



NC Capital Area Metropolitan Planning Organization

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Legislation Text

File #: ACT 21 -284, **Version:** 3

FY 2018 Wake Transit Work Plan Project Period of Performance Extensions

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Three (3) project funding agreements that tie to project funding allocations originally authorized in the FY 2018 Wake Transit Work Plan expire on December 31, 2021. Per the Wake Transit Governance Interlocal Agreement, the project funding agreements that tie to project funding allocations in Wake Transit Work Plans are a component of the Work Plan that the CAMPO Executive Board and GoTriangle Board of Trustees must approve/adopt each year. The agreement periods of performance, which correspond with the anticipated project implementation schedules for each project, are a key piece of the decision the boards make to allocate funds to projects, as the duration funds are made available to projects is an essential element for maintaining overall program control.

Further, the specific action the CAMPO Executive Board took to adopt the FY 2018 Wake Transit Work Plan included approval of the specific agreement templates for capital projects that detail a 42-month period of performance. Consequently, even though the currently adopted Wake Transit Work Plan Amendment Policy is silent on the issue, through consultation with CAMPO's attorney, CAMPO staff has determined that extending the periods of performance for project funding agreements that tie to the FY 2018 Wake Transit Work Plan effectively amounts to being a set of Wake Transit Work Plan amendments that require consideration and approval by the Wake County Transit Planning Advisory Committee (TPAC) and Wake Transit governing boards. The applicable projects under consideration for period of performance extensions are provided in **Attachment 1**.

The only opportunity the CAMPO Executive Board will have to consider approval of these extensions before the corresponding agreements expire will be the Board's December 8th regular meeting. To fast-track consideration of these period of performance extensions, the TCC recommended their approval to the Executive Board at its December 2nd regular meeting. The TPAC will also consider recommendation of approval to the Wake Transit governing boards at its December 8th regular meeting.

While it is definitely not preferable in most cases to process Wake Transit Work Plan amendments in a fast-tracked manner that does not comport with the specific protocols established in the adopted Wake Transit Work Plan Amendment Policy, time is of the essence to get this done to ensure the corresponding agreements do not expire. The TPAC, in cooperation with CAMPO as the lead agency, is currently revisiting the Wake Transit Work Plan Amendment Policy to establish more concrete policies and expectations for this type of amendment to get ahead of the issue well before agreements that tie to applicable projects expire.

Requested Action: Approve the period of performance extensions for the FY 2018 Wake Transit Work Plan project funding allocations, as detailed in **Attachment 1**, and authorize the Executive Director to execute any applicable agreements to which CAMPO is a party.