

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADDING OR	)	RESOLUTION NO. 19-4961
AMENDING EXISTING PROJECTS TO THE	)	
2018-21 METROPOLITAN TRANSPORTATION	)	Introduced by: Chief Operating Officer
IMPROVEMENT PROGRAM INVOLVING	)	Martha Bennett in concurrence with
ELEVEN PROJECTS IMPACTING ODOT,	)	Council President Lynn Peterson
OREGON CITY, AND TRIMET (JA19-05-JAN)	)	

WHEREAS, the Metropolitan Transportation Improvement Program (MTIP) prioritizes projects from the Regional Transportation Plan (RTP) to receive transportation related funding; and

WHEREAS, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council approved the 2018-21 MTIP via Resolution 17-4817 on July 27, 2017; and

WHEREAS, JPACT and the Metro Council must approve any subsequent amendments to add new projects or substantially modify existing projects in the MTIP; and

WHEREAS, the U.S. Department of Transportation (USDOT) has issued clarified MTIP amendment submission rules and definitions for MTIP formal amendments and administrative modifications that both ODOT and all Oregon MPOs must adhere to which includes that all new projects added to the MTIP must complete the formal amendment process; and

WHEREAS, the Metro 2019-21 Regional Flexible Fund Allocation (RFFA) award to Oregon City's Molalla Ave active transportation improvement project qualified to be de-federalized via a fund exchange with TriMet and with no expected federal approvals required is being now removed from the MTIP and will be implemented and monitored outside the MTIP by an Intergovernmental Agreement between Metro and Oregon City; and

WHEREAS, ODOT's OR-8 at River Road Fix-it/Safety improvement project is combining with their OR-224 at Lake/Harmony project which will result in cost savings and allow both projects to be delivered under the same construction contract; and

WHEREAS, ODOT's OR-213 (82<sup>nd</sup> Ave) at Madison High School project will be combined into a similar project being designed by Portland Public Schools which results in ODOT still contributing \$560,000 of state funds to the project and allows the project to be de-federalized enabling PPS to lead and accelerate delivery during 2019 and results in cost savings enabling \$560,250 of federal funds to be transferred to ODOT's OR-8 River Rd & OR-224 at Lake Rd combined project to resolve a Preliminary Engineering and Construction phase funding shortfall; and

WHEREAS, ODOT's Federal Fiscal Year 2019 Statewide Rail Crossing Program will commit \$300,000 to ODOT's combined OR-8 River Rd & OR224 at Lake Rd project to support needed railroad improvements now part of the project's scope and will be included as part of the amendment to ODOT's OR-8 River Rd & OR-224 at Lake Rd project; and

WHEREAS, ODOT's design of their I-5 from Marine Drive to Fremont Bridge safety improvement project proposed to install variable speed advisory signs on north and southbound I-5 has resulted in higher project costs forcing scope adjustments and project limit reductions to keep the project

within budget, but also realizes construction phase savings to now be used to address a Preliminary Engineering phase funding shortfall; and

WHEREAS, ODOT's review of their I-405 – Fremont (Willamette River) Bridge Fix-it project involving bridge painting has determined they can transfer \$10,000,000 from the project to their Federal Fiscal Year 2019 Major Bridge Maintenance project grouping bucket increasing fund programming to \$20 million which supports efforts to strengthen Region 1 Bridges annually; and

WHEREAS, ODOT's SW Multnomah Blvd Over I-5 Fix-It/safety improvement project proposed to place a structural overlay on the deck, replace or repair leaking joints, and retrofit bridge rails to meet safety standards has seen its overall cost increase by \$656,900 resulting in a decision to transfer funding from a Region 5 canceled project in Key 20540, adjust the scope to their I-84 Fairview to Marine Drive & Tooth Rock Tunnel project to free up additional funds, and commit \$400,000 from the Statewide Bridge Funding project grouping buckets in Keys 20082 and 20083 to cover the funding shortfall; and

WHEREAS, ODOT's OR-99W SB Ramp to I-5 SB (Capitol Highway Interchange) project which will address the top layer of the concrete deck that has required patches where pieces have separated, with a structural concrete overlay also has experienced a significant cost increase to the Preliminary Engineering and Construction phases requiring an additional \$927,494 resulting in the need fund leverage funding from other available bridge and/or interchange improvement projects to address the funding shortfall; and

WHEREAS, ODOT's I-5 Barbur Blvd NB Connection Bridge Fix-It/safety improvement project which involves structure painting, pack rust removal, and rivets/bolts replacement faces a cost increase of \$828,692 impacting the Preliminary Engineering and the Construction phases will draw from available funds from a canceled Region 5 project, and scope adjustments from ODOT's Key 20298, I-84 – Fairview to Marine Drive & Tooth Rock Tunnel project and is being renamed for clarity to be the OR-99W – Barbur Blvd Northbound Connection Bridge project; and

WHEREAS, ODOT's I-84 – Fairview to Marine Drive & Tooth Rock Tunnel Highway/Preservation project will be down-scoped to include I-84 section paving from Fairview to Marine Drive and include a full signal upgrade at NE 238<sup>th</sup> while eliminating the Tooth Rock Tunnel and McCord Creek Bridge scope elements releasing committed funding to be use on other projects including ODOT's OR-99W Barbur Blvd Northbound Connection Bridge project to address funding shortfalls; and

WHEREAS, TriMet's FY 2018 Preventative Maintenance Transit Oriented Development (TOD) fund exchange project with Metro programmed in Key 21126 has been identified as an inadvertent duplicate project to their already obligated and awarded TOD fund exchange project in Key 21262 and is now being removed from the MTIP to resolve fund programming duplication which could negatively impact Metro's fiscal constraint finding; and

WHEREAS, all amended projects were evaluated against seven revised MTIP review factors to ensure all requested changes and additions can be accomplished legally through the MTIP amendment process; and

WHEREAS, the MTIP review factors included project eligibility/proof of funding, RTP consistency with the financially constrained element, consistency with RTP goals and strategies, determination of amendment type, inclusion in the Metro transportation regional models, determination of Regional Significance, fiscal constraint verification, and compliance with MPO MTIP federal management responsibilities; and

WHEREAS, the MTIP's financial constraint finding is maintained as all projects proof of funding has been verified; and

WHEREAS, no negative impacts to air conformity will exist as a result of the changes completed through the January 2019 Formal MTIP Amendment; and

WHEREAS, all projects included in the January 2019 Formal MTIP Amendment successfully completed a required 30-day public notification/opportunity to comment period without any significant issues raised; and

WHEREAS, TPAC received their notification and recommended approval on January 11, 2019 and approved the amendment approval recommendation to JPACT; now therefore

BE IT RESOLVED that the Metro Council hereby adopts the recommendation of JPACT on January 17, 2019 to formally amend the 2018-21 MTIP to include the January 2019 Formal Amendment bundle consisting of eleven projects.

ADOPTED by the Metro Council this \_\_\_\_ day of \_\_\_\_\_ 2019.

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Lynn Peterson, Council President

Approved as to Form:

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Nathan A.S. Sykes, Acting Metro Attorney