

# Operating Agreement Changes Overview 2010-2023

## 2010 Changes

Summary: Changes are made in Sections 4-6 & Section 8.

Section 4 changes regard changes made to what is included in an Administrative Modification and errors in the lengths of each TIP and STIP. Section 5 changes regard the make-up of the TAC. Section 6 changes regard the Long Range Transportation Plan and the timing of updates and reviews. Section 8 changes regard the order of operations for project scope analyses.

Changes are tracked in the following text.

### SECTION 4 – DEFINED TERMS

*“Administrative Modification”* An Administrative Modification includes a new project or a change in an existing project in the existing Transportation Improvement Program or Long-Range Transportation Plan that does not prompt a change in the type of environmental document or that does not require an Air Quality Conformity Determination. No public involvement comment period is required.

~~*“MINOR AMENDMENT”* A minor amendment includes a new project or a change in an existing project in the existing Transportation Improvement Program or Long-Range Transportation Plan that does not prompt a change in the type of environmental document or that does not require an Air Quality Conformity Determination. No public involvement comment period is required.~~

*“STIP”* is the Statewide Transportation Improvement Program, which is the State’s ~~three~~ four year, state-wide, financially constrained intermodal program of transportation projects. The STIP is consistent with the statewide transportation plan, and incorporates the TIP. It is developed pursuant to 23 USC §135(f), and is approved by the Commissioner of ADOT&PF, the Governor, FTA and FHWA.

*“TIP”* is the Transportation Improvement Program that is the AMATS’ ~~three~~ four year, financially constrained, intermodal program of transportation projects consistent with the AMATS LRTP for funding Metropolitan Area transportation improvements, updated at least every ~~two~~ four years and approved by the AMATS Policy Committee and the Governor in accordance with this Agreement.

### SECTION 5 – ORGANIZATION AND RESPONSIBILITIES

There shall be an eleven (11) member Technical Advisory Committee (“TAC”) consisting of the Municipality’s Directors of the Departments of Planning, ~~Project Management & Engineering,~~

Health and Human Services, Port of Anchorage, Public Transportation and the Divisions of Project Management & Engineering and Traffic, or such Director's designees; the ADOT&PF Chief of Central Region Planning and Administrative Services or designee, ADOT&PF Regional Pre-Construction Engineer or designee; the ADEC Manager of the Southcentral Region Air Quality Program, or designee; a representative from the Alaska Railroad Corporation or designee; and a member of the AMATS Air Quality Advisory Group designated by said Group. The Chairman of the TAC shall be the Municipality's Director of Traffic. A Vice-Chair shall be the ADOT&PF, Chief of Central Region Planning and Administrative Services to act as the presiding officer on the absence of the chairman. Each member of the TAC shall have one vote and all actions of the TAC, including recommendations to the Policy Committee, shall be by a majority vote of the total authorized number of members (six or more votes).

## **SECTION 6 --KEY PLANS, PROGRAMS**

### **6.3 AMATS Long-Range Transportation Plan**

The Municipality, in cooperation with the State, is responsible for developing or updating an AMATS Long-Range Transportation Plan that shall:

Follow the latest federal planning requirements, (as prescribed in October 1993, 23 CFR Part 450, subsection 450.322).

(2) In summary:

- (a) Include the development of a transportation plan addressing at least a twenty-three year horizon with short and long range strategies/actions that leads to an integrated intermodal transportation system that facilitates the efficient movement of people and goods;
- (b) Be reviewed and updated at least every ~~three~~four years;
- (c) Be financially constrained;
- (d) Meet air quality conformity requirements of the Clean Air Act; and
- (e) Provide a minimum 30-day public comment period on plan development (draft document) and major amendments.

### **6.4 Transportation Improvement Program**

6.4.1. The Municipality, in cooperation with the State, is responsible for developing or updating the AMATS Transportation Improvement Program, which shall:

- (1) Follow the latest federal planning requirements, (as prescribed in October 1993, 23 CFR Part 450, subsection 450.324); and
- (2) In summary:

- (a) Include capital transportation improvements and projects (roads, transit, pedestrian/bicycle, and congestion mitigation etc.) that are consistent with the AMATS Long-Range Transportation Plan;
- (b) Cover a period of time not less than ~~three~~four years;
- (c) Be reviewed and updated at least every ~~two~~four years;
- (d) Be financially constrained;
- (e) Provide an air quality conformity analysis;
- (f) Provide a minimum 30-day public comment period on program development (draft program) and major amendments.

#### 6.5.2

~~A minor amendment~~An Administrative Modification or revision or will include the following:

Any change in an existing project that does not prompt a change in the type of required environmental document.

Any new project that does not require an air quality conformity determination, an EIS, or an EA.

Administrative Modifications to the ~~Minor amendments~~ to the AMATS LRTP or AMATS TIP do not require Assembly action or AMATS Policy Committee approval and no public review will be required. The AMATS Technical Advisory Committee with its responsibility to maintain existing plans and programs while meeting the overall policy direction set by the AMATS Policy Committee shall approve ~~minor amendments~~administrative modifications. Notification of such amendments will be provided as information to the Assembly and AMATS Policy Committee following the AMATS Technical Advisory Committee action.

### **SECTION 8 -- ASSIGNMENT OR TRANSFER OF WORK**

8.1 AMATS staff or the Municipality of Anchorage staff (depending on project management responsibility) shall provide a copy of a draft scope of work for consultant services for ADOT&PF review and approval. ADOT&PF shall submit that scope of work to ADOT&PF Headquarters staff and to the FHWA with a recommendation for final review and approval. ~~No Request for Proposals can be issued until FHWA has approved the scope of work.~~ No Request for Proposals can be issued until FHWA has approved the scope of work. If a private consultant is chosen to assist in preparing a pre-solicitation cost estimate for a future contract, that consultant is precluded from responding to the Request for Proposals.

## 2012 Changes

Summary: Changes are made in Sections 4-8.

Section 4 changes redefine Administrative Modifications and Amendments, add language for each AMATS sub-committee, and redefine some common acronyms. Section 5 redefines roles for each AMATS committee. Section 6 redefines the Long-Range Transportation Plan as the Metropolitan Transportation Plan. Section 7 updates amendments, adjustments, and committee acronyms in the Unified Planning Work Program. And Section 8 changes regard logistics of project quarterly reporting.

Changes are tracked in the following text.

### SECTION 4 – DEFINED TERMS

*“Administrative Modification” is a minor revision to a long-range statewide or metropolitan transportation plan, Transportation Improvement Program (TIP), or Statewide Transportation Improvement Program (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). An Administrative Modification includes a new project or a change in an existing project in the existing Transportation Improvement Program or Long-Range Transportation Plan that does not prompt a change in the type of environmental document or that does not require an Air Quality Conformity Determination. No public involvement comment period is required.*

*“AQACQAG” is the Air Quality Advisory Group Committee.*

*“Amendment” is a revision to a long-range statewide or metropolitan transportation plan, TIP, or STIP that involves a major change to a project included in a metropolitan transportation plan, 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 a conformity determination (for metropolitan transportation plans and TIPs involving “non-exempt” projects in nonattainment and maintenance areas). In the context of a long-range statewide transportation plan, an amendment is a revision approved by the State in accordance with its public involvement process.*

*“BPAC” is the Bicycle and Pedestrian Advisory Committee*

*“FAC” is the Freight Advisory Committee*

~~“LRTP” means and shall be referred to as the AMATS’ adopted Long-Range Transportation Plan and all revisions thereto adopted as the MPO’s Metropolitan (official intermodal) Transportation Plan for the Metropolitan Planning Area reviewed and approved in accordance with this Agreement.~~

~~“MAJOR AMENDMENTS” are significant changes that will include any new project or change to an existing project in the Transportation Improvement Program or Long-Range Transportation Plan that requires an air quality conformity determination, an Environmental Impact Statement or an Environmental Assessment, or promotes a change in the type of required environmental document or a project that is deleted from the TIP or LRTP. Major amendments will include a minimum 30-calender day review period.~~

“METROPOLITAN PLANNING AREA” (“MPA”) means the geographic area determined pursuant to 23 USC §134(ed) in which the MPO carries out the development and implementation of transportation and air quality plans and programs under 23 USC §134 and the Federal Transit Act §8, respectively, shown in *Attachment #1* to this Agreement.

~~“MTP” is the Metropolitan Transportation Plan that is the official multimodal transportation plan addressing no less than a 20-year planning horizon that is developed, adopted, and updated by the MPO through the metropolitan transportation planning process. This was previously referred to as the Long-Range Transportation Plan (LRTP).~~

~~“SAFETEA-LU” stands for the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users. It is the federal legislation that guides all transportation plans and improvement programs supported with federal funds. SAFETEA-LU was signed into law by President Bush on August 10, 2005 to carry on the intent of its predecessor the Transportation Equity Act for the 21<sup>st</sup> Century of 1998.~~

~~“STIP” is the Statewide Transportation Improvement Program, which is the statewide prioritized listing/program of transportation projects covering a period of four years that is consistent with the long-range statewide transportation plan, metropolitan transportation plans, and TIPs, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.State’s three four year, state-wide, financially constrained intermodal program of transportation projects. The STIP is consistent with the statewide transportation plan, and incorporates the TIP. It is developed pursuant to 23 USC §135(f), and is approved by the Commissioner of ADOT&PF, the Governor, FTA and FHWA.~~

~~“TEA21” stands for the Transportation Equity Act for the 21<sup>st</sup> Century. It is the federal legislation that guides all transportation plans and improvement programs supported with federal funds. TEA21 was signed into law by President Clinton on June 8, 1998 to carry on the intent of its predecessor the Intermodal Surface Transportation Efficiency Act of 1991.~~

“TIP” is the Transportation Improvement Program that is a prioritized listing/program of transportation projects covering a period of four years that is developed and formally adopted

~~by an MPO as part of the metropolitan transportation planning process, consistent with the metropolitan transportation plan, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53. the AMATS' three four year, financially constrained, intermodal program of transportation projects consistent with the AMATS LRTP for funding Metropolitan Area transportation improvements, updated at least every two four years and approved by the AMATS Policy Committee and the Governor in accordance with this Agreement.~~

~~"UPWP" is the Unified Planning Work Program that is a statement of work identifying the planning priorities and activities to be carried out within a metropolitan planning area. At a minimum, a UPWP includes a description of the planning work and resulting products, who will perform the work, time frames for completing the work, the cost of the work, and the source(s) of funds. the annual operating program detailing funding and responsibilities for transportation planning and air quality work tasks within the Metropolitan Area. The UPWP provides for a continuing and comprehensive transportation planning process carried out by AMATS.~~

## **SECTION 5 – ORGANIZATION AND RESPONSIBILITIES**

### **5.2 AMATS Policy Committee**

There is hereby established a five (5) member AMATS Policy Committee (herein also the "Policy Committee") consisting of two Anchorage Assembly members or their alternates appointed by the Assembly Chair and serving at his/her pleasure in accordance with Anchorage Charter §12.03, the Mayor of Anchorage or designee, and the Commissioner of the ADOT&PF and Commissioner of ADEC or designees therefore designated to serve by and at the pleasure of the Governor. ~~The Anchorage Assembly Chair may serve or select an alternate Assembly member as the Assembly's AMATS Policy Committee member representative.~~ The Chairman of the Policy Committee shall be the ADOT&PF member. A Vice-Chairman shall be the Mayor to act as the presiding officer in the absence of the Chairman. Each member of the Policy Committee shall have one vote. Actions of the Policy Committee shall be by a majority vote of its total authorized membership (three or more votes) voting in person by the appointed member.

#### **The Powers and Duties of the AMATS Policy Committee**

The AMATS Policy Committee shall have overall responsibility for the implementation of this Agreement, coordination of the AMATS' efforts and responsibilities of the TAC, the AQAGAQC, the Planning and Zoning Commission's advisory functions, the Assembly review and recommendations on the AMATS ~~LRTP-MTP~~ and TIP and the ultimate development and adoption of the AMATS UPWP, the AMATS TIP and the AMATS ~~LRTPMTP~~. Specifically, the Policy Committee shall:

- (5) Provide overall direction to the Technical Advisory Committee, the AQACQAG, FAC, BPAC, and the transportation planning and air quality planning staffs, including but not limited

to, guidance on project alternative plan formation, assessments, development of feasible strategies and report preparation.

(6) Ensure public involvement throughout the AMATS' transportation and air quality planning process, including, but not limited to, the use of the Planning and Zoning Commission and the ~~AQACQAG~~ as a citizens' forum and for the scheduling of public hearings.

8) Ensure the preparation, for the Assembly's review and recommendation, of a Transportation Improvement Program (TIP) and a transportation plan (AMATS ~~LRTP~~MTP) conforming to Federal law. The Policy Committee shall annually endorse the AMATS' transportation plans and programs and certify that the AMATS' planning process is being carried out in conformance with all pertinent requirements of 49 USC 5303 et seq; 42 USC 7504, 7506(c) and (d), and 23 CFR Subpart C. of Part 450 applicable to AMATS. In accordance with Anchorage Ordinance 97-139(S), to the extent feasible, the AMATS ~~LRTP~~MTP shall be consistent with the Municipality's long range transportation plans.

(a) In accordance with Anchorage Ordinance 97-139(S), the AMATS ~~LRTP~~MTP and amendments thereto subject to 23 CFR 450.322 shall be submitted to the Assembly for its review and recommendations prior to final action thereon by the Policy Committee. The Assembly shall review and by resolution adopt recommendations on the AMATS ~~LRTP~~MTP and such amendments within 45 days after the AMATS ~~LRTP~~MTP or such amendments are introduced for Assembly action, unless the Policy Committee and the Assembly otherwise agree to a longer period of time. If the Assembly fails to submit such a resolution to the Policy Committee within 45 days after such introduction or within the time otherwise agreed to by the Policy Committee and the Assembly, then the requirement for an Assembly resolution prior to final action on the AMATS' ~~LRTP~~MTP by the Policy Committee is waived.

(b) The TIP and ~~major~~ amendments thereto under 23 CFR 450.326 shall be submitted to the Assembly for its review and recommendations prior to final action thereon by the AMATS Policy Committee. The Assembly shall review and by resolution adopt recommendations on the TIP or such amendments within 30 days after the TIP or such amendments are introduced for Assembly action, unless the AMATS Policy Committee and the Assembly otherwise agree to a longer period of time. If the Assembly fails to submit such resolution to the Policy Committee within 30 days after such introduction or within the time otherwise agreed to by the Policy Committee and the Assembly, then the requirement for such Assembly resolution prior to final action by the Policy Committee is waived. To the extent feasible, the Assembly review and recommendation shall be scheduled to occur annually during the same time period as consideration of the municipal capital improvement budget.

(c) The statements, reports, and recommendations of the Policy Committee, the TAC and the Municipal Planning and Zoning Commission on the AMATS ~~LRTP~~MTP and the TIP shall be forwarded to the Assembly for consideration in connection with such ~~LRTP~~MTP and TIP.

5.3 Technical Advisory Committee (TAC)

There shall be an eleven (11) member Technical Advisory Committee (“TAC”) consisting of the Municipality’s Directors of the Departments of [PlanningCommunity Development](#), Health and Human Services, Port of Anchorage, Public Transportation and the Divisions of Project Management & Engineering and Traffic, or such Director’s designees; the ADOT&PF Chief of Central Region Planning and Administrative Services or designee, ADOT&PF Regional Pre-Construction Engineer or designee; the ADEC Manager of the Southcentral Region Air Quality Program, or designee; a representative from the Alaska Railroad Corporation or designee; and a member of the AMATS Air Quality Advisory [Group-Committee](#) designated by said [Group-Committee](#). The Chairman of the TAC shall be the Municipality’s Director of Traffic. A Vice-Chair shall be the ADOT&PF, Chief of Central Region Planning and Administrative Services to act as the presiding officer on the absence of the chairman. Each member of the TAC shall have one vote and all actions of the TAC, including recommendations to the Policy Committee, shall be by a majority vote of the total authorized number of members (six or more votes).

#### 5.4 Municipality’s Planning and Zoning Commission

The Municipality’s Planning and Zoning Commission shall provide a public forum for and advisory reports to other AMATS committees and groups and officials in its review and consideration of citizen comments and recommendations on suggested transportation and air quality plans and programs.

As a body representative of the community at large, the Municipality’s Planning and Zoning Commission shall provide land use advice and transmit advisory recommendations on the AMATS ~~L RTPMTP~~, for the Anchorage Bowl and Chugiak/Eagle River areas, and the TIP to the Assembly and the Policy Committee prior to final Assembly review and recommendations and Policy Committee final approval.

#### 5.5 Air Quality Advisory [Group-Committee](#)

An AMATS Air Quality Advisory [Group-Committee](#) (“~~AQAGAQAC~~”), shall be an air quality technical advisory ~~group-committee~~ consisting of experienced professional, technical and public persons with scientific, professional or technical training in or experience with air quality issues relating to AMATS. ~~AQAG-AQAC~~ shall be a public forum for and provide advisory comments and recommendations to other AMATS bodies on ~~AQAG-AQAC~~ issues relevant to the AMATS ~~L RTPMTP~~, TIP, UPWP, and the Air Quality Plan.

Responsibilities of the Air Quality Advisory [Group-Committee](#)

The ~~AQAG-AAQAC~~ shall:

(1) Review and submit advisory recommendations to the AMATS Technical Advisory Committee and the AMATS Policy Committee regarding air quality planning proposals developed by the AMATS TAC; and

Assist in facilitating public participation in the AMATS air quality planning process.



## The Municipal Assembly

As the governing (legislative) body of the Municipality the Assembly shall:

(1) In accordance with Anchorage Ordinance 97-139(S) and this Agreement, timely-review and by resolution make recommendations on the AMATS ~~L RTP-MTP~~ required by 23 USC §134(g) prior to final approval by the AMATS Policy Committee and its transmittal to the Governor for informational purposes pursuant to 23 USC §134(g)~~(5)~~; and

(2) In accordance with Anchorage Ordinance 97-139(S) and this Agreement, timely review and by resolution make recommendations on the TIP required by 23 USC 134(~~hg~~) prior to final approval by the Policy Committee and its transmittal to the Governor for approval and incorporation into the STIP.

5.7 Metropolitan Planning Area under 23 USC 134(~~de~~).

The Metropolitan Planning Area (formerly referred to as the “Study Area”) specified by 23 USC §134(~~ed~~) shall be the geographical area shown on Attachment #1 to this Agreement incorporated hereto by reference. Provided such boundaries conform to the requirements of 23 USC §134(~~de~~), the MPO and the Governor may mutually agree to change the boundaries of the Metropolitan Planning Area.

## 5.8 Freight Advisory Committee

An AMATS Freight Advisory Committee (“FAC”), shall be a Freight Advisory Committee consisting of representatives from the trucking industry, airport, retail, rail, port commercial vehicle enforcement, the University of Alaska and ADOT&PF with professional or technical experience with freight issues to AMATS. The FAC shall be a public forum for and provide advisory comments and recommendations to other AMATS bodies on freight issues relevant to the AMATS MTP, TIP, UPWP, and the Air Quality Plan.

### Responsibilities of the Freight Advisory Group

The FAC shall:

Review and submit advisory recommendations to the AMATS Technical Advisory Committee and the AMATS Policy Committee regarding freight mobility planning proposals developed by the AMATS TAC; and

(2) Assist in the development of safe freight routes and access; promote

efficient regional freight movement and circulation; identify freight congestion issues; and encourage freight legislation and policies that offer economic benefit while recognizing community values; and

Assist in facilitating public participation in the AMATS freight mobility planning process.

#### 5.9 Bicycle and Pedestrian Advisory Committee

An AMATS Bicycle and Pedestrian Advisory Committee (“BPAC”), shall be a Bicycle and Pedestrian Advisory Committee consisting of representatives from public health, disability services, community and environmental, and bicycle and pedestrian organizations with professional or technical experience with bicycle and pedestrian issues to AMATS. The BPAC shall be a public forum for and provide advisory comments and recommendations to other AMATS bodies on bicycle and pedestrian issues relevant to the AMATS MTP, TIP, UPWP, and the Air Quality Plan.

##### 5.9.1 Responsibilities of the Bicycle and Pedestrian Advisory Group

The BPAC shall:

Review and submit advisory recommendations to the AMATS Technical Advisory Committee and the AMATS Policy Committee regarding bicycle and pedestrian planning proposals developed by the AMATS TAC; and

(2) Assist in the development of project evaluation criteria, monitor implementation of the AMATS non-motorized plan; and

(3) Assist, advise, and submit recommendations to the AMATS Policy Committee with regards to the AMATS UPWP, MTP and TIP focusing on bicycle and pedestrian infrastructure and issues that affect non-motorized transportation.

## **SECTION 6 --KEY PLANS, PROGRAMS**

6.1 There are four primary planning or programming activities, which AMATS is responsible for developing. This section summarizes these key plans and programs, which include the Air Quality Plan, the AMATS ~~Long-Range~~Metropolitan Transportation Plan, the AMATS Transportation Improvement Program and the AMATS Unified Planning Work Program.

### 6.3 AMATS ~~Long-Range~~Metropolitan Transportation Plan

The Municipality, in cooperation with the State, is responsible for developing or updating an AMATS ~~Long-Range~~Metropolitan Transportation Plan that shall:

Follow the latest federal planning requirements, (as prescribed in ~~October 1993~~, 23 CFR Part 450, subsection 450.322).

### 6.4 Transportation Improvement Program

6.4.1. The Municipality, in cooperation with the State, is responsible for developing or updating the AMATS Transportation Improvement Program, which shall:

- (1) Follow the latest federal planning requirements, (as prescribed in [April 2011, October 1993](#), 23 CFR Part 450, subsection 450.324); and
- (2) In summary:
  - (a) Include capital transportation improvements and projects (roads, transit, pedestrian/bicycle, and congestion mitigation etc.) that are consistent with the AMATS [Long-Range Metropolitan](#) Transportation Plan;
  - (f) Provide a minimum 30-day public comment period on program development (draft program) and ~~major~~ amendments.

Amendments to the AMATS [Long-Range Metropolitan](#) Transportation Plan (~~LRTPMTP~~) and AMATS Transportation Improvement Program (TIP).

6.5.1 An ~~major~~ amendment will include the following:

Any new project in the AMATS ~~LRTMTP~~ or the AMATS TIP that requires an Air Quality Conformity Determination, an environmental impact statement (EIS), or an environmental assessment (EA).

Any change in an existing project in the AMATS ~~LRTMTP~~ or the AMATS TIP that requires an Air Quality Conformity Determination, or promotes a change in the type of required environmental document

Any project deleted from the AMATS ~~LRTMTP~~ or the AMATS TIP.

~~Major amendments~~ Amendments will include a 30 calendar-day review period. When written and oral comments are received on the draft AMATS ~~LRTMTP~~ or the AMATS TIP, a summary, analysis, or report on the nature of the comments shall be made part of the final AMATS ~~LRTMTP~~ and /or AMATS TIP as part of the document or as an appendix. ~~Major amendments~~ Amendments will require Assembly action, as described in Section 5, and Policy Committee approval.

An Administrative Modification or revision ~~or~~ will include the following:

Any change in an existing project that does not prompt a change in the type of required environmental document.

Any new project that does not require an air quality conformity determination, an EIS, or an EA.

Administrative Modifications to the AMATS ~~LRTMTP~~ or AMATS TIP do not require Assembly action ~~or AMATS Policy Committee approval~~ and no public review will be required. The AMATS [Policy and Technical Advisory Committees](#) ~~with its responsibility to maintain existing plans and~~

~~programs while meeting the overall policy direction set by the AMATS Policy Committee~~ shall approve respective administrative modifications based on the trigger levels set in the AMATS Policies and Procedures. Notification of such amendments will be provided as information to the Assembly and /or the AMATS Policy Committee following the AMATS Technical Advisory or Policy Committee action.

## **SECTION 7 -- UNIFIED PLANNING WORK PROGRAM**

### **7.1 Unified Planning Work Program Preparation**

No later than October 1 of each year, ADOT&PF shall submit to the Municipality in writing the amount of estimated Federal PL funds, and the required match ratios, to be made available to AMATS for the next UPWP. ADOT-&-PF shall recommend work tasks and its budget for tasks in which it participates. AMATS shall develop and implement a UPWP public involvement program and prepare a UPWP with the full cooperation of ADOT&PF and members of the AMATS TAC, AQAGAAQAC, FAC, BPACBPAC and P&Z. Discussion between ADOT&PF and the Municipality shall take place to determine how the proposed tasks can be accomplished in the most efficient and effective manner. The AMATS UPWP shall be reviewed by the AMATS TAC, approved by the AMATS Policy Committee and forwarded for concurrent approval by FHWA and FTA prior to any of the approved work being performed.

### **7.2 Unified Planning Work Program Changes/Amendments**

Changes in funding levels for tasks, or changes in tasks, shall be requested as soon as possible after the need for such changes is recognized. Generally, after appropriate AMATS approvals, major revisions shall go through the same approval procedures as for the AMATS UPWP. Minor revisions-adjustments shall be forwarded to ADOT&PF for approval. Formal ADOT&PF policy and procedures govern specific revisions of tasks funded by PL funds. The Municipality shall be responsible for the performance of tasks in the AMATS UPWP, as revised. No charges which exceed the adopted AMATS UPWP budget will be eligible for reimbursement until the AMATS UPWP budget is adjusted as per the following procedures.

#### **7.2.1 Major AMATS UPWP Adjustments-Amendments (no additional funding required).**

Cumulative adjustments to the element budget amounts that exceed 20 percent of the original approved element budget, individual changes of \$25,000 or more to element budgets, or significant scope changes require the concurrence of the AMATS Policy Committee, ADOT&PF, and FHWA before becoming effective.

## **SECTION 8 -- ASSIGNMENT OR TRANSFER OF WORK**

8.1 AMATS staff or the Municipality of Anchorage staff (depending on project management responsibility) shall provide a copy of a draft scope of work for consultant services for ADOT&PF review and approval. ADOT&PF shall submit that scope of work to ADOT&PF Headquarters staff and to the FHWA with a recommendation for final for additional review and approval if

appropriate. If a private consultant is chosen to assist in preparing a pre-solicitation cost estimate for a future contract, that consultant is precluded from responding to the Request for Proposals.

#### 11.2 Quarterly Reports:

A quarterly narrative progress report and financial statement shall be submitted by the Municipality to ADOT&PF no later than the 23rd-38th day following the last day of each AMATS UPWP fiscal quarter, in order to meet the requirements of 49CFR 18.40 as supplemented by 23 CFR 420.~~113~~111. Within 30-45 days of the last day of the fiscal quarter, ADOT&PF shall ~~either review, and~~either review, and approve the report, or if found necessary, request modifications. ADOT&PF staff will forward the report to ADOT&PF Headquarters staff. It will be reviewed and forwarded to FHWA to meet the reporting requirements of 23 CFR, Part 420. If ADOT&PF staff request modifications, the report will be forwarded to ADOT&PF Headquarters staff as a draft report. The Municipality shall then convey a revised submittal to ADOT&PF no later than 40-55 days following the last day of each fiscal year quarter. ADOT&PF shall approve or request additional modifications to the re-submittal no later than 50-65 days following the last day of each fiscal year quarter. This final report shall serve as the basis for reimbursement, pending review and approval by FHWA.

#### 11.3 Final Fiscal Year Quarterly Report.

The final quarterly report for the AMATS UPWP fiscal year will contain an annual technical report concerning and summarizing the pertinent development, activities, and accomplishments of the tasks outlined within the Unified Planning Work Program of the past fiscal year. The annual technical report will be submitted within 90-75 days of the end of the fiscal year. The report will contain 1) a complete comparison of actual performance with established goal, 2) status of expenditures comparing budgeted (approved) amounts with actual costs incurred; 3) identify overruns and underruns and all information being consistent with AMATS UPWP revisions.

#### 13.4 Cost Limitations:

Reimbursement of administrative and operational costs will be made without profit or markup. These costs shall be limited to:

- (1) Direct salaries and wages, with payroll taxes and fringe benefits at actual costs, or if prorated to be allocated on an equitable basis;
- (2) Telephone charges and necessary travel limited to program specific charges;
- (3) Overhead or indirect costs as approved annually in the respective AMATS UPWP line item budget and verified by audit. Such overhead shall be allocated on an equitable basis. Eligibility shall conform to the provisions of 23 CFR 420.11~~31(e)~~;

## 2015 Changes

Summary: Changes are made in Sections 4-5, 7, 10.

Section 4 changes regard committee acronyms. Section 5 changes regard removing Planning and Zoning from the AMATS planning process. Section 7 changes update committee acronyms. Section 10 changes regard typos.

Changes are tracked in the following text.

### SECTION 4 – DEFINED TERMS

“CAC” is the Citizens Advisory Committee

~~“P&Z (or “Planning and Zoning”) Commission” is the Municipality’s Planning and Zoning Commission.~~

### SECTION 5 – ORGANIZATION AND RESPONSIBILITIES

#### 5.1 AMATS

AMATS is the balanced, cooperative, coordinated and comprehensive process between the Municipality (MPO) and State for the development of an AMATS Long Range Metropolitan Transportation Plan, a Transportation Improvement Program and the Unified Planning Work Program.

The Powers and Duties of the AMATS Policy Committee

The AMATS Policy Committee shall have overall responsibility for the implementation of this Agreement, coordination of the AMATS’ efforts and responsibilities of the TAC, the AQAC, the BPAC, the FAC and, ~~the Planning and Zoning Commission~~ Citizens Advisory Committee’s advisory functions, the Assembly review and recommendations on the AMATS MTP and TIP and the ultimate development and adoption of the AMATS UPWP, the AMATS TIP and the AMATS MTP. Specifically, the Policy Committee shall:

(5) Provide overall direction to the Technical Advisory Committee, the AAQAC, FAC, BPAC, the CAC and the transportation planning and air quality planning staffs, including but not limited to, guidance on project alternative plan formation, assessments, development of feasible strategies and report preparation.

(6) Ensure public involvement throughout the AMATS’ transportation and air quality planning process, including, but not limited to, the use of the use of the Planning and Zoning Commission AMATS Citizens Advisory Committee and the AAQAC as a citizens’ forum and for the scheduling of public hearings.

(c) The statements, reports, and recommendations of the Policy Committee, the TAC and the ~~Citizens Advisory Committee Municipal Planning and Zoning Commission~~ on the AMATS MTP and the TIP shall be forwarded to the Assembly for consideration in connection with such MTP and TIP.

### 5.3 Technical Advisory Committee (TAC)

#### 5.3.2 The Technical Advisory Committee shall:

Provide assistance and recommendations to the Policy Committee, ~~the Municipal Planning and Zoning Commission and~~ and the Assembly regarding the effects of transportation and air quality plans and programs on the plans of member agencies.

(2) Provide technical assistance, advice and recommendations to the Policy Committee, ~~the Municipal Planning and Zoning Commission a~~ and the Assembly in fulfilling their responsibilities for the continuing, comprehensive and cooperative transportation and air quality planning processes within the Metropolitan Planning Area.

### 5.4 ~~Municipality's Planning and Zoning Commission~~ AMATS Citizens Advisory Committee

The ~~Municipality's Planning and Zoning Commission~~ AMATS Citizens Advisory Committee (CAC) shall be a committee consisting of a cross section of the public and transportation stakeholders in the AMATS planning area. The CAC shall provide a public forum for and advisory reports to other AMATS committees and groups and officials in its review and consideration of citizen comments and recommendations on suggested transportation and air quality plans and programs.

The focus of the Citizens Advisory Committee (CAC) is to provide transparency and a community perspective. The CAC is responsible for advising the AMATS Policy Committee regarding plans, programs and activities to determine consistency with current policies of AMATS; makes recommendations on transportation policies; and other activities as directed by the AMATS Policy Committee.

The CAC also serves as a conduit for information between the Policy Committee and the public. Members serve as liaisons between the public and the Policy Committee, relaying information between the two groups.

~~As a body representative of the community at large, the Municipality's Planning and Zoning Commission shall provide land use advice and transmit advisory recommendations on the AMATS LRTPMTP, for the Anchorage Bowl and Chugiak/Eagle River areas, and the TIP to the Assembly and the Policy Committee prior to final Assembly review and recommendations and Policy Committee final approval.~~

~~The Planning & Zoning Commission will also consider the:~~

~~(1) Official Streets and Highways Plan;~~

~~(2) Air Quality Plan;~~

~~The UPWP; and~~

~~Other relevant transportation plans to include but not limited to Trails, Congestion Management, and Freight Mobility etc.~~

## **SECTION 7 -- UNIFIED PLANNING WORK PROGRAM**

### **7.1 Unified Planning Work Program Preparation**

No later than October 1 of each year, ADOT&PF shall submit to the Municipality in writing the amount of estimated Federal PL funds, and the required match ratios, to be made available to AMATS for the next UPWP. ADOT&PF shall recommend work tasks and its budget for tasks in which it participates. AMATS shall develop and implement a UPWP public involvement program and prepare a UPWP with the full cooperation of ADOT&PF and members of the AMATS TAC, AAQAC, FAC, BPAC and CAC.P&Z. Discussion between ADOT&PF and the Municipality shall take place to determine how the proposed tasks can be accomplished in the most efficient and effective manner. The AMATS UPWP shall be reviewed by the AMATS TAC, approved by the AMATS Policy Committee and forwarded for concurrent approval by FHWA and FTA prior to any of the approved work being performed.

## **SECTION 10 -- ADDITIONAL AND SEPARATE WORK PROJECTS**

From time to time, ADOT&PF or the Municipality may desire one of the other parties to perform additional work projects for services separate and apart from those set forth in the AMATS UPWP. At such times, the requesting party will notify the other party of this intention, including a request for the specific work and/or services desired. If there is ~~a willia~~ agnesswillingness and ability to do the work or perform the services requested, written acceptance by the requesting party of the terms accepted shall constitute authority to proceed with the work and/or services requested. The requesting party shall pay for such work or services within a reasonable time after billing. Such billing shall be made pursuant to the terms agreed upon for each particular work project.

## **April 2019 Changes**

Summary: Changes are made in Sections 5

Section 5 changes regard the makeup of the TAC.



Changes are tracked in the following text.

## SECTION 5 – ORGANIZATION AND RESPONSIBILITIES

### 5.3 Technical Advisory Committee (TAC)

There shall be an eleven (11) member Technical Advisory Committee (“TAC”) consisting of the Municipality’s Directors of the Departments of ~~Community Development~~ Planning, ~~Health and Human Services~~, Port of ~~Anchorage~~ Alaska, Public Transportation, ~~and the Divisions of~~ Project Management & Engineering and Traffic, or such Director’s designees; the ADOT&PF Anchorage Field Office Chief of ~~Central Region~~ Planning and Administrative Services or designee, ADOT&PF Regional Pre-Construction Engineer or designee; the ADEC Manager of the Southcentral Region Air Quality Program, or designee; a representative from the Alaska Railroad Corporation or designee; and ~~a member of the AMATS Air Quality Advisory Committee designated by said Committee~~ the Energy and Sustainability Manager for the Municipality of Anchorage. The Chairman of the TAC shall be the Municipality’s Director of Traffic. A Vice-Chair shall be the ADOT&PF, Anchorage Field Office Chief of ~~Central Region~~ Planning and Administrative Services to act as the presiding officer on the absence of the chairman. Each member of the TAC shall have one vote and all actions of the TAC, including recommendations to the Policy Committee, shall be by a majority vote of the total authorized number of members (six or more votes).

## July 2019 Changes

Summary: Changes are made in Sections 6

Section 6 changes separate the processes for amendments and modifications to the MTP and the TIP.

Changes are tracked in the following text.

## SECTION 6 --KEY PLANS, PROGRAMS

6.5 Amendments to the AMATS Metropolitan Transportation Plan (MTP) ~~and AMATS Transportation Improvement Program (TIP).~~

6.5.1 An amendment will include the following:

- Any new project in the AMATS MTP ~~or the AMATS TIP~~ that requires an Air Quality Conformity Determination, an environmental impact statement (EIS), or an environmental assessment (EA).

- Any change in an existing project in the AMATS MTP ~~or the AMATS TIP~~ that requires an Air Quality Conformity Determination, or promotes a change in the type of required environmental document
- Any project deleted from the AMATS MTP ~~or the AMATS TIP~~.

Amendments will include a 30 calendar-day review period. When written and oral comments are received on the draft AMATS MTP ~~or the AMATS TIP~~, a summary, analysis, or report on the nature of the comments shall be made part of the final AMATS MTP ~~and/or AMATS TIP~~ as part of the document or as an appendix. Amendments will require Assembly action, as described in Section 5, and Policy Committee approval.

6.5.2 An Administrative Modification or revision will include the following:

- Any change in an existing project that does not prompt a change in the type of required environmental document.
- Any new project that does not require an air quality conformity determination, an EIS, or an EA.

Administrative Modifications to the AMATS MTP ~~or AMATS TIP~~ do not require Assembly action and no public review will be required. The AMATS Policy and Technical Advisory Committees shall approve respective administrative modifications based on the trigger levels set in the AMATS Policies and Procedures. Notification of such amendments will be provided as information to the Assembly and/or the AMATS Policy Committee following the AMATS Technical Advisory or Policy Committee action.

## 6.6 ~~6.6~~

Amendments to the AMATS Transportation Improvement Plan (TIP). The TIP may be amended at any time, but amendments require federal approval and redetermination of TIP fiscal constraint and air quality conformity, where applicable and follow the procedures outlined in the AMATS Public Participation Plan. ADOT&PF will review each amendment and submit the amendment to the appropriate Federal Agency.

6.6.1 An amendment is a revision to the TIP that involve major changes to a project or the overall program and must meet the requirements of 23 CFR 450.326 regarding public review and comment and redemonstration of fiscal constraint. An amendment is required when changes to the TIP include:

- Addition or deletion of a project except for the addition or deletion of projects included for illustrative purposes. An illustrative project is one that may be added to the TIP if reasonable additional funding becomes available. If the funding becomes available then a major amendment must be done to add the project into the TIP.
- Changes to the cost of a project which constitutes a change greater than ~~or equal to~~ 75% of the total project cost of all phases shown within the approved TIP.
- A major change in design concept or design scope that require the following:

- Result in an air quality conformity reevaluation,
- Result in a revise total project cost that meets the threshold established in this section, or
- Result in a change in scope on any federally funded project that is significant enough to constitute a new project.

An amendment is a revision that requires public review and comment and a redemonstration of fiscal constraint, and if an amendment involves a non-exempt project in a non-attainment and maintenance area, a conformity determination is required.

6.6.2 An administrative modification means a minor revision to the TIP that includes minor changes to project/project phase costs (less than 75% but greater than or equal to 25% of the total project cost of all phases shown within the approved TIP), minor changes to funding sources, minor changes to project/project phases initiation dates, and minor revisions to a project scope. An administrative modification does not require public review and comment, a redemonstration of fiscal constraint, or an air quality conformity determination (in non-attainment and maintenance areas).

Administrative Modifications to the AMATS ~~TIP~~MTP do not require Assembly action and no public review will be required. The AMATS Policy and Technical Advisory Committees shall approve respective administrative modifications based on the trigger levels set in the AMATS Policies and Procedures. Notification of such amendments will be provided as information to the Assembly and/or the AMATS Policy Committee following the AMATS Technical Advisory or Policy Committee action.

6.6.3 Staff Modification: Modifications made by staff do not require an amendment nor an administrative modification. These revision do not require a formal TIP change and maybe be subsequently reflect in later updates to the TIP. This list identifies several examples of staff modifications, but is not meant to be an exhaustive list.

- Increase to funding amounts of a project or phase of a project where the increase is less than 25% of the total project cost.
- Any technical correction and other minor changes such as change in title, project description, implementing agency, or project sponsor.
- Advances a project schedule in the approved TIP in lieu of another project.
- Funding adjustment to award contracts.

## **2021 Changes**

Summary: Changes are made in Sections 4 & 5

Changes in both sections regard redefining the CAC as the Community Advisory Committee.

Changes are tracked in the following text.

## **SECTION 4 – DEFINED TERMS**

“CAC” is the Citizens Community Advisory Committee

## **SECTION 5 – ORGANIZATION AND RESPONSIBILITIES**

### 5.2.1 The Powers and Duties of the AMATS Policy Committee

Ensure public involvement throughout the AMATS’ transportation and air quality planning process, including, but not limited to, the use of the AMATS Citizens Community Advisory Committee and the AAQAC as a citizens' forum and for the scheduling of public hearings.

(c) The statements, reports, and recommendations of the Policy Committee, the TAC and the Citizens Community Advisory Committee on the AMATS MTP and the TIP shall be forwarded to the Assembly for consideration in connection with such MTP and TIP.

### 5.4 AMATS Citizens Community Advisory Committee

The AMATS Citizens Community Advisory Committee (CAC) shall be a committee consisting of a cross section of the public and transportation stakeholders in the AMATS planning area. The CAC shall provide a public forum for and advisory reports to other AMATS committees and groups and officials in its review and consideration of citizen comments and recommendations on suggested transportation and air quality plans and programs.

The focus of the Citizens Community Advisory Committee (CAC) is to provide transparency and a community perspective. The CAC is responsible for advising the AMATS Policy Committee regarding plans, programs and activities to determine consistency with current policies of AMATS; makes recommendations on transportation policies; and other activities as directed by the AMATS Policy Committee.

## **2023 Changes**

Summary: Changes are made in Sections 5

Section 5 changes regard the makeup of the Technical Advisory Committee.

Changes are tracked in the following text.

## **SECTION 5 – ORGANIZATION AND RESPONSIBILITIES**

### 5.3 Technical Advisory Committee (TAC)

There shall be an eleven (11) member Technical Advisory Committee (“TAC”) consisting of the Municipality’s Directors of the Departments of Planning, Health, Port of Alaska, Public Transportation, Project Management & Engineering and Traffic, or such Director’s designees; the ADOT&PF Anchorage Field Office Chief of Planning or designee, ADOT&PF Regional Pre-Construction Engineer or designee; the ADEC Manager of the Southcentral Region Air Quality Program, or designee; a representative from the Alaska Railroad Corporation or designee; and ~~a Prks and Recreation representative the Energy and Sustainability Manager for~~ a Prks and Recreation representative ~~from~~ or designee the Municipality of Anchorage. The Chairman of the TAC shall be the Municipality’s Director of Traffic. A Vice-Chair shall be the ADOT&PF Anchorage Field Office Chief of Planning to act as the presiding officer on the absence of the chairman. Each member of the TAC shall have one vote and all actions of the TAC, including recommendations to the Policy Committee, shall be by a majority vote of the total authorized number of members (six or more votes).