

Memo



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Date: Thursday, October 18, 2018
To: Metro Council and Interested Parties
From: Ken Lobeck, Funding Programs Lead, 503-797-1785
Subject: October 2018 MTIP Formal Amendment plus Approval Request of Resolution 18-4933

STAFF REPORT

FOR THE PURPOSE OF ADDING OR AMENDING EXISTING PROJECTS TO THE 2018-21 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM INVOLVING FIVE PROJECTS IMPACTING PORTLAND, ODOT, TIGARD, AND WESTERN FEDERAL LANDS HIGHWAY DIVISION (OC19-03-OCT)

BACKGROUND

What this is:

The October 2018 Formal Metropolitan Transportation Improvement Program (MTIP) Amendment bundle (for FY 2019) contains required changes and updates impacting Portland, ODOT, Tigard and Western Federal Lands Highway Division. Five projects are included in the amendment bundle. They are summarized in the below table:

Proposed October 2018 Formal Amendment Bundle Amendment Type: FORMAL, OC19-03-OCT Total Number of Projects: 5 Resolution 18-4933			
ODOT Key	Lead Agency	Project Name	Required Changes
Project #1 18021	Portland	East Portland Active Transportation to Transit	COST INCREASE: The amendment adds a \$18k of local funds in support of a needed Utility Relocation phase for the project and \$1.2 million of local funds supporting an increase to the construction phase from added ADA requirements.
Project #2 23171	ODOT	I-5 and I-205: Portland Metropolitan Value Pricing Program	ADD NEW PROJECT: The amendment adds a planning study to analyze traffic, diversion and community benefits and impacts, concept refinement, and stakeholder engagement for value pricing on I-5 and I-205. Note: OTC approval was received during their September 2018 meeting.
Project #3 19786	ODOT	I-205: Stafford Rd - OR99E	ADD FUNDING: An additional \$17.1 million of approved funding is being added to the PE phase to complete required NEPA and final design activities. OTC approval was required and occurred during their September 2018 meeting.

Project #4 20488	Tigard	North Dakota Street: Fanno Creek Bridge	COST INCREASE: A change in delivery approach to use external consultants increases the PE Phase. ADA requirements incorporated into the project increases the project cost as well. Finally, rail crossing requirements also had to be included. The impact increases the project cost estimate by \$908k which this amendment is addressing.
Project #5 20784	Western Federal Lands Highway Division	Vision Around the Mountain Planning Study	ADD NEW PROJECT: The formal amendment adds this regional planning study to determine coordination opportunities between various Transit Operations around Mt Hood, including the Mt. Hood Express, Columbia Gorge Express, and Mt. Hood Gorge Loop Transit.

What is the requested action?

JPACT requests Metro Council approval for the October 2018 formal amendment supporting Resolution 18-4933 enabling the five identified projects to be amended correctly into the 2018 MTIP, with final approval to occur from USDOT.

Added Note2 – 10/18/2018: The I-205 Stafford Rd to OR99E project in Key 19786 adds \$17 million to fully program the Preliminary Engineering (PE) phase of the project. Part of the formal amendment process also includes all projects completing a required 30-day public notification/opportunity to comment period. As of submission of this Staff Report for Metro Council approval, Metro has received several comments (approximately 4) in opposition to the project. The comments followed a theme with two main objections that surround the belief that first, the project is producing urban sprawl as a result of the capacity enhancing improvement. Second, the funds could be better spent on active transportation or transit areas. While the number of comments are not sufficient to warrant project removal from the October 2018 Formal Amendment bundle, both Metro and ODOT staff should be aware that many are passionate about active transportation and transit needs as a priority over roadway capacity improvements. Other large planned roadway capacity enhancing projects will probably generate more similar comments.

Added Note1 – 10/5/2018: Two projects within the October 2018 Bundle are using OTC approved “Redistribution” federal funds. Each year federal formula funds are allocated to the States and include an Obligation Authority (OA) Limitation. The OA Limitation establishes a fund obligation ceiling for the allocated federal formula funds. The OA limitation is established for each formula fund and determines out of the approved appropriation how much actual will be available to obligate and expend. On average, the OA Limitation is set about 10% below the fund appropriation amount. The OA Limitation helps state DOTs, MPOs, and Transportation Commissions determine their annual obligation and expenditure ceilings when programming and obligating their approved projects.

The federal fund appropriation estimates are established a few years in advance of the actual annual appropriation. These amount are used for revenue planning streams, inclusion in the RTP as reasonable available funds, and to determine possible MTIP fund programming ceilings. However, the appropriation forecast are often overly optimistic. The OA Limitation becomes the reality check of the federal formula funds that will actually be available during the current year.

However is a simple example: A state is authorized a formula appropriation of Surface Transportation Block Grant (STBG) funds. The appropriation for the year is \$100 million. Based on past actual revenues and other factor Federal Highway Administration will establish the OA

Limitation for the STBG funds. For this example, the OA Limitation is set at 90%. Therefore, while the state has been apportioned \$100 million of STBG, the OA Limitation is set at 90% or \$90 million. The \$90 million of STBG funds now becomes the true ceiling for STBG obligations and expenditures for the identified year.

Another factor impacting the OA Limitation rate revolves around the state DOT's request for OA. Each state must identify out of the authorized apportionment, how much OA they will need each year. Using the STBG example, the state DOT may initially identify that they will need 100% of the total STBG appropriated (\$100 million in the example) to the region for the year. Federal Highway Administration will evaluate the need for the increased OA request. However, most of the time, the annual OA Limitation is still set around 10% less than the total appropriation.

Over the span of the year. The state DOTs and FHWA will monitor how well projects are progressing and obligating their federally funded phases. Each state DOT and Federal Highways Division will also identify how much additional OA they will need at the end of the year, or how much of unobligated funding they may end up with at the end of the federal fiscal year.

Based on each state's level of unobligated formula funds, Federal Highway Administration can authorize a redistribution of the unobligated funds. These funds can address the added obligation needs for projects when the state reached the OA Limitation limit. For some states, the Redistribution represents a loss of OA because the state DOT did not reach its required OA target.

For the 2018 Redistribution, all states are receiving a Redistribution share. This implies the actual available federal formula funds were higher than the lower set OA Limitation. The end result are bonus federal funds for the State DOT. The FY 2018 Obligation Limitation Redistribution Amount for Oregon is stated at \$52,187,679. See attachment 2 for reference to the OA Limitation Redistribution. Some of the Redistribution funding is now being committed to projects with OTC approval.

A detailed summary of the four projects being amended is provided in the below tables:

1. Project: East Portland Active Transportation to Transit (EPAT)			
Lead Agency:	Portland		
ODOT Key Number:	18021	MTIP ID Number:	70841
Project Description:	Elevate transit, bicycling and walking rates in East Portland by developing a bikeway network that connects to light rail and improving the pedestrian-transit connection with sidewalk infill and street crossing improvements.		
What is changing?	COST INCREASE which exceeds the 20% threshold for Administrative Modification cost changes		
	A small Utility Relocation phase (in the amount of \$18,000 of local funds) is being added to the project. The planned sidewalk infill work on SE Division will trigger the relocation of three existing Portland Water Bureau meters to ensure their location is fully within the sidewalk and meets City code. Since PWB is a reimbursable utility, a utility phase must be created for this project to allow the project to pay PWB for their relocation services.		
	ADA compliance requirements also impact the project resulting in an additional \$1,122,622 of local funds required for the Construction phase. Due to the ADA requirements and the time it took to coordinate moving scope to another ODOT project, this project was in design longer than anticipated. The CN estimate has been revised (increased) to reflect current price estimates. CN obligation will occur in the September/October timeframe.		

	<p>The result of the required funding increases the total project cost from \$4,635,771 to \$5,776,393, or an increase of \$1,140,622 which equals a cost change of 24.6%.</p> <p>A technical correction to the PE phase to identify the specific State STP fund codes obligated for the PE phase is also occurring.</p>
Additional Details:	<p>The EPAT project can be defined as a project with a lot of moving parts. Along with the main pedestrian and bicycling improvements, the project includes a small ITS scope component and a related transit bike-ped improvement component that TriMet will complete.</p> <p>The project has moved forward and obligated the Construction phase based on the updated programming shown in Exhibit A to the Resolution. A key purpose for this amendment is to add the UR phase and correct the required funding for the Construction phase. The Construction phase obligation included the amendment update conditioned.</p>
Why a Formal amendment is required?	Per the FHWA/FTA approved STIP/MTIP Amendment Matrix, projects with a total project cost of \$1 million or greater may make cost adjustments up to 20% as Administrative Modifications. Cost change above 20% require a formal MTIP amendment. The additional funds for the project represent a 24.6% cost change and is above the 20% threshold.
Total Programmed Amount:	Total programming increases the project cost from \$4,635,771 to \$5,776,393.
Added Notes:	Construction phase obligation confirmed for 2018

2. Project:	I-5 and I-205: Portland Metropolitan Value Pricing Program (New Project)		
Lead Agency:	ODOT		
ODOT Key Number:	21371	MTIP ID Number:	TBD
Project Description:	Planning study to analyze traffic, diversion and community benefits and impacts, concept refinement and stakeholder engagement for value pricing on I-5 and I-205.		
What is changing?	<p>This is a new regionally significant planning study being added to the 2018 MTIP.</p> <p>The Oregon Transportation Commission (OTC) approved the total needed funding (totaling \$3 million) to be sourced from the 2018 Federal-Aid Highway Program Redistribution allocation to Oregon. The federal redistribution are basically Surface Transportation Block Grant (STBG) funds and can be used for a wide range of eligible activities.</p> <p>Out of the total federal Redistribution funds, OTC approved \$3 million total for the I-205 – Portland Value Pricing Program study. However, the programming for the project will use the generic Advance Construction fund code allowing a possible later different federal fund code for the study.</p> <p>Approval of \$3 million for the planning phase of the Portland Metropolitan Value Pricing Program will support analysis of traffic, diversion and community benefits and impacts, concept refinement and stakeholder engagement in preparation for the National Environmental Policy Act process.</p> <p>Amendment discussion at the 10-5-2018 TPAC:</p> <p>TPAC Community members raised questions about the scope of work and approach the study will take. Why is only I-5 and I-205 involved? How will the</p>		

	<p>other proposed similar studies function in relation to this one? How much money is being committed across the board for all related Value Pricing Studies? These and other questions were raised during the overview presentation of the project amendment.</p> <p>Jon Makler, ODOT, explained the purpose of the Value Pricing Study, and expounded that the OTC had approved the funding as the first step. MTIP and STIP programming are the next steps with the specific scope of work to follow. The summary of the study will explore the opportunity costs of various tolling options available to the region, but focus in I-5 and I-205. TPAC members requested a future presentation from ODOT about this specific study to explain the scope of work approach, objectives, and goals. They also requested an expanded understanding about other related studies to occur and the net benefits to the region. Jon and TPAC Chair, Tom Kloster, agreed and stated that a future TPAC meeting will include a detailed presentation of Value Pricing efforts underway in the Metro region.</p>
Additional Details:	<p>Oregon House Bill 2017 from the 2017 Legislative session directs the Oregon Transportation Commission (OTC) to seek approval from the Federal Highway Administration (FHWA) by December 2018 to implement value pricing on the I-5 and I-205 corridors, from the Washington state line to their intersection in Oregon. Per the legislation, value pricing would be used to reduce traffic congestion in the Portland metropolitan region. If FHWA approves, the OTC is required to implement value pricing.</p> <p>Value pricing, also known as congestion pricing or peak-period pricing, is a type of tolling in which a higher price is set for driving on a road when demand is greater, usually in the morning and evening rush hours. The goal is to reduce congestion by encouraging people to travel at less congested times or by other modes, and to provide a more reliable travel time for paying users. Value pricing can include converting a carpool lane (also known as a high occupancy vehicle or HOV lane) to a high occupancy toll (HOT) lane so non-carpoolers can choose to pay to use the lane to save time; putting a variable toll on a new highway lane; using tolls on bridges that vary by time of day; and other applications.</p> <p>In order to develop a proposal to FHWA, the Oregon Department of Transportation (ODOT) will conduct a feasibility analysis to determine where value pricing may be successfully applied on these corridors and what the impacts of each option will be. Throughout this process, ODOT will work with local government officials and stakeholders and seek public input so that the voice of all those who may be affected can be heard.</p> <p><u><i>From the ODOT CVP web page:</i></u></p> <p>Successful congestion pricing programs maximize the limited highway space we have by encouraging the use of other modes of travel or different trip times. If a small percentage of highway users choose another mode of travel or time of travel it could alleviate traffic congestion for those who can't modify their trip.</p> <p>Below are some unique features of congestion pricing that you won't find on other tolled roads.</p> <p>Variable rates: The cost of the toll will vary depending on how much traffic is on the highway. During periods of high traffic, the toll will go up. When traffic is light, the toll will go down, possibly to \$0. This type of pricing incentivizes the use of other modes of travel, carpooling, or choosing to take the trip at a different time of day. The small percentage of users who make another choice for travel, can</p>

	<p>alleviate traffic congestion for those who can't modify their trip, resulting in less congestion and lower fees.</p> <p>Better travel options when you need it: Congestion pricing will give people the choice for a faster highway trip when they really need it—like when they need to get to work, a medical appointment, or pick up their child from school or daycare. Successful congestion pricing programs around the world are usually combined with transit improvements to provide additional travel choices for those not wanting to pay the toll.</p> <p>No toll booths: Congestion pricing would not require people to stop at toll booths. Technology that identifies cars with transponders or reads license plates in a manner that does not compromise privacy would allow you to pay a toll without slowing or stopping.</p> <p>The primary goal is to improve travel: Any funds raised from tolling will go first to pay for implementing the tolling system. If there is additional revenue left over, it must be used for roadway improvements, as mandated by Oregon state law.</p> <p>Effective: Numerous examples from the U.S and around the world show congestion pricing can work to improve traffic conditions. Seattle drivers saved an average of 26 minutes every day in 2016 with their express toll lanes on I-405</p> <p>Additional program details can be found at: https://www.oregon.gov/ODOT/Pages/VP-Feasibility-Analysis.aspx</p>
Why a Formal amendment is required?	Per the FHWA/FTA/ODOT/MPO STIP and MTIP Amendment Matrix, adding a new project to the MTIP requires a formal amendment to ensure fiscal constraint is maintained and the project addition does not impact air quality conformity.
Total Programmed Amount:	The total project programming is \$3,000,000.
Added Notes:	OTC action was required for approval of the funding for the CVP study and occurred during their September 2018 meeting

3. Project: I-205: Stafford Rd - OR99E			
Lead Agency:	ODOT		
ODOT Key Number:	19786	MTIP ID Number:	70859
Project Description:	Complete pre-NEPA project development planning activities to add a third through-lane on I-205 in each direction and a fourth lane on the Abernethy Bridge to separate through traffic and complete required seismic upgrades.		
What is changing?	<p>The amendment adds the final PE funding in the amount of \$17.1 million enabling the PE Phase to be fully funded according to the project Cost-To-Complete Report.</p> <p>The approved funding originates from the 2018 Redistribution. The \$17.1 million for the PE phase was approved by the OCT during their September 2018 meeting.</p> <p>The funding is being programmed using the Advance Construction fund code enabling a later federal fund swap if required.</p>		
Additional Details:	<p>The project includes two key major project scope components:</p> <ol style="list-style-type: none"> 1. Provide widening and seismic upgrades to the Abernethy Bridge 2. Add a third through lane in each direction on I-205 from Stafford road east and north to OR 99E <p>A summary of the key points from the January 5, 2018 HDR Cost-To-Complete Report include the following:</p>		

1. What is the project purpose? The project's purpose is to:

Provide seismic resiliency to ensure the corridor functions as a statewide north-south lifeline route after a major earthquake. The Project accomplishes this by retrofitting or replacing each of the seismically vulnerable bridges that carries I-205 or conflicts with the proposed freeway widening.

Reduce congestion in the Project corridor by adding an additional through-lane in the northbound (NB) and southbound (SB) directions between Stafford Road and Oregon Route (OR) 99E. It also maintains the I-205 auxiliary lanes in both directions between OR 43 and OR 99E, and adds a new NB auxiliary lane from OR 99E to OR 213. Because this is the last segment of I-205 without a third lane, the Project remedies multiple bottleneck locations within its seven-mile corridor.

Improve mobility and travel time reliability within the corridor. Once the Project is complete, travel times during peak hours will decrease by as much as 25 percent versus today's times and more than 50 percent versus anticipated times in 2040.¹

2. What is the proposed project scope and cost?

In 2016, ODOT presented a preliminary Project scope and cost of \$452 million (M) to the State Legislature. Since that time, the Project Team advanced and refined the design to a 15-percent level. Despite having the same general scope, Project cost estimate rose to \$500 M primarily due to inflation and the decision to shift from asphalt to concrete pavement. The five elements of Project's general scope are explained below:

- I. **Seismic Upgrades:** The Project upgrades the Abernethy Bridge and the eight other I-205 bridge sites in the Project area to withstand a major earthquake. ODOT designated I-205 as a statewide north-south life line route, which means it must be operational quickly after a disaster renders other roadways unusable or impassable. This critical route will provide supplies and services to the region.
- II. **I-205 Widening:** The Project adds a third lane in each direction on the seven-mile stretch of I-205 between Stafford Road and OR 99E. It also adds a NB auxiliary ("entrance-to-exit") lane between OR 99E and OR 213. Widening I-205 requires blasting in order to remove the rock from the rock slope located in West Linn adjacent to the I-205 NB direction between the Sunset Avenue overcrossing and just south of the OR 43 interchange. The Project Team will conduct refined noise, vibration, and traffic staging studies in Spring 2018 to determine the exact impacts of the blasting, the extent of noise mitigation measures (such as noise walls), and the duration of work anticipated. At this time, the cost estimate assumes noise walls based on preliminary noise analyses.
- III. **Bridge Replacements:** Widening I-205 requires rebuilding the West A Street and Sunset Avenue bridges, which cross over I-205, due to column conflicts with the location of the new lanes. The Project will also replace the I-205 bridges over the Tualatin River, Borland Road, and Woodbine Road. These replacements are less costly than retrofitting and widening the bridges.
- IV. **Interchange Improvements:** To improve I-205 safety and travel-time predictability, the Project makes changes to entrance ramps, exit

ramps and intersections around the OR 43 and OR 99E interchanges. At the OR 43 interchange, the Project consolidates the two I-205 NB entrance-ramps points to reduce merging and weaving issues and reduce rear-end crashes. The Project removes the Broadway Street bridge overcrossing to enhance the functionality of the consolidated interchange. At the OR 99E interchange, the Project modifies the ramps to conform to the widened freeway lanes. The Project will not modify the existing ramp terminals.

- V. Traveler Information Signs (active traffic management (ATM) improvements): The Project includes ODOT Real Time traffic information signs to help travelers get where they are going safely and efficiently. These signs can display traffic flow information, roadway conditions, and advisory speeds limits.

Table 1. Total Project Cost Estimate

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Preliminary Engineering (PE)		\$45.0 M total (\$32.5 M is needed to complete the PE phase)	
ROW acquisition		\$1.4 M	
Utility relocation		\$2.7 M	
Per-Package Costs (\$ millions)			
Project Phase	Package A (Northern Package)	Package B (Southern Package)	Package C (ATM Package)
Construction + Construction Engineering (CE)	\$248.0 M	\$197.4 M	\$5.1 M
Total Project Cost: \$ 499.6 M			

3. What is the recommended construction contracting, or phasing, plan?

The Project Team recommends that the Project be constructed using three separately phased construction contracts, or "packages", as follows:

Package A: Northern Package (Abernethy Bridge plus adjacent interchanges) estimated cost at \$248.0 M. Package A consists of the Abernethy Bridge widening and retrofit, the OR 43 and OR 99E interchange reconstructions on either end of the bridge, the widening and retrofit of the Main Street Bridge, and the construction of a new I-205 NB auxiliary lane from OR 99E to OR 213.

Package B: Southern Package (I-205 Widening) estimated cost at \$197.4 M. Package B consists of the I-205 widening from Stafford Road to the Abernethy Bridge. It also includes the rock cut required to widen the roadway between Sunset Avenue and OR 43, the West A Street and Sunset Avenue bridge replacements, the Broadway Street Bridge removal, and the replacement or widening and retrofit of all bridges carrying I-205 from 10th Street to Stafford Road.

Package C: ATM Package estimated cost at \$5.1 M. Package C consists of the ATM improvements throughout the Project limits, except those attached to the Sunset Avenue Bridge (which will be constructed as an element within Package B).

4. **Alternatives:** The Project Team conducted a series of workshops to develop and refine the Project alternatives and utilize the goals described above as evaluation criteria. The Project Team developed conceptual phasing plans, rough order-of-magnitude costs, and construction schedules for the following feasible alternatives:

Alternative 1 – Baseline with a single mega-project

Alternative 2 – Baseline with staggered, phased delivery

Alternative 3 – Staggered and phased by work type and location

Alternative 4 – Staggered and phased by work-type (only)

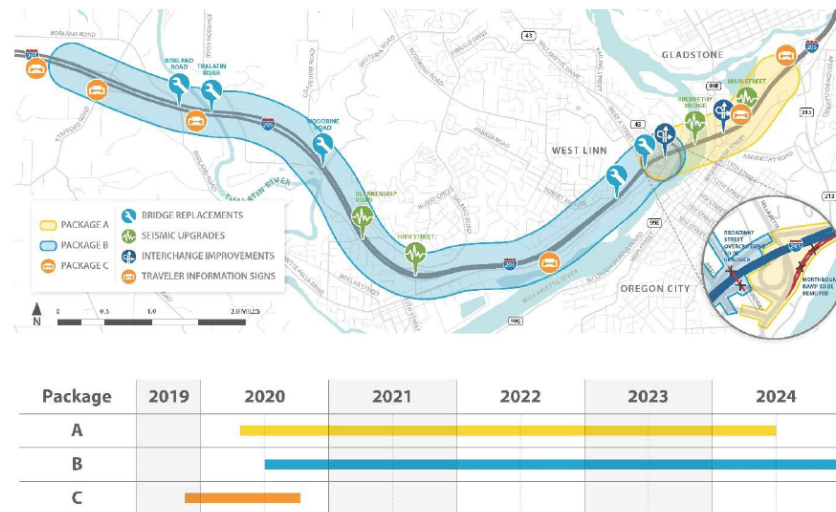
Alternative 5 – Early operational improvements

Alternative 6 – Lowest cost and early operational improvements

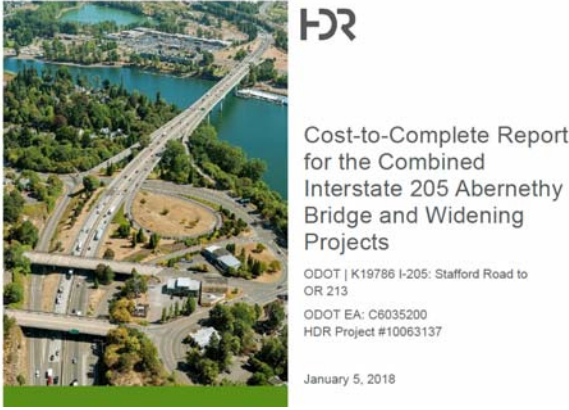
The Project Team considered other alternatives, such as bundling all bridge and roadway work separately, but each was deemed infeasible due to their significant construction staging challenges, and/or excessive cost and schedule risks. Appendix E describes, rates, and compares each feasible alternative.

Based on the evaluation criteria ratings and each alternative's benefits (Appendix E), the recommended phasing alternative is Alternative 6, which features the lowest cost and early operational improvements


Figure 6. Alternative 6 – Recommended Phasing



Source: The items discussed on the previous pages are from the HDR Cost-to-Complete Report and represent a very condensed summary of the overall project

	 <p>A copy of the report can be found at: http://www.i205corridor.org/files/library/2018-01-05-k19786-i-205cw-pd-ctc-report-final-reduced.pdf</p>
Why a Formal amendment is required?	Per the FHWA/FTA/ODOT/MPO STIP and MTIP Amendment Matrix, cost changes in excess of 20% for \$1 million or greater project cost require a formal amendment. Adding the \$17.1 million to the project represents a cost change of 56.3%.
Total Programmed Amount:	The total project programming increases from \$30,400, 000 to \$47,500,000
Added Notes:	OTC approval was required and occurred during their September 2018 meeting

4. Project: North Dakota Street: Fanno Creek Bridge			
Lead Agency:	Tigard		
ODOT Key Number:	20488	MTIP ID Number:	70979
Project Description:	Construct a new single span bridge on the same alignment. Raise the vertical grade line to improve site distance approaching the railroad crossing.		
What is changing?	<p>The PE phase increases significantly along with an increase to the Right-of-Way phase.</p> <p>Use of external consultants, ADA compliance requirements, and added rail road crossing requirements all contribute to increase the project cost.</p>		
Additional Details:	At the time of scoping this project, the plan was to deliver it in-house and we budgeted accordingly. Since then, ODOT policy for local agency projects has shifted and due to lack of resources, we have decided to outsource the project instead. Full service consultant projects are more expensive than in-house projects, therefore PE and RW estimates need to increase. In addition, new ADA and Rail requirements need to be incorporated into the project budget, further contributing to the budget increase.		

	
Why a Formal amendment is required?	Per the FHWA/FTA/ODOT/MPO STIP and MTIP Amendment Matrix, cost changes for \$1 million or greater projects require a formal amendment. The cost increase adds \$908,840 which equals a 23.2% net cost change to the project.
Total Programmed Amount:	The total project programming increases from \$3,916,051 to \$4,824,891
Added Notes:	

5. Project:	Vision Around the Mountain Planning Study
Lead Agency:	Western Federal Lands Highway Division
ODOT Key Number:	20784
	MTIP ID Number: TBD
Project Description:	Planning project to determine coordination opportunities between various Transit Operations around Mt Hood, including the Mt. Hood Express, Columbia Gorge Express, and Mt. Hood Gorge Loop Transit
What is changing?	<p>This is a new project study being added to the 2018 MTIP. The study will be led by Western Federal Lands Highway Division.</p> <p>The project route for the study will be the Historic Columbia River Highway, Highway 26, Highway 35, and Highway 84.</p> <p>The impacted counties are: Multnomah, Hood River, and Clackamas. A Federal Lands Access Program (FLAP) Project MOU is now in place among the three counties.</p>
Additional Details:	Approved funding for the study is Federal Lands Access Program (FLAP) funds
Why a Formal amendment is required?	Per the FHWA/FTA/ODOT/MPO STIP and MTIP Amendment Matrix, adding a new project to the MTIP requires a formal amendment
Total Programmed Amount:	The total project programming is \$120,000
Added Notes:	

Note: The Amendment Matrix shown below 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
- 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 as well.

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.	

- Programming determined to be reasonable of phase obligation timing and is consistent with project delivery schedule timing.
- 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 October 2018 Formal MTIP amendment will include the following:

<u>Action</u>	<u>Target Date</u>
● Initiate the required 30-day public notification process.....	October 1, 2018
● TPAC notification and approval recommendation.....	October 5, 2018
● JPACT approval and recommendation to Council.....	October 18, 2018*
● Completion of public notification process.....	October 30, 2018
● Metro Council approval.....	November 1, 2018

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

USDOT Approval Steps:

<u>Action</u>	<u>Target Date</u>
● Metro development of amendment narrative package	November 5, 2018
● Amendment bundle submission to ODOT for review.....	November 6, 2018
● Submission of the final amendment package to USDOT.....	November 6, 2018
● ODOT clarification and approval.....	Mid/Late November, 2018
● USDOT clarification and final amendment approval.....	Late November, 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:

JPACT recommends the approval of Resolution 18-4933 (Approval date 10/18/2018)

- TPAC approval of Resolution 18-4933: 10/5/2018

Attachments:

1. Project Location Maps
2. 2018 Redistribution Guidance