

GO FORWARD
A COMMUNITY INVESTMENT IN TRANSIT
WAKE COUNTY

Wake Transit Work Plan Amendment Policy Updates

As originally requested by the CAMPO Executive Board in late 2017, TPAC leadership asked the TPAC subcommittee co-chairs to revisit and review the efficacy of the adopted Wake Transit Work Plan amendment policy after it was put to use for the remainder of FY 2018 following its original adoption. The TPAC subcommittee co-chairs have recommended adjustments to the amendment policy that will be shared with the TPAC at its August 8th regular meeting. Following is a summary of the notable proposed changes to the Wake Transit Amendment Policy that are present in the attached updated draft:

- 1) Reference to the FTA definition of 'cardinal change' was removed as a trigger for a Major Amendment and was replaced by more focused criteria for a significant change in project scope.
- 2) Language was amended to allow the policy to capture amendments that are unrelated to the annual budget component of the work plan, including amendments to the multi-year CIP or operating program.
- 3) Language was added to tie any changes to project allocations within budget ordinance appropriations to compliance with the adopted Triangle Tax District – Wake Transit Financial Policies and Guidelines.
- 4) Language was added for an amendment and applicable amendment type to be triggered based on cumulative financial modifications over the course of a year (for operating projects) or over the life of a project (for capital projects) rather than allowing incremental modifications to potentially circumvent triggers in the current policy.
- 5) Language was added to require removal of projects from the work plan if project sponsors determine they will not implement the subject project.
- 6) For major amendments, language was added to require a review and financial and scope disposition developed by both the Budget and Finance Subcommittee and the Planning and Prioritization Subcommittee at joint review meetings.

Wake Transit Plan Work Plan Amendment Policy and Process

During the fiscal year, there may be changes in scope or budget for approved Wake Transit Work Plan projects, or there may be a need for projects to be added or removed during the year. The recommended process is outlined below.

Amendment Requests: Requests are submitted via a Work Plan amendment form on a schedule to allow for quarterly consideration of amendments. This schedule is generally consistent with the MPO's Transportation Improvement Program (TIP) amendment schedule in the event that Wake Transit project amendments require TIP action.

Amendment Types:

1. The following Work Plan amendment scenarios shall be classified as **Minor Amendments:**
 - a. An amendment that requires a transfer between budget ordinance appropriations but requires less than a 20% change to a project appropriation for projects equal to or greater than \$500,000.
 - b. An amendment that requires a transfer between budget ordinance appropriations but requires less than a \$100,000 change to a project appropriation for projects less than \$500,000.
 - c. Any change that does not meet any of the criteria of a major amendment.
2. The following Work Plan amendment scenarios shall be classified as **Major Amendments:**
 - a. A project requested to be added to the Work Plan.
 - b. A project requested to be removed from the Work Plan.
 - c. Significant changes in the scope of a project that:
 - i. Cause deviation from the original purpose of the project as contemplated when the project scope was included in the subject work plan;
 - ii. Cause deviation from the originally intended method of project achievement; and
 - iii. Cause a major deviation to the outcome of the project as contemplated when the project scope was included in the subject work plan.
 - d. A transfer between budget ordinance appropriations that requires equal to or greater than a 20% change to a project appropriation for projects over \$500,000.
 - e. A transfer between budget ordinance appropriations that requires equal to or greater than a \$100,000 change to a project appropriation for projects less than \$500,000.
 - f. Any change that requires a change in budgeted reserves or fund balance.

Transfers within the same budget ordinance appropriation and insignificant scope changes are permitted without amendment. Changes of this type shall be disclosed in reporting as applicable. Any changes to project allocations, and all requested Work Plan amendments, shall comply with the adopted Triangle Tax District - Wake Transit Financial Policies and Guidelines.

Multiple Amendments to Single Project:

If more than one amendment is requested for a single project in the adopted operating budget over the course of a fiscal year, its classification as a minor versus a major amendment will be based on the cumulative change over the course of that fiscal year. If more than one amendment is requested for a single project in the adopted capital budget over the life of the project, regardless of fiscal year, its classification as a minor versus major amendment will be based on the cumulative change for the life of the project.

Removal of Work Plan Projects:

If a project sponsor determines that a project included in the operating or capital budgets of an annual Work Plan will not commence in the subject fiscal year or will not continue from a previous fiscal year, as budgeted, the project sponsor shall request that the project be removed from the annual Work Plan. If the project will commence in the subject fiscal year or continue from a previous fiscal year, as budgeted, but will not make use of Triangle Tax District – Wake Operating Fund or Wake Capital Fund revenues, the project sponsor is encouraged to notify Tax District staff of the change but is not required to request removal of the project from the annual Work Plan unless it is determined by Tax District staff that the originally budgeted funding for the project is necessary to fund another Work Plan amendment.

CAMPO Staff Compiles, Publishes and Provides Notice of the Draft Work Plan Amendment List:

Work Plan amendment request forms shall be submitted to CAMPO Wake Transit staff on a quarterly basis in accordance with an established deadline identified on the established schedule. CAMPO Wake Transit staff shall review the amendment request forms for completeness and/or technical issues and shall make best efforts to compile an initial quarterly Work Plan amendment list that includes all of the amendments requested. CAMPO Wake Transit staff shall open a public comment period of no less than 14 days for minor amendments and no less than 30 days for major amendments. Notice shall be sent to TPAC members and published to the appropriate website. The list shall clearly be grouped by minor and major amendment requests.

TPAC Subcommittee Review:

For quarterly amendment lists that contain one or more Major Amendments, the TPAC Budget and Finance Subcommittee and the TPAC Planning and Prioritization Subcommittee shall jointly review the draft quarterly Work Plan amendment list and the Work Plan amendment request forms at quarterly joint review meetings that coincide with the established quarterly amendment submission schedule for the subject fiscal year. The subcommittees shall develop a disposition noting the appropriateness of any changes in project scope, if applicable, as well as the financial choices and tradeoffs potentially required for each request.

For quarterly amendment lists that do not involve one or more Major Amendments, the TPAC Budget and Finance Subcommittee shall review the draft quarterly Work Plan amendment list and the Work Plan amendment request forms at the respective quarterly review meeting and develop a disposition noting the financial choices and tradeoffs potentially required for each request. For amendment lists that do not involve a Major Amendment, CAMPO Wake Transit staff shall forward members of the TPAC Planning and Prioritization Subcommittee the quarterly Work Plan amendment list and the Work Plan amendment

request forms and notify them of the TPAC Budget and Finance Subcommittee's scheduled review meeting. If members of the TPAC Planning and Prioritization Subcommittee have questions, concerns, comments, or desire to have further discussion on the quarterly amendment list, they may forward that information to the TPAC Budget and Finance Subcommittee Chair and CAMPO Wake Transit staff via email or attend and participate in the scheduled review meeting of the Budget and Finance Subcommittee.

The requesting agency shall receive a copy of the joint subcommittees' written disposition at least 5 days prior to the TPAC decision.

TPAC Review and Recommendation:

CAMPO Wake Transit staff will prepare the draft quarterly Work Plan amendment list, the Work Plan amendment request forms and the subcommittee dispositions for distribution to the TPAC in conformance with the TPAC bylaws and at the direction of the TPAC Chair. The TPAC Administrator will consult with the TPAC Chair regarding placement of amendment requests on the TPAC agenda, in conformance with the published public comment period. The TPAC Chair will determine whether to allocate time for specific presentations to the TPAC. The TPAC can choose to re-categorize an amendment from minor to major. The TPAC will make recommendations to the GoTriangle Board of Trustees and CAMPO Executive Board for approval or disapproval of Work Plan amendment requests. The TPAC shall note, and the TPAC administrator shall document, specific concerns with amendment requests not recommended.

Board Review and Adoption:

The GoTriangle Board of Trustees and the CAMPO Executive Board shall review and consider authorizing amendments as recommended by the TPAC. No amendments are authorized prior to the board actions. The TPAC Administrator will coordinate with CAMPO and GoTriangle to ensure timely placement of amendment recommendations on those Boards' agendas.

Tax District Follow Up:

After final action by both Boards, the TPAC Administrator will forward all approvals to the Tax District, along with a list of actions that need to be taken to implement the Work Plan amendments. These actions could include changes to the ordinance(s), changes to project agreements, or other administrative actions. CAMPO Wake Transit staff will maintain a list of amendments to post on the Wake Transit website and other locations to reflect changes made to the annually adopted Work Plan.