

Date: Friday, November 17 2017
To: JPACT and Interested Parties
From: Ken Lobeck, Funding Programs Lead, 503-797-1785
Subject: November 2017 MTIP Formal Amendment plus Approval Request of Resolution 17-4856

STAFF REPORT

FOR THE PURPOSE OF ADDING OR AMENDING EXISTING PROJECTS TO THE 2018-21 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM INVOLVING FIVE PROJECTS REQUIRING PROGRAMMING ADDITIONS, CORRECTIONS, OR CANCELLATIONS IMPACTING METRO, ODOT, AND PORTLAND (NV18-04-NOV)

BACKGROUND

What this is:

The November 2017 Formal MTIP Amendment bundle contains required changes and updates impacting Metro, ODOT, and Portland. With the programming actions completed for the HB2017 awarded projects completed, and the mandated clean-up/reconciliation of the 2018 MTIP and STIP essentially completed, the November 2017 Formal Amendment to the 2018 MTIP returns the programming emphasis to usual types of project changes or additions. However, there still will be continued clean-up actions as indicated by a couple of project cancellations in the November 2017 Formal amendment. The summary of projects included in the November 2017 Formal MTIP Amendment bundle is listed below:

2018-2021 Metropolitan Transportation Improvement Program Exhibit A to Resolution 17-4856			
			
Proposed November 2017 Formal Amendment Bundle Amendment Type: FORMAL, NV18-04-NOV Total Number of Projects: 5			
Project # ODOT Key	Lead Agency	Project Name	Required Changes
#1 19188	Metro	Metro Central Transfer Station: CNG Fueling	Project canceled from 2018 MTIP: The project will not move forward and be constructed as planned. It is being removed from the 2018 MTIP through this amendment
#2 21218 New	ODOT	I-5: Boone (Willamette River) Bridge	Adds only the PE phase to this bridge rehab project to the 2018 MTIP
#3 20413	ODOT	US30BY (Lombard) Safety Extension	Cost increase: Adds needed funding to the PE and ROW phases to address the phase funding shortage
#4 20415	ODOT	US30BY (Lombard) at Fenwick	Project requires a cost increase to address additional ADA compliance requirements and potentially will be combined into Key 20413 above. Key 20415 will be canceled assuming combination does occur. Otherwise Key 20415 will be removed as part of the November 2017 Amendment Bundle.
#5 19552	Portland	Clean Energy Public Access CNG Station (Portland)	Cancel project officially from 2018 MTIP and 2018 STIP. CMAQ funding declined. Project will not move forward.

What is the requested action?

TPAC requests JPACT approval and an approval recommendation of resolution 17-4856 to Metro Council enabling the five identified projects to be added, canceled, or amendment correctly into the 2018 MTIP and allowing final approval to then occur from USDOT.

1. Project: Metro Central Transfer Station: CNG Fueling	
Lead Agency:	Metro
ODOT Key Number:	19188
Project Description:	The project proposed to construct a Compressed Natural Gas fueling station to dispense renewable natural gas
What is changing?	Metro decided not to accept the State CMAQ funding and move forward with the project. The project was not carried over from the 2015 MTIP and STIP into the 2018 MTIP and STIP. This amendment officially deletes the project from the 2018 MTIP and STIP
Additional Details:	
Why a Formal amendment is required?	Per the FHWA STIP and MTIP amendment matrix, adding or cancelling a federally funded, and regionally significant project to the STIP and state funded projects which will potentially be federalized requires a full/formal amendment to be completed to add the project to the MTIP.
Total Programmed Amount:	The project programming decreases from \$1,853,547 to \$0
Added Notes:	Metro's decision to stop the project occurred during summer. The amendment is a technical "clean-up" for auditing purposes

2. Project: I-5: Boone (Willamette River) Bridge	
Lead Agency:	ODOT
ODOT Key Number:	21218
Project Description:	On I-5 in Wilsonville at the Boone Bridge over the Willamette River, prepare shelf ready plans for future deck overlay, joint repairs and seismic retrofit.
What is Changing?	Through this amendment, the Preliminary Engineering phase and funding is being added to the 2018 MTIP
Additional Details:	
Why a Formal amendment?	Per the FHWA/FTA/ODOT/MPO Amendment Matrix, adding or cancelling a federally funded, and regionally significant project to the STIP and state funded projects which will potentially be federalized requires a full/formal amendment to be completed to add the project to the MTIP.
Total Programmed Amount:	The total programmed amount for the PE phase will be \$250,000. The estimated total project cost was not identified.
Other and Notes:	

3. Project: US30BY (Lombard) Safety Extension	
Lead Agency:	ODOT
ODOT Key Number:	20413
Project Description:	Road diet between MP 3.50 and N Wilbur. Signal upgrades at Fiske; Woolsey; Chautauqua; Wabash; Peninsular; and Greeley. Remove half signal at Drummond. Install RRFB with pedestrian island near Drummond. ADA improvements and access management as needed.
What is Changing?	Through this amendment, additional needed funding is being programmed for PE and ROW to address ADA compliance requirements. Key 20413 and Key 20415 are planned to be combined into a single project. It's possible this could change. However, until a later decision reverses the planned combination between Key 20413 and 20415, the programming approach is to proceed with the assumption that the project combination will occur.

Additional Details:	Assuming the Key 20415 is combined into 20413, Key 20415 will be canceled from the MTIP
Why a Formal amendment?	The cost increase as a result of the combination into Key 20413 exceeds the 20% threshold. The subsequent cancelation of Key 20415 after it is combined into 20413 also requires a formal amendment.
Total Programmed Amount:	Key 20413 increases funding from \$6,432,038 to \$8,377,038
Other and Notes:	

4. Project:	US30BY (Lombard) at Fenwick
Lead Agency:	ODOT
ODOT Key Number:	20415
Project Description:	Full signal upgrade; ADA improvements; and access management
What is Changing?	Project is being combined into Key 20413. As a result, Key 20415 will be canceled from the 2018 MTIP
Additional Details:	
Why a Formal amendment?	Per the FHWA/FTA/ODOT/MPO Amendment Matrix, adding or cancelling a federally funded, and regionally significant project to the STIP and state funded projects which will potentially be federalized requires a full/formal amendment to be completed to add the project to the MTIP.
Total Programmed Amount:	Total programming for Key 20415 decreases from \$1,217,896 to \$0
Other and Notes:	OTC HB2017 project approval at their September 22, 2017 meeting

5. Project:	Clean Energy Public Access CNG Station (Portland)
Lead Agency:	Portland
ODOT Key Number:	70825
Project Description:	Construct a Compressed Natural Gas fueling station
What is Changing?	Portland declined the State CMAQ awarded to the project which effectively kills the project.
Additional Details:	Project is now officially being canceled from the 2018 MTIP
Why a Formal amendment?	Per the FHWA/FTA/ODOT/MPO Amendment Matrix, adding or cancelling a federally funded, and regionally significant project to the STIP and state funded projects which will potentially be federalized requires a full/formal amendment to be completed to add the project to the MTIP.
Total Programmed Amount:	Total programming decreases from \$1,504,500 to \$0.
Other and Notes:	

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
 - Regionally significant project
 - Identified on and impacts Metro transportation modeling networks
 - Requires any sort of federal approvals
- 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 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 projects – 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
- 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:
 - Supplemental directive guidance from FHWA/FTA’s approved Amendment Matrix
 - Provides conditions and limitation for completing technical corrections, administrative modifications, or formal amendments in the MTIP
 - Guidance: Adding or cancelling a federally funded, and regionally significant project to the STIP and state funded projects which will potentially be federalized.
 - Special programming exceptions periodically negotiated with USDOT as well.
- MPO responsibilities completion:
 - Completion of the required 30 day Public Notification period:
 - Project monitoring and expenditure of allocated funds
 - 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 November 2017 Formal MTIP amendment will include the following:

<u>Action</u>	<u>Target Date</u>
● TPAC notification and approval recommendation.....	November 17, 2017
● Initiate the required 30-day public notification process.....	November 20, 2017
● Completion of public notification process.....	December 19, 2017
● JPACT approval and recommendation to Council.....	December 21, 2017
● Metro Council approval.....	January 11, 2018*

Note: The January Metro Council date is an estimate only at this time.

USDOT Approval Steps:

<u>Action</u>	<u>Target Date</u>
● Metro development of amendment narrative package	January 12 , 2018
● Amendment bundle submission to ODOT and USDOT.....	January 15, 2018
● ODOT clarification and approval.....	Mid February, 2018
● USDOT clarification and final amendment approval.....	Mid February 2018

ANALYSIS/INFORMATION

1. **Known Opposition:** None known at this time.

2. **Legal Antecedents:** Amends the 2018-2021 Metropolitan Transportation Improvement Program adopted by Metro Council Resolution 17-4817 on July 27, 2017 (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. **Metro Budget Impacts:** None to Metro

RECOMMENDED ACTION:

TPAC recommends the approval of Resolution 17-4856.

(TPAC approval recommendation on Friday, November 17, 2017)