

# Memo



**Metro**

600 NE Grand Ave.  
Portland, OR 97232-2736

Date: December 16, 2021  
To: Metro Council and Interested Parties  
From: Ken Lobeck, Funding Programs Lead  
Subject: November 2021 (FFY 2022) MTIP Formal Amendment & Resolution 21-5230 Approval Request

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## FORMAL AMENDMENT STAFF REPORT

FOR THE PURPOSE OF AMENDING THE 2021-26 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM (MTIP) TO AMEND FOUR PROJECTS IMPACTING ODOT ALLOWING FEDERAL APPROVALS AND PHASE OBLIGATIONS TO BE APPROVED (DC22-05-DEC)

## BACKGROUND

### What This Is:

The December 2021 Formal Metropolitan Transportation Improvement Program (MTIP) Formal/Full Amendment regular bundle which is contained in Resolution 21-5230 and being processed under MTIP Amendment DC22-05-DEC. The bundle contains a total of four project amendments.

### What is the requested action?

**JPACT approved Resolution 21-5230 on December 16, 2021 and now recommends Metro Council approve Resolution 21-5230 consisting of four projects which impact ODOT allowing the required adjustments to and enable their next federal approval step and/or phase obligation to occur.**

Proposed December 2021 (FFY 2022) Formal Amendment Bundle					
Amendment Type: <b>Formal/Full</b>					
Amendment #: <b>DC22-05-DEC</b>					
Total Number of Projects: 4					
ODOT Key #	MTIP ID #	Lead Agency	Project Name	Project Description	Description of Changes
Project #1 Key 20363	71250	ODOT	I-84: Corbett Interchange - Multnomah Falls	Rehabilitation and replacement of culverts to repair damage and prevent road deterioration.	<b><u>SPLIT FUNDS:</u></b> Split \$1.8 million for the project and commit to I-84 Culverts Repairs Phase 2 project in Key 22504 (also included in this bundle)

ODOT Key #	MTIP ID #	Lead Agency	Project Name	Project Description	Description of Changes
Project #2 Key 22504 New Project	New TBD	ODOT	I-84: Corbett Interchange - Multnomah Falls Phase 2	Rehabilitation and replacement of culverts to repair damage and prevent road deterioration.	<b>ADD NEW PROJECT:</b> The formal MTIP Amendments adds the I-84 culvert repairs phase 2 project to the 2021-26 MTIP
Project #3 Key 20410	70967	ODOT	I-84: I-205 - Marine Drive	On I-84 remove/replace asphalt surface to repair rutted pavement & seal the driving surface of four bridges (#07088A, #07044A, #07043A, & #13514F) (HB2017 Project)	<b>LIMITS CHANGE:</b> Extend beginning limits from 6.80 to be 5.54 which equals an increase of 1.26 miles for the project. No scope or cost change results.
Project #4 Key 21608	71162	ODOT	OR8 at 174th Ave, Armco Ave, Main St and A&B Row OR8 at Armco Ave, Main St and A&B Row	Full signal rebuild and sidewalk installations at the Main St intersection. Install flashing lights at the other intersections to increase safety at these locations.	<b>SCOPE CHANGE:</b> The amendment completes scope and funding adjustments to the project. The adjustments results from ODOT's funding review which indicated that there was not enough funds to cover all proposed scope deliverables. ODOT re-evaluated the project and updated the scope, schedule, and budget to move this project forward

**AMENDMENT BUNDLE SUMMARY:**JPACT 12/16/2021 Meeting Summary:

Prior to the meeting, ODOT submitted a clarifying comment concerning MTIP project Key 21608, OR8 at Armco Ave, Main St and A&B Row. The project will:

- Provide full signal rebuild and sidewalk installations at the Main St intersection.
- Install flashing lights at the other intersections to increase safety at these locations.

A review of the submitted changes for the project revealed a small discrepancy concerning the right-of way (ROW) phase. The schedule review indicates the ROW phase needs to be shown in federal fiscal year (FFY) 2023. As submitted, the ROW phase was programmed in FFY 2022. Per ODOT's comment, the ROW phase has been changed to be programmed in FFY 2023 which is now consistent with their delivery schedule. Other than ODOT's comment, no additional comments concerning any of the four projects within the December 2021 Formal MTIP Amendment bundle were received as of December 16, 2021. The public comment period is open until January 4, 2022. Staff will advise Council members if any significant comments are received from mid-December through January 4, 2022 that require further discussion.

The December Formal MTIP Amendment bundle is contained under Resolution 21-5230. The item proceeded through JPACT as a consent item. JPACT passed the consent calendar on December 16, 2021 with discussion.

TPAC 12/3/2021 Meeting Summary:

TPAC met on December 3, 2021 and received their MTIP Amendment notification and overview for the December 2021 Formal MTIP Amendment bundle under draft Resolution 21-5230. Metro staff provided an overview of the four projects in the bundle. A couple of questions were raised to ODOT about project changes and the lack of notification to the local agencies. The concern was not directed at the MTIP amendment process, but project delivery and timely local agency notification when ODOT changes scope to their projects. After comments on this topic were completed, TPAC moved and recommended JPACT approval of the December 2021 Formal MTIP Amendment under Resolution 21-5230.

The December 2021 (FFY 2022) Formal MTIP Amendment bundle initiates project programming adjustments needed for federal fiscal Year (FFY) 2022. The amendment bundle contains 4 projects.

Below is a summary list of key acronyms used in the report:

- AC-STBG = “AC” = Federal Advance Construction programmatic fund type code used as placeholder. The “STBGS” tag represents the expected federal fund type code of State allocated Surface Transportation Block Grant funds that will become the final federal fund for the project.
- ADVCON = Generic Advance Construction fund type code where the future federal fund code is not yet known.
- AC-NHPP = Federal Advance Construction fund type code used with the expectation that the final federal fund code will be National Highway Performance Program funds.
- ADA = Americans with Disabilities Act
- Cons = Construction phase
- FFY = Federal Fiscal Year (e.g. October 1 through September 30)
- FHWA = Federal Highways Administration
- FMIS = FHWA’s Financial Management Information System
- HSIP = Federal Highway Safety Improvement Program funds
- ITS = Intelligent Transportation System
- LAL = ODOT Local Agency Liaison staff member
- LPA = Locally Preferred Alternative
- MP = Mile Post limit markers on the State Highway system
- NHPP = Federal National Highway Performance Program funds appropriated to ODOT
- ODOT = Oregon Department of Transportation
- OTC = Oregon Transportation Commission
- PE = Preliminary Engineering
- ROW/RW = Right of Way phase

**DECEMBER 2021 MTIP FORMAL AMENDMENT PREVIEW**

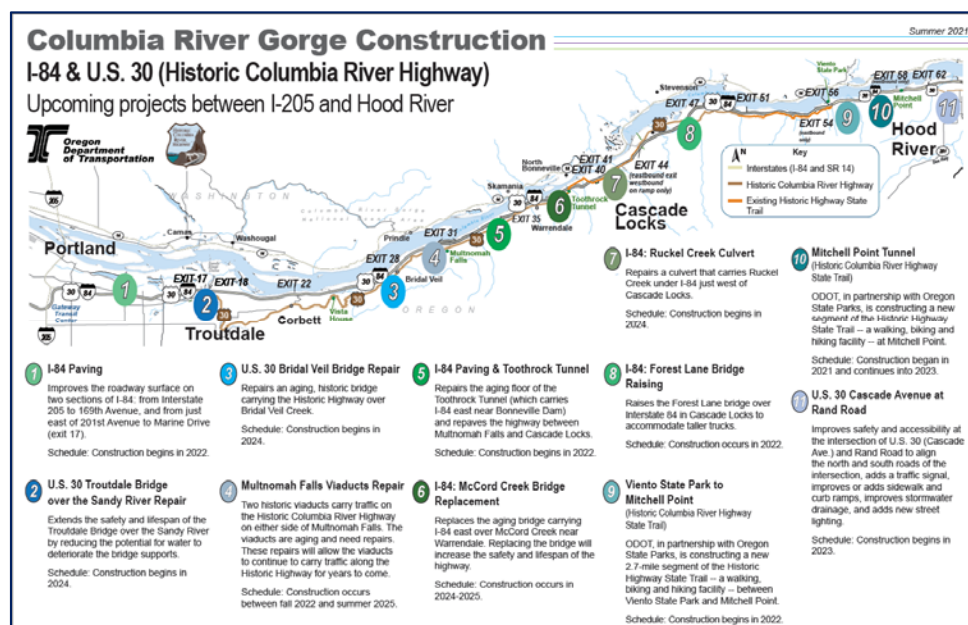
The December 2021 formal amendment bundle contains two culvert repair projects on I-84. The split funding to Key 20363 and adding Key 22504 represents adding phase 2 to the I-84 Corbett Interchange - Multnomah Falls culvert repairs project.

This section of highway is designated as an ODOT Priority Route and culverts along this section of highway and culverts need to be repaired or replaced to extend the lifespan of the culvert, and maintain safety and operations of the highway. The culverts will likely be lined using a cured-in place method to minimize construction impact. This technique avoids excavation of the road.

The culvert repair projects offer several operations and maintenance benefits to I-84 and the regional highway network. First, the repairs maintain and extend the life of infrastructure. This

work will extend the life of the transportation system by repairing and conducting maintenance activities on culverts that run under the existing roads. Second, the projects offer safety improvements to the transportation system. Properly operating culverts manage water flow, minimizing flooding and erosion near roads. This improves safety for the traveling public.

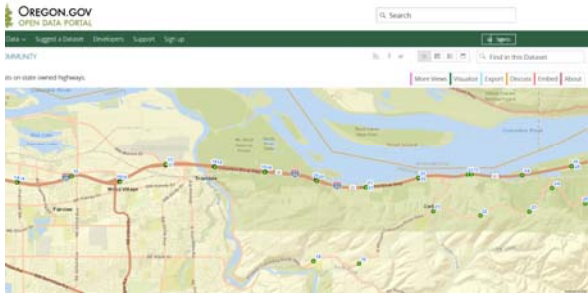
As the repair design and scope for the culverts are refined, costs are updated and limits adjusted to reflect optimal delivery based on the available funding. The delivery options now support added funding from Key 22504 which is being shifted from Key 20363, 20362, and savings from HB2017 Culvert Program. Note: Key 20362 is located on US 26, but outside of the MPA boundary and no action to this project needs to be completed to the MTIP. Key 20363 is splitting \$1.86 million from the project with \$998k coming from Key 20362 and the remaining amount from HB2017 Culvert Program savings. Overall, the I-84 culverts repairs are one part of ongoing preservation and maintenance to I-84 out to Hood River as shown below:



Key 20410 is ODOT's I-84 pavement repair and rehabilitation project from I-205 to Marine Dr. The project adds pavement grind and inlay at west end of project. Eastbound paving at the west end will extend to MP 6.53 and WB paving will extend to MP 5.54. There is no scope or cost change as a result of the limits expansion.

The four project is ODOT's Key 21608. The amendment completes scope and funding adjustments to the project. As a result, the total project cost increases by 21% from \$5,184,284 to \$6,283,817. The adjustments result from ODOT's funding review which indicated that there was not enough funds to cover all proposed scope deliverables. ODOT re-evaluated the project and updated the scope, schedule and budget to move this project forward. The project name is also updated as a result of the scope change.

A detailed overview of each project amendment in the bundle is provided on the next pages.

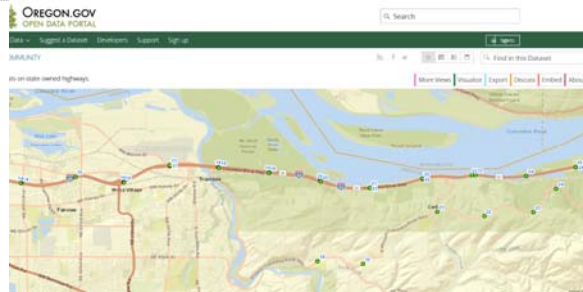
Project 1 I-84: Corbett Interchange - Multnomah Falls	
Lead Agency:	ODOT
ODOT Key Number:	20363 MTIP ID Number: 71250
Projects Description:	<p>Project Snapshot:</p> <ul style="list-style-type: none"> <li>• <b><u>Quick Amendment Summary:</u></b> The amendment splits \$1.86 million from the project and commits the funding to new Key 22504 also being added as part of this amendment bundle.</li> <li>• <u>Metro UPWP Project:</u> No</li> <li>• <u>Proposed improvements:</u> Key 20363 was first of two culverts repair projects now being added to the MTIP that cross into the Metropolitan Planning Area Boundary. The second project is new Key 22504 (next project in this bundle)</li> <li>• <u>Source:</u> Existing project.</li> <li>• <u>Amendment Action:</u> Splits \$1.86 million from the project and commits the funds to key 22504 for increased delivery efficiencies. Note: Key 20363 was added to the MTIP last July when the project limits were extended and now crossed into the Metro MPA boundary. An updated cost assessment revealed that the funds could be transferred to Key 22504 without a negative impact to Key 20363.</li> <li>• <u>Additional Amendment Evaluation Required:</u> No. The project does not add motor vehicle through lane capacity and is considered exempt for air quality and transportation modeling analysis. Additionally, the project cost does not exceed \$100 million.</li> <li>• <u>Funding:</u> The funding for the project consists of federal National Highway Performance Program (NHPP) funds.</li> <li>• <u>FTA Conversion Code:</u> Not applicable. No transit funds are involved.</li> <li>• <u>Location, Limits and Mile Posts:</u> <ul style="list-style-type: none"> <li>○ Location: On I-84 in northeast Portland</li> <li>○ Cross Street Limits: N/A</li> <li>○ Overall Mile Post Limits: MP 32.00 to MP 20.00</li> </ul> </li> </ul> 

	<ul style="list-style-type: none"> <li>• <u>Current Status Code:</u> 4 = (PS&amp;E) Planning Specifications, &amp; Estimates (final design 30%, 60%, 90% design activities initiated).</li> <li>• <u>Air Conformity/Capacity Status:</u> Key 20363 is a non-capacity enhancing project. It is exempt from air quality conformity analysis per 40 CFR 93.126, Table 2 – Safety, Projects that correct, improve, or eliminate a hazardous location or feature.</li> <li>• <u>Regional Significance Status:</u> The project is regionally significant as it contains federal funds and is located on a defined Throughway in the Metro Motor Vehicle Modeling Network</li> <li>• <u>Amendment ID and Approval Estimates:</u> <ul style="list-style-type: none"> <li>○ STIP Amendment Number: 21-24-1404</li> <li>○ MTIP Amendment Number: DC22-05-DEC</li> <li>○ OTC approval required: No.</li> <li>○ Metro approval date: Tentatively scheduled for January 6, 2022.</li> </ul> </li> </ul>
What is changing?	<p><b><u>AMENDMENT ACTION: SPLIT FUNDS</u></b></p> <p>Key 20363 is one two culvert repair projects on I-84 from east of Troutdale out to Hood River. Key 22504 is the other project. Key 20362 is located on US26 and splitting funds and committing them to new Key 22504. Key 20362 is located outside of the Metro MPA boundary, no action in the MTIP is required.</p> <p>ODOT's review of the projects indicates the funding split from Key 20363 and 20362 can occur without negative impacts to either project. Key 22504 receives the funding for increased delivery efficiencies.</p>
Additional Details:	<p>Summary of Actions to create Key 22504</p> <pre> graph LR     K20363["<b>Key 20363</b> <b>I-84: Corbett Interchange - Multnomah Falls</b> Splits \$1.86 million and commits to new Key 22504 Inside MPA = MTIP Action Required for 20363"]     K20362["<b>Key 20362</b> <b>US26: SE Kelso Rd - Frog Lake Sno Park</b> Splits \$998,392 and commits to new Key 22504 Outside of MPA = No action to MTIP for Key 20362"]     K22504["<b>Key 22504</b> <b>I-84: Corbett Interchange - Multnomah Falls Phase 2</b> Adds funds from both projects for culvert repairs"]     HB2017["<b>Added HB2017 Culvert Program Savings</b>"]      K20363 --&gt; K22504     K20362 --&gt; K22504     HB2017 --&gt; K22504   </pre>
Why a Formal amendment is required?	<p>The project fund shift is tied to the action of adding a new project to the MTIP. Adding a new project to the MTIP requires a formal amendment</p>

Total Programmed Amount:	Key 20363 decreases in the programmed amount from \$3,659,320 to \$1,798,194 as a result of the split fund action.
Added Notes:	See added references to project Key 22504

<b>Project 2</b>	<b>I-84: Corbett Interchange - Multnomah Falls Phase 2 (New Project)</b>		
Lead Agency:	ODOT		
ODOT Key Number:	22504	MTIP ID Number:	New TBD
Projects Description:	<p>Project Snapshot:</p> <ul style="list-style-type: none"> <li>• <b>Quick Amendment Summary:</b> The amendment adds the I-84 culverts repairs – phase 2 project which follows on the efforts that will be completed in Key 20363.</li> <li>• <u>Metro UPWP Project:</u> No</li> <li>• <u>Proposed improvements:</u> Key 22504 is the second of two culvert repair projects along I-84 that now cross into the Metro Planning Area Boundary which now requires MTIP programming. Key 22504 will also complete needed culvert repairs along the same project limits as for Key 20363. The main difference is the construction timing for phase 2 will not begin until FFY 2024 while construction for Key 20363 is scheduled to obligate before the end of FFY 2022.</li> <li>• <u>Source:</u> New project.</li> <li>• <u>Amendment Action:</u> Adds the new phase 2 project as a follow-on project to Key 20363 to the 2021-26 MTIP.</li> <li>• <u>Additional Amendment Evaluation Required:</u> No. The project does not add motor vehicle through lane capacity and is considered exempt for air quality and transportation modeling analysis. Additionally, the project cost does not exceed \$100 million.</li> <li>• <u>Funding:</u> The funding for the project originates from three sources: \$1.86 million is split off from Key 20363. \$998k is split off from Key 20362. Remaining funding is sourced from the HB2017 Culverts Repair program reserves. Federal Advance Construction is being used to program the phase costs until the specific federal fund type code is known.</li> <li>• <u>FTA Conversion Code:</u> Not applicable. No transit funds are involved.</li> <li>• <u>Location, Limits and Mile Posts:</u> <ul style="list-style-type: none"> <li>○ Location: On I-84 in northeast Portland</li> <li>○ Cross Street Limits: N/A</li> <li>○ Overall Mile Post Limits: MP 32.00 to MP 20.00</li> </ul> </li> </ul>		





- **Current Status Code:** 4 = (PS&E) Planning Specifications, & Estimates (final design 30%, 60%, 90% design activities initiated).
- **Air Conformity/Capacity Status:**  
Key 22504 is a non-capacity enhancing project. It is exempt from air quality conformity analysis per 40 CFR 93.126, Table 2 – Safety, Projects that correct, improve, or eliminate a hazardous location or feature.
- **Regional Significance Status:** The project is regionally significant as it contains federal funds and is located on a defined Throughway in the Metro Motor Vehicle Modeling Network
- **Amendment ID and Approval Estimates:**
  - STIP Amendment Number: 21-24-1404
  - MTIP Amendment Number: DC22-05-DEC
  - OTC approval required: No.
  - Metro approval date: Tentatively scheduled for January 6, 2022.

### **AMENDMENT ACTION: ADD NEW PROJECT**

Key 22504 is one two culvert repair projects on I-84 from east of Troutdale out to Hood River. Key 20363 is the other project. Key 22504 contains the same basic project limits and is considered a follow-on project to Key 20363. While the construction phase obligation is planned to occur before the end of FFY 2022 (September 30, 2022), the construction phase for Key 22054 is not scheduled until FFY 2024. Key 20362 is the third project impacting Key 22504 and outside the MPA boundary. ODOT's review determined \$998k could be split off Key 20362 and committed to Key 22504. No MTIP action is required

What is changing?

2021-2024 Active STIP			CLACKAMAS		2021-2024 Active STIP		
Name: US26: SE Kelso Rd - Frog Lake Sno Park				Key: 20362			
Description: Rehabilitation and replacement of culverts to repair damage and prevent road deterioration.				Region: 1			
MPO: Non-MPO		Work Type: CULVERT					
Applicant: ODOT		Status: PROJECT SCHEDULED FOR CONSTRUCTION					
Location(s)							
Mileposts	Length	Route	Highway	ACT	County(s)		
21.10 to 57.80	36.80	US-26	MT HOOD	REGION 1 ACT	CLACKAMAS		
57.80 to 62.15	4.55	US-26	WARM SPRINGS	REGION 1 ACT	CLACKAMAS		
57.70 to 57.80	0.10	US-26	MT HOOD	REGION 1 ACT	CLACKAMAS		
Current Project Estimate							
	Planning	Prelim. Engineering	Right of Way	Utility Relocation	Construction	Other	Project Total
Year	2019			2022			
Total		\$1,000,000.00			\$1,946,018.00		\$2,946,018.00
Fund 1	ACFO	\$628,112.69			ACFO	\$1,746,159.26	
Match		\$71,890.31				\$199,858.74	
Fund 2		2001	\$209,190.00				
Match			\$30,810.00				
Footnote: \$300,000 Culvert and \$2,646,018 HB2017 funds							
Most Recent Approved Amendment							
Amendment No: 21-24-0875							
Approval Date: 6/9/2021							
Requested Action: Reduce the Construction phase estimate by \$200,000 and move to the Preliminary Engineering phase. Stop Construction to Federal fiscal year 2022 for delivery.							



Additional Details:	<p style="text-align: center;">Summary of Actions to create Key 22504</p> <pre> graph LR     K20363["<b>Key 20363</b> <b>I-84: Corbett Interchange - Multnomah Falls</b> Splits \$1.86 million and commits to new Key 22504 Inside MPA = MTIP Action Required for 20363"]     K20362["<b>Key 20362</b> <b>US26: SE Kelso Rd - Frog Lake Sno Park</b> Splits \$998,392 and commits to new Key 22504 Outside of MPA = No action to MTIP for Key 20362"]     S["<b>Added HB2017 Culvert Program Savings</b>"]     K22504["<b>Key 22504</b> <b>I-84: Corbett Interchange- Multnomah Falls Phase 2</b> Adds funds from both projects for culvert repairs"]      K20363 --&gt; K22504     K20362 --&gt; K22504     S --&gt; K22504           </pre>
Why a Formal amendment is required?	Adding a new project to the MTIP requires a formal amendment. The contributions from Key 20363 requires it to be part of the formal amendment
Total Programmed Amount:	Total programming for Key 22504 is \$3,546,648
Added Notes:	ODOT provided cost updates for both 20363 and 20362 as part of the support material providing clear justification that the funding adjustments could occur without negatively impacting either project.

Project 3	I-84: I-205 - Marine Drive		
Lead Agency:	ODOT		
ODOT Key Number:	20410	MTIP ID Number:	70967
Projects Description:	<p>Project Snapshot:</p> <ul style="list-style-type: none"> <li>• <b>Quick Amendment Summary:</b> The amendment extends the western limits for the project to include an additional area of I-84 that requires paving. There is no scope or cost change as a result. The limits change exceed the maximum allowable for administrative actions which triggers the need for the formal amendment</li> <li>• <u>Metro UPWP Project:</u> No</li> <li>• <u>Proposed improvements:</u> Key 20410 will remove/replace asphalt surface to repair rutted pavement &amp; seal the driving surface of four bridges (#07088A, #07044A, #07043A, &amp; #13514F) on I-84. (HB2017 Project)</li> <li>• <u>Source:</u> Existing project.</li> <li>• <u>Amendment Action:</u> Adjusts extends the western limits for the project from MP 6.80 to be MP 5.54 out to 16.67. No scope change or cost adjustments are required as a result of the limits extension.</li> </ul>		

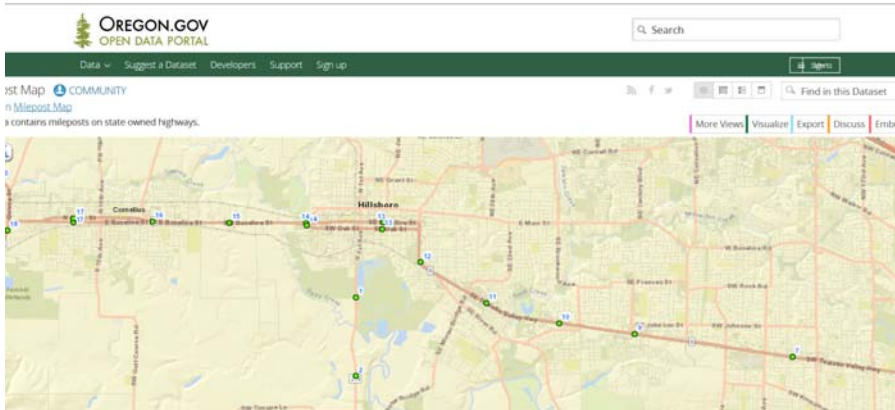
- Additional Amendment Evaluation Required: No.  
The project does not add motor vehicle through lane capacity and is considered exempt for air quality and transportation modeling analysis. Additionally, the project cost does not exceed \$100 million.
- Funding:  
The funding for the project contains a combination of federal funds and include Interstate Maintenance, National Highway Performance Program funds, ODOT committed Surface Transportation Block (State STBG), and general state funds covering the required match.
- FTA Conversion Code: Not applicable. No transit funds are involved.
- Location, Limits and Mile Posts:
  - Location: On I-84 in northeast Portland
  - Cross Street Limits: N/A
  - Overall Mile Post Limits: MP 5.4 to MP16.67



- Current Status Code: 4 = (PS&E) Planning Specifications, & Estimates (final design 30%, 60%, 90% design activities initiated).
- Air Conformity/Capacity Status:  
Key 20410 is a non-capacity enhancing project. It is exempt from air quality conformity analysis per 40 CFR 93.126, Table 2 – Pavement resurfacing and/or rehabilitation
- Regional Significance Status: The project is regionally significant as it contains federal funds and is located on a defined Throughway in the Metro Motor Vehicle Modeling Network
- Amendment ID and Approval Estimates:
  - STIP Amendment Number: 21-24-1404
  - MTIP Amendment Number: DC22-05-DEC
  - OTC approval required: No.
  - Metro approval date: Tentatively scheduled for January 6, 2022

What is changing?	<p><b><u>AMENDMENT ACTION: LIMITS CHANGE</u></b></p> <p>Key 20410n is a pavement rehabilitation project on I-84. The pavement in this area was last paved in 2010 and was in relatively good condition in 2015 when the original project scoping was initially done. Even in 2020, there was only minor cracking and no potholes. This pavement is within the limits of the 2024-2027 IM scoping project MLK to I-205 but can't wait until then. Therefore, the project limits are being extended now to include the added area allowing added pavement grind and inlay at west end of project. EB paving will extend to MP 6.53 and WB paving will extend to MP 5.54. Updated MPs: 5.54 - 16.67 (previous MPs in STIP: 6.8 - 16.67).</p> <p>There is no major change in scope or cost changes as a result of the limits change.</p>
Additional Details:	N/A
Why a Formal amendment is required?	The limits extension is over a mile and goes beyond the changes allowed for administrative modifications. As a result, a formal amendment is required.
Total Programmed Amount:	Total programming for Key 20410 remains unchanged at \$13,197,690.
Added Notes:	N/A

<b>Project 4</b>	<del>OR8 at 174th Ave, Armco Ave, Main St and A&amp;B Row</del> <b>OR8 at Armco Ave, Main St and A&amp;B Row</b>		
Lead Agency:	ODOT		
ODOT Key Number:	21608	MTIP ID Number:	71162
Projects Description:	<p>Project Snapshot:</p> <ul style="list-style-type: none"> <li>• <b><u>Quick Amendment Summary:</u></b> The formal amendment completes required scope and funding updates to the following areas: <ul style="list-style-type: none"> <li>○ Remove pedestrian crossing scope for OR8 at 174th, and Armco Rd.</li> <li>○ Do not design pedestrian crossing at OR8 and 214th.</li> <li>○ Add Illumination at OR8 and Armco Rd.</li> <li>○ Change project name to reflect changed scope. New name: OR8 at Armco Ave, Main St and A&amp;B Row</li> <li>○ Update locations.</li> <li>○ Slip CN to FFY24.</li> <li>○ Add and update funding for the project.</li> </ul> </li> <li>• <u>Metro UPWP Project:</u> No</li> <li>• <u>Proposed improvements:</u> The improvements involve various safety related deliverables including signal rebuild and sidewalk installations at the Main St intersection. Install flashing lights at the other intersections to increase safety at these locations.</li> </ul>		

	<ul style="list-style-type: none"> <li>• <u>Source:</u> Existing project</li> <li>• <u>Amendment Action:</u> Update the project scope, and funding.</li> <li>• <u>Funding:</u> The funding consists of federal National Highway Performance Program (NHPP) and Advance Construction funds. The cost updates results in a 21% increase to the project.</li> <li>• <u>FTA Conversion Code:</u> Not applicable. No transit funds are committed to the project.</li> <li>• <u>Location, Limits and Mile Posts:</u> <ul style="list-style-type: none"> <li>○ Location: On OR8 between western Beaverton to Forest Grove</li> <li>○ Cross Street Limits: N/A</li> <li>○ Overall Mile Post Limits: MP 6.09 to MP 17.66</li> </ul> </li> </ul>  <ul style="list-style-type: none"> <li>• <u>Current Status Code:</u> 4 = (PS&amp;E) Planning Specifications, &amp; Estimates (final design 30%, 60%, 90% design activities initiated).</li> <li>• <u>Air Conformity/Capacity Status:</u> The is exempt from air quality conformity analysis per 40 CFR 93.126, Table 2 – Safety - Projects that correct, improve, or eliminate a hazardous location or feature.</li> <li>• <u>Regional Significance Status:</u> Yes. The project is regionally significant as it is located on a Major Arterial in the Motor Vehicle Network and contains federal funds.</li> <li>• <u>Amendment ID and Approval Estimates:</u> <ul style="list-style-type: none"> <li>○ STIP Amendment Number: 21-24-1404</li> <li>○ MTIP Amendment Number: DC22-05-DEC</li> <li>○ OTC approval required: No.</li> <li>○ Metro approval date: Tentatively scheduled for January 6, 2022.</li> </ul> </li> </ul>
What is changing?	<p><u>AMENDMENT SCOPE CHANGE</u></p> <p>The formal amendment completes required scope and funding</p>

	<p>adjustments to the project. As a result, the total project cost increases by 21% from \$5,184,284 to \$6,283,817. The adjustments result from ODOT's funding review which indicated that there was not enough funds to cover all proposed scope deliverables. ODOT re-evaluated the project and updated the scope, schedule and budget to move this project forward.</p> <p>The original intent of the project was to include illumination at Armco, not a pedestrian enhancement, so the 74th RRFB scope element is being dropped from the name of the project. The construction phase also slips to FFY 2024 due to the scope adjustments and funding changes.</p> <p>The summary of changes includes the following:</p> <ul style="list-style-type: none"> <li>• Remove pedestrian crossing scope for OR8 at 174th, and Armco Rd.</li> <li>• Do not design pedestrian crossing at OR8 and 214th.</li> <li>• Add Illumination at OR8 and Armco Rd.</li> <li>• Change project name to reflect changed scope. New name: OR8 at Armco Ave, Main St and A&amp;B Row.</li> <li>• Update locations.</li> <li>• Slip CN to FFY24.</li> <li>• Adjust funding to include: <ul style="list-style-type: none"> <li>○ Add \$444,532 from HB2017 Safety Leverage funds to PE funds</li> <li>○ Transfer \$495,553 from CN to PE</li> <li>○ Add \$500,000 to PE from SWIP funds</li> <li>○ Add \$150,000 to ROW from SWIP funds.</li> </ul> </li> </ul>
Additional Details:	N/A
Why a Formal amendment is required?	The scope changes together with the funding changes result in a total project cost that exceeds the 20% cost change threshold and triggers the formal amendment.
Total Programmed Amount:	The total programmed amount increases from \$5,189,284 to \$6,283,817 and represents a 21.09% increase to the project
Added Notes:	N/A

Note: The Amendment Matrix located on the next page is included as a reference for the rules and justifications governing Formal Amendments and Administrative Modifications to the MTIP that the MPOs and ODOT must follow.

## 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. The programming factors include:

- Verification as required to programmed in the MTIP:
  - Awarded federal funds and is considered a transportation project
  - Identified as a regionally significant project.
  - Identified on and impacts Metro transportation modeling networks.
  - Requires any sort of federal approvals which the MTIP is involved.

- Passes fiscal constraint verification:

- Project eligibility for the use of the funds
- Proof and verification of funding commitment
- Requires the MPO to establish a documented process proving MTIP

programming does not exceed the allocated funding for each year of the four year MTIP and for all funds identified in the MTIP.

- Passes the RTP consistency review: Identified in the current approved constrained RTP either as a stand- alone project or in an approved project grouping bucket
- RTP project cost consistent with requested programming amount in the MTIP
- If a capacity enhancing project – is identified in the approved Metro modeling network
- Satisfies RTP goals and strategies consistency: Meets one or more goals or strategies identified in the current RTP.
- If not directly identified in the RTP's constrained project list, the project is verified to be part of the MPO's annual Unified Planning Work Program (UPWP) if federally funded and a regionally significant planning study that addresses RTP goals and strategies and/or will contribute or impact RTP performance measure targets.
- Determined the project is eligible to be added to the MTIP, or can be legally amended as required without violating provisions of 23 CFR450.300-338 either as a formal Amendment or administrative modification:
  - Does not violate supplemental directive guidance from FHWA/FTA's approved Amendment Matrix.
  - Adheres to conditions and limitation for completing technical corrections, administrative modifications, or formal amendments in the MTIP.
  - Is eligible for special programming exceptions periodically negotiated with USDOT.
  - Programming determined to be reasonable of phase obligation timing and is consistent with project delivery schedule timing.

ODOT-FTA-FHWA Amendment Matrix	
Type of Change	
<b>FULL AMENDMENTS</b>	
1. Adding or cancelling a federally funded, and regionally significant project to the STIP and state funded projects which will potentially be federalized	
2. Major change in project scope. Major scope change includes:	
• Change in project termini - greater than .25 mile in any direction	
• Changes to the approved environmental footprint	
• Impacts to AQ conformity	
• Adding capacity per FHWA Standards	
• Adding or deleting worktype	
3. Changes in Fiscal Constraint by the following criteria:	
• FHWA project cost increase/decrease:	
• Projects under \$500K – increase/decrease over 50%	
• Projects \$500K to \$1M – increase/decrease over 30%	
• Projects \$1M and over – increase/decrease over 20%	
• All FTA project changes – increase/decrease over 30%	
4. Adding an emergency relief permanent repair project that involves substantial change in function and location.	
<b>ADMINISTRATIVE/TECHNICAL ADJUSTMENTS</b>	
1. Advancing or Slipping an approved project/phase within the current STIP (If slipping outside current STIP, see Full Amendments #2)	
2. Adding or deleting any phase (except CN) of an approved project below Full Amendment #3	
3. Combining two or more approved projects into one or splitting an approved project into two or more, or splitting part of an approved project to a new one.	
4. Splitting a new project out of an approved program-specific pool of funds (but not reserves for future projects) or adding funds to an existing project from a bucket or reserve if the project was selected through a specific process (i.e. ARTS, Local Bridge...)	
5. Minor technical corrections to make the printed STIP consistent with prior approvals, such as typos or missing data.	
6. Changing name of project due to change in scope, combining or splitting of projects, or to better conform to naming convention. (For major change in scope, see Full Amendments #2)	
7. Adding a temporary emergency repair and relief project that does not involve substantial change in function and location.	



- Reviewed and initially assessed for Performance Measurement impacts.
- MPO responsibilities completion:
  - Completion of the required 30 day Public Notification period:
  - Project monitoring, fund obligations, and expenditure of allocated funds in a timely fashion.
  - Acting on behalf of USDOT to provide the required forum and complete necessary discussions of proposed transportation improvements/strategies throughout the MPO.

### APPROVAL STEPS AND TIMING

Metro's approval process for formal amendment includes multiple steps. The required approvals for the December 2021 Formal MTIP amendment (DC22-05-DEC) will include the following:

<u>Action</u>	<u>Target Date</u>
• Initiate the required 30-day public notification process.....	December 1, 2021
• TPAC notification and approval recommendation.....	December 3, 2021
• JPACT approval and recommendation to Council.....	December 16, 2021
• Completion of public notification process.....	January 4, 2022
• <b>Metro Council approval.....</b>	<b>January 6, 2022</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 time line is an estimation only):

<u>Action</u>	<u>Target Date</u>
• Final amendment package submission to ODOT & USDOT.....	January 14, 2022
• USDOT clarification and final amendment approval.....	Early February, 2022

### ANALYSIS/INFORMATION

1. **Known Opposition:** None known at this time.
2. **Legal Antecedents:**
  - a. Amends the 2021-24 Metropolitan Transportation Improvement Program adopted by Metro Council Resolution 20-5110 on July 23, 2020 (FOR THE PURPOSE OF ADOPTING THE 2021-2024 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM FOR THE PORTLAND METROPOLITAN AREA).
  - b. Oregon Governor approval of the 2021-24 MTIP: July 23, 2020
  - c. 2021-2024 Statewide Transportation Improvement Program (STIP) Approval and 2021 Federal Planning Finding: September 30, 2020
3. **Anticipated Effects:** Enables the projects to obligate and expend awarded federal funds, or obtain the next required federal approval step as part of the federal transportation delivery process.
4. **Metro Budget Impacts:** None to Metro

### RECOMMENDED ACTION:

**JPACT approved Resolution 21-5230 on December 16, 2021 and now recommends Metro Council approve Resolution 21-5230 consisting of four projects which impact ODOT allowing the required adjustments to and enable their next federal approval step and/or phase obligation to occur.**

(No Attachments)