Memo

Metro
600 NE Grand Ave.
Portland, OR 97232-2736

Date: Thursday, April 18, 2019
To: Metro Council and Interested Parties
From: Ken Lobeck, Funding Programs Lead, 503-797-1785
Subject: April 2019 MTIP Formal Amendment plus Approval Request of Resolution 19-4983

STAFF REPORT

FOR THE PURPOSE OF ADDING OR AMENDING EXISTING PROJECTS TO THE 2018-21 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM INVOLVING ONE PROJECT IMPACTING SMART (AP19-08-APR)

BACKROUND

What This Is:
The April 2019 Formal Metropolitan Transportation Improvement Program (MTIP) Amendment bundle (for FFY 2019) contains required changes and updates impacting SMART. One project comprises the amendment bundle.

What is the requested action?
JPACT recommends Metro Council approval for resolution 19-4983 and then on to USDOT for final approval enabling SMART's new project to be amended correctly into the 2018 MTIP.

The summary of the one project is shown in the below table:

Proposed April 2019 Formal Amendment Bundle Amendment Type: Formal/Full Amendment #: AP19-08-APR Total Number of Projects: 1					
ODOT Key #	**MTIP ID #**	**Lead Agency**	**Project Name**	**Project Description**	**Description of Changes**
New 21462	New TBD	SMART	FY 2016 Bus Replacement (SMART)	FTA 5339(b) 2016 Discretionary Funding Award, D2016-BUSP-042, procurement of one low-floor, ADA compliant,30-foot replacement bus	**ADD NEW PROJECT:** The formal amendment adds SMART's discretionary FTA 5339(b) grant award to the MTIP enabling them to move forward and receive their grant funds to purchase the replacement 30-foot diesel bus

A detailed summary of the SMART's new project being add to the MTIP is provided in the tables on the following pages.

Project 1:	**FY 2016 Bus Replacement (SMART) (New Project)**		
Lead Agency:	**SMART**		
ODOT Key Number:	**New TBD**	MTIP ID Number:	New TBD
Projects Description:	Project Snapshot: • Proposed improvements: In the city of Wilsonville area for SMART in the southern Metro MPO region, purchase one low-floor, 30-foot, ADA compliant, replacement bus per FTA 5339(b) 2016 Discretionary Funding Award, D2016-BUSP-042 • Source: New MTIP project • Funding: Federal Transit Agency discretionary Section 5339(b) funding award • Type: Transit • Location: In the city of Wilsonville area for SMART • Cross Streets: N/A • Mile Post Limits: N/A • Bus Type Purchase: Replacement • Current Status Code: T22 = Programming actions in progress or programmed in current MTIP • STIP Amendment Number: TBD • MTIP Amendment Number: AP19-08-APR		
What is changing?	**AMENDMENT ACTION: ADD NEW PROJECT** SMART received a discretionary FTA funding award from the 2016 5339(b) Discretionary program. FTA's Section 5339(b) Bus and Bus Facilities program purpose is to improve the condition of the nation's public transportation bus fleets, expand transportation access to employment, educational, and healthcare facilities, and to improve mobility options in rural and urban areas throughout the country. The 5339(b) Discretionary program addresses FTA's statutory requirement to "consider the age and condition of buses, bus fleets, related equipment, and bus-related facilities". FTA will prioritize projects that demonstrate how they will address significant repair and maintenance needs, improve the safety of transit systems, deploy connective projects that include advanced technologies to connect bus systems with other networks, and support the creation of ladders of opportunity. From the 2016 5339(b) Discretionary Project call, SMART was awarded 5339(b) funds to purchase 1 replacement 30-foot low-floor, ADA compliant diesel bus. The new vehicle will replace a high-floor bus, which creates accessibility challenges for SMART's growing number of elderly and disabled riders. SMART is committed to converting our fleet to low-floor buses as replacements occur. The 5339(b) grant award is $320,000 which SMART is matching with $130,000 for a total project cost of $450,000 Added note: Subsequent discussions with FTA over the standard project naming convention rules in the STIP and MTIP resulted in a more general name to be used for the project. The revised name is now "FY 2016 Bus Replacement (SMART)". The project description will provide additional clarifying remarks about the bus purchase.		

Additional Details:	Timing for MTIP programming and approval is urgent to enable sufficient time for SMART to submit their TrAMS transit grant request to FTA for approval to begin expending funds before the end of September 2019. Original grant award occurred on October 12, 2016.
Why a Formal amendment is required?	Per the FHWA/FTA/ODOT/MPO Amendment Matrix, new projects being added to the MTIP require a formal/full amendment.
Total Programmed Amount:	The total project programming amount is $450,000 or which $320,000 is federal FTA 5339(b)
Added Notes:	FTA verified the grant award to SMART

TABLE 1—FY 16 GRANTS FOR BUSES AND BUS FACILITIES COMPETITION PROJECT SELECTIONS—Continued

State	Recipient	Project ID	Project description	Allocation	Project rating
NY	New York City Department of Transportation.	D2016–BUSP–038	Construct a combination of bus lanes, stations, refurbished bus stops and transfer points, safety improvements, and transit signal priority and signal timing changes.	4,273,771	Recommended.
OH	Ohio Department of Transportation.	D2016–BUSP–039	Purchase replacement transit vehicles for rural service.	6,691,634	Highly Recommended.
OK	Central Oklahoma Transportation and Parking Authority.	D2016–BUSP–040	Purchase CNG replacement buses.	1,932,000	Highly Recommended.
OK	Oklahoma Department of Transportation.	D2016–BUSP–041	Purchase replacement ADA transit vehicles.	3,590,154	Highly Recommended.
OR	City of Wilsonville—SMART Transit.	D2016–BUSP–042	Purchase low-floor 30-foot replacement bus.	320,000	Highly Recommended.
PA	River Valley Transit (Williamsport, AA).	D2016–BUSP–043	Purchase CNG replacement buses.	2,040,000	Highly Recommended.
PA	Southeastern Pennsylvania Transportation Authority (SEPTA).	D2016–BUSP–044	Rehabilitate Wissahickon Transit Center.	4,000,000	Highly Recommended.
PA	Transportation and Motor Buses for Public Use Authority (Altoona, PA).	D2016–BUSP–045	Purchase replacement transit buses.	864,000	Highly Recommended.

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
- 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.
  - 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
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.

- 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 February 2019 Formal MTIP amendment will include the following:

Action	Target Date
Initiate the required 30-day public notification process……	March 27, 2019
TPAC notification and approval recommendation……	April 5 , 2019
JPACT approval and recommendation to Council……	April 18, 2019*

- Completion of public notification process…….. April 25, 2019
- Metro Council approval…….. May 2, 2019

Notes:

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

USDOT Approval Steps:

Action	Target Date

- Metro development of amendment narrative package ……. May 6, 2019
- Amendment bundle submission to ODOT for review…….. May 7, 2019
- Submission of the final amendment package to USDOT…….. May 7, 2019
- ODOT clarification and approval…….. Mid-April, 2019
- USDOT clarification and final amendment approval…….. Late April-early May, 2019

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 19-4983.

- JPACT approval date: April 18, 2019
- TPAC approval date: April 5, 2019

No attachments