

MEMORANDUM

TO: Genesee Transportation Council Members & Alternates
FROM: Richard Perrin, Executive Director *RP*
DATE: August 30, 2010
SUBJECT: Proposed Resolution 10-78 (Adopting the revised *Transportation Improvement Program Procedures Manual*)

Genesee Transportation Council (GTC) staff presented the results of the "TIP Project Delivery Review" to the GTC at its June 19, 2008 meeting. The three primary actions that were identified as part of that review were:

1. Obtaining updated cost estimates for projects in the current TIP;
2. Reviewing and, if necessary, modifying our TIP management process to better account for activities that occur outside the purview of GTC; and
3. Using the next TIP update to "right the ship" and allow the region to move forward with reduced liabilities against future federal funds.

The first action was accomplished in late-Summer/early-Fall 2008 when GTC staff and New York State Department of Transportation (NYSDOT)-Region 4 staff solicited updated costs and schedules from project sponsors for existing TIP projects (i.e., those programmed in the *2007-2012 TIP*). This first action was a key component of the third action, which was to "right the ship" and ensure that sufficient federal funds were allocated to existing projects before considering new projects in the *2011-2014 TIP*.

The third action was accomplished when the GTC Board amended the *2007-2012 TIP* by changing the FFY 2010 phase costs and schedules of select TIP Projects and adopted the *2011-2014 TIP*.

The second action is to review and (if necessary) modify the current GTC TIP management process to better account for activities that occur outside of the federally-required metropolitan planning process but have the potential to compromise the ability to fund new projects in the TIP. This action was originally intended to determine if the current processes for addressing differences in costs between programming and plans, specifications, and estimates and between plans, specifications, and estimates and bid prices are sufficient for balancing timely project delivery and full accounting of obligations.

The TIP Development Committee (TDC) and Planning Committee agreed that the review and associated revision of the current GTC TIP management process should also include consideration of measures that allow GTC to better monitor the progress of projects and make adjustments as necessary in a timely manner to ensure to the maximum extent practicable that projects are delivered on time and within budget.



The following items are provided for your consideration:

1. **Proposed Resolution 10-78** (Adopting the revised *Transportation Improvement Program Procedures Manual*)
2. The draft revised ***Transportation Improvement Program Procedures Manual***.

Proposed Resolution 10-78 was reviewed and recommended for your approval by the Planning Committee at its August 12, 2010 meeting.

Recommended Action:

Approve Resolution 10-78, adopting the revised TIP Procedures Manual.

GENESEE TRANSPORTATION COUNCIL

RESOLUTION

Resolution 10-78 Adopting the revised *Transportation Improvement Program Procedures Manual*

WHEREAS,

1. The *Transportation Improvement Program* (TIP) identifies the timing and funding of all transportation improvements in the seven-county area to receive federal transportation funds over at least the next four years from its adoption;
2. Title 23, Section 450.324 of the United States Code requires that the Metropolitan Planning Organization (MPO) be responsible for developing, modifying, and monitoring the TIP;
3. The Genesee Transportation Council (GTC), as the designated MPO for the region, is responsible for developing the TIP in the Rochester Transportation Management Area (TMA) per the schedule provided for in current federal surface transportation legislation;
4. GTC, as the designated MPO for the region, is responsible for making periodic amendments and administrative modifications to the TIP to provide for the timely implementation of improvements using federal transportation funds;
5. GTC, as the designated MPO for the region, is responsible for making a summary of the federal transportation funds obligated during the previous federal fiscal year publicly available on an annual basis;
6. GTC, as the designated MPO for the region, works cooperatively with the New York State Department of Transportation to develop, amend, modify, and monitor the TIP for the seven-county area including the Rochester TMA;
7. GTC adopted the *Transportation Improvement Program Procedures Manual* on June 15, 2006 to document the process used to develop, modify, and monitor the TIP so as to provide greater transparency of the metropolitan planning process to interested parties; and
8. GTC wishes to revise the *Transportation Improvement Program Procedures Manual* to improve the development and management of the TIP, monitoring and reporting of projects and programs contained therein, and accountability to the public and other stakeholders.

NOW, THEREFORE, BE IT RESOLVED

1. That the Genesee Transportation Council hereby adopts the revised *Transportation Improvement Program Procedures Manual* effective October 1, 2010; and
2. That this resolution takes effect immediately.

CERTIFICATION

The undersigned duly qualified Secretary of the Genesee Transportation Council certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Genesee Transportation Council held on September 8, 2010.

Date _____

ROBERT A. TRAVER, Secretary
Genesee Transportation Council

DRAFT

GENESEE TRANSPORTATION COUNCIL

Transportation Improvement Program (TIP)

Procedures Manual

Effective October 1, 2010

DRAFT

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1.0 Introduction

The purpose of the *Transportation Improvement Program (TIP) Procedures Manual* is to document the process used to develop and manage the TIP.

The Genesee Transportation Council (GTC) and New York State Department of Transportation – Region 4 (NYSDOT-4) staffs work cooperatively with the TIP Development Committee (TDC) to develop the TIP for the seven-county area which includes Genesee, Livingston, Monroe, Ontario, Orleans, Wayne, and Wyoming counties (see Exhibit 1). This procedures manual formally documents existing practices with regard to TIP development and management.

In September 2005, a consultant retained by GTC completed the *GTC TIP Management Enhancement Study* for the purpose of establishing a comprehensive framework to better manage the development and delivery of TIP projects. This procedures manual incorporates recommendations from the *GTC TIP Management Enhancement Study* and is revised periodically as necessary.

2.0 Background

2.1 – Metropolitan Planning Requirements

The U.S. Department of Transportation requires every metropolitan area with a population over 50,000 to have a designated Metropolitan Planning Organization (MPO) to qualify for receipt of federal highway and transit funds. The Governor of New York State designated GTC as the MPO responsible for transportation planning in the nine-county Genesee-Finger Lakes Region, which includes Genesee, Livingston, Monroe, Ontario, Orleans, Seneca, Wayne, Wyoming, and Yates counties.

Because of the size of the nine-county region, the primary focus of GTC's transportation planning efforts is the Rochester Transportation Management Area (TMA). The Rochester TMA includes all of Monroe County plus the adjacent developed areas of Livingston, Ontario, and Wayne counties.

To establish and maintain the certified transportation planning process required by the federal government as a precondition for receipt of federal transportation funding, GTC as the designated MPO for the region must at a minimum produce and maintain three major products: a Long Range Transportation Plan (LRTP), a Unified Planning Work Program (UPWP), and a Transportation Improvement Program (TIP). The TIP must be consistent with the goals and objectives of the LRTP (see Exhibit 2).

The TIP programs the timing and funding of all transportation improvements in the seven-county area involving federal funds over at least the next four years from its adoption. GTC is responsible for developing the TIP for the Rochester TMA. NYSDOT is responsible for developing the Statewide Transportation Improvement Program (STIP) for areas outside the TMA. However, GTC and NYSDOT-4 work cooperatively to develop the TIP for the seven-county area. Projects in Seneca and Yates counties are identified by NYSDOT Regions-3 and 6, respectively, and are included in the TIP for informational purposes to the extent practicable.

INSERT TIP REGION/TMA MAP

GOALS & OBJECTIVES

GTC Long Range Transportation Plan

The *LRTP: 2007-2027 LRTP Update* identifies the following seven goals and associated objectives that wholly incorporate the eight planning factors identified in SAFETEA-LU:

1. **Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency**
 - A. The transportation system should support balanced community and economic development of the metropolitan area
 - B. The transportation system should be a distinguishing competitive feature of the metropolitan area relative to other areas, serving the needs of existing businesses and enhancing the region's attractiveness to new business
2. **Increase the safety of the transportation system for motorized and non-motorized users**
 - A. Transportation designs, services, and education programs should enhance and protect life, health, and property
3. **Increase the ability of the transportation system to support homeland security and to safeguard the personal security of all motorized and non-motorized users**
 - A. The transportation system, and its associated programs and services, should support both national and personal security initiatives
4. **Increase the accessibility and mobility options available to people and freight**
 - A. The transportation system should provide the capacity, coverage, and coordination necessary to provide mobility to the region's population and commercial activities in a fashion consistent with the overall intent of Goal 1
 - B. Reasonable travel alternatives should be available to all persons in the area regardless of age, physical or mental ability, and/or income
5. **Protect and enhance the natural environment, cultural heritage and community appearance, and promote energy conservation**
 - A. Transportation planning and decision making should support and reinforce local land use and development objectives
 - B. Transportation planning and decision making should recognize local priorities balanced with broader community goals
 - C. Transportation planning and decision making should strive to address issues on a corridor level, recognizing both the multi-jurisdictional component of travel and the interrelationship between transportation and non-transportation policies and

investments

- D. The transportation system should encourage the efficient use of non-renewable energy resources and the exploration of renewable alternatives
- E. Transportation planning and decision making should strive to embrace designs and processes which respect the natural environment and enhance the overall contribution of the transportation system to community livability

6. Promote efficient system management and operations

- A. The transportation system should be designed and managed in a fashion which minimizes lifetime maintenance and user costs
- B. Transportation investments should advance the Long Range Transportation Plan's goals and objectives in a fashion which maximizes benefits relative to costs
- C. Transportation and land use planning should be integrated in a fashion that optimizes the use of existing transportation and other municipal infrastructure
- D. Transportation investments should be guided by cooperative planning, design, and maintenance standards to promote system continuity and uniformity across jurisdictional boundaries

7. Facilitate partnerships in planning, financing, and the execution of transportation initiatives

- A. The transportation planning and decision making process should be multi-jurisdictional, fostering coordination and cooperation among local, county, state, and federal governments, concerned agencies, and the private sector
- B. The transportation planning process should be conducted in as open and visible a manner as possible, encouraging community participation and interaction between and among citizens, professional staff, and elected officials
- C. Financial and non-financial support for transportation initiatives should be provided by all levels of government and the private sector in a fashion which reflects their relative responsibilities for, and/or benefits from, the initiatives and related economic and social impacts
- D. Innovative financing/partnerships for transportation initiatives that reflect the full scope of interests impacted or served should be explored
- E. Transportation and transportation-related information resources should be developed and shared in a fashion that promotes informed public and private sector decision making
- F. Awareness should be promoted regarding the impact of individual, public, and private sector decisions on the quality of mobility and the potential impact of these decisions on others

2.1.1 – The Transportation Improvement Program

Title 23 Part 450 Subpart C of the Code of Federal Regulations (23 CFR 450) governs Metropolitan Transportation Planning and Programming, including requirements for the TIP as detailed in 23 CFR 450.324. A critical requirement is that the TIP must be fiscally constrained by total federal funds for each year of the TIP and by each fund source over the entire period covered by the TIP. Maintaining fiscal constraint means that sufficient revenues must be identified to cover the costs of all projects in the TIP.

Current regulations governing metropolitan transportation planning require that the TIP be updated at least every four years. The TIP may be updated more frequently, but the cycle for updating the TIP must be compatible with the STIP development and approval process.

After considering the advantages and disadvantages of various lengths of TIP development cycles, GTC has decided to update the TIP on a two-year cycle to the extent practicable dependent on the STIP development and approval process.

The TIP programs all federal transportation funds including, but not limited to, the following sources:

- Interstate Maintenance (IM)
- National Highway System (NHS)
- Highway Bridge Program (HBP)
- Surface Transportation Program and its components (STP-Flex, STP-Urban, STP-Small Urban, STP-Rural)
- Highway Safety Improvement Program
- Congestion Mitigation & Air Quality (CMAQ)
- Infrastructure Preservation & Maintenance
- Transportation Enhancements Program (TEP)
- Federal Transit Administration (FTA) Section 5307 – Urbanized Areas
- FTA Section 5309 – Capital Assistance
- FTA Section 5310 – Elderly and Persons with Disabilities
- FTA Section 5311 – Rural and Small Urban
- FTA Section 5316 – Job Access and Reverse Commute (JARC)
- FTA Section 5317 – New Freedom Program
- Other (notably for earmarked projects)

2.1.2 – Principal Themes of the LRTP / Priority Areas

In addition to the goals and objectives of the LRTP and the basic federal requirements for the TIP, GTC may specify more specific priorities during the development of the LRTP. As part of the *Long Range Transportation Plan for the Genesee-Finger Lakes Region: 2007-2027 Update*, GTC has identified the following eight principal themes to guide investment decision making:

- Creating Jobs
- Enhancing Community Character
- Improving Mobility for the Physically Challenged
- Accessing Medical Services
- Integrating Environmental Considerations

- Balancing Regional Objectives and Local Priorities
- Incorporating a Broader View of Travel
- Managing Increases in Materials Costs

2.2 – Roles and Responsibilities

2.2.1 – GTC and NYSDOT

As noted earlier, GTC is responsible for developing the TIP in the Rochester TMA. Projects outside the TMA and located in the counties of Genesee, Livingston, Ontario, Orleans, Wayne, and Wyoming are under the purview of NYSDOT-4. GTC and NYSDOT-4 work together to coordinate programming of TIP projects both within and outside the TMA so as to maximize regional benefits.

2.2.2 – TIP Development Committee (TDC)

To guide the TIP development and management processes, GTC established the TDC which is comprised of representatives from the TMA counties (Livingston, Monroe, Ontario, and Wayne), the City of Rochester, Rochester Genesee Regional Transportation Authority (RGRTA), and NYSDOT-4. The Genesee/Finger Lakes Regional Planning Council serves as an advisory member of the TDC. The TDC membership is drawn from the Planning Committee.

The TDC meets as necessary to guide the development of TIP updates. The TDC meets regularly to assist GTC and NYSDOT-4 in maintaining the TIP between updates, including review of substantive changes to projects that may require amending the adopted TIP.

2.2.3 – Planning Committee

The Planning Committee provides professional and technical direction to the GTC Board. Every member of the GTC Board appoints a representative to the Planning Committee. With respect to the TIP, the Planning Committee considers TDC recommendations regarding TIP public review documents and TIP amendments, makes its own recommendations to the GTC Board, and is empowered to make Administrative Modifications to the TIP.

2.2.4 – GTC Board

The GTC Board is the governing body of GTC. It is responsible for adopting the TIP and approving TIP amendments between TIP development cycles.

2.2.5 – GTC and NYSDOT-4 staffs

Throughout the TIP development cycle and the on-going management of the TIP, GTC and NYSDOT-4 staffs support the TDC, Planning Committee, and GTC Board through the provision of materials and information to aid their decision making. GTC and NYSDOT-4 staffs are wholly advisory and do not decide what existing projects are amended, or what new projects are added during or between TIP development cycles.

Upon adoption, the TIP is incorporated into the STIP. GTC and NYSDOT-4 staffs work together to ensure consistency between the adopted TIP and the draft STIP while the draft STIP is available for public review.

3.0 TIP Development

At the beginning of each TIP update cycle, the TDC meets to confirm the process for that cycle. The TDC considers regional transportation investment priorities (within the framework provided by the LRTP), project evaluation criteria, the development schedule, and other process elements, as appropriate. Any substantive changes in the TIP development process must be approved by the GTC Board.

Prior to the initiation of the TIP update cycle, GTC staff prepares a schedule of milestone activities starting with the advance notice of TIP project solicitation and concluding with adoption by the GTC Board. This schedule of milestone dates is presented to the TDC for their concurrence. A generalized TIP development schedule is provided in Exhibit 3.

3.1 – TIP Project Solicitation

GTC and NYSDOT-4 jointly issue a “Call for Projects” package to GTC member agencies and the appropriate officials of eligible counties, municipalities, and authorities throughout the seven-county TIP region, notifying them of the opportunity to prepare and submit project proposals in accordance with the TIP project evaluation and selection process.

3.1.1 – TIP Application Timeline

Approximately 11 months before the TIP is adopted, GTC and NYSDOT-4 jointly issue an advance notice of the TIP Call for Projects. This is followed approximately one month later by the TIP Call for Projects package. This package includes a joint Call for Projects letter, TIP Guidebook, and separately bound copy of the Project Application Form (PAF). Completed PAFs are due approximately six weeks after the Call for Projects is issued.

3.1.2 – TIP Guidebook

The TIP Call for Projects package includes a TIP Guidebook. The Guidebook is a tool intended to help project applicants complete the TIP application. It describes the TIP and the application process. The Guidebook answers common questions about TIP-funded projects and provides guidance on fund sources and cost estimates. The Guidebook also describes the entire TIP development process, including milestone dates.

The TIP Guidebook includes the required PAF in an appendix (this form is also separately bound for easier use by project sponsors). The PAF includes sections on general and detailed project information; these sections are required for all projects. Another section includes mode-specific questions and information is required only for the respective mode of the proposed project. This permits project evaluation by mode. The criteria used to evaluate all projects and criteria to evaluate projects within each mode are included in an appendix of the Guidebook.

While GTC staff can update the TIP Guidebook with minor editorial changes and revised schedule information, TDC approval is required for substantive changes.

Generalized TIP Development Schedule

<u>Activity</u>	<u>Timeframe</u>
Advance notice of TIP Call for Projects	early-August
TIP Call for Projects issued	early-September
TIP project sponsor workshop	late-September
Project Application Forms (PAF) due	mid-October
Evaluation of PAFs	mid-Oct. – mid-Nov.
Project sponsor presentations	early-November
TDC development of draft program	mid-Nov. – early Feb.
Planning Committee approval of draft program for public review	mid-February
30-day public review of draft program	mid-Feb. – mid-March
TDC recommendation to Planning Committee	early-April
Planning Committee consideration of public comments and recommendation to GTC Board	mid-April
10-day public review of revised draft program (if necessary)	late-April – early-May
TDC recommendation to Planning Committee (if necessary)	early May
Planning Committee recommendation to GTC Board (if necessary)	mid-May
GTC Board approval of TIP	mid-June
Review of Draft STIP for consistency with the TIP	late-June – mid-July
TIP document finalized and reproduced	July – August
TIP distribution	September
TIP becomes effective	October 1

3.1.3 – TIP Project Sponsor Workshop

After the Call for Projects is issued and before the application due date, GTC and NYSDOT-4 staffs conduct a TIP Project Sponsor Workshop. The workshop includes a brief presentation on the TIP and time to answer questions on the TIP application process and provide any clarification regarding the information requested on the PAF. All interested individuals are welcome to attend this workshop which is announced in the Call for Projects letter and the TIP Guidebook.

One goal of the workshop is to ensure potential project applicants understand the requirements of federal-aid projects. In particular, the applicants need to understand that the majority of projects are funded on a reimbursement basis (i.e., expenses incurred prior to the obligation of federal funds are not reimbursable) and the use of federal funds may require more stringent design standards (and potentially higher costs) as well as additional administrative efforts on behalf of the project sponsor. Another goal of the workshop is to help project sponsors understand how cost estimates are impacted by the federal-aid process and the potential for more stringent design standards.

As part of the workshop, project sponsors have the opportunity to discuss their project ideas with GTC and NYSDOT-4 staffs. This allows the project sponsor to verify that their project idea is eligible for federal transportation funding before investing effort in completing the PAF. They can also get direction as to where to find information they need to complete the PAF. Lastly, GTC and NYSDOT-4 staff can help identify any items that should be addressed prior to completing the PAF.

3.1.4 – TIP Project Application Submission

As previously noted, project applications are due approximately six weeks after the Call for Projects is issued. Project sponsors must submit two copies of the completed PAF to GTC by the deadline. GTC staff then distributes one set of applications to NYSDOT-4 and keeps one set for internal use. GTC keeps the original project applications on file, regardless of whether the project is ultimately funded.

3.1.5 – Additional Funding for Existing Projects

Project sponsors may submit a PAF for supplemental funds or for changes to an existing project's scope, schedule, or costs and/or for additional phases not already programmed. Project sponsors are required to identify project phases that are scheduled to occur beyond the existing TIP horizon. If the TDC concurs with the justification for additional funds, it can recommend supplemental funds to projects included in the existing TIP. The project must comply with any restrictions of the proposed funding source. Project sponsors are discouraged from applying for additional funds for project phases that are already programmed. See Section 4.2 for more information on amending existing TIP projects. In particular, note the discussion regarding funding offsets in Section 4.2.3.

3.1.6 – Receipt of Project Applications

Once project applications are received, GTC staff sends out letters confirming receipt of the project applications and offering project sponsors the opportunity to schedule a presentation to GTC and NYSDOT-4 staffs (i.e., GTC/NYSDOT-4 Evaluation Team). Project sponsors are not required to make presentations but are strongly encouraged to do so.

These presentations allow the project sponsor to provide context or supplemental information beyond that included in the PAF. GTC staff schedules presentation times for those project sponsors that wish to make a presentation. (See Section 3.2.2 for more information on applicant presentations)

3.2 – Project Application Evaluation

3.2.1 – Project Eligibility

The first step in the evaluation process is for the GTC/NYSDOT-4 Evaluation Team to determine project eligibility. Transportation projects seeking federal aid must meet certain eligibility criteria. For example, highways (i.e., any public road) are categorized by the Functional Classification System and must be classified as an Urban Collector or above in urbanized areas or a Rural Major Collector or above in non-urbanized areas to be eligible for federal aid. Any bridge over 20 feet in length and on a public road, regardless of that road's Functional Classification, is eligible for federal-aid.

3.2.2 – Initial Evaluation Team Review/Project Sponsor Presentations

Prior to project sponsor presentations, GTC/NYSDOT-4 Evaluation Team members review the relevant project applications separately to familiarize themselves with the project proposals. This also allows them an opportunity to develop clarifying questions for project sponsors. Project sponsors are provided time to make a brief presentation and answer any questions the GTC/NYSDOT-4 Evaluation Team may have.

3.2.3 Review of Cost Estimates

GTC and NYSDOT-4 staffs separately review the cost estimates provided by project sponsors. A "reasonableness" test, based in part on region-specific unit costs for similar projects, is applied to the estimate. If the project sponsor makes an obvious error in cost estimate calculations, they will be contacted and allowed to correct the cost estimate prior to the project being fully evaluated.

3.2.4 – GTC and NYSDOT-4 Staff Evaluation

GTC staff and NYSDOT-4 staff then conduct separate evaluations of all project applications. Subsequently, the GTC/NYSDOT-4 Evaluation Team meets to compare the separate evaluations and agrees on a single score for each criterion of each project application. These evaluations are then provided to the TDC for consideration.

The evaluations provided to the TDC are rank ordered and grouped into tiers by mode. In essence, any project within the same tier is considered to have an equal evaluation. The tiers typically encompass a five-point spread in the evaluation scores. This recognizes that projects attain their score based on their strengths relative to various criteria addressing various priorities.

The TDC uses the tiered rankings of the GTC/NYS DOT-4 Evaluation Team as the starting point for discussion. As noted previously, the TDC must also factor in funding availability and fund source restrictions. When comparing projects with similar scores, the TDC must also use professional judgment to account for any additional considerations that are not adequately captured in the evaluation criteria. Additionally, the TDC looks at the distribution of projects to ensure geographic balance across the region.

3.2.5 – Mode-based Evaluation

Proposed TIP projects are evaluated and ranked by tiers based on transportation modes. Evaluation criteria are established for all projects with additional criteria for each respective mode. Projects may be categorized into one of the following modes:

- Highways & Bridges
- Bicycle & Pedestrian
- Public Transportation
- Goods Movement
- ITS
- Rail
- Other (including air quality improvement)

The criteria are based upon the goals and objectives and priority areas noted previously. The TDC can modify the evaluation criteria prior to each TIP update cycle to respond to new requirements and/or priorities as well as to improve the clarity over the previous TIP update cycle.

Applications for eligible projects that do not fall into one of the previously mentioned modes are considered to be “Other” and the mode specific evaluation is based on the professional judgment of the TDC.

3.3 – Program Development

The purpose of the TIP update process is to schedule and identify the fund source of new projects and subsequent phases of existing projects. Although the TIP covers at least a four-year horizon, the TIP update process typically covers two years. Essentially, the last years of the existing TIP become the first years of the new TIP.

3.3.1 – Rollover of Existing Projects

All project phases programmed in the current TIP that are scheduled in years that will be included in the subsequent TIP, and have not yet been obligated, will automatically roll into the subsequent TIP. If there are no anticipated changes to an existing project’s scope, schedule, or budget (exclusive of inflation factors used to determine Year of Expenditure Cost), the project is included in the new TIP with no additional deliberation. Existing projects that are expected to have changes in scope, schedule, or budget must compete for additional funding as noted in Section 3.1.5.

3.3.2 – Project Selection

Sections 3.3.3 through 3.3.5 discuss various considerations of the project selection process. Existing projects proposed to receive additional funding are considered first by the TDC. Based on their review, the TDC will determine the level of additional funding, if any, to recommend for existing projects. The TDC then considers the factors in Section 3.3.3 through 3.3.5 as well as the balances and restrictions of the various fund sources to recommend funding to new projects.

3.3.3 – Funding Projections

All MPOs in New York State work cooperatively with their respective NYSDOT regions and NYSDOT Main Office to identify funding projections by fund source for each NYSDOT region. These projections are used to maintain fiscal constraint in the TIP. The funding is allocated by NYSDOT through the region.

Projections are developed for the following federal transportation funding programs:

- STP-Urban
- STP-Flex
- STP-Small Urban
- STP-Rural
- Interstate Maintenance (IM)
- National Highway System (NHS)
- Highway Bridge Program (HBP)
- Congestion Mitigation & Air Quality (CMAQ)
- Highway Safety Improvement Program

GTC also makes projections for Federal Transit Administration (FTA) Section 5307 – Urbanized Areas formula funding in cooperation with RGRTA and NYSDOT. Projections for other funding categories noted in Section 2.1.1. are based on guidance from FHWA and FTA.

3.3.4 – Fund Source Restrictions

Another consideration the TDC must be mindful of during program development is restrictions on fund sources. For example, IM funds can only be used for projects on the Interstate highway system. Likewise, NHS can only be used for projects on the National Highway System. FTA funds can only be used for public transportation projects. The least restrictive funding program is STP-Flex. As the name implies, these funds can be “flexed” to any other fund source. When this occurs, the funds are subject to the same restrictions and requirements as the program to which the funds are flexed.

3.3.5 – Funding Set-asides

Prior to each TIP update cycle, the TDC will consider establishing funding set-asides for specific types of projects and make a recommendation to the Planning Committee. A funding set-aside is an action that reserves a portion of the funds allocated to the region to advance specific recommendations of the LRTP. Even if formal funding set-asides are not established, and therefore binding, the TDC still has the option to recommend a program of projects that follows the intent of a funding set-aside.

3.4 – Program Evaluation

3.4.1 – Program Evaluation Relative to Environmental Justice

Environmental justice builds on Title VI of the Civil Rights Act of 1964. Title VI prohibits discriminatory practices in programs and activities receiving federal funds. Executive Orders 12898 and 13166 require federal agencies to make achieving environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority, low-income populations and limited English proficiency (LEP) populations (the “populations of concern”).

Title VI, Executive Order 12898 and Executive Order 13166 do not prescribe specific methods or processes for ensuring environmental justice in transportation planning. The process used by GTC represents an effort to determine whether the benefits and burdens of the transportation projects in the TIP are distributed equitably among “populations of concern” and “non populations of concern.”

It is recognized that transportation projects may have an impact beyond their immediate project limits. For this reason, geographic proximity analyses will be used to determine how the location of the transportation projects in the TIP correlate to the location of minority, low-income, and LEP populations in the region.

The data on minority, low-income, and LEP populations will be derived from the most recent Census available. The data will be analyzed at the smallest geographic area (i.e., analysis area) at which race, income, and language data are available. The percentages of these populations will be calculated for each analysis area within the seven-county area. Percentages will then compared to averages region as a whole, using the regional averages as thresholds for determining whether or not analysis areas should be considered as having above average concentrations of minority, low-income, or LEP populations.

The analysis areas that exceed the thresholds will be identified using a Geographic Information System (GIS). The results will be used to determine how many of the transportation projects in the program of projects recommended by the TDC lie within or are adjacent (within one-half mile) to these analysis areas of concern.

After this quantitative analysis is complete, GTC staff will perform a qualitative analysis of the impacts of the TIP projects based on project type and proximity to populations of concern. The results of the analysis will be presented to the TDC for concurrence prior to finalizing their recommendation to the Planning Committee and that Committee’s approval of a public review document.

3.4.2 – Program Evaluation Relative to Air Quality Conformity

GTC is responsible for ensuring that federally-funded transportation planning, policy, and investment decision making are conducted in a fashion which promotes transportation’s contribution to attainment of federal clean air standards and regulations as established through Congress and the U.S. Environmental Protection Agency (EPA).

On April 15, 2004 the EPA designated the Rochester, New York Metropolitan Statistical Area (Rochester MSA) as being in nonattainment of the National Ambient Air Quality Standard (NAAQS) for ground-level ozone. The Rochester MSA at the time included Genesee, Livingston, Monroe, Ontario, Orleans, and Wayne counties. All areas designated as being in nonattainment of a NAAQS are required to determine if transportation improvements in these areas conform to federal air quality requirements.

GTC staff must prepare a Transportation Conformity Statement (Conformity Statement) for the TIP in accordance with the Clean Air Act Amendments of 1990 and Part 6 of the New York State Code of Rules and Regulations (NYSCRR). The Conformity Determination is a separate action by FHWA and FTA based on the stand-alone Conformity Statement document.

The regional emissions analysis component of the Conformity Statement will be conducted prior to finalizing the draft TIP public review document. If the analysis finds that the program of projects recommended for funding through the TIP would not result in a positive Conformity Determination, then the TIP cannot be adopted. If this is the case, the TDC will reconsider its recommendation to the Planning Committee. GTC staff and NYSDOT-4 staffs will work with the TDC to reconsider the current TIP project applications and develop a new recommended program of projects that would likely result in a positive Conformity Determination.

As necessary, this process will be repeated until the program of projects recommended for funding through the TIP would likely result in a positive Conformity Determination. The Conformity Determination must be made available for a 30-day public review, which is conducted separately from the draft TIP public review.

3.4.3 – Project Evaluation Relative to Congestion Management Process

GTC must develop and maintain a Congestion Management Process (CMP). This process is expected to result in the identification of existing and projected congested links in the transportation system and recommend strategies to mitigate the congestion. Projects located on congested links will be evaluated relative to how they address existing and projected levels of congestion.

3.4.4 – TDC Recommended Program of Projects

After the factors discussed previously are taken into consideration, the TDC selects projects to recommend for funding. This program of projects is recommended for Planning Committee consideration and approval for public review. After the public review period, the TDC makes a final recommendation for Planning Committee consideration and recommendation to the GTC Board based on comments received.

3.5 – Public Involvement

The GTC Public Participation Plan establishes specific requirements for public involvement in the development of the TIP. Project sponsors seeking funding through the TIP are not required to conduct specific public participation efforts prior to proposing projects for TIP funding; however,

funded projects will have specific public participation requirements per the National Environmental Policy Act (NEPA) and the State Environmental Quality Review Act (SEQRA).

3.5.1 – Approval of Public Review Document

As noted in Section 3.4.4, the TDC recommends a program of projects for Planning Committee consideration. The Planning Committee must approve a draft TIP for a minimum 30-day public review. The format of the public review document will be determined by the Planning Committee so as to ensure the ability of the public and other stakeholders to provide meaningful input.

At a minimum, the public review document presents projects new to the TIP and existing projects proposed to receive additional funding, but not existing projects that are not recommended to receive additional funding. The public review document also includes projects that were proposed but not recommended for funding. This allows the public to see the full range of projects that were proposed and enables them to comment on any project that was considered in the TIP development cycle.

3.5.2 – Minimum 30-Day Public Review Period

As noted in Section 1.0, the GTC TIP is developed for seven counties. The public review document will be made available for review in public locations throughout the seven-county area, including the county planning offices, central repository libraries, and offices of other public agencies affiliated with GTC, as appropriate. The public review document will also be made available through the GTC website.

At the beginning of the public review period, GTC will publish a legal notice in the daily local newspaper with the largest circulation in the TIP area (at this time, the Democrat & Chronicle), issue a release to media outlets throughout the seven-county TIP area, and publish an announcement on the GTC website. GTC will sponsor a minimum of three public meetings at locations throughout the TMA (i.e., City of Rochester, west side suburb, and east side suburb) that include a presentation on the TIP and offer an opportunity to comment on the public review document. Written public comments can also be submitted via fax, email, and regular mail.

The public review period for the Transportation Conformity Determination for the TIP is conducted separately from the TIP public review period.

3.5.3 – Planning Committee Consideration of Public Comments

GTC staff will prepare a synopsis of verbal comments received at the public meetings, compile all written public comments received during the public review period, and summarize both by common project focus.

GTC staff will provide a synopsis of verbal comments, copies of written comments, and the summary of comments by common project focus to the TDC and Planning Committee for consideration. The TDC will consider comments received during the 30-day public review period and makes a recommendation to the Planning Committee. The Planning Committee

will consider the TDC recommendation and the comments received during the 30-day public review period, and revises the draft TIP, as appropriate. If the Planning Committee deems any changes made in response to the public comments to be significant, it must approve a revised public review document.

3.5.4 – Subsequent 10-Day Public Review Period

If called for by the Planning Committee, GTC staff prepares a revised draft TIP public review document for a subsequent 10-day public review period. This public review document will be provided in the same format as the 30-day public review document and include the revised program of projects recommended for funding, a summary of the verbal and written comments received during the 30-day public review period, and an explanation of what was changed from the 30-day public review document.

This public review document will be made available for review in the same public locations throughout the seven-county area as the 30-day public review document and through the GTC website.

GTC will issue a release to media outlets throughout the region and publish an announcement on the GTC website. Public meetings will not be held during the subsequent 10-day public review.

GTC staff will compile all written public comments received during the subsequent 10-day public review period and summarize the public comments by common project focus. This information will be provided to the TDC and Planning Committee for consideration prior to recommending a final draft TIP for GTC Board consideration.

3.5.5 – GTC Board Consideration of Public Comments

Along with the draft TIP document (see Section 3.6), GTC staff will provide the synopsis of verbal comments received at the public meetings, the summary of all the public comments by common project focus, and copies of all written comments to the GTC Board for consideration. The GTC Board will consider comments received during the public review period(s) prior to adopting the TIP.

3.5.6 – TIP Adoption

The GTC Board must adopt the TIP for it to become official. Upon adoption, the TIP is prepared for inclusion into the draft STIP “without change, directly or by reference” per 23 CFR 450.326 (b). The STIP has its own public review and adoption process, which is conducted by NYSDOT. The TIP is usually adopted in the summer and is effective for the Federal Fiscal Year (FFY) that begins October 1 of that same year.

3.6 – Document Development

GTC staff will prepare the draft TIP document for presentation to and consideration by the GTC Board. GTC staff will compile text, tables, maps, and project detail sheets into one complete document.

Unlike the public review document that only shows projects recommended to receive new federal funding, the draft TIP shows all projects scheduled to receive funding during the time period covered by the TIP. Please refer to Section 3.3 for information on project selection.

3.6.1 – TIP Database Management

TIP project information is managed by GTC staff in an electronic database. The database contains general information, cost information, and revenue information for each project.

Standard input forms and output reports are established for the primary activities such as entering project information, generating project detail sheets, and generating project summary tables. Reports (output) can be generated for any of several parameters or combinations of parameters including geography, project sponsor, mode, year, and fund source.

3.6.2 – TIP Publication and Distribution

Once the TIP is adopted by the GTC Board, GTC staff will prepare the final document for reproduction. The TIP will be distributed to GTC Board members and alternates, Planning Committee members and alternates, and project sponsors. Surplus copies of the TIP are available for other agencies and the public by request. The TIP will be made available on the GTC web site and an electronic version will be provided on request.

3.7 – TIP Development Process Debrief

At the end of each TIP development cycle, GTC and NYSDOT-4 staffs will conduct a debrief session of the TIP development cycle. If any issues are identified, potential solutions will be developed and presented to the TDC for consideration. If the TDC concurs, the TIP development process will be modified.

4.0 TIP Management

4.1 – TDC Role

In addition to its role in developing the TIP, the TDC also provides management of the TIP with support from GTC and NYSDOT-4 staffs. The TIP must be flexible enough to allow for new or changing priorities, adjustments to project scopes, schedules, and/or costs, and inclusion of new funding to the region. This flexibility is provided through TIP amendments.

TIP amendment requests are first reviewed by the TDC, which makes a recommendation to the Planning Committee for consideration. In most cases, the Planning Committee then must make a recommendation to the GTC Board for consideration. The TDC meets quarterly or as needed.

4.2 – Changing Existing TIP Projects

A level of flexibility is provided for existing TIP projects. GTC Resolution 78-4 authorizes the Planning Committee to make changes to the TIP with respect to minor changes in the scope, cost, schedule, and/or funding source of any project contained therein. Changes permitted via GTC Resolution 78-4 are considered Administrative Modifications. An Administrative Modification can be made provided no member of the Planning Committee objects to the action taking place without GTC Board consideration of the action. Planning Committee actions taken under GTC Resolution 78-4 must maintain the fiscal constraint requirement noted in Section 2.1.1.

GTC Resolution 78-4 also requires that notice of this Administrative Modification be given to the GTC Board Chairperson, who may request within ten days of notification of Planning Committee action that the matter be taken up by the full GTC Board. If this is the case, the Planning Committee action will not take effect until GTC Board endorsement is received. Otherwise, the Administrative Modification takes effect ten days after notice of the action to the GTC Board Chair. The GTC Executive Director will be responsible for notifying the GTC Board Chairperson of any Planning Committee action on TIP changes.

Projects that do not meet the requirements of GTC Resolution 78-4 must be presented to the GTC Board for consideration.

Exhibit 4 presents summary guidelines for the required action for various types of TIP change requests. These guidelines are more fully explained in Sections 4.2.1 through 4.2.6.

4.2.1 – Change in the Scope of an Existing Project

As projects develop, the scope of the project sometimes changes. This may be due to the need for more extensive work than originally anticipated. It may be due to the need to mitigate negative impacts of the project. It may also be due to changing priorities or additional funding being made available to the project sponsor. Depending on the extent of the change, the project may require a TIP Amendment or Administrative Modification.

A TIP Amendment for a change in project scope is required if the project limits are expanded or reduced, the nature of the project changes (e.g., highway rehabilitation to highway reconstruction), or the number of vehicles purchased changes. Requests for TIP Amendments for a change in project scope must be submitted to GTC staff for consideration by the TDC for recommendation to the Planning Committee and, ultimately, to the GTC Board.

4.2.2 – Change in the Schedule of an Existing Project

As projects progress, the implementation schedule sometimes changes. This may be due to early phases taking longer to complete than originally anticipated. It may be due to review processes (e.g., design, environmental, etc.) taking longer to complete than originally anticipated. It may also be due to changing priorities or additional funding for other project phases being made available to the project sponsor.

Sometimes, a project sponsor may wish to advance a project quicker than originally anticipated or programmed. Conversely, a project phase may not be able to be obligated prior to the end of the federal fiscal year in which it was originally programmed. A schedule change to another FFY requires a TIP Amendment.

A change in project schedule that results in a different expected completion date may trigger the need for a new air quality Conformity Determination.

Requests for TIP Amendments for a change in project schedule must be submitted to GTC staff for consideration by the TDC for recommendation to the Planning Committee and, ultimately, to the GTC Board.

4.2.3 – Change in the Cost of an Existing Project

As projects progress, the project cost estimate sometimes changes. This is generally due to a more refined cost estimate being developed as part of the Preliminary Engineering or the Detailed Design phases. However, there are occasions when the cost change is due to unforeseen issues that impact the initial scope of the project.

A TIP Amendment for a change in project cost is required if the total project cost increases or decreases by more than 25 percent or \$250,000, whichever is less, or if new federal funding, such as an earmark, is identified for the project. TIP Amendment requests for cost increases or decreases that do not exceed this threshold are considered Administrative Modifications and can be approved by the Planning Committee per GTC Resolution 78-4 (see Exhibit 4) without GTC Board consideration.

Requests for TIP Amendments for a change in project cost must be submitted to GTC staff for consideration by the TDC for recommendation to the Planning Committee and, possibly, to the GTC Board.

As noted in Section 2.1.1, 23 CFR 450.324 requires the TIP to be fiscally constrained by fund source for each year of the TIP. Maintaining fiscal constraint means that sufficient revenues must be identified to cover the cost of all projects in the TIP. Since GTC usually fully programs the revenues available to the region, cost increases impact fiscal constraint.

Insert Exhibit 4 – amendment thresholds table

The TIP is fully programmed at all times. Because of the federal requirement for fiscal constraint, a funding offset must be identified.

Project sponsors that are seeking a cost increase on a project are expected to identify a funding offset via new federal funds or from another project they are sponsoring. With respect to existing federal funding, this offset can be achieved through:

- a scope and cost reduction on another project;
- the removal of another project from the TIP;
- the addition of non-federal funds; or
- by deferring another project and seeking additional federal funding to complete that project in a subsequent TIP cycle.

If the project sponsor has no other projects or is not able to modify another project, they can seek an offset from another willing project sponsor.

Exceptions to identifying a funding offset can be made when new funding is brought to the region or at the discretion of the TDC, provided fiscal constraint is maintained (i.e., additional funding is identified).

In all cases, the funding offset must be achieved with fund sources for which the subject project is eligible. And, in cases where an offsetting project scope is reduced, the resulting project must still meet federal funding criteria.

4.2.4 Change in Fund Source

As noted in Section 4.2.3, the TIP is fully programmed at all times and must maintain fiscal constraint. If a project sponsor is proposing to change the fund source on a project, they must demonstrate that funds from the other source are available for the project. This may be accomplished by swapping funds between projects. In all cases, the change must be achieved with fund sources for which the subject project is eligible. GTC Resolution 78-4 will govern whether this request is considered by the Planning Committee or the GTC Board (see Section 4.2).

4.2.5 – Air Quality Conformity Requirements

If the project sponsor wishes to amend a project that is non-exempt with regard to air quality conformity, a new conformity analysis may be required. A scope change may qualify the project for a categorical exclusion. If the scope change has the potential to achieve this, the change will be reviewed by the Interagency Consultation Group (ICG) prior to declaring the project exempt from air quality conformity analysis.

A schedule change to a non-exempt project will require a new conformity analysis if the project completion date moves into another air quality analysis period. Accordingly, the TIP Amendment request will be considered in accordance with the schedule established for air quality conformity analysis.

A scope change may cause a project that has already been declared exempt to no longer be exempt from air quality conformity analysis because it no longer meets one of the

exclusions. If the scope change has the potential to achieve this, the change will be reviewed by the ICG prior to declaring the project non-exempt from air quality conformity analysis. If the ICG concurs that a project is no longer exempt, the TIP Amendment request will be considered in accordance with the schedule established for air quality conformity analysis.

4.2.6 – Project Deletion

A project sponsor may choose not to pursue a project currently programmed in the TIP. This may occur because of public opposition to the project or changing priorities of the project sponsor. This may also happen if the project sponsor is proposing to delete a project as an offset to a cost increase on another project. Project sponsors are discouraged from deleting projects for an offset unless they intend to advance the project with other fund sources. However, project sponsors are not precluded from seeking funding for the deleted project in future TIP updates.

If the project resulted from a congressional earmark, the project sponsor should coordinate with the congressional sponsor of that earmark to determine how the funding will be reallocated. The project sponsor should be aware that this funding may no longer be available to them or the region.

If the project is funded with formula funds, the project sponsor should be aware that this funding may no longer be available to them and may be used to fund a new project or for cost increases on another project.

Requests for amendments that delete projects from the TIP must be submitted to GTC staff for consideration by the TDC for recommendation to the Planning Committee and, ultimately, to the GTC Board.

4.3 – Discretionary Funding

Although the majority of federal funds that are programmed in the TIP are the result of formula funding programs, some funding comes from discretionary funding programs. These funds are usually “earmarked” for specific projects and are not available to other projects unless the congressional sponsor of the earmark concurs with the change.

4.3.1 – Federal Surface Transportation Act

Federal surface transportation acts (i.e., ISTEA, TEA-21, and SAFETEA-LU) typically authorize funding for earmarks. Allocation of the earmarked funds is subject to further legislation, guidance, and/or rulemaking by Congress, FHWA or FTA (USDOT). These projects are programmed in conformance with said USDOT guidance/rulemaking and NYSDOT policies. GTC will inform TDC members of the guidance, rulemaking, and policies and encourage them to share this information with the respective project sponsors when necessary. GTC staff will prepare a list of earmarked projects authorized through the surface transportation act to share with member agencies and others.

Project sponsors must request that these projects be added to the TIP via a letter to GTC staff. The TIP Amendment request must be considered by the TDC and the Planning Committee and approved by the GTC Board.

4.3.2 – Annual USDOT Appropriations Act

Each year, Congress appropriates funding for the U.S. Department of Transportation (USDOT) and its operating administrations and bureaus. The appropriations for FHWA and FTA may include earmarked projects located in the GTC TIP region.

Allocation of the earmarked funds is subject to further guidance and/or rulemaking by FHWA and FTA (USDOT). These projects are programmed in conformance with said USDOT guidance/rulemaking and NYSDOT policies. GTC will inform TDC members of the guidance, rulemaking, and policies and encourage them to share this information with the respective project sponsors when necessary. GTC staff will prepare a list of earmarked projects authorized through the annual USDOT Appropriation Act to share with member agencies and others.

Project sponsors must request that these projects be added to the TIP via a letter to GTC staff. The TIP Amendment request must be considered by the TDC and the Planning Committee and approved by the GTC Board.

4.3.3 – Other Federal Funding Sources

In addition, discretionary funds for a project may come from other federal funding sources that require the project to be included in the TIP. In these cases, project sponsors must request that these projects be added to the TIP via a letter to GTC staff. The TIP Amendment request must be considered by the TDC and the Planning Committee and approved by the GTC Board.

4.4 – Amending the TIP to Add New Projects

GTC prefers that new projects be added to the TIP through the normal TIP development cycle as described in Section 3. However, GTC recognizes that agency priorities may change and discretionary funding for earmarked projects may be identified between TIP development cycles.

Project sponsors may request that a new project be added to the TIP outside of the normal TIP development cycle; however, project sponsors must first identify the source of funding for the new project. The TIP Amendment request must be considered by the TDC and the Planning Committee and approved by the GTC Board. Projects of this nature will be considered on a case-by-case basis.

Project sponsors should complete the most recent version of the TIP Project Application Form or provide a similar form that includes sufficient information for the GTC/NYSDOT-4 Evaluation Team to rate the project relative to similar projects. This will provide the basis for the TDC to consider the request.

4.5 – Adding Projects from Statewide Programs

Several federally funded transportation programs are administered on a statewide basis. Once projects are selected for funding, it is necessary to incorporate them into the TIP so funding can be obligated to the projects. In these instances, the normal TIP project solicitation, evaluation, and selection processes are bypassed in lieu of the statewide project solicitation, evaluation, and selection processes. Adoption into the TIP is routine provided the projects do not conflict with the LRTP or other regional priorities.

4.5.1 – Transportation Enhancements Program

The Transportation Enhancements Program (TEP) is a New York State-administered, federal transportation program that provides federal funding for non-traditional transportation projects such as bicycle, pedestrian and trail facilities, historic preservation, landscaping, streetscaping, and other scenic beautification projects.

In this region, NYSDOT-4 and GTC staffs work cooperatively to manage the process and make recommendations to the state-level Transportation Enhancements Advisory Committee (TEAC), which makes the final TEP project selections statewide.

Once the projects to receive funding are announced, NYSDOT-4 requests TIP Amendments to add the TEP projects to the TIP. As this is new funding to the region, no other projects are impacted and fiscal constraint is maintained.

4.5.2 – New York State Thruway Authority Projects

The New York State Thruway Authority (NYSTA) may be sub-allocated a portion of the statewide allocation of various federal formula funds (e.g., Interstate Maintenance, Transportation Enhancements Program, etc.) for use on their system. NYSTA decides what projects will receive funds.

Once the projects to receive funding are selected, NYSTA requests TIP Amendments to add the projects to the TIP. As this is new funding to the region, no other projects are impacted and fiscal constraint is maintained.

4.5.3 – Federal Transit Administration Section 5310 Projects

The Section 5310 program provides formula funding to states for the purpose of assisting private nonprofit groups in meeting the transportation needs of the elderly and persons with disabilities when the transportation service provided is unavailable, insufficient, or inappropriate to meeting these needs. The NYSDOT Public Transportation Bureau administers this program.

The TIP includes a placeholder for the Section 5310 Blocked Program. Once the projects to receive funding are announced, NYSDOT-4 requests a TIP Amendment to add the Section 5310 projects to the TIP. As this is new funding to the region, no other projects are impacted and fiscal constraint is maintained.

4.5.4 – Federal Transit Administration Section 5311 Projects

The Section 5311 program provides formula funding to states for the purpose of supporting public transportation in areas of less than 50,000 population. It is allocated in proportion to each state's non-urbanized population. Funding may be used for capital, operating, and administration expenses. Each state prepares an annual program of projects, which must provide for fair and equitable distribution of funds, including to Indian reservations, and maximum feasible coordination with transportation services assisted by other federal sources. NYSDOT administers this program.

The TIP includes a placeholder for the Section 5311 Blocked Program. Once NYSDOT determines the level of funding to be provided to individual transit operators, NYSDOT-4 requests a TIP Amendment to increase the cost and revenue of the Section 5311 Blocked Program to correspond with that determination. As this is new funding to the region, no other projects are impacted and fiscal constraint is maintained.

4.5.5 – Scenic Byways

The National Scenic Byways Program is administered by FHWA. The program is a grass-roots collaborative effort established to help recognize, preserve, and enhance selected roads throughout the United States. The U.S. Secretary of Transportation recognizes certain roads as All-American Roads or National Scenic Byways based on one or more archeological, cultural, historic, natural, recreational, and scenic qualities. The 454-mile Seaway Trail is currently the only National Scenic Byway in New York State. A portion of the Seaway Trail is within the seven-county area.

Once the projects to receive funding are announced, NYSDOT-4 requests a TIP Amendment to add the Scenic Byways projects to the TIP. As this is new funding to the region, no other projects are impacted and fiscal constraint is maintained.

4.5.6 – Recreational Trails Program

The Recreational Trails Program (RTP) is an assistance program of FHWA. Federal transportation funds benefit recreation by making funds available to the states to develop and maintain recreational trails and trail-related facilities for both nonmotorized and motorized recreational trail uses.

The RTP funds are distributed to the states by legislative formula. The program is administered by NYSDOT on a statewide basis. Once the projects to receive funding are announced, NYSDOT-4 requests a TIP Amendment to add the RTP projects to the TIP. As this is new funding to the region, no other projects are impacted and fiscal constraint is maintained.

4.6 – Publishing TIP Updates

GTC staff is responsible for maintaining the TIP database and associated listing of current projects. GTC staff will make updated project information available through the GTC website. This information will also be available in hard copy or via email by request.

4.7 – Annual Obligations List

As a MPO, GTC is required by 23 CFR 450 to publish an annual listing of projects for which federal funds have been obligated in the preceding Federal Fiscal Year. GTC staff work with NYSDOT-4 and RGRTA to develop mechanisms that provide the necessary information to fulfill this requirement. Once GTC staff has all the necessary information, they prepare this report. The Annual Obligations List is made available through the GTC website. This information is also made available in hard copy and via email by request.

4.8 – TIP Project Monitoring & Reporting

In an effort to manage the TIP more effectively, GTC will develop appropriate performance measures related to schedule, cost, and scope. GTC staff will work with the TDC, Planning Committee, and Board to identify appropriate modifications to the TIP development process that have the potential for more accurate programming and fewer TIP Amendments and Administrative Modifications.

4.8.1 – Annual Review of Project Schedule

GTC and NYSDOT-4 staffs will contact project sponsors that have projects with phases scheduled in the current calendar year to determine if project milestones have been met. GTC staff will provide a summary of the findings to the TDC for review at the April TDC meeting. If project milestones have not been met and the project phases are at risk of slipping into the next FFY, project sponsors may be asked to meet with the TDC to discuss the current project schedule and potential adjustments to meet the programmed schedule.

Project sponsors will also be asked if they have any project phases in the next FFY that are candidates to be accelerated into the current FFY to provide an offset for project phases that will need to be deferred to the next FFY. GTC staff will provide a summary of the findings to the TDC.

Another area of emphasis will be project completion dates. The air quality conformity process requires projects to be included in the base year or predetermined analysis years based on project completion dates. If a project is not progressed according to schedule, it has the potential to impact air quality conformity.

4.8.2 – Annual Review of Project Cost Estimates

GTC and NYSDOT-4 staffs will contact project sponsors that have projects with phases scheduled in the current calendar year to confirm project cost estimates. GTC staff will provide a summary of the findings to the TDC for review at the April TDC meeting. If project cost estimates are expected to change significantly, project sponsors may be asked to meet with the TDC to discuss the current project cost estimates and potential adjustments to meet the programmed amounts. Decreased cost estimates will be considered for reprogramming to new projects or acceptable cost increases on existing projects.

Of particular interest will be the cost deviation for individual phases of a project. As discussed in Section 2.1.1, the TIP must be fiscally constrained. Better information

regarding the variation between estimated and actual project costs will allow GTC and NYSDOT-4 staffs to work with project sponsors to develop better cost estimates prior to developing the TIP.

4.8.3 – Review of Annual List of Obligations

GTC staff will conduct an analysis of the Annual List of Obligations for the previous FFY to identify any significant deviations from programmed schedules and phase costs. The results of this analysis will be summarized and provided to the TDC for review at its January meeting. Significant deviations will be discussed in an effort to minimize the scale of significant deviation in the future.

4.8.4 – Analysis of the Number and Value of TIP Amendments/Administrative Modifications

GTC staff will track and periodically conduct an analysis of the number and value of TIP Amendments/Administrative Modifications with the intent of identifying patterns or trends in the type of changes (e.g., scope, cost, schedule, etc.) that are requested by project sponsors and better understanding the underlying cause of the need to make changes to the TIP.

GTC and NYSDOT-4 staffs can use this information to work with all project sponsors to develop better initial project cost estimates so as to minimize the number of TIP Amendments/Administrative Modifications. It is important to note that not all changes to the TIP require corrective action. For example, adding a project that is the result of discretionary funding does not impact funding for other projects in the TIP. It is also important to recognize that large, complex, or non-traditional projects may require some level of engineering activity before a strong construction cost estimate can be made and project sponsors can only make a good faith estimate of the project cost when applying for TIP funding.

4.8.5 – Projecting Project Progress to Protect Obligation Authority

The region is allotted a certain amount of Obligation Authority (OA) each FFY. The OA limits the amount of Federal funding that can be obligated to projects in a given FFY. However, if the full amount of OA is not utilized in a given FFY, then the remaining OA is lost to the region. Therefore, it is imperative that project sponsors obligate project phases in a timely manner.

One way the region can avoid losing OA is to defer project phases that are unlikely to be obligated within the FFY for which they are currently programmed. A corresponding amount of project phases from other projects can be advanced. This preserves the OA and provides some flexibility to project sponsors that encounter unavoidable delays.

To this end, in June of each year NYSDOT-4 will identify project phases that are at risk of not being obligated in the FFY they are programmed. Regional Local Project Liaisons will confer with project sponsors to ascertain the likelihood of the at-risk project phases being obligated in the current FFY. NYSDOT-4 will also identify candidate project phases to be advanced to provide an offset for the deferrals. Other project sponsors can also identify

candidate project phases to be advanced. This information will be presented to the TDC in July for a TIP Amendment recommendation to the Planning Committee for consideration in August and, then, to the GTC Board for adoption in September (prior to the end of the FFY).

4.9 – Revising the TIP Procedures Manual

Like the TIP, the *TIP Procedures Manual* must have flexibility to maintain relevance. Therefore, a mechanism must be in place to allow for changes. Changes that are strictly editorial in nature or merely updates to citations, references, dates, and similar information can be made by GTC staff. More significant changes must be considered through the GTC committee process.

4.9.1 – Process for Making Changes

Any GTC member agency or project sponsor can suggest changes to the *TIP Procedures Manual*. A request to amend the *TIP Procedures Manual* must be made in writing and submitted to the GTC Executive Director. Any request for a change that cannot be made by GTC staff must be considered through the GTC committee process.

4.9.2 – Committee Approvals

The determination of whether GTC staff can make the requested change will be made by the GTC Executive Director. The GTC Executive Director will consult with NYSDOT-4 and other members of the TDC prior to making a determination of whether the requested change is within the purview of GTC staff (per the introductory paragraph above). If any member of the TDC objects to GTC staff making the change, the proposed change will be considered by the full TDC.

If the requested change involves a procedural matter (e.g., modifying the evaluation criteria, modifying the PAF, etc.), the TDC is permitted to make a decision on the request provided no member of the TDC objects to the action taking place without Planning Committee action. If the matter is referred to the Planning Committee, the Planning Committee is permitted to make a decision on the request provided no member of the Planning Committee objects to the action taking place without GTC Board action.

If the requested change involves a policy matter (e.g., modifying the amendment thresholds that require Board action, etc.), only the GTC Board can approve the change. The request must be considered by the TDC and their recommendation must be forwarded to the Planning Committee for consideration.

If the Planning Committee recommends approval, the amendment request is then considered by the GTC Board.

4.9.3 – Documenting Changes

GTC staff will maintain a record of changes to the TIP Procedures Manual. This will include a summary of changes by date and “redline” copies of the document changes. Changes that are permitted to be made by GTC staff will include a justification and the date the TDC was

notified of the change. The record of changes will be provided to interested parties upon request.

5.0 Relationship to the Statewide TIP

5.1 – eSTIP

At this time, NYSDOT manages the Statewide Transportation Improvement Program via the eSTIP database. The eSTIP database allows for paperless and real-time management of the STIP from the regional level up to the Federal level. Designated users have access to eSTIP via the NYSDOT computer network or internet-based remote access. Each designated user has assigned permission that allows for specific activities. eSTIP was developed for the New York City metropolitan area with the support of FHWA and FTA. It was introduced statewide in the Fall of 2009 and is the platform for the FFY 2011-2014 STIP.

5.2 – GTC roles vs. NYSDOT-4 roles

Generally speaking, MPOs are responsible for eSTIP activity in metropolitan areas and NYSDOT is responsible for eSTIP activity in the rest of the state. Due to the cooperative nature of the TIP developed for the seven-county area, GTC and NYSDOT-4 roles are overlapping.

Both GTC and NYSDOT-4 have designated staff with permission to initiate TIP Amendments or TIP Administrative Modifications in the seven-county area. TIP actions in the TMA must be approved by the GTC Executive Director before they advance in the eSTIP approval process. TIP actions outside the TMA must be approved by the NYSDOT-4 Regional Planning Program Manager before they advance in the eSTIP approval process.

5.3 – eSTIP Ballots

TIP Amendments and TIP Administrative Modifications are processed via an eSTIP ballot. An eSTIP Ballot can be prepared by either GTC or NYSDOT-4 staff. The location of the project will determine if the eSTIP ballot is approved by the GTC Executive Director or the NYSDOT-4 Regional Planning and Program Manager (RPPM) per 5.2 above. In all cases, eSTIP ballots must be consistent with the TIP action approved by either the GTC Planning Committee or the GTC Board, as appropriate.

5.4 – Project Selection via eSTIP

Current regulations governing Statewide and Metropolitan Transportation Planning allow for project selection from any of the first four years of the STIP. NSYDOT-4 will use expedited project selection procedures in order to preserve Obligation Authority near the end of a FFY or after the demonstration of an unforeseen and immediate issue that compromises the safety of the travelling public.

Project selection requires action within eSTIP to advance project phases. Within the TMA, the GTC Executive Director is authorized to approve project selection actions via eSTIP

ballots provided fiscal constraint is maintained. Outside the TMA, the NYSDOT-4 RPPM is authorized to approve project selection actions via eSTIP ballots provided fiscal constraint is maintained.

To the extent practicable, Section 4.8.7 will be followed when project selection is utilized to preserve OA.