

STAFF REPORT

FOR THE PURPOSE OF AMENDING THE 2015-18 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM (MTIP) TO MODIFY AND/OR ADD NEW PROJECTS AS PART OF THE FEBRUARY 2017 FORMAL MTIP AMENDMENT FOR BEAVERTON, CLACKAMAS COUNTY, DEQ, METRO, PORTLAND, ODOT, TIGARD, AND TRIMET

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BACKGROUND:

February 2017 Bundled Formal MTIP Amendment

This Formal MTIP amendment involves multiple projects which require significant funding changes and scope changes, or are new projects being added to the MTIP.

Staff is requesting Metro Council approval of Resolution 17-4774 to allow the projects and their required changes as part of the Formal MTIP Amendment to be approved in the 2015-18 MTIP.

The February 2017 Formal Amendment contains a total of 18 projects with changes that require them to be processed as a formal MTIP amendment under FHWA's new STIP /MTIP Amendment guidance. This resolution reflects a new approach to bundle multiple projects together as part of a single amendment. Each month Metro normally will plan for a possible Formal and Administrative amendment to be developed processed and submitted for approval.

The advantage of this approach enables ODOT and/or USDOT the ability to review and approve multiple project amendments at one time. It also allows one resolution to cover the entire amendment rather than creating one for each project. FHWA requested Metro begin adopting this approach as a way to improve MTIP amendment processing efficiency.

One exception exists for Emergency Relief mitigation projects that do not change function or location will be submitted independently as a priority to save time. If the requested project amendment situation, it will be process independently from the bundled approach.

Summary of FHWA's New Amendment Guidance:

FHWA's new MTIP amendment guidance eliminates most exceptions to Formal MTIP Amendments as currently stated in Chapter 6 of the approved 2015-18 MTIP. The majority of project changes will trigger a Formal MTIP amendment if their proposed changes result in one or more of following as shown on the table on the next page. A key change to Metro's past amendment rules and policies are the impact of cost changes to the project. Previously, there was no limit to a project cost change that triggered a Formal amendment. Now, based on Section 3, project cost changes will have significant limits for the change to be processed as an

Administrative amendment. The rules listed on the Amendment are now active and will be used to determine all future types of MTIP and STIP amendments.

ODOT-FTA-FHWA Amendment Matrix	
Type of Change	
FULL AMENDMENTS	
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.	
ADMINISTRATIVE/TECHNICAL ADJUSTMENTS	
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.	

THE FEBRUARY 2017 FORMAL MTIP AMENDMENT BUNDLE:

As part of the February 2017 Formal MTIP Amendment Bundle, all included projects were reviewed against the usual seven MTIP Amendment review factors that included:

- Project eligibility/proof of funding commitment and verification
- RTO consistency review
- RTP goals consistency

- Amendment type determination; Formal or Administrative
- Air conformity review
- Fiscal constraint verification
- MPO responsibilities completion

All included projects are compliant with the seven review factors with one exception. ODOT's new *US30 Sandy River (Troutdale) Bridge* project is not in the current financially constrained RTP. However, as only the Preliminary Engineering (PE) funding is being added, it can be added via a Formal amendment to the MTIP. Right-of Way (ROW) and/or Construction phase funding can't be added to the MTIP until the full project is in the approved financially constrained RTP. ODOT has been advised to ensure they add the project to the 2018 RTP through the upcoming 2018 RTP project solicitation.

A summary of the projects included in the February 2017 Formal Amendment Bundle includes the following:

1. ODOT: 3 Projects

a. Key 19533. I-405: Fremont Bridge Approach/Ramps:

- i. There was a failure in the bridge deck of the Fremont Bridge. This resulted in a lane closure on the bridge and an emergency repair of the hole in the deck. The proposal is to increase the scope of an existing joint repair project on the bridge to add repair work for the bridge deck.
- ii. The amendment reflects a major scope change to repair bridge deck.
- iii. The cost increase is from \$5.7 million to \$21.2 million.
- iv. The Oregon Transportation Commission (OTC) approval the request during their October 2016 meeting.

b. New Project. US30 Sandy River (Troutdale) Bridge:

- i. The Sandy River (Troutdale) bridge, (Bridge 02019), on U.S. 30 at mile point 0.03, is a truss bridge built in 1912 and is listed as a National Historic landmark. The timber sidewalk planks that were placed in 1999 have areas of advanced to severe deterioration. In 2016, the Major Bridge Maintenance program funded a temporary repair that placed plywood over the sidewalk so that it could remain in service until a permanent repair can be installed. Replacing the deteriorated timber sidewalk will ensure that pedestrians can continue to use this bridge safely.
- ii. PE phase funding is being added in amount of \$565,000 total to develop the final repair requirements.
- iii. The project is not in the current constrained RTP. However, the PE phase can be added to the MTIP without any issues. ODOT has been advised to ensure they add the project to the RTP as part of the upcoming 2018 RTP Project Solicitation.
- iv. Construction funds are planned to be added later (Target is FY2018).
- v. OTC approval during February 2017 meeting.

c. Key 19531. I-84/I-5 Banfield Interchange Deck Overlay & Bridge Rail Retrofit:

- i. The project adds two more ramps for rehabilitation as part of the planned interchange rehab project. This project will retrofit the deficient bridge rails on bridges 08588A, 08588B, and 08588C with rails that meet safety standards, and place a concrete overlay on the decks to increase the friction and reduce vehicle impacts. The overlay will add a protective layer to preserve the decks and seal the cracks. Bridge 08588D will receive a deck seal to prevent water penetrating the deck.
- ii. The amendment represents a scope change to project with a cost increase needed improvements from two ramps to all four ramps.
- iii. Adds \$2 million to project resulting significant cost increase of 31.3%.
- iv. OTC approval during February 2017 meeting.

2. Clackamas County: 4 Projects

- a. The four projects, Keys 15389, and 17881, 18305, and 19276 initially were considered eligible to be processed as an Administrative amendment. A two week public period was completed and the projects were ready to be submitted to ODOT-Salem for approval. During development, Metro received additional feedback from FHWA concerning interpretations related to the formal and administrative amendment guidance. Bottom line: All four projects must be submitted as a Formal amendment due to their individual cost changes with three exceeding the new 20% cost change rule.
- b. The projects have been added to the February 2017 Formal amendment bundle and include the following projects:

i. Key 15389. SE 172nd Ave- Foster Rd to Sunnyside Rd:

1. The project funded project development activities which are now completed and was proposed to be a five lane arterial with bike lanes and sidewalks.
2. Deprograms \$922,749 of STP from the PE phase and reprograms the funds to Keys 17881, 18305, and 19268.
3. The cost change to the \$2.2 million plus project = a 36% change.
4. Project development activities are complete, but PE and implementation phases will not proceed. Project is effectively completed and will be removed during the 2018 MTIP Update.

ii. Key 17881. SE 122nd Ave & 132nd Ave - Sidewalk Connections:

1. The project will add sidewalks.
2. \$334,368 of STP from Key 15389 is added to PE and construction.
3. \$25,340 of the last Metro Contingency TAP funds are also added to the PE phase
4. PE and Construction phase funding shortfalls eliminated.
5. Cost increase to this \$1 million plus project = \$35%.

iii. Key 18305: Sunnyside Adaptive Signal System.

1. The project will design an adaptive traffic signal system and transit signal priority on Sunnyside Rd.
2. The amendment adds \$364,190 of STP and match from Key 15389. to construction phase to plug phase funding gap.
3. Cost change to this \$1 million plus project = 27%.

iv. Key 19276: Jennings Ave: OR99E to Oatfield Rd.

1. The project will construct curb tight sidewalks and bike lanes along Jennings Ave between OR 99E (McLoughlin Blvd) and Oatfield Rd.
2. The amendment adds \$224,191 of STP from Key 15389 to construction phase to plug phase funding shortfall.
3. Cost change to this \$3.7 million project = 6.6%, but still must be processed with project bundle.

3. Portland: 1 Project.

a. Key18308: N/NE Columbia Blvd Traffic/Transit Signal Upgrade (ITS Project).

- i. The project will construct upgrade to traffic signal hardware, communications and signal timing on Columbia Blvd.
- ii. The project experienced significant cost increases due to ADA compliance requirements.
- iii. Portland decided to cannibalize another approved Portland ITS project, Airport Way Connections, in the approved TSMO bucket to backfill the Columbia Blvd shortfall.
- iv. The amendment will reprogram \$600,000 of STP and match approved from the Airport Way Connections ITS project (and required match) to Key 18308.
- v. The project cost increases from \$557,227 to \$1,225,900 to cover a PE and construction phase funding shortfall.
- vi. The cost change equals 120% increase to the project total cost which exceeds the administrative amendment limit of 30% for projects between \$500,000 to \$1 million dollars.
- vii. The reprogramming request was also approved by TransPort subcommittee.

4. City of Beaverton: 1 Project.

a. New Beaverton OR210: SW Scholls Ferry Rd to SW Hall Blvd ITS project.

- i. Through this project the city of Beaverton will implement Adaptive Signal Control Technologies (ASCT) that can adjust traffic signal to actual conditions to help Scholls Ferry Rd reduce significant congestion and delays due to variable and unpredictable traffic demands.

- ii. Approved TSMO project.
- iii. Remaining \$435,838 from the FY 2016 TSMO bucket (Key 19287) of STP plus \$314,162 of STP funds from the FY 2017 TSMO bucket (Key 19288) will be reprogrammed to Beaverton's new ITS project in FY 2017.

5. Metro: 2 Projects

a. **Transportation System Management and Operations Program TSMO Project Grouping Bucket adjustments (for Portland and Beaverton)**

Note: The TSMO FY 2017 project grouping buckets contain the master funding earmarked for approved ITS projects supporting the TSMO goals. The approved projects undergo preliminary project development to determine required scope and costs. When the scope is ready, they are removed from the TSMO bucket and programmed as stand-alone projects. Based on Portland's Columbia Blvd ITS project and Beaverton, the February Formal Amendment includes the funding adjustments to the TSMO buckets. Reductions will occur to Keys 19287 and 19288. Key 19287 will be reduced to \$0 as a result of bucket draws.

6. Tigard: 2 projects.

a. **Key 17757 - Main St Ph 2: Rail Corridor – Scoffins (Tigard)**

- i. This project is a Green street retrofit with pedestrian amenities, and street light improvements.
- ii. The amendment de-federalizes project by removing \$1,234,424 of STP and replacing with local funds.
- iii. \$701,424 of STP will be reprogrammed to Tigard's Fanno Creek Trail project in Key 19327.
- iv. The amendment includes a \$533,000 STP transfer to TriMet in exchange for local funds for the Main Street project.
- v. As a de-federalized project can progress faster and allows federal funding to backfill and existing funding shortage to the Fanno Creek project in Key 19327.

b. **Key 19327: Fanno Creek Trail - Woodard Park Bonita/85th Ave to Tualatin Bridge:**

- i. The project intends to construct four sections of the Fanno Creek Trail from Woodard Park to Bonita Road and 85th Avenue to Tualatin River Bridge in Tigard.
- ii. The project will receive \$702,424 of STP from the Main Street project (Key 17757)
- iii. \$650,000 of the available STP is swapped with available CMAQ funds
- iv. The CMAQ \$650,000 over programming issue is resolved. Total authorized CMAQ is not correctly at \$3,650,000.
- v. \$51,424 of STP remains available and is committed to the PE phase.
- vi. The PE phase significantly increases to prevent a phase funding shortfall.

- vii. The overall net change in the total project cost as a result of the amendment is only 1.1%

7. TriMet: 1 Project.

a. New: Tigard FS for Prevent Maint - FY18

- i. This project represents the federal fund portion from Tigard's Main Street project Key 17757 that is being de-federalized and swapped with TriMet local funds.
- ii. TriMet is providing \$533,000 of local funds to Tigard in exchange for \$533,000 of federal STP.
- iii. For accounting purposes and to enable TriMet to flex-transfer the STP to FTA without issues, the federal exchange portion is programmed as a separate stand-alone project in the MTIP.

8. Portland Part Two: 3 Previously Submitted Project Amendments.

a. Key 17268: Red Electric Trail – SW Berta – SW Vermont.

- i. The project will provide east-west route for pedestrians and cyclists in SW Portland with an off-street trail, and on-street bike boulevard with sidewalks, and potentially a widened off-street sidewalk around SW Bertha Blvd.
- ii. This project was initially submitted to be amended to plug a significant funding shortfall back last October 2016 to the PE and Constructions phases. Due to the STIP Update, the amendment review was delayed until December. At that time, the new STIP/MTIP Amendment rules were now the law of the land.
- iii. The funding changes reflect a 22% cost increase which under the new amendment rules requires a formal amendment.
- iv. The project is now being re-submitted as part of the February 2017 Formal MTIP Amendment

b. Key 18416: Springwater Trail Gap – SE Umatilla to SE 13th Ave.

- i. The project will construct a trail to close the existing gap in the trail sections.
- ii. The project was submitted in early November 2016 and now is being re-submitted again for the same reason as Red Electric.
- iii. The latest project costs as determined by the project engineer were significantly more than the early estimates used to program the project. The project estimate was off by almost \$600,000 for both PE and the Construction phase.
- iv. This project was awarded a High Priority Program (HPP) earmark back in 2013. A review of the earmark expended across other projects determined additional HPP was still available. Extensive discussions between ODOT,

Metro, and Portland determined an additional \$344,364 was available for the project.

- v. Through a complex fund leveraging exercise and with the added HPP, Portland Parks will be able to salvage the project and move forward for implementation in 2017.

c. Key 17267: Twenties Bikeway – NE Lombard to SE Crystal Springs

- i. The project will provide 6.9 miles of bicycle boulevard improvements running north-to-south, routed along the Northeast and Southeast Twenties blocks as through movements permit.
- ii. The project amendment was originally submitted in early December 2016, but approval was denied until it completed a formal amendment with a public notification process.
- iii. The amendment plugs a small PE phase funding shortfall with local funds.
- iv. The ROW phase was not required and is eliminated with the funding shifted to the construction phase.

9. Department of Environmental Quality (DEQ): 1 project

a. Key 17274: School Bus Engine Emission Reduction

- i. The project will include the purchase and installation of advanced exhaust control devices on about 21 buses for the Multnomah County David Douglas School District
- ii. Technically, the project is a new project being re-added to the MTIP. The original version could not progress and the project was significantly down-scoped.
- iii. It was submitted in early December and thought it would be reviewed under the old amendment rules allowing it to be added administratively.
- iv. However, a review by ODOT determined it must follow the new rules.
- v. As new project, it requires a formal MTIP amendment.

SUMMARY

As part of the Formal MTIP Amendment all included projects are completing a required 30-day public notification/public comment opportunity. Projects are posted for comment on Metro's MTIP webpage reflecting the before and after programming actions. The comment period opened on February 17, 2017 and will continue until March 24, 2017. All comments reviewed are reviewed and replies are provided if required.

Staff is seeking approval of this Formal MTIP amendment to enable the impacted agencies the ability to move forward with the phase of their project. Without the amendment approval, fund obligations won't be able to occur, changes in finding levels won't happen, new projects can't be added, the project notice to proceed won't occur, required reimbursements can't occur, etc.

Staff will complete the MTIP programming action upon final approval from the Metro Council and monitor subsequent required approvals up and through USDOT for final inclusion in the MTIP/STIP. The programming summary is shown in Exhibit A to the Resolution 17-4774.

Approval Actions and Status:

- TPAC: Approval: February 24, 2017.
- JPACT Approval: March 16, 2017.

ANALYSIS/INFORMATION

1. **Known Opposition:** None known at this time.
2. **Legal Antecedents:** Amends the 2015-2018 Metropolitan Transportation Improvement Program adopted by Metro Council Resolution 14-4532 on July 31, 2014 (For The Purpose of Adopting the Metropolitan Transportation Improvement Program for the Portland Metropolitan Area).
3. **Anticipated Effects:** Enables the projects to obligate and expend awarded federal funds.
4. **Budget Impacts:** None

RECOMMENDED ACTION:

Staff recommends the approval of Resolution 17-4774.

Attachments: None