

Memo



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Date: July 5, 2024
To: JPACT and Interested Parties
From: Ken Lobeck, Funding Programs Lead
Subject: July #1 FFY 2024 MTIP Formal Amendment & Resolution 24-5426 Approval Request – JL24-10-JUL1

FORMAL MTIP AMENDMENT STAFF REPORT

Amendment Purpose Statement

FOR THE PURPOSE ADDING, CANCELING, OR AMENDING A TOTAL OF SEVEN PROJECTS TO MEET FEDERAL TRANSPORTATION PROJECT DELIVERY REQUIREMENTS

BACKGROUND

What This Is - Amendment Summary:

The July #1 2024 Formal Metropolitan Transportation Improvement Program (MTIP) Formal/Full Amendment is the first of two submitted July 2024 formal amendment bundles. This formal amendment is considered the “regular” monthly MTIP formal amendment. The July #1 Formal Amendment bundle has been separated from the Rose Quarter Improvement Project Formal Amendment bundle in amendment number JL24-11-JUL2 (or the July #2 Rose Quarter formal amendment).

The two July 2024 formal amendment bundles mark the end of MTIP formal amendment submissions for FFY 2024. MTIP and STIP management efforts will now turn to maximizing FFY 2024 phase obligations to ensure both ODOT and Metro meet our minimum obligation targets. The end of the federal year close-out process begins. ODOT and Metro will complete a full review of all projects to confirm they will obligate their phase funding before the end of FFY 2024 or need to be slipped to FFY 2025. Project phase slip actions will occur administratively under FHWA and FTA’s oversight. Regular MTIP and STIP formal/full amendments will return in October with the start of FFY 2025.

Adding to the end-of-year close-out review process is ODOT’s current STIP rebalancing effort to resolve a significant state funding shortfall. The review actions began last May to first identify projects that can be delayed and slipped to FFY 2025 or later. The next step involves a triage action to leverage and maximize the use of existing funds. This involves determining projects will be canceled from the current STIP and reprogram their funds to other projects to ensure they can move forward. The July #1 2024 Regular Formal MTIP Amendment bundle contains a few results of the rebalancing projects. The impacts and required amendments to the MTIP and STIP will continue for several months.

TPAC July 12, 2024 Meeting Summary Notes:

TPAC is scheduled to meet on July 12, 2024. Due to the short turn-around between TPAC and JPACT scheduled on July 18, 2024, this staff report is being submitted prior to TPAC's notification and request for approval recommendation. Staff will provide JPACT about the results from TPAC. JPACT will receive an update if any significant discussion items occurred, objections were raised, or changes to the MTIP formal amendment bundle are required. Otherwise, staff are assuming the formal amendment will receive TPAC's approval recommendation to approve Resolution 24-5426 without change.

July #1 2024 MTIP Formal Amendment Project Contents Summary:

- **Key 23410 - I-84: NE Martin Luther King Jr Blvd - I-205 (ODOT):**
As part of the STIP rebalancing actions to address an existing ODOT funding shortfall, Key 23410 is being canceled. The project currently contains only the Preliminary Engineering phase programmed and is intended to design for pavement resurfacing to repair ruts and surface wear.
- **New Project Key 23676 - Metro Transportation Options FFY25 - FFY27 (Metro):**
Metro receives a regular three-year federal funding allocation from ODOT supporting the Regional Travel Options (RTO) program. The funding supplements the existing RTO program funding approved in the Metro Unified Planning Work Program (UPWP). The RTO program creates safe, vibrant, and livable communities by providing grants and supporting efforts that increase walking, biking, ride sharing, telecommuting and public transit use. Metro and ODOT will now coordinate the priorities for the use of the allocated funds.
- **New Project Key 23671 - Portland Metro & Surrounding Areas Signing (ODOT):**
The formal amendment adds the new safety project to the MTIP which will provide various signing upgrades on Region 1 corridors for safety and maintenance improvements. Specific locations are to be determined. This is a regional project grouping bucket (PGB) being added to the MTIP. The \$366,837 committed to the project is being transferred from Key 22613. Key 22613 is non-MPO PGB. No action in the MTIP is required for key 22613.
- **New Project Key 23658 - Tualatin River Water Trail Access Enhancements (Tualatin Riverkeepers):**
The project was awarded Recreational Trail Program (RTP) funds from the Oregon Parks and Recreation Department and will provide various access improvements to the Tualatin Water Trail. Because the project upgrades are located on the Metro Bicycle and Pedestrian networks, the project becomes regionally significant for performance measures tracking which requires MTIP programming.

- **Project Key 22613 - Portland Metro and Surrounding Areas Safety Reserve (ODOT):**
The formal amendment combines the project funds into Key 23671 as noted above enabling Key 23671 to be added to the MTIP with full required funding.
- **Project Key 22431 - OR141/OR217 Curb Ramps (ODOT):**
The MTIP formal amendment corrects a programming discrepancy between the MTIP and STIP (corrects and updates the per phase obligations) and adds funding to the construction phase to address a funding shortfall.
- **Project Key 21178 - US26 (Powell Blvd): SE 99th Ave - East City Limits (ODOT):**
The formal amendment updates the funding levels in PE and ROW, plus adds new funds to support the construction phase.

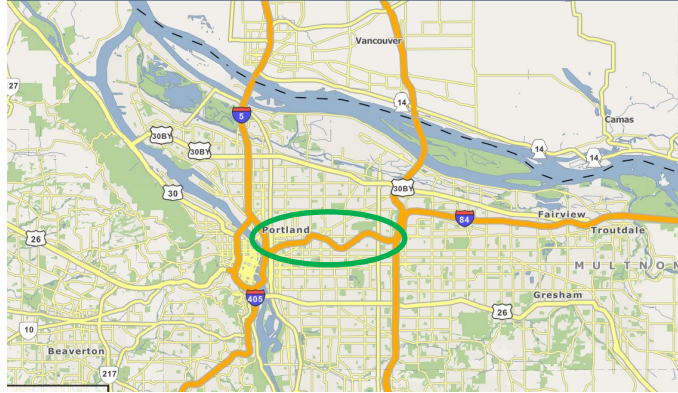
Added note: Per ODOT 's request, Key 21709, OR120: Columbia Slough Bridge (ODOT), has been pulled and removed from the July #1 MTIP Formal Amendment Bundle. The construction phase will not be added to the project at this time. This reduces the July #1 regular MTIP Formal Amendment Bundle under Resolution 24-5426 from eight to seven projects.

What is the requested action?

TPAC met on July 12, 2024, received their official notification, and provided their approval recommendation for JPACT to approve resolution 24-5426 enabling all required MTIP programming actions to be completed for the July #1 MTIP Formal Amendment.

A summary of the individual projects follows:

- **Key 23410 - I-84: NE Martin Luther King Jr Blvd - I-205 (ODOT):**
 - Lead Agency: ODOT.
 - Description: Design for pavement resurfacing to repair ruts and surface wear
 - Funding Summary: The project is currently programmed in FFY 2025 and funded with \$1,725,436 of federal National Highway Performance Program (NHPP) plus match for a total of \$1,871,000 in the Preliminary Engineering (PE) phase.
 - Action: The formal amendment cancels the PE phase and consequently the project from the MTIP and STIP. The action is part of the ODOT STIP rebalancing action. The funds will be re-allocated to other projects across the state.



- **New Project Key 23676 - Metro Transportation Options FFY25 - FFY27 (Metro):**
 - **Lead Agency:** Metro
 - **Description:** ODOT provides Metro with a three-year suballocation in support of the Regional Travel Options (RTO) program that supports the creation of safe, vibrant, and livable communities by providing grants and supporting efforts that increase walking, biking, ride sharing, telecommuting and public transit use. Since Metro's has an existing and well-defined program, ODOT provides the suballocation to Metro to complete RTO activities throughout the Metro Metropolitan Planning Area (MPA) boundary. ODOT and Metro coordinate together the specific activities for the RTO program to complete.
 - **Funding Summary:** The ODOT allocation provides Metro with \$1,312,637 of federal Surface Transportation Block Grant (STBG) and match of \$150,238 for a project total of \$1,462,875.

Three ODOT non-MPO project grouping buckets will commit funding to the Metro RTO allocation as shown below. Added note: The ODOT contribution originates from PGBs outside of the Metro region. ODOT will complete the required adjustments to Keys 21347, 23048, and 23397 in the STIP. No action in the MTIP is required as the three PGBs do not exist in the Metro MTIP.

Source of Funding for Key 23676	State STBG	State Match
\$461,190 from Key 23147	\$413,826	\$47,364
\$ 438,455 from Key 23048	\$393,425	\$45,030
\$563,230 from Key 23397	\$505,386	\$57,844
\$1,462,875 total	\$1,312,637	\$150,238

- **Action:** The formal amendment adds the new travel options allocation in Key 23676 to the MTIP in FFY 2025. The funding supplements existing approved Metro RTO funding from the Unified Planning Work Program (UPWP) in Key

23215. The new funding also will proceed through the FHWA Financial Management Information System (FMIS) to be obligated and expended.

- **New Project Key 23671 Portland Metro & Surrounding Areas Signing (ODOT):**

- Lead Agency: ODOT.
- Description: Implement various signing upgrades in Region 1 corridors for safety and maintenance improvements. Locations to be determined as needed based on investigations. This will allow for quicker response to safety concerns.
Added Note: This is a region-wide project grouping Bucket (PGB) being added to the MTIP. Specific project locations have not yet been identified.
- Funding Summary: The project is being programmed with \$366,837 if state HB2017 funds. The funds are being transferred from Key 22613 (Also part of this amendment bundle. See next project)
- Action: The formal amendment adds the region-wide PGB to the MTIP.

- **Key 22613 - Portland Metro and Surrounding Areas Safety Reserve (ODOT):**

- Lead Agency: ODOT
- Description: A region-wide project grouping bucket (PGB) that makes funds available for projects to respond to urgent safety concerns throughout the ODOT Region 1 area located in Clackamas, Hood River, Multnomah, and Washington counties.
- Funding Summary: The project currently has \$366,837 of ODOT committed funds that will be transferred to Key 23671 as noted above.
- Action: The formal amendment transfers the funds to Key 23671 which essentially cancels project Key 22613.

2024-2027 Active STIP				CLACKAMAS		2024-2027 Active STIP	
Name: Portland Metro and surrounding areas safety reserve				Key: 22613			
Description: Funds available for projects to respond to urgent safety concerns throughout the ODOT Region 1 area located in Clackamas, Hood River, Multnomah and Washington counties.							
MPO: Non-MPO				Work Type: SAFETY			
Applicant: ODOT				Status: BUCKET OF FUNDS			
Location(s)-							
Mileposts	Length	Route	Highway	ACT	County(s)		
				REGION 1 ACT	CLACKAMAS		
				REGION 1 ACT	HOOD RIVER		
				REGION 1 ACT	MULTNOMAH		
				REGION 1 ACT	WASHINGTON		
Current Project Estimate							
	Planning	Prelim. Engineering	Right of Way	Utility Relocation	Construction	Other	Project Total
Year					2024		
Total					\$366,837.85		\$366,837.85
Fund 1					ACPD \$330,154.06		
Match					\$36,683.79		
Footnote:							
Most Recent Approved Amendment							
Amendment No: 24-0392				Approval Date: 10/31/2023			

- **New Project Key 23658 - Tualatin River Water Trail Access Enhancements (Tualatin Riverkeepers):**
 - Lead Agency: Tualatin Riverkeepers
 - Description: Access improvements to the Tualatin Water Trail including updated map and river information, signage, personal flotation device (PFD) kiosks, and a boat storage shelter.
 - Funding Summary: The project was awarded a small Recreational Trails Program (RTP) grant of \$33,660. Along with the required local match, the total project cost estimate is \$61,660.
 - Action: The formal amendment adds the new project to the MTIP.
 - Added Note: RTP funded projects often are awarded to recreational type trail improvements. As such, there usually are not considered regionally significant or are located on the Metro Pedestrian and Bicycle networks. The location of this project is on the Metro Pedestrian and Bicycle networks. The project is now required to be included in the MTIP in support of Metro's performance measures.



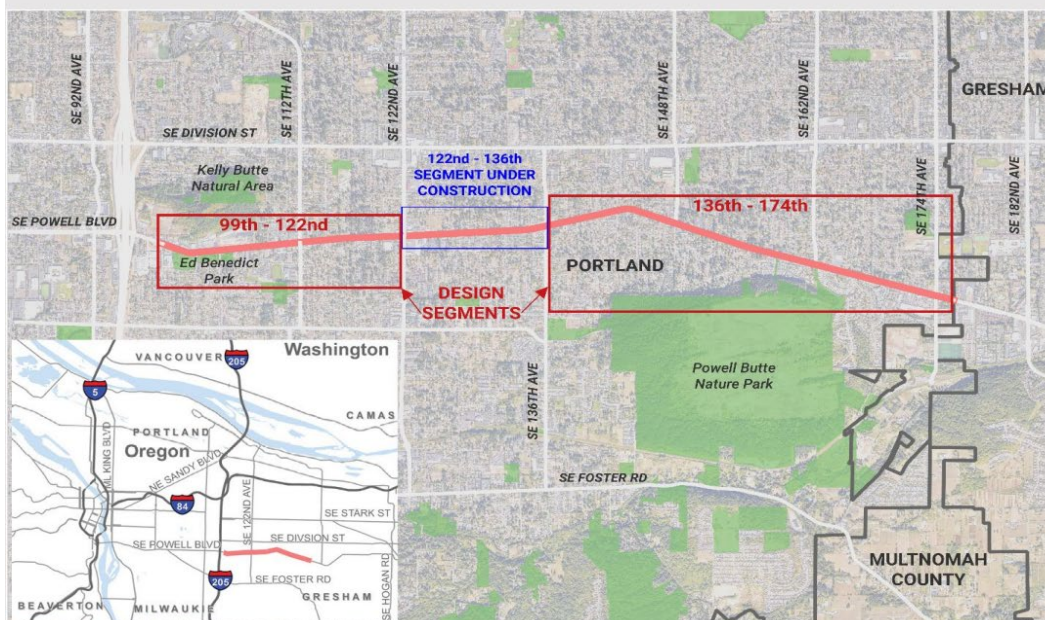
2023 Recreational Trails Program (RTP) Grants				
Project Name	Project Sponsor	Project Description	Total Project Cost	Grant Request Amount
Tualatin River Water Trail Access Enhancements	Tualatin Riverkeepers	Access improvements to the Tualatin Water Trail including updated map and river information, signage, personal flotation device (PFD) kiosks, and a boat storage shelter.	\$61,660	\$33,660

- **Key 21178 - US26 (Powell Blvd): SE 99th Ave - East City Limits (ODOT):**
 - Lead Agency: ODOT.
 - Description: On US26 (Powell Blvd) in SE Portland, widen from three to four lanes (inclusive of a center turn lane) with sidewalks and buffered bike lanes or other enhanced bike facility. Add enhanced pedestrian and bike crossings.
 - Funding Summary: The project contains multiple federal and state funds for an existing project total of \$119,378,530. The construction phase currently is programmed with a total of \$73,246,248. The latest cost estimate for the construction totals \$113,088,072. The construction phase requires added funding totaling \$39,841,824. Along with addressing the construction phase funding shortfall, funding updates are required to the PE, ROW, and Other phase to the project. The updates result in a revised total project cost of \$158,786,600. The cost increase represents a 33% increase to the project which is above the 20% threshold for administrative cost changes to projects.
 - Action: The formal amendment updates the PE, ROW construction, and other phase with the required additional funds. This will enable the construction to move forward to obligate and be implemented in FFY 2025.
 - Added Note: See Attachment 1, draft OTC Staff Report, for additional details.

26 (Powell Blvd): SE 99th Ave – East City Limits

MP 5.81 – MP 9.96

Phase 2: SE 99th to SE 122nd and SE 136th to SE 174th



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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 July #1 FFY 2024 Formal MTIP amendment (JL24-10-JUL1) 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 consistency: Meets one or more goals or strategies identified in the current RTP.
- 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 complete 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.

<u>Action</u>	<u>Target Date</u>
• Initiate the required public notification/comment process.....	July 2, 2024
• TPAC agenda mail-out.....	July 5, 2024
• TPAC approval recommendation to JPACT.....	July 12, 2024
• JPACT approval and recommendation to Council.....	July 18, 2024
• Completion of public notification/comment process.....	July 30, 2024
• Metro Council approval.....	August 1, 2024

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):

<u>Action</u>	<u>Target Date</u>
• Final amendment package submission to ODOT & USDOT.....	August 6 ,2024
• USDOT clarification and final amendment approval.....	Late August 2024

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 2021-24 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 projects to be added 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 is one direct impact to the Metro budget. The Travel Options allocation from ODOT in Key 23676 - Metro Transportation Options FFY25 - FFY27 provides supplemental funding to the Metro RTO program. This appears to require a minor budget adjustment to the SFY 2025 UPWP. Other than Key 23676, the remaining projects and their funding adjustments do not have an impact to the Metro budget. The identified funding for these projects does not originate from Metro.

RECOMMENDED ACTION:

TPAC met on July 12, 2024, received their official notification, and provided their approval recommendation for JPACT to approve resolution 24-5426 enabling all required MTIP programming actions to be completed for the July #1 MTIP Formal Amendment.

One attachment: Key 21178 – US26 Powell Cost Increase Draft OTC Staff Report