

# ATTACHMENT D

## Wake Transit Work Plan Amendment Policy and Process

Following the adoption of an annual Wake Transit Work Plan, there may be changes that project sponsors or the Wake Transit lead agencies need or desire to make to the scope or budget for approved Wake Transit Work Plan implementation elements, or there may be a desire or need for implementation elements to be added or removed from an applicable Work Plan. Project sponsors or the Wake Transit lead agencies may additionally desire or need to make changes to other components of annual Wake Transit Work Plans, such as the controlling elements 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 operating funds allocated in an annual Work Plan to be encumbered and carried over to a subsequent annual Work Plan budget. The policies and procedures for making these changes are outlined below.

**Amendment Requests:** Requests should be submitted via a Work Plan amendment request form on a schedule to be produced in advance of each fiscal year to allow for quarterly consideration of amendment requests. This schedule will generally be 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 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 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 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.

With the exception of transfers between 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 of applicable Work Plans, 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 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 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 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.

**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 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 amendments. CAMPO Wake Transit staff shall coordinate with all project sponsors submitting amendment requests to resolve any technical issues before opening a public comment period.

**TPAC Subcommittee Review:**

For quarterly amendment lists that contain one or more Major Amendments or that contain one or more Minor Amendments in which Amendment Types 1b-1g are engaged, 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 to the subject Work Plan(s), 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 or one or more Minor Amendments in which Amendment Types 1b-1g are engaged, 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 or a Minor Amendment in which Amendment Types 1b-1g are engaged, 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. CAMPO Wake Transit staff 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 CAMPO Wake Transit staff 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. CAMPO Wake Transit staff will coordinate with CAMPO and GoTriangle to ensure timely placement of amendment recommendations on those Boards' agendas.

**Special Consideration for Project Funding Allocation Period of Performance Changes:**

For amendment requests to change the period of performance for a project funding agreement tying to a capital project funding allocation in an applicable Work Plan, a special amendment request submission opportunity will be created for their consideration by the TPAC no later than July each year and by the CAMPO Executive Board and GoTriangle Board of Trustees no later than August each year. Only amendment requests to change the period of performance for a project funding agreement tying to a project funding allocation in an applicable Work Plan will be accepted during this opportunity, and submissions shall not be subject to the public comment period and subcommittee review procedures detailed in this policy document.

**Tax District Follow Up:**

After final action by both Boards, CAMPO Wake Transit staff 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 its Wake Transit webpage to reflect changes made to the annually adopted Work Plan.