

# APPENDIX D: PROCEDURES FOR DSATS TIP MODIFICATIONS

As approved by the DSATS Policy Committee on May 12, 2021

## Purpose

This Official DeKalb-Sycamore Area Transportation Study (DSATS) Transportation Improvement Program (TIP) Policy Document establishes a set of procedures to be used by DSATS for processing modifications to its TIP and subsequent modification on the Illinois Statewide Transportation Improvement Program (STIP). The STIP is comprised of regional TIPs developed by Metropolitan Planning Organizations (MPO) and the statewide program developed by the Illinois Department of Transportation (IDOT). The STIP is an official transportation improvement program document mandated by federal statute and recognized by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA).

## Definitions

- **Change in Scope** is a substantial alteration to the original intent or function of a programmed project.
- **Cooperating Parties** are Illinois Department of Transportation (IDOT), Metropolitan Planning Organizations (MPOs), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), and transit agencies.
- A **modification** is either an amendment or an administrative action to the STIP/TIP.
- A **new project** is a project that is not programmed in the current STIP/TIP, and does not have previous obligations from a prior STIP/TIP.
- **Planning Partners** are Local Public Agencies.
- **Advanced Construction (AC)** is a process IDOT has developed when a construction project intends to use Federal Funding for a project but those funds have not yet available as federal funds. The Federal funds are identified as State Advanced Construction funds until such time the funds are obligated, then funds are moved from AC to Federal funds.

## STIP/TIP Administration

FHWA and FTA will only authorize projects and approve grants for projects that are programmed in the current approved STIP. If a planning partner, transit agency, or IDOT wishes to proceed with a project not programmed on the current STIP, a modification must be made.

The federal statewide and metropolitan planning regulations contained in 23 CFR § 450 govern the provisions of the STIP and of individual MPO TIPs related to STIP and TIP modifications and other actions taken to modify the TIP. All modifications must maintain year-to-year fiscal constraint [23 CFR § 450.324 (i)] for each of the years of the STIP/TIP. TIP modifications must be consistent with the DSATS Metropolitan Transportation Plan (MTP) and must correspond to the adopted provisions of the Public Participation Plan (PPP).

## Modifications – Amendments and Administrative Actions

### SECTION 1: TIP Amendment

- 1.a. An **amendment** is a TIP modification that:
  - 1.a.i. Adds a new project or deletes a project that utilizes federal funds;
  - 1.a.ii. Makes a Change in Scope of the project; or
  - 1.a.iii. Adds, deletes, increases or decreases the cost of a project phase(s) that utilizes federal funds where the modification exceeds an amount equal to ½ of the current annual STU allocation, or a funding change in excess of 50% of the total project cost on the DSATS TIP;

Approval by DSATS is required for amendments. DSATS must then request IDOT Central Office approval. IDOT's Central Office will review, approve, and forward to the appropriate federal agency for review and approval.

- 1.b. It shall be DSATS preferred policy to submit all TIP Amendments for public review under the following guidelines:
  - 1.b.i. Any standard Amendment to the TIP should go through a normal 14-day public review period.
  - 1.b.ii. In circumstances where funding sources could be jeopardized if normal public review period procedures are followed, the DSATS Policy Committee can vote to eliminate the public review period (Staff and Board members are encouraged hold at least a 7-day public review period if circumstances allow for it).  
Examples of such circumstances include, but not limited to:
    - 1.b.ii.(1). If the safety of the public would be jeopardized by waiting until a full public review period is held before taking action;
    - 1.b.ii.(2). If an event (bridge posting/closing, natural disaster, etc.) constitutes an emergency which requires immediate action by the MPO to resolve the situation;
    - 1.b.ii.(3). If a project or projects would be significantly delayed by waiting until the next regularly held MPO meeting and a delay would significantly and adversely affect the scheduling or the cost or funding of the project or projects being considered, the economic viability of an area (i.e.; access to business) would be adversely effected by the lack of immediate MPO action, or the continuity of the transportation system would be impaired, thereby lowering the capability of the network to move people, goods, or services; or

- 1.b.ii.(4). If recent events warrant an immediate programming response in order to meet the social, economic, or environmental needs of a member government within the MPO.
- 1.b.iii. For any actions which would shorten or eliminate the standard public review period, DSATS Staff should notify the proper IDOT, FHWA, and FTA staff of the actions the MPO intends to take and seek their concurrence for the proposed action(s) before a Policy Committee vote is taken.

## SECTION 2: Administrative Action

- 2.a. An **administrative action** is a TIP modification that:
  - 2.a.i. Adds or deletes a non-federally funded project;
  - 2.a.ii. Adds a project for emergency repairs to roadways or bridges, except those involving substantial, functional, location, or capacity changes<sup>1</sup>;
  - 2.a.iii. Increases or decreases the cost of a project phase(s) or deletes a project phase(s) that utilizes federal funds where the modification does not exceed an amount equal to ½ of the current annual STU allocation or a funding change less than 50% of the total project cost on the DSATS TIP;
  - 2.a.iv. Project funds for an IDOT project are being moved from Advanced Construction (AC) to Federal Funding, or Federal to AC.
- 2.b. ***Administrative actions do not require a public review period.***
  - 2.b.i. Staff shall review all TIP modifications to verify the changes meet the criteria to be classified as an administrative action.
  - 2.b.ii. The DSATS Director shall approve the administrative action, and direct staff to update the DSATS TIP with the proposed changes.

The Administrative Action taken shall be noted on the DSATS Policy Committee Meeting Agenda identifying the action taken.

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<sup>1</sup> If a modification adds a project for emergency relief purposes, the project will be added as an *Administrative Action* to the TIP. Per 23 CFR § 450. 216 (g (5)), emergency relief projects may (but are not required to) be included on the STIP, except those involving substantial functional, locational, or capacity changes.