

**NORTHEASTERN PENNSYLVANIA  
 METROPOLITAN PLANNING ORGANIZATION (NEPA MPO)  
 2019-2022 TRANSPORTATION IMPROVEMENT PROGRAM (TIP)  
 AMENDMENTS AND ADMINISTRATIVE ACTIONS  
 GUIDELINES AND PROCEDURES  
 MEMORANDUM OF UNDERSTANDING  
 JULY 17, 2018**

**INTRODUCTION**

The Transportation Improvement Program (TIP) Amendments and Administrative Actions Guidelines and Procedures Memorandum of Understanding (MOU) was adopted by the NEPA MPO Technical Committee and the NEPA MPO Policy Board following a Public Hearing on July 17, 2018 as a component of the 2019-2022 TIP Update. This MOU becomes effective on October 1, 2018 and will remain in effect until September 30, 2020 unless amended by further action of the NEPA MPO Technical Planning 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 2019-2022 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 2019-2022 Statewide Transportation Improvement Program (STIP) and MPO/RPO TIPs. The STIP is the aggregation of the Metropolitan Planning Organization (MPO) and Rural Planning Organization (RPO) Transportation Improvement Programs (TIPs), including the Interstate Management (IM) Program and other statewide managed programs (Statewide Programs).

**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 Metropolitan Planning Organization serving as the coordinating agency for transportation planning and programming in Carbon, Monroe, Pike and Schuylkill counties. Since 1991, NEPA has had an annual work program with PennDOT. This work program requires that NEPA convene a transportation planning committee on a regular basis. This committee has evolved over the years into Northeastern Pennsylvania Metropolitan Planning Organization Technical Planning Committee and Northeastern Pennsylvania Metropolitan Planning Organization Policy Board.

The NEPA MPO Technical Planning Committee is comprised of sixteen (16) voting members that include two (2) representatives from each of the four MPO counties, three (3) transit representatives, a representative from the Urbanized Area, the planning and programming engineer from PennDOT Districts 4-0 and 5-0, a PennDOT Central Office representative, and a representative from NEPA. The NEPA MPO Policy Board is comprised of 5 voting members included one representative from each of the four MPO counties, appointed by the NEPA Alliance Board of Directors and a transportation professional from PennDOT Central Office. The NEPA MPO Technical Planning Committee and NEPA MPO Policy Board

are guided by Operational Procedures, which were adopted in October 2013.

The NEPA MPO Technical Planning Committee and NEPA MPO Policy Board review 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.

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

The STIP is the official transportation improvement program document mandated by federal statute (23 CFR § 450.218) and recognized by FHWA and FTA. The STIP includes a list of projects to be implemented over a four-year period as well as all supporting documentation by federal statute. The STIP includes regional TIPs developed by the Planning Partners (MPOs and RPOs) and Statewide Programs developed by PennDOT. Statewide Programs are coordinated initiatives, projects or funds that are managed by PennDOT's Central Office on a statewide basis. Examples of Statewide Programs include but are not limited to the Secretary of Transportation's SPIKE, the Rapid Bridge Replacement (RBR) Project developed via a Public Private Partnership (P3), Highway Safety Improvement Program (HSIP) set-a-side, Highway-Rail Grade Crossing Safety (RRX), Surface Transportation Block Grant Program set-a-side (TAP) funds, Green-Light-Go (GLG), Automated Red Light Enforcement (ARLE), Multi-modal (MTF), Recreational (Rec) Trails, and Keystone Corridor projects. The Interstate Management Program will remain its own individual program and includes prioritized statewide interstate projects. The Commonwealth's Twelve Year Program (TYP), required by state law, includes the STIP/TIPs in first four-year period.

### **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 federally funded project not programmed on the STIP/TIP, a revision must be made.

The federal statewide and metropolitan planning regulations contained in 23 CFR § 450 govern the provisions for revisions of the STIP and individual MPO TIPs. The intent of this federal regulation is to acknowledge the relative significance, importance, and/or complexity of individual programming actions. If necessary, 23 CFR § 450.328 permits the use of alternative procedures by the cooperating parties to effectively manage actions encountered during a given TIP cycle. Cooperating parties include PennDOT, MPOs, RPOs, FHWA, FTA, and transit agencies. Any alternative procedures must be agreed upon, and documented in the TIP.

STIP/TIP revisions must be consistent with PennDOT's Transportation Investment Plan priorities, Pennsylvania's Long Range Transportation Plan (LRTP), and the Planning Partner's LRTP. In addition, STIP/TIP revisions must support Pennsylvania's Transportation Performance Measures and Targets as well as the PennDOT's Connects policy. Pennsylvania's Transportation Investment Plan is PennDOT's

ongoing assessments, target settings, and re-evaluations of data associated with the STIP/TIP investment decisions, ensuring that each dollar invested is being directed to meet strategic decisions, and that enhances the overall performance of the Commonwealth’s transportation system. The Investment Plan establishes regional targets which were set with a continued focus on maintaining assets with the following priorities: Bridges on the National Highway System (NHS), Roadway conditions on the NHS, Bridges on the balance of the system, and Roadway conditions on the balance of the system.

STIP/TIP revisions must correspond to the adopted provisions of the Planning Partner’s Public Participation Plans (PPP). A 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 comments, concerns, or issues of the public and interested parties are identified and addressed in the development of transportation plans and programs. A reasonable opportunity for public review and comment shall be provided for significant revisions to the STIP/TIP.

If a revision adds a project, deletes a project, or impacts the schedule or scope of work of 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 PennDOT Air Quality Interagency Consultation Group (ICG). If a new conformity determination is deemed necessary, an amendment to the region’s LRTP shall also be developed and approved by the MPO/RPO. 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.

A LRTP lapse occurs when a Planning Partner has not updated their LRTP in accordance with the cycles defined in the federal planning regulations [23 CFR § 450.324 (c)]. If a Planning Partner’s LRTP lapses because the LRTP has not been updated in accordance with the planning cycle defined in the federal planning regulations, then the provisions of this MOU will not be utilized for that Planning Partner. During a LRTP lapse, all STIP/TIP revisions within that MPO/RPO, where the LRTP lapse occurred, will be treated as an amendment and require federal approval. There will be no administrative modifications for that MPO/RPO until that Planning Partner’s LRTP is in compliance with the federal planning regulation.

If a STIP/TIP revision occurs based on FHWA August Redistribution that adds, advances, or adjusts federal funding for a project, Planning Partners will be notified of the Administrative Modification by PennDOT.

**NEPA MPO 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 NEPA MPO Technical Planning 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 Metropolitan Planning Organization (MPO) region’s TIP.

**Revisions**

In accordance with the federal transportation planning regulations [23 CFR § 450], revisions to the STIP/TIP will be handled as an *Amendment* or an *Administrative Modification* based on agreed upon procedures detailed below.

An *Amendment* is a revision that adds a new project, deletes an existing project, or involves a major change to an existing project included in a STIP/TIP that:

- Affects air quality conformity regardless of the cost of the project or the funding source;
- Adds a new project, deletes a project that utilizes federal funds, or federalizes a project that previously was 100% state and/or locally funded. 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. Federally-funded Statewide Program projects are excluded from this provision;
- Adds a new phase(s) to an existing project, deletes a project phase(s), increases or decreases a project phase(s) that utilizes federal funds where the revision exceeds the following thresholds:
  - \$7.5 million for the Interstate Management (IM) Program
  - \$5 million for MPOs with 2010 US Census Urbanized Areas (UZA) population > 1,000,000
  - \$3 million for MPOs with 2010 US Census Urbanized Areas (UZA) population > 200,000 but < 1,000,000
  - \$2 million for the remaining Planning Partners (**NEPA MPO**)
  - \$1 million for other federally-funded Statewide Programs
- Involves a change in the scope of work to a project(s) that 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 any federally-funded threshold contained in this MOU)
  - Results in a change in the scope of work on any federally-funded project that is significant enough to essentially constitute a new project
- During a Planning Partner LRTP lapse, all STIP/TIP revisions within that planning region will be treated as amendments and the below administrative modifications will not be utilized (or be in effect).

Approval by the MPO/RPO is required for *Amendments*. The MPO/RPO must then request PennDOT Central Office approval using the e-STIP process. A Fiscal Constraint Chart (FCC) must be provided that depicts the transfer of funds from one source to another, demonstrating fiscal constraint. The FCC summarizes the before, requested adjustments, after changes, and detailed comments explaining the reason for the adjustment(s), and provides any PMC materials that may have been prepared, along with an updated TIP. PennDOT's Central Office will review, approve, and forward to the appropriate federal agency for review and approval, with a courtesy copy to the other federal agency. An eSTIP submission shall include:

- Fiscal Constraint Chart with remarks
- Pdf copy of the TIP
- Supporting materials to explain the reasoning, cause, and/or justification for the amendment revision, as needed, such as PMC items.

The initial submission and approval process of the federally-funded Statewide Program or increases/decreases exceeding the thresholds above will be considered an amendment (subsequent placement of these individual projects or line items on respective planning partner TIPs will be considered an administrative modification). In the case of Statewide Programs, including the IM Program and other federally-funded statewide programs, approval by PennDOT's Program Management Committee (PMC)

and FHWA is required.

An **Administrative Modification** is a minor revision to a STIP/TIP that:

- Shifts federally-funded projects, a federally-funded project phase(s), or federal funds to existing federally-funded projects or a federally-funded project phase(s) in the approved STIP/TIP and must maintain year-to-year STIP/TIP fiscal constraint requirements;
- Adds a project from a funding initiative or line item that utilizes 100 percent state or non-federal funding; or regional TIP placement of the federally-funded Statewide Program;
- Adds a project for emergency repairs to roadways or bridges, except those involving substantial, functional, location, or capacity changes;
- Draws down or returns funding from an existing STIP/TIP reserve line item and does not exceed the threshold established in the MOU between PennDOT and the Planning Partner. 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 an additional project phase(s) to an existing project;
- Adds federal or state capital funds from low-bid savings, de-obligations, release of encumbrances, or savings on programmed phases to another programmed project phase or line item but does not exceed the above thresholds.

**Administrative Modifications** do 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 add a new federally-funded project or delete a federally-funded project; does not exceed the threshold established in the MOU between PennDOT and the Planning Partner, or the threshold established by this MOU (as detailed in the Amendment Section); and does not result in a change in scope, on any federally-funded project that is significant enough to essentially constitute a new project. A change in scope is a substantial alteration to the original intent or function of a programmed project.

**Administrative Modifications do not require federal approval.** PennDOT and the Planning Partner will work cooperatively to address and respond to any FHWA and/or FTA comment(s). FHWA and FTA reserve the right to question any administrative action that is not consistent with federal regulations or with this MOU where federal funds are being utilized.

All revisions, amendments, and administrative modifications shall be identified, numbered, and grouped as one action on a FCC demonstrating both project and program fiscal constraint. The identified grouping of projects (the entire revision action) will require review and/or 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 an FCC, fiscal balance of the subject project phase on the second period of the respective Planning Partner's LRTP.

### **Programming of Keystone Corridor Funding**

The Keystone Corridor (Pennsylvania portion) is the in-State and commuter rail service funded by PennDOT and FTA on the Amtrak rail line that runs between Philadelphia and Harrisburg. Keystone Corridor projects are funded within the three-contiguous large urbanized areas (UZA) – Harrisburg, Lancaster, and Philadelphia. The entire amount of federal funds applied to Keystone Corridor Projects shall be programmed on the TIP of the UZA from which the funds originate. If the Project is located within a UZA that is not the UZA from which the funds originate, then the Project shall be listed in the TIP (of the UZA where the Project is located) as a “Keystone Corridor Project”, the use of the funding and amount shall be noted in the project description, and the funding amount shall be entered as \$0. The funds should only be noted for information and air quality conformity determination purposes, but not programmed, in



the TIP where the Project is to avoid the double counting of programmed funds within the two TIPs. For instance, if federal funding from the Lancaster UZA is applied to the restoration of a Keystone Corridor station located in the Philadelphia UZA, then the full amount of the federal funding for the Project shall be programmed on the Lancaster TIP, and for information and air quality conformity purposes, the Project shall also be listed on the Delaware Valley Regional Planning Commission (DVRPC) TIP as “Keystone Corridor Station Restoration” along with notations per-above and the federal funding amount will be listed as \$0.

**Transit Statewide Managed Funds**

Projects funded by FTA programs and delivered via Governor’s apportionment are selected by PennDOT pursuant to the Pennsylvania State Management Plan approved by the FTA. These projects should be programmed within the TIP of the urbanized area where the project is located.

**Financial Constraint**

Demonstration that STIP/TIP fiscal constraint is maintained takes place through a FCC. Real time versions of the STIP/TIP are available to FHWA and FTA through PennDOT’s Multimodal Project Management System (MPMS).

All revisions must maintain year-to-year fiscal constraint [23 CFR § 450.326 (g), (j) & (k)] for each of the four years of the STIP/TIP. All revisions shall account for year of expenditure, and maintain the estimated total cost of the project or project phase within the time-period [i.e., fiscal year(s)] contemplated for completion of the project, which may extend beyond the four years of the STIP/TIP. The arbitrary reduction of the overall cost of a project, or project phase(s), shall not be utilized for the advancement of another project.

**STIP/TIP Financial Reporting**

At the end of each quarter, PennDOT will provide each Planning Partner with a STIP/TIP Financial report of actual federal obligations and state encumbrances for highway/bridge and transit programs in their region. At the end of the federal fiscal year (FFY), the PennDOT Progress Report can be used by the Planning Partners as the basis for compiling information to meet the federal annual listing of obligated project requirement [23 CFR § 450.334]. The STIP/TIP Financial Report provided to FHWA and FTA will also include the FHWA Planning Performance Measure – “percent of STIP/TIP projects advanced per year” on a Statewide and Planning Partner basis. A summary report detailing this information will be provided no later than 30 days after the end of a FFY.

**STIP/TIP Transportation Performance Management**

In accordance with 23 CFR § 450.326 (c), PennDOT and Planning Partner will ensure STIP/TIP revisions promote progress toward achievement of performance targets.

**TIP Revision Procedures**

As each Planning Partner’s TIP is adopted, their respective MOU between PennDOT and the Planning Partner will be included with the TIP documentation. The MOU will clarify how the Planning Partner will address all TIP revisions. **In all cases, individual Planning Partner revision procedures will be developed under the guidance umbrella of this document.** If a Planning Partner elects to set more stringent procedures, then FHWA and FTA will adhere to those more restrictive procedures.

This document will serve as the basis for PennDOT when addressing federally-funded Statewide Program TIP revisions.

This Memorandum of Understanding will begin October 1, 2018, and remain in effect until September 30, 2020, unless revised or terminated. Furthermore, it is agreed that this MOU will be reaffirmed every two years.

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

\_\_\_\_\_  
Michael Mrozinski, Chairperson  
NEPA MPO Technical Planning Committee  
Date \_\_\_\_\_

\_\_\_\_\_  
Matt Connell, Chairperson  
NEPA MPO Policy Board  
Date \_\_\_\_\_

\_\_\_\_\_  
Jeffrey K. Box, President & CEO  
Northeastern Pennsylvania Alliance  
Date \_\_\_\_\_

\_\_\_\_\_  
David Bekisz, Executive Director  
Schuylkill Transportation System  
Date \_\_\_\_\_

\_\_\_\_\_  
Margaret Howarth, Executive Director  
Monroe County Transportation Authority  
Date \_\_\_\_\_

\_\_\_\_\_  
Brendan Cotter, Senior Director of Capital Asset  
Planning and Maintenance  
Lehigh and Northampton Transportation Authority  
Carbon County Community Transit Representative  
Date \_\_\_\_\_

\_\_\_\_\_  
Larry S. Shifflet, Director, Program Center  
Pennsylvania Department of Transportation  
Date \_\_\_\_\_

## **Attachment A**



July 31, 2017

**PENNSYLVANIA'S 2019  
TRANSPORTATION PROGRAM  
GENERAL & PROCEDURAL GUIDANCE**

*This is a collaborative product jointly developed by the Pennsylvania Planning Partners – MPOs, RPOs, FHWA, FTA, the State Transportation Commission, and PennDOT.*

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## INTRODUCTION

### **Purpose**

The purpose of this General and Procedural Guidance document is to provide guidance for the 2019 Transportation Program development process within the context of multiple inter-related, intergovernmental planning functions. Separate processes for the development, adoption, and administration of the Statewide Transportation Improvement Program (STIP) and the Twelve Year Transportation Program (TYP) have been coordinated and streamlined over the years. This guidance informs and directs a unified planning process covering both programs.

This guidance contains information related to the general planning process, along with policies, requirements and guidance directly related to Program development and administration. One of the milestones in the Transportation Program development process is adoption of the Program by October 1, 2018. This guidance describes the schedule, procedures and documentation necessary to complete this task. The resulting Transportation Program meets the varied requirements of state and federal law, and ensures that public investment in the Commonwealth of Pennsylvania's transportation system is effectively managed to produce a practical set of transportation projects and services.

The Transportation Program development process is by its very nature fluid and subject to change. Therefore, this guidance can change due to state or federal legislation, regulatory change or policy action. The PennDOT Investment Plan will continue to guide changes to our planning process and to this document.

All 2019 Transportation Program guidance and the 2019 Transportation Program development schedule will be placed on the State Transportation Commission (STC) website at [www.talkpatransportation.com](http://www.talkpatransportation.com) for program development use by Planning Partners and other interested parties. Programs will be placed on Planning Partner websites as they are completed.

### **Roles and Responsibilities**

- MPOs are responsible for developing and approving the metropolitan TIPs.
- PennDOT and the RPOs are jointly responsible for developing and approving rural TIPs.
- PennDOT is responsible for the development of the Wayne County TIP, an independent county planning partner with PennDOT.
- PennDOT, through its District and Central Offices, is the lead planning agency for the Interstate Management TIP, selecting projects in cooperation with the Planning Partners.
- The Governor or his designee (currently Pennsylvania's Secretary of Transportation) approves MPO, RPO and Independent County TIPs, the Interstate Management TIP, and the Statewide Items TIP, and submits the entire STIP to the US DOT for approval.

MPO, RPO and Independent County TIPs, the STIP and the TYP are updated every two years. The federal programming documents (TIPs and STIP) cover a four-year time frame to remain consistent with the first four years of the TYP and the first four years of an MPO/RPO Long Range Transportation Plan (LRTP).

## **Definitions**

*2019 Transportation Program or 2019 Program* – Terms referring to both the 2019-2022 STIP and the 2019-2030 TYP.

*Transportation Improvement Program (TIP)* - Four-year listing of transportation projects within the geographic boundary of each planning region in Pennsylvania. Interstate Highway System projects are managed in a separate Interstate Management TIP, but are included in regional TIPs for public review and comment. Fund reserves for statewide programs as well as line items for ongoing planning and administration projects are managed in a separate Statewide Items TIP.

*Statewide Transportation Improvement Program (STIP)* - Pennsylvania's official four-year listing of transportation projects mandated under federal law. The STIP is comprised of all of the TIPs.

*Twelve Year Transportation Program (TYP)* - Pennsylvania's official 12-year listing of transportation projects mandated under state law, the first four years of which is the STIP.

*Long Range Transportation Plan (LRTP)* - The official multimodal transportation plan addressing no less than a 20-year planning horizon that the MPO and RPO develops, adopts, and updates through the metropolitan and rural transportation planning process.

*Moving Ahead for Progress in the 21<sup>st</sup> Century Act of 2012 (MAP-21)* – Federal authorization legislation prior to the passage of the FAST Act that provided funding from the Highway Trust Fund for Federal-aid highway, highway safety, motor carrier safety, transit, and other programs. This legislation still has an impact upon transportation planning, programming, and project delivery as federal agencies continue to release performance measures guidance.

*Fixing America's Surface Transportation Act (FAST Act)* – Federal transportation legislation signed by President Obama on December 4, 2015. New policies are being issued because of passage of the FAST Act.

*PA Act 120 of 1970 (Act 120)* – State legislation which established the State Transportation Commission (STC) and its related duties and responsibilities, and created the Pennsylvania Department of Transportation (PennDOT). Act 120 requires PennDOT to prepare and update Pennsylvania's TYP every two years, and submit it to the STC.

*Title 74 Pennsylvania Consolidated Statutes (74 Pa. C.S.)* - The Pennsylvania Consolidated Statutes contain the Laws of Pennsylvania which are enacted as amendments by the General Assembly, and are the official statutory codification of the laws relating to transportation.

*Title 67 Pennsylvania Code (67 Pa. Code)* – The official publication of administrative regulations of the Commonwealth of Pennsylvania relating to transportation.

*PennDOT Design Manual Part 1A (DMIA)* – Transportation Program Development and Project Delivery Process.

*Metropolitan Planning Organization (MPO)* – Regional planning body established under federal law and responsible for developing and approving a TIP. An MPO covers an urbanized area over 50,000 in population with the exception of small pieces of urbanized area that extend into Pennsylvania (e.g. Hagerstown, MD). The Commonwealth has nineteen MPOs.

*Rural Planning Organization (RPO)* – Regional planning body under contract to PennDOT to provide transportation planning services for rural areas and urban areas less than 50,000 in population. RPOs function similarly to MPOs in the Transportation Program development process. The Commonwealth has four RPOs.

*Independent County* – A regional planning body that is not an MPO or an RPO. Pennsylvania has one Independent County, Wayne County.

*Planning Partners (Partners)* – Generally referring to PennDOT on behalf of the Governor, the MPOs, RPOs, Wayne County, and the U.S. Department of Transportation (USDOT), which includes the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA). However, the term also includes the STC, the Pennsylvania Turnpike Commission (PTC), other public transportation agencies throughout the Commonwealth, the Pennsylvania Department of Environmental Protection (PADEP), the U.S. Environmental Protection Agency (USEPA).

*Interested parties* – Citizens; affected public agencies; representatives of public transportation employees; freight shippers; providers of freight transportation services; private providers of transportation; advocacy groups representing users of public transportation, pedestrian walkways and bicycle transportation facilities, or representing the physically challenged; agencies or entities responsible for safety/security operations, providers of non-emergency transportation services receiving financial assistance from a source other than Title 49 of the United States Code (49 USC) Chapter 53, tribal governments, and other interested parties with reasonable opportunities to be involved in the planning process.

*Transportation Management Areas* –Urbanized areas (as defined by the Bureau of the Census) with a population of over 200,000 individuals, as designated by the US DOT Secretary of Transportation. Additional areas may be designated as transportation management areas by the Secretary on the request of the Governor and the metropolitan planning organization designated for the area.

## GENERAL GUIDANCE

This guidance document is intentionally brief. References or examples are included in the text as support tools that users may find useful for developing a broader (or deeper) understanding of the program development process. The referenced materials are not intended to be comprehensive. It should be understood that the planning context for program development involves multiple elements including, but not limited to:

**State and Federal Planning and Programming Rules and Regulations:** Title 23 - Code of Federal Regulations (23 CFR) 450, 49 USC 5303-5304, Pennsylvania Act 120, Pennsylvania Consolidated Statutes Title 74 (74 Pa. C.S.), Pennsylvania Code Title 67 (67 Pa. Code), and PennDOT Design Manual Part 1A (DM1A): Pre-TIP and TIP Program Development Procedures

**State and Regional Transportation Plans:** PennDOT Connects/Local Government Collaboration, PennDOT's Transportation Investment Plan, PA on Track, PA and Regional Intelligent Transportation Systems (ITS) Architectures, PennDOT District Business Plans, MPO/RPO LRTPs, Regional Operations Plans (ROPs), Freight Plans, The Strategic Highway Safety Plan (SHSP) and other Regional Safety Plans, Bicycle and Pedestrian Plans, Congestion Management Processes (CMPs),

**PennDOT Data Systems for Asset Management, Environmental Assessment, Contracting, and Performance Review:** Multimodal Project Management System (MPMS), Multimodal Project Management System Interactive Query (MPMS IQ), PennShare, PA Transportation Projects website, Engineering and Contract Management System (ECMS), Categorical Exclusion (CE) Expert System, and PennDOT Connects/Local Government Collaboration Policy.

**Other Programs:** Economic Development District Plans; County, Regional and Municipal Comprehensive Plans; corridor studies; project development screening forms developed from PennDOT Connects/Local Government Collaboration Policy; needs and feasibility studies; and environmental clearance documents are also useful as decision-support tools in the development of TIPs and LRTPs.

## **General Planning Requirements**

Satisfy all state and federal transportation planning and programming rules and regulations:

- Federal requirements are documented in 23 CFR 450.200 and 300.
- Title VI, Environmental Justice, and other required planning certifications are identified in Appendix 4 – MPO Self-Certification, and Appendix 6 - References.
- Projects and project phases on a TIP; including candidate major capital projects and air quality exempt projects, shall be consistent with a region’s approved LRTP.
- State requirements are documented in 74 Pa. C.S. and 67 Pa. Code.
- Other state tenets, principles, and goals that help guide transportation program development are identified in PA Act 120, and PA On Track.
- All PennDOT, regional or local plans, programs, studies, management systems, etc., as identified above are part of the planning context and factor into program development.

Develop the STIP and MPO/RPO TIPs with all Partners and interested parties through a continuing, cooperative and comprehensive process, based upon mutual trust, data sharing, open communication and cooperation at each program development step, leading toward consensus between all Planning Partners regarding the most effective use of limited transportation financial resources. Ensure coordination with providers of all modes of transportation. As part of this effort, MPOs/RPOs should develop documentation or a timeline depicting the regions TIP development process. TIP development documentation/timeline examples are provided in Appendix 2 of this document.

Respond to new state and federal initiatives and other changing circumstances as quickly as possible to make necessary adjustments to the joint PennDOT/MPO/RPO program development process. Consideration will be given to the observations and suggested improvements to the planning process noted in the STIP Planning Finding issued by FHWA/FTA with approval of the 2017-20 STIP. A link is provided in Appendix 6 – References.

Partners will plan and program strategically; establish priorities; select transportation improvements with the greatest benefit to the Commonwealth and individual counties/regions; and maintain the flexibility to more effectively select and approve the best mix of projects that meet their own regional needs.

The PennDOT Connects/Local Government Collaboration policy provides a new approach to project planning and development by requiring collaboration with local and regional stakeholders before project scopes are developed. The Department will meet with local governments, MPOs and RPOs to discuss issues such as safety, bicycle/pedestrian accommodations, transit access, stormwater management, utilities, freight-generating land uses and other documented issues to consider for inclusion in projects. This collaboration will have the benefit of encouraging MPOs and RPOs to track major changes to county and municipal comprehensive plans and zoning ordinances, further strengthening the linkage between land use, transportation, and economic development decision making and their effect on the development of current and future transportation programs. Management and monitoring systems, corridor studies, project development screening forms, needs and feasibility studies, and environmental



studies are examples of documentation that may be used in the development of TIPs and LRTPs. The PennDOT Connects/Local Government Collaboration requirement applies to all projects where the preliminary engineering phase began after July 1, 2016.

Transportation system preservation and asset management continues to be a high priority in Pennsylvania. MPO/RPO TIPs should emphasize system preservation and asset management:

- System preservation involves extending the life of existing facilities and associated equipment and hardware, or repairing damage that compromises mobility or safety.
- System asset management involves improving reliability, safety, traffic flow, and security of existing facilities and their associated equipment and hardware.

Include approved TIPs in the STIP after verification for consistency with financial guidance fiscal constraint, project funding eligibility and completion of air quality testing and analysis that demonstrates that air quality conformity has been met in maintenance and non-attainment areas. All appropriate parties will be notified of individual projects or programs included in the STIP. Close coordination must occur with PennDOT and the STC to ensure that approved TIPs are consistent with the approved first four years of the TYP.

MPOs and RPOs should schedule their TIP approval meeting dates so that air quality conformity analyses by PennDOT's consultants can be scheduled appropriately and the TIPs can be sent to PennDOT according to Appendix 5 – 2019 Transportation Program Development Schedule.

### **Public Involvement**

Conduct meaningful public outreach/involvement documented in a Planning Partner's Public Participation Plan per 23 CFR §450.316, and found on the STC website [www.talkpatransportation.com](http://www.talkpatransportation.com).

Public involvement activities should be consistent with the 2019 TYP Public Participation Plan, and should direct the public to utilize the 2019 TYP Survey. The survey results are also available at the above web site. MPO/RPOs should consider the results of the survey.

TIP documentation must be made available for public comment for a minimum of 30 days. A formal public comment time period must be established, and public meetings or hearings must be held by each MPO/RPO/Independent County to gather all comments and concerns on the TIP and related documents. Documents required for public review are found in Appendix 3 - TIP Submission Requirements.

When scheduling TIP, STIP and STC public comment periods, be clear what document the public is commenting on in order to avoid confusion, and maximize return from joint outreach resulting in a more effective program with the most efficient use of labor across all Planning Partners. Seek early and coordinated input into the programming process by reviewing current programmed and candidate projects.

Provide easy and complete access, including for individuals with limited English

proficiency through available translation services, to all public documentation, including the draft and final TIPs, STIP and TYP project listings, taking advantage of the Internet.

### **Financial Planning**

An early part of the program development process is for the Planning Partners to jointly develop and approve a Transportation Program Financial Guidance document. This guidance should provide sufficient information for Partners and other interested parties to begin identifying projects, perform a project technical evaluation, negotiate, and reach consensus on their portion of the Program within fiscal constraint.

The guidance:

- Establishes funding targets for each MPO, RPO, Independent County, public transportation operator, and PennDOT. The identified revenues are those that are reasonably anticipated to be available to adequately operate and maintain Federal-aid highways and public transportation in accordance with 23 C.F.R. 450.3264(j).
- Provides estimated revenue growth rates and a methodology for determining an inflation rate for use in Year of Expenditure (YOE) calculations.

The TIP financial plans are consolidated statewide within the STIP. Documentation shall contain system-level estimates of cost and revenue sources:

- Project cost estimates must use YOE dollars.
- Constrain projects and phases of projects in the STIP by year, by available funding and within the bounds of the financial guidance.
- Identify at a systems-level any funding gaps that may exist.

Recognize that TIPs are developed around available transportation funding authorization levels and that annual obligation authority levels may restrict program and project implementation.

Projects or phases of projects should be programmed in the federal fiscal year in which the project is anticipated to be obligated.

Flexing of funds between highway and public transportation will be a collaborative decision involving local officials, the MPO/RPO, the public transportation agency or agencies, PennDOT, STC and USDOT (FHWA and FTA).

### **Management Systems, Program Performance and Information Sharing**

In order to adequately maintain, operate and preserve existing transportation facilities, PennDOT and the Planning Partners shall undertake the following activities as part of an asset management-based Program development process: inventory the system; determine existing conditions; develop strategies/priorities to continue to improve the system; include projects on transportation plans and programs; and implement projects as part of annual budgets. Implementation of improved asset management practices will begin with the Interstate Highway System, then progress to the National Highway System (NHS), and other state-owned and local networks.

Continue to improve the management systems including environmental planning and analysis, maintenance planning and support, the PennDOT Connects/Local Government Collaboration Policy, programming processes and systems, local network management support, and performance measurement and reporting.

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.

Share project and program data bases among all parties including project technical evaluation input needs. 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 LRTPs or TIPs.

Utilize MPMS IQ, PennShare, and PA Transportation projects website mapping capabilities to better describe project details. Upon request, PennDOT will provide the Geographic Information System (GIS) location data for projects to the MPO/RPO for their use.

Work toward more effective program and project monitoring in “real time” through project database information sharing as a part of PennDOT’s MPMS.

The FAST Act continues MAP-21’s emphasis on performance-based transportation system management requiring new or revised national performance measures in multiple program areas. Partners will have to update existing measures, as needed, to standards that meet or exceed the new federal requirements. PennDOT, MPOs and RPOs are encouraged to evaluate their planning efforts and introduce new or improved performance measures, where appropriate.

The Transportation Investment Plan was developed to make ongoing assessments and to reevaluate data associated with our investment decisions. This will help ensure Pennsylvania’s investments support our strategic direction and enhance the overall performance of the Commonwealth’s transportation system. A link to PennDOT’s Transportation Investment Plan is provided in Appendix 6.

The Capital Planning Tool (CPT) is an asset management and capital planning application that works as the central repository for all Pennsylvania transit asset management activities. These activities include forecasting asset condition and replacement cycles, quantifying capital needs, and developing and implementing state-of-good-repair policies for all types of assets. The tool will be used in conjunction with department review to make decisions on a state-wide level and it is imperative that the information included in the CPT be up to date to ensure the best use of funding.

Using the asset information, the Bureau of Public Transportation can:

- Reduce the total cost of asset ownership by preserving capital, reducing maintenance costs, and extending the life of assets.
- Improve operation efficiency through consolidating existing asset management

applications and leveraging the recorded data via reports.

- Support compliance with federal, state, and local regulations and reporting requirements, including a commitment to comply with MAP-21, FAST Act, and Transportation Asset Management (TAM) requirements.
- Enhance visibility by improving communications and project coordination across internal departments and with external organizations.
- Streamline capital planning by tracking funding sources and funding levels as well as connecting other important web based systems. The CPT will link project information with MPMS and dotGrants.

## **PROGRAM DEVELOPMENT AND ADMINISTRATION**

### **Development Procedures**

In all cases, projects to be included in the 2019 Transportation Program, including the Interstate Management Program, will be selected cooperatively and collaboratively by the MPOs, RPOs, PennDOT and the STC with input from other involved interested parties (transit operators, etc.), primarily with regard to projects in the first four years of the TYP.

Working with our Planning Partners, PennDOT is placing a renewed focus on the collaborative planning process. The PennDOT Connects/Local Government Collaboration policy requires collaboration among stakeholders to clarify specific details unique to candidate project locations. The focus of this collaboration involves leveraging the expertise of various disciplines with varying roles and responsibilities within local government, the Planning Regions, and Districts.

Specific areas for collaboration should include, but are not necessarily limited to:

- Safety issues/concerns
- Bicycle/pedestrian accommodations
- Transit/multi-modal considerations
- Presence of/impacts from (current/future) freight-generating land uses
- Planned development
- Consistency with current and/or proposed zoning
- Existence of regional planning studies
- Other proposed transportation improvements
- Green infrastructure/stormwater management
- Impacts on the natural, cultural, or social environment
- Right-of-way considerations
- Anticipated public opinion
- Community or cultural events in the candidate project area

The PennDOT Connects/Local Government Collaboration policy is to document Local government collaboration including the transportation problem, environmental resources, land use and other contextual issues early in the planning process to support future project phases. The intended outcomes include clearer scopes of work and more accurate schedules and budgets when projects are programmed. The information documented in the collaborative planning process is carried forward into the scoping and environmental review processes.

As in the past, any new projects proposed to be added to the 2019 STIP/TIPs must follow the collaborative planning process approach, and must be documented through the screening form process. Based on the 2019 Transportation Program Development Schedule, we suggest that the PennDOT Connects/Local Government Collaboration, including completion of the screening form, take place as early as possible (in the June-September 2017 timeframe), and be completed before December 29, 2017 when draft TIPs are required to be submitted to the Center for Program Development and Management (Program Center).

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 within the time period contemplated for completion of the project based on the project phase begin and end dates. This shall also include the estimated total cost of project construction which may extend beyond the TIP and into the TYP or LRTP, in accordance with 23 C.F.R. 450.324 (e) (2) & (i).

As Planning Partners and PennDOT staff continue to refine and finalize the 2019 Program, special attention must be placed on projects, or phases of projects, that may be or will be carried over from the 2017 Program; this matter needs to be carefully considered during the 2019 Program update. Set aside funding (line item reserves) in the 2019 Program should also be considered to cover unforeseen project costs which may occur due to accrued unbilled costs (AUC), unforeseen advance construction (AC) obligations, updated cost estimates, and other actions which might occur between program drafting and project initiation.

Address cash flow procedures such as highway AC obligation, and public transportation letters of no prejudice or full funding grant approvals in the program development process. Address projects with AUC. AUC occurs when work has been started on a project and paid for with state or local funds, but may be eligible for federal funds. AUC will be submitted to FTA or FHWA during program development for funding before or after the program is approved, as appropriate. When an AUC project is being converted, the projects must appear on a TIP.

Seek early and coordinated input into the programming process by reviewing currently programmed and candidate projects for the remaining eight years of the TYP. Planning Partners may identify and propose projects or phases of projects from their fiscally constrained LRTPs to PennDOT or STC for possible inclusion in the remaining eight years of the TYP. On a case by case basis, the Secretary of Transportation will recommend to the STC additional projects or phases of projects to be listed in the remaining eight years of the TYP. These additional projects should be on or consistent with the MPO/RPO adopted LRTP.

Using available tools in PennDOT data systems, 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 and regional priorities, this information will serve as the basis to begin evaluating new candidate projects for inclusion into the 2019 Program.

MPOs and RPOs will assist PennDOT and the STC in the following ways regarding the last eight years in the TYP. Phases of projects that are not fully funded in the TIP will be carried over and shown in the last eight years of the TYP. To illustrate the linkage between planning partner LRTPs and the 2019 Program, each Planning Partner will assist PennDOT staff and the STC in preparing a narrative to be included in the TYP that illustrates a few of the major projects being advanced in that region over the last eight years and beyond. All air quality significant projects to be advanced in the last eight years of the TYP must be listed and fiscally constrained.

## **Project Requirements**

Share project information and program data bases with all Partners. Include all types and categories of projects on the TIP and TYP (federal, state, local, public and private partners, special federal, turnpike, airport, rail, and infrastructure bank, etc., but excluding county maintenance and PTC maintenance funds).

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 air quality modeling of the metropolitan/rural area's transportation network) as defined in 23 CFR 450.104.

Public transportation operators will coordinate and cooperate with the MPO/RPO and PennDOT in the development of the public transportation portion of the 2019 Transportation Program. Public transportation operators will be responsible for submitting public transportation projects for the draft 2019 Program consistent with available resources as identified in Appendix 5 Transportation Program Development Schedule.

Provide the following information for programmed projects, including the Highway-Bridge Program, the Transit Program, and 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 PennDOT 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.
- Assign projects or phases of projects in the STIP and in the MPO/RPO TIPs by year (e.g., 2019, 2020, 2021, and 2022) based upon the latest project schedules and consistent with 23 C.F.R. 450.326(g).
- Detailed project and project phase costs should delineate between federal, state, and local shares. Each project and project phase costs should depict the amount to be obligated/encumbered for each funding category.
- Phase estimate and total costs reflect YOY in the TYP period per financial guidance.
- Identification of the agency or agencies responsible for implementing the project or phase (i.e. specific Transit Agencies, PennDOT District; MPOs/RPOs; Local Government and private partners).

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.

## **Line Items**

The use of reserve line items should be kept to a minimum. Every effort should be made to identify Transportation Alternative Program (TAP) Surface Transportation Block Grant set-aside, Congestion Mitigation and Air Quality Improvement (CMAQ), Highway Safety Improvement Program (HSIP), Bridge and Local projects in the first 2 years of the TIPs.

Selected project categories that are air quality exempt - betterment, and Section 5310 - 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. Contingency line items may be used to address uncertainties in cost estimates for carryover projects or cash flow issues such as AC, AUC, etc.

### **Program-Specific and Other Requirements**

The Interstate Management TIP for the 2019 Transportation Program will be updated by PennDOT and its planning partners:

- Partners and the District Offices will help to identify and comment on the Interstate projects.
- Adding capacity to an Interstate can be considered by coordinating a cost-sharing arrangement between the MPO/RPO TIP and the Interstate TYP on a case-by-case basis.
- PennDOT will manage the Interstate Management TYP on a statewide basis, but will notify MPO/RPOs of all Interstate Management TYP amendments and modifications.

The Highway Safety Improvement Program (HSIP) has as its purpose to achieve a significant reduction in traffic fatalities and serious injuries on all public roads, including non-State-owned public roads. HSIP projects will be coordinated between the MPO/RPO, PennDOT District, Program Center, and Highway Safety and Traffic Operations Division (HSTOD). Highway safety improvement projects must be consistent with the SHSP, and must correct or improve a hazardous road location or feature, or address a highway safety problem. The federal share payable for HSIP projects is 90 percent.

23 U.S.C. § 148 describes HSIP projects to include, but not be limited to:

- projects for intersection safety improvements;
- pavement/shoulder widening including addition of passing lane to fix an unsafe condition;
- installation of rumble strips and other warning devices;
- installation of skid-resistant surfaces at intersections or high frequency crash locations;
- safety improvements for pedestrians, persons with disabilities or bicyclists;
- elimination of roadside hazards;
- installation, and replacement of highway signage and pavement markings, or a project to maintain minimum levels of retroreflectivity;
- installation of priority control systems for emergency vehicles at signalized intersections;
- installation of traffic control or other warning devices at high crash potential locations;
- transportation safety planning; collection, analysis, and improvement of safety data;
- planning integrated, interoperable emergency communications equipment, operational activities, or traffic enforcement activities relating to work zone safety;
- guardrails, barriers (including in construction work zones), and crash attenuators;
- measures to eliminate or reduce vehicle and wildlife crashes;
- yellow-green signs and signals at pedestrian and bicycle crossings and in school zones;

- construction and operational improvements on high risk rural roads;
- geometric improvements that improve safety;
- a road safety audit;
- FHWA "Highway Design Handbook for Older Drivers and Pedestrians" improvements;
- truck parking facilities;
- systemic safety improvements;
- installation of vehicle-to-infrastructure communication equipment;
- pedestrian hybrid beacons; and, improvements providing separation between pedestrians and motor vehicles, including medians and pedestrian crossing islands.

23 USC §120(c)(1) allows 100 percent federal share on any project for:

- traffic control signalization;
- maintaining minimum levels of retroreflectivity of highway signs or pavement markings;
- traffic circles (also known as "roundabouts");
- safety rest areas; pavement marking;
- shoulder and centerline rumble strips and stripes;
- commuter carpooling and vanpooling;
- rail-highway crossing closure;

or installation of:

- traffic signs;
- traffic lights;
- guardrails;
- impact attenuators;
- concrete barrier end treatments;
- breakaway utility poles

or priority control systems for:

- emergency vehicles or;
- transit vehicles at signalized intersections.

Safety Performance Management regulations require PennDOT to establish targets for 5 safety performance measures:

- 1) Number of fatalities
- 2) Rate of fatalities
- 3) Number of serious injuries
- 4) Rate of serious injuries
- 5) Number of non-motorized fatalities and serious injuries.

Within 180 days of PennDOT establishing targets, MPOs must establish their own MPO specific targets. This can be done for each individual safety performance measure by:

- agreeing to support the PennDOT target; **or**
- establishing specific numeric targets for a safety performance measure.

LRTP updates on or after 5/27/18 must include safety performance measures and targets. STIP/TIP updates on or after 5/27/18 must include a description of how the STIP/TIP contributes to achieving safety performance targets.

As with other federal requirements, the Safety Performance Management regulations only apply to MPOs. However, the Department will provide a form letter to every Planning Partner which includes PennDOT's established targets for the region. This form will be required in the TIP submission to document Safety Performance Management requirements, and the decision to agree to support the PennDOT targets, or establish specific regional targets.

More information regarding Safety Performance Management can be found in the link in Appendix 6 References.

ITS and traffic operations projects should be consistent with national and state Planning for Operations guidance, as well as ROPs and ITS Architectures. 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 CMP.

PennDOT will request a list of turnpike projects from the PTC and distribute the list to all Planning Partners, in advance of air quality conformity time line requirements, so the projects can be included in appropriate TIPs. PTC projects requesting federal funding and that are selected for inclusion on a TIP will be assigned an MPMS number; PTC projects having no federal funding will need to be identified another way on the TIP.

### **TIP Submission Requirements**

TIP submission Documentation, Descriptions, and 2019 Check List are found in Appendix 3. All required documentation indicated must be submitted to PennDOT after individual TIPs are approved by the MPO/RPO. To ensure completion, the 2019 Check List is included as part of Appendix 3.

- Five copies of the completed TIP must be provided to the PennDOT Program Center according to the schedule in Appendix 5. Program Center staff will complete the remaining portions of the 2019 Check List and forward it to FHWA/FTA with the STIP.
- The Program Center will complete a statewide Check List similar to the 2019 Check List and forward it to FHWA/FTA with the STIP. Specific requirements or additional explanations are provided in Appendix 3.

### **Program Administration**

The 2019 Transportation Program must continue to be responsive to necessary program changes after adoption. Changes to the STIP/TIP are enacted through procedures for STIP/TIP revisions adopted at both the MPO/RPO and state levels. Changes to the TIPs and delivery of completed projects are monitored by the Planning Partners and the subject of various program status reports.

Projects in the first year of the STIP/TIP shall constitute an "agreed to" list of projects for subsequent scheduling and implementation. If a project in the second or third period of the TYP is to be advanced, expedited selection procedures may be used if agreed to under each MPO/RPO's procedures for TIP revision. The procedures that were approved by each MPO/RPO for the 2017 Program should be used as a starting point for the development of the procedures for the 2019 Program. The new procedures for TIP revision must be part of the public comment period on the recommended 2019 Program.

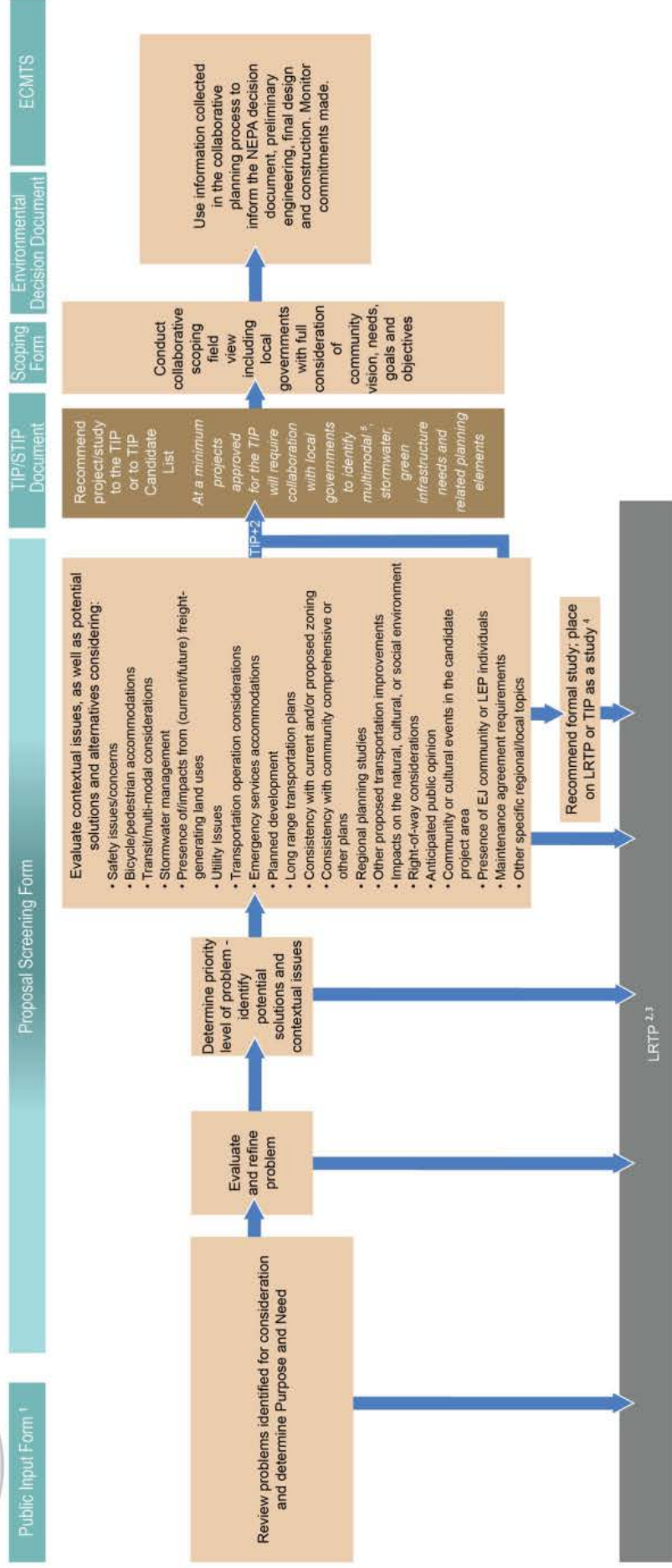
It is recommended that project selection requirements and procedures for TIP revision permit the movement of projects or phases of projects within the STIP/TIP while maintaining year-by-year financial constraints.

Coordinate program revisions, including those for the Interstate Management Program, with all Partners to ensure that the MPO/RPO TIPs and the STIP are consistent with the TYP and county/regional LRTPs, and vice versa, and work toward the development and implementation of a streamlined revision processes.

Track progress of program and project implementation including major projects that slipped, and share the findings with the Planning Partners and the public. The MPO/RPO progress reports detail obligations and are sent by PennDOT to the MPOs/RPOs quarterly as shown in Appendix 3, items 13 and 14. MPOs and RPOs are to share this information with their respective Boards/Committees and the public. This is a FAST Act requirement for state DOTs, MPOs and public transportation properties.

# APPENDIX 1 - PennDOT Design Manual Part 1A (DM1A)

## Transportation Program Development and Project Delivery Process



**Footnotes:**

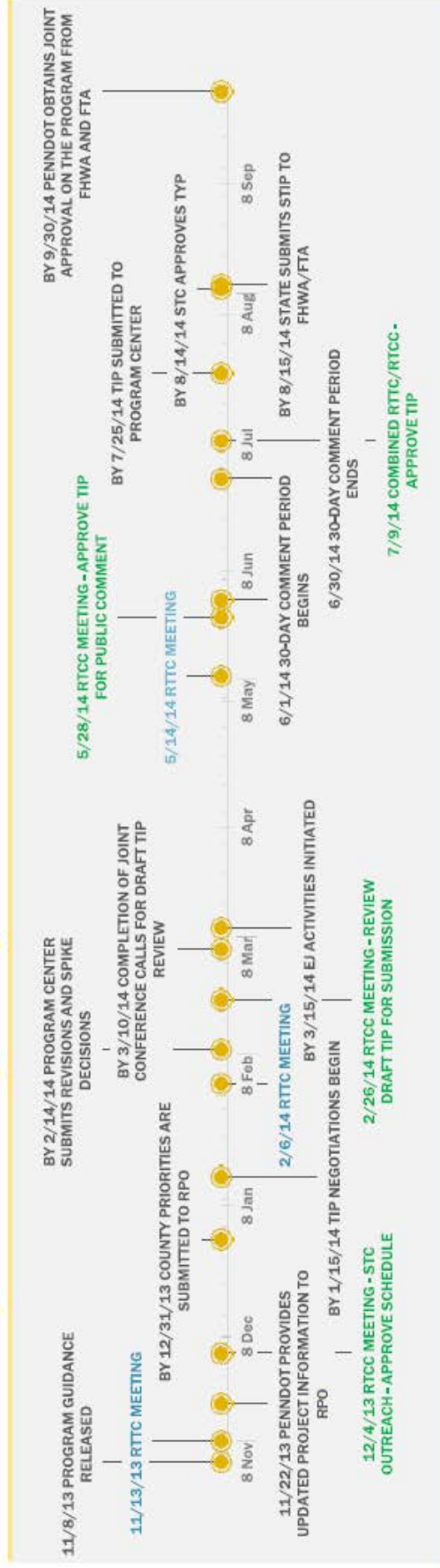
1. Not required for all proposals.
2. PennDOT and the MPO/RPO may jointly decide to dismiss a proposal at any time if the proposal is determined to be a routine maintenance project or not feasible due to constructability issues.
3. Projects may also be deferred to the LRTP Candidate List or illustrative list.
4. Studies can also be funded through the Unified Planning Work Program (UPWP).
5. Multimodal includes highway, public transit, aviation, rail, freight, and bicycle and pedestrian facilities.

March 22, 2017

## APPENDIX 2 – TIP Development Process

### Sample Process - Timeline

## Southern Alleghenies Rural Planning Organization 2015 Transportation Program Update Schedule





## APPENDIX 2 - TIP Development Process Sample Process - Documentation



# 2017-2020 TIP Development Schedule

Revised November 30, 2015

DATE (2015)	MILESTONE
By July 31 <sup>st</sup>	State Transportation Commission (STC) conducts public outreach to support development of the 2017-2028 Twelve Year Program (TYP)
August 26 <sup>th</sup>	RTTC/RTCC Meeting - TIP schedule and 2016 approval milestones reviewed
September 2 <sup>nd</sup>	PennDOT District 9-0 meets with county planners to discuss initial project priorities
By September 30 <sup>th</sup>	District provides updated scopes, costs, and schedules for carryover projects and candidate projects to RPO
October 14 <sup>th</sup>	PennDOT Program Center issues TIP Financial Guidance
October 15 <sup>th</sup>	Program Center issues General and Procedural Guidance and TIP development schedule
	PennDOT Planning Partners conference call to discuss draft TIP guidance and schedule
October 22 <sup>nd</sup>	Local Bridge Subcommittee conference call to discuss the RPO local bridge risk assessment and initial county priorities for local bridges
November 4 <sup>th</sup>	RTTC Meeting - Initial Draft Highway & Bridge TIP recommended to RTCC for approval and 2016 meeting dates scheduled
November 5 <sup>th</sup>	Program Center issues final TIP General and Procedural Guidance
By November 25 <sup>th</sup>	Program Center provides final "spike" funding decisions to Planning Partners and District Offices
December 2 <sup>nd</sup>	Local Bridge Subcommittee conference call to discuss spike funding decision and recommend final list of local bridges to the RTCC for addition to the Draft TIP
December 10 <sup>th</sup>	RTCC Meeting - Draft TIP approval and 2016 meeting dates scheduled
By December 23 <sup>rd</sup>	MPOs/RPOs/PennDOT review highway, bridge, and transit projects for possible TIP inclusion. Tip negotiations begin.

DATE (2016)	MILESTONE
By February 5 <sup>th</sup>	Program Center completes initial review of Draft TIP
By February 19 <sup>th</sup>	Program Center meets with RPO and District to review draft TIP and negotiate/resolve any remaining issues
February 10 <sup>th</sup>	RTTC Meeting
By February 12 <sup>th</sup>	Program Center submits comments and revisions to RPO, including final "spike" funding decisions
March 2 <sup>nd</sup>	RTCC Meeting
By March 4 <sup>th</sup>	TIP negotiations conclude
	RPO and District reach consensus on TIP
	Environmental Justice activities begin
May 11 <sup>th</sup>	RTTC Meeting - Draft TIP reviewed and recommended to RTCC for approval
June 1 <sup>st</sup>	RTCC Meeting - Draft TIP reviewed and approved for 30-day public comment period
July 13 <sup>th</sup>	RTTC Meeting
By July 16 <sup>th</sup>	Environmental Justice conformity determined
	RPO conducts TIP public outreach meetings in each county
	RPO and PennDOT complete joint TIP/STIP 30-day public comment period
	All relevant documents placed on websites for public access
July 20 <sup>th</sup>	RTCC Meeting - Highway & Bridge TIP and Transit TIP approved for submission to Program Center (required by July 26 <sup>th</sup> )
By August 6 <sup>th</sup>	STC approves Twelve Year Program (TYP)
By August 12 <sup>th</sup>	STIP submitted to Federal Highway Administration (FHWA)/Federal Transit Administration (FTA) for review and approval
By September 30 <sup>th</sup>	PennDOT obtains joint approval of the 2017-2020 TIP from FHWA/FTA

## Southern Alleghenies RPO Transportation Improvement Program



### **APPENDIX 3 - TIP Submission Required Documentation**

Documentation required to be submitted with an approved MPO/RPO TIP to PennDOT.

- (1) Cover Letter which documents the organization and date of MPO/RPO TIP adoption;
- \* (2) Highway-Bridge Program Project Listing (public version with long narrative);
- \* (3) Public Transportation Program Project Listing (public version with long narrative);
- \* (4) Public Transportation Financial Capacity Analysis (for appropriate operators as determined by the provisions of FTA Circular 7008.1A.);
- \* (5) Air Quality Conformity Determination Report (in non-attainment and maintenance areas only);
- (6) Air Quality Resolution (in nonattainment and maintenance areas only);
- (7) MPO Self-Certification Resolution;
- (8) Agreement to support PennDOT safety performance measure targets; or documentation of the specific targets established by the region;
- \* (9) Procedures for TIP Revision;
- \* (10) MPO/RPO Public Participation Plans;
- (11) Documented TIP Public Comment;
- \* (12) Environmental Justice Summary;
- (13) Document MPO/RPO TIP development timeline, and project prioritization and selection process;
- (14) List major regional projects from the previous TIP(s) (implemented);
- (15) List major regional projects from the previous TIP (with significant delays); and,
- (16) 2019 Check List

- \* Must be available for review during the required public comment period.

A detailed description of the above items is provided on the following pages.

## **APPENDIX 3 - TIP Submission**

### **Required Documentation Descriptions**

Descriptions of each required TIP Submission document are provided below.

#### Project Lists (items 2 and 3)

Projects included on the Highway – Bridge Project List and the Public Transportation Project List must meet requirements identified in ‘Projects’ in the Project Development section. Projects identified in the adopted TIPs and on the PennDOT Interstate Program are also included in the STIP by signature of the Governor or his representative and in the TYP upon adoption by the STC.

#### Financial Plan (item 4)

TIP Financial Plans are produced at the statewide level by the Financial Guidance Work Group and documented by the Program Center and the STIP executive summary. No additional MPO/RPO documentation is needed. Financial planning requirements are noted in the General Guidance section and under Project Requirements in the Program Development and Administration section.

A Public Transportation Financial Capacity Analysis will be included by appropriate operators as determined by the provisions of FTA Circular 7008.1A.

#### Air Quality Conformity (item 5 and 6)

Perform air quality conformity analyses consistent with the USEPA’s Transportation Conformity Rule, recent federal court rulings and the Pennsylvania Transportation Conformity State Implementation Plan (SIP) in non-attainment and maintenance areas.

Include an Air Quality Report and an Air Quality Resolution in nonattainment areas.

#### MPO Self-Certification Resolution (item 7)

Prepared only by MPOs to certify that the transportation planning process is being carried out in accordance with all applicable federal requirements. A sample resolution that identifies the various requirements is attached as Appendix 4. Non-TMA MPOs must include documentation to ensure compliance.

#### Safety Performance Measures (item 8)

Planning Partner agrees to support the safety targets established by PennDOT, or Planning Partner establishes own safety targets and provides documentation for methodology used. A region-specific form letter will be provided by PennDOT to all Planning Partners and included in TIP submission to document Safety Performance Management requirements.

#### Procedures for TIP Revision (item 9)

Procedures for TIP Revision are identified in the Program Administration section under Program Development and Administration.

### Public Involvement (items 10 and 11)

Public involvement in transportation program development is carried out in accordance with the procedures identified in existing Planning Partner public participation plans and the general guidance provisions of this document. A copy of the MPO/RPO Public Participation Plan, the advertisement of the required 30-day public comment period, and documentation of the agency's response to public comment are required in the MPO/RPO TIP submission.

### Environmental Justice (EJ) Summary (item 12)

Summarizes the regional transportation program's impacts on minority and low-income populations as required by Executive Order 12898. MPOs/RPOs develop the EJ summaries, which must include the community profiles and methodology used in the assessment.

### Project Prioritization Process (item 13)

Provide written documentation or a simplified timeline showing the unique process that was used by the MPO/RPO in the development of their TIP. The document or timeline, should show meetings with the District(s), MPO/RPO committee meetings used to discuss the draft TIP, public involvement activities or outreach, etc. In addition, the Partner's project prioritizing process utilized for TIP development and PennDOT's prioritizing process utilized for the Interstate Management TIP must be documented. The MPO/RPO submission should include a summary of how it relates to the LRTP vision, goals and objectives.

### List of Major Projects from the previous TIP (items 14 and 15)

Two lists will be provided: one list identifies major projects that were completed during the previous TIP. The second list identifies major projects that experienced significant delay during the previous TIP period. The lists will be developed by the MPO/RPO with information provided by the PennDOT Districts.

### 2019 Check List (item 16)

This is the official documentation to ensure that the key components of the final TIP submission are complete. The 2019 Check List is included in this document.

A Title VI review of the Transportation Program Development Division completed July 21, 2015 recommended that a 'Title VI' program block be included in the 2017 TIP Check List. This is also included in the 2019 Check List, and Yes/No responses can be selected for whether your agency has: 1.) Title VI Coordinator; 2.) Title VI Policy; 3.) Title VI Complaint Process & Form; and 4.) Title VI Complaint Log.

# APPENDIX 3 - TIP Submission 2019 Check List

Planning Partner: _____ Non-attainment Area: Yes ___ No ___ Maintenance Area: Yes ___ No ___ Identify the AQ Pollutant(s) (Ozone, PM2.5, CO, etc.): _____ Transportation Management Area: Yes ___ No ___	<b>Directions:</b> <ul style="list-style-type: none"> <li>• Please use the provided responses in the drop down box given for the majority of the cells. To get to the drop down box, click a cell in your respective column. Then click the down arrow on the right hand side of the cell you just clicked.</li> <li>• Note: To select a date, there are three drop down boxes that represent Month, Day, and Year, respectively.</li> <li>• Cells that ask for a monetary figure or an explanation do not have a drop box, and therefore are not restricted to specific answers.</li> </ul>						
<b>Shaded Stakeholder to Provide the Response Others Check to Indicate Response Verified</b>							
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">Information Items</th> <th style="width: 10%;">Response Type</th> <th style="width: 30%;">MPO/RPO</th> <th style="width: 10%;">Program Center</th> <th style="width: 10%;">FHWA</th> <th style="width: 10%;">FTA</th> </tr> </thead> </table>	Information Items	Response Type	MPO/RPO	Program Center	FHWA	FTA
Information Items	Response Type	MPO/RPO	Program Center	FHWA	FTA		
<b>1. Public Participation Documentation:</b>	Public comment period:	Date Range					
	Public meeting(s)-Date/Time/Location:	Date/Time/Location					
	Public meeting notice contains info about special needs/ADA Compliance?	Yes / No					
	Does the TIP Documentation contain a summary that provides a general overview of the transportation planning and TIP development process?	Yes / No					
	Does the summary explain the project selection process and/or project evaluation criteria procedures?	Yes / No					
	Environmental Justice documentation?	Yes / No					
	Public involvement outreach activities consistent with Public Participation Plan?	Yes / No					
	Were any public comments (written or verbal) received and addressed? If Yes, were they provided in the TIP Documentation submitted to PennDOT?	Yes / No/NA					
<b>2. TIP Adoption:</b>	Date TIP adopted by Planning Partner: Was TIP included in STIP without modification?	Meeting Date Yes / No					
	<b>3. TIP Consistency with Long Range Transportation Plan (if applicable):</b>	Is the Long Range Transportation Plan (LRTP) MAP-21 compliant?	Yes / No				
Is the TIP consistent with LRTP?		Yes / No					
Years covered by the LRTP:		Date Range					
Date LRTP Adopted by Planning Partner:		Meeting Date					
Anticipated date for new LRTP:		Date					
<b>4. Air Quality Non-attainment and Maintenance Areas:</b>	Is the area in an AQ non-attainment or maintenance area? If yes, then answer the following questions:	Yes / No					
	Have all projects been screened through an interagency consultation process?	Yes / No / NA					
	Conformity date for the LRTP:	Yes / No / NA					
	In non-attainment and maintenance areas, do projects contain sufficient detail for air quality analysis?	Yes / No / NA					
<b>5. Financial Constraint:</b>	Is the TIP financially constrained, by year by allocations?	Yes / No					
	Compare the amount of Federal Funds programmed in each year of the TIP against Financial Guidance Work Group (FGWG) allocation:	Adopted TIP (\$)	Financial Guidance (\$)				
	FFY 2019						
	FFY 2020						
	FFY 2021						
	FFY 2022						
	Explain any differences:						
	Were the TIP projects screened against the federal/state funding programs eligibility requirements?	Yes / No					
	Does the STIP/TIP Financial information contain system level estimates of cost and revenue sources?	Yes / No					
	Are the estimated total cost(s) to complete a project, that extends beyond the TIP years, shown in the TIP?	Yes / No					
	Any additional funds programmed above FGWG allocations (i.e. Spike funds, Earmarks, etc.)? If YES, identify the TOTAL amount and TYPES of additional funds by Year:	Yes / No / NA					
	FFY 2019	Total \$ Amt by Fund Type					
FFY 2020	Total \$ Amt by Fund Type						
FFY 2021	Total \$ Amt by Fund Type						
FFY 2022	Total \$ Amt by Fund Type						
Comments:							

6. MPO Self Certification:	Does the TIP submittal contain the MPO Self Certification resolution?	Yes / No				
	For the Non-TMA MPO's does the self certification contain documentation to indicate compliance?	Yes / No				
7. Title VI:	Does your agency have a Title VI Coordinator?	Yes / No				
	Does your agency include a Title VI Policy?	Yes / No				
	Does your agency possess a Title VI Complaint Process and Complaint Form?	Yes / No				
	Does your agency have a Title VI Complaint Log?	Yes / No				
8. Transit Fiscal Disclosure:	Financial Capacity Document (MPO only)	Yes / No				
9. Required Submission materials as documented in General and Procedural Guidance:  See Appendix 3  Items identified with an asterisk (*) must be available for review during the public comment period.	Cover Letter	Yes / No				
	* Highway and Bridge Listing with public narrative	Yes / No				
	* Public Transportation Listing with public narrative	Yes / No				
	* Public Transportation Financial Capacity Analysis	Yes / No				
	* Air Quality Conformity Determination Report	Yes / No				
	Air Quality Resolution	Yes / No				
	Self-certification resolution	Yes / No				
	Agreement to support PennDOT safety targets; or documentation of targets established by the region	Yes / No				
	* TIP Revision Procedures	Yes / No				
	PennDOT Connects Local Government Collaboration process established, and meetings ongoing.	Yes / No				
	Public Comment Period Advertisement	Yes / No				
	* Public Participation Plan	Yes / No				
	* Environmental Justice Summary	Yes / No				
	* Documented Public Comments received	Yes / No				
	TIP Development Documentation/Timeline Project Selection Process Documentation	Yes / No				
	List major projects from the previous TIP that were implemented and any significant delays in the planned implementation of major projects?	Yes / No				
	Are there any noteworthy practices that deserve statewide recognition or replicated in the next TIP update?	Yes / No				
	If Yes, explain:					
	Are there any issues or improvements that should be addressed by the next TIP update?	Yes / No				
	If Yes, explain:					
Were the required information, as documented in the General & Procedural Guidance, submitted?	Yes / No					
Any issues to be incorporated into the Planning Finding?	Yes / No					
10. Completed or Reviewed by:	Planning Partner:					Date:
	PennDOT Program Center:					Date:
	FHWA:					Date:
	FTA:					Date:

**APPENDIX 4 - MPO Self-Certification**  
Sample Self-Certification Resolution Example 1

**RESOLUTION**  
**by the Board of the Delaware Valley Regional Planning Commission**  
**DVRPC SELF CERTIFICATION OF THE METROPOLITAN TRANSPORTATION**  
**PLANNING and PROGRAMMING PROCESS**

WHEREAS, the US DOT Metropolitan Transportation Planning and Programming Regulations (23 CFR Part 450 Subpart C and 49 CFR Part 613 Subpart A) which implement the planning provisions of 23 USC Sec.134 and 49 USC Sec.5303, requires the Metropolitan Planning Organization (MPO) to certify that its transportation planning and programming process is in conformance with all applicable regulations; and

WHEREAS, the Federal Planning and Programming Regulations require the MPO to carry out a continuing, cooperative, and comprehensive performance-based multimodal transportation planning and programming process; and

WHEREAS, the requirements of Sections 174 and 176(c) and (d) of the Clean Air Act as amended (42 USC Sec 7504 and 7506 (c) and (d) and 40 CFR part 93), which require an air quality implementation plan that will bring the Metropolitan Area into conformance with requirements of the Clean Air Act; and require that the MPO not approve any project, program, or plan which does not conform to the implementation plan, have been met; and

WHEREAS, private citizens, affected public agencies, representatives of transportation agency employees, other affected employee representatives, private providers of transportation, and other interested parties were provided with reasonable opportunity to comment on the proposed Transportation Improvement Program, Long Range Plan and planning process; and

WHEREAS, the TIP has been financially constrained as required by 23 CFR 450.324(h) of the Planning Regulations and includes a financial plan that demonstrates how the TIP can be implemented, indicates resources from both public and private sources that are reasonably expected to be available, and is supportive of innovative financing techniques; and

WHEREAS, the Congestion Management Process (CMP) requirements of 23 CFR 450.322 for non-attainment Transportation Management Areas has been met; and

WHEREAS, 23 U.S.C 150, 23 CFR Part 450, and 49 CFR part 613 require MPO's to establish and use a performance-based approach to transportation decision making, DVRPC continues to work with its partners to plan for the integration of performance measures and targets into the development of the Long Range Plan, the TIP, the CMP, and other appropriate regional planning documents in accordance with federal and state statutes and guidance; and

WHEREAS, the Fixing America's Surface Transportation Act of 2015 added two new planning factors to the scope of the metropolitan planning process that MPOs shall consider: Section 450.306 (b)(9) – improve resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation; and Section 450.306 (b)(10) – enhance travel and tourism, DVRPC will work with its partners to consider these new factors in the planning process; and,

WHEREAS, the provision of 49 CFR part 20 regarding restrictions on influencing certain activities has been met; and

WHEREAS, the requirements of Title VI of the Civil Rights Act of 1964 and the Title VI assurance executed by each state under 23 USC Sec.324 and under 49 USC Sec.794 have been met and the requirements of Executive Order # 12898 (Federal Order to Address Environmental Justice in Minority Populations and Low-Income Populations) are being addressed; and,

WHEREAS, the requirements of 23 CFR and 49 CFR regarding the involvement of disadvantaged or minority business enterprises in Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) funded planning projects have been met; and

WHEREAS, the provisions of the Americans with Disabilities Act (Public Law 101-336, 104 Statute 327, as amended) and US DOT regulations entitled "Transportation for Individuals with Disabilities" (49 CFR, Parts 27, 37 and 38) have been met; and,

WHEREAS, provisions of 23 CFR Part 450.310 (d) (1) (ii) and 49 CFR Part 613.100, require MPOs policy boards to include officials of public agencies that provide public transportation, DVRPC elects to continue to use the exception provision specified in 23 CFR Part 450.310 (d) (4) by reaffirming Board Resolution B-FY-15-004, while continuing to include SEPTA, NJ Transit and DRPA/PATCO as participating, non-voting members of the Board and as voting members of DVRPC's Regional Technical Committee and Regional Transit Advisory Committee; and,

WHEREAS, DVRPC certifies that it qualifies for the exception referred to above by meeting the specification which states: the MPO operates pursuant to a state law that was in effect on or before December 18, 1991; and,

WHEREAS, DVRPC recognizes the federal standards that are in place, but strives to exceed those standards, whenever possible, to ensure the health of the region's citizens and the sustainability of the Delaware Valley.

NOW, THEREFORE, BE IT RESOLVED, the Delaware Valley Regional Planning Commission, the Metropolitan Planning Organization for the nine county Philadelphia, Camden and Trenton metropolitan areas, certifies that the metropolitan transportation planning and programming process is being carried out in conformance with all applicable federal requirements and certifies that the local process to enhance the participation of the general public, including the transportation disadvantaged, has been followed in developing all plans and programs.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the respective Departments of Transportation of Pennsylvania and New Jersey for inclusion with the State certification that the planning process complies with FHWA/FTA joint regulations on Metropolitan Transportation Planning and Programming.

I certify that this is a true and correct copy of Resolution No. B-FY16-xxx

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Renee Wise, Recording Secretary

**APPENDIX 4 - MPO Self-Certification**  
**Sample Self-Certification Resolution Example 2**

In accordance with 23 CFR 450.336, the STATE DEPARTMENT OF TRANSPORTATION, and the \_\_\_\_\_ Metropolitan Planning Organization for the \_\_\_\_\_ urbanized area(s) hereby certify that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements of:

1. 23 USC 134, 49 U.S.C. Section 5303, and 23 CFR Part 450.
2. In nonattainment and maintenance areas, Sections 174 and 176(c) and (d) of the Clean Air Act as amended (42 U.S.C. 7504, 7506(c) and (d)) and 40 CFR Part 93.
3. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR Part 21.
4. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex or age in employment or business opportunity.
5. Section 1101(b) of the Fixing America's Surface Transportation Act (Pub. L. 114-357) and 49 CFR Part 26 regarding the involvement of Disadvantaged Business Enterprises in USDOT funded planning projects.
6. 23 CFR Part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts.
7. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR Parts 27, 37, and 38.
8. Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance.
9. Section 324 of Title 23 U.S.C., regarding prohibition of discrimination based on gender.
10. Section 504 of the Rehabilitation Act of 1973 and 49 CFR Part 27 regarding discrimination against individuals with disabilities.

STATE DEPARTMENT OF TRANSPORTATION  
\_\_\_\_\_ DISTRICT

METROPOLITAN PLANNING ORGANIZATION  
POLICY BOARD

---

District Engineer

---

Chairperson

---

Date

---

Date



**APPENDIX 4 - MPO Self-Certification**  
Sample Self Certification Process/Checklist

**SOUTHWESTERN PENNSYLVANIA COMMISSION**  
**SELF-CERTIFICATION PROCESS**

**Introduction**

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A self-certification of the metropolitan planning process is required under 23 CFR 450.336: For all MPAs, concurrent with the submittal of the entire proposed TIP to the FHWA and the FTA as part of the STIP approval, the State (The Commonwealth of Pennsylvania) and the MPO (The Southwestern Pennsylvania Commission) shall certify, at least every four years, that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements including:

1. 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;
2. In nonattainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 CFR part 93;
3. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
4. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
5. Section 1101(b) of the FAST Act (Pub. L. 114-357) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
6. 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
7. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.*) and 49 CFR parts 27, 37, and 38;
8. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
9. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
10. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

**Self-Certification Schedule**

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SPC's self-certification process for Fiscal Years 2019-2022 will begin in April 2018. SPC staff will review and complete the self-certification checklist. The completed checklist will then be reviewed and commented upon by the SPC Transportation Technical Committee (TTC) at its May meeting. Changes will be made by SPC staff for approval in June by SPC, in conjunction with the FY2019-2022 TIP. Once the self-certification review checklist is approved, a Statement of Certification along with a Resolution by the Southwestern Pennsylvania Commission will be passed at their regularly scheduled June meeting. The statement of Certification along with the completed checklist will then be forwarded to the Commonwealth of Pennsylvania, the FHWA, and the FTA.

## Self-Certification Checklist

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The following checklist is intended to aid the MPO in reviewing and evaluating their transportation planning processes and programs for the required self-certification.

1. Is the MPO properly designated by agreement between the Governor and 75% of the urbanized area, including the central city? [23 U.S.C. 134(b);49 U.S.C. 5303 (c); 23 CFR450.310(b)]
2. Does the SPC Policy Committee include elected officials, major modes of transportation providers and appropriate state officials? [23 U.S.C. 134(b);49 USC 5303 (c); 23 CFR 450.310(d)]
3. Does the SPC boundary encompass the existing urbanized area and the contiguous area expected to become urbanized within the 20-year forecast period? [23 U.S.C. 134(b);49 U.S.C. 5303 (c); 23 CFR 450.312(a)]
4. Is there a currently adopted Unified Planning Work Program (UPWP)? [23 CFR 450.308]
  - a. Are tasks and work products clearly defined?
  - b. Is the UPWP consistent with the LRTP?
  - c. Is the work identified in the UPWP completed in a timely manner?
5. Does the SPC area have a valid transportation planning process? [23 U.S.C. 134; 23 CFR 450.306(b) and 450.324]
  - a. Is the transportation planning process continuous, cooperative and comprehensive?
  - b. Is there an adopted LRTP?
  - c. Does the LRTP have at least a 20-year planning horizon (at the time of adoption)?
  - d. Does it address the ten FAST Act Planning Factors? Does it include all applicable transportation modes?
  - e. Is the plan financially constrained?
  - f. Does it include funding for operations and system maintenance?
  - g. Is the LRTP updated every four years?
6. Is there an up-to-date adopted Transportation Improvement Program (TIP) [23 CFR 450.326]?
  - a. Is the TIP consistent with the LRTP?
  - b. Is the TIP fiscally constrained?
  - c. Is the TIP developed cooperatively with state and local transit operators?
  - d. Is it updated at-least every four years and adopted by SPC and the Governor of the Commonwealth of Pennsylvania?
7. Does SPC have an up-to-date, adopted Congestion Management Process? [23 CFR 450.322]
  - a. Is the CMP consistent with the LRTP?
  - b. Was the CMP used to develop the TIP?
  - c. Is the CMP monitored and re-evaluated to meet the needs of the area?
8. Does SPC have a process for including environmental mitigation discussions in the planning process? If so, how?

9. Does SPC meet the air quality conformity requirements set forth in nonattainment and maintenance areas, sections 174 and 176(c) and (d) of the Clean Air Act as amended (42 U.S.C. 7504, 7506(c) and (d)) and 40 CFR part 93?
10. Does the planning process meet the following requirements:
  - a. 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;
  - b. Title VI of the Civil Rights Act of 1964, as amended (42 USC 200d-1), 49 CFR part 21 and the Title VI Assurance executed by each State under 23 U.S.C. 324 and 29 U.S.C. 794;
  - c. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
  - d. Section 1101(b) of the MAP-21 (P.L. 112-141) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;
  - e. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 etseq.) and 49 CFR parts 27, 37, and 38;
  - f. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
  - g. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
  - h. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.
  - i. All other applicable provisions of Federal law. (i.e. Executive Orders 12898 and 13166)
11. Does SPC have an adopted Public Participation Plan? [23 CFR 450.316]
  - a. Did the public participate in the development of the Public Participation Plan?
  - b. Was the PPP made available for public review for at-least 45 days prior to adoption?
  - c. Is adequate public notice provided for public meetings?
  - d. Are meetings held at convenient times and at accessible locations?
  - e. Is the public given an opportunity to provide oral and/or written comments on the planning process?
  - f. Is the Public Participation Plan periodically reviewed and updated to ensure its effectiveness?
  - g. Are plans/program documents readily available in an electronic format?
12. Does SPC have a process for including environmental, state, other transportation, historical, local land use, and economic development agencies in the planning process? If so, how?

## **APPENDIX 5 - 2019 Transportation Program Development Schedule**

2/23/17	PennDOT Connects/Local Government Collaboration Initiative announced.
3/6/17 to 4/14/17	State Transportation Commission, PennDOT and Planning Partners conduct public outreach/public input to update the Twelve Year Program (TYP), as well as, analyze and prepare results to be shared with the public.
3/21/17	State Transportation Commission and PennDOT conduct Public Meeting Web Cast.
April - September	PennDOT Connects/Local Government Collaboration meetings take place for carry-over and new 2019 TIP projects.
5/1/17 to 5/2/17	Spring Planning Partners' meeting in the Harrisburg area.
By 5/26/17	Draft Financial Guidance is issued.
By 5/26/17	Draft General and Procedural Guidance and 2019 Transportation Program Development Schedule issued.
On 6/15/17	State Transportation Commission meets and is updated on development of the 2019 Program.
By 6/30/17	PennDOT will provide complete feedback from the Public Comment Period to Planning Partners.
By 6/30/17	PennDOT Districts will provide updates of scopes, costs, and schedules for all carryover projects and candidate projects to Planning Partners.
By 6/30/17	PennDOT District project priorities are shared with Planning Partners. PennDOT will provide the MPO/RPOs with a list of the draft carryover Interstate Management Program projects.
By 7/14/17	WebEx/conference call to discuss the Investment Plan for the 2019 Program Update.
By 7/31/17	PennDOT issues final guidance documents to Planning Partners for the development of the 2019 Program.
By 7/28/17	Program Center provides the final "spike" decisions to Planning Partners and PennDOT Districts.
By 8/31/17	PennDOT reports HSIP targets to FHWA in HSIP Annual Report. 180-day clock begins for Planning Partners to decide to establish HSIP targets, or agree to support PennDOT targets.
By 9/29/17	MPOs/RPOs/PennDOT review highway, bridge and transit projects for possible inclusion in the 2019 Program. TIP/TYP negotiations begin. PennDOT will

provide the MPOs/RPOs with a list of draft Interstate Management Program Projects.

- By 10/31/17 MPO and RPO "Boards" meet to discuss the 2019 schedule and guidance; set their TIP approval meeting dates for the spring of 2018.
- By 12/29/17 PennDOT Connects/Local Government Collaboration meetings completed for carry-over and new 2019 TIP projects.
- By 12/29/17 Agreement to support PennDOT HSIP targets, or establish regional targets.
- By 12/29/17 MPOs and RPOs develop draft TIPs/TYPs (highways/bridges and transit) and submit that information to the Program Center, appropriate District Office(s) and FHWA/FTA. (MPMS attaching closed.) TIP/TYP negotiations continue.
- By 1/15/18 Interagency (FHWA, FTA, USEPA, PADEP & PennDOT) air quality consultation initiated. All air quality significant projects are shared with the Interagency Consultation Group (ICG) before conformity determination work begins by Planning Partners or PennDOT. TIP negotiations continue.
- By 2/1/18 Program Center completes initial review of preliminary draft TIPs/TYPs to ensure that PennDOT priorities are reflected, fiscal constraint and year of expenditure are met, and all project phases are accounted for and programmed in the proper year.
- By 2/16/18 Program Center conducts individual meetings with MPOs, RPOs, and District Offices to review all candidate projects, to agree on projects for inclusion in the program, and to negotiate/resolve any remaining issues. PennDOT, via the Program Center, submits comments and proposed program revisions back to the MPOs and RPOs, and shares this information with the Districts and FHWA/FTA. PennDOT identifies any changes to air quality significant project lists that were developed earlier and shares this information through interagency consultation with the ICG.
- By 2/16/18 MPOs, RPOs, and PennDOT reach agreement on the respective portions of the program. TIP/TYP negotiations are concluded.
- By 2/27/18 180-day clock ends for agreement to support PennDOT HSIP targets, or establish regional targets.
- By 3/15/18 Interagency air quality consultations are concluded and conformity analyses are underway. Environmental justice (EJ) activities are also initiated.
- By 4/19/18 MPO, RPO and PennDOT complete air quality conformity analyses.
- After 5/27/18 STIP/TIP updates on or after 5/27/17 must include a description of how the STIP/TIP contributes to achieving safety performance targets.
- After 5/27/18 LRTP updates on or after 5/27/17 must include safety performance measures and targets.

- By 6/15/18 MPOs, RPOs, and PennDOT complete joint public comment periods on their STIP/TIPs, including conformity determinations and environmental justice requirements. All relevant documents are placed on websites for public access.
- By 6/29/18 MPOs and RPOs formally approve their individual TIPs and submit their portions of the program to the Program Center.
- By 8/9/18 State Transportation Commission approves the Twelve Year Program.
- By 8/16/18 Governor/Secretary on behalf of the Commonwealth submits the STIP to FHWA/FTA for review and approval. FHWA coordinates with USEPA on the air quality conformity documents.
- By 9/30/18 PennDOT obtains joint approval from FHWA and FTA of the 2019 Program.

## APPENDIX 6 – References

### Federal

<u>Name of Legislation</u>	<u>Citation / Regulations</u>	<u>Comment</u>
<a href="#">FAST Act of 2015</a>	<a href="#">Pub. L. No. 114-94</a>	Legislation passed Dec. 4, 2015.
	<a href="#">23 USC 134</a>	Metropolitan transportation planning
	<a href="#">23 USC 135</a>	Statewide and nonmetropolitan transportation planning
	<a href="#">49 USC 5303</a>	Metropolitan transportation planning
	<a href="#">49 USC 5304</a>	Statewide and nonmetropolitan transportation planning
	<a href="#">23 CFR Part 450</a>	Statewide Transportation Planning Metropolitan Transp. Planning
	<a href="#">23 CFR Part 230</a>	Equal employment
	<a href="#">49 CFR Parts 20</a>	Prohibit lobbying
	<a href="#">49 CFR Parts 26</a>	Disadvantaged Business Enterprise
	<a href="#">49 CFR Parts 27, 37, 38</a>	Individuals with disabilities
Clean Air Act, as amended	<a href="#">Clean Air Act Table of Contents by Title</a>	Section numbers in the U.S. Code are different than the Clean Air Act's section numbers.
Title VI of Civil Rights Act of 1964, as amended	<a href="#">42 USC 200d-1</a>	Discrimination
	<a href="#">49 USC 5332</a>	
Older Americans Act, as amended	<a href="#">42 USC 6101</a>	Age discrimination
	<a href="#">23 USC Section 324</a>	Gender discrimination
Rehabilitation Act of 1973, as amended	<a href="#">29 USC 701</a>	Individuals with disabilities
American Disabilities Act of 1990	<a href="#">42 USC 1210</a>	Individuals with disabilities
	<a href="#">Executive Order 12898</a>	Environmental Justice

## **APPENDIX 6 – References**

### State

[2017-2020 STIP Executive Summary](#)

[2017-2020 STIP Joint Approval Letter and Planning Finding](#)

[TIP Submission Requirements – Check List](#)

[MPMS IQ](#)

[PA Act 120 of 1970](#)

[PA’s Long Range Transportation & Comprehensive Freight Movement Plan](#)

[ITS and Operations Planning](#)

[PennDOT Connects//Local Government Collaboration letter December 19, 2016](#)

[Transportation Program Development and Project Delivery Process](#)

[PennShare](#)

[Planning Deputate SharePoint site](#)

[Public Participation Plan for Statewide Planning](#)

[PennDOT Title VI Environmental Justice](#)

[State Transportation Commission](#)

[Statewide Procedures for 2017-20 STIP and TIP Revisions](#)

[PA Transportation Projects website](#)

[General Guide to Bridge Funding \(Flow Chart\)](#)

[Safety Performance Management](#)

[Transportation Investment Plan](#)



## **APPENDIX 6 – References**

### **Regional**

Long Range Transportation Plan

Transportation Improvement Program

Public Participation Plan

ITS Architecture

Operations Plan

Congestion Management Process

Freight Plan

Bicycle and Pedestrian Plan

Economic Development District Plans (as applicable, determined by MPO/RPO)

County and Municipal Comprehensive Plans (as applicable, determined by MPO/RPO)

Safety Plans

It is suggested that MPOs/RPOs edit this section for use as public information, keeping what is applicable and providing a hyperlink where sources are available on the internet.

## APPENDIX 7 – Acronyms

Act 120	PA Act 120 of 1970
AC	Advance Construction
AUC	Accrued Unbilled Costs
CE	Categorical Exclusion
CFR	Code of Federal Regulations
CMAQ	Congestion Mitigation and Air Quality Improvement Program
CMP	Congestion Management Process
DM1A	PennDOT Design Manual Part 1A
ECMS	Engineering and Contract Management System
EJ	Environmental Justice
FAST Act	Fixing America’s Surface Transportation Act
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
GIS	Geographic Information System
HSIP	Highway Safety Improvement Program
HSTOD	Highway Safety and Traffic Operations Division
ICG	Interagency Consultation Group
ITS	Intelligent Transportation Systems
L RTP	Long Range Transportation Plan
MAP-21	Moving Ahead for Progress in the 21st Century Act of 2012
MPMS	Multimodal Project Management System
MPMS IQ	Multimodal Project Management System Interactive Query
MPO	Metropolitan Planning Organization
NEPA	National Environmental Policy Act
NHS	National Highway System
Pa Code	Pennsylvania Code
Pa CS	Pennsylvania Consolidated Statutes
PADEP	Pennsylvania Department of Environmental Protection
PTC	Pennsylvania Turnpike Commission
PennDOT	Pennsylvania Department of Transportation
ROP	Regional Operations Plans
RPO	Rural Planning Organization
SIP	State Implementation Plan
STC	State Transportation Commission
STIP	Statewide Transportation Improvement Program
TAP	Transportation Alternatives Program
TIP	Transportation Improvement Program
TMA	Transportation Management Area
TYP	Twelve Year Transportation Program
USC	United States Code
USDOT	U.S. Department of Transportation
USEPA	U.S. Environmental Protection Agency
YOE	Year of Expenditure