



Lincoln Metropolitan Planning Organization

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Lincoln Metropolitan Planning Organization Guidelines for Modifying the Transportation Improvement Program

- Formal amendments
- Administrative modifications
- Expedited Amendment Process

Transportation Improvement Program (TIP) revisions are changes to the TIP that occur between annual updates. From time to time, the TIP must be updated to add, modify or delete individual projects. According to Federal regulations (23 CFR § 450.326), modifications (*revisions*) to the TIP can be made through two methods: **formal amendment** and **administrative modification**.

TIP Revisions – Amendments & Administrative Modifications

- *Formal Amendments* are major revisions which require official approval by the MPO Policy Committee (Lincoln MPO Officials Committee) and submission to the Nebraska Department of Roads for approval.
- *Administrative Modifications* are minor revisions which can simply be made to a project already included in the TIP by Lincoln MPO staff. Administrative modifications do not require public review and comment but notification and concurrence with NDOR of these changes will allow these changes to be included in the STIP.

Formal Amendments

Formal amendments are proposed TIP changes that meet one or more of the following criteria:

- **Addition or deletion of any project**–
 - Any project schedule change that moves a project into or out of the four approved Federal Fiscal Years of the TIP (except as noted in **administrative modifications**).
- **Scope and termini changes** –
 - Significant changes to project scope as shown in the approved TIP will require an amendment (e.g., changing the number of through traffic lanes or removal of bicycle/pedestrian elements).
 - Project termini changes that require an LRTP conformity determination or are not consistent with the Long Range plan will require an amendment.

- **Financial changes –**
 - Major changes in a project's total programmed amount of federal aid funds greater than 20% or \$2 million (whichever is greater). Anything less can be processed with an administrative modification.
 - A major change in the programmed amount will trigger a new fiscal constraint determination.
 - Any project changes using suballocated or special appropriated federal funds. Suballocated federal funds are those the MPO has primary authority to determine or select projects that will receive federal funding according to federal rules.
- **Funding sources –**
 - Adding or changing federal funding sources from one federal funding category to another.
 - Converting all or part of Advanced Construction (AC) project funding to federal funding sources.
- **Social and environmental impact analysis–**
 - Changes to any project that would negatively affect the approved Social and Environmental Impact Analysis.

Further review may be necessary when a revision to the federal or local funding commitment of a programmed project is interpreted to be a change large enough to trigger a new fiscal constraint determination. Further review may also be required when the supporting documentation suggests the proposed revision will result in significant impacts to the LRTP, the Environmental, Social and Cultural Assessment or Financial constraint determination.

Formal amendments are processed through the MPO Technical Advisory Committee and must be submitted in sufficient time for staff review prior to posting the next meeting agenda. All information will be shared with the Technical Committee and public according to the Public Participation Plan. All formal amendments will be recommended to the Officials Committee. Information on TIP modifications will be provided to all appropriate state and federal agencies.

Administrative Modifications

Administrative modifications include all revisions that are not formal amendments. These modifications usually involve, but are not limited to:

- **Minor description or termini changes –**
 - Minor changes are those which do not impact travel demand models, the LRTP conformity determination or approved Social and Environmental Impact Analysis.
 - Change title or project description to provide greater clarity.
 - Change in the project number or NDOR Control Number.
 - Typographical error or other misinterpretation of project descriptions.

- **Financial changes –**
 - Minor changes in a project's total programmed amount of federal aid funds less than 20% or \$2 million (whichever is greater).
 - A minor change will not trigger a new fiscal constraint determination.
- **Shifting funds–**
 - Moving programmed funds between years within the first four federal fiscal years of the approved TIP while maintaining the fiscal constraint determination.
 - Change local funding commitment while maintaining the appropriate local match.
- **Federal funding source Changes –**
 - Changing the federal funding source within a program (e.g., changing the source of federal funds from STP-rural to STP-urban). This does not apply to projects utilizing sub-allocated funds.
- **Splitting projects –**
 - The splitting of a project entry already in the TIP, or breaking out another project or phase from the original entry is an acceptable modification. The intent of these adjustments is not to add a new project that is inconsistent with the program, as identified by the original TIP entry, but to facilitate the implementation of the original TIP entry.
- **Removing a completed project–**
 - A project that is reported as obligated or completed in a previous fiscal year may be removed and listed under the completed project listing.

Administrative modifications are processed by the Lincoln MPO staff within two weeks of receiving all necessary information. Administrative revisions are subject to approval by the Planning director and do not require committee review or approval.

To process administrative modifications, MPO staff will:

- Enter the requested modifications into the project database and map as necessary.
- Prepare and publish an updated TIP project listing.
- Notify the Nebraska Department of Roads and request that modifications be included in the State Transportation Improvement Program (STIP).
- Prepare a summary of administrative modification activity to present to the Technical Advisory Committee along with any proposed TIP amendments.

Any request processed as an administrative modifications must be noncontroversial in nature. The Lincoln MPO retains the right to require a formal amendment for any proposed modification to the TIP that, in the opinion of staff, requires public review and the formal endorsement of the MPO Technical and Officials Committee.

Expedited TIP Amendment Process

In the event business matters warrant prompt action in amending the TIP out of the normal committee review process, the Lincoln MPO may elect to implement an “Expedited TIP Amendment Process.” The expedited MPO Committee review process accelerates review and approval process for eligible projects through a review and approval process by written correspondence via email while allowing for public review.

Process: The proposed amendment will be transmitted by the MPO Administrator to the MPO Technical and Officials Committee members or their designee by email to solicit comments and allow any necessary discussion. At the same time, the proposed amendment will be posted on the MPO web page for public review and email notices sent to those who have requested direct notification. The proposed amendment may be pulled at anytime by the MPO Administrator during the comment/discussion period based upon new or controversial information received that would make the proposal ineligible, undesirable or unnecessary.

Upon completion of the seven (7) day committee and public review and comment period, the public review (public hearing) phase will be closed and the Committee will be asked to vote on the proposed TIP Amendment. The first “yes” vote will establish the motion and the second “yes” vote will be counted as the motion’s second. A “Full Majority Vote” of both committees is required for adoption. A full majority is a committee vote which more than 50% (more than half) of the voting members vote "yes". Abstentions are not counted. For example, the Technical Committee has 15 voting members and at least 8 voting members must vote "yes" for a motion on an amendment to pass. The Officials Committee has 6 voting members and at least 4 voting members must vote "yes" for a motion on an amendment to pass. Committee members should include in the words “I vote No” or “I vote Yes” in the first line of their response. Members should feel free to say, “I vote No, because I think we should discuss it.” Email motions can only be voted up or down. They can’t be amended. If a majority vote has not been received within seven (7) calendar days, the motion expires and the proposed amendment will be deferred until the next regularly scheduled committee meeting.

Amendments adopted through the “Expedited TIP Amendment Process” are considered completed formal amendments and will be documented through an MPO resolution and submitted to NDOR for inclusion in the STIP. Committee email actions will be documented and posted on the MPO web page and will be reviewed at the start of the next meeting.

As with all amendments, each is subject to approval by the State and FHWA/FTA prior to entering the State Transportation Improvement Program (STIP).

Schedule for TIP

TIP *Updates* and *Amendments* require public review and comment, a demonstration of fiscal constraint, approval by the MPO Officials Committee and review/concurrence by the Nebraska Department of Roads then subsequent approval by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). Annual TIP Updates and TIP Amendments that are incorporated into the TIP, become effective following FHWA and FTA approval.

TIP Update Cycle: The TIP is updated annually to coincide with the annual update cycle established for the STIP per Nebraska Department of Roads process.

An Out-of-Cycle TIP Amendment: An amendment process is established for the situations where amendments are required to be processed outside of the annual update cycle. The following steps must be followed.

1. The lead agency requesting the amendment is to send a formal request for an amendment to MPO. The request is to include the project description and scope (ie, type of work, termini, and length), project number, costs and funding sources, amount of Federal funds proposed to be obligated for each program year, and the reason(s) for the amendment. This should include an examination on the projects conformity to the Metropolitan Transportation Plan and a fiscal constraint assessment (ie; will this effect other projects in the TIP).
2. Formal requests will undergo public review and comment, a fiscal constraint assessment, and a Metropolitan Transportation Plan conformity review by the MPO Technical Committee and upon approval, be recommended to the MPO Officials Committee.
3. Recommended amendments will be reviewed by the Officials Committee and upon approval, the project will be amended to the TIP and included in the STIP by reference upon NDOR notification to the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA).

This TIP revision process meets the NDOR thresholds as identified in the “**Guidelines for Development of the Nebraska Statewide Transportation Improvement Program (STIP)**” which can be accessed through this link: <http://www.dor.state.ne.us/STIP/docs/STIP-pd-guidelines.pdf>.