

**Minnesota Department of Transportation (MnDOT)
Procedures for Amendments and Administrative Modifications to the
Minnesota State Transportation Improvement Program (STIP)**

Effective: November 2020

I. INTRODUCTION

The purpose of this guidance is to establish a procedure and to define amendment and administrative modification for the Minnesota STIP.

The STIP may be updated periodically throughout the course of the year for project additions, advancements, and changes in scope, cost, and other types of changes. These changes can be incorporated into the STIP through either an amendment or an administrative modification. Every effort should be made to keep the number of amendments and administrative modifications to a minimum.

Definitions

The following definitions related to STIP/TIP revisions are found in 23 CFR (Code of Federal regulations) 450.104. Revision means a change to TIP, or STIP, that occurs between scheduled periodic updates. A major revision is an “amendment”, while a minor revision is an “administrative modification”.

Amendment means a revision to a TIP, or STIP, including the addition or deletion of a project or a major change in project cost, project/project phase initiation dates, or a major change in design concept or design scope (e.g. changing project termini or the number of through traffic lanes). Changes to projects that are included only for illustrative purposes do not require an amendment. An amendment is a revision that requires public review and comment, redemonstration of fiscal constraint, or conformity determination (for TIPs involving “non-exempt” projects in nonattainment and maintenance areas).

Administrative modification means a minor revision to a TIP, or STIP, that includes 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. An administrative modification is a revision that does not require public review and comment, redemonstration of fiscal constraint, or a conformity determination (in nonattainment and maintenance areas).

The following procedures are applicable for processing changes, both amendment and administrative modification, to the Minnesota STIP. In accordance with the provisions of 23 CFR 450, TIPs developed by Metropolitan Planning Organization (MPOs) are incorporated into the STIP without change. Any changes occurring within a metropolitan planning area must be coordinated with the applicable MPO and follow the MPO’s TIP amendment procedures.

II. PROCEDURES FOR PROJECTS IN AN MPO AREA

A. Amendments:

Process:

Amendments to the Minnesota STIP must be developed in accordance with the federal transportation planning and programming regulations specified in 23 CFR 450. Those regulations specify there must be consistency between each MPO's TIP and the STIP. In addition, amendments will need to follow each MPO's guidelines, procedures, and schedules. Therefore, the following steps must be followed to ensure that consistency exists.

Step #1: Coordinate with the MPO. The amendment request must be approved by either a TIP amendment or by a resolution from the policy board of the MPO before the STIP amendment request can proceed. The MPO will submit the TIP approval documentation to the appropriate MnDOT district staff.

Step #2: Forward the approved TIP amendment documentation to the MnDOT Office of Transportation System Management (OTSM) along with the STIP amendment request in CHIMES.

Step #3: OTSM posts pending amendments on MnDOT's external website at <http://www.dot.state.mn.us/planning/program/stip.html>. This gives the public an opportunity to comment as part of public engagement requirement.

Step #4: Once the STIP amendment is approved by MnDOT, on behalf of the Governor, OTSM will forward the amendment to FHWA and/or FTA for federal approval according to the established submittal schedule.

Step #5: Once approved by FHWA/FTA, the amendment will be incorporated into Minnesota's STIP. OTSM will notify the appropriate district/MPO of the approved amendment, along with posting a copy of the approved amendment on MnDOT's external website at <http://www.dot.state.mn.us/planning/program/stip.html>

Criteria:

The following are those criteria which trigger a STIP amendment (note that criteria for MPO TIP amendment may be different).

1. Add a new project;

2. Revise a project scope such as changing the major work from bridge rehabilitation to replacement, resurface to reconstruct, removing or adding additional work/bridge/lane/intersection/route; removing or adding a phase of work such as preliminary engineering/right-of way/construction;
3. Change a project limit/termini/length greater than 0.3 miles in any direction;
4. Impact air quality conformity;
5. An increase or decrease in a project's total programmed cost that falls within the ranges as listed in Table - 1.

Table - 1

FHWA Amendment		FTA Amendment	
STIP Programmed Cost	Cost Increase* or Decrease More Than:	STIP Programmed Cost	Cost Increase* or Decrease More Than:
< \$1,000,000	NA**	Any amount	20%
\$1,000,001 - \$3,000,000	50%		
\$3,000,001 - \$10,000,000	35%		
\$10,000,001 - \$50,000,000	20%		
\$50,000,001 - \$100,000,000	15%		
> \$100,000,000	10%		

*Fiscal constraint justification required

**No action required if the current STIP cost and the cost on the amendment is less than \$1M

B. Administrative Modifications

Process:

Administrative Modifications to the Minnesota STIP must be developed in accordance with the federal transportation planning and programming regulations specified in 23 CFR 450. Those regulations specify there must be consistency between each MPO's TIP and the STIP. In addition, administrative modifications will need to follow each MPO's guidelines, procedures, and schedules. Therefore, the following steps must be followed to ensure that consistency exists.

Step #1: Coordinate with the MPO. MPO staff will review all STIP administrative modification requests and determine what, if any, TIP action is needed. The MPO will forward to the MnDOT district either the approval of any

needed TIP action related to the STIP administrative modification request or a document stating that no TIP action is necessary.

Step #2: Forward the STIP administration modification request to OTSM for approval. Include the MPO documentation (either the TIP approval action or letter stating no action necessary).

Step #4: Once approved by OTSM, on behalf of the Governor, the administrative modification will be incorporated into MnDOT's STIP. No federal action is required. OTSM will notify the appropriate district/MPO of the approved administrative modification and post a copy of the approved administrative modification on MnDOT's external website at

<http://www.dot.state.mn.us/planning/program/stip.html>

Criteria:

Any of the following criteria would trigger an administrative modification action to a STIP project. (As a reminder, it is possible for a project change to only trigger a STIP administrative modification but might trigger a TIP amendment depending upon the MPO's adopted TIP amendment criteria).

1. Remove a project;
2. Combine a new non-federally funded project to an existing federally funded project provided the cost of the administrative modification is within the ranges as listed in Table - 2;
3. Convert a non-federally funded project to a federally funded project with no change to cost or scope;
4. Identify a new project from an existing federal set-aside in the same fiscal year;
5. Revise a project description without change to scope or conflict with the environmental document such as clarifying project description, adding/removing project smart code or incidental work;
6. Make a technical correction which includes changing State Project Number (SP), funding source, funding type, work type, or lead agency;
7. Change a funding year which includes advancing or deferring with no change to scope and cost (fiscal constraint justification required for advancing project);
8. Add, remove, increase, or decrease Advance Construction (AC);
9. Split or combine individually listed projects provided projects remain within the original planned location, no change in split/combine scope/cost, no shift in funding year, and logical termini maintained;
10. An increase or decrease in a project's total programmed cost that falls within the ranges as listed in Table - 2, provided there is no change in scope.

Table - 2

FHWA Administrative Modification	
STIP Programmed Cost	Cost Increase* or Decrease More Than:
< \$1,000,000	NA**
\$1,000,001 - \$10,000,000	20%
\$10,000,001 - \$100,000,000	10%
>\$100,000,000	***

*Fiscal constraint justification required

**No action required if STIP programmed cost and the cost of the administrative modification is less than \$1M

*** Prior collaborative discussion between MnDOT and FHWA required

Note: No STIP administrative modification is required for cost increase or decrease under 20% on FTA projects.

III. PROCEDURES FOR PROJECTS OUTSIDE OF AN MPO AREA

A. Amendment

Process:

Amendments to the Minnesota STIP for projects outside of an MPO area require the following steps:

Step #1: The MnDOT district, in conjunction with their Area Transportation Partnership (ATP), submits a STIP amendment request to OTSM via CHIMES.

Step #2: Once the amendment has been approved by MnDOT, on behalf of the Governor, MnDOT will forward the amendment to FHWA and/or FTA for federal approval according to the established submittal schedule.

Step #3: OTSM posts pending amendments on MnDOT's external website at <http://www.dot.state.mn.us/planning/program/stip.html>. This gives the public an opportunity to comment as part of public engagement requirement.

Step #4: Once approved by FHWA/FTA, the amendment will be incorporated into Minnesota’s STIP and OTSM will notify the appropriate district of the approved amendment, along with posting a copy of the approved amendment on MnDOT’s external website at <http://www.dot.state.mn.us/planning/program/stip.html>

Criteria:

Amendments are major changes to the STIP that:

1. Add a new project that includes federal funding;
2. Revise a project scope such as changing the major work from bridge rehabilitation to replacement, resurface to reconstruct, removing or adding additional work/bridge/lane/intersection/route; removing or adding a phase of work such as preliminary engineering/right-of way/construction;
3. Change a project limit/termini/length greater than 0.3 miles in any direction;
4. Impact air quality conformity;
5. An increase or decrease in a project’s total programmed cost that falls within the ranges as listed in Table - 3.

Table - 3

FHWA Amendment		FTA Amendment	
STIP Programmed Cost	Cost Increase* or Decrease More Than:	STIP Programmed Cost	Cost Increase* or Decrease More Than:
< \$1,000,000	NA**	Any amount	20%
\$1,000,001 - \$3,000,000	50%		
\$3,000,001 - \$10,000,000	35%		
\$10,000,001 - \$50,000,000	20%		
\$50,000,001 - \$100,000,000	15%		
> \$100,000,000	10%		

*Fiscal constraint justification required

**No action required if the current STIP cost and the cost on the amendment is less than \$1M

B. Administrative ModificationProcess:

Administrative modification to the Minnesota STIP for projects outside of an MPO area requires the following steps:

Step #1: Each MnDOT district, in working with their Area Transportation Partnership (ATP), submits an administrative modification to OTSM for approval.

Step #2: Once approved by MnDOT, on behalf of the Governor, the administrative modification will be incorporated into MnDOT's STIP and no federal action will be required.

Step #3: OTSM will notify the appropriate district of the approved administrative modification and post a copy of the approved administrative modification on MnDOT's external website at <http://www.dot.state.mn.us/planning/program/stip.html>

Criteria:

1. Remove a federally funded project;
2. Add a new non-federally funded project;
3. Combine a new non-federally funded project to an existing federally funded project provided the cost of the administrative modification falls within the ranges as listed in Table - 4;
4. Convert a non-federally funded project to a federally funded project with no change to cost or scope;
5. Identify a new project from an existing federal set-aside in the same fiscal year;
6. Revise a project description without change to scope or conflict with the environmental document such as clarifying project description, adding/removing project smart code or incidental work for a federally funded project;
7. Change a project scope, termini, location, or length for a non-federally funded project;
8. Make a technical correction which includes changing State Project Number (SP), funding source, funding type, work type, or lead agency;
9. Change a funding year which includes advancing or deferring with no change to scope and cost (fiscal constraint justification required for advancing project);
10. Add, remove, increase, or decrease Advance Construction (AC);
11. Split or combine individually listed projects provided projects remain within the original planned location, no change in split/combine scope/cost, no shift in funding year, and logical termini maintained;
12. An increase or decrease in a project's total programmed cost that falls within the ranges as listed in Table - 4.

Table - 4

FHWA Administrative Modification	
STIP Programmed Cost	Cost Increase* or Decrease More Than:
< \$1,000,000	NA**
\$1,000,001 - \$10,000,000	20%
\$10,000,001 - \$100,000,000	10%
>\$100,000,000	***

**Fiscal constraint justification required*

***No action required if STIP programmed cost and cost of the administrative modification is less than \$1M*

**** Prior collaborative discussion between MnDOT and FHWA required*

Note: No administrative modification is required for cost increase or decrease under 20% on FTA projects.

IV. DISPUTE RESOLUTION

If a question arises on the interpretation of the definition of an amendment or an administrative modification action, MnDOT, the MPO, FHWA and FTA will consult with each other to resolve the question. If after consultation, the parties disagree on the definition of what constitutes an amendment or an administrative modification, the final decision rests with the FHWA for highway projects and FTA for transit projects.

Approved and Signed by:

Date: _____ Signed: _____

FHWA

Date: _____ Signed: _____

FTA

Date: _____ Signed: _____

MnDOT