

MEMORANDUM OF UNDERSTANDING

This agreement is entered into this ____ day of _____ by and between the Capital District Transportation Committee, One Park Place, Albany New York 12205 and Albany County, 112 State Street, Albany NY 12207.

WITNESSETH

WHEREAS, Albany County (hereafter referred to as the "County") has requested funds from the Capital District Transportation Committee (hereafter referred to as the "CDTC"), the Metropolitan Planning Organization for the Capital District, in its 2023-2024 Unified Planning Work Program for the Broadway Flood Resilient Multi-Modal Corridor Study (hereafter referred to as the "Study");

WHEREAS, the CDTC has approved the Study in its 2023-2024 Unified Planning Work Program;

WHEREAS, the approved cost for consultant services related to the Study is \$115,000, \$100,000 of which will be paid for by Federal Transportation Planning Funds and \$15,000 by Local Cash Match;

WHEREAS, the CDTC expects the Study to be completed within eighteen (18) months of the date of consultant contract execution;

WHEREAS, the following milestones shall apply to complete the Study:

1. By September 30, 2023 – Return the signed Memorandum of Understanding to CDTC.
2. Within three (3) months of consultant contract execution – have a study kick-off meeting.
3. Within twelve (12) months – consultant completes 50% of the scope of work.
4. Within eighteen (18) months – consultant completes 100% of the scope of work.

WHEREAS, the parties will jointly guide the consultant with the assistance of a Study Advisory Committee that will include, at a minimum, one staff member of the CDTC;

WHEREAS, the parties will jointly assume ownership of all draft and final products including graphics, data, reports, etc. related to the Study;

WHEREAS, the parties desire to set forth the rights and responsibilities in facilitating the Study;

NOW, THEREFORE, parties hereby agree to the following:

1. The CDTC will be responsible for:
 - a. Aiding the County in developing a detailed scope of work for the Study.
 - b. Drafting a detailed Request for Expression of Interest for the Study and advertising the Study in the New York State Contract Reporter and on the CDTC and New York State Association of Metropolitan Planning Organizations websites.
 - c. Aiding the County in selecting a consultant to perform the Study.

- d. Documenting the consultant selection process and providing notification of consultant selection or rejection.
 - e. Securing an executable agreement between the consultant and the Capital District Transportation Authority, the host agency of the CDTC.
 - f. Approving the membership of the Study Advisory Committee.
 - g. Attending all Study Advisory Committee or Study related meetings including the kickoff meeting, public meetings, and any other decision-making meeting.
 - h. Providing technical assistance.
 - i. Addressing all contracting issues including review of deliverables and payment to the consultant.
 - j. Invoicing the County for its \$15,000 Local Cash Match, following execution of the consultant contract, due to the CDTC by December 1, 2023.
2. The County will be responsible for:
- a. Reviewing and following the CDTC Community Planning Support 2023-2024 Planning Study Administration and Procedures guidance document.
 - b. Working with the CDTC staff to complete the study within eighteen (18) months of the date of consultant contract execution. If unforeseen delays arise, the County will provide the CDTC with a written explanation.
 - c. Providing the CDTC with \$15,000 in Local Cash Match by December 1, 2023. CDTC will invoice the County following execution of the consultant contract.
 - d. Following the CDTC guidelines regarding consultant selection.
 - e. Organizing and maintaining a Study Advisory Committee that will include at least one member of the CDTC's staff.
 - f. Including the CDTC and Study Advisory Committee in decisions related to meeting times and dates, public meeting dates and format, and any other Study related decisions with the consultant.
 - g. Attending all Study Advisory Committee or Study related meetings including the kickoff meeting, public meetings, and any other decision-making meeting.
 - h. Providing technical assistance and reviewing products.
 - i. Informing the CDTC of any problems with the consultant.
 - j. Presenting the findings of the Study to the CDTC Planning Committee, CDTC Advisory Committees and/or the Community Planning Forum.

The signatories affirm they are duly authorized by their governing bodies to execute this agreement.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on this ____ day of _____ 2023.

FOR THE CAPITAL DISTRICT
TRANSPORTATION COMMITTEE

FOR THE COUNTY
OF ALBANY

Executive Director

County Executive