

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADDING OR)	RESOLUTION NO. 19-4993
AMENDING EXISTING PROJECTS TO THE)	
2018-21 METROPOLITAN TRANSPORTATION)	Introduced by: Chief Operating Officer
IMPROVEMENT PROGRAM INVOLVING SIX)	Martha Bennett in concurrence with
PROJECTS IMPACTING ODOT, PORTLAND,)	Council President Lynn Peterson
AND TIGARD (AP19-09-MAY))	

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, a status review by ODOT concerning their Interstate 405 (I-405) Fremont (Willamette River) Bridge rehabilitate and painting project which through a prior amendment transferred \$10 million to the State Bridge Program for maintenance needs determined they can delay the project without significant issue allowing the most of existing funding to be transferred to two other projects to address associated funding shortfalls with the remaining funds to the State Bridge Program, but will result in the cancellation of the I-405 Fremont Bridge project with full funding most likely returning during the next STIP cycle; and

WHEREAS, the funding transfer from the I-405 Fremont Bridge project will include \$2,179,980 re-programmed to ODOT's Region 1 Interstate 84 (I-84) from Interstate 205 (I-205) to 181st Ave pavement rehabilitation project allowing additional repair work of four bridges to be included in the scope of work; and

WHEREAS, the scope and funding adjustments to ODOT's I-405 Fremont Bridge and I-84 pavement rehabilitation project are considered significant under FHWA's amendment rules that a formal amendment to the MTIP is required along with approval from the Oregon Transportation Commission (OTC) which occurred during their May 2019 meeting; and

WHEREAS, upon a status update for ODOT's OR99W Tualatin River Northbound (NB) Bridge reconstruction project, ODOT has decided to cancel the construction phase for the project to address additional design issues and outsource the final design requirements in the Preliminary Engineering (PE) phase leaving the project currently underfunded to become a shelf-ready PE project with its construction phase to be re-funded most likely as part of the next STIP cycle; and

WHEREAS, the cancellation of the construction phase for ODOT's OR99W Tualatin NB Bridge reconstruction project will result in the transfer of \$453,000 to the PE phase to address the added design issues plus \$3,023 transferred to the State Bridge program with the final \$743,854 transferred to ODOT's Region 1 I-84 NW Forest Lane over I-84 reconstruction project which is outside of the MPO boundary area and not part of this amendment bundle; and

WHEREAS, the scope and funding changes are significant to the OR99W Tualatin NB Bridge reconstruction project and the I-84 NW Forest Lane over I-84 reconstruction project that both require a formal MTIP amendment and approval from OTC which occurred during their May 2019 meeting; and

WHEREAS, ODOT and the Portland Bureau of Transportation (PBOT) determined during their review of the PBOT's NE 12th Ave over I-84 & Union Pacific Railroad Bridge protective screening project that the project was significantly underfunded requiring an additional \$1,931,244 of OTC approved bridge overpass protective screening funds to complete the project and slipped the construction phase timing to 2021; and

WHEREAS, two city of Tigard's prior Regional Flexible Fund Allocation (RFFA) program projects including their SW Wall St Extension to SW Tech Center Dr (Hunziker) and Main Street Phase 2 – Rail Corridor to SW Scoffins St were approved for, and have completed their de-federalization process using local fund swaps plus completed development and execution of their required locally funded Metro Intergovernmental Agreements (IGAs) for project delivery allowing them to now be removed from the MTIP and Statewide Transportation Improvement Program (STIP) to avoid possible project oversight conflicts with ODOT; 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 May 2019 Formal MTIP Amendment; and

WHEREAS, all projects included in the May 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 May 3, 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 May 16, 2019 to formally amend the 2018-21 MTIP to include the May 2019 Formal Amendment bundle consisting of six projects.

ADOPTED by the Metro Council this ____ day of _____ 2019.

Lynn Peterson, Council President

Approved as to Form:

Nathan A.S. Sykes, Acting Metro Attorney

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