



NILES-BUCHANAN-CASS AREA TRANSPORTATION STUDY

COMBINED TECHNICAL ADVISORY and POLICY COMMITTEE MEETING

FOR FURTHER INFORMATION, CONTACT:

Brandon Kovnat, *Transportation Planner*

Kim Gallagher, *Transportation Planner*

(269) 925-1137 Ext: 1524 & 1518

DATE: March 27, 2018

TIME: 1:30 PM

PLACE: Niles District Library
620 E Main St, Niles, MI 49120

AGENDA Comments will be solicited on each item following discussion and prior to any final action.

1. **Call to Order / Introductions and Pledge of Allegiance**
2. **Changes to the Agenda**
3. **Public Comment**
4. **Approve Minutes from the February 27, 2018 Meeting (*Enclosed*) Action**
5. **Staff Report**
 - Long Range Plan Reaffirmation Process
 - Transportation Online Survey
 - CMAQ Funding Update
 - Performance Based Transportation Improvement Program
6. **Community Land Use and Zoning Member Updates**
7. **Public Transit**
 - Berrien Countywide Service Plan (*SWMPC Staff*)
 - Niles Dial a Ride (*Kelly Getman Dissette*)
 - Buchanan Dial a Ride (*Kim O'Haver*)
8. **Project Status Reports (*enclosed*)**
 - City of Niles
 - City of Buchanan
 - Cass County Road Commission
 - MDOT (*enclosed*)
9. **Old Business**
10. **New Business**
 - Addition of CMAQ projects to NATS TIP
 - Approval of updated TIP amendment policy (*Enclosed*) Action
11. **State and Federal Updates**
12. **Privilege of the Floor**
13. **Adjournment**
 - The next NATS meeting is scheduled for **Tuesday, April 24, 2018 @ 1:30 pm.**

**NILES/BUCHANAN/CASS AREA TRANSPORTATION STUDY (NATS)
 Joint Technical Advisory Committee (TAC) & Policy Committee (POL) MINUTES
 February 27, 2018**

Present		Committee	
Name	Representing	TAC	Policy
Michael Majerek	Berrien County Board of Commissioners		x
Evan Smith	Berrien County Community Development	x	
Brian Berndt	Berrien County Road Commission	x	
Kim O'Haver	Buchanan Dial A Ride	x	x
Robert Ziliak	Cass County Board of Commissioners		x
Roseann Marchetti	Cass County Board of Commissioners		x
Barbara Cook	Cass County Planning Commission	x	
Don Ryman	City of Buchanan	x	x
Georgia Boggs	City of Niles		x
Serita Mason	City of Niles		x
Jan Personette	Four Flag Chamber of Commerce	x	x
Jim Sturdevant	MDOT Bureau of Transportation Planning	x	x
Jonathon Smith	MDOT Coloma Business Office	x	x
Brian Sanada	MDOT Southwest Region	x	x
Jon Roberts	MDOT Urban Travel Analysis	x	
Susan Flowers	Milton Township	x	x
Kelly Getman-Dissette	Niles Dial A Ride	x	x
Dawn Bolock	Ontwa Township	x	x
Brandon Kovnat	SWMPC	Staff	
Kim Gallagher	SWMPC	Staff	

Absent		Committee	
Name	Representing	TAC	Policy
Andrea Dewey	Federal Highway Administration*	x	x
Craig Bradfield	Howard Township	x	x
Joe Bellina	Cass County Road Commission	x	
Joe Ray	City of Niles	x	
Richard Cooper	Niles Charter Township	x	x
Sandra Seanor	Cass County Road Commission		x
Bob Sutton	Mason Township	x	x
Butch Payton	Bertrand Township	x	x
Eric Lester, M.D.	Berrien County Planning Commission		x

Absent		Committee	
Name	Representing	TAC	Policy
Fred Featherly	MDOT Office of Passenger Transportation*	x	
Malinda Cole-Crocker	Buchanan Township	x	x
Rich Low	Village of Edwardsburg	x	x

1. Call to Order / Introductions and Pledge of Allegiance

Serita Mason, policy vice chair, called the meeting to order at 1:30 and led the group in introductions and the pledge of allegiance.

2. Changes to the Agenda

Brandon Kovnat asked to add an amendment for the City of Niles to the Agenda.

3. Public Comment

None.

4. Approve Minutes from the January 23, 2018 Meeting

Motion to approve the January 23, 2018 Joint Technical Advisory and policy Committee meeting minutes by Dawn Bolock, second by Roseann Marchetti. **Motion approved.**

5. Staff Report

2045 Long Range Plan Guiding Principles: Kim Gallagher gave an overview of the draft version of the guiding principles. She explained that instead of goals and objectives the LRP would be divided into guiding principles and performance measures. Some of the Performance measure were dictated by FHWA or FTA while some will be set by NATS based on staff recommendations. Safety was given as an example of a guiding principle section. Examples of the strategies and performance measures were shown.

Georgia Boggs asked about safety and if the Long range Plan would include safety improvements on 11th street. She also expressed concern about safety at Gumwood and US-12.

Brandon Kovnat replied that the Long Range Plan would lay out general strategies to meet safety performance targets. He said that one such strategy would be to have MDOT consider safety issues when they were doing projects. Brandon then said that 11th street, which is M-51, is a MDOT road that will have a scoping project coming up and that the NATS committee would stay engaged to ensure safety improvements were explored. Brian Sanada said that there would be public meetings and he would announce them at the NATS meetings. Brandon followed up that US-12 was getting a path near Edwardsburg and Gumwood was getting a path near Redfield Rd. Extensions of both paths could be potential projects in the future.

2045 Long Range Plan Transit Overview: Kim Gallagher presented a working draft of the transit section. She presented ridership, revenue, and cost per passenger trends, for the Niles Dial-A-Ride and the Buchanan Dial-A-Ride.

Georgia Boggs asked about transit to connect people in Niles to Jobs in Cass County. Kim Gallagher said that rural trips like these would be very expensive because of low ridership and return trips with empty vehicles. There was a company called Liberty Transportation which was branded as the rural “uber” but it had gone out of business. Evan Smith said that Berrien Bus relied on contracts to fill these type of trips such as with the mental health court that pays an hourly rate. Bu he said it was still hard with a limited budget.

6. **Community Land Use and Zoning Member Updates**

None

7. **Public Transit**

Berrien Countywide Service Plan: Evan Smith said that the technical committee was waiting for a memo from the consultant.

Niles Dial A Ride: Kelly Getman-Dissette said that Niles Dial-A-Ride’s facility had flooded. They are operating out of the law enforcement building. It could take months to reopen, but they are insured.

Buchanan Dial-A-Ride: Kim said that she would be presenting an amendment for the 2019 budget later in the meeting

8. **Project Status Updates:**

City of Niles: 17th Street is expected to be let on March 2. They will be requesting an increased project cost.

City of Buchanan: no update for the River Road Signal Projects.

Cass County Road Commission: No Update for Mason Street.

MDOT: US-12 resurface would have its construction moved to July.

US-31 would have the design work begin in June.

9. **Old Business**

Transportation Improvement Program Amendment Policy: Brandon Kovnat said that there were requests to update the TIP amendment policy so that projects that didn’t require federally reviewed amendments could be made administratively without an MPO committee vote. There was a consensus that the NATS amendment policy should match the state & federal amendment policy. Brandon said that he would send a revised policy to committee members and a vote would be help next meeting.

10. **New Business:**

TIP Amendment for Buchanan Dial A Ride: Kim O’Haver presented the FY 2019 budget for Buchanan Dial-A-Ride (See attached amendment request letter). She said that there were no capital requests. Further, she said that local sources including fares and the city of Buchanan provide 40% of the operating budget.

Motion for the Technical Advisory Committee to recommend that the Policy Committee approve the FY 2019 budget requests from Buchanan Dial-A-Ride made by Kelly Getman-Dissette, Second by Jim Sturdevant. **Motion Approved.**

Motion for the Policy Committee to approve the FY 2019 budget requests from Buchanan Dial-A-Ride made by Roseann Marchetti, Second by Robert Ziliak. **Motion Approved.**

TIP Amendments for MDOT: MDOT presents a list of 15 job phases to add to the TIP (see attached amendment request letter). A number of these amendments were different phases of the same project or different phases of projects that were already in the TIP.

Motion for the Technical Advisory Committee to recommend that the Policy Committee approve all 15 of MDOT’s job phases as presented made by Jim Sturdevant, second by Kelly Getman-Dissette. **Motion Approved.**

Motion for the Policy committee to approve all 15 of MDOT’s job phases as presented made by Kelly Getman-Dissette, second by Roseann Marchetti. **Motion Approved.**

TIP amendment for city of Niles: The amendment request for the city of Niles was presented to the Committees (see attached amendment request letter). The city requested to increase the budget for 17th Street to pay for unforeseen ADA ramps and traffic loops. They propose to change their local contribution from 35,330 to \$91,000 which an additional \$55,670. The federal amount will remain the same. Brandon Kovnat explained that the requirements for an amendment were based on a 25% change in total cost, not just federal funds. The 17th street project had increased by 28% thus, an amendment was required.

Motion for the Technical Advisory Committee to recommend that the Policy Committee approve the City of Niles request to increase the local contribution for 17th street as presented, made by Jim Sturdevant, second by Kelly Getman-Dissette. **Motion Approved.**

Motion for the Policy committee to approve the City of Niles request to increase the local contribution for 17th street as presented, made by Robert Ziliak, second by Jan Personette. **Motion Approved.**

New Funds: Brandon Kovnat explained that the federal funding NATS would receive in FY 2018 is higher than the estimated amount in the TIP. There is \$44,123 federal STBG funds that are unprogramed.

Brandon Kovnat explained that this amount was too little to recommend a completely new project. Also due to time constraints, a new project would be difficult to be designed in time. Staff recommends using the funds in one of the currently programed projects in FY 2018. Brandon explained that there were three road projects. In addition, the funds could be flexed for use by Niles Dial-A-Ride. Staff will come up with scenarios, options, and an application. A vote on how to apply the funds would occur at the next meeting.

Long Range Plan Extension: Kim Gallagher said that NATs was going to request an extension on the Long Range Plan (LRP). Jon Roberts said that his was because they were waiting for MACOG to identify capacity projects to run in the Travel demand Model. NATS would need to reaffirm the current 2040 LRP before May. If they did this then they would not be required to amend the 2040 LRP to add in performance targets.

11. State and Federal Updates

Jim Sturdevant said that MDOT and SWMPC had held the Unified Work Program kick off meeting.

12. Privilege of the Floor:

Serita Mason wished to thank everyone that helped Niles with the flooding.

13. Adjournment

Meeting was adjourned at 3:30 PM. Next Meeting is scheduled for Tuesday March 27, 2018.

Minutes Compiled by Brandon Kovnat, SWMPC, Associate Planner



Southwest Michigan Planning Commission

376 West Main Street, Suite 130 • Benton Harbor, MI 49022-3651

Project Update Sheet

Project Name:	17 th Street
Fiscal Year of award:	2018
Responsible Agency:	City of Niles
MDOT Job Number:	130866
Project Limits:	Broadway to Main St.
Project Length:	0.57 miles
Location:	City of Niles
Work Type:	Resurface

Project Description: Mill existing pavement 1.5 deep. Repave with 220#/SYD HMA 5E1. Construct ADA sidewalk ramps.

	Amount	Source
Federal	\$159,000	STP Large Urban
Local	\$91,000	City of Niles
Total	\$250,000	

Activity	Estimated Date	Actual Date
Resolution of Support for Local Match Submitted to SMWPC		10/20/17
Project Application Submitted to MOT		10/15/17
Grade Inspection Package Submitted to MDOT	11/13/17	
Grade Inspection Meeting Scheduled	12/13/17	
Final Plan and Estimate to MDOT	1/19/18	
Project Obligated		
Project Letting	4/6/2018	
Construction Start	6/18/18	
Project Completion	7/24/18	

Project is: On Schedule Behind Schedule; Explain:



Southwest Michigan Planning Commission

376 West Main Street, Suite 130 • Benton Harbor, MI 49022-3651

Project Update Sheet

Project Name:	River Street Signal
Fiscal Year of award:	2018
Responsible Agency:	City of Buchanan
MDOT Job Number:	130766
Project Limits:	River Street and Red Bud Trail Interaction
Project Length:	
Location:	City of Buchanan
Work Type:	Traffic Opp/Safety

Project Description: complete signalization replacement with actuated signals with LED lights, vehicular video detection equipment, ADA accessible ramps and associated sidewalk and curb and gutter replacement. HMA resurfacing of the intersection 1.5 deep pedestrian push button and signalization.

	Amount	Source
Federal	\$203,000	STP - Large Urban
Local	\$51,000	City of Buchanan
Total	\$254,000	

Activity	Estimated Date	Actual Date
Resolution of Support for Local Match Submitted to SMWPC		
Project Application Submitted to MOT	4/16/2018	
Grade Inspection Package Submitted to MDOT	4/16/2018	
Grade Inspection Meeting Scheduled	5/16/2018	
Final Plan and Estimate to MDOT	6/22/2018	
Project Obligated	7/15/2018	
Project Letting	9/07/2018	
Construction Start	3/01/2019	
Project Completion	6/15/2019	

Project is: On Schedule Behind Schedule; Explain:

Date: Click or tap to enter a date.

Name: _____



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Project Update Sheet

Project Name:	Mason Street
Fiscal Year of award:	2018
Responsible Agency:	Cass County Road Commission
MDOT Job Number:	130776
Project Limits:	Cassopolis Rd o Calvin Center Rd
Project Length:	2.15 miles
Location:	Mason Township
Work Type:	Resurface

Project Description: HMA Overlay with Shoulders, signage, and pavement markings

	Amount	Source
Federal	\$156,000	STP Large Urban
Local	\$69,000	Cass County Road Commission
Total	\$225,000	

Activity	Estimated Date	Actual Date
Resolution of Support for Local Match Submitted to SMWPC	11/21/17	
Project Application Submitted to MOT	12/17	3/12/18
Grade Inspection Package Submitted to MDOT	12/17	3/12/18
Grade Inspection Meeting Scheduled	1/18	na
Final Plan and Estimate to MDOT	2/18	3/16/18
Project Obligated	2/18	
Project Letting	5/18	6/1/18
Construction Start	6/18	7/18
Project Completion	8/18	8/31/18

Project is: On Schedule Behind Schedule; Explain:



Southwest Michigan Planning Commission

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Project Update Sheet

Project Name:	US-12
Fiscal Year of award:	2018
Responsible Agency:	MDOT
MDOT Job Number:	
Project Limits:	West Village Limits of Edwardsburg to M-62
Project Length:	0.84 miles
Location:	Village of Edwardsburg
Work Type:	Resurface
Phase	CON

Project Description: Cold Milling and Multiple Course HMA Overlay

	Amount	Source
Federal	\$1,456,930	ST
State	\$302,370	M
Total	\$1,759,300	

Activity	Estimated Date	Actual Date
Project Application Submitted		
Grade Inspection Package Submitted	09/2017	09/2017
Grade Inspection Meeting Scheduled	11/02/2017	11/02/2017
Final Plan and Estimate		
Project Obligated		
Project Letting	04/2018	
Construction Start	07/2018	
Project Completion	10/2018	

Project is: On Schedule Behind Schedule; Explain:

Project is advertised for the April 6th letting.



Southwest Michigan Planning Commission

376 West Main Street, Suite 130 • Benton Harbor, MI 49022-3651

Project Update Sheet

Project Name:	US-31
Fiscal Year of award:	2018
Responsible Agency:	MDOT
MDOT Job Number:	129876
Project Limits:	Over US-12
Project Length:	0.41 miles
Location:	Bertrand Township
Work Type:	Restore and Rehabilitate
Phase	PE & SUB

Project Description: Shallow Overlay, Full Paint, Pin and Hangers

	Amount PE	Amount SUB	Source
Federal	\$41,265	\$331,972	NH
State	\$9,150	\$73,613	M
Total	\$50,415	\$405,585	

Activity	Estimated Date	Actual Date
Project Application Submitted		
Grade Inspection Package Submitted		
Grade Inspection Meeting Scheduled		
Final Plan and Estimate		
Project Obligated		
Project Letting	01/10/2020	
Construction Start		
Project Completion		

Project is: On Schedule Behind Schedule; Explain:

No work yet performed. Project PE will be obligated soon.

Federal Amendment and Administrative Modification Decision Table Overview of Proposed Changes

Type of Change	Federal Amendment	Administrative Modification	Change from Previous Policy
Adding or removing any project that affects air quality conformity or requires a conformity determination regardless of cost or funding source	x		Clarification
Adding or deleting a federally funded project or job phase to the TIP	x		Same
Moving a federally funded project from the illustrative list to the fiscally constrained list or vice versa	x		New
Changing a non-federally funded project to a federally funded project	x		Clarification
Changing the cost of the total phase budget by <u>more</u> than 25%*	x		New
Any change to any project that would affect capacity or air quality conformity	x		Calcification
A significant change to work type or project description	x		Clarification
Changing the limits by 1/2 mile or more	x		Same
Addition or removal of project items (sidewalk, bike lane, ADA enhancement, etc.) for 1/2 mile or more	x		New
Adding or removing a project with <u>no</u> federal funding and not needing air quality conformity determination		x	Clarification
Adding or deleting a project from the Illustrative List		x	New
Changing from one federal funding source to another federal source (except CMAQ) provided work type remains the same.		x	New
Moving fiscal years within the current TIP		x	New
Changing the cost of the total phase budget by <u>less</u> than 25%*		x	New
Adding or removing advance construct funding		x	New
Any change to a non-federally funded project so long as it doesn't affect capacity or air quality conformity		x	Clarification
Technical corrections such as typos, misspellings, or other data entry errors		x	Same

*Cost changes are cumulative based on the last federal approval. This means that a project cost may be increased multiple times administratively as long as the combined cost has not increased or decreased by more than 25%

This table may not cover all possible changes. For additional information please contact:

Brandon Kovnat, SWMPC associate planner

kovnatb@swmpc.org

(269) 925-1137 x 1524

Niles Buchanan Cass Area Transportation Study (NATS)

Transportation Improvement Program Administrative Modification & Amendment Policy

Approved _____

Purpose

This document provides guidance on the procedure to change projects in the Transportation Improvement Program (TIP). This includes how to determine if the process requires a federal amendment or if an administrative modification is sufficient.

Definitions (from CFR 450.104):

Federal Amendment, also referred to as an amendment, is any change to the TIP which requires Federal Highway Administration (FHWA) or Federal Transit Administration (FTA) approval. The amendment process requires public notice to allow for public review and comment in accordance with the SWMPC public participation plan. An amendment requires approvals from the MPO policy committee, MDOT, FHWA, and FTA. An amendment only applies to federally funded projects or projects that require air quality conformity (non-exempt). See Table on page 3.

Administrative Modification, also referred to as a modification, is any change to the TIP, which does not require federal approval. A modification does not require MPO committee approval or public notice. See Table on page 3.

Job Phase is any line in the TIP. A single project can be divided into multiple phases such as preliminary engineering (PE), right of way acquisition (ROW), or Construction (CON). Each phase must be listed in the TIP separately.

Illustrative List is a list of projects, which are not committed for funding in the TIP but have been added in case additional funding is available or another project in the TIP is removed. Changes to projects that are included only for illustrative purposes do not require an amendment. A project must still go through the federal amendment process to be moved from the illustrative list to the constrained project list.

Air Quality Conformity, also referred to as Conformity, is a requirement under the Clean Air Act (42 U.S.C. 7506(c) that federal funding and approval are given to transportation plans, programs and projects that are consistent with the air quality goals. The goal of transportation conformity is to ensure that a project will not cause or worsen air quality violations. This only applies to areas deemed to be in nonattainment or maintenance. Projects that change capacity on a road always require conformity determination. Typically, any project that does not change a road's capacity does not require conformity analysis and is referred to as exempt.

Both Administrative Modifications and Federal Amendments must follow:

1. **The financial constraint requirements**, which means “A demonstration of sufficient funds (Federal, State, local, and private) to implement proposed transportation system improvements, as well as to operate and maintain the entire system, through the comparison of revenues and costs.”
2. **The current Long Range Transportation Plan**
3. **Title VI Nondiscrimination**, which means “ Title VI of the Civil Rights Act of 1964 (42 U.S.C. 200d), related statutes and regulations provide that no person shall on the ground of race, color, national origin, gender, or disabilities be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal funds. The Heart of Title VI "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."
4. **The SWMPC Public Participation Plan**, which outlines strategies that staff will use to ensure the public has opportunity to have input. <http://www.swmpc.org/participation.asp>

Federal Amendment and Administrative Modification Decision Table

Type of Change	Federal Amendment	Administrative Modification
Adding or removing any project that affects air quality conformity or requires a conformity determination regardless of cost or funding source	x	
Adding or deleting a federally funded project or job phase to the TIP	x	
Moving a federally funded project from the illustrative list to the fiscally constrained list or vice versa	x	
Changing a non-federally funded project to a federally funded project	x	
Changing the cost of the total phase budget by more than 25%*	x	
Any change to any project that would affect capacity or air quality conformity	x	
A significant change to work type or project description	x	
Changing the limits by 1/2 mile or more	x	
Addition or removal of project items (sidewalk, bike lane, ADA enhancement, etc.) for 1/2 mile or more	x	
Adding or removing a project with no federal funding and not needing air quality conformity determination		x
Adding or deleting a project from the Illustrative List		x
Changing from one federal funding source to another federal source (except CMAQ) provided work type remains the same.		x
Moving fiscal years within the current TIP		x
Changing the cost of the total phase budget by less than 25%*		x
Adding or removing advance construct funding		x
Any change to a non-federally funded project so long as it doesn't affect capacity or air quality conformity		x
Technical corrections such as typos, misspellings, or other data entry errors		x

*Cost changes are cumulative based on the last federal approval. This means that a project cost may be increased multiple times administratively as long as the combined cost has not increased or decreased by more than 25%

This table may not cover all possible changes. For additional information please contact:
 Brandon Kovnat, SWMPC associate planner
kovnatb@swmpc.org
 (269) 925-1137 x 1524

Amendment Process:

The following steps must be taken for all proposed changes to the Transportation Improvement Program:

1. The requesting agency must submit a letter to SWMPC requesting an amendment to the Transportation Improvement Program (TIP). The Amendment letter must be sent at least 10 calendar days prior to the regularly scheduled MPO meeting to allow for public notice. Amendments cannot be accepted after the 10-day deadline.

The letter must contain the following:

- Agency's letterhead
- A date
- Information to identify the project: Project name, limits, fiscal year of award, and MDOT job number (NA for Transit).
- The proposed changes to the project along with the current values (e.g. for a cost change: increasing from x to y)
- A brief explanation why the amendment is being requested
- A signature from an authorized individual

Letters can be sent via email or mail (see the example letters on the following pages)

2. Staff will review the amendment according to the approved TIP Amendment Policy in order to determine if the change requires a federal amendment or can be made as an administrative modification. For administrative modifications, staff will submit the request to MDOT; an administrative modification does not require committee approval or FHWA & FTA review.
3. All amendment request letters will be included in the meeting packet for the regularly scheduled MPO committee meetings. The packets are sent to committee members five business days prior to the meeting, and posted on the SWMPC website.

The following Steps only apply to changes, which require a federal amendment:

4. The requesting agency is expected to present their amendment request to the committees at the meeting and answer any questions.
5. At the regularly scheduled MPO meeting, the Technical Advisory Committee will vote on whether they recommend that the policy committee approve the amendment. This will be followed by the Policy Committee voting on approval.
6. Once an amendment has been approved by the MPO, staff will follow MDOT's process to submit the amendment to MDOT for approval. Staff will copy the requesting agency on the submittal and keep them informed about the status of the amendment.
7. MDOT reviews the amendment request to ensure it complies with all applicable regulations. These include air quality conformity, environmental justice implications proper public notice, and fiscal constraint.
8. Once approved by MDOT, FHWA and FTA each review the amendment. When FHWA and FTA approve the amendment, they will send a signed copy of the transmittal forms to MDOT & SWMPC.
9. Staff will notify the requesting agency as soon as the amendment has been approved.
10. Whenever amendments are approved, a revised TIP project list will be uploaded to the SWMPC website. Staff will inform the committees of any amendment approvals and changes to the TIP, including any administrative modifications, at MPO committee meetings.

Note on Administrative Modifications: An administrative modification is a type of change to the TIP, which does not require MPO committee approval, nor does it go through the federal review process. The process for an administrative modification is the same from steps 1 through 4. Because there is no need for committee approval or federal review the amendments can be programed as soon as staff receives the amendment request letter. Staff will let the requesting agency as soon as the administrative modification has been made. Staff will let committee members know if any administrative modification have been made at regular MPO committee meetings.



CITY OF NILES
Department of Public Works

February 2, 2018

Mrs. Kim Gallagher
Southwest Michigan Planning Commission
376 West Main Street
Suite 130
Benton Harbor, MI 49022

Re: TIP Amendment Request - Seventeenth Street- Broadway to East Main Street

Dear Mrs. Gallagher:

The City of Niles is writing to request a TIP Amendment to increase the total estimated cost to \$250,000.00. The requested Federal Share will remain at the approved \$159,000.00 and the Local Match will increase to \$91,000.00.

The change/increase costs are being requested due to the requirement to comply with the updated design standards (ADA Ramps), traffic signal loops, etc. In the event there would be any additional funding available for FY2018 projects the City of Niles would respectfully request those funds be applied to this project.

Thank you for your time and effort regarding this important project.

Sincerely,


Joseph Ray
Public Works Director

Member Michigan Municipal League
333 N Second Street Niles, Michigan 49120
Phone 269.683.4700 www.ci.niles.mi.us Fax 269.684.3930



January 22, 2018

Southwest Michigan Planning Commission
Attn: Brandon Kovnat, Associate Planner
376 West Main Street, Suite 130
Benton Harbor, Michigan 49022

Members of the Committee:

In conjunction with the FY 2019 funding application process for Buchanan Dial-A-Ride, the City is requesting the following addition to the NATS TIP:

- | | |
|---------------------------------------------------|-----------|
| • Federal Section 5311 operating assistance | \$24,629 |
| • State formula operating assistance | \$81,365 |
| • Rural Transit Assistance Program (RTAP) funding | \$ 2,925 |
| • Local millage, farebox, and other revenues | \$101,579 |

Total Project Cost	\$210,498
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Thank you for your assistance with this request. If you have questions, please contact Kimberly O'Haver at (269)-983-8990 or via email at tmikim@parrett.net.

Sincerely,

William Marx
City Manager

302 Redbud Trail North • Buchanan, Michigan 49107
Tel: (269) 695-3844 • Fax: (269) 695-4330
www.cityofbuchanan.com

Niles-Buchanan-Cass Area Transportation Study (NATS)

Transportation Improvement Program Administrative Modification & Amendment Policy

Approved October 27, 2015

Introduction

This document provides guidance that defines the types of revisions to Niles-Buchanan-Cass Area Transportation Study Transportation Improvement Program (TIP). It highlights the differences between minor revisions defined as **administrative modifications** and more significant revisions defined as **amendments**. The guidance outlines steps for modifying the TIP document when such changes occur as well as actions needed by the Southwest Michigan Planning Commission transportation staff, the NATS Policy Committee, the Michigan Department of Transportation, the Federal Highway Administration, and the Federal Transit Administration.

Regardless of the type of change to the Transportation Improvement Program, all modifications must be consistent with:

1. **The financial constraint requirements**, which means "A demonstration of sufficient funds (Federal, State, local, and private) to implement proposed transportation system improvements, as well as to operate and maintain the entire system, through the comparison of revenues and costs"
2. **The current Niles-Buchanan-Cass Area Transportation Study Metropolitan Transportation Plan** http://www.swmpc.org/nats_2040.asp
3. **Title VI Nondiscrimination**, which means " Title VI of the Civil Rights Act of 1964 (42 U.S.C. 200d), related statutes and regulations provide that no person shall on the ground of race, color, national origin, gender, or disabilities be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal funds. The Heart of Title VI "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."
4. The Niles-Buchanan-Cass Area Transportation Study Public Participation Plan procedures for public involvement, which outlines the strategies that the MPO will use to gain public participation <http://www.swmpc.org/participation.asp>

In 2015, NATS began the use of General Program Accounts (GPAs) to group projects together in order to increase the efficiency of TIP amendment submittals and reduce the frequency of amendments. A separate policy governing the use of GPAs has been created. All GPAs are still subject to the provisions of this TIP amendment and administrative modification policy.

Discretion for Administrative Modifications and Amendments

The Niles-Buchanan-Cass Area Transportation Study Transportation staff reserves the right to determine what is considered an administrative modification or an amendment depending on the project details and the consideration of factors of an amendment from the Federal Highway Administration and the Federal Transit Administration.

Amendment and Administrative Modification Decision Table

Each column represents when an Amendment, MPO Administrative Modification, and Federal Review will be done in a variety of categories.

- Administrative Modification=MPO Staff can handle without review by MPO Policy Committee or Federal Review, will notify Committees of change.
- MPO Amendments=Review and recommendation by MPO Technical Advisory Committee followed by Approval of MPO Policy Committee.
- Federal Review=When actions require the review and approval by Federal Highway or Transit Administrations.

If the action is:*	Administrative Modification	MPO Amendment	Federal Review
	Staff Action	Committee Action	
ADDITION			
To add a federally funded project to the current TIP		X	X
To add a project to the Illustrative List		X	
To add a project PHASE to the current TIP		X	X
To add an Illustrative List project to the financially constrained list		X	X
DELETION			
To delete a federally funded or regionally significant project and/or phase from the current TIP		X	X
To delete a project PHASE to the current TIP		X	X
MOVING			
To move a federally funded project to another year to the current TIP		X	No Review Required

To move a federally funded project to another year OUTSIDE the funded TIP, it should be noted in the comments field of the e-file		X	X
To add or move an Illustrative project to the Funded Project List		X	X
SCOPE			
To increase/decrease a project length by ½ mile or more (<i>less than will be an Administrative Modification</i>)		X	X

FUNDING			
To add/delete federal funds to existing TIP project or a regionally significant project		X	X
To add or delete local funds to an existing project in the TIP	X		
Per Local Agency Programs; projects with a cost increase less than or equal to 10% of the TIP programmed amount do not require MPO action as long as financial constraint is maintained and should be reflected in the next TIP E-File	X		
CORRECTIONS			
To correct a misprint or entry error, or project description that does not change cost or scope.	X		

* For a project that is grouped within an MPO approved GPA, any changes to costs that are less than or equal to 10% of the total cost of all projects within the GPA could be made via MPO staff administrative modification.

The following definitions related to Transportation Improvement Program revisions are found in 23 CFR 450.104.

Administrative Modifications - An administrative modification is a revision that does not require public review and comment, redemonstration of fiscal constraint, or a conformity determination (in nonattainment and maintenance areas).

What needs to be done for Administrative Modifications?

- MPO staff makes changes in the appropriate fields of the e-File to reflect the new information. Note an administrative modification is made in the comment field or in the field where the error occurred;
- MPO concurrence, at the time of the next TIP amendment according to agreed upon procedures; and
- Submit all administrative modifications with the next TIP amendment request.

Amendment - means a revision to a TIP, or STIP. An amendment is a revision that requires a 7-day public comment review prior to the MPO meeting that the amendment will be discussed and notification to the public regarding a change to the TIP. It also requires recommendation from the Technical Advisory Committee and approval by the MPO Policy Committee. The amendment will require a redemonstration of fiscal constraint, or conformity determination (for TIPs involving “non-exempt” projects in nonattainment and maintenance areas).

What needs to be done for Amendments?

- Take the proposed amendments, including air quality analysis if needed, out for public review per the NATS Public Participation Plan;
- Make changes to the e-File once the public comment period is complete;
- MPO Policy Committee approval of proposed amendments, and determination of conformity if needed;
- Forward e-File, (updated project listing pages, updated financial constraint tables, and documentation of committee action, and documentation of public participation) to MDOT of the new TIP that includes the changes; and
- MDOT forwards amendment packet to FHWA or FTA for their approval.