



STIP AMENDMENT AND MODIFICATION GUIDELINES

Changes may be made to the State Transportation Improvement Program (STIP) by either formal amendment or administrative modification.

Formal **Amendments** are required when changes cause: addition or deletion of a project, changes in project cost beyond a predetermined threshold, project phase initiation dates to move into or out of the 4 year STIP time window, changes in funding sources involving non-traditional funding sources (including GARVEE bonds), or major changes in design concept or scope; an example of a "major" scope change might be - changing the project termini or number of through travel lanes or significantly altering the proposed transit coverage area.

Examples of Amendments:

- Change in project cost beyond a predetermined threshold; increases in highway projects that exceed both \$ 2 million and 25% of the original cost and may affect fiscal constraint and changes (increases or decreases) in transit projects that exceed either \$1 million or 25% of the original project cost;
- Any addition or deletion of a federally funded project to the first 4 years of the Program;
- Addition or deletion of any state funded regionally significant project into the first 4 years of the Program;
- Change in project design or scope¹ that significantly changes; the termini or project type, purpose, or number of through lanes on a non-exempt (for transportation conformity purposes) project;
- Any addition, deletion or significant modification of non-traditional funding source to a project (traditional sources of revenue include federal, state, or local government tax revenues. Non-traditional sources include state bonding and/or private participation);
- Project schedule shifts that move ROW, major capital acquisitions, or construction authorization dates either into or out of the 4 year STIP time window;
- Project schedule shifts in years 1 through 4 that move project completion dates across Horizon Years as determined by the local Long Range Transportation plan;
- Project schedule shifts to incorporate the project from an out-year into the current (four-year) STIP.

Note: Amendments do require documentation of public review and comment opportunity, and may require re-demonstration of fiscal constraint and local transportation conformity determination. Fiscal constraint may be shown by either the project cost impact being less than 5% of the expected annual budget or by showing other cost reductions and/or revenue increases within the affected fiscal year(s).

Note: on Program Date field in the FTA Transportation Electronic Award and Management (TEAM) system applications – the transit grant applications asks for the STIP amendment approval dates; however the correct entry in the TEAM application is the date FTA endorses the BOT approved STIP amendment, e.g. the effective STIP approval date is the date FTA concurs with the amendment to the STIP.

¹ Note: alteration to earmarks described in the Congressional Report may jeopardize project eligibility for federal (FTA) funding under the discretionary capital program (Section 5309).

Administrative Modifications can be made to previously included projects when; change in project costs are below the predetermined thresholds, movement of project phase initiation dates are within the 4 year STIP time window, change to project scope or description do not significantly diminish the ability to achieve the original project intent, and change in traditional funding sources occur.

Administrative modification is a streamlining process recommended in the FHWA/FTA/NCDOT Joint STIP Review of December 2011. Administrative Modifications do not require documentation of public review or comment, redemonstration of fiscal constraint, or a local transportation conformity determination.

Examples of Administrative Modifications:

- Any change to projects in years 5 or later;
- Minor change to project descriptions, scopes, sponsor funding;
- Minor cost increases in highway projects that do not exceed both \$ 2 million and 25% of the original project cost;
- Minor cost change (increase or decrease) in transit projects that do not exceed either \$1 million or 25% of the original project cost;
- Schedule changes that move project authorization dates within the first 4 year STIP time window and do not affect local air quality conformity findings;
- Funding source changes between traditional funding sources (i.e. substituting available Congestion Mitigation Air Quality (CMAQ) funds for FTA section 5307 formula transit funds);
- Projects approved for Emergency Relief funds do not generally have to be included in the STIP, so any changes made for emergency projects may be considered minor modifications.

State funded projects are amended when the fiscal year changes or when there is a significant change in the project description. Unless the project is determined to be regionally significant for transportation conformity purposes, these amendments are approved solely by the State Board of Transportation. Local approval of these changes is desired but not legally required. MPO's may treat these as Administrative modifications if they wish. If there is a change to a state funded project that is regionally significant, this requires a new transportation conformity determination, this determination must be made before the amendment can be processed. The state public notification process will be the same for state funded projects as it is for federal-aid projects.

PUBLIC INVOLVEMENT PROCEDURES:

The NCDOT will make all proposed STIP amendments available to the public for comment on its website at least 25 days prior to adoption action by the Board of Transportation. Exception may be made for response to declared disasters.

The NCDOT will make all proposed STIP amendments available to staff of MPOs and RPOs for comment at least 25 days prior to adoption action by the Board of Transportation. Exception may be made for response to declared disasters.

All amendments to the transit portion of the STIP will be submitted to FTA Region IV for formal endorsement. The request letter for FTA endorsement of STIP amendments will include assurances that public involvement processes were followed, in accordance with the federally approved state or local Participation Plans. Administrative modifications to the transit portion of the STIP will be posted on the Public Transportation Division website for informational purposes within 5 days of the changes being processed at NCDOT.

Established public involvement procedures at the local level shall be followed. Any significant negative reaction will result in either the Board being notified of the reaction prior to voting, or withdrawal of the proposal for further review.

Attachment 1

Federal Definitions according to 23 CFR 450.104

Administrative modification means a minor revision to a long-range statewide or metropolitan transportation plan, Transportation Improvement Program (TIP), or Statewide Transportation Improvement Program (STIP) that includes minor changes to project/project phase costs, minor changes to funding sources of previously-included projects, and minor changes to project/project phase initiation dates. An administrative modification is a revision that does not require public review and comment, redemonstration of fiscal constraint, or a conformity determination (in nonattainment and maintenance areas).

Amendment means a revision to a long-range statewide or metropolitan transportation plan, TIP, or STIP that involves a major change to a project included in a metropolitan transportation plan, TIP, or STIP, including the addition or deletion of a project or a major change in project cost, project/project phase initiation dates, or a major change in design concept or design scope (e.g., changing project termini or the number of through traffic lanes). Change to projects that are included only for illustrative purposes do not require an amendment. An amendment is a revision that requires public review and comment, redemonstration of fiscal constraint, or a conformity determination (for metropolitan transportation plans and TIPs involving "non-exempt" projects in nonattainment and maintenance areas). In the context of a long-range statewide transportation plan, an amendment is a revision approved by the State in accordance with its public involvement process.

STIP AMENDMENT AND MODIFICATION GUIDELINES APPROVAL:

4/5/12 Robert A. Collier Jr.
Date Judge Robert A. Collier Jr.
Chairman, NC Board of Transportation

4/18/12 John F. Sullivan, III
Date ^{for} John F. Sullivan, III, P.E.
Division Administrator, Federal Highway Administration

5-9-12 Yvette G. Taylor
Date Dr. Yvette G. Taylor
Regional Administrator, Federal Transit Administration