

**ACTION TRANSMITTAL No. 2015-08**

**DATE:** March 18, 2015  
**TO:** Transportation Advisory Board  
**FROM:** Technical Advisory Committee  
**PREPARED BY:** Joe Barbeau, Senior Planner (651-602-1705)  
Elaine Koutsoukos, TAB Coordinator (651-602-1717)  
**SUBJECT:** Scope Change Consultation Process Update  
**REQUESTED ACTION:** The Federal Funding Reallocation Work Group requests that TAB adopt the updated Scope Change Consultation Process.  
**RECOMMENDED MOTION:** Recommend adoption of the Scope Change Consultation Process to assist with the management and delivery of transportation projects awarded federal funds through the TAB's Regional Solicitation Process.

**BACKGROUND AND PURPOSE OF ACTION:** Projects selected through the Regional Solicitation process are selected based their project scope, the basis for how well these projects address safety, congestion, air quality, and other criteria used in the evaluation.

From the Federal Highway Administration (FHWA) perspective, the project scope is important because it is used as the basis for authorizing the federal funds for the project to be built. From the regional perspective, the TAB wants to ensure that the benefits from any re-scoped projects are substantially the same as the original projects and justify using the federal funds that were awarded to the original projects.

Scope changes are brought to the TAC Funding & Programming Committee through consultation among staff from the MnDOT Metro State Aid Office, the Metropolitan Council and the project sponsor. This scope change consultation process will provide project sponsors with a clear means to communicate their desired scope change with the proper agencies and provide agency staff with guidelines as to how the desired scope change should be processed.

**RELATIONSHIP TO REGIONAL POLICY:** In March 2011, the TAB recommended that a process be developed to evaluate project scope changes to assist with project implementation. The Federal Funding Reallocation Work Group adjusted the policy and processes designed by a previous work group in 2012. The Work Group recommends this consultation process to assist with scope changes for projects that receive federal funds through the TAB's regional solicitation process.

The scope change consultation process and scope change evaluation process are regional policies adopted by the TAB and are not part of the federal guidance associated with the federal transportation funding acts.

**COMMITTEE COMMENTS AND ACTION:** The Funding and Programming Committee unanimously recommended approval of this policy, with minor clarifying changes, at its February 19, 2015, meeting.

The Technical Advisory Committee recommended approval of this policy, with the above change, at its March 4, 2015 meeting.

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**ROUTING**

<b>TO</b>	<b>ACTION REQUESTED</b>	<b>DATE COMPLETED</b>
TAC Funding & Programming Committee	Review & Recommend	2/19/2015
Technical Advisory Committee	Review & Recommend	3/4/2015
Transportation Advisory Board	Review & Adopt	

## **Regional Solicitation Projects: Scope Change Consultation Process Federal Funding Reallocation Work Group: February 6, 2015**

### **Overview**

Projects selected through the regional solicitation process have defined scopes, or descriptions of proposed improvements. The project scope is the basis to measure how well these projects address safety, congestion, air quality, and other criteria used in the evaluation. It is also used as the basis for authorizing federal funds for projects. The project scope is important because these projects were selected to receive federal transportation funds based on the benefits they provide.

From the Transportation Advisory Board (TAB) perspective, these projects were awarded federal funds because they were evaluated and provide the most benefit to the public. Projects are ranked by the cumulative score of many weighted criteria. Changes in the project's scope could affect a project's benefits, reducing its score and possibly affecting its rank among the scored projects. The TAB wants to ensure that the benefits from re-scoped projects are substantially the same as the original projects and justify using the federal funds that were awarded to the original projects. It is important to the TAB that any change in project scope does not substantially reduce a project's benefits and value to the public, especially if it would mean the revised project scope would not have scored as well as the original scope and may not have ranked high enough to be selected.

### **What is a scope change?**

Projects submitted in the regional solicitation are usually conceptual in nature and are refined during design and environmental study. Therefore, a limited number of project scope change requests are likely to be necessary. The TAB adopted a policy in March 2011 on how to evaluate them.

A consultation process among the FHWA, MnDOT and the MPO can help determine whether a formal scope change and TIP amendment is needed or whether the modification is minor and can be implemented informally by MnDOT. The project description in the original application can serve as the project scope for the purpose of making this determination. For these purposes, a scope change is considered to be any revision that changes the physical characteristics of the project and has the potential to detract from the project's benefits.

There are three types of changes: those allowed with Metro State Aid or Metropolitan Council Grants Manager review and approval; project modifications allowed through an informal consultation process; and scope changes requiring approval.

1) Changes allowed with Metro State Aid or Metropolitan Council Grants Manager review and approval:

Changes to projects that typically occur when projects move into detail design or minor additions of project amenities or aesthetic items. These changes do not affect project score or ranking and do not meet the threshold for a TIP amendment. A change made through Metro State Aid or Metropolitan Council Grants Manager review is allowed for changes including, but not limited to:

- Removal or addition of minor items, such as benches, waste receptacles, minor signing, etc.
- Change in the design of aesthetic items, such as lighting, railings, benches, etc.
- Addition of items due to normal detail design of a project (such as noise walls, retaining walls, storm sewers, etc.) unless the cost increases enough to require a TIP amendment

2) Project modifications allowed through informal consultation process:

Slight changes to projects that do not affect original project score to the degree that it would change the project ranking/selection. A project modification through an informal consultation process is allowed for changes including, but not limited to:

- Slight changes in bike or pedestrian trail route alignment while still making the major connections and keeping the same termini
- Very minor change in project termini, such as adding one block of project, such as a roadway or trail, to make better connection
- Change in bike path width (must still meet standards)
- Adding locally-funded project to the federally-funded project (such as mill and overlay adjacent to project)

3) Scope changes requiring approval by TAB:

- Any change that may significantly alter the estimate of benefits and project score and its rank within its solicitation category, particularly if altered to the degree where the revised scope may not justify selection

A scope change is likely to be needed in instances including but not limited to the following examples:

- Adding significant elements to a project
- Removing significant elements from a project (such as a trail, ped bridge, lighting, signal, etc.)
- Significant reduction in access closures
- Changing the termini of a project significantly
- Reducing the number of travel lanes (such as 4 lanes approved changing to 3 lanes with a center turn lane)
- Changing a significant number of parking spaces in a park-and-ride facility
- Changing from rehabilitation to replacement and vice versa
- Pedestrian bridge to a tunnel, or a tunnel to a pedestrian bridge
- Off-road trail to on-road
- Signal to a roundabout

## **When is a scope change a new project?**

The project as programmed in the TIP and STIP identifies the project that will be awarded federal funds.

The project description in the original application lists the type of work, the most significant construction elements, and the project location and length, where applicable. This defines a project's scope of work. A proposed change will be considered a new project not eligible for a scope change request if it:

- Relocates the project away from the defined problem, need, or location, such as switching transit start-up service from one market area to another
- Moves funding from one project to another, such as moving funds awarded to a project on County Road A to the same, similar, or different work on County Road Z

In these cases, the original project will be withdrawn.

## **Consultation and Scope Change Request Process**

After initial consultation with Metro State Aid or the Metropolitan Council Grants Manager, a project sponsor must initiate scope change requests with the TAB Coordinator. The short process described below will help the region decide whether a scope change needs to go through the formal process with a TIP amendment or just done through an informal consultation process.

1. Project sponsor informs the TAB Coordinator that it wishes to change a project. The project sponsor provides a written description of the scope change and a map or schematics showing how the proposed scope change affects the project.
2. The TAB Coordinator will consult with MnDOT Metro State Aid or the Metropolitan Council Grants Manager and the FHWA or FTA to discuss the extent of the changes and whether the scope change could impact the projects benefits, score and rank among the other projects in its category and solicitation year.
3. By agreement, the TAB Coordinator may contact the project sponsor and provide directions on how to request a scope change and TIP amendment through the TAC, TAB and Metropolitan Council. Also by agreement, the TAB Coordinator may inform the project sponsor that the proposed modification does not trigger a formal scope change and TIP amendment, and the modification can be performed through an informal consultation and approval process. The TAB Coordinator will inform Metro State Aid or the Metropolitan Council Grants Manager and the TAC Funding and Programming Committee of the administrative approval.
4. By agreement, the TAB Coordinator may inform the project sponsor that the proposed revisions exceed the limits of a scope change and is actually a new project. The project sponsor will also be informed that the request will not be processed through the TAC and TAB.