



Metro



2027-30

Metropolitan Transportation Improvement Program

Adoption Draft

Appendix VI: Metropolitan Transportation Improvement Program Administration

Metro respects civil rights

Metro fully complies with Title VI of the Civil Rights Act of 1964 that requires that no person be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination on the basis of race, color or national origin under any program or activity for which Metro receives federal financial assistance.

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Metro provides services or accommodations upon request to persons with disabilities and people who need an interpreter at public meetings. If you need a sign language interpreter, communication aid or language assistance, call 503-797-1700 or TDD/TTY 503-797-1804 (8 a.m. to 5 p.m. weekdays) 5 business days before the meeting. All Metro meetings are wheelchair accessible. For up-to-date public transportation information, visit TriMet's website at trimet.org.

Metro is the federally mandated metropolitan planning organization designated by the governor to develop an overall transportation plan and to allocate federal funds for the region. The Joint Policy Advisory Committee on Transportation (JPACT) is a 17-member committee that provides a forum for elected officials and representatives of agencies involved in transportation to evaluate transportation needs in the region and to make recommendations to the Metro Council. The established decision-making process strives for a well-balanced regional transportation system and involves local elected officials directly in decisions that help the Metro Council develop regional transportation policies, including allocating transportation funds. Together, JPACT and the Metro Council serve as the MPO board for the region in a unique partnership that requires joint action on all MPO decisions. This means JPACT approves MPO decisions and submits them to the Metro Council for adoption. The Metro Council will adopt the recommended action or refer it back to JPACT with a recommendation for amendment.

The opinions, findings and conclusions expressed in this report are not necessarily those of the U.S. Department of Transportation, Federal Highway Administration and Federal Transit Administration.

About Metro

Metro is the regional government in greater Portland. Metro manages public services and regional systems that protect the environment, support the local economy and ensure every community can thrive.

Metro coordinates regional planning and funds new affordable homes and supportive housing services. It manages 19,000 acres of parks and natural areas and the region's garbage and recycling system. Metro also runs the Oregon Convention Center, Portland's Centers for the Arts, the Portland Expo Center and the Oregon Zoo.

Metro is led by a nonpartisan elected council. It serves 1.7 million people in 24 cities across Clackamas, Multnomah and Washington counties.

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Ashton Simpson, District 1

Christine Lewis, District 2

Gerritt Rosenthal, District 3

Juan Carlos González, District

4 Mary Nolan, District 5

Duncan Hwang, Acting Council President, District 6

Auditor

Brian Evans

600 NE Grand Ave.

Portland, OR 97232-2736

503-797-1700

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APPENDIX VI: METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM ADMINISTRATION

MTIP Change Management Procedures

Expanded Guidance and Processes concerning MTIP Formal Amendments, Administrative Modifications, and Technical Corrections

Background: The Need for MTIP Amendments

Changes to the MTIP are regulated by the Code of Federal Regulations (23 CFR 450.328) and additional guidance may be provided by regional offices of the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA).

The federal regulation authorizes modifications to the MTIP under procedures agreed to by the cooperating parties consistent with those established in its development and approval. In nonattainment or maintenance areas for transportation-related pollutants, the proposed amendments must not result or contribute to increases mobile emissions and negatively regional air conformity, in all areas the proposed amendments must demonstrate fiscal constraint.

The MTIP must accurately maintain project information throughout the life of a project, from initial award/allocation to funding obligation for all phases of project delivery. If a change emerges to a project's scope, schedule or budget, the MTIP may need to be amended to reflect the change.

Generally, the MTIP amendment process is governed under the following basic rules for project changes:

- The changes must result in the project still being consistent with the adopted policies, goals and strategies of the Regional Transportation Plan (RTP).
- The changes do not negatively result in higher emissions or negatively impact air conformity.

- The changes do not negatively impact the fiscal constraint finding for the RTP and/or MTIP.
- The changes will be made in a transparent and open process allowing necessary public review/and comment for major and significant project changes that are allowed through an MTIP amendment.
- The changes are necessary to ensure the MTIP, the draft environmental document, and the intergovernmental agreement match.

MTIP Amendment Process Objectives

Ensure that federal requirements are properly met, including the requirement that projects using federal funds, and all projects of regional significance are included in the TIP and that the projects are consistent with the financially constrained element of the RTP.

Ensure regional consideration of proposed amendments having an impact on the priority for use of limited available resources or having an effect on other parts of the transportation system, other modes of transportation or other jurisdictions.

Ensure that the responsibilities for project management and cost control remain with the agency sponsoring the project.

Ensure routine amendments to the MTIP proceed expeditiously to avoid unnecessary delays.

Ensure projects are progressing to fully obligate annual funding to avoid a lapse of funds.

Types of MTIP Amendments

Amendments can be categorized as Formal or Administrative depending on the impact to cost and funding, scope, design, alignment, and program year. A subcategory of Technical Corrections within administrative modifications also exists which is covered and treated as a separate category.

Formal Amendments Requirements and Processes

Formal amendments to existing projects reflect significant changes to the project where additional technical analysis may be required to demonstrate that the change(s) do not negatively impact the conformity finding, fiscal constraint finding, and remain consistent with the RTP's goals and strategies. They also allow for new non capacity enhancing, exempt projects to be added to the MTIP that were not included as part of the prior MTIP Update.

The analysis must demonstrate that the proposed project changes are still consistent with the original scope and deliverables as initially programmed in the MTIP and have not deviated significantly from the approved RTP goals and strategies. A completed analysis may include the following:

- Major Project Assessment (MPA):

The MPA is a form the lead agency will complete and provide as amendment supporting documentation and is required by Metro Council direction as of 2022. The MPA is conducted when a proposed MTIP amendment has a: capacity enhancing project, regionally significant project, and/or the amendment is above \$100 million dollars. The MPA documents how the proposed amendments perform in accordance with local, regional, and state transportation policies, as well as how the project addresses the goal areas of the RTP.

- Evaluation of the funding changes or delivery schedule changes that result from the amendment
- Review proposed changes to ensure projects are still consistent with RTP policies, goals, and strategies.

Formal MTIP Amendments require notification to the Metro Transportation Policy Alternatives Committee (TPAC) along with an approval recommendation to the Metro Joint Policy Advisory Committee on Transportation (JPACT). Prior to requesting required approval from the JPACT and the Metro Council, a 30-day public notification/comment period will be conducted.

The MTIP amendment bundle will then be submitted to the Oregon Department of Transportation (ODOT), the Oregon Transportation Commission (OTC), and the Federal Highway Administration (FHWA) and/or the Federal Transit Administration (FTA) before they can be approved in the MTIP and added to the Statewide Transportation Improvement Plan (STIP), which is managed by ODOT. Final approval by FHWA and/or FTA can take 30 days or more after submittal.

Additionally, JPACT and Metro Council reserve the right to require any proposed MTIP project change to be processed as a formal amendment.

Factors that may contribute to this decision may include:

- Impact upon the RTP and the RTP's goals and strategies.
- Public sensitivity to the requested change
- Regional significance impact
- Additional project details or interest and requests by elected officials for additional details.
- Need to discuss the funding or funding plan for the project

Required support documentation for MTIP Amendments may vary depending upon the project and associated change, but normally it will need to include following items:

1. Approved formal amendment resolution.
2. Exhibit A to the Resolution (MTIP Project Detail Report) that provides current programming and proposed amendment changes to the project and project location map showing general and specific location and limits for the project.
 - a. Project maps for Project grouping buckets (PGB) that cover the Metropolitan Planning Area (MPA) three-county boundary area may include a basic regional map if multiple improvements are included that are spread over the three-county area.
 - b. PGBs with only a small number of approved site locations or single location projects are required to provide a detailed map showing the specific location and project limits for the project.

3. Exhibit B to the Resolution (Public Comment Period Summary)
4. Metro staff report provided to the Metro Council for approval of MTIP amendment bundle
5. Compliance in providing any other USDOT specifically requested documentation as part of the amendment approval process (e.g. project schedule, phase milestones, contact information, etc.)

If questions may arise about a project and clarification is needed, this normally will be handled by Metro MTIP and ODOT STIP staff. However, if the questions arise beyond staff's ability to adequately respond, the project manager will be contacted for assistance. If during the review, a question arises regarding the interpretation of what constitutes a legal modification within the project, ODOT, the MPO, FHWA and/or FTA will consult with each other to resolve the question. If after consultation the parties disagree, the final decision rests with FTA, for transit projects, and FHWA, for highway projects.

Administrative Amendments Requirements and Processes

Administrative amendments to the MTIP are those that have no impact upon conformity, fiscal constraint, or RTP consistency. These amendments do not require a verification of no conformity impact or fiscal constraint, and do not require a public notification/comment period.

Administrative Modifications do not require approval from JPACT and the Metro Council. Instead, Metro staff follow a list of allowable administrative changes that FHWA and FTA have approved and described in the MTIP Amendment Matrix. Administrative modifications require review and processing by ODOT for inclusion in the STIP, which can take as long as two to three months following Metro staff approval. To ensure transparency of completed amendments, Metro staff report these amendments to TPAC every month.

The Metro approved Amendment Matrix overlaps with the ODOT approved amendment Matrix but contains additional latitudes for the MTIP Amendments Manager to implement under special occasions. This allows additional programming flexibilities to process project changes administratively rather than as a formal amendment. However, this can result in the Metro amendment process being in conflict with the ODOT amendment process for administrative modifications.

When this conflict emerges, and ODOT can't process the needed changes administratively as Metro completed, and must complete the changes as a formal amendment, Metro will defer to ODOT to complete the final changes as a formal amendment for the STIP. This normally will include the addition of a two-week public notification period and final approval from USDOT. No changes are needed to Metro prior completion of the changes as an administrative modification.

On occasions where the opposite occurs, ODOT may approve the changes as an administrative modification for the STIP, but Metro must process the changes as a formal amendment. When this conflict emerges, ODOT will defer to Metro formal amendment process.

If either situation arises, the Region 1 STIP Coordinator and Metro Amendments Manager will coordinate and discuss the path of least resistance to complete the required changes and necessary approval steps.

Refer to Attachment 1: Metro and ODOT MTIP and STIP Amendment Matrix Comparison.

Technical Corrections Requirements and Processes

Technical corrections are not amendments to the MTIP, but necessary minor adjustments to project data to ensure the MTIP and project entries match. They are included as part of the current administrative modification bundle under development as a confirmation that the change or corrections has occurred. Technical corrections do not require ODOT or USDOT approval.

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Supplemental Attachments





PROJECT CHANGES REQUIRING A FULL/FORMAL MTIP AMENDMENT			
METRO Formal Amendment Matrix for the MTIP		ODOT Formal Amendment Matrix for the STIP	
Number	Item	Number	Item
1	JPACT & METRO Council Authorized Discretion: JPACT or Council may require any project amendment to complete a formal amendment	1	No direct equivalent, but similar requirements issued by OTC
2	Adding or canceling Projects: Adding new projects or canceling projects from the TIP. Includes canceling the construction phase and adding planning projects	2	Adding/Canceling a federally funded, regionally significant, or state/locally funded projects which will potentially be federalized. If project does not meet this criteria. See Administrative #1. For WFL or planning projects, see Administrative #7 & #8.
3	Project locations and /or Milepost Limits Changes: Limit changes that exceed 1 mile. Consideration required for 0.5 miles up to a mile as well where NEPA, Air Quality, transportation modeling impacts may be involved.	3	Major change in total project scope. Major scope change may include changes like: Increase in project location greater than 1 mile , project modifications that result in NEPA re-evaluation, change affects air quality conformity, adding capacity per FHWA Standards, adding or deleting scope from the project that is outside of the current approved intent of the project
4	Major Project Scope or Work Element Adjustments: Changes including scope, work element changes that impact the NEPA environmental document, air quality analysis, transportation modeling network, or result in the project no longer being consistent with the approved RTP. A completed Performance Assessment Evaluation also may be required as part of the formal amendment for capacity enhancing projects that exceed \$100 million dollars.	4	Major change in total project scope. Major scope change may include changes like: Increase in project location greater than 1 mile, project modifications that result in NEPA re-evaluation, change affects air quality conformity, adding capacity per FHWA Standards, adding or deleting scope from the project that is outside of the current approved intent of the project
5	Changes in Fiscal Constraint due to Cost Changes by the Following Criteria: <ul style="list-style-type: none"> • Projects under \$1M – cost increases over 50% • Projects between \$1 million to \$5 million – cost increases over 30% • Projects over \$5 million – cost increases over 20% <p>JPACT/Metro Council also authorizes MTIP staff with discretionary authority to exceed the above threshold limits under certain circumstances by up to another 10% when the cost increase is primarily due to an inflationary cost update where no scope or limit changes are also occurring enabling the cost change to occur as an administrative modification.</p>	5	Changes in Fiscal Constraint by the Following Criteria: Total project cost increase/decrease (all phases, any type of funding increase/decrease): <ul style="list-style-type: none"> • Projects under \$1M – increase/decrease 50% and over • Projects \$1M to \$5M – increase/decrease 30% and over • Projects \$5M and over – increase/decrease 20% and over
6	Adding Permanent Emergency Relief Projects: For ER funded projects completing permanent upgrades as part of a disaster mitigation effort. Temporary ER project are not added to the MTIP.	6	Adding an emergency relief permanent repair project that involves substantial change in function, location, and capacity. Temporary ER projects are not added to the STIP.
7	Adding a Federally Funded Planning Projects: Adding a federally funded planning project where only funding is added to the planning phase requires the completion of a formal amendment to the MTIP		ODOT may add federal funded planning projects administratively. See the planning project entry in under their administrative modification section item #13.
8	Adding a Non-Regionally Significant New Project Regardless of Funding Type to the MTIP: Applies to other federally funded project (e.g. RTP, OCP, etc.) projects not located on the Metro modeling networks where FHWA requires an approval step verification from the MTIP.		ODOT generally defers to the MTIP here and follows the regular formal amendment process.



PROJECT CHANGES ALLOWABLE AS ADMINISTRATIVE MODIFICATIONS TO THE MTIP			
METRO Formal Amendment Matrix for the MTIP		ODOT Formal Amendment Matrix for the STIP	
Number	Item	Number	Item
1	Not Specified Scenarios: Any project changes that do not meet the MTIP and STIP amendment criteria in the Full Amendments section above.	1	Any project changes that do not meet the STIP amendment criteria in the Full Amendments section above.
2	Advancing or Slipping Project Phases: Adding/ Advancing or slipping an approved project/phase within the current MTIP constrained years (years 1-4). Advancing or slipping a project outside the MTIP's constrained years (to or from years 5 and 6) will require a formal amendment.	2	Advancing or slipping an approved project/phase within the current STIP (if slipping outside current STIP, project must be canceled in the current STIP).
3	Adding or Canceling Project Phases: Adding or canceling any phase of an approved existing project in the active MTIP constrained years except for the Construction phase may occur administratively.	3	Adding or canceling any phase of an approved project. See Full Amendment #3 for fiscal constraint thresholds.
4	Combining or Splitting Projects within Constrained Years: Examples include creating a child project, splitting a project into two delivery phases, etc.	4	Combining two or more approved projects into one or splitting an approved project into two or more, or splitting part of an approved project to a new one.
5	Outside MPA Area Combining or Splitting Projects: Combining or Splitting Projects within Constrained Years with funding from ODOT Project Grouping Buckets (PGB) or ODOT funded projects outside of the MPA boundary area:	5	Inferred as part of item #4 above.
6	Fund Phase or Project Funding Swaps: Fund phase swaps or fund swaps between projects within constrained years that do not involve significant scope or limits changes.	6	Inferred as part of Item 1 or item #8.
7	PGB Approved Site Location Changes: Adjusting the number of approved site locations to an existing PBG where no scope changes or cost and limit changes above the thresholds are also occurring may occur administratively.	7	Not identified in ODOT's amendment matrix.
8	Completing Minor Technical Corrections: Completing Minor technical corrections to make the printed MTIP consistent with the STIP concerning prior approvals, such as typos, missing data, phase obligation updates, etc.	8	Minor technical corrections to make the printed STIP consistent with prior approvals, such as typos or missing data.
9	Completing Project Cost Decreases: This assumes the cost reduction is not due to a significant location or limits change as well as a scope change.	9	ODOT has established threshold limits for cost decreases as noted under formal amendment in item #5.
10	Completing Minor Scope Changes: Project adjustments that result from minor scope changes can occur as an administrative modification in the MTIP under the following conditions: The changes to the project costs remain under the formal amendment cost threshold, the changes to the project limits and location remain under the formal amendment threshold, or the changes are non-capacity, air quality exempt changes which include examples listed in 40 CFR 93.126, Table 2 and 40 CFR 93.127, Table 3	10	ODOT's amendment matrix does address or differentiate minor scope changes from major scope changes.
11	Completing Prior Year Obligation Updates: Adjusting the programming or obligation levels to prior obligated projects without phases in the active years of the current MTIP.	11	Inferred to as part of Non specific scenarios in item #1 and/or as part of completing minor technical corrections as part of item #8.
12	Project Name or Minor Description Updates: Completing necessary minor project names or description updates to better match up with the IGA/SPA, or other project delivery documents.	12	Changing name of project due to change in scope, combining or splitting of projects, or to better conform to naming convention. (For major change in scope, see Full Amendments #2)
13	No equivalent in Metro's Amendment Matrix. Due the requirement to complete a public notification/comment period process, Metro requires new federally funded Planning projects to complete a formal amendment.	13	Adding or modifying metropolitan planning projects (UPWP) funded under 23 U.S.C. 104(d) and 49 CFR 5305(d) or State Planning and Research (SPR) projects funded under 23 U.S.C. 505 and 49 U.S.C. 5303(e) or Surface Transportation Block Grant Program funds

14	Adding a Western Federal Lands (WFL) project	14	Adding Western Federal Lands, Recreational Trail, and Local Bridge projects where the projects are selected through a committee and involves public comment.
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FULL/FORMAL MTIP AND STIP AMENDMENTS				
Item	Metro Amendment Matix	ODOT Amendment Matrix	Match or Not	Notes
1	<p><u>JPACT & METRO COUNCIL AUTHORIZED DISCRETION:</u> Metro JPACT and Council reserved the right to require any project change to be process as a formal/full amendment based on the scope or cost change, regional significance impact, impact to air quality, change in relationship to the RTP and the RTP's goals and strategies, and/or public interest or public sensitivity to the project or required change.</p>	No equivalent	Not Applicable	This represents Metro JPACT and Council's right to pull any project for their review, discussion, and to require Metro's processing approval to occur as a formal amendment. This includes any submitted administrative modification. Changing an administrative modification to a formal amendment may result from existing political sensitivity, regional significance review needs, funding or scoping changes that may trigger a review. In other words, JPACT and Metro Council have the authority to trump the formal amendment and admin mod provisions if required.
2	<p><u>ADDING OR CANCELING PROJECTS:</u> Adding/cancelling a federally funded, regionally significant, or state/locally funded project or project phase which will potentially be federalized and trigger the need for a formal amendment. This includes the cancelation of the construction phase. It also includes adding a federally funded planning project. If the project or project phase does not meet these criteria, see Administrative Modification #1. For Western Federal Lands (WFL) or planning projects, see administrative section #11.</p>	Adding/Cancelling a federally funded, regionally significant, or state/locally funded projects which will potentially be federalized. If project does not meet this criteria, see Administrative #1. For WFL or planning projects, see Administrative #7 & #8.	Generally match with exceptions	Both ODOT and Metro agree that adding or cancelling a project must occur through a formal/full amendment. Metro's portion clarifies that this included adding or canceling the construction to a project Metro has agreed to add all federally funded planning projects back into the MTIP via a formal/full amendment to ensure the public notification/comment period required is satisfied. The project normally will be added to the UPWP, but through an administrative action. This also will allow ODOT from having to complete an formal/full amendment to the STIP.
3	<p><u>PROJECT LOCATIONS AND/OR MILEPOST LIMITS CHANGES:</u> Location/Limit Changes that normally will trigger a formal amendment:</p> <ul style="list-style-type: none"> - Project location and limit changes equal to or > 1 mile = Formal/Full Amendment - Project modifications that result in NEPA re-evaluation - Change affects air quality conformity. - Adding capacity per the Federal Code of Regulations (CFR) and FHWA/FTA/EPA guidance - Projects adding work-type in the STIP FP that trigger a change in limits, location, or result in a significant scope impact. - Project location or limit changes greater than 0.5 miles and up to 1 mile = MPO 	Major change in total project scope. Major scope change may include changes like: <ul style="list-style-type: none"> • Increase in project location greater than 1 mile • Project modifications that result in NEPA re-evaluation • Change affects air quality conformity • Adding capacity per FHWA Standards • Adding or deleting scope from the project that is outside of the current approved intent of the project 	Generally match with exceptions	<p>Metro's amendment matrix splits limits and scope changes into two separate section, but general agree with a few exceptions: <u>Change: 1 mile or greater = Agree with exception</u></p> <ul style="list-style-type: none"> • Metro has discretionary authority to waive the normal 1 mile limit if the limits change do not impact the project scope and the project is not capacity enhancing or would impact the existing transportation modeling or air quality analysis • Project modifications that result in NEPA re-evaluation = Agree, no exception • Change affects air quality conformity = Agree, no exceptions • Adding capacity per FHWA Standards = Agree, no exceptions • Adding or deleting scope from the project that is outside of the current approved intent of the project = Agree with some exception. See Metro Scope change section <p><u>Limit Change 0.5 miles up to 1 mile:</u> Generally Agree unless there is an conformity or transportation modeling impact which would impact the RTP consistency review. Limit changes up to 0.5 miles = Agree, generally no exceptions</p>



	<p>discretionary review and consideration of the change impact Project location or limit changes up to 0.5 miles = Administrative modification if the discretionary review result in no significant impact as noted below. If significant impacts are noted, Metro will process the change as a formal amendment.</p>			
4	<p><u>MAJOR PROJECT SCOPE OR WORK ELEMENT ADJUSTMENTS:</u> Major changes to the project scope or work approved work elements will normally require the changes to occur through a formal/full amendment. However, the formal/full amendment is only allowable if the scope changes leaves the project still consistent with the RTP and any transportation modeling or air conformity analysis requirements that were completed when the project was added to the RTP. The scope changes are allowable as a formal amendment assuming:</p> <ul style="list-style-type: none"> - The changes are not capacity enhancing which would change the project transportation demand modeling status or air quality analysis. - The project is still consistent with the RTP in overall scope, improvement, performance, strategies, and goals from the original constrained project RTP project entry. - The scope adjustments do not impact the project’s cost, location, or limits beyond the established thresholds described above. - The scope changes include capacity enhancing additions but are still consistent with project as modeled in the RTP. <p>The proposed scoping changes result in a significant down-scoping action to the project but are still consistent with the original Metro RFFA award, and have been approved by Metro management and/or JPACT previously. The scope then may occur via a formal amendment.</p>	<p>Major change in total project scope. Major scope change may include changes like:</p> <ul style="list-style-type: none"> • Increase in project location greater than 1 mile • Project modifications that result in NEPA re-evaluation • Change affects air quality conformity • Adding capacity per FHWA Standards • Adding or deleting scope from the project that is outside of the current approved intent of the project 	<p>Generally match with added clarifications for the Metro matrix.</p>	<p>The critical area is defining a “major scope change” which is open to some interpretation. Both the ODOT and Metro amendment matrix agree and generally match-up. The Metro version simply further clarifies that a major scope change must remain consistent with the RTP. Limitations in completing a major scope change also apply to capacity enhancing projects where negative impacts may result to the existing transportation modeling and/or air conformity analysis. If the major scope change impacts RTP consistency, then a RTP amendment may first have to occur.</p> <p>Major scope changes (funding changes beyond the administrative thresholds) for capacity enhancing projects that exceed \$100 million usually will also require the completion of a special Performance Assessment Evaluation to examine the impact of the scope change upon the RTP’s goals and strategies. The requirement results from JPACT and Metro Council direction concerning major formal MTIP amendments.</p>



	<p>Additionally, if the scope change impacts a capacity enhancing project that exceeds \$100 million dollars then, a Performance Assessment Evaluation also may be required to be completed as part of the formal amendment per the direction from the Metro Council.</p> <p>If the scope negatively impacts the above areas and is considered no longer consistent with the RTP, then an RTP amendment may be required first to complete before the MTUP amendment can occur.</p>			
5	<p><u>CHANGES IN FISCAL CONSTRAINT (COST CHANGES) BY THE FOLLOWING CRITERIA:</u> Changes in Fiscal Constraint by the following criteria will normally trigger a formal amendment:</p> <p>For FHWA funded projects - total project cost increase for all phases and any type of funding increase:</p> <ul style="list-style-type: none"> - Projects under \$1M – cost increases over 50% - Projects between \$1 million to \$5 million – cost increases over 30% - Projects over \$5 million – cost increases over 20% <p>For FTA funded projects – the total project cost increases for all phases and any type of funding increase over 30% will trigger a formal amendment.</p> <p>Additionally, per authorization from JPACT and Metro Council staff are authorized to exceed the above threshold of the cost change results from an inflationary impact and does not change the project scope or limits where RTP consistency would be called into question. Also, there can't be any significant political sensitivities involving the cost change that JPACT and/or Council need to be aware. On average, staff are authorized to exceed the thresholds as follows</p>	<p>Changes in Fiscal Constraint by the following criteria:</p> <ul style="list-style-type: none"> • Total project cost increase/decrease (all phases, any type of funding increase/decrease): - Projects under \$1M – increase/decrease 50% and over - Projects \$1M to \$5M – increase/decrease 30% and over - Projects \$5M and over – increase/decrease 20% and over 	<p>Metro's deletes the cost decrease condition. Also, the previous FTA 30% threshold is no longer stated in the ODOT matrix</p>	<p>The cost decrease threshold requirement has a few conditions which include:</p> <ul style="list-style-type: none"> • The cost increase does not result from a major down-scoping change to the project. • The cost decrease does not result in a change to the project's consistency with the RTP. <p>Due to the ongoing cost estimating issues many projects face resulting them being short funded, Metro strongly encourages the lead agency (especially or Metro awarded RFFA projects) to include added local overmatching funds as a contingency. This results in the possibility of overprogramming the project. However, the difference is the local overmatch. When the project moves forward to obligate a phase, and the phase is overprogrammed, Metro allows for the correction to decrease the phase to reflect the actual obligation as a technical/administrative correction. This does assume no scope change is occurring as well.</p> <p>This approach is especially useful for Transit FTA formula funded projects and helps ensure formula funded transit to avoid a further delay to their TrAMS grant to obligate and expend their FTA formula funds which are based on apportionment estimates until the final approved apportionment is known.</p> <p>The updated ODOT matrix appears to have removed the FTA 30% administrative threshold for transit projects. Metro's version will maintain it until additional details are know as to why ODOT deleted this from their matrix.</p> <p>Exceeding the threshold authorization: Over the lats two years numerous projects have been hit with inflationary cost increases that barely exceeded the cost change thresholds. (e.g. the \$6 million total</p>



	<p>if the cost change meets the noted conditions:</p> <ul style="list-style-type: none"> • Less than \$1 million: Increase the threshold from 50% to 60% • \$1 million to \$5 million: Increase the threshold from 30% to 40% • Over \$5 million: Increase the threshold from 20% to 30%. 			<p>project cost change iresult sin a net change of \$21.5%). Metro staff have been granted the authority to review these costs on a case-by-case basis and complete the cost change administratively if it is clear that the impact is due to an inflationary update and not a scope or limits change.</p>
6	<p>ADDING PERMANENT EMERGENCY RELIEF PROJECTS Adding an emergency relief permanent repair project that involves substantial change in function and location will normally trigger the need for a formal/full amendment</p>	<p>Adding an emergency relief permanent repair project that involves substantial change in function, location, and capacity. **See note below for temporary emergency repair projects.</p>	<p>Metro and ODOT match up, no exceptions</p>	<p>Funded ER projects provide improvements which are considered temporary. For this reason, both the MTIP and STIP are no longer required to program ER funded projects. However, if the ER funded safety improvement goes beyond the logic of restoring the roadway to the pre-disaster configuration, then then programming in the MTIP and STIP is required. Adding the project to the MTIP and STIP requires a formal amendment.</p>
7	<p>ADDING FEDERALLY FUNDED PLANNING PROJECTS: Adding a federally funded planning project where only funding is added to the planning phase requires the completion of a formal amendment to the MTIP.</p>	<p>Not applicable</p>	<p>Metro and ODOT will differ here</p>	<p>ODOT is authorized under their amendment matrix to add federally funded planning projects administratively. Under Metro’s process, federally funded planning projects are normally added to Metro’s Unified Planning Work Program (UPWP) each year. The annual UPWP includes a formal public notification/opportunity to comment period. However, adding a planning project after the UPWP is approved only requires an administrative action and no public notification period is included.</p> <p>Since Metro already includes a required 30-day public notification/comment period for all monthly formal amendments, Metro has agreed to include the federally funded planning project in the MTIP as well to ensure the public notification/public comment requirement is addressed to FHWA satisfaction. This also will eliminate the need to change the UPWP amendment process and continue to allow ODOT to add the planning project to the STIP administratively IAW their amendment matrix guidelines.</p>
8	<p>ADDING A NON-REGIONALLY SIGNIFICANT PROJECT REGARDLESS OF FUNDING TYPE TO THE MTIP: Adding a new federal, state, or locally funded project that is not regionally significant but is required to be included in the MTIP to satisfy a federal approval step will occur via formal amendment.</p>	<p>No specific equivalent. However, this is captured under the logic for new project submissions for ODOT</p>	<p>ODOT and Metro generally match</p>	<p>This applies to non-regionally significant projects that usually would not be added to the MTIP because they are not located in any of the regional significant networks (Motor Vehicle, Transit, Freight, Bicycle, or pedestrian), and/or require ODOT project delivery oversight. They may have to be added due to a required federal approval step where the MTIP and STIP are being used to satisfy the approval step. Examples included federal or stated fund Oregon Community Pages (OCP) projects, federally funded Recreational Trails grant awards, etc.). The decision to program the projects in the MTIP and type of projects are normally</p>



		handled on a case-by-case process with consultation process between Metro and ODOT to determine the programming requirements. When MTIP and STIP programming is deemed required, the project will complete the regular formal amendment process for inclusion in the MTIP.
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ODOT-FTA-FHWA AMENDMENT MATRIX

Draft - 10/9/2024

FULL AMENDMENTS	
1	Adding/Cancelling a federally funded, regionally significant, or state/locally funded projects which will potentially be federalized. If project does not meet this criteria, see Administrative #1. For WFL or planning projects, see Administrative #7 & #8.
2	Major change in total project scope. Major scope change may include changes like: <ul style="list-style-type: none"> • Increase in project location greater than 1 mile • Project modifications that result in NEPA re-evaluation • Change affects air quality conformity • Adding capacity per FHWA Standards • Adding or deleting scope from the project that is outside of the current approved intent of the project
3	Changes in Fiscal Constraint by the following criteria: <ul style="list-style-type: none"> • Total project cost increase/decrease (all phases, any type of funding increase/decrease): <ul style="list-style-type: none"> - Projects under \$1M – increase/decrease 50% and over - Projects \$1M to \$5M – increase/decrease 30% and over - Projects \$5M and over – increase/decrease 20% and over
4	Adding an emergency relief permanent repair project that involves substantial change in function, location, and capacity. **See note below for temporary emergency repair projects.



ADMINISTRATIVE MODIFICATIONS				
Item	Metro Amendment Matrix	ODOT Amendment Matrix	Match or Not	Notes
1	<u>NOT SPECIFIED SCENARIOS:</u> Any project changes that do not meet the MTIP and STIP amendment criteria in the Full Amendments section above.	Any project changes that do not meet the STIP amendment criteria in the Full Amendments section above.	Match	Other than the noted exceptions for MTIP amendments, both the ODOT and Metro amendment matrices match.
2	<u>ADVANCING OR SLIPPING PROJECT PHASES:</u> Adding/ Advancing or slipping an approved project/phase within the current MTIP constrained years (years 1-4) are authorized to occur administratively assuming no significant scope, limits, or cost changes are also occurring.	Advancing or slipping an approved project/phase within the current STIP (if slipping outside current STIP, project must be canceled in the current STIP).	Match with no noted exceptions	Advancing a project phase that is outside of year 4 in the constrained MTIP and STIP will require a formal/full amendment
3	<u>ADDING OR CANCELING PROJECT PHASES:</u> Adding or canceling any phase of an approved existing project in the active MTIP constrained years except for the Construction phase . Adding or canceling the construction phase for a project usually will trigger the need for a formal/full amendment.	Adding or canceling any phase of an approved project. See Full Amendment #3 for fiscal constraint thresholds.	Generally match but appear to now differ concerning the construction phase	General, ODOT and Metro match up here. The past exception has been when adding or deleting the construction phase, a full/formal amendment has been required. Adding or deleting a project's construction phase may impact performance measures and DEI goals. Therefore, the current formal amendment requirement when adding or deleting the construction phase needs to remain in the MTIP.
4	<u>COMBINING OR SPLITTING PROJECTS WITHIN CONSTRAINED YEARS:</u> Combining two or more approved existing projects into one or splitting an approved project into two or more projects or splitting part of an approved project to a new one.	Combining two or more approved projects into one or splitting an approved project into two or more, or splitting part of an approved project to a new one.	Generally match.	Metro's version adds clarifying language that the splitting or combining action must be within the constrained years of the MTIP. Otherwise the combining or splitting action may impact and change the fiscal constraint finding. This triggers the need for a formal amendment.
5	<u>COMBINING OR SPLITTING PROJECTS WITHIN CONSTRAINED YEARS WITH FUNDING FROM ODOT PROJECT GROUPING BUCKETS (PGB) OR ODOT PROJECTS OUTSIDE THE MPO MPA BOUNDARY AREA:</u> Since ODOT PGBs and other stand-alone projects programmed outside the MPA boundary are within the constrained years, combining or splitting the projects with Metro MPA boundary projects does not impact the statewide fiscal constraint finding and can occur administratively.	Not specifically identified in the ODOT Amendment Matrix but inferred as part of the technical corrections item	Generally match based on prior years approved practices	Since the impacted funds already meet a statewide constrained requirement, shifting them from outside the MPA boundary into the Metro MPA boundary really does not impact the existing fiscal constrained finding. The swap or exchanged is considered a lateral move of already constrained funds. The section is being added to the Metro Amendment Matrix for clarification purposes. The practice has been occurring for several years without any issues.
6	<u>FUND PHASE SWAPS OR FUND SWAPS BETWEEN PROJECTS WITHIN CONSTRAINED YEARS:</u> Completing fund swap between a project's Phases or between projects (e.g. changing the funding color among two constrained project) where no significant scope, limits, or cost changes are also	No officially specified as a separated entry but assumed as part of ODOT's technical change section	Generally match based on prior years approved practices	This section is added for clarification which had been inferred under allowable technical corrections section



	occurring that would impact fiscal constraint (as noted in item #5 in the formal section). Fund swaps may occur administratively from constrained projects outside the Metro MPA boundary as long as the no significant scope, limits, or cost changes are also occurring.			
7	<p><u>ADJUSTING THE NUMBER OF APPROVED SITE LOCATIONS TO AN EXISTING PROJECT GROUPING BUCKET (PGB):</u> Increasing or decreasing the number of approved site locations as part of the PGB is not considered a scope change assuming no other significant scope, limits or cost changes are also occurring, and may occur administratively.</p>	No specific equivalent	Metro and ODOT have differed in the past on this item	In the past ODOT has considered increasing the approved site locations in an existing PGB as a scope change which requires a formal amendment to complete. Metro disagrees. The change in a PGB approve site location does not impact the planned improvements. Example: An ADA curb and ramps upgrade PGB decreases its number of site locations from 20 to 15 due to budget limitations. The same scope elements apply. Only the final number of locations change. This change does change the planned ADA scope improvements only the number of locations. This section is being called out in the Metro Amendment Matrix for added clarity.
8	<p><u>COMPLETING MINOR TECHNICAL CORRECTIONS:</u> Completing Minor technical corrections to make the printed MTIP consistent with the STIP concerning prior approvals, such as typos, missing data, phase obligation updates, etc.</p>	Minor technical corrections to make the printed STIP consistent with prior approvals, such as typos or missing data.	Generally match with no exceptions	Eligible technical corrections normally can occur administratively and included as part of the documentation trail in the next appropriate admin mod bundle. Very minor technical corrections can occur through direct updates to the STIP and MTIP databases when the Region 1 STIP Coordinator and Metro MTIP programming stage agree to this and no documentation trail is required.
9	<p><u>COMPLETING PROJECT COST DECREASES:</u> Completing Project Cost Decreases: This assumes the cost reduction is not due to a significant location or limits change as well as a scope change.</p>	ODOT agrees if the cost decrease is below the cost change threshold. Otherwise, a formal amendment has to occur in the STIP	Metro and ODOT differ here	See Metro cost changes for formal amendments in item 5.
10	<p><u>COMPLETING MINOR PROJECT SCOPE CHANGES:</u> Project adjustments that result from minor scope changes can occur as an administrative modification in the MTIP under the following conditions:</p> <ul style="list-style-type: none"> • The changes to the project costs remain under the formal amendment cost threshold • The changes to the project limits and location remain under the formal amendment threshold. • The changes are non-capacity, air quality exempt changes which include examples listed in 40 CFR 93.126, Table 2 and 40 CFR 93.127, Table 3 • The changes result in the project still being consistent with the RTP through fiscal 	No specific equivalent section in the ODOT Amendment Matrix	May or may not match-up depending on Metro's and ODOT's interpretation of a scope change.	The nature of a scope is open to interpretation if it is a major or minor change. Metro's logic ties the scope change back to whether or not the project is capacity enhancing or not, impacts the fiscal constraint finding, or impacts RTP consistency with the major RTP goals and strategies. Metro's technical amendment appendix address specific types of scope changes to help determine when they are major or minor. ODOT has their own interpretation as well. For several of these, both ODOT and Metro match up. For others, Metro may have a more flexible interpretation, or ODOT may have the flexible interpretation. Because of this, when scope changes emerge as part of an amendment Metro and ODOT complete a consultation process to determine the level of flexibility in both interpretations and determine the best processing approach to complete the project changes. Overall, Metro and ODOT have been able to work through their interpretations as an



	<p>constraint, performance assessment, goals, and strategies verifications. For Metro RFFA funded projects, the project is still consistent with the original RFFA award in scope, location, and limits</p>			<p>administrative modification, formal amendment, or a combination of both.</p>
11	<p><u>COMPLETING PRIOR YEAR OBLIGATION UPDATES:</u> Adjusting programing or obligation levels to prior obligated projects without phases in the active years of the current MTIP. The following conditions apply:</p> <ul style="list-style-type: none"> - The prior obligate phase is being updated for follow-on obligation purposes - Fund swaps or adjustments are occurring to the prior obligated phase based on obligation updates to the project. <p>No change in scope, location/limits results from the prior obligated phase adjustment. Obligation updates also may occur administratively to prior obligate projects that are identified in the MTIP's Prioro Obligated section, but no longer have any active year programmed phases.</p>	<p>No specific equivalent is included in the ODOT matrix. However, the obligation updates occur automatically in the STIP and thus under the logic of an authorized technical correction for ODOT</p>	<p>Both Metro and ODOT match</p>	<p>Metro's amendment version simply clarifies and confirms that project obligation updates can occur administrative under the logic of a technical correction. For historical accounting purposes, Metro will include the obligation update as part of an administrative modification bundle.</p>
12	<p><u>PROJECT NAME OR MINOR DESCRIPTION UPDATES:</u> Completing necessary minor project names or description updates to better match up with the IGA/SPA, or other project documents. The project name or description updates can't be the result of a major scope change. Project name or description updates can occur as a result of minor scope updates where the purposes for added clarification. The scope or limit changes driving the name or description update must fall within the scope and limits thresholds as describe in the formal amendment section in item #3 and #4.</p>	<p>Changing name of project due to change in scope, combining or splitting of projects, or to better conform to naming convention. (For major change in scope, see Full Amendments #2)</p>	<p>Metro and ODOT match up with no noted exceptions</p>	<p>This section is being added for clarity and to match up with the ODOT item. Minor name or project descriptions correct have occurred over the year without issues. Previously they were considered part of an authorized technical correction. Adding this item now to the MTIP amendment matrix simply calls out the authorized change a little clearer.</p>
13	<p>No equivalent in Metro's amendment Matrix. To ensure federally funded planning projects complete the required public notification and comment opportunity period, they will be added into the MTIP through the formal amendment process.</p>	<p>Adding or modifying metropolitan planning projects (UPWP) funded under 23 U.S.C. 104(d) and 49 CFR 5305(d) or State Planning and Research (SPR) projects funded under 23 U.S.C. 505 and 49 U.S.C. 5303(e) or Surface Transportation Block Grant Program funds</p>	<p>Metro and ODOT differ here.</p>	<p>Subsequent review of new federally funded planning projects (specifically SS4A direct recipient types) will obligate through the USDOT DELPHI system and not FMIS. This process has exposed an issue allowing the planning to be obligated without completing a public notification/opportunity to comment process. Adding the project to the MTIP via a formal amendment will resolve the is issue. The MTIP formal amendment process will enable ODOT to add the planning project to the STIP administratively as identified in their matrix. The planning project</p>



				normally will be included in Metro's UPWP under the externally led federal funded projects section. By adding the planning project to the MTIP through the regular formal amendment process, Metro's UPWP then can add the project administratively as well without any issues.
14	Adding a Western Federal Lands (WFL) project	Adding Western Federal Lands, Recreational Trail, and Local Bridge projects where the projects are selected through a committee and involves public comment.	Metro and ODOT match with no exceptions	Adding a WFL project rarely comes up anymore.

ADMINISTRATIVE/TECHNICAL ADJUSTMENTS	
1	Any project changes that do not meet the STIP amendment criteria in the Full Amendments section above.
2	Advancing or slipping an approved project/phase within the current STIP (if slipping outside current STIP, project must be canceled in the current STIP).
3	Adding or canceling any phase of an approved project. See Full Amendment #3 for fiscal constraint thresholds.
4	Combining two or more approved projects into one or splitting an approved project into two or more, or splitting part of an approved project to a new one.
5	Minor technical corrections to make the printed STIP consistent with prior approvals, such as typos or missing data.
6	Changing name of project due to change in scope, combining or splitting of projects, or to better conform to naming convention. (For major change in scope, see Full Amendments #2)
7	Adding or modifying metropolitan planning projects (UPWP) funded under 23 U.S.C. 104(d) and 49 CFR 5305(d) or State Planning and Research (SPR) projects funded under 23 U.S.C. 505 and 49 U.S.C. 5303(e) or Surface Transportation Block Grant Program funds.
8	Adding Western Federal Lands, Recreational Trail, and Local Bridge projects where the projects are selected through a committee and involves public comment.

**Temporary emergency repair (ER) projects are not added to the STIP.

Amendment Definition: An amendment is a change to project information and costs. For financial changes, this applies to unobligated phases or phases which have been obligated and have additional financial change within the same federal fiscal year.

If you picnic at Blue Lake or take your kids to the Oregon Zoo, enjoy symphonies at the Schnitz or auto shows at the convention center, put out your trash or drive your car – we’ve already crossed paths.

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Auditor

Brian Evans

600 NE Grand Ave.

Portland, OR 97232-2736

503-797-1700