn: Chief Executive Officer
1230 W. Boone Avenue
Spokane, WA 99201

Spokane Regional Transportation Council
Attn: Executive Director
221. W. First Avenue, Suite 310
Spokane, WA 99201-3613

The respective Parties hereto as of the date of the last written signature approve this Memorandum of Agreement.

WASHINGTON STATE DEPARTMENT
OF TRANSPORTATION

Signature on file

Paula Hammond, Secretary of Transportation

SPOKANE TRANSIT AUTHORITY

Signature on file

E. Susan Meyer, Chief Executive Officer

SPOKANE REGIONAL
TRANSPORTATION COUNCIL

Signature on file

Kevin Wallace, Executive Director