

staff, be determined to require either a formal Amendment or an Administrative Modification.

For all project changes, the amended TIP must remain fiscally constrained within the revenues that can reasonably be expected to be available.

For changes requiring an Amendment, the MIC will undertake actions to allow for public review and comment, in accordance with the MIC's requirements as an MPO.

All formal Amendments to the TIP must be approved by the MIC Board at a regularly-scheduled monthly meeting. Therefore proposed Amendments must be communicated to MIC staff at least eleven (11) days before the date of a regularly scheduled meeting to be included on the meeting agenda and publicly distributed one week in advance. (See Appendix p. 51).

The following process is consistent with federal transportation planning legislation in regard to the MPO's public participation requirements (23 CFR 450.316) and incorporates the criteria specified in [MnDOT's 2015 Guidance for STIP Amendments](#).

II. Amendments and Administrative Modifications

For projects listed in the current, approved Duluth Area TIP, changes may be need to be made periodically to accommodate project additions, advancements, changes to scope, cost and other types of changes needed by the sponsoring jurisdictions. Changes to the approved TIP may be made either by a formal TIP Amendment (for major project revisions) or by an Administrative Modification (for minor project revisions).

Any changes to the list of programmed projects proposed by the sponsoring jurisdiction, will, in consultation with MIC

A. Amendments to the Duluth Area TIP

A formal TIP Amendment is needed when a major revision is proposed to a programmed project.

1. Criteria for FHWA-Funded Projects

For projects using highway (FHWA) funds, the following criteria apply, in combination with the amount of the cost adjustment as shown in the TIP Amendment Threshold Table A-1:

- a. The change adds new individual FHWA funded projects.

- b. The change adds a regionally significant project (defined in Appendix, p. 51):
- c. The change impacts financial constraint, including total cost increases or decreases in accordance with the TIP Amendment Threshold (Table A-1).
- d. The change adds or removes a phase of work such as preliminary engineering, right-of-way, construction, etc. to the project which increases or decreases the total project cost.
- e. The change results in project scope change includes, but is not limited to, changing work type such as bridge rehabilitation to replacement, resurface to reconstruct, adding additional work/bridge/lane/intersection/route.
- f. The change in project limit/termini greater than 0.3 miles in any direction.

2. Criteria for FTA-Funded Projects

For projects using transit (FTA) funds, the following criteria apply, in combination with the amount of the cost adjustment as shown in the TIP Amendment Threshold Table A-2:

- a. The change adds new individual FTA funded projects to the current approved STIP.
- b. The change increases the STIP total project estimate cost by more than 20% (Table A-2).

3. Staff Actions

After it has been determined that a Formal Amendment to the Duluth Area TIP is necessary, the following public involvement steps will be taken:

- a. Determine if a 30-day public comment period is required.

Table A-1 / FHWA Funded Projects TIP Amendment Thresholds	
Original Estimated Cost of Project	Amendment needed if cost is increased or decreased more than:
< \$1 Million	A formal Amendment is not required (should be listed as an Administrative Modification).
\$1 Million to \$3 Million	50%
\$3 Million to \$10 Million	35%
\$10 Million to \$50 Million	20%
\$50 Million to \$100 Million	15%
> \$100 Million	10%

Table A-2 / FTA Funded Projects TIP Amendment Thresholds	
Original Project Estimate Cost	Amendment needed if cost is increased more than:
Any Amount	20%

- *Depends on the scope of the change; to be determined in consultation between MIC and MnDOT.*
- b. Determine if a new Community Impact/ Environmental Justice analysis or Conformity Determination is required for this TIP project
 - *Depends on the scope of the change; to be determined in consultation between MIC and MnDOT.*
- c. List the proposed Amendment as a voting item on the

published Agenda for meetings of both the Transportation Advisory Committee (TAC) and the MIC Policy Board, at least one week prior to the scheduled action on the Amendment.

- *See Appendix p. 51 for information about the timing to place an Amendment for approval on the TAC and MIC agendas; may require specially-scheduled meetings if the TAC's 11-day notification requirement cannot be met.*
- d. Provide public notice of the proposed changes to the TIP project by listing "Opportunity for Public Comment" on the published Meeting Notices for the TAC and MIC, at least one week prior to the scheduled action on the Amendment.
- e. Include a description in the accompanying meeting materials of the proposed changes, as well as a copy of the proposed Amendment, for public review.
- f. Provide public notice of the proposed changes to the TIP project, by posting the proposed Amendment on the TIP page of the MIC website, at least one week prior to the scheduled action on the Amendment at the meetings of the TAC and MIC.
- g. Prepare a Resolution for signature by the MIC Board chair.
- h. Present the Amendment for approval at the scheduled TAC and MIC meetings.
- i. Present any comments received to the MIC Board and include them in the published Meeting Summary.
- j. Include the result of the MIC Board vote on the Amendment, along with a description of the changes to the TIP project, in the published Meeting Summary.

- k. Update the TIP project list on the TIP page of the MIC website.
- l. Provide printed copies of the Amendment and the updated project list upon request.
- m. Email a copy of the signed Resolution to MnDOT District One staff for inclusion in the ATIP and STIP.

B. Administrative Modifications to the Duluth TIP

An Administrative Modification is a minor revision or technical correction to a programmed project which does not meet the criteria for a formal TIP Amendment (section A). Written justification is required to demonstrate fiscal constraint.

1. Criteria for FHWA-Funded Projects

For projects using highway funds, Administrative Modifications are required based on the following criteria:

- a. The cost estimate is increased or decreased but does not impact fiscal constraint.
 - *Meets the TIP Administrative Modification Threshold (Table B-1).*
- b. A new project is identified from a federal set-aside in the same state fiscal year.
- c. Projects are advanced or deferred within TIP years with no changes to cost or scope.
- d. A state funded project is added to the TIP, which is not regionally significant.
- e. A state funded project is converted to a federally funded project with no changes to scope or cost.
- f. A locally funded project is added to an existing federally funded project in the STIP if the revised total

project cost is greater than \$2 million. This applies to both MnDOT let and local let project.

- *No action required if the revised total project cost is less than \$2 million.*
- g.** A technical correction is made (such as changes to the project description or project number, or minor changes to the scope or cost of a project).
- h.** Advance Construction (AC) funds are added, removed, increased, or decreased for a project.
- i.** A project currently programmed in the TIP is removed.
- j.** A project is split into two or more projects. Splitting projects must be located within the original planned

location, with no change in combined total cost, and no shift in state fiscal year.

2. Criteria for FTA-Funded Projects

For projects using transit funds, Administrative Modifications are required based on the following criteria:

- a.** Moving projects between years of the current approved STIP.
- b.** Changing FTA funding source such as changing from Section 5307 funds to Section 5339 funds or vice versa.
- c.** Changing federal funding from FTA funds to FHWA funds or vice versa. Fiscal constraint justification required.
- d.** Making a technical correction.
- e.** Changing the State Project Number.

3. Staff Actions

Although formal public involvement steps are not required (by federal statute) for Administrative Modifications to the Duluth Area TIP, the MIC's practice is to provide public notice of these changes as follows:

- a.** Briefly describe these changes in the 'Project Updates' section of the TAC and MIC meeting materials and the TIP page of the MIC website.

Table B-1 / FHWA Funded Projects TIP Administrative Modification Thresholds	
Original Estimated Cost of Project	Administrative Modification needed if cost is increased or decreased more than:
< \$1 Million	No Administrative Modification is needed**
\$1 Million to \$10 Million	20%
\$10 Million to \$100 Million	10%
\$50 Million to \$100 Million	15%
> \$100 Million	***

** No Administrative STIP Modification is required when the original project cost is less than \$1 million AND the revised project cost remains less than \$1 million.

***An Administrative Modification for high profile TIP projects (greater than \$100 million) requires prior collaborative discussion between