

Northeastern Pennsylvania Rural Transportation Planning Organization

Transportation Programming for the Counties of: Carbon ✧ Monroe ✧ Pike ✧ Schuylkill ✧ Wayne

2011-2014 TRANSPORTATION IMPROVEMENT PROGRAM (TIP) AMENDMENTS AND ADMINISTRATIVE ACTIONS GUIDELINES AND PROCEDURES MEMORANDUM OF UNDERSTANDING June 2010

INTRODUCTION

The Transportation Improvement Program (TIP) Amendments and Administrative Actions Guidelines and Procedures Memorandum of Understanding (MOU) was adopted by the NPRTPO Committee as a component of the 2011-2014 TIP Update following a Public Hearing on July 20, 2010 at the NEPA Alliance Office in Pittston, Pennsylvania. This MOU becomes effective on October 1, 2010 and will remain in effect until September 30, 2012 unless amended by further action of the NPRTPO Committee. Furthermore, it is agreed that this document will be reaffirmed every two years in coordination with the TIP Update Process.

This document is consistent with the Commonwealth of Pennsylvania's Memorandum of Understanding entitled Pennsylvania Department of Transportation's Statewide Procedures for 2011-2014 STIP and TIP Modifications.

This Memorandum of Understanding establishes a set of procedures to be used in the Commonwealth of Pennsylvania for processing modifications to the 2011-2014 Statewide Transportation Improvement Program (STIP) and MPO/RPO TIPs. The STIP is the aggregation of the Planning Partners' TIPs, including the statewide Interstate Management Program and other statewide line items.

BACKGROUND

The Northeastern Pennsylvania Alliance (NEPA), as a Local Development District (LDD), encompasses all of Carbon, Lackawanna, Luzerne, Monroe, Pike, Schuylkill, and Wayne counties. NEPA is also designated as a Rural Planning Organization serving as the coordinating agency for transportation planning and programming in the rural region that includes Carbon, Monroe, Pike, Schuylkill, and Wayne counties. Since 1991, NEPA has had an annual work program with PennDOT. This work program requires that NEPA convene a rural transportation planning committee on a regular basis. This committee has evolved over the years into Northeastern Pennsylvania Rural Transportation Planning Organization (NPRTPO) Committee.

The NPRTPO Committee is comprised of fourteen (14) voting members that include one representative from each of the five rural counties, the planning and programming engineer from PennDOT Districts 4-0 and 5-0, a PennDOT Central Office representative, a representative from

NEPA, and five (5) at-large members. The NPRTPO Committee is guided by Operational Procedures, which were adopted in August 2002 and recently amended in February 2008.

The NPRTPO Committee reviews the area's TIP, which is the primary funding source for the counties' highway and bridge projects, and transit system improvements. Through the TIP, transportation projects are identified and advanced to provide for the restoration and development of a multi-modal transportation infrastructure, which supports economic development by creating a safer and more efficient travel environment for the movement of people and goods.

Definitions

- ***Betterment*** consists of surface treatments/corrections to existing roadway [preferably within the Pennsylvania Department of Transportation's (PennDOT's) right-of-way] to maintain and bring the infrastructure to current design standards for that classification of highway. This may involve full depth base repair, shoulder widening, increased lane widths, correction of super-elevation, as well as, drainage improvements and guide rail updates.
- ***Change in scope*** is a substantial alteration to the original intent or function of a programmed project.
- ***Cooperating parties*** are PennDOT, Metropolitan Planning Organizations (MPOs) and Rural Planning Organizations (RPOs), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), and transit agencies.
- ***Interstate Management (IM) Program*** is PennDOT's four year listing of statewide interstate maintenance (non-capacity adding) projects.
- 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 STIP/TIP, and does not have previous obligations from a prior STIP/TIP.
- ***Planning Partners*** are Metropolitan Planning Organizations (MPOs) and Rural Planning Organizations (RPOs).
- ***Public Participation Plan (PPP)*** is a documented broad-based public involvement process that describes how the Planning Partner will involve and engage the public in the transportation planning process to ensure that the concerns of stakeholders are identified and addressed in the development of transportation plans and programs.
- A ***reserve line item*** holds funds that are not dedicated to a specific project(s) and may be used to cover cost increases or add a new project or project phase(s).

What is a Statewide Transportation Improvement Program (STIP) and a Transportation Improvement Program (TIP)?

The STIP constitutes a list of projects to be implemented over a four-year period. It is comprised of regional TIPs developed by the 23 Planning Partners, and a statewide Interstate Management Program developed by the Pennsylvania Department of Transportation (PennDOT). The STIP is the official transportation improvement program document mandated by federal statute and recognized by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA). The Commonwealth's Twelve Year Program, which incorporates the TIPs and STIP, is updated every

two years as required by state law.

23 USC 134(a) (Metropolitan Planning) states: *“It is in the national interest to encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and between states and urbanized areas, while minimizing transportation-related fuel consumption and air pollution through metropolitan and statewide planning processes. To accomplish the objectives stated above, metropolitan planning organizations, in cooperation with the State and public transit operators, shall develop long range transportation plans and transportation improvement programs for metropolitan areas of the State.” In addition, 23 USC 135 (Statewide Transportation Planning) under “Development of Plans and Programs,” states: “To accomplish the objectives stated in section 134(a), each State shall develop a statewide transportation plan and a statewide transportation program for all areas of the State subject to section 134(a).”*

Note that Rural Planning Organizations (RPO’s) under contract to PennDOT are not recognized by federal law or regulations relating to transportation planning. However, the Commonwealth of Pennsylvania, through PennDOT, coordinates and participates with Rural Planning Organizations in transportation planning using the same principles and practices required for Metropolitan Planning Organizations (MPOs).

How and When is the STIP/TIP Developed?

Attachment A provides general and procedural guidance for STIP/TIP development.

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 PennDOT wishes to proceed with a project not programmed on the TIP, 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. The intent of this federal regulation is to acknowledge the relative significance, importance, and/or complexity of individual programming actions. Federal transportation planning Regulations (23 CFR § 450.324) permits the use of alternative procedures by the cooperating parties to effectively manage actions encountered during a give TIP cycle. The Federal Transportation Planning Regulations require that any alternative procedures be agreed upon and such alternative procedures be documented and included in the TIP document.

All modifications must maintain a year-to-year fiscal constraint [23 CFR § 450.324 (i)] for the entire four years of the STIP/TIP. Modifications shall account for year of expenditure and maintain the estimated total cost of the project or project phase. The arbitrary reduction of the overall cost of a project, or project phase(s), shall not be utilized for the advancement of another project.

In addition, TIP modifications must be consistent with the Planning Partner’s Long Range Transportation Plan (LRTP) and must correspond to the adopted provisions of the Planning Partners’

Public Participation Plan (PPP). A reasonable opportunity for public review and comment shall be provided for significant revisions to the STIP/TIP.

If a modification adds a project, deletes a project, or impacts the schedule or scope of work to an air quality significant project in a nonattainment or maintenance area, a new air quality conformity determination will be required if deemed appropriate by the Interagency Air Quality Consultation Group. If a new conformity determination is deemed necessary, an amendment to the region's LRTP shall also be developed and endorsed. The modified conformity determination would then be based on the amended LRTP conformity analysis and public involvement procedures consistent with the region's PPP shall be required.

If a modification adds, advances or adjusts costs for a project as a result of August Redistribution, the Planning Partner will be notified of such action.

An Interstate Management (IM) STIP/TIP modification shall be coordinated by PennDOT with notification provided to the appropriate Planning Partner(s).

NPRTPO TIP MODIFICATION PROCEDURES

As required by the above referenced MOU, each planning partner must adopt a similar document for inclusion in the TIP, which will clarify how the planning partner will address TIP modifications. It is required that the procedures, at a minimum, be consistent with the standards adopted in the Commonwealth's MOU.

The NPRTPO Committee, PennDOT, the Schuylkill Transportation System (STS), Monroe County Transportation Authority (MCTA), and the Carbon County Community Transit (CCCT) utilize TIP modifications for financial adjustments to bridge, highway and transit related projects identified in the Rural Planning Organization (RPO) region's TIP.

MODIFICATIONS

An *Amendment* is a STIP/TIP modification that:

- Affects air quality conformity regardless of the cost of the project or the funding source;
- Adds a new project or deletes a project that utilizes Federal funds;
- Adds a new highway project phase(s) or deletes a highway project phase(s) that utilizes Federal funds where the modification exceeds the following thresholds:
 - \$5 million for the Statewide IM Program
 - \$2 million for the NPRTPO
- Increases or decreases a project phase(s) that utilize Federal funds where the modification exceeds the following thresholds:
 - \$5 million for the Statewide IM Program
 - \$2 million for the NPRTPO
- Creates a new line item that utilizes Federal funds;

- Adds or deletes a project or a project phase that transfers Federal funds between a TIP and a Statewide line item;
- Adds a project (does not pertain to betterments) that exceeds the following thresholds, where the funds originated from a line item:
 - \$5 million for the Statewide IM Program
 - \$2 million for the NPRTPO
- Involves a change in the scope of work to a project(s) the would:
 - Result in an air quality conformity reevaluation;
 - Result in a revised total project estimate that exceeds the thresholds established between PennDOT and the Planning Partner (not to exceed the threshold contained in this MOU);
 - Result in a scope change on any project that is significant enough to essentially constitute a new project.

A TIP amendment is formally initiated for Committee action by an assigned NPRTPO Committee member, through a motion introducing the proposed amendment during a business meeting. The motion for the recommended amendment describes the action, which if seconded by a Committee member, concludes with Committee's majority vote, be it affirmative or negative. When TIP amendments are needed immediately in urgent situations, email, phone and fax balloting is conducted. All email, phone and fax ballots are confirmed at the next regularly scheduled business meeting to validate voting results. No votes shall take place unless a quorum (or one-half of the Committee representatives) is present.

If an amendment is approved by formal committee action, an eSTIP (electronic amendment form) is submitted to PennDOT Central Office with all the pertinent document attachments for their review, and if acceptable, is then forwarded to the appropriate Federal agency(s). TIP amendments that are endorsed by a formal action of the NPRTPO Committee require PennDOT Central Office and Federal (FHWA and/or FTA) approval. For air quality significant amendments, the U.S. Environmental Protection Agency and the Pennsylvania Department of Environmental Protection must also be consulted for approval. With the approval of the federal agency(s), the TIP amendment is finalized and a revised TIP document is generated and forwarded to the planning partner with the completed eSTIP form documenting approvals from all appropriate parties.

All modifications (including modifications defined as administrative actions) associated with the amendment shall be identified and grouped as one action on a Fiscal Constraint Chart (FCC) in order to demonstrate both project and program fiscal constraint. The identified grouping of projects (the entire amendment action) will require approval by the cooperating parties. In the case that a project phase is pushed out of the TIP period, the Planning Partner will demonstrate, through a Fiscal Constraint Chart, fiscal balance of the subject project phase on the 2nd period of the respective Planning Partners' long range transportation plan.

In the case of the IM Program, approval by PennDOT's Program Management Committee (PMC) and FHW A is required.

An **Administrative Action** is a STIP/TIP modification that:

- Adds a project from a funding initiative or line item that utilizes 100 percent Statewide or local funding;
- Adds a project for emergency repairs to roadways or bridges, except those involving substantial, functional, location, or capacity changes;
- Adds or deletes a right-of-way phase for incidental right-of-way or utility work that does not exceed the threshold established in the MOU between PennDOT and the Planning Partner nor exceed the threshold established by this MOU;
- Draws down from an existing STIP/TIP reserve line item and does not exceed the threshold established in the MOU between PennDOT and the Planning Partner;
- Increases or decreases the cost of a project phase(s) or deletes a project phase(s) that does not exceed the threshold established in the MOU between PennDOT and the Planning Partner nor exceed the threshold established by this MOU;
- Adds or deletes a project (does not pertain to betterments) that does not exceed the thresholds established in the MOU between PennDOT and the Planning Partner, or established by this MOU, where the funds originated from a line item from the same TIP;
- Adds Federal or state capital funds from low bid savings, deobligations, release of encumbrances, or savings on programmed phases to another programmed project phase or line item;
- Does not affect air quality conformity nor involve a significant change in the scope of work to a project(s) that would trigger an air quality conformity re-evaluation; does not exceed the threshold established in the MOU between PennDOT and the Planning Partner, or the threshold established by this MOU; and does not result in a scope change on any project that is significant enough to essentially constitute a new project.

TIP Administrative Actions do not require NPRTPO Committee or Federal agency approval; however, the lead agency (PennDOT, STS, MCTA or the CCCT) for the Administrative Action will inform the NPRTPO Committee of these actions at the next regularly-scheduled meeting and will forward a copy of the Administrative Action(s) to the appropriate federal agency for review and comment. PennDOT and the RPO will work cooperatively to address and respond to any FHWA and/or FTA comment(s). This represents a commitment by the planning partners and PennDOT to continuously demonstrate financial constraint, of the respective STIP/TIP, throughout the programming cycle. FHWA and FTA reserve the right to disallow an administrative action if it is not consistent with federal regulations or the Commonwealth MOU.

If a modification adds a project for emergency relief purposes, the project will be added as an *Administrative Action* to the STIP/TIP. Under 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, location, or capacity changes.

STIP/TIP FUNDS MANAGEMENT REPORTS

In order to better manage the STIP/TIP and to provide decision makers with timely and accurate information about programmed projects, PennDOT established a financial reporting procedure and will provide a TIP Funds Management Report to each planning partner and to FHWA and FTA within 45 days after the enactment of the annual federal appropriations. The report will identify the planning partners' target amount of the statewide obligation authority for that year.

At the end of each quarter (or more often as necessary), PennDOT will provide, to all planning partners, FHWA, and FTA, a STIP/TIP Status Report on actual federal obligations and state encumbrances for that year. At the end of the federal fiscal year, PennDOT will provide, to the same parties, a Summary Report of all obligation and encumbrances.

We, the undersigned hereby agree to the above guidelines and procedures.

Charles Ross, Chairperson
NPRTPO Committee

Date _____

Jeffrey K. Box, President & CEO
Northeastern Pennsylvania Alliance

Date _____

Michael Micko, VP, Public Trans. Services
Schuylkill Transportation Systems

Date _____

Margaret Howarth, Executive Director
Monroe County Transportation Authority

Date _____

Denis Meyers, Asst. Executive Director
Lehigh and Northampton Transit Authority
Carbon County Community Transit Representative

Date _____

Larry S. Shifflet, Director, Program Center
Secretary of Transportation
Pennsylvania Department of Transportation

Date _____

Attachment A

PENNSYLVANIA'S 2011

TRANSPORTATION PROGRAM GENERAL AND PROCEDURAL GUIDANCE

The official state programming document is the Twelve Year Transportation Program. The development and update of this program is guided by Act 120 of 1970 which established the State Transportation Commission (STC) and its related duties and responsibilities. The STC adopts the Twelve Year Program.

The official Federal programming document is the Statewide Transportation Improvement Program (STIP). The STIP includes the Metropolitan Planning Organization (MPO) Transportation Improvement Programs (TIPs). The Commonwealth has fifteen MPOs, not including the small pieces of urbanized areas that extend into Pennsylvania (for example, Hagerstown, MD or Binghamton, NY). MPOs are county and regional bodies covering all urbanized areas over 50,000 population. MPOs are mandated to establish and carry out a cooperative, continuous, and comprehensive planning process in order to meet various planning and programming responsibilities that were established in legislation, like the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and the Clean Air Act. The MPOs develop and approve Transportation Improvement Programs. The Governor or his designee (currently the Secretary of the Pennsylvania Department of Transportation) must also approve the metropolitan TIPs and submit the entire STIP to the US Department of Transportation for their approval.

The STIP also includes projects from the rural portion of the state. PennDOT and the eight Rural Planning Organizations (RPOs) under contract to PennDOT) are jointly developing and approving rural TIPs. Therefore, for transportation planning and programming purposes, the eight RPOs are presently functioning as MPOs. The Governor or his designee also approves these rural TIPs, as well as the overall STIP.

The words “2011 Transportation Program” or “2011 Program” in the general and procedural guidance refer to both of the following project listings:

the 2011-2022 Twelve Year Program and
the 2011-2014 Statewide Transportation Improvement Program.

The word “partners” in the following guidance includes the State Transportation Commission, the Pennsylvania Department of Transportation on behalf of the Governor, the Metropolitan Planning Organizations and Rural Planning Organizations, public transportation properties across the Commonwealth, the Pennsylvania Turnpike Commission, the Pennsylvania Department of Environmental Protection, the U.S. Department of Transportation (Federal Highway Administration and Federal Transit Administration) and the U.S. Environmental Protection Agency (EPA).

The words “interested parties” in the following guidance means citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, agencies or entities responsible for safety/security operations,

providers of non-emergency transportation services receiving financial assistance from a source other than title 49, U.S.C., Chapter 53, tribal governments, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process.

GENERAL AND PROCEDURAL GUIDANCE FOR THE DEVELOPMENT OF THE 2011 TRANSPORTATION PROGRAM

PURPOSES/OBJECTIVES:

- Program strategically; establish priorities; select transportation improvements with the greatest benefit to the Commonwealth and individual counties/regions; and give all partners the flexibility to more effectively choose and approve the best mix of projects that meet their own varied needs. Transportation system preservation and management continues to be the highest priority in Pennsylvania and the individual MPO/RPO programs should emphasize system preservation and management. System preservation involves extending the life of existing facilities and their associated equipment and hardware or the repair of damage that impedes mobility or compromises safety; while, system management involves improving the reliability, safety, traffic flow, and security of existing facilities and their associated equipment and hardware. It is recommended that at a minimum, at least 90% of a MPO/RPO's program resources be dedicated to system preservation including 85% of bridge improvement resources directed toward addressing structurally deficient bridges.
- Strengthen the linkage between land use and transportation decision-making during the development of the 2011 Transportation Program and continue to work to improve this integration process in future years. This linkage can take many forms, including supporting in-fill, access management, brownfield or grayfield site development, implementing projects that enhance KOZs/KIZs, helping blighted communities with transportation projects/services, encouraging collaboration among governments or coordinating with the Governor's many other initiatives. The Commonwealth of Pennsylvania Keystone Principles for Growth, Investment and Resource Conservation should be considered in the establishment of program priorities and included as part of project selection criteria.
- Develop required transportation programs that contribute to achieving the tenets in state Act 120 and the Federal transportation laws and regulations and to achieving the goals and objectives expressed in the Commonwealth's Long Range Transportation Plan (Pennsylvania Mobility Plan), in individual county/regional long range transportation plans, in bicycle/pedestrian plans and other key documents.
- Draw candidate major capital and/or air quality non-exempt projects from existing long range transportation plans for inclusion in the transportation program.
- Implement processes and procedures that enhance State, Metropolitan Planning Organization and Rural Planning Organization application and enforcement of effective fiscal constraint with regard to long range planning and short range programming.
- Continue to advance joint partner agency public participation outreach activities. When

possible, look to establish joint MPO/RPO TIP and PennDOT STIP public comment periods.

- Continue to share project-specific data, especially as it relates to candidate projects that surface through individual partner activities including their public participation plans/outreach that are not included on current long range plans or programs.

TIMING:

- Update the Twelve Year Program, the Statewide Transportation Improvement Program, the Metropolitan Planning Organization and Rural Planning Organization Transportation Improvement Programs every two years in a coordinated fashion.
- Federal programming documents will cover a four year time frame to remain consistent with the first four years of the Twelve Year Program and the first four years of the MPO/RPO long range transportation plan.
- Metropolitan Planning Organizations and Rural Planning Organizations should schedule their TIP approval meeting dates so that air quality conformity analyses by PennDOT's consultants can be properly scheduled and the MPO/RPO TIPs can be sent to PennDOT according to the attached schedule.
- As necessary, respond to new State and Federal initiatives and any other changing circumstances as quickly as possible and make necessary adjustments to the joint PennDOT/MPO/RPO planning and programming process.

COORDINATION:

- Develop the STIP and MPO/RPO TIPs among all partners and interested parties through a continuing, coordinated and collaborative process, based upon mutual trust, data sharing (including project technical evaluation input needs), open communication and cooperation at each program development step, leading toward consensus between all planning partners regarding the most effective use of the limited transportation financial resources.
- Share project and program data bases among all parties including project technical evaluation input needs. Projects shall be consistent with the county and/or regional comprehensive and long range transportation plans.
- Carry out statewide programming and metropolitan/rural programming in conjunction with the update of the Twelve Year Program, the individual MPO/RPO TIPs, and the resultant STIP.
- Ensure effective coordination of the transportation programming process with the providers of all the modes of transportation.
- PennDOT and its planning partners will update the Interstate Management Program for the

2011 Transportation Program. Planning partners and the District Offices will help to identify and comment on the interstate projects through the development of the 2011 Transportation Program. PennDOT will manage the interstate system on a statewide basis, but will notify MPO/RPOs of Interstate Management Program amendments and modifications even when formal approval is not required.

PUBLIC INVOLVEMENT:

- Conduct meaningful public outreach and involvement activities as documented in both the individual planning partner's public participation plan and PennDOT's Statewide Public Participation Plan.
- Meet all Federal and state mandates, including Title VI and environmental justice requirements.
- Public involvement activities will be coordinated among all affected partners and will be consolidated whenever possible to avoid overlap, maximize return from joint outreach, and avoid confusion to the public and result in most effective and efficient use of labor across all planning partners. Conduct joint STC/MPO/RPO public hearings to gather early input to the program development process.
- Seek early and coordinated input into the programming process by reviewing currently programmed and candidate projects.
- After each draft TIP is reconciled and is ready for one last round of public involvement, at a minimum, the following draft TIP documentation needs to be made available for public comment – (1) highway and bridge program project listing (public version with long narratives); (2) public transportation program project listing (public version with long narratives); (3) public transportation financial capacity analysis (MPOs only); (4) air quality conformity determination report in non-attainment and maintenance areas only; (5) draft TIP modification procedures; and (6) environmental justice (EJ) analysis (community profiles and methodology); (7) current public participation plan; (8) TIP technical project prioritizing process. A formal public comment time period (minimum 30 days) needs to be established, and a public meeting or hearing needs to be held by each MPO/RPO to gather any comments/concerns on the TIP and related documents.
- Provide easy and complete access to all public documents, including the draft and final TIPs, STIP and Twelve Year Program project listings, taking particular advantage of the Internet.

FINANCIAL GUIDANCE/FINANCIAL PLANS:

- The jointly developed and approved financial guidance will establish funding targets for each MPO, RPO, public transportation operator, and PennDOT. The guidance will provide sufficient information for the affected partners and interested parties to begin to identify

projects, perform project technical evaluation, negotiate, and reach consensus on their portion of the Program within fiscal constraint.

- Address cash flow procedures, like highway advance construction and public transportation letters of no prejudice or full funding grant approvals in the program development process. Address projects with accrued unbilled costs (work on a project has been started/completed and all or a portion paid for in state or local funds, but the project is eligible for Federal funds and will be submitted to FTA or FHWA during program development for Federal funding or after the program is approved) as is appropriate. When projects in accrued unbilled status are being converted, the projects must appear on the area's Program.
- The TIPs and STIP shall include a project or a phase of a project, only if full funding can reasonably be anticipated to be available for the project within the time period contemplated for completion of the project, including the estimated total cost of the project which extends beyond the four years of the TIP and STIP in accordance with 23 C.F.R. 450.324(i) & (e)(2).
- In developing the TIP financial plans and consolidated statewide in the STIP documentation, shall contain system-level estimates of cost and revenue sources to that are reasonably expected to be available to adequately operate and maintain Federal-aid highways and public transportation in accordance with 23 C.F.R. 450.324(h). In addition, identify any funding gaps that may exist at a systems-level.
- For illustrative purposes, the financial plan may (but is not required to) include additional projects that would be in the TIP if reasonable additional resources beyond those in the financial plan were to become available.

REQUIREMENTS:

- Satisfy all Federal and state planning and programming rules and regulations. Federal planning requirements are documented in 23 C.F.R. 450.
- Each project or project phase included in the TIP should be consistent with the approved region's long range plan.
- Provide written documentation of the MPO/RPO project prioritizing process utilized for TIP development and the Department's prioritizing process utilized for the Interstate Management Program.
- Include metropolitan and rural TIPs without modification in the STIP, once approved by the MPO or RPO and the Governor (or designee) and after verification of consistency with financial guidance on fiscal constraint, project funding eligibility and, where necessary, completed air quality testing and analysis that demonstrates that conformity has been met. All appropriate parties will be notified when individual projects or programs have been included in the Statewide Transportation Improvement Program. Close coordination must occur with PennDOT and the State Transportation Commission to insure that the approved Transportation

Improvement Programs are consistent with the approved first four years of the Twelve Year Program.

- Perform air quality conformity analyses consistent with the U.S. Environmental Protection Agency's Transportation Conformity Rule, recent Federal court rulings and the Pennsylvania Transportation Conformity State Implementation Plan (SIP) in non-attainment and maintenance areas.
- Projects proposed to be funded with Federal Highway Safety Improvement Program (HSIP) funds will be coordinated with the individual MPO/RPO, PennDOT District, Program Center, and Bureau of Highway Safety and Traffic Engineering (BHSTE) and be consistent with the District Safety Plan, and PennDOT's Strategic Highway Safety Plan. However, other Federal funding categories can be used to program, implement and construct projects that address a documented safety need.
- Intelligent Transportation System (ITS)-type projects will be consistent with the national, state and individual MPO/RPO ITS architectures. Work to advance transportation safety and operations initiatives that are consistent with the individual MPO/RPO Regional Operations Plans (ROP) and the Statewide Transportation Systems Operations Plan (TSOP).
- The limited number of capacity adding projects to be considered for advancement in nonattainment transportation management areas (TMAs) must be consistent with the Region's Congestion Management Process (CMP).
- Assign projects or phases of projects in the STIP and in the MPO/RPO TIPs by year (e.g., 2011, 2012, 2013 and 2014) based upon the latest project schedules and consistent with 23 C.F.R. 450.324(i).
- Provide updated cost estimates for each project, based on "year of expenditure" as well as detailed definitions of the projects. Constrain the projects and phases of projects in the STIP by year, by available funding and within the bounds of the financial guidance. Costs estimates must use "year of expenditure dollars" to reflect their cost. PennDOT will provide the MPO/RPOs with growth rates and a methodology for determining an inflation rate in the Financial Guidance.
- Include all regionally significant transportation projects being advanced (project that is on a facility which serves regional transportation needs and would normally be included in the modeling of the metropolitan area's transportation network) as defined in 23 C.F.R. Section 450.104, regardless of their funding sources, in the STIP and in the MPO and RPO TIPs. This will include 100% state funded projects, private projects and Turnpike projects so the program and program modeling reflects the full range of improvements to be undertaken in a given metropolitan or rural area and across the state (excluding county maintenance and PA Turnpike maintenance funds). The Department will request a list of turnpike projects from the Turnpike Commission and distribute the list to all planning partners, in advance of Air Quality Conformity time line requirements, so the projects can be included in the appropriate

Transportation Improvement Programs. Those Turnpike projects requesting Federal funding that are selected for inclusion on a TIP will be assigned MPMS numbers; those that have no Federal funding will need to be identified another way on the TIP.

- Provide the following project information in the program, including the Interstate Management Program:
 - sufficient descriptive (detailed) material to clarify the design concept and scope as well as location of the improvement. The MPO/RPO and District Office must collaborate on the detailed descriptive information and the District must ensure the information is input in the Public Narrative field in MPMS.
 - estimated total costs within the TIP time period reflecting YOE
 - amount and category of Federal funds and non-federal funds to be obligated/encumbered each program year per project or phase of project, the total amount of funds already obligated or encumbered per project or phase of project, and the estimated amount for any phase beyond the TIP period
 - identification of the agency or agencies responsible for implementing the project
- Work with all project sponsors to provide any additional information that needs to be included with each project as it is listed in the program.
- The appropriate portions of the attached metropolitan TIP checklist must be completed by each MPO/RPO/public transportation property(ies) and submitted to the Department with the approved TIP. Program Center staff will complete the remaining portions of the checklist and forward it to FHWA/FTA with the STIP. The Program Center will complete a statewide checklist similar to the metropolitan checklist and forward it to FHWA/FTA with the STIP.
- After each TIP is approved by an MPO/RPO, the following TIP documentation needs to be submitted to PennDOT must include the following information – (1) cover letter which documents that the MPO/RPO adopted the TIP and on what date; (2) highway and bridge program project listing (public version with long narratives); (3) public transportation program project listing (public version); (4) public transportation financial capacity analysis (MPOs only); (5) air quality conformity determination report in non-attainment areas only; (6) air quality resolution (nonattainment areas only); (7) self-certification resolution including significant documentation for non-TMA MPOs to indicate compliance (MPOs only); (8) TIP modification procedures; (9) documentation of the advertisement of the 30-day public comment period (consistent with the procedures in the MPO/RPO public participation plans and a list of comments received and responses to the comments); (10) environmental justice (EJ) summary; (11) documentation of the project selection process; (12) public participation plan; and (13) TIP checklist. Five copies of this information must be provided to the Program Center in PennDOT according to the attached schedule.

PROGRAM DEVELOPMENT:

- In order to adequately maintain, operate and preserve existing transportation facilities, the Department and its partners shall undertake the following activities: inventory the system; determine existing conditions; develop strategies/priorities to continue to improve the system; include projects on transportation programs; and implement projects as part of annual budgets.
- The Districts will develop a list of priority needs for the operation and preservation of the interstates and expressways, betterments, bridge replacements, rehabilitation and preservation projects, and safety and congestion reduction projects, and will share that information with the appropriate MPOs and RPOs according to the attached schedule, including sufficient detail for each project needed for technical project evaluation for both air quality conformity analysis and for public review and comment. At a minimum this includes detailed project scope and limits. Together with local priorities, this information will serve as the basis to begin the 2011 Program development.
- The management and monitoring systems, corridor studies, needs and feasibility studies and environmental clearance documents will be used as decision-support tools in the development of long range transportation plans and short range programs.
- Include all types and categories of projects (Federal, state, local, private, special Federal, turnpike, airport, rail, infrastructure bank, partnership, etc.) in the Program.
- Public transportation operators will coordinate and cooperate with the MPO/RPO and the Department in the development of the public transportation portion of the 2011 Transportation Program. Public transportation operators will be responsible for submitting public transportation projects for the draft Transportation Program consistent with available resources.
- Flexing of funds between highway and public transportation will be a collaborative decision involving local officials, the Metropolitan Planning Organization, Rural Planning Organization, the public transportation agency or agencies, PennDOT, STC and USDOT (FHWA and FTA).
- Utilize innovative financing mechanisms, as appropriate and applicable, to increase the effectiveness of the program and to maximize the return from the limited Federal/state resources.
- Continue to standardize programming products (highway and public transportation project listings); develop uniform submissions to simplify reviews; and automate/computerize the programming process over time.
- Projects that are air quality exempt (e.g., betterment, transportation enhancement, bridge, rail/highway grade crossing, Section 5310, etc.) may be grouped into line items for inclusion in the program, with project specific listings to be developed at a later time by project

sponsors and provided to all partners.

- In all cases, projects to be included in the 2011 Transportation Program, including the Interstate Management Program, will be selected cooperatively and collaboratively by the Metropolitan Planning Organizations, Rural Planning Organizations, PennDOT and State Transportation Commission with input from other involved interested parties (transit operators, etc.), primarily with regard to projects in the TIPs/first four years of the Twelve Year Program.
- As each planning partner and PennDOT staff continue to refine and finalize the 2011 Program, special attention must be placed on projects or phases of projects that may be or will be carried over from the 2009 Program; this matter needs to be carefully considered during the October through mid-December 2009 time frame. Set asides (line item reserves) in the 2011 Program should also be considered to cover unforeseen project costs which may occur due to accrued unbilled costs, unforeseen advance construct authorizations, updated cost estimates, and other actions which might occur between program drafting and initiation.
- Planning partners (MPOs and RPOs) will assist the Department and the State Transportation Commission (STC) in the following ways regarding the remaining eight years in the Twelve Year Program. Phases of projects that are not fully funded in the four years of the TIP will be carried over and shown in the last eight years of the Twelve Year Program. The vast majority of the funds in the remaining eight years will be covered by line items. To illustrate the linkage between planning partner transportation long range plans and the 2011 Program, each planning partner will assist PennDOT staff and the STC in preparing a narrative that will be included in the Twelve Year Program document that illustrates a few of the major projects being advanced in that county or region over the next eight years and beyond. All air quality significant project to be advanced in the last eight years must be listed and fiscal constraint maintained.
- Seek early and coordinated input into the programming process by reviewing currently programmed and candidate projects for the remaining eight years of the Twelve Year Program. Planning partners may identify and propose projects or phases of projects from their fiscally constrained long range transportation plans to PennDOT/State Transportation Commission for possible inclusion in the remaining eight years of the Twelve Year Program. On a case by case basis, the Secretary of Transportation will recommend to the State Transportation Commission additional projects or phases of projects to be listed in the remaining eight years of the Twelve Year Program. These additional projects should be on or consistent with the MPO/RPO adopted Long Range Transportation Plan.

PROGRAM ADMINISTRATION:

- Recognize that programs are developed around available transportation funding authorization levels and that annual obligation authority levels will restrict program/project implementation. Projects or phases of projects should be programmed in the Federal fiscal year in which the

project is anticipated to be obligated.

- Projects in the first year of the program shall constitute an "agreed to" list of projects for subsequent scheduling and implementation. Expedited selection procedures may be used if agreed to by each Metropolitan Planning Organization and Rural Planning Organization, via modification procedures. The modification procedures that were approved by each MPO and RPO for the 2009 Program should be used as a starting point for the development of each planning partner's 2011 Program modification procedures. The 2011 program modification procedures must also be part of the public comment period on the recommended 2011 program.
- It is recommended that project selection requirements and program modification procedures permit the movement of projects or phases of projects anywhere within the first four years of the Statewide Transportation Improvement Program or the Metropolitan Planning Organization/Rural Planning Organization Transportation Improvement Programs, while maintaining year by year financial constraints.
- Coordinate program amendments, including those for the Interstate Management Program, with all partners to insure that the metropolitan and rural Transportation Improvement Programs and the Statewide Transportation Improvement Program are consistent with the Twelve Year Program and county/regional long range plans and vice versa and work toward the development and implementation of streamlined amendment approval processes.

PROGRAM MONITORING:

- Work toward more effective program and project monitoring that is done in "real time" through project database information sharing as a part of PennDOT's Multimodal Project Management System (MPMS).
- Track progress of program and project implementation and share the findings with the planning partners and the public. (This is a SAFETEA-LU requirement for state DOTs, MPOs and public transportation properties.) This is the MPO/RPO Progress Report detailing obligations that is sent by PennDOT to the MPOs/RPOs quarterly.
- Utilize MPMS Maps mapping capabilities to better describe project/program details. Upon request, PennDOT will provide the GIS location data for projects to the MPO/RPO for its GIS use.
- MPOs and RPOs are encouraged to track major changes to county and municipal comprehensive plans and zoning ordinances to determine their effects on transportation planning and programming decision-making.
- Once finalized, all 2011 Program guidance and the 2011 Program development schedule will be placed on the PennDOT website, www.dot.state.pa.us.

**Metropolitan & Rural
2011-2014 Transportation Improvement Program
Checklist**

Planning Partner to Complete:

Planning Partner: **NEPA**

Non-attainment or Maintenance Area? **Carbon and Monroe Counties**

Transportation Management Area? _____

1. Public Participation Documentation:

Public comment period starting and ending dates: **June 17, 2010 through 10:00 a.m. on July 20, 2010**

Public meeting(s) – Date/Time/Location: **July 20, 2010 at 9:30 a.m. at the NEPA Office in Pittston, Pennsylvania**

Public meeting notice contains info about special needs/ADA compliance? **Yes**

Was the site of the public meeting accessible to transit? **Yes**

Does the TIP Documentation contain a summary that provides a general overview of the transportation planning and TIP development process? **Yes**

Does the summary explain the project selection process and/or project evaluation criteria procedures? **Yes**

EJ analysis and documentation: **Yes**

Public involvement outreach and activities consistent with the adopted Public Participation Plan? **Yes**

Were any public comments (written or verbal) received, and addressed? **No**

2. TIP Adoption:

Date TIP Adopted by Planning Partner: **July 20, 2010 by the NPRTPO Committee (NEPA RPO Advisory Committee) and July 28, 2010 by the NEPA Board of Directors**

3. TIP Consistency with LRTP:

Is the Long Range Transportation Plan (LRTP) SAFETEA-LU compliant? **N/A (NEPA RPO will be disseminating an RFP for a consultant for the development of a new LRTP with an expected completion date of 2011)**

Is the TIP consistent with LRTP? **N/A**

Years Covered by LRTP: **N/A**

Date LRTP Adopted by Planning Partner: **N/A**

Anticipated Date for New LRTP: **2011**

4. Air Quality Non-attainment and Maintenance Areas:

Is the area in an AQ non-attainment or maintenance area? **Partially (Carbon and Monroe Counties)**

If yes, then answer the following questions:

Have all projects been screened through an interagency consultation process? **Yes (As noted by PennDOT)**

Date of interagency consultation meeting/discussion? **June 2, 2010 (As noted by PennDOT)**

Has a conformity determination been made for the LRTP? **N/A**

Conformity Date for the LRTP: **N/A**

5. Financial Constraint:

Is the TIP financially constrained, by year, according to the Financial Guidance Work Group (FGWG) allocations? **Yes**

Any additional funds programmed above the FGWG allocations (i.e. Spike Funds, earmarks,

etc.), if so document the amount and type of funds by year:

Act 44 Discretionary Funding – NEPA RPO Region										
<i>Planning Partner</i>	<i>Project</i>	<i>Phase</i>	<i>County</i>	<i>MPMS</i>	<i>Amount*</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>Total</i>
NEPA	TR 402 over Blooming Ck +	CON	Pike	9380	887,432	887,432	0	0	0	887,432
NEPA	SR1001 Towamensing +	CON	Carbon	79024	2,638,830	2,638,830	0	0	0	2,638,830
NEPA Total Act 44 Funds										3,526,262

2011 Program Spike Projects – NEPA RPO Region										
<i>Planning Partner</i>	<i>Project</i>	<i>Phase</i>	<i>County</i>	<i>MPMS</i>	<i>Amount**</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>Total</i>
NEPA	McCall Bridge	CON	Carbon	11080	17,000,000	0	0	0	17,000,000	17,000,000
NEPA	PA 611, 7th Street Bridge +	CON	Monroe	11800	6,500,000	6,500,000	0	0	0	6,500,000
NEPA	Jim Thorpe Bridge +	CON	Carbon	11129	12,000,000	0	0	12,000,000	0	12,000,000
NEPA	SR 1011 Pond Eddy Crossing	CON	Pike	9329	3,000,000	0	0	3,000,000	0	3,000,000
NEPA Total Spike Funds										38,500,000

Special Federal Funds NEPA RPO 2011-2014 TIP										
<i>Planning Partner</i>	<i>Project</i>	<i>Phase</i>	<i>County</i>	<i>MPMS</i>	<i>Amount</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>Total</i>
NEPA	Rt. 443 Widening	S	Carbon	66296	801,000	801,000	0	0	0	801,000
NEPA	Marshall's Creek	R	Monroe	11796	113,353	113,353	0	0	0	113,353
NEPA	Rt. 611 Improvements	P, F, U, R	Monroe	74979	3,850,000	700,000	0	3,150,000	0	3,850,000
NEPA	Rt. 61 Safety Improvements	F, U, R, C	Schuylkill	72451	8,414,160	2,510,000	5,904,160	0	0	8,414,160
NEPA	Tamaqua CBD Improvements	C	Schuylkill	12443	2,002,950	2,002,950	0	0	0	2,002,950
NEPA Total Special Funds										15,181,463

* Includes carryover and new discretionary funds

** Includes carryover and new spike funds

+ = project funded with carryover funds

Any Comments: _____

6. MPO Self-Certification:

Does the TIP submittal contain the MPO self-certification resolution? N/A

For the non-TMA MPOs, does the self-certification contain documentation to indicate compliancy? N/A

7. Transit Fiscal Disclosure, including O & M statement? N/A

8. Does the TIP include the required information, as documented in the General & Procedural Guidance? **Yes**

Completed by: **Brian Langan, Transportation Program Manager, NEPA** Date: **July 29, 2010**

PennDOT Center for Program Development and Management to Complete:

1. Was the TIP included in the STIP without modification? _____
2. Date Governor Approved: _____
3. Were the TIP projects screened against the individual funding program eligibility requirements? _____
4. Was the required information, as documented in the General & Procedural Guidance, submitted? _____

5. Does the TIP financial information contain systems-level estimates of cost and revenue sources? _____
6. Do project cost estimates reflect “year of expenditure dollars”? _____
7. Does the TIP include all the requirements for each project or phase as identified in 450.324? _____
 - a. Sufficient descriptive material? _____
 - b. Estimated total cost, which may extend beyond TIP? _____
 - c. Amount of Federal funds to be obligated during each program year? _____
2011 _____
2012 _____
2013 _____
2014 _____
 - d. Identify the agency to implement the project or phase? _____
 - e. In non-attainment and maintenance areas, do projects contain sufficient detail for air quality analysis? _____
 - f. Identify criteria and process for prioritizing projects in the TIP and any changes in priorities from the previous TIP? _____
 - g. List major projects from the previous TIP that were implemented and any significant delays in the planned implementation of major projects? _____

8. Does the TIP contain project selection procedures agreed to by PennDOT, the transit operator, and the planning partner in order to modify the TIP? _____

9. Any issues to be incorporated into the Planning Finding? _____

Reviewed and verified by: _____ Date: _____

NOTES/COMMENTS:

FHWA to Complete:

1. Was the required information, as documented in the General & Procedural Guidance, submitted? _____

2. Does the TIP financial information contain systems-level estimates of cost and revenue sources? _____
3. Do project cost estimates reflect “year of expenditure dollars”? _____
4. Does the TIP include all the requirements for each project or phase as identified in 450.324?
- (1) Sufficient descriptive material? _____
 - (2) Estimated total cost, which may extend beyond TIP? _____
 - (3) Amount of Federal funds to be obligated during each program year? _____
 - 2011 _____
 - 2012 _____
 - 2013 _____
 - 2014 _____
 - (4) Identify the agency to implement the project or phase? _____
 - (5) In non-attainment and maintenance areas, do projects contain sufficient detail for air quality analysis? _____
 - (6) Identify criteria and process for prioritizing projects in the TIP and any changes in priorities from _____ the _____ previous _____ TIP? _____
 - (7) List major projects from the previous TIP that were implemented and any significant delays in the planned implementation of major projects? _____
5. Does the TIP contain project selection procedures agreed to by PennDOT, the transit operator, and the planning partner in order to modify the TIP? _____
6. Any issues to be incorporated into the Planning Finding? _____

Reviewed by: _____ Date: _____

NOTES/COMMENTS: