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Metropolitan Transportation Improvement Program (MTIP) Change Management Procedures Manual

**Metro
May 2020**

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Introduction

The Metropolitan Transportation Improvement Program governs the programming of all federally funded and regionally significant transportation projects in the Portland metropolitan region. It is administered by Metro, as the region's Metropolitan Planning Organization (MPO). Its purpose is to ensure these transportation projects meet certain federal regulations, as described in the Code of Federal Regulations (23 CFR 450.326) and guidance issued by the U.S. Department of Transportation.

A key feature of the MTIP is the programming of projects, which documents funding to be made available to a project, or project phase in any one fiscal year. As funding availability and project costs are dynamic over the course of the four-year MTIP, the programming of projects also requires an ability to change.

The policies and approach used by Metro to manage these changes is described in the MTIP document. The current version of the document is the 2021-24 MTIP and the policies are included in Chapter 8. This Change Management Procedures Manual builds on the change management policies documented in the MTIP and describes in more detail the procedures used to administer the proposed changes to the MTIP.

MTIP Change Management Policies

The MTIP document includes the following policies and description of the MTIP change management process.

Classification of Changes to the MTIP

There are two types of changes to the MTIP: formal amendments and administrative modifications.

The Oregon Division of the Federal Highway Administration (FHWA), the Region X Federal Transit Administration (FTA), and the Oregon Department of Transportation (ODOT) developed an amendment matrix to further describe distinctions between amendments and administrative modifications. Metro follows the amendment matrix when evaluating and processing MTIP administrative modifications or amendments. The Amendment Matrix (see below) provides the summary of allowable changes that qualify as amendments or as administrative modifications. This matrix may be updated and the most current version is included in the MTIP Change Management Procedures Manual.

Table 8-1: ODOT-FHWA-FTA Amendment Matrix

Type of Change	
FULL AMENDMENTS	
1.	Adding or cancelling a federally funded, and regionally significant project to the STIP and state funded projects which will potentially be federalized
2.	Major change in project scope. Major scope change includes: <ul style="list-style-type: none"> • Change in project termini - greater than .25 mile in any direction • Changes to the approved environmental footprint • Impacts to AQ conformity • Adding capacity per FHWA Standards • Adding or deleting work type
3.	Changes in Fiscal Constraint by the following criteria: <ul style="list-style-type: none"> • FHWA project cost increase/decrease: <ul style="list-style-type: none"> • Projects under \$500K – increase/decrease over 50% • Projects \$500K to \$1M – increase/decrease over 30% • Projects \$1M and over – increase/decrease over 20% • All FTA project changes – increase/decrease over 30%
4.	Adding an emergency relief permanent repair project that involves substantial change in function and location.
ADMINISTRATIVE/TECHNICAL ADJUSTMENTS	
1.	Advancing or Slipping an approved project/phase within the current STIP (If slipping outside current STIP, see Full Amendments #2)
2.	Adding or deleting any phase (except CN) of an approved project below Full Amendment #3
3.	Combining two or more approved projects into one or splitting an approved project into two or more, or splitting part of an approved project to a new one.
4.	Splitting a new project out of an approved program-specific pool of funds (but not reserves for future projects) or adding funds to an existing project from a bucket or reserve if the project was selected through a specific process (i.e. ARTS, Local Bridge...)
5.	Minor technical corrections to make the printed STIP consistent with prior approvals, such as typos or missing data.
6.	Changing name of project due to change in scope, combining or splitting of projects, or to better conform to naming convention. (For major change in scope, see Full Amendments #2)
7.	Adding a temporary emergency repair and relief project that does not involve substantial change in function and location.

To help determine whether proposed project changes are processed as amendments or administrative modifications and to provide information to decision-makers who must approve MTIP amendments, Metro TIP staff works with the project lead agency staff to understand the effect of the proposed change, if any, on the following:

- consistency with the adopted policies, goals, strategies and financially constrained project list of the adopted Regional Transportation Plan (RTP),
- consistency with the Metro regional travel demand model project inputs for motor vehicles, transit, freight, bicycle and pedestrian facilities,
- the current RTP and/or MTIP regional emissions analysis,

- the timely implementation of Transportation Control Measures (TCMs) and other requirements of the State Implementation Plan (SIP) for air quality,
- funding adjustment impacts to the financial constraint finding,
- progress toward achieving regionally adopted performance targets.

Description of the MTIP Change Process

When project changes are needed, they occur to both the MTIP and STIP. This action requires a coordinated effort among the Metro, ODOT Region 1, ODOT Headquarters, and the US Department of Transportation (USDOT).

Amendments and administrative modifications each have a similar development process, but their approval steps differ. The approval of administrative modifications is delegated to the MTIP Manager. Once the MTIP manager approves the administrative modification, it may be added into the current approved MTIP. The State STIP Coordinator approves administrative modification for STIP inclusion. There are no required USDOT approval steps for administrative modifications.

For amendments, the Metro approval process includes:

- a public notification and comment process,
- a recommendation from Metro's Transportation Policy Alternatives Committee (TPAC),
- approval action by the Joint Policy Advisory Committee on Transportation (JPACT), and
- final approval from the Metro Council.

Once approved by Metro, all amendments are sent to the ODOT Region 1 STIP Coordinator to initiate the final STIP review and approval process by USDOT. A final review and approval of amendments by the State STIP Coordinator and final USDOT approval occurs before the amended project is included into the MTIP and STIP.

MTIP Change Management Procedures Manual

The specific procedures to receive, consider and process amendments are documented in the MTIP Change Management Procedures Manual. This manual is available on the Metro website or by request to the Metro Planning and Development Department. The version current as of May 2020 is included as Appendix X to this MTIP.

These procedures may be updated by Metro MTIP staff as needed to respond to the circumstances presented by individual change requests or changes to federal regulations and guidance.

The procedures are managed with the following objectives:

- Ensure that federal requirements are properly met for use of available federal funds.
- Ensure consideration of proposed amendments on progress toward regional policies and system performance targets for use of limited available resources.
- Provide opportunity for consideration of proposed amendments on other jurisdictions or transportation assets or services provided by other agencies in the region.

- Ensure that the responsibilities for project management and cost control remain with the agency sponsoring the project.
- Ensure routine amendments to the MTIP to proceed expeditiously to avoid unnecessary delays and committee activity.
- Provide for dealing with emergency situations.
- Ensure projects are progressing to fully obligate programmed funding in order to avoid a lapse of funds.

These MTIP policies set the framework for the following MTIP change management procedures.

Types of MTIP Amendments

As a result of the guidance stated in 23 CFR 450.326, plus MTIP rules and objectives USDOT has passed down to the MPOs, MPOs receive, evaluate, process and approve two categories of changes to the MTIP. The two types include:

1. Full/Formal Amendments:

- a. Formal amendments reflect significant changes to the project where additional technical analysis is required to demonstrate that the change(s) did not negatively impact the conformity finding
- b. Second, any financial or funding changes proposed does not negatively impact the approved fiscal constraint finding and must be shown how fiscal constraint is maintained as a result of the amendment.
- c. Additionally, the analysis must demonstrate that the proposed project changes are still consistent with the original scope and deliverables as initially programmed in the MTIP.
- d. The proposed changes must complete a consistency validation with the Regional Transportation Plan (RTP) that the project amendment remains consistent with the approved RTP policies, goals, and strategies.
- e. All proposed full/formal amendments are subject to a performance measures assessment to identify the area(s) where performance measurement data may be required.
- f. The summary approval process for Formal amendments include:
 - i. Notification and approval recommendation to Metro's Transportation Policy Advisory Committee (TPAC)
 - ii. Approval by JPACT
 - iii. Approval by Metro Council
 - iv. Submission to ODOT Salem for approval recommendation to USDOT
 - v. Final approval by USDOT (FHWA or FTA for Transit projects)
- g. Types of common project changes that per the FHWA/FTA/ODOT/MPO Amendment Matrix will require a formal amendment
 - i. Large funding changes (normally cost increases) above the maximum thresholds established in the Amendment Matrix
 - ii. Project limit changes in excess of 0.25 miles.
 - iii. Major scope changes to the project resulting in the addition or deletion of arrived work elements.

- iv. Major scope work element changes, additions, or deletions in alignment, limits, or final delivery configurations that significantly change the project from the original approved funding award.
- v. Major scope changes to the project that result in final deliverable elements that are no longer consistent with the approved goals and strategies of the approved RTP.
- vi. Major changes to the environmental footprint due to environmental, scope, or limits adjustments that impact the project's final design making it inconsistent with the original project award.
- vii. Adding or cancelling a project in the MTIP.
- viii. Project changes resulting in a change in air quality conformity due to significant alternative changes, alignment deviations, limits changes, and or the addition or deletion of major scope work elements.
- ix. Project changes to capacity enhancing scope elements resulting in a major variance to how the project is modeled in the Metro transportation modeling network.
- x. Proposed major legal scope, limit, or funding changes that result in public sensitivity concerns, or potential political concerns from the impact of changing the project from the original award.

2. Administrative Modifications:

- a. Administrative modifications also are referred to incorrectly as administrative amendments.
- b. Administrative modifications represent minor changes to the projects.
- c. The changes are below the threshold for the category as stated in the Amendment Matrix.
- d. Project changes that clearly demonstrate that the change has no impact upon conformity or fiscal constraint fall into the category of "Administrative Amendments".
- e. The administrative project changes do not require a verification of "no conformity impact" or a "negative impact finding to fiscal constraint".
- f. Only require Metro approval for update in the MTIP.
- g. Added note: While the proposed project changes may qualify to be processed as an administrative modification, Metro Council and JPACT reserve the right to require any proposed administrative modification to proceed as a formal amendment. JPACT and Council can include additional approval conditions (e.g. presentations to Council and JPACT, addressing specific questions or concerns raised by Council or JPACT, etc.) due to public sensitivity, political discussions, support of the RTP goals and strategies, or to other RTP consistency issues if identified.

3. Subcategories and Special Case Amendments: Within each amendment category are amendment subcategories and special case amendments that are then classified as either a formal/full amendment or an administrative modification. These include the following examples:

- a. **Technical Corrections (Minor Administrative Modifications):**
 - i. Represent extremely minor changes to a project (spelling, typo, etc.)

- ii. Are required to complete the approval as if they are an Administrative Modification for documentation purposes.
- iii. Are considered to be minor administrative modifications

b. Emergency Relief (ER) project amendments:

- i. ER amendments represent responses of environmental impacts for the needed repair or reconstruction of Federal-aid highways and roads on Federal lands which have suffered serious damage as a result of:
 - a. Natural disasters
 - b. Catastrophic failures from an external cause.
 - c. This program, commonly referred to as the emergency relief or ER program, supplements the commitment of resources by States, their political subdivisions, or other Federal agencies to help pay for unusually heavy expenses resulting from extraordinary conditions.
 - d. As of 2017, the Oregon FHWA office has determined that ER in Oregon do not need to be programmed in the MTIP or STIP.

c. Emergency Amendments:

- i. An emergency amendment may be any type formal amendment that USDOT grants an exception to be processed and approved as an Administrative Modification.
- ii. They are extremely rare.
- iii. Generally, a formal amendment may be declared as an emergency amendment by USDOT due to an urgency to obligate the federal funds.
- iv. At that time USDOT will provide any special process or approval exceptions or requirements. Approval speed is critical to enable the project funding to be obligated as soon as possible.
- v. Under these circumstances, USDOT may waive a project change which normally would proceed as a formal amendment and allow it to proceed as an administrative modification.

d. Rebalancing or Transitional Block Amendments:

- i. Under special circumstances, USDOT may authorize a formal amendment bundle of projects to be processed and approved as an Administrative Modification.
- ii. The 2018 STIP Rebalancing Amendment is an example where programming cost increases were impacting so many STIP projects that the 2018-21 STIP would not be delivered as programmed. USDOT grant a re-balancing amendment under administrative modification approval rules to correct projects and push out some projects to the next STIP cycle that normally would require a formal amendment to complete.
- iii. The application of a Rebalancing or Transitional amendment is approved by USDOT on a case-by-case basis.
- iv. Past approvals do not set a precedent or guarantee that USDOT will approve a similar future re-balancing or transitional amendment request.
- v. In other cases, USDOT may leave it up to the MPO and ODOT to define the approval process and condition if the associated project changes should proceed as a formal amendment. When these situations occur, the MPO will

normally provide written guidance back to USDOT on their amendment processing steps and approval recommendations.

- e. **Other Special One-time Amendment Situations:**
 - i. Periodically, one or a group of project changes will fit in both formal and administrative modification categories depending on the interpretation of the required changes.
 - ii. When this situation occurs, normally the Metro MTIP Manager, ODOT Region 1 STIP Coordinator, ODOT Region 1 LAL, and ODOT-Salem STIP Staff will convene a meeting or teleconference with the impacted MPOs to determine the appropriate course of action.
 - iii. ODOT Salem will normally then present the action-plan to USDOT for approval or modification.
 - iv. USDOT will either approve, deny, or approve with conditions the proposed amendment processing and approval strategy.
 - v. USDOT will normally also identify what areas of the Amendment Matrix are being waived or enforced.
 - vi. Finally, as noted above, these amendment situations are considered to be a “one time-special circumstance” which USDOT allows one or more areas of the Amendment Matrix to be waived and replaced with the special amendment guidance.

Summary of the Formal Amendment Process:

- a. Prior to submitting a formal amendment to Metro, the lead agency, ODOT, the Local Agency Liaison (LAL), Region 1 STIP Coordinator, or Metro will evaluate if the change to the project is required to keep the project on delivery schedule.
- b. Project review meetings, project assessment discussions, reviews by USDOT, etc. may occur to verify the project change (e.g. financial, scope, timing, or a combination of all three). This period can take weeks or months to complete.
- c. If the review determines that the next applicable federal approval step can't occur, or phase obligation can't move forward then a project amendment to the MTIP and STIP is considered required.
- d. The final decision to move forward with the amendment will occur from the ODOT LAL (for Metro funded projects), Region 1 STIP Coordinator, and/or the Metro MTIP Programming Manager.
- e. Generally, consensus among the (LAL – for Metro funded projects, STIP Region 1 Coordinator, MTIP Programming Manager) needs to exist to initiate the STIP and MTIP amendment process.
- f. If the project changes impact only an ODOT managed project, then consensus is only required between the Region 1 STIP Coordinator and the Metro MTIP Programming Manager.
- g. Any of the three also has the ability to stop and place the amendment on hold if necessary.
- h. If the project is ODOT managed, then the Region 1 STIP Coordinator will determine if approval by the Oregon Transportation Commission (OTC) is required.

- i. If OTC approval is first required for STIP amendment action, the Region 1 STIP Coordinator will oversee OTC actions with ODOT-Salem, and normally seek OTC approval before submitting the MTIP amendment request to Metro.
- j. While concurrent amendment processing is allowed (the amendment is submitted to Metro at the same time the amendment is proceeding through the STIP approval process with OTC), ODOT normally will seek OTC approval first before submitting the amendment to Metro.
- k. Once an amendment is determined to be required, the project changes will be examined against the approved Amendment Matrix to determine if a formal amendment is required, or if the changes can occur via an administrative modification.
- l. The required project changes will then proceed either under the formal amendment approval process, or as an administrative modification.
- m. Added note: Due to the public sensitivity, financial, composition, unique scope elements, or public interest, Metro Council and the Metro Joint Policy Advisory Committee on Transportation (JPACT) reserve the right to require any project change proposed to proceed as a formal amendment and require a information/status update presentations as part of the amendment approval process.

Formal Amendment and Administrative Modification Dispute Resolution:

1. Formal Amendments:

- a. Pre-Metro Approval process submission: If a dispute arises over a project formal amendment is disputed prior to submission through the Metro committee approval process, then the project will be removed from the monthly amendment bundle for evaluation and discussion among the leaf agency/project manager, ODOT Salem staff, Region 1 LAL, Region 1 STIP Coordinator, and Metro staff as required.
- b. The project will not proceed to TPAC for notification or be posted along with other formal amendment projects in the Public Notification Tables and complete the required 30-day public notification
- c. If the dispute occurs at TPAC, then TPAC members can request the project progress to JPACT as a separate stand-alone project separate from the monthly formal amendment bundle.
- d. The amendment will be added to the JPACT agenda separately from the bundle under its own resolution number and:
 - i. JPACT will discuss and determine if they can approve the amendment and allow it to proceed on to Metro Council for final Metro approval.
 - ii. JPACT can recommend a modification to the resolution, Exhibit A to the Resolution, or to the staff report as deemed necessary to approve the project.
 - iii. JPACT can also table or delay the amendment approval depending upon the dispute.
- e. If the dispute arises from a submitted public comment, the MTIP Manager, Metro Legal and Legislative staff will review the comment determine the appropriate response, and evaluate if the project amendment must be removed from the monthly amendment bundle and proceed separately, or removed the amendment approval process until the dispute is resolved.

2. Administrative Modifications:

- a. Since Administrative Modifications involve minor changes already approved by USDOT, disputes over the requested changes are rare.
- b. When they occur, they usually involve the shifting of federal funds from one phase to another phase such as shifting unobligated construction federal fund back to the PE phase to address a funding shortfall. The emerging dispute is over why local agency funds can't be used to cover the shortfall.
- c. Usually, these types of disputes are resolved with additional background details in an email from the project manager, LAL, ODOT Salem, or the Region 1 STIP Coordinator.
- d. If this is deemed insufficient, Metro and the involved staff will conduct a teleconference or hold a special project review meeting to discuss and resolve the issue.
- e. Note: Most of the time, the issues are raised and resolved before the administrative modification is developed and submitted to Metro.

MTIP Amendment Submission and Approval Process

1. Summary:

- a. Metro and ODOT operate the MTIP and STIP amendment submission process through an integrated and concurrent approach to help resolve issues and reduce the processing and approval time.
- b. Much of the MTIP and STIP amendment process is manually based due to operating conflicts and limitations between the STIP Financial Plan System and Metro's TransTracker MTIP database.
- c. As noted, the integrated approach functions to reduce amendment processing and approval time, plus also adds additional quality control steps to minimize mistakes and required technical corrections. As such, the process is labor intensive due to the lack of sophisticated data base management systems, and the technological conflicts between the STIP and MTIP databases.
- d. Over the next four years during the life of the 2021-24 MTIP, Metro will be undertaking a MTIP development, management and amendment systems upgrade to develop and employ more a technologically advanced MTIP database that will provide expanded features and abilities.
- e. As a result of the effort which is just now beginning, some or all of the below amendment processing steps and guidance may be modified, changed, replaced or deleted as development of the new MTIP database commences.

2. Formal/Full Amendments:

- a. **General formal amendment Metro Committee processing actions:**
 - i. Metro normally completes one formal amendment per month using a bundle approach and employing a single resolution.
 - ii. The formal amendment bundle may include one, or many projects in the amendment bundle and is covered by the single amendment number and resolution number.
 - iii. The monthly formal amendment bundle will start its notification, review and approval process at Metro's monthly TPAC meeting.
 - iv. Metro staff normally will provide TPAC with a formal overview of the amendment bundle contents and provide time for questions and discussion.

- v. Assuming TPAC provides an approval recommendation, the amendment will then proceed to JPACT for approval of the amendment resolution.
- vi. Assuming JPACT approves the amendment resolution, the amendment bundle will continue on to Metro Council for final Metro approval.
- vii. Unless TPAC raises any issues or concerns about any of the projects in the amendment bundle, the MTIP formal amendment bundle will be scheduled as consent items for both JPACT and Metro Council.
- viii. However, both JPACT and Metro Council reserve the right to require a presentation or discussion of any or all of the projects within the amendment bundle if questions or concerns are present.
- ix. Additionally, if one or more projects are deemed politically sensitive during the TPAC notification and discussion, TPAC may recommend one or more projects within the amendment bundle be split-off and proceed separately under their own resolution number.
- x. JPACT may also pull a project for discussion and decide to separate it from the regular monthly bundle and have it proceed separately to Metro Council. JPACT may impose additional approval conditions as deem necessary to resolve questions or concerns about the separated project(s).
- xi. Any project TPAC recommends be separated from the monthly amendment bundle automatically will become a discussion “Action item” for JPACT to address and approve.
- xii. Through their approval discussion, JPACT can determine to return the separated project(s) to TPAC for additional discussion if the issues or questions are not satisfactorily resolved.

b. Submitting and Processing Formal Amendments – Prior to Submission to Metro:

- i. The lead agency project manager, ODOT LAL, or ODOT Region 1 STIP Coordinator will normally identify the need to change the project name, description, approved scope of work, funding, locations, and/or limits.
- ii. The ODOT Region 1 STIP Coordinator or ODOT LAL will evaluate the need for the change and determine if the change is required and is beyond the administrative modification thresholds for funding, scope, limits, or location.
- iii. Once the LAL or Region 1 STIP Coordinator will identify a formal amendment is required, they will begin collecting the background documentation justifying the need for the formal amendment.
- iv. **ODOT funded/managed Projects:** If the project is ODOT managed, or contains ODOT managed funding, then ODOT region 1 STIP Coordinator will:
 - 1. Determine if OTC approval is first required.
 - 2. Coordinate with ODOT Salem to complete and submit required materials to be included in the designated OTC agenda and meeting date.
 - 3. Work with the project manager to collect the required back-up and support materials (e.g. Change Management Request (CMR), construction phase cost update, etc.) to include as part of the OTC agenda.

4. Determine if the formal amendment first requires OTC approval and then submission on to Metro during the following month.
 5. Determines if concurrent processing is authorized (i.e. submitting the formal amendment to OTC and Metro to be processed during the same month.
 6. Notify the Metro MTIP Manager that a formal amendment will be submitted to OTC and will need a formal amendment submitted to Metro as well to the MTIP.
 7. Identify the urgency for the MTIP amendment for inclusion in the next available monthly MTIP formal amendment bundle.
- v. **Metro Funded Projects – General:** If the project is Metro funded, the ODOT LAL and/or STIP Region 1 STIP Coordinator may request a meeting or teleconference to discuss the need for the project change and formal amendment.
- vi. **Metro Funded – Scope Changes:** if the project change and formal amendment involves a major scope change then the ODOT LAL will:
1. Notify Metro that the lead agency is proposing a significant scope change to a Metro funded project.
 2. Institute a project delivery “temporary hold” to evaluate the need for the scope change with Metro staff.
 3. Have the lead agency complete a project change request (PCR) or other summary documentation explaining:
 - a. The reason for the scope change (i.e. why and how it happened).
 - b. The proposed solution (e.g. scope downsizing, change the alignment, etc.).
 - c. The impact to the project budget.
 - d. The impact to the delivery schedule.
 - e. Identify specific changes to the project name, description, phase funding, total project funding scope of work elements.
 - f. How the scope change still maintains the spirit of the original Metro funding award and why Metro should approve it.
 - g. Contact and discuss with FHWA if necessary the proposed scope change to ensure the proposed changes are legal and will not outside the bounds of the federal transportation delivery process.
 4. Send Metro the PCR, or other background documentation explaining the need for the scope change.
 5. Notify the lead agency project manager they he/she must obtain Metro’s approval for the scope change.
 6. Conduct or participate with Metro staff as requested in meetings and/or teleconferences to discuss the pros and cons of the submitted proposed scope change. Provide Metro staff with the official opinion or position in favor or against the scope change.
 7. Advise the Region 1 STIP Coordinator of Metro’s decision to accept or deny the proposed scope change.
 8. Finish collecting required items for the amendment and submit to the STIP Region 1 Coordinator for review and evaluation to initiate the STIP

amendment. The Region 1 STIP Coordinator will assist the LAL collecting the required final MTIP amendment materials to submit to Metro.

- vii. **Metro Funded Projects – funding changes, name and description changes, plus limits and/or location changes:** Generally, the ODOT LAL will complete the same basic steps as for name/description/limit changes as noted for scope changes. The main difference is that coordination with Metro about the proposed changes may not have to be as extensive. Discussion at a project review meeting, a complete PCR, or email with the background, or short teleconference may be sufficient to evaluate and agree upon the required changes. Once an agreement has been reached, the ODOT LAL can move forward with the ODOT Region 1 STIP Coordinator to prepare the formal amendment items for submission to Metro.

c. Submitting and Processing Formal Amendments to Metro for New and Existing Projects:

i. ODOT managed/funded, non-project grouping buckets:

1. The Region 1 STIP Coordinator will normally submit the new or existing project to Metro with the needed changes on behalf of other ODOT sections. New or existing project amendment document will include the following details:
 - a. Completion of the MTIP New Project Amendment Form, or email request identifying the need for the amendment.
 - b. Grant award verification (proof of funding).
 - c. STIP Summary Report.
 - d. Project location map.
 - e. OTC staff Memo and attachments (if OTC approval was required).
 - f. Additional and relevant backup support documentation in support of fiscal constraint and RTIP consistency if deemed necessary (e.g. copy of approved Oregon Legislation, Committee reports, project summary overview from ODOT website, etc.).
2. The amendment submission request is normally due to Metro no later than the end of the second week of the month prior to the next

Figure 1
Sample STIP Summary Report Cover Page

The screenshot shows a detailed report for the I-5 Rose Quarter Improvement Project. It includes a project overview with a description of planned improvements like ramp-to-ramp (lanes), highway shoulders, and new bike and pedestrian crossings. Key information includes the project name, key number (19071), and various dates and statuses. A table at the bottom lists project phases with columns for phase total, original amount, current amount, and other financial metrics.

Phase	Phase Total Est. Cost	Original Auth. Amount	Original Auth. Date	Current Auth. Amount	Current Auth. Date	Current Est. Cost	Initial STIP Year	Initial STIP Amount	Initial STIP EA	Initial STIP PMSIS	Initial STIP Status
PE	71,391,997.18	1,626,545.00	9/21/15	27,391,997.18	2/8/19	1,626,545.00	2016	1,626,545.00	2016	PMSIS	APPROVED
MA	18,000,000.00	0.00		0.00		18,000,000.00	2020	18,000,000.00	2021	PMSIS	APPROVED
TOT	89,391,997.18	1,626,545.00		27,391,997.18		1,626,545.00		1,626,545.00			

schedule TPAC meeting to be included in that month's formal amendment bundle.

3. TPAC usually meets on the first Friday of each month except for August and sometimes during December when Metro committees are stand-down. The amendment request submission two weeks prior to this date is based on the following requirements:
 - a. TPAC requires a copy of the complete agenda mailed to them no later than one week prior to the meeting date.
 - b. This leave Metro staff one week from receipt of the amendment request to prepare all required TPAC agenda materials and address any questions, issues, or concerns with the submitted amendment.
 - c. The nature and size of the monthly formal amendment may require a slightly earlier submission, or allow a few added days beyond the regular deadline for submission to Metro.
 - d. Where and when possible, submission flexibility will be considered and added into the monthly submission process to help ensure the project amendment is included as part of the monthly amendment bundle.

ii. **ODOT managed/funded, project grouping buckets:**

1. The Region 1 STIP Coordinator will normally submit the request to add or change the ODOT managed or funded project grouping bucket with the following support items on behalf of other ODOT sections:
 - a. Completion of the MTIP New Project Amendment Form.
 - b. Grant award verification (proof of funding).
 - c. STIP Summary Report.
 - d. Project location map.
 - e. OTC staff Memo and attachments (if OTC approval was required)
 - f. **Project Grouping Bucket Project Composition List.** This list provides proof that the project grouping bucket is not empty. For each project or improvement, the project list will include the following information:
 - i. Name of each sub-project or improvement site location name.
 - ii. Brief description of the proposed improvement.
 - iii. Approximate funding required to complete the construction for each sub-project or site location.
 - iv. Planned obligation year for the Preliminary Engineering (PE) and Construction phase.
 - v. An acknowledgement of project grouping bucket assumptions:
 1. Each identified sub-project or site improvement location are consist of improvements declared exempt for air quality analysis as stated in 40 CFR 93.126, Table 2, and/or 40 CFR 93/127, Table 3.

2. None of the projects included in the bucket are capacity enhancing.
 3. The expected NEPA environment document for the project grouping bucket will be a PCE.
 4. Any sub-project or site location improvement will be removed and programmed as a stand-alone project in the MTIP if the sub-project or site location improvement will not qualify under the environmental PCE criteria, or is found to be capacity enhancing.
 5. The PE phase is assumed will be obligated for all approved projects in the project grouping bucket. If not, an explanation will be included as to why multi-PE Phase obligations will need to occur.
 6. The Construction phase normally will be obligated in the programmed year of obligation for all approved sub-projects or site improvement locations. If this is not the case, the amendment submission will include an explanation why a spit construction phase obligation is necessary and justified.
 - g. Additional and relevant back-up support documentation in support of fiscal constraint and RTIP consistency if deemed necessary (e.g. copy of approved Oregon Legislation, Committee reports, project summary overview from ODOT website, etc.)
 - h. Final note: The submission of the project grouping sub-project or site improvement locations composition list is a mandatory component of the formal amendment. Failure to include the project list will result in denial of inclusion in the monthly formal amendment bundle.
 2. The amendment submission request is normally due to Metro no later than the end of the second week of the month prior to the next schedule TPAC meeting. As with non-project formal amendment submissions, submission flexibility will be considered depending upon the size and nature of the monthly formal amendment.
- iii. **Metro awarded non-project grouping buckets:**
 1. For new and existing Metro funded, Metro staff will complete the following steps:
 - a. The Metro MTIP Manager will notify the ODOT Region 1 STIP coordinator and the appropriate LAL and inform them on the pending new project
 - b. The Metro MTIP Manager will secure the grant award source documentation for proof of funding and fiscal constraint verification (proof of funding).
 - c. The Metro MTIP manager will complete the MTIP Worksheet which provides the programming summary.

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- d. The amendment submission will include a project location map.
- e. The Region 1 STIP Coordinator will complete the STIP Summary Report and send it to the MTIP Programming Manager that STIP and MTIP programming will match

Figure 2
Sample MTIP Worksheet

Lead Agency:		Project Type:		ODOT Key:
Metro		Other		NEW
Project Name: 2020 TSMO Strategy Planning Update		ODOT Type: Operations		MTIP ID: NEW
Short Description: The TSMO Strategy Update will position the region for increasing levels of coordination to manage the transportation system in an increasingly technology-enabled operations environment and support improved operations out to the year 2030		Capacity Enhancing: No		STIP ID: 1104
		Conformity Change: Yes		RFA ID: 2016-18
		On State Hwy Sys: No		RFA Cycle: 2016-18
		Mile Post Begin: N/A		UPWP: 2016-19
		Mile Post End: N/A		UPWP Cycle: 2016-19
		Length: N/A		

PROJECT FUNDING DETAILS							Total
Fund Type	Fund Code	Year	Planning	Preliminary Engineering	Right of Way	Other (Utility Relocation)	Construction
STIP-200K	2230	2019	\$ 271,728				\$ 271,728
State Funds							\$ 271,728
Local Funds							\$ 31,100
Local	Match	2019	\$ 31,100				\$ 31,100
Phase Totals Before Amend:							\$ 302,828
Phase Totals After Amend:							\$ 302,828
Year Of Expenditure (YOE):							2019-2023

- f. Additional and relevant back-up support documentation will be included in support of fiscal constraint and RTIP consistency if deemed necessary (e.g. copy of Metro Council action, etc.)

2. The formal amendment submission will adhere to the monthly amendment submission schedule.
3. If the changes are occurring to an existing MTIP programmed project, completion of the same process as noted for new projects will be followed. The major difference is that the Region 1 STIP Coordinator may initiate and submit the formal amendment request by sending the amendment items first to Metro.

iv. Metro awarded project grouping buckets:

1. Metro uses project grouping buckets from a few Regional Flexible Fund Allocation (RFFA) Step 1 allocations and for TSMO.
2. Most of the time the project grouping buckets will be added to the MTIP during the four-year update.
3. If a new project bucket is required to be added between MTIP Updates, the Metro MTIP Manager will follow a similar process identified for ODOT project grouping buckets.
4. The submission for Metro includes the following:
 - a. Completion of the MTIP New Project Amendment Form, submission of an email amendment request, or other official notification to document the need for the project grouping bucket.
 - b. Obtaining grant award verification (proof of funding) source documents.
 - c. Completion of the MTIP Worksheet.
 - d. Obtaining a project location map.
 - e. Obtaining additional approved documents in support of fiscal constraint and RTP consistency.

f. **Securing the Project Grouping Bucket Project Composition List** (mandatory submission item) which will include the following information for the approved sub-projects or site improvement locations:

- i. Name of each sub-project or improvement site location name
- ii. Brief description of the proposed improvement
- iii. Approximate funding required to complete the construction for each sub-project or site location
- iv. Planned obligation year for the Preliminary Engineering (PE) and Construction phase
- v. An acknowledgement of project grouping bucket assumptions:
 1. Each identified sub-project or site improvement location are consist of improvements declared exempt for air quality analysis as stated in 40 CFR 93.126, Table 2, and/or 40 CFR 93/127, Table 3.
 2. None of the projects included in the bucket are capacity enhancing.
 3. The expected environment document for the project grouping bucket will be a PCE.
 4. Any sub-project or site location improvement will be removed and programmed as a stand-alone project in the MTIP if the sub-project or site location improvement will not qualify under the environmental PCE criteria.
 5. The PE phase will be obligated for all approved projects in the project grouping bucket. If not, an explanation will be included as to why multi-PE Phase obligations will need to occur
 6. The Construction phase normally will be obligated in the programmed year of obligation for all approved sub-projects or site improvement locations. If this is not the case, the amendment submission will include an explanation why a spit construction phase obligation is necessary and justified.

g. The amendment submission request is normally due to Metro no later than the end of the second week of the month prior to the next schedule TPAC meeting.

5. Changes to existing project grouping buckets requiring a formal amendment will follow the above procedures as well.

v. **Transit projects:**

1. Although many of TriMet's and SMART's federally funded formula projects are added to the MTIP through the 4-year MTIP Update cycle, both receive discretionary grant awards throughout the year. Both also

require adjustments to their annual formula allocation projects when FTA does not fully approval of their TrAMS grant application resulting in project slip amendments or next year carryover funding adjustments to a prior year project.

2. A second issue complicating FTA based transit funded projects for TriMet and SMART involves the appropriation and allocation of FTA funds. Both agencies fall outside of Metro and ODOT's financial oversight role. FTA formula section funds (e.g. 5307) are appropriated directly to the Urbanized Area (UZA). They do not pass through ODOT or the MPO. Both agencies also seek discretionary FTA funds through various competitive funding programs. Notification of the awards proceed directly to the submitting agency. Upon award notification, TriMet and SMART will then notify Metro or ODOT with a programming request.
3. Since neither ODOT or Metro have any oversight role involving the appropriation and allocation of FTA funds, neither agency is clear on funding oversight and who is responsible for initiating MTIP or STIP amendments. Therefore, ODOT Region 1 and Metro take a joint approach with Transit funded formal amendments. Who is notified first of a needed transit amendment will advise the other and then work together to complete the amendment. Either Metro will complete the MTIP worksheet, or ODOT will complete the STIP Summary Report and notify each other of the projected programming for the new project.
4. Submission of new transit funded projects will generally follow the same process as identified for ODOT and Metro funded projects. Submission of a new transit formula funded or discretionary transit project will include the following in their submission:
 - a. Completion of the MTIP New project Form – Transit Funded, email notification request, or other formal notification as appropriate.
 - b. A copy of the FTA funding award announcement from the FTA website
 - c. Copy of the FTA award notification email or letter to TriMet or SMART
 - d. Other items that will assist in programming and completing the transit amendment:
 - i. FTA funding program overview (from the FTA website to support the amendment staff report)
 - ii. A copy of the FTA Notice of funding Opportunity from the Federal Register to verify fund type code and required minimum match.
 - iii. Any special programming guidance from FTA District 10 about when funds will be available for a TrAMS grant submission
 - iv. A reconfirmation of when the TriMet or SMART will submit their TrAMS grant too obligate and expend the FTA funds to ensure the funds are programmed in the correct federal fiscal year.

- v. A copy of the grant application submitted by TriMet or SMART for the discretionary program funding to assist in completing the project name and description.
 - vi. A copy of the approved or draft environmental document for larger transit capital projects to assist with the project name and description.
 - vii. A copy of the program overview and goals as stated on TriMet or SMART’s website to assist in with the project name, description, and programming years for TrAMS grant obligation needs.
 - viii. A copy of applicable Board action supporting the grant program
 - ix. A copy of the approved Program of Projects (POP) as part of the fiscal constraint/proof of funding requirement.
 - x. Identification of any shelf-life use-it-or lose it conditions of funding related to the grant
5. Changes to existing programmed transit projects will follow the same base process ad noted above. The only difference will be if the Regional 1 STIP Coordinator initiates the amendment request, or it comes from Metro.

vi. **Transit Projects with FHWA based federal funding:**

- 1. Both Metro and ODOT periodically award TriMet and SMART project awards with FHWA based funds (e.g. Congestion Mitigation Air Quality (CMAQ), or Surface Transportation Block Grant (STBG)).
- 2. For these projects TriMet and SMART will not obligate the federal through FHWA’s Financial Management Information System (FMIS).
- 3. The transit agencies will obtain approval to expend the funds through FTA’s Transit Award Management System (TrAMS).
- 4. In order for TriMet and SMART to receive approval to expend the federal funds, they first must submit a TrAMS grant application and wait for FTA grant award approval.
- 5. However, before this can occur, the FHWA based federal funds must be flex-transferred from FHWA to FTA.

Figure 3
FTA TRAMS Users Guide



FTA Transit Award Management System (TrAMS) User Guide

Vol 1, Getting to Know TrAMS Recipient User Guide

6. ODOT will complete the flex-transfer to FTA once the project funds are programmed and included in the approved MTIP and STIP.
7. Programming the FHWA based federal funds for transit agencies is no different than programming other federally funded projects in the MTIP and STIP.
8. One area to remember is the time to complete the flex-transfer to FTA and the TrAMS grant approval by FTA can take months to complete.
9. ODOT-Salem normally completes a statewide flex-transfer twice per year: During December and in June.
10. Therefore, on order to meet the flex transfer deadlines, the transit formal amendment must be in the approved MTIP and STIP by November or May.
11. To meet the November programming deadline, the new transit project must start the MTIP and STIP formal amendment as part of the September formal amendment, or March formal amendment bundles.
12. Additionally, when the amendment begins and the Metro staff report is completed, it is important to identify to the Region 1 STIP Coordinator that the amendment bundle contains a project that requires federal fund flex-transfer. The staff report should include a brief statement about the lead agency's timing to submit their TrAMS grant as well.

vii. Planning Projects:

1. Metro is responsible for managing all regional federally funded Planning through the Unified Planning Work Program (UPWP).
2. There are basically three categories of UPWP projects Metro provides federal funding:
 - a. Metro-led, in-house, staff driven projects that are incorporated into the UPWP Master agreement and obligated under the single Metro annual UPWP planning project in the MTIP.
 - b. Metro-lead led projects that will include the use of consultants as part of the study scope elements. For these projects, MTIP programming is required if:
 - i. External consultants will be used as part of the scope of work.
 - ii. This normally will require a separate Intergovernmental Agreement (IGA) and stand-alone programming in the MTIP
 - iii. Some funded studies are actually project development studies to develop preliminary alignments, complete early NEPA activities, and complete preliminary design actions up to 30%.
 - iv. Normally will be programmed using the Planning phase if it is clear that upon completion of the project development work, the project will not progress directly into Preliminary Engineering to complete Plans Specifications, and Estimates (PS&E – or final design)
 - v. And, may require an UPWP amendment to first occur before MTIP programming can commence.

- b. Therefore, most scope changes can proceed as administrative modifications as long as the original intent of the project study is maintained.
- c. However, if the changes involve funding increases/decreases, then the thresholds identified in the Amendment Matrix apply.
- d. When in doubt consult with the UPWP planning manager to determine if the scope and/or limits changes are significant enough to require a UPWP amendment. If “No”, then the change probably can proceed as an administrative modification. If “Yes”, a formal MTIP amendment may need to occur. The decision is a judgment call.

d. Formal Amendments and the MTIP Worksheet:

- i. Once the submitted backup and support materials have been submitted, the first step in developing the formal amendment bundle is to create a MTIP Worksheet for each project
- ii. The worksheet provides the before and after changes as a result of the amendment.
- iii. The MTIP Worksheet is used for both new and existing projects in formal amendment bundles or part of administrative modification bundles.
- iv. The worksheet updates the following areas as required:
 - 1. Project Name.
 - 2. Project short and detailed descriptions in the MTIP, plus includes a STIP description field to compare against the MTIP descriptions.
 - 3. Current project status reference and project code updates (project type, ID numbers, Milepost references, RFFA and UPWP references, OTC approval status, and MTIP plus STIP amendment numbers).
 - 4. Changes to funding by listing the fund type code, phase, year, and amount programmed. The funding table shows the existing programming and what new changes are made through the amendment.
 - 5. The final section is a narrative that summarizes the amendment changes, includes RTP references, provides a fund code dictionary, and includes other project or RTP reference details.
- v. Once completed, the MTIP worksheet should be shifted over to the Public Notification Tables section.

e. Formal Amendments and Public Notification Tables:

- i. Additional details are included in Section 2i about the public notification requirement for formal amendment.
- ii. The MTIP worksheet is used as part of the public notification tables to visibly show the changes occurring through the amendment.
- iii. The public notification tables are posted on the Metro MTIP webpage with instructions about the opportunities to comment via email about the formal amendment.
- iv. The first of the public notification page is the summary and provides the overview of the public notification requirement and process.

- v. After this page, the MTIP Worksheets are attached for all projects in the formal amendment bundle.
 - vi. Support staff will handle the posting and monitoring of comments submitted. Please note that webpage posting process can be time consuming. It is essential that support staff receive the public notification tables (in Excel and Adobe Acrobat format) at least one day ahead of the start of the 30-day public notification posting period.
- f. Formal Amendments and Exhibit A to the Amendment Resolution:**
- i. Exhibit A acts as the visual record for the required changes to the project.
 - ii. The MTIP Worksheet functions as the Exhibit A.
 - iii. Once all of the MTIP worksheets have been created and shifted into the public notification file, cut the first page from the public notification tables and you now have a completed Exhibit A funding table to the draft Resolution.
- g. Summary of the MTIP Worksheets:** The Excel based worksheet covers three requirements as part of the formal MTIP amendment process:
- i. They are used as reference documents displaying the before and after changes to the project from the amendment action. The worksheet provides the MTIP Manager, Region 1 STIP Coordinator, ODOT LAL, and the lead agency project manager with an amendment tool for review and discussion as needed.
 - ii. They are used as the key part of Exhibit A to the draft resolution again displaying the before and after changes resulting from the formal amendment.
 - iii. They provide the core portion to the public notification tables allowing the public to see online the project changes occurring through the formal amendment.
- h. Formal Amendments and the Staff Report:**
- i. A staff report is required to be submitted as part of the formal amendment bundle.
 - ii. There will be multiple updates to the staff report and required modifications as the staff report progresses through the Metro Committee approval process.
 - iii. The staff report provides an overview of the amendment bundle and summaries of each project included in the bundle.
 - iv. Note: JPACT and Metro Council have conditioned that the staff report will contain sufficient details clearly explaining the need for the amendment and include all needed supporting details to provide that clear explanation. As a result of JPACT and Council's conditions, they allow non-controversial formal amendment bundles to progress through JPACT and Council for final Metro approval as consent items.
 - v. The basic contents of the Formal amendment staff report include the following sections (Note: You will use the same format for TPAC, JPACT, and Council):
 - 1. Background summary: Provides the Purpose Statement, short summary of why the amendment is occurring, and the requested action from TPAC, JPACT, or Metro Council
 - 2. Programming Summary Table: This table provides a summary of the projects in the amendment bundle and includes the project Key

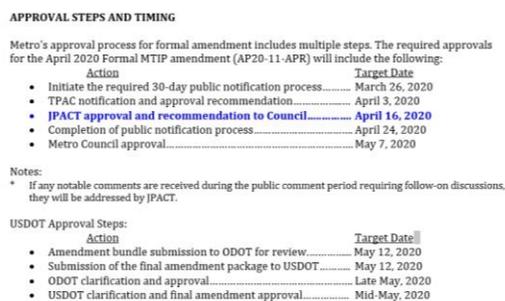
- number, MTIP ID, lead agency name, project description and a brief description of the amendment action
3. Project amendment Summaries: An amendment summary table is included for each project in the amendment bundle. The amendment summary table of reach project includes the following:
 - a. SUMMARY: Before and after project name (if changes are occurring), lead agency, STIP key number, and MTIP, ID number.
 - b. PROJECT DESCRIPTION: Narrative description (before and after if changes are occurring to the description), new or existing project, funding source project type, location, cross street limits, mile post limits, current status, and STIP plus MTIP amendment numbers
 - c. WHAT IS CHANGING: This section includes the amendment action (e.g. cost Increase, add funding, phase slip, etc.). The section primarily includes a summary explanation of WHAT project changes are occurring through the amendment, and WHY
 - d. ADDITIONAL DETAILS: This section is included for other project auxiliary details, project exhibits, photos, locations maps, etc. that may help provide added context to the project amendment.
 - e. WHY A FORMAL AMENDMENT IS REQUIRED: This section explains briefly why the project changes require a formal MTIP amendment. Usually, providing a reference back to the Amendment Matrix with a brief explanation about the change to the change will be sufficient
 - f. TOTAL PRGRAMMED AMOUNT: This section provides a brief summary of the change in funding as a result of the amendment.
 - g. ADDED NOTES: This is an added section use to call-out other aspects of the project amendment not covered in the other sections. Example: The most common comment added into this section is “OTC Approval was required.” and the date the approval occurred,
 4. Performance Measurement Compliance Project Tagging: Generally, this applies for new projects added into the MTIP through the formal amendment process. Projects in the MTIP are subject to performance measurement tracking. When a new project is added to the MTIP, the MTIP will include a performance measurement identification based on the project’s scope of work. The MTIP formal amendment will not complete the formal amendment process, but “tag” the project for the areas that appear will be subject to performance measurement targets. The performance measurement assessment includes the following items:
 - a. Safety
 - b. Asset Management – Pavement
 - c. Asset Management - Bridge
 - d. National Highway System designation

- e. Freight/Goods Movement
 - f. CMAQ
 - g. Transit
 - h. RTP Priority Investment Areas – Equity
 - i. RTP Priority Investment Areas – Climate
 - j. RTP Priority Investment Areas – Congestion Mitigation
5. MTIP Required Project Amendment Reviews: This section provides an acknowledgment of the pre-amendment submission reviews and action Metro must complete as part of our MPO responsibilities. This is standard boiler-plate legal reminders and include:
- a. Acknowledgement that 23 CFR 450.316-328 provides the governing responsibilities for the MPO in the management, update, and amendment to the MTIP.
 - b. Providing a copy of the current approved FHW/FTA/ODOT/MPO Amendment Matrix and a statement that Metro follows the Amendment Matrix in the review, submission, and approval of MTIP amendments.
 - c. Completing MTIP amendment reviews that include:
 - i. Verification that the project is eligible to be included in the MTIP.
 - ii. Validation that proof of funding supporting the project was provided.
 - iii. Confirmation that the committed funds to the project are eligible to be used as proposed to be programmed
 - iv. Verification that fiscal constraint in the MTIP is still maintained as a result of the amendment.
 - v. Confirmation that the project is included in the current constrained RTP.
 - vi. The RTP and MTIP versions are generally consistent in their estimated total project cost. If the project costs variance is greater than 30%, then has the lead agency addressed this by securing additional funds and explaining the cost increase satisfactorily at the time of MTIP programming?
 - vii. Verification the project name, scope and limits are consistent with the project entry in the RTP
 - viii. If a capacity enhancing project, the project is verified to be included in the appropriate Metro modeling system network, has complete any and all required air conformity analyses, and is consistent with project as proposed to be programmed in the MTIP.
 - ix. Has or will provide appropriate performance measurement data to Metro?
 - x. Confirmation that if a planning project and is not included in the RTP, the project is included in the current UPWP.

- xi. Validation that If not in the UPWP, an UPWP amendment is proceeding ahead of, or concurrently with the MTIP amendment to add the planning project to the UPWP.
- xii. Verified that the project meets at least one or more RTP goals and strategies.
- xiii. Evaluate and determine if the project qualifies to be a Transportation Control Measure (TCM). If yes, ensure a “(TCM)” tag is added at the end of the project’s short description in the MTIP.
- xiv. Verified that the project as a formal amendment has completed the required 30-day public notification period.

d. Amendment approval steps and timing: The staff report will include a proposed amendment approval schedule that includes estimated committee

Figure 4
Staff Report Amendment Approval Schedule



approval and submission dates as shown in Figure 4.

6. Analysis/Information Section & Recommended Action:

- a. This final section provides the Metro legal acknowledgments that include
 - b. The staff report concludes with the recommended action Staff or committee motion. It should also include prior committee approvals as appropriate. Finally, a list of attachments will be stated that will be part of the Adobe Acrobat staff report version.
- vi. Staff Report Critical Reminders:
1. If significant discussion or questions are raised at TPAC or JPACT, then the staff report will include a summary of the key points of the discussion in the Background section after the request action statement. The summary does not need to be as detailed as the committee minutes. However, the summary information should be detailed enough that the next approval committee or Metro Council is clear of the issues, concerns, questions, or discussion the MTIP amendment generated.
 2. If a significant discussion does occur at the lower committee, then this normally will preclude the amendment from being included in the next committee or Council consent agenda. The amendment will proceed as an action to the next committee or Council.

3. However, the Legislative Coordinator will make the final decision whether or not the MTIP amendment will go consent or as an action item to JPACT and Council. Provide details to the Legislative Coordinator of the amendment discussion at TPAC to help determine the appropriate course of action for JPACT and Council.

i. Formal Amendments and the Amendment Resolution:

- i. All MTIP Formal Amendments require a resolution to be submitted with the amendment falling within it.
- ii. The resolution is the approval document for the formal amendment.
- iii. The Metro Legislation section will assign the resolution number (e.g. 20-5094) and provide the

MTIP

Programming

Manager the

number to

complete the

resolution.

- iv. Obtaining the

resolution

begins by

submitting a request to the Legislative Coordinator along with the Resolution Purpose Statement.

- v. The purpose statement provides the summary of the amendment along with the MTIP amendment number
- vi. The main body of the resolution is divided into three sections:
 1. The body introduction begins with five primary overview statements about the MTIP.
 2. The amendment section which contains specific statements then about the projects being amendment, the need for the changes, why they require a formal amendment, their grant award funding, or other pertinent project information supporting the amendment.
 3. The body conclusion includes five statements about RTP consistency verification, fiscal constraint validation, and Metro committee approval reaffirmations and the request to Metro Council to approval the MTIP amendment resolution.
- vii. After the main body, the resolution signature blocks are located.
- viii. See the MTIP Programming User guide for specific instructions on how to develop the MTIP Formal Amendment Resolution.

j. Formal Amendments and the Public Notification Process:

- i. All MTIP formal/full amendments must complete a public notification/opportunity to comment process. This is in addition to the opportunities to provide comment through the Metro approval committees of TPAC and JPACT and at Metro Council.
- ii. The public notification/opportunity to comment period for formal/full MTIP is set normally at 30 days. However, due to holidays or other calendar issues, the

Figure 5
Sample Resolution Purpose Statement

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADDING NEW OR AMENDING EXISTING PROJECTS TO THE 2018-21 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM WHICH INVOLVES PROJECT CHANGES TO FIVE PROJECTS IMPACTING GRESHAM, ODOT, AND TRIMET (AP20-11-APR))))))))	RESOLUTION NO. 20-5094 Introduced by: Chief Operating Officer Andrew Scott in concurrence with Council President Lynn Peterson
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- b. The MTIP Programming Manager will advise Senior Management if justification is present to remand the project back to JPACT for additional discussion.
 - c. The amendment will be from the bundle and declared it to be a stand-alone project and an action item for Metro Council, or hold the project(s) in abeyance until further discussions can occur to resolve the issues raise from the submitted comments.
 - d. Metro Senior Management along with the Metro Legislative Section will determine the appropriate next steps to approve the project amendment, hold it for additional discussions, or remove it from Metro Council approval consideration.
- k. **Formal Amendments and the Approval Process:** Once the amendment bundle is completed, the Metro approval process requires notification to TPAC and approvals from JPACT and Metro Council. The basic approval steps are as follows:
- i. **TPAC:**
 - 1. TPAC notification begins the approval process.
 - 2. The formal amendment will be presented to TPAC members.
 - 3. TPAC usually meets on the first Friday of the month except for August when the committed is dark.
 - 4. The TPAC agenda is sent out 1 week prior to the meeting (the prior Friday to the meeting). The completed amendment bundle is due to the TPAC Coordinator NLT the Wednesday prior to agenda send-out date on Friday.
 - 5. Amendment slides for the presentation are normally due NLT Wednesday prior to the TPAC Friday meeting.
 - 6. The presentation is a recurring standing item on the TPAC agenda.
 - 7. The agenda will briefly cover the amendment composition, changes being made, completed reviews and recommendation to JPACT. The MTIP formal amendment presentation to TPAC is provided to be completed in 10 minutes or less unless the amendment is large (bundles greater than 8 projects). See the user guide for presentation contents and suggestions.
 - 8. The purpose of the presentation provides TPAC members (who act as part of the public) their official notification and opportunity to discuss and comment.
 - 9. Added Note: FHWA considers the presentation to TPAC an important part of the public notification process, and watches Metro to ensure the requirements of the public notification process are adhered to.
 - ii. **JPACT:**
 - 1. Once TPAC provides an approval recommendation to JPACT, the MTIP formal amendment bundle can move forward to JPACT. Submitting the amendment bundle is different from the TPAC process. The following steps are required:
 - a. The amendment bundle needs to be updated for JPACT. If the TPAC discussion requires any updates to the draft resolution, Exhibit A, or staff report, these corrections need to be accomplished immediately after the TPAC meeting.

- b. The updated amendment bundle needs to be submitted to the designated support staff for Granicus upload via an email as soon as possible after the TPAC meeting. JPACT normally meets on the third Thursday of the month. The Legislative Coordinator requires the amendment bundle submission two weeks ahead of JPACT. Since TPAC meets on the first Friday, submitting the updated amendment bundle immediately after TPAC is already one late to JPACT. Be cognizant that that the Legislative Coordinator needs the updated materials as soon as possible.
 - c. Submit the updated amendment materials via email to the designated Support Staff and include an original file version (e.g. Word, Excel, etc.) and an Adobe Acrobat version.
 - d. The Legislative Coordinator holds a JPACT Prep Meeting normally one week prior to the committee meeting. During the prep meeting. A final review of the legislative materials and staff report will occur among the Legislative Section and other JPACT impacted staff to endure the MTIP formal amendment bundle is ready for JPACT. The JPACT Prep meeting will also confirm if the item will proceed on the consent calendar or as an action item.
 2. Finally, based on the discussion at TPAC, provide a recommendation to the Legislative Coordinator, if the MTIP amendment bundle can proceed on the consent calendar or needs to be a discussion item. Unless issues arose at TPAC, plan on the item proceeding through JPACT as a consent item or action item.
 - iii. **Council:** Assuming JPACT approves the Resolution and amendment bundle, the final Metro approval step is Metro Council. The submission and approval process with Metro Council is virtually the same as for JPACT and include:
 1. Update all MTIP amendment bundle materials as needed after JPACT.
 2. The tentative amendment bundle approval schedule will schedule the item for Council agenda two weeks after JPACT. Note: The Metro Council schedule often changes and planned approval date for Council may need to be adjusted.
 3. Submit all updated materials to the designated Support Staff for upload into Granicus.
 4. Submission and upload into Granicus is required to occur not later than two weeks ahead of the Council.
 5. Unless there was significant discussion at JPACT prior to approval, plan in submitting the MTIP amendment bundle to be included on the consent agenda.
 6. If the item is required to proceed as an action, then a follow-on meeting with Planning Department Senior Management and the Legislative Coordinator needs to occur immediately to discuss how the amendment bundle will be presented and discussed.
 - iv. **Post Metro Council MTIP Formal Amendment Approval Actions:**
 1. Upon approval by Metro Council, the draft Legislation requires final approval signatures and recording.

2. With Council occurring on a Thursday, the final signed and approved Resolution should be loaded in the **Metro Online Records** database no later than the following Tuesday. If not, send a reminder email to the Legislative Coordinator to complete this key task.
3. Once the Resolution is signed and recorded, it can be downloaded and included in the formal amendment bundle package to be sent on to ODOT and USDOT for final reviews and approvals.
4. The Metro approved MTIP formal amendment bundle consist of the following items (See attachment X for a sample):
 - a. Cover letter addressed and containing the following:
 - i. ODOT Region 1 STIP Coordinator
 - ii. FHWA Oregon Office Senior Community Planner/Metro Liaison
 - iii. FTA District 10 Transportation Program Specialist (include FTA if there are FTA funded transit projects included in the amendment bundle)
 - iv. Amendment bundle summary table
 - v. Review and certification statements
 - vi. Metro submission signature
 - b. Approved and sign resolution
 - c. Exhibit A to the Resolution
 - d. Amendment narratives/staff report
 - e. Attachments/support documentation to the narratives/staff report
5. The final Metro approved MTIP formal amendment bundle will be sent as an Adobe Acrobat package to the addresses noted on the cover letter via email. The email will be sent to the ODOT Region 1 STIP Coordinator with a copy to the FHWA Liaison (and FTA staff member if transit projects are included in the bundle).
6. Upon submission to ODOT and USDOT, ODOT will complete their final review of the projects in the bundle. ODOT will review and approve the projects individually. The State STIP Coordinator will approve the project and then send it on to FHWA or FTA for final approval.
7. If questions or issues arise, the ODOT Region 1 STIP Coordinator will contact the MTIP Programming Manager with the issue. Together, both will work to resolve the issue to allow approval of the project amendment.
8. Corrections may require submission of an updated modified amendment package, clarifying questions raised, agreeing to complete a change in programming, correct a minor type, or complete other updates as required.
9. Once USDOT provides the final approval, the amended project will show up in the next published online approved STIP. At that time, the update to the MTIP can also occur.

3. Formal Amendments and Required Support Documentation:

- a. Each project amendment may require additions or adjustments in the type of support documentation needed to complete the formal amendment. Under the email submission process used to submit MTIP formal amendment requests for new and existing projects, the following items are normally required to be included in the submission:
 - i. Email request for amendment.
 - ii. STIP Summary Report.
 - iii. Approved ODOT Project Change Request (PCR): Note: The requirement for the PCR may be waived by the MTIP Programming manager if prior email summaries, teleconferences, or project review meetings have occurred and the needed changes are clear and well understood.
 - iv. Phase cost update: Used to help justify phase cost increases.
 - v. Project location map: Required for FHWA understanding of the project location
 - vi. Project exhibit: Needed for scope changes and limit changes to explain the change in scope or limits.
 - vii. STIP Impacts Worksheet: Use by ODOT in placed of the Change Management Request (CMR) form for ODOT funded projects to explain the project changes.
 - viii. Grant award notifications, screen prints, or funding award letters used to verify new funding being added to the project.
 - ix. Agency grant application (normally for new project funding awards) to help provide the project description, scope , and location
 - x. CMAQ Emission Reduction Analysis for CMAQ funded projects)
 - xi. Copy of the ODOT IGA identifying the scope or other changes to the project
 - xii. OTC staff report memo documenting the change approval.
 - xiii. Project Grouping Bucket improvement sites or sub-project composition lists.
- b. Back-up support documentation for scope changes may also require pre-amendment project change proposals, and if Metro funded, approval documentation for the scope change. If ODOT funded, OTC approval again may become a factor.
- c. Added Note: Metro is initiating development of an online MTIP and amendment submission system. This will include online amendment submission forms which will replace the need for some of the above identified back-up and support documents. Until they are developed, the current email submission approach requires the addition of applicable support documentation as noted above will continue.

4. Formal Amendments and Obligation Targets Critical Reminders:

- a. Metro is under annual obligation targets for the STBG, CMAQ and TA funds allotted each year. As a result, an amendment change to funding, schedule, or scope can impact the planned obligation timing for the project phase.
- b. For Metro funded CMAQ, STBG, and TA funded projects, the MTIP Programming Manager must consider the following impacts the amendment may have upon the annual obligation targets:
 - i. If the amendment will delay the planned phase obligation, the lead agency will submit a detailed reason why the amendment lead to occur and why the phase can't obligate in schedule as programmed.
 - ii. If an external reason outside the control of the lead agency or ODOT LAL exists for the amendment and phase obligation delay, then Metro will submit an exception request to have the obligation target removed from the annual target list.

- iii. If the reasons for the obligation delay is not external and could have been prevented by the lead agency, then Metro will “red flag” the project as part of the next project monitoring update to TPAC and JPACT.
- iv. The MTIP Programming Manager and ODOT LAL will monitor the project through monthly review meetings, special reviews, email update requests, etc. and try to identify required amendments early to avoid obligation delays and negative impacts to the annual obligation targets.

5. Formal Amendments and the Use of the Advance Construction Fund Type Code:

- a. Advance construction (AC) allows states to begin a project even in the absence of sufficient Federal-aid obligation authority to cover the Federal share of project costs. It is codified in Title 23, Section 115. Advance construction eliminates the need to set aside full obligational authority before starting projects. As a result, a state can undertake a greater number of concurrent projects than would otherwise be possible.
- b. In addition, advance construction helps facilitate construction of large projects, while maintaining obligational authority for smaller ones. At some future date when the state does have sufficient obligation authority, it may convert an advance-constructed project to a Federal-aid project by obligating the permissible share of its Federal-aid funds and receiving subsequent reimbursements.
- c. Per FHWA guidance (at https://www.fhwa.dot.gov/ipd/finance/tools_programs/federal_aid/ac_pcac/), the following process steps will be completed by the State DOT and FHWA for the approval to use Advance Construction:
 - i. State identifies project(s) and requests AC designation.
 - ii. FHWA Division Office ensures state meets financial preconditions for AC.
 - iii. FHWA reviews and approves AC designation for project. Project agreement executed.
 - iv. State constructs project following Federal-aid requirements.
 - v. State requests conversion to Federal-aid project full or partial and project agreement is modified.
 - vi. FHWA obligates Federal-aid funds per modified project agreement.
 - vii. State requests reimbursement for costs incurred full or partial as needed. FHWA reimburses Federal-aid share of costs of state.
- d. Advance construction allows a state to conserve obligation authority and maintain flexibility in its transportation funding program.
- e. Advance construction acts as a fund type code placeholder. It allows ODOT to designate a project phase will be federally funded. Once programmed and approved, the phase can obligate, but ODOT will cover the phase costs until the federal fund type code is identified for the phase. At that time, a fund type code conversion occurs with the federal fund type code (e.g. STBG, NHPP, etc.) replacing the ADVCON fund type code. When the conversion occurs, the project needs to complete an administrative modification to replace ADVCON with the designated
- f. The fund type code used is ADVCON and the fund code is ACP0.
- g. Advance Construction is used by ODOT. It is not used by Metro when programming Metro funded projects.
- h. If ODOT proposes to program a project phase through a formal (or administrative modification), Metro will program the project phase with the applicable AC Conversion fund type code as shown in the below table:

Table 3: Advance Construction (AC) Programming Codes

Programmatic Fund Type Code	Advance Construction Applicable Programmatic Code	Fund Program
ATCMTD	AC-ATCMTD	Advance Transportation and Congestion Management Technologies Deployment
CMAQ	AC-CMAQS AC-CMAQU	Congestion Mitigation Air Quality improvement program
Equity B	AC-Equity	Equity Bonus
EM-REL	AC-EMREL	Emergency Relief funds
FLAP	AC- FLAP	Federal Lands Access Program
HPP	AC-HPP (80%)	Highway Infrastructure Program (80/20)
HPP	AC-HPP (89.73%)	Highway Infrastructure Program (89.73/10.27)
HSIP	AC-HSIP (89.73%)	Highway Safety Improvement Program (89.73/10.27)
HSIP	AC-HSIP (92.22%)	Highway Safety Improvement Program (92.22/7.78)
Sec 164	AC-164	Section 164-Highway Safety Improvement Program
ITS	AC-ITS	Intelligent Transportation Program
PL	AC-PL	MPO Planning funds
NHFP	AC-NHFP	National Highway Freight Program
NHPP	AC-NHPP (89.73%)	National Highway Performance Program (89.73/10.27)
NHPP	AC-NHPP (92.22%)	National Highway Performance Program (92.22/7.78)
Rail Safety	AC-RAIL	Railway-Highway Crossing Program
REDIST	AC-REDST	Annual Redistribution
STBG	AC-STPS AC-STPU AC-STBGS AC-STBGU	Surface Transportation Block Grant
TA	AC-TAS AC-TAU	Transportation Alternatives
State Programmatic Revenue Codes		
BIKEWAYS	AC-BIKE	
HB2017	AC-HB2017	Transportation
Notes:		
If the State allocated revenues to a project were determined to be federalized, then using Advance Construction is possible		
Transit projects and federal FTA Section codes (e.g. 5307, 5309, 53100, etc.) normally will not utilize the Advance Construction fund type code		

- i. In order to complete the AC programming request, ODOT must identify the applicable planned federal conversion code as shown above. If no conversion code is provided, the project amendment stops and is to be removed from formal amendment or administrative modification bundle.
- j. Identification of the appropriate federal conversion code must be a fund type code and not an ODOT funding program (e.g. ARTS, Fix-It, etc.). If ODOT cites a funding program and not an appropriate federal fund type code, then the requested amendment should be denied until the appropriate federal conversion fund type code is provided.
- k. A federal conversion fund type code must be identified when advance construction is first proposed for the project to ensure the MTIP can complete fiscal constraint computations and verify the MTIP fiscal constraint finding is maintained.

6. Formal Amendments and Transportation Control Measures (TCM) Critical Reminders:

- a. Although Metro is currently in air quality attainment status, Metro retains several older identified TCMS from the prior CO Maintenance Plan.
- b. The State and Federal conformity regulations require the air quality conformity determination demonstrates compliance with Transportation Control Measures (TCMs) included in the CO Maintenance Plan by providing for the timely implementation of all TCMs.

- c. The air quality conformity determination must also demonstrate activities in the MTIP program or RTP amendments which interfere with the implementation of TCMs.
- d. Two TCM categories remain. These are active transportation commuter bicycle paths and pedestrian paths.
- e. TCMs identified in the 2021-2026 MTIP include the following projects in the below table.

Table 4 Transportation Control Measure (TCM) Carryover Projects Programmed in the 2021-2026 MTIP		
Key Number	Lead Agency	Project Name
19276	Clackamas County	Jennings Ave: OR 99E to Oatfield Rd
19280	Happy Valley	SE 129th Avenue - Bike Lane and Sidewalk Project
20808	Gresham	NE Cleveland Ave.: SE Stark St - NE Burnside
17270	Portland	40 Mile Loop: Blue Lake Park - Sundial & Harlow Rd
17268	Portland	Red Electric Trail: SW Bertha - SW Capitol Hwy
20813	Portland	NE Halsey Street Bike/Ped/Transit Improvements
20812	Portland	Brentwood Darlington Bike/Ped Improvements
18026	Sherwood	Cedar Creek/Tonquin Trail: OR99W – SW Pine St
19327	Tigard	Fanno Creek Trail: Woodward Park to Bonita Rd/85 th Ave – Tualatin Bridge
19357	Tualatin Hills PRD	Beaverton Creek Trail: Westside Trail - SW Hocken Ave
20329	West Linn	OR43: Arbor Dr - Hidden Springs Rd

- f. The MTIP Programming Manager must evaluate any proposed amendment to the above projects and ensure the amendment:
 - i. Does not result in a phase obligation delay or construction phase delivery delay
 - ii. Does not include a major scope change that would change the TCM.
 - iii. If a major scope change is involved, the proposed amendment will be suspended in order to complete an evaluation of the scope change. The evaluation is required to determine if the scope change acts as a proper TCM suitable substitute.
 - iv. The RTP air quality staff will complete the scope change evaluation and determine if it is acceptable as a TCM suitable substitute. The MTIP Programming Manager will assist the RTP to obtain the required project details, exhibits, maps, etc. to complete the TCM suitable substitute evaluation
 - v. If the evaluation produces a negative finding as a suitable substitute, the MTIP Programming Manager will deny the proposed project amendment.
 - vi. Discussions among Metro senior management and the project manager will occur to determine other options available to deliver the TCM, or completely replace it with a separate approved TCM project.

7. Formal Amendments Submission and Processing Critical Reminders:

- a. The following table provides quick-reference reminders about submission and processing issues that currently impact project amendment submissions.
- b. They are included to help avoid submission, processing and final approval issues with submitted project amendments

- c. Additional and detailed guidance about the issues is stated in the MTIP Programming Guide.

Table 5 Formal Amendments Submission and Processing Critical Reminders		
Focus Area	Issue or Challenge	Discussion and Reminder
Project Name	Limited field characters	<p>The STIP is limited to 55 character spaces for the project name. The name needs to reflect the route or arterial name, improvement type, and cross street references in 55 or less character spaces. Transit project names normally call out the improvement type and obligation year. The MTIP description fields will call out the main scope elements. Note: Assigning a project name is an art not science in the MTIP. Name examples include:</p> <ul style="list-style-type: none"> - NW Division Complete St Phase I: Wallula Ave-Birdsdale Ave - SW 139th Ave Bike Lane and Sidewalk Project - Regional Travel Options (RTO) Program (FY 2022) - Washington/Monroe: SE Oak St-SE Linwood Ave - Hawthorne Bridge Ramps - TriMet Bus and Rail Preventative Maintenance (2021) <p>Reminder: Work with the Region 1 STIP Coordinator to develop a an agreed upon name that matches up in the STIP{ and MTIP, or very close</p>
Project Descriptions	Limited field space in short description	<p>Both the MTIP Short Description and the STIP are limited to about 1 sentence to call out the project’s main scope elements or site locations for the proposed improvements. Use the MTIP’s Detailed Description field to identify the full scope elements. The Short description provides a basic overview of what he project will improve. Below are a few examples:</p> <ul style="list-style-type: none"> - Name: NE 122nd Ave Safety & Access: Beech – Wasco Short Description: Construct new enhanced and marked crossings in the vicinity of NE Beech NE Sacramento/ NE Brazeo NE Broadway/ NE Hancock St and NE Wasco St/NE Multnomah St. (Transit: ETC) - Name: I-5: I-205 Interchange – Willamette River Remove and replace asphalt surface to repair rutted pavement Includes driving surface on bridges #17995 #17996 #09743B #09743C & #09743A <p>Reminder: Between the project name and MTIP short description, you should understand where the project is located and the key improvements the project will provide</p>
Fund Type Code	Programmatic code versus the fund code	<p>The MTIP programs committed and approved funding by fund type code that relates to the federal or state funding program. Examples include CMAQ, STBG, TA, NHPP, etc.</p> <p>The STIP programs by the specific fund type code the funds are appropriated or allocated from. Example: Instead of using the fund type code of HSIP, the STIP will reflect the fund code of ZS30. This is confusing to most as they don’t understand what a fund code is. Additionally, ODOT may set up the HSIP fund type code obligation</p>

		<p>against multiple fund codes (e.g. ZS30 = \$350,000, MS30 = 400,000, total HSIP = \$750,000.)</p> <p>Reminder: The MTIP programs by the fund type code (HSIP) and will reflect the total HSIP programming as \$750,000. Generally, the fund type code programmed in the MTIP will not be split into fund codes as the STIP practices.</p>
Advance Construction	Use and Limitations of the ADVCON fund type code	<p>The use of Advance Construction is a legal and useful option for ODOT to keep projects moving when federal fund liquidity issues arise. ODOT does require the flexibility to use Advance Construction. However, the planned conversion needs to be identified when AC is proposed. Otherwise, Metro can't complete our fiscal constraint verification steps when formal amendments or administrative modifications occur.</p> <p>Reminders:</p> <ol style="list-style-type: none"> 1. When AC is proposed, ODOT must identify the appropriate federal conversion code to complete the amendment. The federal conversion fund type code should be included in the STIP Summary Report Financial Plan section for the project amendment. 2. The MTIP will program the proper MTIP AC code based on the planned federal conversion fund type code ODOT identifies for the project phase. <ul style="list-style-type: none"> - Example: ODOT identifies NHPP at 92.22% federal share as the planned federal conversion fund type code for - The MTIP will program AC-NHPP (92.22%). - The federal fund amount is charged to NHPP for fiscal constraint accounting. 3. When ODOT is ready to complete the AC conversion to the appropriate federal fund type code, complete an administrative modification to change the AC-NHPP to the correct final federal fund type code. 4. The final chosen conversion code may not be the one identified for Advance Construction. If the final code is different, make, the change and update the fiscal constraint tables.
Funding Changes	Impact Upon Fiscal Constraint	<p>Funding changes or fund swaps can occur through an administrative modification. However, if you replace one fund type code with a different one, then the fiscal constraint tables have to be updated as well. Even if the action does not add new funds, the fiscal constraint tables must be update to demonstrate that fiscal constraint is being maintained.</p>
Backward Fund Shifts	Funding shortfall impacts upon ROW or Construction phases	<p>Also known as robbing construction to pay for PE...</p> <p>Once the PE phase has been obligated and funds are being expended, many projects often learn that their obligated PE federal funds are insufficient to complete the phase activities. Since the EA is open, the most requested action is to transfer additional federal funds from ROW or construction to cover the PE shortfall. This action only requires an administrative modification.</p>

		<p>However, the transfer leaves the construction phase now short. So, what is the advantage of this transfer? PE may be fully funded, but the construction phase is now short.</p> <p>The basic rule for any phase funding shortfall is that the lead agency will use their local funds to cover the shortfall. The exception to this grants the phase transfer normally if external consultants are being use, and there is a logic in continuing the expenditure of federal funds rather than local funds for the PE phase. The project’s LAL will advise Metro of this situation and request the phase transfer. The conditions to complete a funding transfer from construction or ROW back to PE ae as follows:</p> <ol style="list-style-type: none"> 1. The LAL or Region 1 STIP Coordinator will advise the MTIP Programming Manager that the PE phase is short and a phase transfer from ROW or construction is being requested. 2. The request will include a clear justification why local or state funds (for ODOT funded projects) are not the preferred option. 3. If the project is Metro funded, then the LAL will normally include a PCR or other documentation with the justification for the backwards fund shift. 4. If ODOT funded, then the Region 1 STIP Coordinator will provide the justification in the STIP Impacts Worksheet, or other acceptable justification documentation. 5. If the justification determines that the construction or ROW phase can be reduced without backfilling with local or state funds, then a ROW or construction phase cost update will be included. The cost update is a mandatory requirement. The formal amendment or administrative modification must include the phase cost update, or the amendment/ modification will be denied. 6. If the backwards fund transfer result in a funding shortfall to ROW or construction, then local state, or other federal funds will be used to backfill the phase shortfall. 7. The backward phase funding transfer can only occur if a clear and logical reason exists to take funds from the ROW or Construction phase if phase backfilling is still required. 8. The MTIP Programming Manager will challenge the need for any requested backwards phase funding transfers. 9. The use of local funds to backfill a funding shortfall in the PE phase remains the preferred option to address the funding shortfall
<p>Active Transportation</p>	<p>Project Scoping Required Actions</p>	<p>Most active transportation projects that Metro funds are submitted by planners who propose the project based on conceptual designs and little else. As a result, most active transportation projects Metro funds have not been properly, or marginally scoped to determine if they are ready to initiate the NEPA environmental process.</p> <p>Once funding has been awarded, the MTIP Programming Manager and ODOT LAL need to meet and review the project to determine if additional scoping actions are required. The two need to determine if</p>

		<p>the project can progress through NEPA and PS&E, or should be pushed back to compete additional project development.</p> <p>The project application and a complete project Prospectus will help determine the degree the lead agency has completed pre-NEPA project development/scoping actions to ensure the project can complete NEPA and PS&E</p>
2+2+2 Phase Programming Standards	Avoiding Phase Slips	<p>The general phase programming logic is as follows:</p> <ol style="list-style-type: none"> 1. PE: 2 years (Years 1 + 2) 2. ROW & UR: 2 years (Years 3 + 4) 3. Construction: Year 5 <p>Rationale:</p> <ul style="list-style-type: none"> - PE = Pre-design/NEPA + PS&E. This phase requires a minimum of the years to complete. - ROW & UR = completion of right of way acquisition and utility relocation. Program ROW and UR over two years. Projects have not been completing their ROW phase in one year. - Cons = Construction. Normally program in year 5 of the project's life <p>Programming Example:</p> <ul style="list-style-type: none"> • PE: obligation year = 2021 • ROW & UR obligation Year = 2023 • Construction = 2025 <p>Final note: Now that the MTIP is a six document, the construction phase can be programmed in year 5 or six if needed. However, years 5 and 6 are non-constrained years. If Construction is ready to proceed in year 4, a formal amendment is required to advance the project phase. The STIP retains its four-year programming span. If the MTIP programs construction in year 5 or 6, the STIP will not include it as it only covers the constrained years of 1-4.</p>
Planning Projects	Project Name Reminders	<p>Any federally planning project normally will be included in the UPWP, If MTIP programming is required, the project will include "Study" in the project name. This is to identify the project as a study versus a project development action. Finally, the inclusion of the word "Study" in the project name was recommended by JPACT due to the confusion over CBOS II Study when this project moved forward for programming,</p>
TSMO/ITS Projects	When to Program	<p>The existing approved TSMO/ITS projects in the TSMO buckets are conceptual and lack a detailed scope of work and budget. As a result, they should not be split off from the TSMO bucket and programmed as a stand-alone project until they contain a well-developed scope of work and budget. If Metro funded, have the agency LAL review the project. Collectively, determine if the scope and budget are adequate and if only ConOps (Concept of Operations in the Other phase) should be programmed.</p> <p>Most ITS project may need a significant ConOps to be completed before the PE, ROW, and Construction phase scope f work and budget needs. Do not rush the programming of TSMO/ITS projects. They may face one or more delivery issues. They may need FHWA review and</p>

		approval. Buy America or software procurement issues may be present. TSMO/ITS projects require additional planning steps prior to programming. Do not program until the possible issues, delays, and conflicts have been addressed.
Phase De-Obligations	Delay to Amendments	<p>Near the end of a non-construction phase, the total amount of obligated funds in the phase may not be required. Once confirmation of this occurs, ODOT will move forward and de-obligate the remaining phase unexpended funds. Usually, the PE, ROW, or UR de-obligated funds will be moved to the construction phase.</p> <p>The phase de-obligation process takes about two weeks to complete. If the process is tied to a formal amendment or administrative modification, then plan extra time to complete the amendment or admin modification. Also, a project amendment which includes the de-obligated funds may have to wait a month as amendment approval can't occur until the de-obligation process has been completed.</p>
Transit Award Programming Prior to Award	Do not Complete unless FTA provides Approval	Discretionary grant awards normally can't be programmed in the MTIP until proof of the grant award is provided. Periodically, FTA may authorize Section 5309 Small Starts or New Starts funds to be programmed ahead of the award date. If TriMet or SMART is high on appears will receive a discretionary 5309 grant and requests early programming, FTA approval must provide the approval to program the funds. Otherwise, the discretionary grant must wait to be programmed when proof of funding and grant award is provided.

8. Administrative Modifications:

a. Overview:

Minor amendments to the MTIP are called administrative modifications. The project adjustments allowed include changes that are below the stated thresholds in the Amendment Matrix. USDOT has already determine certain changes are allowable as they are exempt from required air conformity modeling analysis or do not impact the fiscal constraint finding. Some examples from the Amendment Matrix include the following:

- i. Funding changes to projects less than 20% for projects with a total cost of \$1 million or greater.
- ii. Minor description changes for clarification purposes that do not involve scope changes.
- iii. Changes in milepost limits which total less than 0.25 miles.
- iv. The addition of minor non-capacity improvement scope elements that are considered exempt per 40 OCFR 93.126, Table 2, and 40 CFR 93.127, Table 3 assuming they don't not increase the total project cost above the Amendment Matrix funding.
- v. Adjustments to the project name for clarification purposes. These can occur as long as they do not reflect a major scope adjustment or involve cost changes above the Amendment Matrix threshold.
- vi. Technical corrections (typos, spelling corrections, etc.) that are intended to correct the programming and is not intended to be a change.

- vii. Phase slips to the next fiscal year due to schedule delivery delays.
- viii. Phase advancements from the next constrained fiscal year into the present constrained year. Note: A phase advance from non-constrained years (years 5 or 6 of the MTIP) into the current constrained year requires a formal amendment to meet fiscal constraint requirements).

b. Administrative Modification Eligibility Reminders:

Review the approved Amendment Matrix when project changes are proposed to determine if the changes meet the parameters and limitations for administrative modifications. If the proposed changes cover multiple categories, and if any one crosses the threshold and requires a formal amendment, then the entire group of changes must be processed as a formal amendment. Finally, even if the requested project changes are eligible as an administrative modification, remember that JPACT and Council reserve the right to require the changes progress as a formal amendment.

c. Administrative Modifications – Requests and Processing Steps:

Since administrative modifications have approved changes and set limitations for requested changes in the Amendment Matrix, the approval process is less complicated than for formal amendments.

- i. The administrative modification request is basically the same as used for formal amendments. The Regional 1 STIP Coordinator, ODOT Local Agency Liaison (LAL), or project lead agency will submit an amendment request via email to the Metro MTIP Programming Manager.
- ii. Most of the amendment requests will originate from the Region 1 STIP Coordinator or LAL.
- iii. Both will have reviewed the needed project changes and determined they are eligible to proceed as an administrative modification.
- iv. The official request and contents will follow the same basic process as established for formal amendments. Administrative modification submission materials using the email approach will include the following items:
 - 1. Email request for the administrative modification sent by the Region 1 STIP Coordinator, LAL, or lead agency project manager.
 - 2. Signed and approved Project Change Request (PCR) for metro funded projects
 - 3. STIP Summary Report from the Region 1 STIP Coordinator detailing the changes to the project.
 - 4. STIP Impacts worksheet (normally for ODOT funded projects which provides the justification for the project changes.
 - 5. Additional support documentation (e.g. construction phase funding update for funding phase shifts, updated project listings for project grouping bucket changes, updated project scope exhibits if minor scope changes are involved, etc.). The additional support documentation will be used to clarify and help explain the need for the project change. The level of detail required will depend upon the nature of the change for the project. Often only a STIP Summary Report with the email request may be required to complete the administrative modification

6. If the Metro is initiating the administrative modification, then the MTIP Programming manager will notify the Region 1 STIP Coordinator (and LAL as appropriate) of the upcoming administrative modification and send both a copy of a completed MTIP worksheet for their review.

d. Administrative Modifications – Package Submission and Approval Process:

- i. Once all required project materials have been submitted, an MTIP worksheet will be developed for each project in the bundle. The MTIP worksheet will include the applicable name, description and funding changes included in the administrative modification.
- ii. An Administrative Modification narrative will be developed that provides a summary of the changes. The narrative is different from the one used for formal amendment. It is a simplified format which follows a “cook book” format allowing review and approval to occur much faster.
- iii. The narrative includes the following information and updates (See Attachment X):
 1. Project Summary table listing the projects included in the Administrative Modification
 2. Project Summary Updates: This section includes identification and required updates to the project name, lead agency, short and detailed description, plus includes a brief summary of the modification change (e.g. Fund Swap. Fund Phase Shift, Minor Limits Change, etc.)
 3. Project Funding Changes: This section identifies the specific funding changes to each project phase. The changes are listed in a cook book format with the revised phase totals at the end
 4. Administrative Modification Justification: a brief justification is provided in this section validating the changes can proceed as an administrative modification
 5. Funding Change Details: This section provides a summary of the submitted material supporting the project changes and a short narrative explaining the changes to the project. Unlike formal amendments which requires a detailed explanation for the changes for the Metro committees, the administrative modification narrative can be brief and include only a few sentences to explain why the changes are occurring.
 6. MTIP Review and Certification Details: This section provides a summary of the required review certification areas for the administrative modification. The section provides the summary that the MPO has completed its required MTIP evaluation and reviews, plus demonstrates that the changes are authorized and certain formal amendment

Table 6 Administrative Modification MTIP Review & Certification Details	
<ul style="list-style-type: none"> • Administrative Modification Authorized: Yes. The funding adjustments are a correction. The total project cost and scope remain unchanged. • Metro Legislation Required: No • MTIP Eligibility Verification: Yes <ul style="list-style-type: none"> ○ Includes federal transportation funds: Yes 	

- Located on the Metro roadway network: **Yes**, the project is located on the Metro Motor Vehicle, Pedestrian, and Bicycle modeling networks
- Provides transportation system improvement: **Yes**
- **Considered a Regionally Significant Project: Yes** – project has federal funds and is located on system
- **Fiscal Constraint Review and Verification: Yes.**
- **RTP Consistency Review: Yes**
 - **In Current RTP: Yes.** Project ID – 12095 - Safety & Operations Projects
 - **RTP Description:** Pavement rehabilitation/repair projects includes overlays, slurry seals, full pavement replacement, and other minor roadway improvements (curb and gutters, adding/widening shoulders) that do not add motor vehicle capacity.
 - **RTP and MTIP Costs Consistent: Yes.**
- **Considered Included in ODOT O&M RTP Project Grouping: Yes**
 - Bridge Rehabilitate & Repair
 - Culvert Replacement & Repair
 - Highway Pavement Maintenance
 - **Safety and Operations Project**
- **Project located on the National Highway System (NHS): Yes** – OR 8 is identified as an “Other NHS Route” in the NHS system
- **Capacity Enhancing Project: No:** The project is no a capacity enhancing project and is considered exempt under 40 CFR 93.126, Table 2 - Air Quality - Pedestrian and Bicycle facilities
- **Satisfies 2018 RTP Goals and Strategies: Yes.** Goal #3 – Transportation Choices
 - **Objective 3.4 – Access to Active Travel Options**
 - **Description:** Build Increase household and job access to planned regional bike and walk networks.
- **MPO Responsibilities/Public Notification included: No** Administrative Modifications are not subject to the 30 –day Public Notification/Opportunity to comment process.
- **OTC action required: No.** OTC approval was not required for this Administrative Modification
- **JPACT & Metro Council action required: No.** JPACT and Metro Council approval were not required for this Administrative Modification

7. Completed MTIP Worksheet: The completed MTIP worksheet follows the MTIP Review and Certification section in the administrative modification bundle
8. Support Documentation: If any support documentation is required to be included to help explain the project changes, they are attached after the MTIP Worksheet. Typical support documentation could include updated construction phase cost update tables, email guidance, etc. The purpose of including the support documentation provides extra clarity for the administrative modification.

- iv. As stated previously, administrative modifications are submitted in a multi-project bundle. Metro normally completes at least one administrative modification bundle per month. However, administrative modifications may be submitted to Metro any time during the month and usually they are urgent. Therefore, it is not uncommon to submit multiple administrative modification bundles per month. Usually, two administrative modification bundle per moth are sufficient to cover the demand.

- v. Final approval of the administrative modification bundle: Unlike formal amendments, administrative modifications may be approved by the MIP Programming Manager. The MTIP may be updated at that time. The final administrative modification bundle with a cover letter should be sent to the Region 1 STIP Coordinator for review and in the STIP. Administrative Modifications do not require any Metro committee approval or are required to complete a public notification process. MTIP Approval of the Administrative Modification bundles has been delegated to the MTIP Programming manager.
- vi. After submission to the Region 1 STIP Coordinator, the administrative modification bundle will be sent on to the State STIP Coordinator for final approval for STIP inclusion.

9. Redaction of Metro Awarded Funds:

a. Overview:

The following applies only to Metro funded projects. Any funding redactions impacting ODOT funded projects will adhere to ODOT's conditions of funding.

All Metro funded projects (through RFFA, TSMO, project development, or other funding programs) are expected to be implemented and progress in a timely fashion. Once a project completes PS&E and obligates the ROW phase, the project has reach implementation and should progress towards final delivery based on the current delivery schedule. However, starting a project and completing preliminary engineering in a timely fashion has resulted in significant delays that Metro considers unacceptable. At this point of the project's life, Metro will consider if the reasons that are delaying the timely completion of the PE phase are justified, or if funding for the project should be redacted.

Depending on where the project stands in the PE phase (completing pre-NEPA project development activities, completing NEPA, or completing final design/Project Specifications and Estimates), along with the delivery barriers that have arisen will determine the options Metro will consider.

b. Redaction Evaluation and Steps:

When an external delay occurs outside of the lead agency's control, Metro will evaluate the delivery barriers and consider possible options that could include:

- i. Terminating further progress and offering the lead agency the opportunity to develop a suitable substitute project.
- ii. Removing the project's obligation timing and targets if an external environmental issues is the cause of the delay to allow additional time to work through the delay.
- iii. Evaluating a major project re-scoping effort to keep the project within budget and to maneuver around the external project delay.
- iv. Terminating future works on the project and moving forward to redact the remaining awarded funds if no external reason can be found that justifies the project delay.

Conversely, if the project delay is determined not to be an external barrier outside of the agency's control, then JPACT will consider project termination and redaction of remaining awarded funds. Some reasons that could result in a recommendation of funds redaction include the following:

- Insufficient staff to lead and manage the project.
- Unqualified staff managing the project resulting in barriers and excessive delays in reaching project delivery milestones.
- Determination that the project is severely short funded and having no funding plan to resolve the shortfall.
- Loss of prior committed funding to the project due to various reasons resulting excessive delays to develop a new funding plan for the project.
- A decision to change the project to a completely new scope and delivery objective from the awarded application.
- Change in the lead agency delivery priorities resulting in the awarded project being temporarily shelved.
- Including unreasonable scope of work elements that simply can't be accomplished and delivered.

Proposing redaction of Metro awarded funds will normally be the last option Metro considers when project delivery delays occur. Through ongoing project monitoring and delivery of project milestones will determine if the project delivery is on an acceptable delivery schedule. Metro uses a green, yellow, and red flag status tagging and reporting system to identify problem projects. Project status meetings will be called to work through the project delay issues with options provided to JPACT as required and if redaction of Metro awarded funds is a necessary outcome. If funding redaction is deemed necessary, the project will be submitted as a formal amendment to the MTIP to rescind the funding and proceed through the Metro committee approval process.