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**DATE: March 4, 2021**

**TIME: 7:00 PM**

**PLACE: Zoom Meeting**

**PURPOSE: MARCH BOARD MEETING**

**REGULAR MONTHLY MEETING**

**ORDER OF BUSINESS**

1. Call to Order
2. Public Comment - Due to COVID-19, all public comment must be submitted in writing prior to the meeting.
3. Approval of Minutes
  - A. Meeting Minutes on February 4, 2021 (Pages 2 - 5)
4. YAMPO Transit Committee
5. Communications
  - A. Annie Strite's Reappointment Letter (Page 6)
6. Treasurer's Report (Pages 7 - 15)
7. Resolutions
  - A. RESOLUTION 2107 – Approving the Execution of the Cooperative Funding Agreement with the City of York (Pages 16 – 20)
8. Old Business
9. New Business
10. Future Procurement Activities
11. Staff Reports
  - A. Vaccine Transportation
  - B. Update on Act 44 Performance Review
  - C. EEO Update (Page 21)
12. Executive Session
13. Adjournment

Next Meeting: Thursday, April 8, 2021



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## MINUTES OF BOARD MEETING FEBRUARY 4, 2021

Upon duly given notice, the monthly Board Meeting of the Central Pennsylvania Transportation Authority (CPTA) Board of Directors was held by Zoom on February 4, 2021, at 415 Zarfoss Drive, York, PA 17404.

Members Present: Raymond Rosen, Darlene Brown, Thomas Wilson, Carrie Gray, Kirk Stoner, Annie Strite, Philip Robbins, Richard Carson and Keith Martin.

Others Attending: Richard Farr, Executive Director; Bonnie Stine, Controller; Michael Bernhardt, Director of Mobility Services; Jenna Reedy, Chief of Staff; Jamie Leonard, Director of Human Resources; Dwight Huntington, Planning and Procurement Manager; Tony Mundy, Maintenance Superintendent; Trevor Manahan, Chief Operating Officer; Stephen Baldwin, Chief Financial Officer; Monica Young, Management Communications Specialist; David Juba, Transit Analyst; Beth Nidam, Transit Operations Analyst; Jill Nagy, Solicitor, Christopher Zdanis, CAT Chief Operating Officer.

Public Members Present: Shelly Stallsmith, Anthony House, Nicholas Torres, Logan Mitchell, Anthony Schweitzer, Zac Monnier, Wade White.

Raymond Rosen called the meeting to order at 7:00PM.

### PUBLIC HEARING:

A regionalization presentation was reviewed by Richard Farr. The transit benefits of regionalization such as economic development, improved employment opportunities, veterans transportation, improved transit operations, improved service to healthcare, connectivity to higher education and emergency management support were mentioned. The new proposed transit system would include a four-county system with Franklin County being an ex-officio member and the oversight of seven counties through management agreements.

### PUBLIC COMMENT:

No public comment.



#### APPROVAL OF MINUTES:

A motion to approve the minutes from the regular CPTA Board of Directors meeting on January 7, 2021, was moved by Richard Carson, seconded by Phil Robbins and passed unanimously.

#### YAMPO TRANSIT COMMITTEE:

RESOLUTION 2102 – Recommendation of the YAMPO Coordinating Committee the Addition of a TDP Implementation Project Line Item to the YAMPO CMAQ Funding Plan

Motion to approve was raised by Annie Strite, seconded by Richard Carson and passed unanimously.

YAMPO is updating their plans and will request the MPO to allocate resources for the next Transit Development Plan which will identify the need for additional transit services.

#### COMMUNICATIONS:

No new communications.

#### TREASURER'S REPORT:

Steve Baldwin reviewed the financial statements for the period ending December 31, 2020. December ridership is down 10% and January is about the same. Due to a Paylocity issue, wage increases and 2021 vacation awards were processed the last week in December rather than the first week in January so this category is reflecting a higher than anticipated benefit expense this month. Capital items related to COVID were reclassified to operating expense to be fully funded with Federal CARES funding. \$394,000 in federal funds have been allocated through the second CARES Act. Currently, rabbittransit spent over 11 million in CARES funds with 1.5 million still available. Preventative maintenance is on time.

#### RESOLUTIONS

RESOLUTION 2103 – Awarding Fuel Contracts

Motion to approve was raised by Richard Carson, seconded by Darlene Brown and passed unanimously.

RESOLUTION 2104 – Authorizing the Filing of a State Capital Grant Application and Certification of Local Match



Motion to approve was raised by Kirk Stoner, seconded by Phil Robbins and passed unanimously.

RESOLUTION 2105 – Resolution of the Board of Directors of Central Pennsylvania Transportation Authority Requesting the Formation of Regional Transportation Authority

Motion to approve was raised by Richard Carson, seconded by Kirk Stoner and passed unanimously.

RESOLUTION 2106 – Approving the Award of Contracts for the Renovation of the King Street Transfer Center Station in the City of York

Motion to approve was raised by Annie Strite, seconded by Darlene Brown and passed unanimously.

Richard Farr discussed the Transfer Center improvements needed such as greater roof clearance to accommodate CNG bus height, new design features related to safety and security, better lighting and enhancements to become more ADA friendly.

#### OLD BUSINESS:

No old business.

#### NEW BUSINESS:

Procurement of Maintenance Software – We are in the process of finalizing the RFP joint procurement with CAT and rabbittransit.

#### FUTURE PROCUREMENT ACTIVITIES:

Procurement of Maintenance Software was discussed above.

#### STAFF REPORTS:

Gettysburg Hanover Connector – rabbittransit partnered with the Adams County Community Foundation and @Home coalition to connect Gettysburg to Hanover to create a greater opportunity for employment. The Governor's announcement was today and the pilot program launches on Monday.

Discussed vaccine status and mandatory wearing of masks on public transit.

rabbittransit is considering new fare boxes throughout the whole system. The base fare is \$1.00 in Adams County and the fare is \$1.60 for the Hanover Connector which is the



same as York County. There is a possibility of changing Adams County fare to \$1.60 to streamline creating one base fare.

The new fixed route program efforts in the north have been put on hold. Legislators would like us to revisit. PennDOT would like us to review. rabbittransit is mapping in the north for a designated stop program. There is a potential for microtransit in Selinsgrove, Sunbury and Lewisburg.

rabbittransit and Northumberland County are working together on a veterans program to expand veterans transportation. Northumberland County is putting forth funding.

Tony Mundy provided an update that driver barriers have been installed in vehicles in all counties. Another technician moved from B Class Mechanic to A Class Mechanic.

Chris Zdanis was introduced to the board as the COO at CAT.

Ford Transits were able to be purchased in four-wheel drive this year.

#### EXECUTIVE SESSION:

No executive session.

Meeting adjourned at 8:00PM.

Next Meeting: Thursday, March 4, 2021

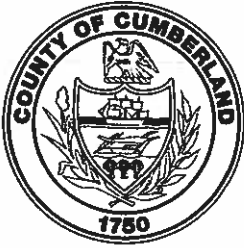
Respectfully Submitted,

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Monica Young  
Management Communications Specialist  
Central Pennsylvania Transportation Authority

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Thomas Wilson  
Secretary  
Central Pennsylvania Transportation Authority



## COMMISSIONERS OF CUMBERLAND COUNTY

Gary Eichelberger  
*Chairman*

Jean Foschi  
*Vice Chairman*

Vincent T. DiFilippo  
*Secretary*

January 11, 2021

Ms. Annie Strite  
7 Meadow Drive  
Carlisle, PA 17015

Dear Ms. Strite:

At our Board of Commissioners meeting on January 11, 2021, we unanimously moved to reappoint you to serve on the Central Pennsylvania Transportation Authority (CPTA) for a five year term, effective January 1, 2021 and expiring on December 31, 2025.


We very much appreciate your willingness to serve on this Board.

Sincerely,

**CUMBERLAND COUNTY BOARD OF COMMISSIONERS**



Gary Eichelberger  
Chairman



Jean Foschi  
Vice Chairman



Vince DiFilippo  
Secretary

cc: Rich Farr, Executive Director

/tk

## Financial Statement & Statistical Notes for January 2021

- The financial statements, enclosed with these notes, are as of January 31, 2021. This is the end of the 7<sup>th</sup> Month of fiscal year 2020/2021 and the tenth month under the Pennsylvania COVID-19 Emergency Proclamation.
  - The presented financial statements have been updated for the adopted fiscal year 2021 budget.
    - The budget is entered into the statements using 1/12 of the total budget monthly.
    - The adopted budget was prepared pre-COVID-19 and does not reflect any anticipated impacts to the Authority.
  - A column has been added to the income statement with the previous fiscal year to date information. This column has been shaded in grey to identify it is for comparative purposes and not part of the normal income statement.
- This month continues to reflect the ongoing impact of the COVID-19 pandemic on our operating performance.
  - These notes were prepared prior to the gathering of information for the dashboard. The board will be updated with the monthly dashboard & will be given a short overview at the board meeting.
  - The performance measurement charts shows only a slight improvement from December for all metrics. This is due to expenses normalizing in January after December's reclassifications and expense timing. The fixed route ridership dipped slightly in January compared to December; however, it was the lowest for any month this fiscal year; but, still better than our lowest COVID month – April 2020 with only 44,934 trips.
  - Paratransit trips additionally dipped slightly in January compared to December. It also was the lowest ridership month this fiscal year; but, still better than our lowest COVID month – April 2020 with only 14,714 trips.
  - We have begun to use a subcontractor, who was used pre-COVID, for paratransit trips in January.
    - Normally, about 7% of all paratransit trips are subcontracted; however, this month, 3% of the trips are being subcontracted which is up from the previous number of 0.2%.
- Total revenue is 24% under budget.
  - Operating revenues – 6% over budget for January; 2% under budget YTD
    - A one-time receipt for advertising revenues was received in January for \$242,730. This amount was adjusted out for the calculation of performance measurements.
  - Grant income – 49% under budget for January; 40% under budget YTD
    - Paratransit divisional losses are evaluated for subsidy at the close of the fiscal year.
    - We continue to utilize the Federal CARES Act funding in lieu of other operating funds to cover our monthly deficit. All other operating funds are available for future use to assist with cash flows and future sustainability of the system.
- Total expenses are 16% under budget for January; 20% under budget YTD

- The Materials and Supplies expense category exceeds the budget by 8% for January; 22% over budget YTD.
  - This is an ongoing effect of out of the ordinary supplies needed for pandemic purposes.
- Casualty and liability costs exceeded the monthly budget for January by 11% due to an invoice for an accident repair received in January; but the insurance check received in December. Year to date, this category is performing 4% better than budget.
- No other major expense category exceeded the expense budget, with the exception of Passed Through Expenses.
  - This category is used for the MATP program mileage reimbursements. It is fully covered through our funding agreement with Department of Human Services.

- Paratransit Division Performance

Division	REE/EER*	Amount	Variance to Budget
York/Adams	EER	(\$1,255,723)**	(\$1,247,083)**
Perry	EER	(\$35,571)	(\$35,571)
Montour	REE	\$33,048	\$24,407
Union/Snyder	EER	(\$56,744)	(\$56,744)
Columbia	REE	\$163,686	\$163,686
Cumberland	REE	\$3,396	\$3,396
Northumberland	REE	\$255,576	\$255,577
Franklin	REE	\$36,853	\$36,853

\*REE=Revenue in Excess of Expenses ("Profit"); EER=Expenses in Excess of Revenue ("Loss")

\*\*The York/Adams actual EER is the unfunded amount as the decision to fund the EER is made at the end of the fiscal year. If the EER was funded, as in the past, the Variance to Budget would be +\$8,640 meaning the York/Adams paratransit division is performing better than budgeted.

- Even with the dismal ridership, a paratransit division could have revenue in excess of expenses based on their mix of trip rates and division expenditures.
- There have been no draws on the ACNB line of credit.
- Capital purchases for the month of January 2021 total \$83,931
  - Zarfoss Roof Project - \$11,933
  - York Transfer Center Renovation - \$490
  - Batteries for Golf Carts - \$1,225
  - Snow Blower - \$1,353
  - Mobile Lifts for Northumberland - \$26,000
  - Phone System - \$1,240
  - Call Center Upgrades - \$41,690
- PA DOT is planning to have the final Act 44 review report shortly. This report will set new targets for our performance measurements; but, until then, the formula from the previous Act 44 was used for the current performance measurement charts.
  - No measurements were attained this month and only a very slight improvement over December was achieved. Most measurements saw a decline in performance for January 2021 primarily stemming from a decline in ridership.



**Central Pennsylvania Transportation Authority**  
**Income Statement**

For The Period Ended January 31, 2021

	Period To Date		Year To Date		Budget Variance	Year To Date January 31, 2020
	Actual	Current Budget	Actual	Current Budget		
REVENUE						
Operating Revenue	\$ 1,229,591.11	\$ 1,156,239.00	\$ 7,906,379.01	\$ 8,093,673.00	\$ (187,293.99)	\$ 10,077,331.95
Grant/Contract Inc	\$ 796,317.94	\$ 1,553,858.00	\$ 6,540,143.91	\$ 10,877,006.00	\$ (4,336,862.09)	\$ 6,611,264.19
TOTAL REVENUE	\$ 2,025,909.05	\$ 2,710,097.00	\$ 14,446,522.92	\$ 18,970,679.00	\$ (4,524,156.08)	\$ 16,688,596.14
EXPENSES						
Wages	\$ 1,031,012.67	\$ 1,222,028.00	\$ 6,935,326.07	\$ 8,554,196.00	\$ 1,618,869.93	\$ 7,754,437.12
Benefits	\$ 644,721.73	\$ 686,042.00	\$ 4,362,863.19	\$ 4,802,294.00	\$ 439,430.81	\$ 4,401,374.70
Services	\$ 114,410.96	\$ 145,075.00	\$ 683,582.38	\$ 1,015,525.00	\$ 331,942.62	\$ 822,045.01
Fuel	\$ 133,103.43	\$ 209,192.00	\$ 1,035,145.89	\$ 1,464,344.00	\$ 429,198.11	\$ 1,450,904.16
Tires	\$ 14,026.27	\$ 15,436.00	\$ 95,812.59	\$ 108,052.00	\$ 12,239.41	\$ 109,960.42
Parts	\$ 53,057.86	\$ 50,445.00	\$ 249,084.45	\$ 353,115.00	\$ 104,030.55	\$ 329,327.15
Materials and Supp	\$ 27,825.40	\$ 25,880.00	\$ 220,981.65	\$ 181,160.00	\$ (39,821.65)	\$ 138,417.86
Utilities	\$ 62,892.17	\$ 59,284.00	\$ 339,595.97	\$ 414,988.00	\$ 75,392.03	\$ 388,396.20
Casualty and Liabili	\$ 77,503.49	\$ 69,766.00	\$ 466,494.68	\$ 488,362.00	\$ 21,867.32	\$ 484,008.57
Purchased Transpo	\$ 75,158.56	\$ 178,532.00	\$ 449,440.29	\$ 1,249,724.00	\$ 800,283.71	\$ 1,290,176.02
Miscellaneous Expi	\$ 12,189.66	\$ 21,438.00	\$ 114,035.26	\$ 150,066.00	\$ 36,030.74	\$ 129,168.15
Leases and Rentals	\$ 11,178.83	\$ 10,881.00	\$ 63,225.33	\$ 76,167.00	\$ 12,941.67	\$ 75,280.72
Passed Through Ex	\$ 22,471.10	\$ 13,830.00	\$ 150,340.89	\$ 96,810.00	\$ (53,530.89)	\$ 82,837.14
TOTAL EXPENSES	\$ 2,279,552.13	\$ 2,707,829.00	\$ 15,165,928.64	\$ 18,954,803.00	\$ 3,788,874.36	\$ 17,456,333.22
TOTAL NON OPERATING GRANT INCOME **	\$ 9,065.41	\$ -	\$ 190,342.45	\$ -	\$ (190,342.45)	\$ 128,926.32
TOTAL NON OPERATING GRANT EXPENSES **	\$ 9,065.41	\$ -	\$ 190,342.45	\$ -	\$ (190,342.45)	\$ 128,926.32
REE/(EER)	\$ (253,643.08)	\$ 2,268.00	\$ (719,405.72)	\$ 15,876.00	\$ (735,281.72)	\$ (767,737.08)
CAPITAL REVENUES AND EXPENSES						
Capital Grant Incor	\$ 83,931.34	\$ -	\$ 879,198.55	\$ -		\$ 6,629,274.52
TOTAL CAPITAL REVENUES AND EXPENSES	\$ 83,931.34	\$ -	\$ 879,198.55	\$ -		\$ 6,629,274.52
REE/(EER)	\$ (169,711.74)	\$ 2,268.00	\$ 159,792.83	\$ 15,876.00		\$ 5,861,537.44
NET REE/(EER)	\$ (169,711.74)	\$ 2,268.00	\$ 159,792.83	\$ 15,876.00		\$ 5,861,537.44

\*\*Para Demonstration, 3P Ride, FindMyRide, CAT TA

**Central Pennsylvania Transportation Authority**  
**Balance Sheet**

As of January 31, 2021

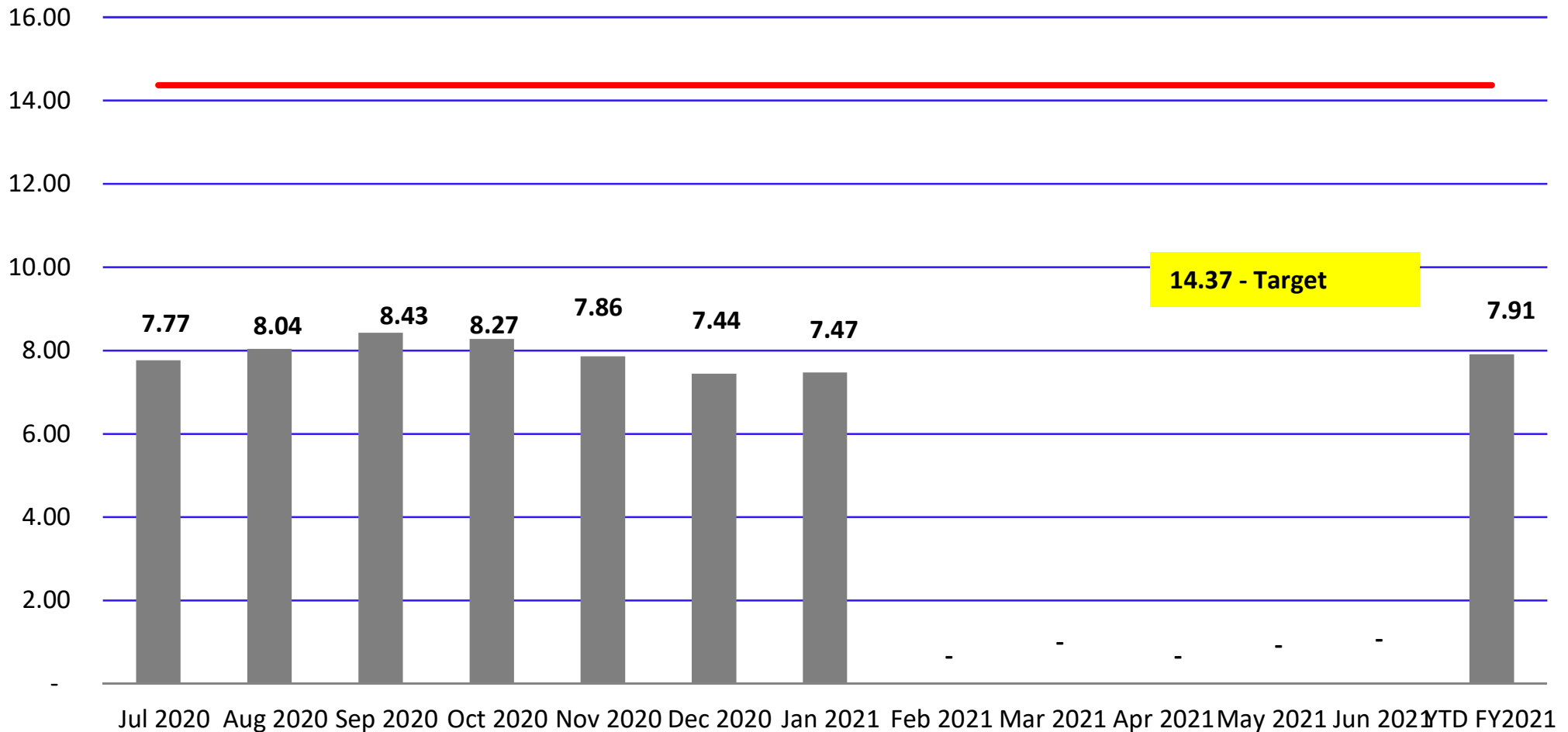
**ASSETS**

CURRENT ASSETS			
	Unrestricted Cash	\$ 6,969,480.63	
	Restricted Cash	\$ 271,641.78	
	Reserved Cash - Capital Projects	\$ -	
	Accounts Receivable	\$ 11,143,372.41	
	Materials & Supplies Inventory	\$ 373,211.37	
	Prepaid Expenses	\$ 821,162.37	
	Other Current Assets	\$ -	
TOTAL CURRENT ASSETS			\$ 19,578,868.56
FIXED ASSETS			
	Buildings and Improvements	\$ 37,040,003.29	
	Revenue Equipment	\$ 37,724,081.48	
	Tools and Equipment	\$ 2,748,401.03	
	Accumulated Depreciation	\$ (31,135,455.20)	
TOTAL FIXED ASSETS (NET)			\$ 46,377,030.60
TOTAL ASSETS			<u>\$ 65,955,899.16</u>

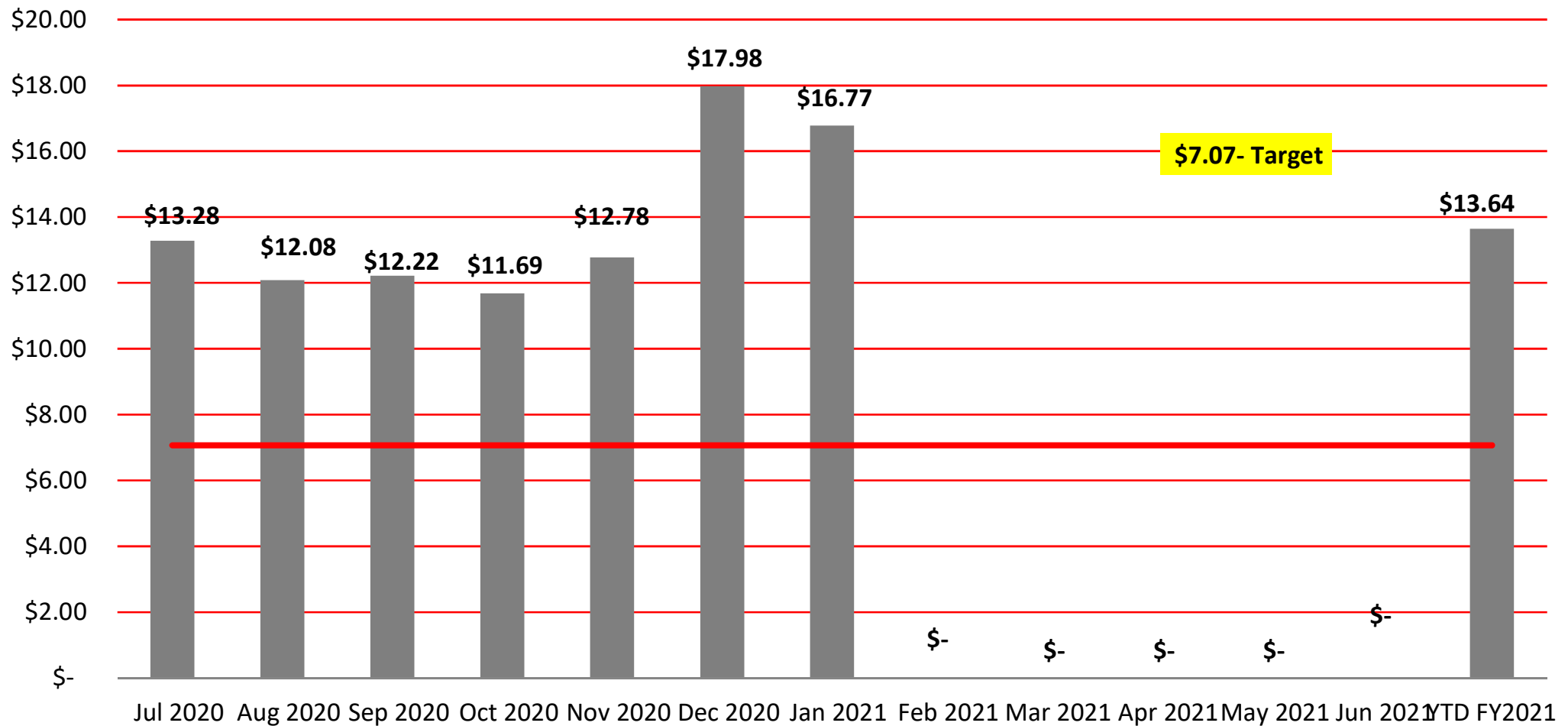
**LIABILITIES AND NET ASSETS**

CURRENT LIABILITIES			
	Accounts Payable	\$ 458,807.17	
	Accrued Leave and Payroll	\$ 894,126.71	
	Accrued Expenses	\$ 68,106.90	
TOTAL CURRENT LIABILITIES			\$ 1,421,040.78
DEFERRED REVENUE			
	Revenue Received in Advance	\$ 17,014,336.22	
TOTAL DEFERRED REVENUE			\$ 17,014,336.22
OTHER LIABILITIES			
	Capital Lease Obligation	\$ -	
	Current Notes Payable	\$ -	
	Consortium Buses	\$ -	
TOTAL OTHER LIABILITIES			\$ -
NET ASSETS			
	Unrestricted Equity	\$ 35,696,674.38	
	Restricted Equity	\$ 15,519.99	
	Capital Grants	\$ 11,808,327.79	
TOTAL NET ASSETS			\$ 47,520,522.16
TOTAL LIABILITIES AND NET ASSETS			<u>\$ 65,955,899.16</u>

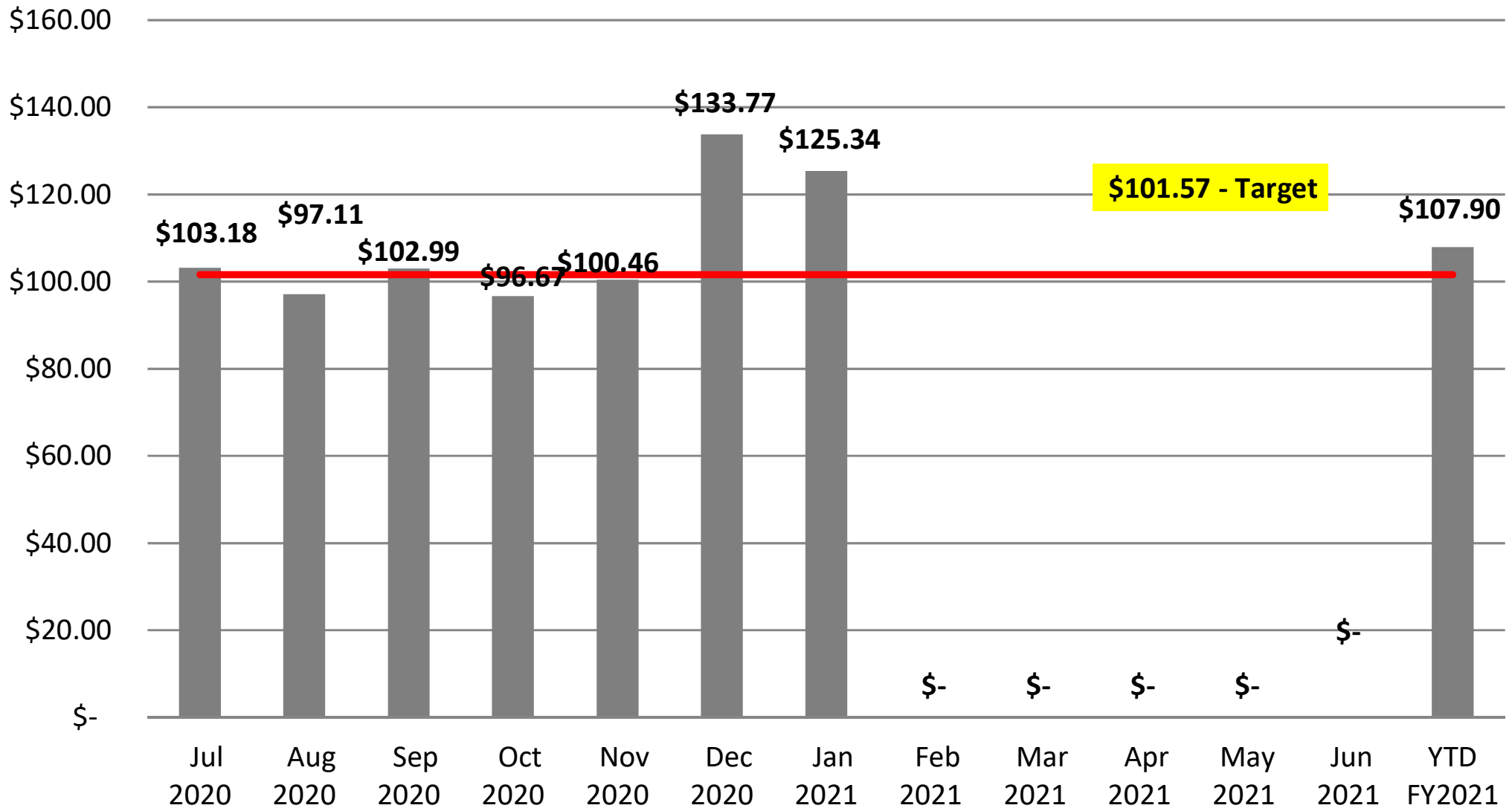
## Passengers/Revenue Hour



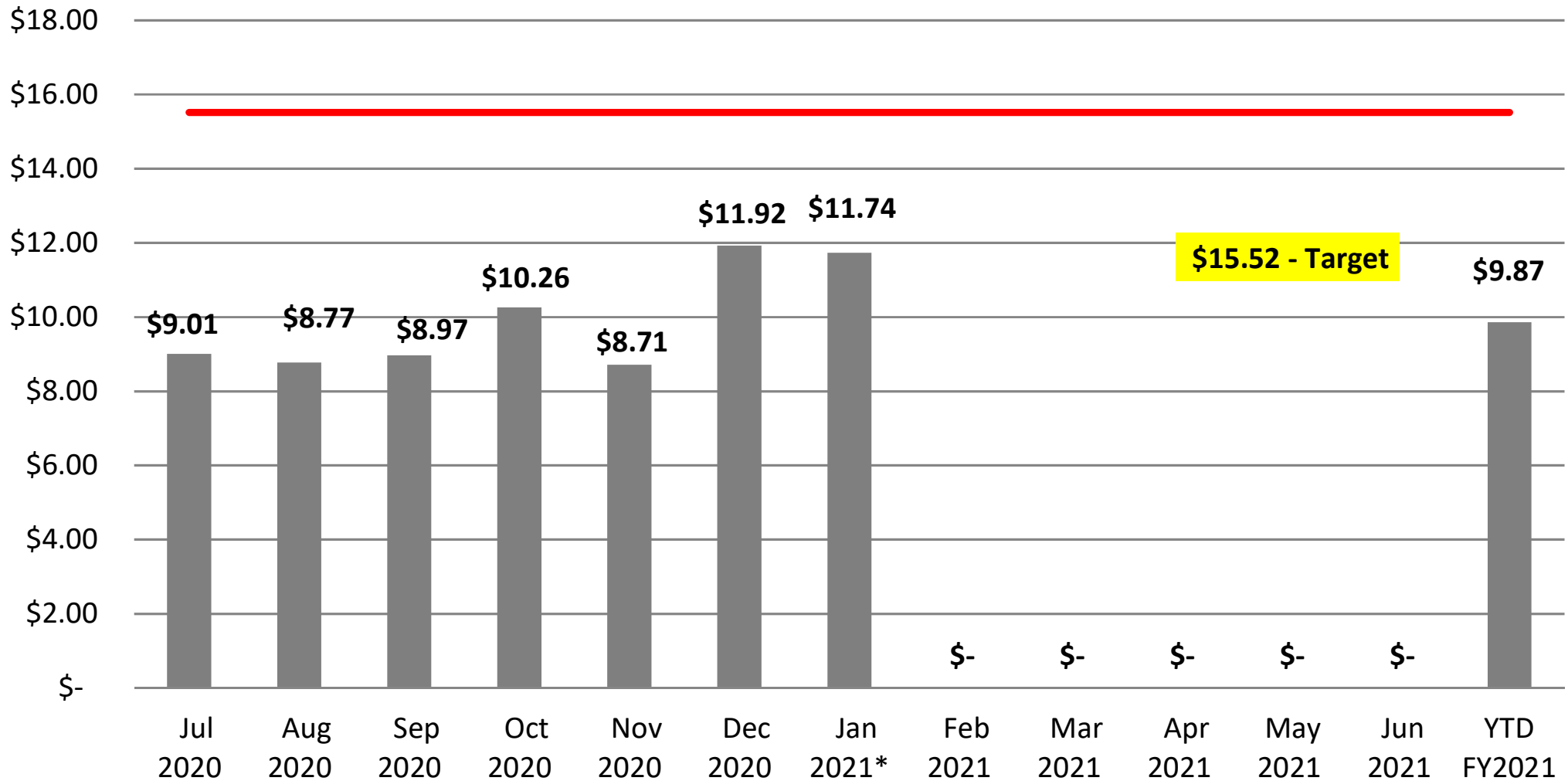
## Operating Cost/Passenger



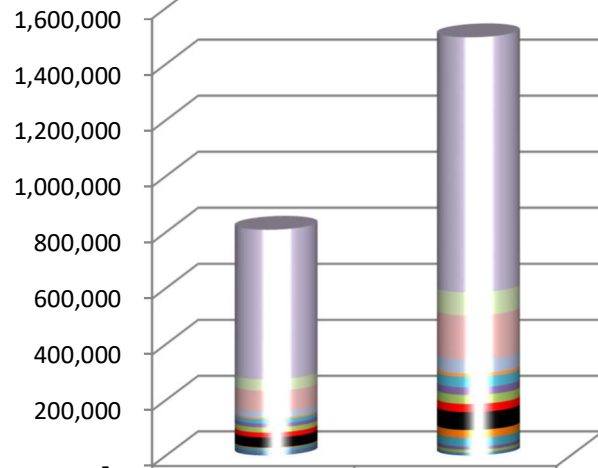
# Operating Cost/Revenue Hour



# Operating Revenue/Revenue Hour



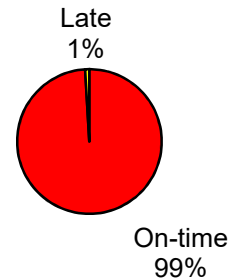
## OPERATIONS – February



	YTD FY2021	YTD FY2020
FR York	534,261	910,450
Cumberland	41,067	82,362
York/Adams	75,567	157,197
Freedom Transit	21,856	49,636
Montour	6,330	12,514
Union/Snyder	14,616	38,168
Perry	13,799	26,734
Franklin	18,614	32,835
Columbia	17,417	29,346
Northumberland	36,374	64,383
Express North	3,450	28,492
FR Hanover	10,650	31,203
Express South	4,082	11,356
Express 15 North	1,322	10,760
Gett/Han Connect*	118	
Microtransit	9,148	10,221

## MAINTENANCE – February

### Preventative Maintenance

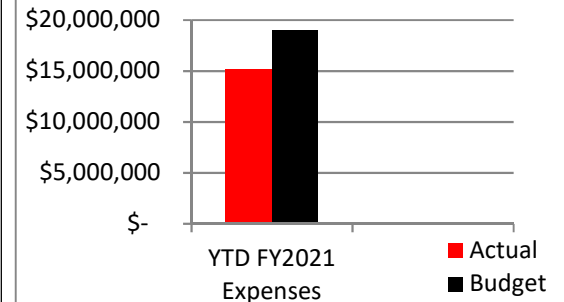


101 PMs Complete; 1 Overdue  
 York – 50 Completed; 0 Overdue  
 Adams – 9 Completed; 0 Overdue  
 Cumberland – 8 Completed; 0 Overdue  
 Northumberland – 14 Completed; 0 Overdue  
 Franklin – 7 Completed; 0 Overdue  
 Columbia – 1 Completed; 0 Overdue  
 Montour – 2 Completed; 0 Overdue  
 Union/Snyder – 10 Completed; 1 Overdue  
 Perry – 0 Completed; 0 Overdue

### Road Calls:

	Feb 2021	YTD FY2021	Feb 2020	YTD FY2020
Mechanical	9	68	13	66
Non-Mech.	22	164	36	353

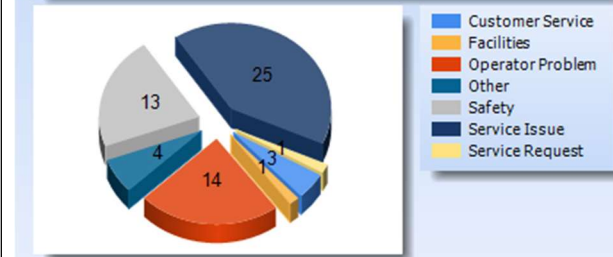
## FINANCE – January



## CUSTOMER COMPLAINTS – February

### Count distribution by Category

61 Total Complaints



	Feb 2021	YTD FY2021	Feb 2020	YTD FY2020
Total Complaints	61	521	103	940

## SAFETY – February

	Feb 2021	YTD FY2021	Feb 2020	YTD FY2020
Preventable	11	68	8	84
Non-Preventable	2	29	6	48
Passenger Injury	1	10	0	12
Employee Injury	2	13	0	11

## MARKETING – February

	Feb 2021	YTD FY2021	Feb 2020	YTD FY2020
PR Exposures	25	52	4	49
Outreaches	1	2	9	62
Pageviews	48,786	364,054		
Unique Pageviews	37,187	277,547		
Bikes	377	5,416	648	8,299

\*\*New website launched 2/2020

## **RESOLUTION 2107**

### **APPROVING THE EXECUTION OF THE COOPERATIVE FUNDING AGREEMENT WITH THE CITY OF YORK**

WHEREAS, the Central Pennsylvania Transportation Authority (CPTA) has just awarded contracts to make improvements to the Transfer Center; and

WHEREAS, CPTA has been working with the City of York to evaluate how to improve pedestrian and transit vehicle flow in the area surrounding the Transfer Center; and

WHEREAS, concepts were developed to look at improved cross walks, sidewalks, bus stops and signal light prioritization along the King Street corridor and the connection of Mason Alley to the Rail Trail; and

WHEREAS, CPTA received PennDOT state funding for the project and the City has agreed to provide local match; and

WHEREAS, the work for this project is in the public right of way of the streets and because of this, CPTA believes that this project would be managed by the City Public Works department; and

WHEREAS, to facilitate the City managing the project, a cooperative funding agreement was drafted to define the requirements and responsibilities of the projects, and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Central Pennsylvania Transportation Authority that it approves the Executive Director to execute a cooperative funding agreement with the City of York.

### **CERTIFICATION OF OFFICERS**

#### **OF**

### **CENTRAL PENNSYLVANIA TRANSPORTATION AUTHORITY**

I certify that the foregoing is a sound and true copy of a Resolution adopted at a legally convened meeting of the Central Pennsylvania Transportation Authority Board Members held on March 4, 2021.

\_\_\_\_\_  
Thomas Wilson  
Secretary  
Central Pennsylvania Transportation Authority

attest: \_\_\_\_\_  
Raymond Rosen  
Chairperson  
Central Pennsylvania Transportation Authority



# COOPERATIVE FUNDING AGREEMENT

**THIS FUNDING AGREEMENT** (“Agreement”) is made this \_\_\_\_ day of \_\_\_\_\_, 2020, by and between:

**CENTRAL PENNSYLVANIA TRANSPORTATION AUTHORITY (d/b/a rabbittransit)**, a municipal authority incorporated by the County of York, with an address of 415 North Zarfoss Drive, York PA 17404 (“CPTA”); and

**THE CITY OF YORK**, a local government unit formed under the laws of Pennsylvania, with address of 101 South George Street PO Box 509, York PA 17401 (the “City”).

## BACKGROUND:

- a. CPTA provides fixed route bus and other transportation service, including within the City of York. PennDOT provides funding and oversight to CPTA in its provision of services.
- b. CPTA plans to undertake transportation service improvements in the form of renovations to CPTA’s transfer station facility on West King Street in the City of York, including, specifically, improvements to traffic signals controlling entry and exit from the facility (the “York City King Street Cycle Track/Bus Pre-emption Traffic Signal Project,” or the “Project”).
- c. PennDOT has provided a grant to CPTA for the Project, contingent upon the City providing local match funding in the amount of approximately 3 1/3 percent of the Project cost, or approx. \$14,493.00.
- d. The City agrees to timely provide the Local Match.
- e. The City agrees to bid and manage the project and further agrees to follow applicable DOT procurement requirements.
- f. The parties desire to reduce their agreement to writing.

## THE PARTIES HERETO, INTENDING TO BE LEGALLY BOUND HEREBY, AGREE AS FOLLOWS:

**1. SERVICES.** The City, in cooperation with the CPTA, agrees to undertake and oversee the improvements required by the Project as set forth in Exhibit A, in accordance with all local requirements and any Commonwealth or Federal Transportation requirements applicable to PennDOT-funded projects.

**2. FUNDING.** CPTA agrees to provide payment to the City for work that has been completed, contingent upon the City timely providing its share of the required funding identified

as the Local Match. CPTA will only be responsible for the agreed to cost. Any cost overrun will be funded by the City in its entirety.

**3. LOCAL MATCH.** The City agrees to provide timely the Local Match upon request made by CPTA to City, with confirmation that the Project is in process and being timely completed.

**4. SCOPE OF WORK.** The scope of work for the Project shall be as set forth in Exhibit A, but shall be all times within the extent of funding provided by PennDOT funding and including the City's local match. Should funding for the Project by either PennDOT or the City not be forthcoming, CPTA shall be relieved of any responsibility for continuation or completion of the Project.

**5. COMPLIANCE.** CPTA and the City each agree to conduct their portion of the Project, including all bidding and contracting, in compliance with all requirements of Pennsylvania law, as well as all applicable provisions of State and Federal transportation procurement requirements, as further set forth in the attached Exhibit B, attached hereto and incorporated by reference herein. The City will CPTA to review the bid documents prior to release, contracts prior to award, and CPTA will be kept informed of the project and will be permitted to attend all construction meetings.

The City will remove, at their expense, the preemptive signal from the CPTA site driveway in the event that CPTA vacate the site.

**6. ENTIRE AGREEMENT.** This Agreement and any attachments hereto constitute the entire agreement and understanding between the parties, and supersede any prior agreement and understanding relating to the subject matter of this Agreement. This Agreement may be modified or amended only by a duly authorized written instrument executed by the parties hereto.

**7. COUNTERPARTS.** This Agreement may be executed simultaneously in counterparts, each of which shall be deemed an original and all of which together shall constitute but one and the same instrument. It shall not be necessary that any single counterpart hereof be executed by all parties hereto so long as at least one counterpart is executed by each party.

**8. PARTIES BOUND.** This Agreement shall be binding upon and inure to the benefit of the parties and their respective successors and any permitted assigns.

**9. NOTICES.** Any notice hereunder shall be deemed given if delivered or sent by registered, certified or regular first class mail, addressed to the other party at the address set forth in the first paragraph of this Agreement, or at such other address as designated by the parties.

**10. AUTHORITY.** Each signatory signing below represents and warrants that he or she has the authority to execute this Agreement on behalf of the party they purports to represent.

**11. NO PARTNERSHIP OR JOINT VENTURE.** This Agreement shall not be construed as creating, directly or indirectly, a partnership or joint venture.

**12. GOVERNING LAW/JURISDICTION FOR DISPUTES.** This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Pennsylvania. All disputes and claims arising out of or related to this Agreement shall be brought before the

Court of Common Pleas of York County Pennsylvania or the U.S. District Court of the Middle District of Pennsylvania, and all Parties hereto submit to the jurisdiction of said court for such purpose. Should any Party hereto be required to take legal action to enforce rights hereunder and prevail in that action, then the parties agree that the prevailing party shall be entitled to recover any fees and costs incurred including, but not limited to, attorney fees and legal costs.

**13. SEVERABILITY.** If any provision in this Agreement shall for any reason be held invalid, illegal, or unenforceable by a court of competent jurisdiction in any respect, that invalidity, illegality, or unenforceability shall not affect any other provision of this Agreement, and such provision shall be modified as necessary in order to comply with applicable law.

**14. OTHER INSTRUMENTS.** The parties agree that they will execute any other instruments and documents, including authorizing ordinances or resolutions, that are or may become necessary or convenient to effectuate this Agreement and the purposes thereof.

**15. HEADINGS.** The headings used in this Agreement are for administrative purposes only and are not to be considered in construing the terms of this Agreement.

**16. MODIFICATIONS.** All modifications of this Agreement must be in writing and executed by both parties.

**17. INDEMNIFICATION.** All parties recognize and agree that the City holds full legal responsibility for undertaking and completion of the Project. City agrees to indemnify and hold CPTA harmless for any and all liabilities, damages, lawsuits, and claims of any nature related to or arising from the Project, unless caused by CPTA's gross negligence or willful misconduct.

SIGNATURES ON FOLLOWING PAGE

**IN WITNESS WHEREOF**, the parties hereto have hereunder executed their hands and seals the day and year first above written.

Commonwealth of Pennsylvania  
Department of Transportation

Attest: \_\_\_\_\_

By: \_\_\_\_\_

Central Pennsylvania Transportation  
Authority

Attest: \_\_\_\_\_

By: \_\_\_\_\_

The City of York, Pennsylvania

Attest: \_\_\_\_\_

By: \_\_\_\_\_

#### Headcount

Female	Asian		Male	Asian	1	Total	Asian	1
Female	American Indian	1	Male	American Indian			American Indian	1
Female	Black	24	Male	Black	16		Black	40
Female	Hispanic	6	Male	Hispanic	11		Hispanic	17
Female	2 or more	10	Male	2 or more	5		2 or more	15
Female	White	128	Male	White	193		White	321
Female	Native hawaiian		Male	Native hawaiian			Native hawaiian	0
		169			226			395

#### Hires 2020

Female	Asian		Male	Asian		Total	Asian	0
Female	American Indian		Male	American Indian			American Indian	0
Female	Black	2	Male	Black	4		Black	6
Female	Hispanic	5	Male	Hispanic	1		Hispanic	6
Female	2 or more	1	Male	2 or more			2 or more	1
Female	White	13	Male	White	28		White	41
Female	Native hawaiian		Male	Native hawaiian			Native hawaiian	0
		21			33			54

#### Terms 2020

Female	Asian		Male	Asian	1	Total	Asian	1
Female	American Indian		Male	American Indian			American Indian	0
Female	Black	4	Male	Black	4		Black	8
Female	Hispanic	3	Male	Hispanic	2		Hispanic	5
Female	2 or more	2	Male	2 or more	1		2 or more	3
Female	White	19	Male	White	55		White	74
Female	Native hawaiian		Male	Native hawaiian	1		Native hawaiian	1
		28			64			92