

# Niles-Buchanan-Cass Area Transportation Study (NATS)

## *Transportation Improvement Program Administrative Modification & Amendment Policy*

**Adopted:** \_\_\_\_\_

### **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 Niles-Buchanan-Cass Area Transportation Study Technical Committee and Policy Committee, the Southwest Michigan Planning Commission transportation staff, 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 the financial constraint requirements, the current Niles-Buchanan-Cass Area Transportation Study (NATS) Metropolitan Transportation Plan, Federal Title VI requirements, and the Niles-Buchanan-Cass Area Transportation Study Participation Plan procedures for public involvement.

### **Definitions**

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

**Revision** means a change to TIP that occurs between scheduled periodic updates. A major revision is an “amendment”, while a minor revision is an “administrative modification.”

**Project Selection** means the procedures followed by MPOs, States, and public transportation operators to advance projects from the first four years of an approved TIP to implementation, in accordance with agreed upon procedures.

The Niles-Buchanan-Cass Area Transportation Study uses a Project Prioritization Subcommittee to determine federal aid project priorities for the Transportation Improvement Program.

**Administrative modification** means a minor revision to a TIP that includes minor changes to project/project phase costs, minor changes to funding sources of previously-included projects, minor changes in project limits, and minor changes to project/project phase initiation dates. **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).**

- Minor change in cost (per the agreed upon MPO/Rural procedures);
- Minor change in funding source (moving from one federal funding source to another federal funding source, except CMAQ funding);
- Project Selection - Shifting projects between fiscal years while maintaining financial constraint under the

project selection procedures defined in the regulations;

- Switching a project from regular federal-aid to Advance Construction (AC) (per Michigan Division and MDOT finance agreement provided the change is noted in the request sent to FHWA at the time of project authorization);
- Switching a project from AC to regular federal-aid (per Michigan Division and MDOT finance agreement provided the change is noted in the request sent to FHWA at the time of project authorization);
- A revision that does not require public review and comment, redemonstration of fiscal constraint, or a conformity determination (in nonattainment and maintenance areas); and
- Switching the required match from traditional non-federal funding sources to toll credits.

**Amendment** means a revision to a TIP, or STIP, including the addition or deletion of a project or a major change in project cost, project/project phase initiation dates, or a major change in design concept or design scope (e.g. changing project termini or the number of through traffic lanes). Changes to projects that are included only for illustrative purposes do not require an amendment. An amendment is a revision that requires public review and comment, redemonstration of fiscal constraint, or conformity determination (for TIPs involving “non-exempt” projects in nonattainment and maintenance areas).

- Adding a new project or moving a project from the illustrative list to the financially constrained list;
- Deleting a project or moving a project to the illustrative list;
- Major change in cost (per the agreed upon MPO/Rural procedures);
- Changing a non-Federally funded project to a federally funded; and
- Change in project design concept or design scope (per the agreed upon MPO/Rural procedures).

## Amendment and Administrative Modification Decision Table

\* Maintaining Financial Constraint

If the action is:*	MPO Amendment	MPO Administrative Modification
<b>ADDITION</b>		
To add a federally funded project to the current TIP	X	
To add a project to the Illustrative List	X	
To add a project PHASE to the current TIP	X	
To add a project PHASE to the existing project in Illustrative List		X
To add an Illustrative List project to the financially constrained list	X	
To add PHASE to existing TIP funded project		X
<b>DELETION</b>		
To delete a federally funded project from the current TIP	X	
To delete a project from the Illustrative List	X	
To delete PHASE to existing TIP funded project		X
<b>MOVING</b>		
To move a federally funded project to another year WITHIN the funded TIP		X
To move a federally funded project to another year OUTSIDE the funded TIP	X	
To move an Illustrative project to the Funded Project List		X
To move a federally funded project to the Illustrative List	X	
<b>SCOPE</b>		
To increase/decrease a project length by ½ mile or more <i>(less than will be an Administrative Modification)</i>	X	
To add/decrease a travel lane greater than ½ mile or more <i>(less than will be an administrative modification)</i>	X	

To add new project items (sidewalk, bike lanes, signals)	X	
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If the action is:*	MPO Amendment	MPO Administrative Modification
<b>FUNDING</b>		
To add/delete more than <b>10%</b> of federal funds to existing TIP project ( <i>less than will be Administrative Modification</i> )	X	
To add/delete more than <b>20%</b> of the Total Project Cost to existing TIP project ( <i>less than will be an Administrative Modification</i> )	X	
To assign/remove Advance Construction (AC) funding to a federal funded project		X
To assign federal funds to locally funded project	X	
To add additional federal fund source to a federally funded project	X	
To add/delete toll credits to a federally funded project	X	
<b>CORRECTIONS</b>		
To correct a misprint or entry error		X

### Discretion for Administrative Modifications and Amendments

The Niles-Buchanan-Cass Area Transportation Study 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.

### 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 was made in the comment field;
- MPO approval of administrative modifications, or 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.

### **What needs to be done for Amendments?**

- Take the proposed amendments, including air quality analysis if needed, out for public review per the TwinCATS 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, and paper copies (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.

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