



July 27, 2020

To: Metropolitan Policy Committee
From: Daniel Callister
Subject: Item 6.a: Proposed Revisions to the Metropolitan Transportation Improvement Program Amendment Approval Authority

Action Recommended: Conduct public hearing; Provide feedback to staff

Issue Statement

Revisions are proposed to the Metropolitan Transportation Improvement Program (MTIP) amendment process. The revised process allows certain MTIP project amendments, adjustments, revisions, and corrections to be approved by MPO staff, which currently require approval of the Transportation Planning Committee (TPC).

Background

While the text of the MTIP document changes little and rarely requires amending during the three-year life of the document, the projects programmed within the MTIP are constantly being amended, revised, split, canceled, etc. These projects include infrastructure construction projects, capital purchases, plan development, engineering activities, evolving outreach and education programs, and others. Any changes to these projects require approval from the MPO before those changes can be reflected in the MTIP and the State-wide Transportation Improvement Program (STIP), which is necessary to revise inter-governmental agreements (IGAs), execute fund transfers, conform with federal law requiring that the TIP be financial constrained, in short- to be able to deliver the projects.

The current FY 2018-2021 MTIP and the recently approved FY 2021-2024 MTIP describe the process by which changes to the MTIP and its program of projects are approved by the MPO (see Attachment 1). The Metropolitan Planning Committee (MPC) retains general authority in all MTIP actions, however authority is delegated to TPC to approve most actions on behalf of the MPO. Staff can make only minor corrections.

The existing process often results in delays that are detrimental to project schedules, and in some cases necessitate postponement of funding obligation – something for which MPOs in Oregon are currently under increased scrutiny by FHWA and ODOT and which may result in penalties including loss of funding. It is with this heightened obligation scrutiny in mind that the revisions are proposed. The proposed changes are intended to improve approval turn-around times by reducing unnecessary delays. This is accomplished by expanding the approval authority of MPO staff to include certain types of common amendments such as phase slips and advances (moving a project

phase from one year to another), funding adjustments which do not involve new programming of MPO discretionary funds, and minor changes in scope. These changes and others that are proposed to fall under the approval authority of MPO staff currently require approval of the TPC, which meets monthly. With MPO staff approval, these changes could potentially move forward immediately, with delays only necessary for those changes requiring two-weeks for public outreach.

Additional language in the MTIP will describe how staff approvals will rely on the concurrence of affected agencies rather than quorum action, and how these staff approvals will be provided in summary form to TPC for their information, and be compiled along with TPC's approvals to be provided in summary form to MPC.

Discussion

The figure below identifies the proposed revised MTIP approval authority matrix to be incorporated into the FY 2018-2021 MTIP and the recently approved FY 2021-2024 MTIP. The approval authority of MPC remains unchanged, while fewer MTIP changes will require action by TPC. MPO staff will have authority to approve on behalf of the MPO, all actions not listed in the figure.

MTIP Action	Approval Authority		
	MPC	TPC	Staff
Adoption of MTIP and document content updates	x		
Revisions to MTIP policies and procedures	x		
Initial programming of TMA funds (STBG, TA, CMAQ)	x		
Re-programming of TMA funds to project(s) <u>not</u> previously approved by MPC for TMA funding	x		
Re-programming of TMA funds to project(s) previously approved by MPC for TMA funding	x	x	
Adding or cancelling a federally funded, and regionally significant project to the STIP and state funded projects which will potentially be federalized	x	x	
Major change in project scope (by Federal criteria)	x	x	
Changes in Fiscal Constraint (by Federal criteria)	x	x	
Adding an emergency relief repair project (permanent or temporary) that involves (or does not involve) substantial change in function and location.	x	x	
Advancing or Slipping an approved project/phase outside its current TIP	x	x	
Recommendation for Project or Program Authority Retraction	x	x	
All other MTIP actions	x	x	x

Public Involvement

A 30-day public comment period will be open from July 30 to August 29. A public hearing is requested August 6. MPC approval will be requested at the September meeting.

Action Recommended: Conduct public hearing; Provide feedback to staff

Attachments

1. Current Approval Authority Language (taken from 18-21 and 21-24 MTIP)