

ACTION TRANSMITTAL No. 2014-28

DATE: April 9, 2014
TO: Transportation Advisory Board
FROM: Technical Advisory Committee
PREPARED BY: Heidi Schallberg, Senior Planner (651-602-1721)
SUBJECT: TIP Amendment Process Streamlining
RECOMMENDED MOTION: Recommend that the Transportation Advisory Board adopt a process to streamline TIP amendments through the Council committee process as described in the attachment.

BACKGROUND AND PURPOSE OF ACTION: Transportation Improvement Program (TIP) amendments are approved based on four elements: fiscal constraint; consistency with the adopted regional transportation plan; air quality conformity; and opportunity for public input. Currently, all TIP amendments proceed through five committees within the Metropolitan Council for action. Amendments begin at the Funding and Programming Committee, move to the Technical Advisory Committee (TAC), and are adopted by the Transportation Advisory Board (TAB). The Metropolitan Council's Transportation Committee and the full Council concur with the TAB's action. This process takes approximately 10-12 weeks to complete.

In September 2013, staff from MnDOT, the Metropolitan Council, and the Federal Highway Administration participated in a Kaizen event to evaluate the processes used in the region for TIP and State Transportation Improvement Program amendments and make recommendations on how to reduce the processing time. One of the recommendations from the group was to explore the possibility of streamlining the five-step Met Council process.

The Funding and Programming Committee previously discussed the possibility of streamlining this process in 2008. A concern at the time was that the proposed process included the amendment being sent to MnDOT after TAB approval with the Council receiving notification of the amendment. Due to the state statutes that designate the Metropolitan Council as the federally-required metropolitan planning organization (MPO) for the Twin Cities region, there were legal concerns about not having amendments go through the Council. The TAB is the region's method of complying with the federal requirement for MPOs to include local elected officials, but the TAB, in conjunction with the Council, comprise the MPO.

RELATIONSHIP TO REGIONAL POLICY: Federal law requires that all transportation projects that will be partially funded with federal funds must be in an approved TIP and meet the following four tests: fiscal constraint; consistency with the adopted regional transportation plan; air quality conformity; and opportunity for public input. It is the TAB's responsibility to adopt and amend the TIP according to these four requirements.

STAFF ANALYSIS: In a review of amendments for the 2013-2016 TIP, 12 of the 20 amendments (or 60% of amendments) would have qualified to be streamlined under this proposed process. For the 2014-2017 TIP as of the date of this transmittal, 5 of 14 submitted amendments (or 36% of amendments) would have qualified to be streamlined under this proposed process. A streamlined process would shorten the Council's TIP amendment process by approximately four weeks for amendments that qualify, thereby expediting the overall process that also includes approvals from the Minnesota Department of Transportation and the Federal Highway Administration or the Federal Transit Administration.

COMMITTEE COMMENTS AND ACTION: At its March 20, 2014, meeting, the Funding and Programming Committee discussed the proposed process. An earlier proposal from 2008 stalled because would have changed the Council's role in the approval process. The Council is named as the MPO in state legislation, and TAB is how the Council addressed the federal requirement to include elected officials. The committee unanimously approved the proposed process with changes to include clarification that projects funded through the TAB and Council would not be streamlined if project changes related to solicitation scoring based on cost effectiveness.

At its April 2, 2014 meeting, the Technical Advisory Committee discussed the benefits of this proposed action. Projects with little or no impact on the region will be able to move through the TIP Amendment process more smoothly. This comes in part as a result of a Kaisan workshop that MnDOT hosted last fall. All agencies are now looking for better coordination on the front end of the amendment process, and would like to create an electronic document to further streamline operations. Motion carried unanimously.

ROUTING

TO	ACTION REQUESTED	DATE COMPLETED
TAC Funding & Programming Committee	Review & Recommend	March 20, 2014
Technical Advisory Committee	Review & Recommend	April 2, 2014
Transportation Advisory Board	Review & Adopt	
Metropolitan Council Transportation Committee	Concurrence	
Metropolitan Council	Concurrence	

Metropolitan Council Transportation Improvement Program (TIP) Amendments: Proposed Streamlined Process

Conditions for Using a Streamlined Amendment Process

Any project that meets all of these criteria:

- 1) The federal funding for the project is from a program not administered by the Transportation Advisory Board and the Metropolitan Council.
- 2) The project is consistent with the adopted Transportation Policy Plan.
- 3) The project is not a regionally-significant project or is a regionally-significant project currently in the TIP but is not changing the scope or any other elements that would potentially change the air quality conformity determination.

OR

For projects funded through the Transportation Advisory Board and the Metropolitan Council, any project that meets these criteria as well as criteria 2 and 3 above:

- 4) The project does not relate to a scope change before the committee.
- 5) The project changes do not relate to solicitation scoring based on cost effectiveness.

Process

The TIP amendment request is submitted as usual. The Minnesota Interagency Air Quality and Transportation Planning Committee will, in its review of the project for air quality conformity determination, clarify if the project would be eligible for the streamlined process. If the project meets the overall criteria, Met Council staff emails the request for streamlining to the TAC Executive Committee, which approves or denies the streamlined process by email. If approved, the amendment moves as an action directly to TAB. If denied, the amendment would move through the full five-committee Council process (TAC Funding & Programming Committee, TAC, TAB, Transportation Committee, and the Metropolitan Council). Information about streamlined amendments could be presented as information to the Funding and Programming Committee and TAC.

Example projects that could use this process:

- Congressional earmarks
- Projects funded through statewide programs, such as Section 5310 transit projects or Safe Routes to School (before 2017).
- Cost increases that do not affect the federal amount or project scope.

