

# Memo



**Metro**

600 NE Grand Ave.  
Portland, OR 97232-2736

Date: April 17, 2025  
To: Metro Council and Interested Parties  
From: Ken Lobeck, Funding Programs Lead  
Subject: April 2025 MTIP Formal Amendment & Resolution 25-5481 Approval Request – AP25-09-APR

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## **FORMAL MTIP AMENDMENT STAFF REPORT**

### **Amendment Purpose Statement**

#### **FOR THE PURPOSE OF ADDING, AMENDING, OR CANCELING THREE PROJECTS TO THE 2024-27 MTIP TO MEET FEDERAL PROJECT DELIVERY REQUIREMENTS**

### **BACKGROUND**

#### **What This Is - Amendment Summary:**

The April 2025 Formal Metropolitan Transportation Improvement Program (MTIP) Formal/Full Amendment contains three projects. Key 23673 is a new ODOT Americans with Disabilities Act (ADA) construction phase project being added to the MTIP. The other two are corrections to previously programmed ODOT Public Transportation Division awarded projects to TriMet. Project Key 23042 increases the authorized funding from ODOT to TriMet. Key 23015 has been determined to be a duplicate project to an earlier programmed project using STBG funds. Key 23015 is being canceled as a result.

#### **What is the requested action?**

**JPACT approved Resolution 25-5481 allowing all required MTIP programming actions to be completed and now requests Metro Council provide the final approval.**

#### **TPAC April 4, 2025, Meeting Summary:**

TPAC met on April 4, 2025, and received their MTIP amendment notification which included an overview of the project changes occurring. There was not significant discussion. TPAC provided their approval recommendation to JPACT to approve Resolution 25-5481.

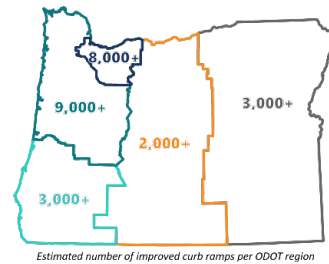
#### **JPACT April 17, 2025, Meeting Summary:**

JPACT met on April 17, 2025. The April 2025 MTIP Formal Amendment was included as part of the Consent Calendar agenda. JPACT approved the Consent Calendar agenda without discussion.

The following page provides a more detailed summary of the required changes for the new project.

Project Number: 1	Key Number: 23763	Status: Add New Project																																																																																																				
Project Name:	Portland Metro area 2024-2027 ADA Curb Ramps, Phase 6																																																																																																					
Lead Agency:	ODOT																																																																																																					
Description:	Throughout the Metro MPA area at multiple locations including Portland, Lake Oswego, West Linn, Oregon City, Sherwood, Tigard, Tualatin, and outside of the MPA in Molalla, construct curb and ramp upgrades to meet compliance with the America Disabilities Act (ADA) standards and provide added safety for pedestrians.																																																																																																					
Funding Summary:	<div>The Oregon Transportation Commission (OTC) approved \$15,350,000 of State GARVEE bond funds to support required construction phase activities for the ADA curb and ramp upgrades. The funds are state funds. There is no matching fund requirement. The GARVEE bonds are being transferred from an ODOT non-MPO statewide project grouping bucket (PGB) in Key 23043. No update to Key 23043 is required in the MTIP. ODOT will complete required funding adjustments to Key 23043 in the STIP.</div> <div><table><tr><td colspan="2">Name: Portland Metro area 2024-2027 ADA curb ramp construction</td><td colspan="2">Key: 23043</td></tr><tr><td colspan="4">Description: ADA program funding for future construction activities. Projects to be identified at a later date. Region: 1</td></tr><tr><td colspan="2">MPO: Non-MPO</td><td colspan="2">Work Type: ADAP</td></tr><tr><td colspan="2">Applicant: ODOT</td><td colspan="2">Status: BUCKET OF FUNDS</td></tr><tr><td colspan="4">Location(s)-</td></tr><tr><td>Mileposts</td><td>Length</td><td>Route</td><td>Highway</td></tr><tr><td></td><td></td><td></td><td>ACT</td></tr><tr><td></td><td></td><td></td><td>REGION 1 ACT</td></tr><tr><td></td><td></td><td></td><td>COUNTY(S)</td></tr><tr><td></td><td></td><td></td><td>VARIOUS</td></tr><tr><td colspan="4">Current Project Estimate</td></tr><tr><td></td><td>Planning</td><td>Prelim. Engineering</td><td>Right of Way</td></tr><tr><td></td><td></td><td></td><td>Utility Relocation</td></tr><tr><td></td><td></td><td></td><td>Construction</td></tr><tr><td></td><td></td><td></td><td>Other</td></tr><tr><td></td><td></td><td></td><td>Project Total</td></tr><tr><td>Year</td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td>2025</td></tr><tr><td>Total</td><td></td><td></td><td>\$58,645,884.00</td></tr><tr><td>Fund 1</td><td></td><td></td><td>GAR1 \$58,645,884.00</td></tr><tr><td>Match</td><td></td><td></td><td></td></tr><tr><td colspan="4">Footnote: GARVEE- MASTER KEY NUMBER K23739-\$89,844,884 (\$80,617,814.41 FEDERAL/\$9,227,069.59 STATE)</td></tr><tr><td colspan="4">Most Recent Approved Amendment</td></tr><tr><td colspan="2">Amendment No: 24-27-1993</td><td colspan="2">Approval Date: 3/16/2025</td></tr><tr><td colspan="4">Requested Action: Reduce the project by \$31,199,000, moving funds to project keys 23734, 23748, 23762, 23770, 23771, and 23772.</td></tr></table></div> <div>The funding represents the latest quarterly allocation from OTC in support of the required ADA curb and ramp upgrades.</div>		Name: Portland Metro area 2024-2027 ADA curb ramp construction		Key: 23043		Description: ADA program funding for future construction activities. Projects to be identified at a later date. Region: 1				MPO: Non-MPO		Work Type: ADAP		Applicant: ODOT		Status: BUCKET OF FUNDS		Location(s)-				Mileposts	Length	Route	Highway				ACT				REGION 1 ACT				COUNTY(S)				VARIOUS	Current Project Estimate					Planning	Prelim. Engineering	Right of Way				Utility Relocation				Construction				Other				Project Total	Year							2025	Total			\$58,645,884.00	Fund 1			GAR1 \$58,645,884.00	Match				Footnote: GARVEE- MASTER KEY NUMBER K23739-\$89,844,884 (\$80,617,814.41 FEDERAL/\$9,227,069.59 STATE)				Most Recent Approved Amendment				Amendment No: 24-27-1993		Approval Date: 3/16/2025		Requested Action: Reduce the project by \$31,199,000, moving funds to project keys 23734, 23748, 23762, 23770, 23771, and 23772.			
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Amendment Action:	The formal amendment adds the new ADA curb and ramps construction phase upgrades project to the 2024-27 MTIP. Only the construction phase is being added through the amendment. Preliminary Engineering/design work was completed as part of Key 22978.																																																																																																					
Added Notes:	<div>Overview:</div> <div>The Oregon Department of Transportation (ODOT) and the Association of Oregon Centers for Independent Living (AOCIL), et al. entered into a 15-year settlement agreement on Nov. 2, 2016, to make state highways more accessible to people with disabilities.</div> <div><ul style="list-style-type: none"><li>• ODOT is bringing 25,000+ curb ramps into compliance with Americans with Disabilities Act standards. As of Dec. 31, 2022, ODOT has completed, inspected and approved 6,176 curb ramp remediations.</li></ul></div>																																																																																																					

- These improvements mean increased safety and more seamless access for people who walk, bike or roll. These benefits include: Upgrades to existing curb ramps and pedestrian signals.
- New ADA-compliant curb ramps and pedestrian signals where there are none.
- Over 8,000 ADA curb and ramp upgrades are planned for the ODOT Region 1 area.



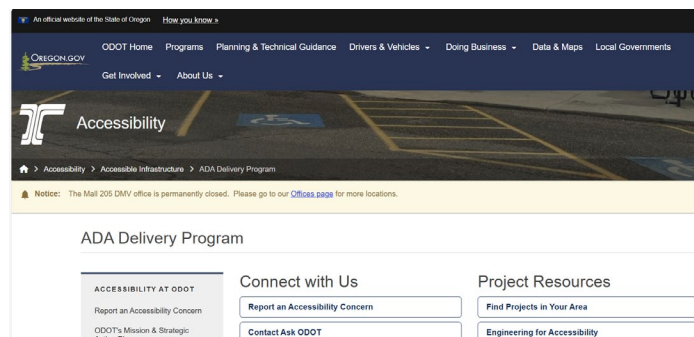
Constructing or remediating curb ramps requires many steps and people to achieve full ADA compliance. For example:

- Designing curb ramps to fit the location using national best practices and guidance from the U.S. Access Board.
- Removing barriers in existing curb ramps like the size of the lip from the street to the curb ramp entrance.
- Making the slope on the ramp less steep and creating more room to maneuver.
- Ensuring inspection values (percent of slope, width, truncated domes, etc.) are within the acceptable range for a compliant ramp.

ADA improvements will sometimes be integrated into larger, multifunctional transportation investment projects and sometimes will be stand-alone single function ADA curb ramp improvements.

Additional ODOT ADA curb and ramp upgrades can be found on ODOT's website at:

<https://www.oregon.gov/odot/ADA/Pages/ADA-Infrastructure-Program.aspx>.



Three attachments included with the staff report:

Attachment 1: Key 23763 Approved Site Locations

Attachment 2: ADA March 2025 OTC Staff Report Item

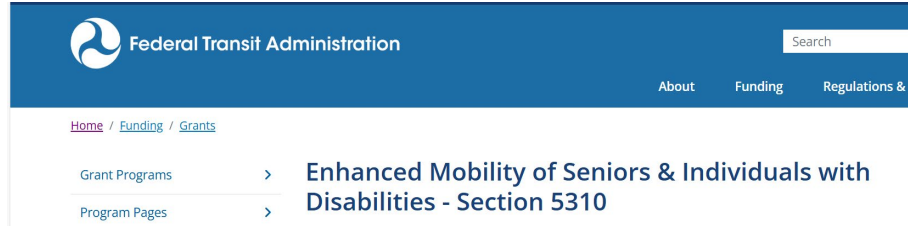
Attachment 3: ODOT ADA Safe Crossings in Oregon Flyer

Project Number: 2	<b>Key Number: 23763</b>	<b>Status: Existing Project</b>
Project Name:	<b>Oregon Transportation Network - TriMet FFY27</b>	
Lead Agency:	ODOT	
Description:	ODOT PTD authorized State STBG supporting 5310 program areas that will upgrade transit services to the special needs, seniors, and other transit-dependent populations. Funds will be allocated to TriMet and flex transferred to FTA with an expected 5310 conversion code.	
Funding Summary:	<p>The ODOT PTD is increasing the federal funding for the project by \$945,307. The increase results from other clean-up amendments to prior awarded projects. The federal funding increases from \$1,700,000 to \$2,645,307. The programming increase is considered a corrective action due to the change-over to using State STBG as the awarded funding which triggered multiple corrective actions to other awarded projects.</p> <p>The total programmed increase from \$1,894,572 to \$2,948,074. The added funds represent a 55.6% increase to the project which is above the 30% threshold for cost increased which triggers the need for the formal/full amendment.</p> <p>OTC approval was required for the funding increases. OTC approval occurred during their March 2025 meeting. See Attachment 4, March 2025 Quarterly STIP Amendment OTC Staff Report for added details.</p>	
Amendment Action:	The formal amendment adds \$945,307 of State STBG funds plus required match to the project based on the revised approved funding award.	
Added Notes:	<p>This specific award is committed to TriMet to support their FTA Section 5310 program area needs. This program (49 U.S.C. 5310) provides formula funding to states and designated recipients to meet the transportation needs of older adults and people with disabilities when the transportation service provided is unavailable, insufficient, or inappropriate to meeting these needs.</p> <p>These specific funds are considered a “discretionary” award to TriMet from ODOT. ODOT reserves a portion (about \$15 million) of their annual appropriated State STBG funds to support statewide transit needs.</p>	

As a direct recipient of federal transit funds, TriMet also receives a formula 5310 appropriation from FTA. This ODOT award to TriMet will be added to their formula 5310 apportionment to support various eligible program needs.

One attachment included with this Staff Report item:

Attachment 4: March 2025 Quarterly STIP Amendment OTC Staff Report.



### Overview of Eligible FTA Section 5310 Activities:

Traditional Section 5310 project examples include:

- Buses and vans
- Wheelchair lifts, ramps, and securement devices
- Transit-related information technology systems, including scheduling/routing/one-call systems
- Mobility management programs
- Acquisition of transportation services under a contract, lease, or other arrangement

Nontraditional Section 5310 project examples include:

- Travel training
- Volunteer driver programs
- Construction of an accessible path to a bus stop, including curb-cuts, sidewalks, accessible pedestrian signals or other accessible features
- Improvements to signage, or way-finding technology
- Incremental cost of providing same day service or door-to-door service
- Purchase of vehicles to support new accessible taxi, rides sharing and/or vanpooling programs
- Mobility management programs

Additional guidance concerning FTA's 5310 program can be found on their website at:

<https://www.transit.dot.gov/funding/grants/enhanced-mobility-seniors-individuals-disabilities-section-5310>.

Project Number: 3	Key Number: 23015	Status: Existing Project																																																												
Project Name:	Enhanced Mobility E&D (5310) - Tri County Area FY25																																																													
Lead Agency:	ODOT																																																													
Description:	Urbanized area public transit capital funding to improve transit services to the special needs, seniors, and other transit-dependent populations.																																																													
Funding Summary:	<div>The project was originally programmed with FTA Section 5310 funds. The federal programmed amount was \$4,968,103. Subsequent to adding Key 23015 to the MTIP/ STIP, the ODOT PTD determined the funding should be programmed as State STBG. During last December, ODOT PTD submitted a new transit award for TriMet using the new State STBG funding approach. The federal \$3,674,037 for TriMet was programmed in Key 23727. Key 23015 (this project) now appears to be a duplicate to Key 23727. The formal amendment is correcting this discrepancy.</div> <table><tr><td colspan="2">LEAD AGENCY</td><td colspan="5">ODOT</td></tr><tr><td colspan="2">PROJECT NAME</td><td colspan="5">Oregon Transportation Network - TriMet FFY25</td></tr><tr><td colspan="2">Project IDs</td><td colspan="4">Project Description</td><td>Project Type</td></tr><tr><td>ODOT KEY</td><td>23727</td><td colspan="4" rowspan="3">TriMet funding supporting the 5310 enhanced mobility of seniors and individuals with disabilities program for eligible 5310 capital projects (e.g. preventive maintenance purchase of service mobility management and eligible capital asset acquisition)</td><td rowspan="3">Transit</td></tr><tr><td>MTIP ID</td><td>71448</td></tr><tr><td>RTP ID</td><td>10928</td></tr><tr><td>Phase</td><td>Year</td><td>Fund Type</td><td>Federal Amount</td><td>Minimum Local Match</td><td>Other Amount</td><td>Total Amount</td></tr><tr><td>Other (explain)</td><td>2025</td><td>STBG - STATE</td><td>\$3,674,037</td><td>\$420,510</td><td>\$0</td><td>\$4,094,547</td></tr><tr><td colspan="3">FY 24-29 Totals</td><td>\$3,674,037</td><td>\$420,510</td><td>\$0</td><td>\$4,094,547</td></tr><tr><td colspan="3">Estimated Project Cost (YOE\$)</td><td>\$3,674,037</td><td>\$420,510</td><td>\$0</td><td>\$4,094,547</td></tr></table>		LEAD AGENCY		ODOT					PROJECT NAME		Oregon Transportation Network - TriMet FFY25					Project IDs		Project Description				Project Type	ODOT KEY	23727	TriMet funding supporting the 5310 enhanced mobility of seniors and individuals with disabilities program for eligible 5310 capital projects (e.g. preventive maintenance purchase of service mobility management and eligible capital asset acquisition)				Transit	MTIP ID	71448	RTP ID	10928	Phase	Year	Fund Type	Federal Amount	Minimum Local Match	Other Amount	Total Amount	Other (explain)	2025	STBG - STATE	\$3,674,037	\$420,510	\$0	\$4,094,547	FY 24-29 Totals			\$3,674,037	\$420,510	\$0	\$4,094,547	Estimated Project Cost (YOE\$)			\$3,674,037	\$420,510	\$0	\$4,094,547
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Amendment Action:	The formal amendment cancels Key 23015 as a duplicate project in the MTIP and STIP. OTC approval was required and did occur during their March 2025 meeting.																																																													
Added Notes:	See Attachment 4: March 2025 Quarterly STIP Amendment OTC Staff Report for a few added details.																																																													

## METRO REQUIRED PROJECT AMENDMENT REVIEWS

In accordance with 23 CFR 450.316-328, Metro is responsible for reviewing and ensuring MTIP amendments comply with all federal programming requirements. Each project and their requested changes are evaluated against multiple MTIP programming review factors that originate from 23 CFR 450.316-328. They primarily are designed to ensure the MTIP is fiscally constrained, consistent with the approved RTP, and provides transparency in their updates, changes, and/or implementation. The programming factors include ensuring that the project amendments:

## APPROVAL STEPS AND TIMING

Metro's approval process for formal amendment includes multiple steps. The required approvals for the April 2025 Formal MTIP amendment (AP25-09-APR) will include the following actions:

- Are eligible and required to be programmed in the MTIP.
- Properly demonstrate fiscal constraint.
- Pass the RTP consistency review which requires a confirmation that the project(s) are identified in the current approved constrained RTP either as a stand-alone project or in an approved project grouping bucket.
- Are consistent with RTP project costs when compared with programming amounts in the MTIP.
- If a capacity enhancing project, the project is identified in the approved Metro modeling network and included in transportation demand modeling for performance analysis.
- Supports RTP goals and strategies.
- Contains applicable project scope elements that can be applied to Metro's performance requirements.
- Verified to be part of the Metro's annual Unified Planning Work Program (UPWP) for planning projects that may not be specifically identified in the RTP.
- Verified that the project location is part of the Metro regional transportation network, and is considered regionally significant, or required to be programmed in the MTIP per USDOT direction.
- Verified that the project and lead agency are eligible to receive, obligate, and expend federal funds.
- Does not violate supplemental directive guidance from FHWA/FTA's approved Amendment Matrix.
- Reviewed and evaluated to determine if Performance Measurements will or will not apply.
- Successfully completes the required 30-day Public Notification/Opportunity to Comment period.
- Meets other MPO responsibility actions including project monitoring, fund obligations, and expenditure of allocated funds in a timely fashion.

### Proposed Processing and Approval Actions:

<u>Action</u>	<u>Target Date</u>
• TPAC agenda mail-out.....	March 28, 2025
• Initiate the required public notification/comment process.....	April 1, 2025
• TPAC approval recommendation to JPACT.....	April 4, 2025
• JPACT approval and recommendation to Council.....	April 17, 2025
• Completion of public notification/comment process.....	April 30, 2025
• <b>Metro Council approval.....</b>	<b>May 8, 2025</b>

### Notes:

\* The above dates are estimates. JPACT and Council meeting dates could change.

\*\* If any notable comments are received during the public comment period requiring follow-on discussions, they will be addressed by JPACT.

USDOT Approval Steps. The below timeline is an estimation only and assume no changes to the proposed JPACT or Council meeting dates occur:

<u>Action</u>	<u>Target Date</u>
• Final amendment package submission to ODOT & USDOT.....	May 14, 2025
• USDOT clarification and final amendment approval.....	Mid to late June 2025
Notes:	
○ This amendment includes transit scope elements with eventual oversight from FTA. As a result, FTA is required to provide an amendment approval with the final amendment approval from FHWA.	
○ Presently, FTA has issued a formal amendment approval “pause” due to the Executive Order. We are assuming that FTA will lift the amendment approval pause by May and allow the April 2025 Formal Amendment to proceed and receive final approval.	

## ANALYSIS/INFORMATION

1. **Known Opposition:** None known at this time.
2. **Legal Antecedents:**
  - a. Amends the 2024-27 Metropolitan Transportation Improvement Program adopted by Metro Council Resolution 23-5335 on July 20, 2023 (FOR THE PURPOSE OF ADOPTING THE 2024-2027 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM FOR THE PORTLAND METROPOLITAN AREA)
  - b. Oregon Governor approval of the 2024-27 MTIP on September 13, 2023.
  - c. 2024-2027 Statewide Transportation Improvement Program (STIP) Approval and 2024 Federal Planning Finding on September 25, 2023.
3. **Anticipated Effects:** Enables the new and amended projects to be added and updated into the MTIP and STIP. Follow-on fund obligation and expenditure actions can then occur to meet required federal delivery requirements.
4. **Metro Budget Impacts:** There are no fiscal impacts to the Metro budget. The approved funding for the project originates from ODOT.

## RECOMMENDED ACTION:

**JPACT approved Resolution 25-5481 allowing all required MTIP programming actions to be completed and now requests Metro Council provide the final approval.**

Four Attachments Included:

1. Key 23763 Approved Project Site List
2. ADA March 2025 OTC Staff Report
3. ODOT ADA Safe Crossings in Oregon Flyer
4. March 2025 Quarterly STIP Amendment OTC Staff Report