

Kansas Department of Transportation (KDOT)
Revision Procedures for Amendments and Administrative Modifications to the
Statewide Transportation Improvement Program (STIP)
September 2010

The following revision procedures are applicable for processing Amendments and Administrative Modifications to the STIP. In accordance with the provisions of 23 CFR 450, Transportation Improvement Programs (TIPs) developed by Metropolitan Planning Organizations (MPOs) are incorporated into the STIP and, as such, these procedures are also applicable to the TIPs. MPOs may elect to establish more restrictive procedures, but this document outlines the minimum requirements. Projects in the recognized four-year period of the STIP may be delivered in any of the STIP program years. These changes will be accounted for through subsequent Amendments or Administrative Modifications to the STIP/TIPs. Changes to illustrative projects or others that have been included for information purposes only do not require Administrative Modifications or Amendments.

Refer to <http://www.ksdot.org/burProgProjMgmt/STIP/stip1114/StipHome1114.asp> for information on the STIP itself. Also refer to <http://www.ksdot.org/burTransPlan/pdf/SharingtheFuture.pdf> for KDOT's Public Involvement Policy.

1. Definitions:

A. Administrative Modifications are minor revisions to the STIP/TIP that include minor changes to project/project phase costs, minor changes to funding sources of previously-included projects, and minor changes to project/project phase initiation dates. Administrative Modifications do not require public review and comment, re-demonstration of fiscal constraint, or a conformity determination (in non-attainment and maintenance areas). Administrative Modifications can be processed in accordance with these procedures provided that they meet any of the following criteria:

- Revise a project description without changing the project scope or conflicting with the project's NEPA documentation;
- Revise the funding amount listed for projects or project phases. Additional funding is limited to the lesser of 25 percent of the total project cost or \$5 million. The base for this threshold will be established from the funding amount reported in the originally approved STIP, not from a previously approved Administrative Modification. Programming capacity has to be available in the STIP/TIP prior to programming the Administrative Modification, and documented in the supporting materials;
- Project cost decreases have no cap;
- Change sources of federal funds;
- Change a project lead agency;
- Program federal funds for advance construction conversion (changing from already-obligated advance construction to regular federal funds);
- Subject to programming capacity, change program year of project within the four-year STIP/TIP;
- Split or combine individually-listed projects, provided that the cost, schedule, and scope remain unchanged, notwithstanding other requirements of this section;
- Add or delete individual projects from grouped project listings, provided that the funding amounts stay within the funding change guidelines as noted above.

- B. Amendments or Formal Amendments are all other revisions to the STIP that are not Administrative Modifications.

2. Procedures:

A. Administrative Modifications

MPO-approved TIP revision procedures will be forwarded for informational purposes to KDOT in a timely manner. A copy of the MPOs' TIP revision procedures will be provided to KDOT, FHWA, and FTA.

For Administrative Modifications, KDOT and the MPOs will demonstrate in a subsequent Amendment that the net financial change, if any, from each Administrative Modification has been accounted for. Administrative Modifications will be incorporated into the STIP and no federal action will be required.

B. Amendments

Amendments to the STIP/TIP will be developed in accordance with the provisions of 23 CFR 450. This requires public review and comment and responses to all comments, either individually or in summary form, as well as demonstration of fiscal constraint. (Reference <http://www.ksdot.org/burTransPlan/pdf/SharingtheFuture.pdf> for KDOT's Public Involvement Policy.) If project(s) are brought forward into the first year of the STIP, and available funding requires other project(s) to be delayed, the delayed project(s) will be identified. For Amendments in MPO areas, the public review process should be carried out in accordance with the procedures outlined in the Public Participation Plan. KDOT will ensure that the amendment process and the public involvement procedures have been followed. Cost estimates will be updated annually for the out-years (second, third, and fourth years of the STIP). All amendments shall be approved by FHWA and/or FTA.

C. Schedule (update)

KDOT-initiated amendments will generally be processed on an every other month schedule. Some KDOT-initiated amendments may be processed on as-needed basis due to timing and schedule requirements for the affected projects. MPO-initiated amendments will be processed according to each MPO's established schedule and included with KDOT's schedule whenever possible.

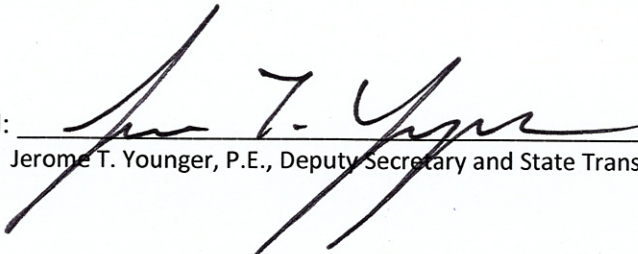
D. STIP Project Listings

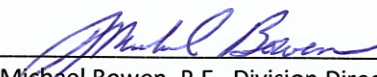
Both draft and approved STIP Amendments will be posted on KDOT's external website <http://www.ksdot.org/publications.asp> and Kansas Register notices will reference the website. In addition to the individual Amendments, a list of all revisions to the STIP (Amendments and Administrative Modifications) will be included with cross-references to each individual Amendment document and the original STIP.


3. Dispute Resolution

If a question arises on the interpretation of what constitutes an Administrative Modification or Amendment, KDOT, the MPO, FHWA and FTA will consult with each other to resolve the question. If after consultation, the parties disagree regarding what constitutes an Administrative Modification or Amendment, the final decision rests with the FTA for transit projects and FHWA for highway projects.

Approved:

Date: 9/23/10 Signed: 
Jerome T. Younger, P.E., Deputy Secretary and State Transportation Engineer, KDOT

Date: 9/24/2010 Signed: 
J. Michael Bowen, P.E., Division Director, FHWA

Date: 9/29/2010 Signed: 
Mohktee Ahmad, Regional Administrator, FTA