

**MEMORANDUM OF AGREEMENT  
BETWEEN FULTON COUNTY, GEORGIA AND THE ATLANTA REGIONAL  
COMMISSION CONCERNING DIRECT RECIPIENT AGREEMENT FOR MOBILITY  
PARTNERSHIP GRANT FUNDS**

**WITNESSETH:**

**WHEREAS**, the Atlanta Regional Commission ("ARC") is the Metropolitan Planning Organization (MPO) for the Atlanta Urbanized Area as defined by O.C.G.A. §50-8-82; and

**WHEREAS**, Fulton County, Georgia ("Fulton County") is a political subdivision of the State of Georgia; and

**WHEREAS**, in accordance with O.C.G.A. § 50-8-93 (c), ARC has the power and authority to undertake such other planning functions within its area as may be assigned or delegated to the ARC by other agencies or boards, public or private, and for which the ARC accepts responsibility; and

**WHEREAS**, the ARC is willing to serve as a Direct Recipient to help MPO counties access Federal Transit Administration ("FTA") Access and Mobility Partnership Grant Awards; and

**WHEREAS**, Fulton County, through the Department of Senior Services, provides services through the development and coordination of programs and supportive services, including transportation services, that encourage independence and enhance overall well-being for seniors, age (60) and above, their caregivers, and the community served; and

**WHEREAS**, the ARC and Fulton County are seeking through this Memorandum of Agreement to establish this partnership to access FTA Human Service Coordination Research ("HSCR") grant funds under the Access and Mobility Partnership Grant program awarded in 2019.

**NOW, THEREFORE**, in consideration of the mutual benefits to both parties, it is hereby agreed as follows:

**SECTION 1: GENERAL UNDERSTANDING**

Under FTA guidelines, a Direct Recipient is able to receive funding directly from the FTA. The purpose of this Memorandum of Agreement between Fulton County and the ARC is to allow ARC to serve as a Direct Recipient to access and secure FTA Access and Mobility Partnership Grant Funds on behalf of Fulton County.

**SECTION 2: FEDERAL TRANSIT ADMINISTRATION (FTA) ACCESS AND MOBILITY PARTNERSHIP GRANTS**

Access and Mobility Partnership Grants seek to improve access to public transportation by building partnerships among health, transportation, and other service providers. This program provides

competitive funding to support innovative projects for the transportation of the disadvantaged, and will improve the coordination of transportation services and non-emergency medical transportation services. In 2018, there were two funding opportunities under the initiative: The Innovative Coordinated Access and Mobility ("ICAM") Pilot Program and HSCR grants.

In 2018, Fulton County, through its Department of Senior Services, established Alternative Senior Transportation Services ("ASTS"). ASTS was formed out of the Mobility Options for Senior Transport ("MOST") pilot program to expand and improve public transportation services for seniors in need of more responsive, less cumbersome mobility options by utilizing Transportation Network Companies ("TNCs") such as Uber and Lyft. Fulton County aims to increase ridership, improve accessibility for individuals with disabilities, and conduct research on the program model's effectiveness & cost-efficiency. ASTS allows aging residents to feel more empowered, independent, and mobile within their communities.

In 2019, Fulton County, through its Department of Senior Services was awarded \$243,778 from the FTA's HSCR Program to supplement the County's ASTS program operating expenses.

### **SECTION 3: PURPOSE OF AGREEMENT**

Fulton County cannot directly access FTA Access and Mobility Partnership grant funds because it is not classified as a Direct Recipient with the FTA. The Direct Recipient designation is typically reserved for fixed-route bus operators and transit planning agencies. The ARC is a Direct Recipient and is available to partner with counties to act on their behalf to apply for and access these funds. This Agreement will allow ARC and Fulton County to access these grant funds, as ARC already has in place the data system required for accessing the FTA ASTS grants.

### **SECTION 4: FUNDING ARRANGEMENT**

Fulton County agrees to engage the ARC to use the available HSCR grant awarded to Fulton County to supplement the County's ASTS program. The available funds include a \$121,922 local match for a total amount of \$365,700. The local match of \$121,922 will be through in-kind donation of staff time that is paid by Fulton County.

### **SECTION 5: COORDINATION DURING THE PLANNING PROCESS**

ARC will coordinate with Fulton County on invoices and submit the required annual reports regarding progress with the program to FTA. ARC will also maintain involvement in the study as a stakeholder as the Atlanta Urbanized Area's Metropolitan Planning Organization. Fulton County will be responsible for submitting invoices and progress reports to ARC on a quarterly basis. Fulton County will also be responsible for tracking and reporting to ARC the local match in-kind donation of staff time.

### **SECTION 6: TERM AND TERMINATION**

This Memorandum of Agreement is effective upon execution, and will continue for a period of eighteen (18) months, subject to appropriation of funding, as this program is grant funded. The Agreement may be renewed by mutual written consent of the parties. The Agreement may be terminated for convenience by either party, with or without cause, upon thirty (30) days written notice. Such notice

shall be delivered by hand or certified mail, return-receipt requested. Fulton County reserves the right to terminate the Agreement immediately due to a lack of funding or termination of its transportation services program.

**SECTION 7: NOTIFICATION**


Any official notification between the parties to this Memorandum of Agreement that would substantially affect the terms or conditions of this Memorandum of Agreement shall be directed to the offices of the signatories to this Agreement.

**SECTION 8: MISCELLANEOUS PROVISIONS**

- A. This Memorandum of Agreement shall supersede any and all previously executed Memoranda of Agreement with the ARC regarding Fulton County's FTA HSCR grant funds.
- B. If any provision of this Memorandum of Agreement is held to be unenforceable for any reason, the remainder of the Memorandum of Agreement shall remain in full force and effect, and enforceable in accordance with its terms.
- C. Neither Fulton County or the ARC assumes any liability or responsibility, expense, or damages arising out of or resulting from the act or omission of the other party, or the other party's respective officials, officers, employees, or agents, or from any third party, including any claims from any third party against either party to this Agreement. Nothing herein shall be construed as a waiver of any defenses or claims that either party may have against the other party or to a third-party claim. In addition, nothing herein shall be construed as a waiver of any governmental immunity that Fulton County may have, including sovereign immunity or any immunity available to its officials, officers, employees, and agents as against any party or claim.
- D. The parties hereby agree that the validity and interpretation of the provisions hereof, and all rights and obligations arising hereunder shall be governed, controlled, and defined by and under the laws of the State of Georgia. Jurisdiction of any litigation arising from this Agreement shall be in a state or federal court situated in Fulton County, Georgia.

IN WITNESS HEREOF, the parties hereto have executed this Memorandum of Agreement, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**FULTON COUNTY, GEORGIA**

  
Robert L. Pitts, Chairman  
Board of Commissioners

**ATLANTA REGIONAL  
COMMISSION**

  
Douglas R. Hooker (Sep 16, 2020 20:07 EDT)

Douglas R. Hooker  
Executive Director

ITEM # 20-0481 RM 7/8/20  
REGULAR MEETING

ATTEST:



Tonya R. Grier  
Interim Clerk to the Commission

ATTEST:

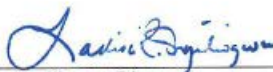


APPROVED AS TO FORM:



Jerolyn Webb Ferrari  
Deputy County Attorney

APPROVED AS TO CONTENT:



Ladisa Onyiliogwu, Director  
Department of Senior Services

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ITEM # 20-0481 RM 7/8/20  
REGULAR MEETING








# REVUP2005

Final Audit Report

2020-09-17

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