

# Memo



**Metro**

600 NE Grand Ave.  
Portland, OR 97232-2736

Date: Tuesday, December 24, 2019  
To: Metro Council and Interested Parties  
From: Ken Lobeck, Funding Programs Lead, 503-797-1785  
Subject: December 2019 MTIP Formal Amendment & Approval Request of Resolution 19-5050, (Regular Bundle)

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## STAFF REPORT

FOR THE PURPOSE OF ADDING OR AMENDING EXISTING PROJECTS TO THE 2018-21 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM INVOLVING TWO PROJECTS IMPACTING ODOT (DC20-05-DEC2)

## BACKGROUND

### What This Is:

The December 2019 Formal Metropolitan Transportation Improvement Program (MTIP) Formal/Full Amendment bundle (for FFY 2020) with two ODOT projects requiring MTIP amendment through the approval of Resolution 19-5050.

### What is the requested action?

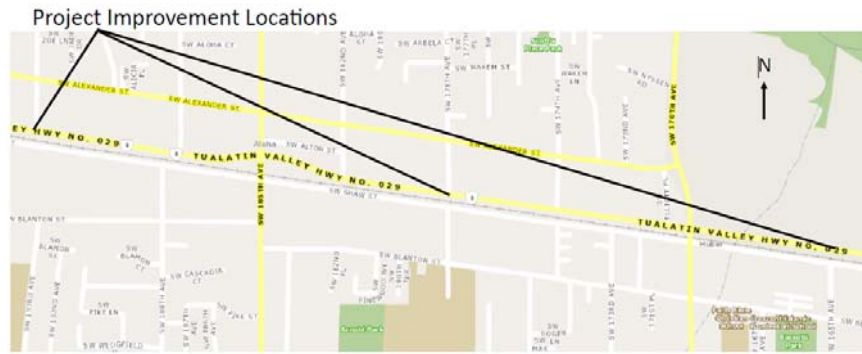
**JPACT recommends Metro Council approval of the December 2019 formal amendment for the two ODOT projects in Resolution 19-5050 allowing the projects to be amended correctly into the 2018 MTIP with final approval to occur from USDOT.**

Proposed December 2019 Formal Amendment Bundle Amendment Type: <b>Formal/Full</b> Amendment #: <b>DC20-05-DEC2</b> Total Number of Projects: 2					
ODOT Key #	MTIP ID #	Lead Agency	Project Name	Project Description	Description of Changes
Project #1 Key 18839	70780	ODOT	Project Name: OR8: SW 192nd Ave (Aloha) - <del>SW 160th Ave</del> - <b>SW 165th Ave</b> (Beaverton)	Sidewalk infill and improvements, Signal priority, bus stop relocations, bus pads, <del>mobility improvements</del> and enhanced pedestrian crossing	<b>SCOPE CHANGE:</b> The formal amendment down-scopes the project to remain within budget constraints/ Project limits are reduced to be 192 <sup>nd</sup> Ave to 165 <sup>th</sup> Ave. The project name and descriptions are updated with the adjusted scope of work. Total project funding remains unchanged at \$1,698,000.

Project #2 Key 20508	70982	ODOT	I-205: Abernethy Bridge - SE 82nd Dr.	Remove and replace asphalt surface to repair rutted pavement to include replace ramp meters detection loops, replace existing striping, pave ramp and connections, and I-205 mainline plus 2 feet of outside shoulder paving.	<b>LIMITS CHANGE:</b> The formal amendment reduces the project limits by 0.31 miles. There is no change to funding or scope of work.
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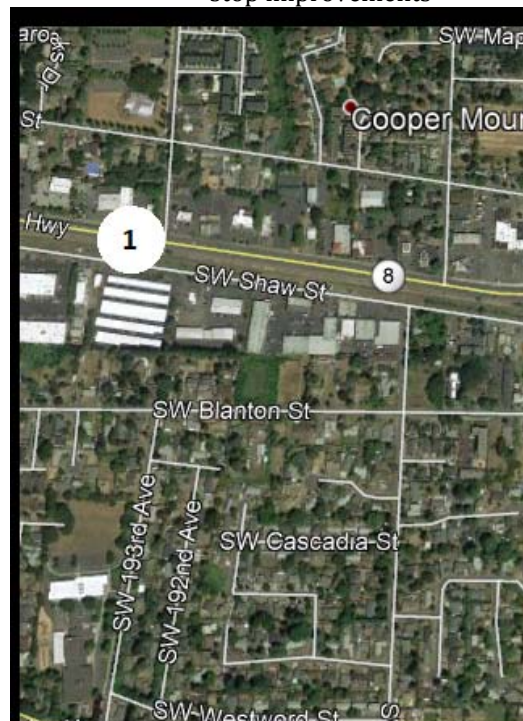
A detailed summary of the amended projects is provided in the tables on the following pages.

<b>Project 1: OR8: SW 192<sup>nd</sup> Ave (Aloha) – <del>SW 160<sup>th</sup> Ave</del> SW 165<sup>th</sup> Ave (Beaverton)</b>	
Lead Agency:	<b>ODOT</b>
ODOT Key Number:	<b>18839</b>
	MTIP ID Number: 70780
Projects Description:	<p>Project Snapshot:</p> <ul style="list-style-type: none"> <li>Proposed improvements – Sidewalk infill and improvements, Signal priority, bus stop relocations, bus pads, and enhanced pedestrian crossing</li> <li>Source: Existing project</li> <li>Funding: Source of funding is from ODOT</li> <li>Type: Transit safety improvement</li> <li>Location: In the western Metro MPO region near Aloha</li> <li>Cross Street Limits: Originally between 192<sup>nd</sup> Ave east to 160<sup>th</sup> Ave. Down-scope limits are now 192<sup>nd</sup> Ave east to 165<sup>th</sup> Ave</li> <li>Overall Mile Post Limits: Changed to be MP 5.58 to 7.03 (Approximately 1.45 miles)</li> <li>Current Status Code: 6 = Pre-construction activities (pre-bid, construction management oversight, etc.).</li> <li>STIP Amendment Number: 18-21-3382</li> <li>MTIP Amendment Number: DC20-05-DEC2</li> </ul>
What is changing?	<p><b>AMENDMENT ACTION: SCOPE CHANGE</b></p> <p>The formal amendment down-scopes the project to remain with authorized funding constraints. The project name and description are updated to reflect the adjusted scope and limits for the project.</p> <p>Updated cost estimates revealed the original planned scope and limits from 192<sup>nd</sup> Ave east to 160<sup>th</sup> Ave exceeded the authorized ODOT funding for the project. TriMet working with ODOT agreed to remove the planned improvements at SW 160<sup>th</sup> Ave. The project is currently underfunded due to ADA improvements resulting in higher than expected costs for each location. Per the terms of the IGA, TriMet is responsible for funding the project in excess of the federal award. TriMet is unable to fully fund the existing scope, and has agreed to a revised scope. Three site locations remain on OR 8 with an adjusted limits of 192<sup>nd</sup> Ave east to 165<sup>th</sup> Ave. The revised scope of work includes the following improvements:</p> <ol style="list-style-type: none"> <li>On OR8 at SW 192nd Ave: Consolidate bus Stops, install an enhanced pedestrian crossing with bus stop improvements.</li> <li>On OR8 at SW 178th Ave: Bus Stop Location 5625 - Install a 3' x 5' pad and new bus stop shelter and install 65' of sidewalk on the north side of OR8 in front of 17825 SW Tualatin Hwy.</li> <li>On OR8 at St Mary's Home: Remove Crosswalk striping and remove Bus Stop Locations ID #5603, and #5604.</li> </ol>
Additional Details:	



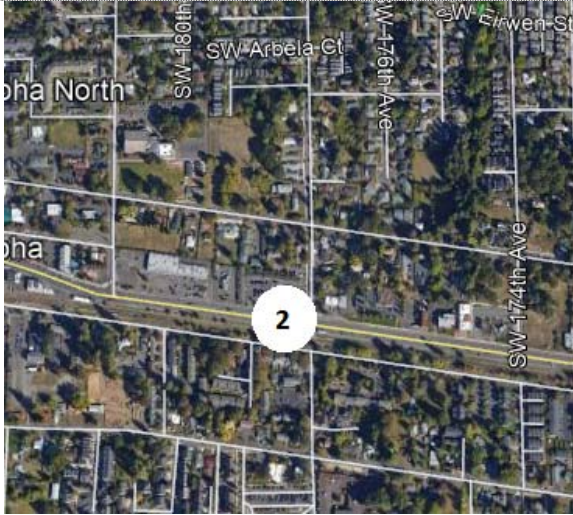
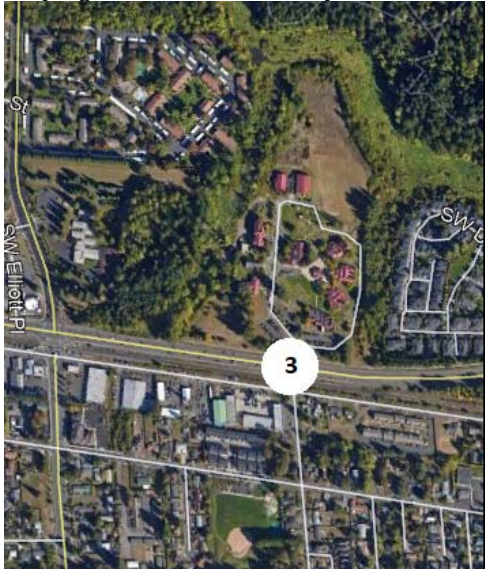
**OR8 at SW 192nd Ave**

Consolidate bus Stops, install an enhanced pedestrian crossing with bus stop improvements



**OR8 at SW 178th Ave**

Bus Stop Location 5625 - Install a 3' x 5' pad and new bus stop shelter and install 65' of sidewalk on the north side of OR8 in front of 17825 SW Tualatin Hwy

	 <p><b><u>OR8 at St Mary's Home</u></b> Remove Crosswalk striping and remove Bus Stop Locations ID #5603, and #5604.</p> 
Why a Formal amendment is required?	Per the FHWA/FTA/ODOT/MPO approved Amendment Matrix, scope changes where the project limits change by more than 0.25 miles require a formal/full amendment to the MTIP project to the MTIP requires a formal/full amendment
Total Programmed Amount:	The total project programming amount remains unchanged at \$1,698,000.
Added Notes:	<p>Additional project details can be found on ODOT's website at  <a href="https://www.oregon.gov/ODOT/Projects/pages/project-details.aspx?project=18839">https://www.oregon.gov/ODOT/Projects/pages/project-details.aspx?project=18839</a></p>

	<p>ams Planning &amp; Technical Guidance Drivers &amp; Vehicles Doing Business Data &amp; Maps Local Governments Get Involved About Us</p> <p><b>OR 8 Corridor Safety and Access to Transit Project – 160th Avenue to 192nd Avenue</b></p> <p>Design Phase</p> <p>Region 1: Portland metro and Hood River County (Washington)</p> <p>ODOT is currently designing a series of projects to improve safety and access to public transit in this corridor.</p>
	<div> <div> <p><b>Impacts</b></p> <p><b>Construction Impacts</b></p> <p>Temporary construction impacts may include noise, lane closures and intermittent crosswalk closures. ODOT will post pedestrian and bicycle detour signs, and detours will be accessible to people with disabilities. The project team will work to maintain access to TriMet bus service.</p> <p>The project will use temporary safety equipment, signs or flaggers to direct traffic and pedestrians during construction. We will keep the public informed as construction approaches.</p> <p><b>Schedule</b></p> <p>Project design: completed in fall 2019 Project construction: 2020</p> <p><b>PROJECT TIMELINE</b></p> </div> <div> <p><b>Contacts &amp; Media</b></p> <p><b>Project Contact</b></p> <p>Community Affairs Coordinator Lili Boicourt Email: <a href="mailto:Lili.D.Boicourt@odot.state.or.us">Lili.D.Boicourt@odot.state.or.us</a> Phone: 503-731-8247</p> <p><b>Last Updated</b> 11/20/2019 3:59 PM</p> </div> </div>

Project 2: I-205: Abernethy Bridge - SE 82nd Dr.	
Lead Agency:	ODOT
ODOT Key Number:	20508
	MTIP ID Number: 70982
Projects Description:	<p>Project Snapshot:</p> <ul style="list-style-type: none"> <li>Proposed improvements: The I-205 Abernethy Bridge to SE 82<sup>nd</sup> Ave is a preservation project that will improve roadway safety and the existing system. Scope of work includes: <ol style="list-style-type: none"> <li>Grind and inlay travel lanes and two feet of shoulder from MP 9.31 (Abernethy Bridge) to MP 13.46 NB (OR224) and 13.37 SB.</li> <li>Grind and inlay entrance/exit ramps at OR213 (Exit 10), 82nd Drive (Exit 11), and 100 feet of OR224 (Exit 13) SB entrance ramp.</li> <li>Existing pavement markings will primarily be replaced in-kind, with minor modifications associated with exit and entrance ramp connections within the project limits. Pavement marking design will meet ODOT and MUTCD requirements.</li> <li>Reconstruct pedestrian curb access ramps at OR213 and 82nd Drive interchanges to meet Americans with Disabilities Act (ADA) standards. Minor traffic signal modifications will also be made at these locations to ensure pedestrian pushbuttons meet current standards.</li> <li>Reconfigure mainline detection to the downstream system wide adaptive ramp metering (SWARM) system and replace mainline induction loop detectors with side fire radar detection.</li> <li>Replace vehicle traffic detection loops in-kind at their current location for the following entrance ramps: <ul style="list-style-type: none"> <li>OR213 (Oregon City) NB entrance and exit ramps:</li> <li>OR213 (Oregon City) SB entrance ramp</li> <li>82nd Drive (Gladstone) NB entrance ramp</li> <li>82nd Drive (Gladstone) SB entrance ramp</li> <li>OR213 (82nd Avenue) SB entrance ramp</li> </ul> </li> </ol> </li> </ul>



	<ul style="list-style-type: none"> <li>• Source: Existing project to the MTIP</li> <li>• Funding: ODOT allocated federal funds</li> <li>• Type: Operations and Maintenance/Preservation</li> <li>• Location: Along I-205 in eastern Portland south to the West Linn area</li> <li>• Cross Street Limits: Between Abernethy Bridge in the south north to the 82<sup>nd</sup> Drive IC</li> <li>• Overall Mile Post Limits: <ul style="list-style-type: none"> <li>○ Current: MP 9.31 to MP 13.80</li> <li>○ Reduced to be: MP 9.31 to 13.46 (approximately 1.4.15 miles)</li> </ul> </li> <li>• Current Status Code: 4 = (PS&amp;E) Planning Specifications, &amp; Estimates (final design 30%, 60%, 90% design activities initiated).</li> <li>• STIP Amendment Number: 18-21-3384</li> <li>• MTIP Amendment Number: DC20-05-DEC2</li> </ul>
What is changing?	<p><b>AMENDMENT ACTION: LIMITS CHANGE</b></p> <p>The formal amendment reduces the project limits by 0.31 miles. Based on the current Traffic Management Plan for the project. Per the FHWA/FTA/ODOT/MPO MTIP and STIP Amendment Matric, projects with limit changes that are beyond 0.25 miles require a formal/full amendment to the MTIP. There does not appear to be any change in scope to the approved work elements. However, because the limits change does exceed 0.25 miles, a formal amendment to the MITIP is occurring to complete the change.</p>
Additional Details:	See project location map in next page

*I-205: Abernethy Bridge to SE 82<sup>nd</sup> Drive – Project Level Traffic Management Plan*  
 June 21, 2019  
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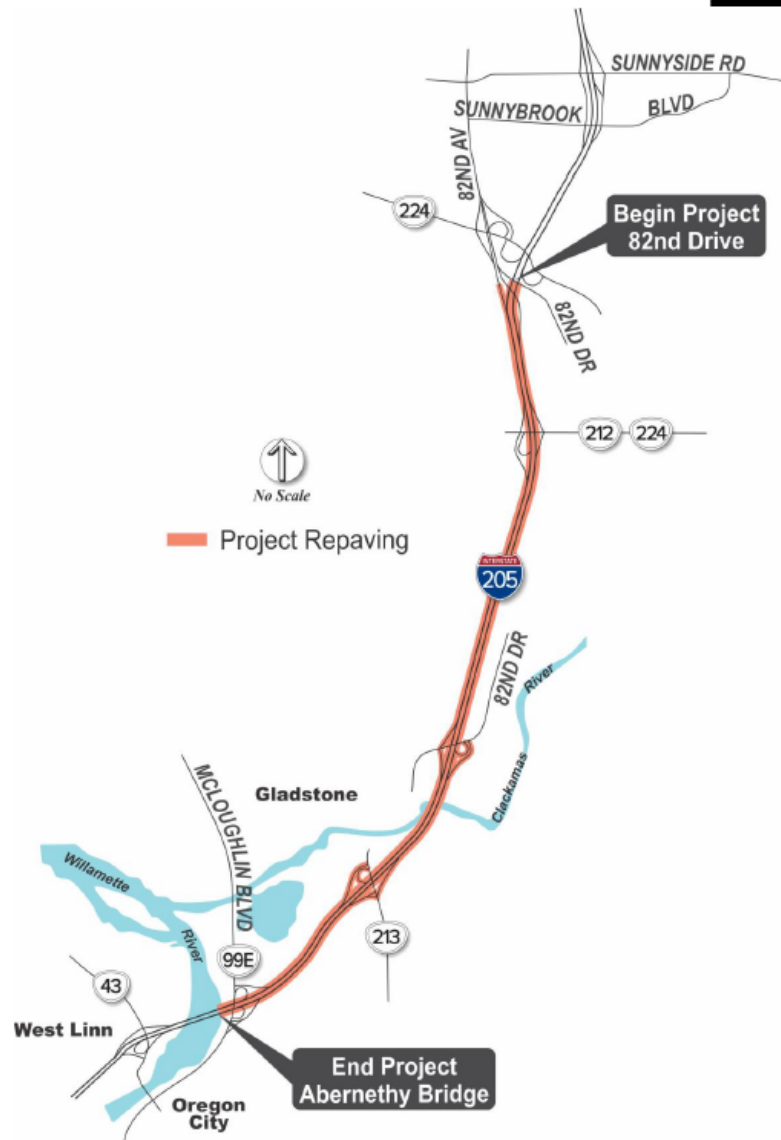
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Figure 1: Project Vicinity Map

Why a Formal amendment is required?	Per the FHWA/FTA/ODOT/MPO approved Amendment Matrix, project limit changes that exceed 0.5 miles to the MTIP requires a formal/full amendment
Total Programmed Amount:	The total project programming amount remains unchanged at \$7,292,432
Added Notes:	

Note: The Amendment Matrix located 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.
- If not directly identified in the RTP's constrained project list, the project is verified to be part of the MPO's annual Unified Planning Work Program (UPWP) if federally funded and a regionally significant planning study that addresses RTP goals and strategies and/or will contribute or impact RTP performance measure targets.
- 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:

ODOT-FTA-FHWA Amendment Matrix	
<b>Type of Change</b>	
<b>FULL AMENDMENTS</b>	
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.	
<b>ADMINISTRATIVE/TECHNICAL ADJUSTMENTS</b>	
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.	



- 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.
- Reviewed and initially assessed for Performance Measurement impacts to include:
  - Safety
  - Asset Management - Pavement
  - Asset Management – Bridge
  - National Highway System Performance Targets
  - Freight Movement: On Interstate System
  - Congestion Mitigation Air Quality (CMAQ) impacts
  - Transit Asset Management impacts
  - RTP Priority Investment Areas support
  - Climate Change/Greenhouse Gas reduction impacts
  - Congestion Mitigation Reduction impacts
- 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 December 2019 Formal MTIP amendment (DC20-05-DEC2) will include the following:

<u>Action</u>	<u>Target Date</u>
● Initiate the required 30-day public notification process.....	December 5, 2019
● TPAC notification and approval recommendation.....	December 6, 2019
● JPACT approval and recommendation to Council.....	December 19, 2019*
● Completion of public notification process.....	January 8, 2020
● <b>Metro Council approval.....</b>	<b>January 16, 2020</b>

### 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:

<u>Action</u>	<u>Target Date</u>
● Metro development of amendment narrative package .....	January 21, 2020
● Amendment bundle submission to ODOT for review.....	January 22, 2020
● Submission of the final amendment package to USDOT.....	January 22, 2020
● ODOT clarification and approval.....	Mid February, 2020
● USDOT clarification and final amendment approval.....	Mid February 2020

## **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 Metro Council approve Resolution 19-5050 under MTIP Amendment DC20-05-DEC2 allowing the two ODOT projects to be correctly amended in the MTIP.**

Note: No attachments