

# GO FORWARD

A COMMUNITY INVESTMENT IN TRANSIT

## WAKE TRANSIT WORK PLAN AMENDMENT POLICY REVIEW DRAFT 2022

### Adoption Schedule:

TPAC review and release for public review:	August 10, 2022
Public review and comment period:	August 15 <sup>th</sup> - August 30 <sup>th</sup>
CAMPO TCC draft review	September 1, 2022
TPAC review and recommendation	September 14, 2022
CAMPO Executive Board draft review	September 21, 2022
GoTriangle Board of Trustees draft review	September 28, 2022
CAMPO TCC policy recommendation	October 6, 2022
CAMPO Executive Board policy adoption	October 19, 2022
GoTriangle Board of Trustees policy adoption	October 26, 2022

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### **Wake Transit Work Plan Amendment Policy**

Following the adoption of an annual Wake Transit Work Plan, project sponsors and Wake Transit lead agency staff may need to make changes to the scope or budget for approved Wake Transit Work Plan implementation elements; to add or remove implementation elements from an applicable Work Plan; or to make changes to other components of Wake Transit Work Plans, such as the controlling components of project funding agreements that tie to Wake Transit Work Plan implementation elements (i.e., agreement periods of performance or reporting requirements), financial model assumptions that support the applicable Work Plan, or scopes of work or funding amounts for future programmed implementation elements. Project sponsors may also need or desire for the operating funds allocated in an annual Work Plan to be encumbered and carried over to a subsequent Work Plan budget. The policies and procedures for making these changes are outlined below.

**Amendment Requests:** Requests should be submitted to CAMPO using a Wake Transit Work Plan Amendment Request Form in accordance with the published annual amendment schedule.

#### **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 less than \$500,000;
  - b. Changes to any adopted financial assumptions supporting the applicable Work Plan;
  - c. Changes to periods of performance for project funding agreements tying to capital project funding allocations for implementation elements in the applicable Work Plan;
  - d. Changes in reporting requirements for performance on implementation elements authorized in the applicable Work Plan;
  - e. Changes in scope for implementation elements programmed in future fiscal years;
  - f. Changes in funding amounts for implementation elements programmed in future fiscal years;
  - g. Any amendment that requires a transfer of funds between or among implementation elements in separate funding subcategories (i.e., bus stop improvements, maintenance facility improvements, park-and-ride improvements, and transit

center/transfer point improvements) within the bus infrastructure funding category in the applicable Work Plan; and

h. Any other 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 intended 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 intended 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 greater than \$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.

Except for transfers between separate funding subcategories within the bus infrastructure funding category (i.e. improvements to bus stops, maintenance facilities, transfer points, transit centers and park-and-ride lots) of applicable Work Plans listed above, transfers within the same budget ordinance appropriation and insignificant scope changes are permitted without amendment. Changes of this type shall be disclosed as part of the established quarterly reporting process. Any changes to project funding 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 Major amendment will be based on the cumulative change caused by all applicable amendments 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 caused by all applicable amendments over the life of the project.

**Removal of Work Plan Projects:**

If a project sponsor determines that a project or implementation element 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.

If a project sponsor determines that a project or implementation element included in the operating or capital budgets of an annual Work Plan will not make use of the full amount of funds originally budgeted, the project sponsor is encouraged to submit an amendment request reducing the originally budgeted amount to a more realistic amount.

**Annual Work Plan Amendment Schedule:**

CAMPO staff develop, with input from the Wake County Transit Planning Advisory Committee (TPAC) and GoTriangle staff, an annual Work Plan Amendment Schedule that sets amendment request submission deadlines and public review periods for the upcoming fiscal year. There are four amendment cycles detailed on the schedule: 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> quarter of the fiscal year and a special submission period to be used, if needed, for project agreement period of performance extension requests.

The schedule will generally be consistent with CAMPO’s Transportation Improvement Program (TIP) amendment schedule in the event that Wake Transit project amendments require TIP action.

**Special Amendment Cycle for Period of Performance Changes:**

A special amendment request cycle will be included on the annual Work Plan Amendment Schedule for period of performance (sometimes referenced as POP) extensions. Only requests to modify the period of performance for a capital project funding agreement in an applicable Work Plan will be accepted during this special amendment opportunity. All other amendment requests must be submitted during one of the three quarterly amendment cycles.

Amendment requests submitted for this special POP amendment cycle are not subject to the public comment period or subcommittee review procedures required for quarterly amendment cycles. Project sponsors will submit a Work Plan Amendment Request Form for each project requesting a POP adjustment. CAMPO staff will compile the requests into an amendment list and present it for TPAC consideration and then present the TPAC recommendation to the CAMPO Executive Board and GoTriangle Board of Trustees for authorization at least one month before involved funding agreements are set to expire.

## **Appendix: Roles and Responsibilities**

### **Role of the Wake Transit Lead Agencies**

There are two designated Wake Transit lead agencies, the Capital Area Metropolitan Planning Organization (CAMPO) and GoTriangle. They execute the work required to ensure that Wake Transit processes and TPAC assigned tasks are completed in accordance with applicable laws, regulations, policies, and other guidance. Both agencies play a role in processing Work Plan amendment requests and updating the Wake Transit Work Plan Amendment Policy.

CAMPO staff will:

- Develop the annual Work Plan Amendment Schedule.
- Update the Work Plan amendment request form as needed.
- Manage the Wake Transit Work Plan Amendment Policy update process
- Collect and review amendment request forms for completeness and/or technical issues
- Work closely with project sponsors to address questions and resolve technical issues pertaining to amendment requests.
- Compile an initial amendment list that includes known information for each submitted request and will update the list as new or additional information becomes available.
  - The list shall clearly be grouped by amendment requests pertaining to operating projects/implementation elements versus those pertaining to capital projects/implementation elements and shall indicate whether the requests are Minor or Major.
- Prepare and present Work Plan amendment request information, including GoTriangle financial slides, for review and consideration of the TPAC Subcommittees, TPAC, the CAMPO Technical Coordinating Committee (TCC), CAMPO Executive Board and GoTriangle Board of Trustees at appropriate decision-making points.
- Open a public-review period for quarterly amendment requests.
  - A review period of no less than 14 days will be provided for Minor amendments and no less than 30 days for Major amendments. If a mix of Major and Minor requests are submitted, the 30-day requirement applies to all requests.
- Work with GoTriangle engagement staff to develop public notice content and materials and then post on the CAMPO/TPAC website, share with TPAC partners and otherwise support the engagement effort.
- Include an engagement summary report with the recommended amendment list for CAMPO and GoTriangle governing board consideration.
- Forward all approved amendments and a list of actions that need to be taken to GoTriangle's Tax District for processing.
- Track authorized amendments and by September each year, update the Wake Transit Work Plan database, publish updated annual Work Plan documents on the CAMPO/TPAC website, and send to GoTriangle for posting on Goforwardnc.org.

GoTriangle staff will:

- Review submitted amendment requests to assess financial impacts of proposed changes.
- Model financial scenario options, when needed, and present them to the TPAC subcommittee(s) for review and discussion.
- Work with CAMPO staff to finalize financial dispositions for review and consideration.

- Produce slides detailing the financial impacts of requested amendments, submit them to CAMPO to be incorporated into the master presentation file, and present the information for review and consideration of the TPAC Subcommittee(s) and TPAC.
- Work with CAMPO staff to develop public notice content and materials and then post on the GoForward and GoTriangle web pages, share with Wake Transit stakeholders and the community.
- Collect online analytics and performance data, public comments or questions, and other relevant information from the engagement period and provide it to CAMPO for inclusion in the engagement summary report.
- Work with CAMPO staff to make any needed adjustments to the financial components of the amendment list and slides prior to presentation to the governing boards.
- Process all approved Work Plan amendment requests which may include changes to budget ordinance(s), changes to project agreements or other administrative actions.
- Ensure that links to the annual Wake Transit Work Plan documents on the GoForward and GoTriangle websites are working and directed at the updated Work Plan document(s) in September each year.

**Role of the TPAC Subcommittee(s):**

The TPAC Budget & Finance (B&F) Subcommittee and the TPAC Planning & Prioritization (P&P) Subcommittee have specified roles in the review and recommendation of Work Plan amendment requests. The TPAC Community Engagement (CE) Subcommittee’s role is primarily to support required engagement activities and to review and provide feedback on submitted amendment requests that are public engagement and communications related.

All amendment requests are reviewed jointly by the B&F and P&P subcommittee. The materials produced for review and the requested action of the subcommittee members depends on the type of amendments that have been requested.

<b>Amendment Description</b>	<b>Subcommittee Review</b>	<b>Attachments</b>	<b>Requested Action</b>
Contains a major amendment request <b><u>OR</u></b> a minor request that is type 1b-1g.	Joint Meeting of B&F and P&P Subcommittee	<ul style="list-style-type: none"> <li>- Amendment List</li> <li>- Submitted Amendment Request Form Copies</li> <li>- Draft disposition noting the appropriateness of requested scope changes to the subject Work Plan(s), if applicable</li> <li>- Draft financial disposition noting the choices and tradeoffs potentially required for each amendment request.</li> </ul>	Recommend a financial disposition and scope disposition for the submitted Wake Transit Work Plan amendment requests to the TPAC for its consideration.

Does not contain a major amendment <b>OR</b> a minor request that is type 1b-1g.	Joint Meeting of B&F and P&P Subcommittee	<ul style="list-style-type: none"> <li>- Amendment List</li> <li>- Submitted Work Plan Amendment Request Forms</li> <li>- Draft financial disposition noting the choices and tradeoffs potentially required for each amendment request.</li> </ul>	Recommend only a financial disposition for the submitted Wake Transit Work Plan amendment requests to the TPAC for its consideration.
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**TPAC Review and Recommendation:**

CAMPO staff will consult with the TPAC Chair regarding inclusion of Work Plan amendment request items on TPAC meeting agendas. Time allocated for each TPAC presentation is set by the Chair and published on each agenda. CAMPO staff will provide the amendment request item description to be published on the agenda, will submit the master presentation file for discussion during the meeting, and will provide the most current amendment list, associated amendment request forms and the TPAC Subcommittee disposition(s) as attachments for TPAC review and discussion.

The TPAC can choose to re-categorize an amendment from Minor to Major, can recommend an adjustment, attach contingencies, or otherwise recommend a modification to an amendment request, and will make a recommendation to the Wake Transit governing boards for approval or disapproval of Work Plan amendment requests.

CAMPO staff shall document the recommendation of the TPAC including specific details and concerns that led to a recommended modification or disapproval of an amendment request.

**Governing Board Review and Adoption:**

The GoTriangle Board of Trustees and the CAMPO Executive Board shall review the amendment list, disposition(s) and TPAC recommendation and consider authorizing the Wake Transit Work Plan amendment requests. No amendments are authorized prior to board actions approving them. CAMPO staff will coordinate with CAMPO and GoTriangle staff to ensure timely placement of Work Plan amendment recommendations on agency agendas.

**Adjustments to Roles and Responsibilities**

Changes to the roles and responsibilities described within this appendix are classified as an administrative modification that can be implemented without requiring an amendment to the Wake Transit Work Plan Amendment Policy, but must be agreed upon by the impacted agency, subcommittee, or other body which may require a process to formalize.