

# Memo



**Metro**

600 NE Grand Ave.  
Portland, OR 97232-2736

Date: March 18, 2021  
To: Metro Council and Interested Parties  
From: Ken Lobeck, Funding Programs Lead  
Subject: March 2021 MTIP Formal Amendment & Resolution 21-5163 Approval Request

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## FORMAL AMENDMENT STAFF REPORT

FOR THE PURPOSE OF AMENDING ODOT'S US30 NW SALTZMAN RD TO NW BRIDGE AVE PROJECT TO ADD APPROVED FUNDING INCREASING THE PROJECT LIMITS BY 1.31 MILES TO BE US30 NW KITTRIDGE AVE TO NW BRIDGE AVE TO THE 2021-24 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM (MTIP) (MR21-08-MAR)

## BACKGROUND

### What This Is:

The March 2021 Formal Metropolitan Transportation Improvement Program (MTIP) Formal/Full Amendment which is contained in Resolution 21-5163 and being processed under MTIP Amendment MR21-08-MAR.

### What is the requested action?

**JPACT approved Resolution 21-5163 on March 5, 2021 and now recommends Metro Council approve Resolution 21-5163 consisting of ODOT's US30 NW Kittridge to NW Bridge Ave limits expansion project to be amended correctly into the 2021-24 MTIP with final approval to occur from USDOT.**

Proposed March 2021 Formal Amendment Bundle					
Amendment Type: <b>Formal/Full</b>					
Amendment #: <b>MR21-08-MAR</b>					
Total Number of Projects: 1					
ODOT Key #	MTIP ID #	Lead Agency	Project Name	Project Description	Description of Changes
Project #1 Key 20208	70938	ODOT	<del>US30: NW Saltzman Rd - NW Bridge Ave</del> <b>US30: NW Kittridge Ave to NW Bridge Ave</b>	Repave roadway; upgrade ADA ramps to current standards; improve access management; and address drainage as needed. <b>Widen and pave existing bike lanes.</b>	<b>LIMITS EXPANSION:</b> ODOT approved added funds to the project which enables the project limits to expand out by 1.31 miles. The revised cross-street limits are now NW Kittridge Ave to NW Bridge Ave Funds added equal \$2,067,000 which equal a 21.7% increase

A detailed summary of the amended project is provided below.

<b>Project 1:</b>	<del>US30: NW Saltzman Rd – NW Bridge Ave</del> <b>US30: NW Kittridge Ave to NW Bridge Ave</b>
Lead Agency:	<b>ODOT</b>
ODOT Key Number:	<b>20208</b>
	MTIP ID Number: 70938
Projects Description:	<p>Project Snapshot:</p> <ul style="list-style-type: none"> <li>Proposed improvements: Repave roadway; upgrade ADA ramps to current standards; improve access management; and address drainage as needed. <b>Widen and pave existing bike lanes.</b></li> <li>Source: Existing project.</li> <li>Funding: The funding is primarily federal. The use of the federal fund code, ADVCON (Advance Construction) had been used as a placeholder until the specific federal programmatic fund type code was identified.</li> </ul> <p>Through this amendment the federal programmatic fund type code is anticipated to be National Highway Performance Program (NHPP). NHPP is replacing ADVCON in the Right-of Way, Utility Relocation, and Construction phases</p> <ul style="list-style-type: none"> <li>Location: On US30</li> <li>Cross Street Limits: Revised to be NW Kittridge Ave to NW Bridge Ave</li> <li>Overall Mile Post Limits: Revised to be 3.92 to 6.46</li> <li>Current Status Code: 5 = (RW ) Right-of Way activities initiated including R/W acquisition and/or utilities relocation</li> <li>Air Conformity/Capacity Status: The project is considered a “non-capacity enhancing” project from a roadway/motor vehicle improvement perspective and is exempt from air quality conformity analysis per 40 CFR 93.126, Table 2 – Air Quality – Bicycle and Pedestrian facility improvements.</li> <li>Regional Significance Status: Regionally significant project. The project contains federal funds and is located in the Metro Pedestrian Modeling Network.</li> <li>STIP Amendment Number: 21-24-0525</li> <li>MTIP Amendment Number: MR21-08-MAR</li> <li>OTC approval required: No, but ODOT Director’s approval was required to approve the new funding.</li> <li>Metro approval date: Tentatively scheduled for April 8, 2021</li> </ul>
What is changing?	<p><b><u>AMENDMENT ACTION: LIMITS EXPANSION</u></b></p> <p>The formal amendment completes the following actions to the project:</p> <ul style="list-style-type: none"> <li>The project name is updated to reflect the revised cross-street limits that are now NW Kittridge to NW Bridge Ave</li> <li>The MTIP’s Short and Detailed descriptions are updated to reflect the changes in limits and clarify scope.</li> <li>The programmatic ADVCON (Advance Construction) fund type code is replaced with its expected federal conversion code of National Highway Performance Program (NHPP)</li> </ul>

- The Right-of-Way phase is updated with the actual fund obligations for the phase resulting in a small decrease to the phase
- The Construction phase receives the new approved funding to the project increasing the construction phase to \$8,874,787.
- The total project cost increases as a result by 21.7% to \$11,585,704.
- The overall scope of work for the project remains unchanged.

From the ODOT Staff Report:

The purpose of the project is to repave roadway, upgrade curb ramps to current standards, replace outdated signal equipment, and address drainage as needed to restore the pavement surface and improve safety and accessibility. In addition, it will widen and pave existing bike lane to provide a safer experience for bicyclists. It was prioritized for improvements due to its importance as a highly utilized lifeline route with poor and deteriorating pavement conditions.

This project was programed with \$8,485,704 of preservation funds in the 18-21 STIP and an additional \$1,000,000 in state sidewalk improvement program funds (SWIP) were added to upgrade bicycle and pedestrian features.

During the 2019 recalibration efforts the project limits were reduced to match what could be delivered within current STIP funding. This resulted in a shorter project, changing it from the original US 30: NW Kittridge Ave – NW Bridge Ave to US30: NW Saltzman Rd – NW Bridge Ave.

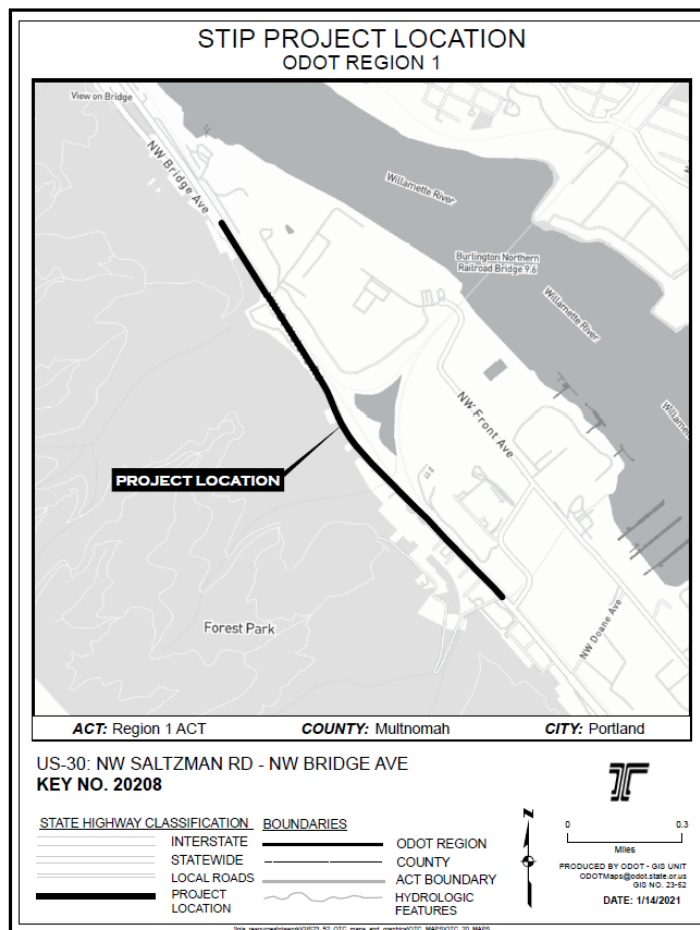
While reducing the scope during recalibration to fit within available funding made sense at the time, recent low bids and project savings within Region 1 now provide the opportunity to restore the original project scope. With this amendment we are proposing to utilize savings from recent projects within region to pave the additional 1.3 miles between NW Kittridge Ave to NW Saltzman as originally scoped.

Additional Details:

Below are listed the proposed locations along US30 for the improvements

Locations						
Route	Highway	MP Begin	MP End	Length	Street	City
US-30	092 LOWER COLUMBIA RIVER	5.23	6.46	1.23		PORTLAND
US-30	092 LOWER COLUMBIA RIVER	4.52	5.19	0.67		PORTLAND
US-30	092 LOWER COLUMBIA RIVER	5.20	6.46	1.26		PORTLAND
US-30	092 LOWER COLUMBIA RIVER	3.92	4.13	0.21		PORTLAND
US-30	092 LOWER COLUMBIA RIVER	5.21	5.21	0.00		PORTLAND
US-30	092 LOWER COLUMBIA RIVER	6.41	6.41	0.00		PORTLAND

Why a Formal amendment is required?	Per the FHWA/FTA/ODOT/MPO approved Amendment Matrix, limit changes beyond a 0.25 mile change require a formal amendment. Additionally, the inclusion of the new added funding results in a cost change of 21.7% which is above the 20% threshold for administrative changes and triggers a formal/full amendment to complete.
Total Programmed Amount:	The project's total cost in the MTIP increases from \$9,518,704 to \$11,585,704.
Added Notes:	Included below are project location maps and a copy of the ODOT Report



\*This product is for informational purposes and may not be suitable for legal, engineering, or surveying purposes. Users of this product should review and consult the primary data sources to determine the usability of the information. Conclusions drawn from this information are the responsibility of the user.\*



# Oregon

Kate Brown, Governor

Oregon Transportation Commission

Office of the Director, MS 11

355 Capitol St NE

Salem, OR 97301-3871

**DATE:** February 8, 2021

**TO:** Kristopher W. Strickler  
Director

**FROM:** Rian Windsheimer  
Region 1 Manager

**SUBJECT:** Amend the 2021-2024 Statewide Transportation Improvement Program (STIP) to increase funding for the *United States 30: Northwest Saltzman Road - Northwest Bridge Avenue* project.

**Requested Action:**

Approve amending the 2021-2024 Statewide Transportation Improvement Program (STIP) to increase funding for the *United States 30: Northwest Saltzman Road - Northwest Bridge Avenue* project by \$2,100,000 and change the name to *United States 30: Northwest Kittridge Avenue - Northwest Bridge Avenue*. The additional funding comes from the Region 1 Fix-It financial plan.

**STIP Amendment Funding Summary**

Project/Funding Source	Current Funding	Proposed Funding
US30: NW Kittridge Ave - NW Bridge Ave	\$9,485,704	\$11,585,704
Fix-It Region 1 financial plan	\$2,100,000	\$0
<b>TOTALS</b>	<b>\$11,585,704</b>	<b>\$11,585,704</b>

**Project to increase funding and change name:**

US30: NW Kittridge Ave - NW Bridge Ave (K20208)			
PHASE	YEAR	COST	
		Current	Proposed
Preliminary Engineering	2017	\$2,253,917	\$2,253,917
Right of Way	2020	\$387,000	\$387,000
Utility Relocation	2021	\$70,000	\$70,000
Construction	2021	\$6,774,787	\$8,874,787
<b>TOTALS</b>		<b>\$9,485,704</b>	<b>\$11,585,704</b>

**Background:**

The purpose of the project is to repave roadway, upgrade curb ramps to current standards, replace outdated signal equipment, and address drainage as needed to restore the pavement surface and improve safety and accessibility. In addition, it will widen and pave existing bike lane to provide a safer experience for bicyclists. It was prioritized for improvements due to its importance as a highly utilized lifeline route with poor and deteriorating pavement conditions.

This project was programed with \$8,485,704 of preservation funds in the 18-21 STIP and an additional \$1,000,000 in state sidewalk improvement program funds (SWIP) were added to upgrade bicycle and pedestrian features.

During the 2019 recalibration efforts the project limits were reduced to match what could be delivered within current STIP funding. This resulted in a shorter project, changing it from the original US 30: NW Kittridge Ave – NW Bridge Ave to US30: NW Saltzman Rd – NW Bridge Ave.

While reducing the scope during recalibration to fit within available funding made sense at the time, recent low bids and project savings within Region 1 now provide the opportunity to restore the original project scope. With this amendment we are proposing to utilize savings from recent projects within region to pave the additional 1.3 miles between NW Kittridge Ave to NW Saltzman as originally scoped.

**Options:**

With approval, the project will become US30: NW Kittridge Ave – NW Bridge Ave.

Without approval, the project will remain US30: NW Saltzman Rd – NW Bridge Ave.

**Attachments:**

- Attachment 1 – Location & Vicinity Maps

**Copies to:**

Jeri Bohard	Karen Rowe	Rian Windsheimer	Jessica Homing
Travis Brouwer	Mac Lynde	Tova Peltz	Talena Adams
Cooper Brown	Jeff Flowers	Adriana Antelo	Ted Miller
Lindsay Baker	Arlene Santana	Gabriela Garcia	
Jess McGraw	Amanda Sandvig	Stephanie Turner	
Tom Fuller	Alice Bibler	Matthew Freitag	

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.

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: <ul style="list-style-type: none"> <li>• Change in project termini - greater than .25 mile in any direction</li> <li>• Changes to the approved environmental footprint</li> <li>• Impacts to AQ conformity</li> <li>• Adding capacity per FHWA Standards</li> <li>• Adding or deleting worktype</li> </ul>	
3. Changes in Fiscal Constraint by the following criteria: <ul style="list-style-type: none"> <li>• FHWA project cost increase/decrease:               <ul style="list-style-type: none"> <li>• Projects under \$500K – increase/decrease over 50%</li> <li>• Projects \$500K to \$1M – increase/decrease over 30%</li> <li>• Projects \$1M and over – increase/decrease over 20%</li> </ul> </li> <li>• All FTA project changes – increase/decrease over 30%</li> </ul>	
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.	



- 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.
  - 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 March 2021 Formal MTIP amendment (MR21-08-MAR) will include the following:

<u>Action</u>	<u>Target Date</u>
• Initiate the required 30-day public notification process.....	March 2, 2021
• TPAC notification and approval recommendation.....	March 5, 2021
• JPACT approval and recommendation to Council.....	March 18, 2021
• Completion of public notification process.....	March 31, 2021
• <b>Metro Council approval.....</b>	<b>April 8, 2021</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 (The below time line is an estimation only):

<u>Action</u>	<u>Target Date</u>
• Amendment bundle submission to ODOT for review.....	April 13, 2021
• Submission of the final amendment package to USDOT.....	April 13, 2021
• ODOT clarification and approval.....	Early May, 2021
• USDOT clarification and final amendment approval.....	Mid May, 2021

**ANALYSIS/INFORMATION**

1. **Known Opposition:** None known at this time.
2. **Legal Antecedents:**
  - a. Amends the 2021-24 Metropolitan Transportation Improvement Program adopted by Metro Council Resolution 20-5110 on July 23, 2020 (FOR THE PURPOSE OF ADOPTING THE 2021-2024 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM FOR THE PORTLAND METROPOLITAN AREA).
  - b. Oregon Governor approval of the 2021-24 MTIP: July 23, 2020
  - c. 2021-2024 Statewide Transportation Improvement Program (STIP) Approval and 2021 Federal Planning Finding: September 30, 2020
3. **Anticipated Effects:** Enables the projects to obligate and expend awarded federal funds, or obtain the next required federal approval step as part of the federal transportation delivery process.
4. **Metro Budget Impacts:** None to Metro

**RECOMMENDED ACTION:**

**JPACT approved Resolution 21-5163 on March 5, 2021 and now recommends Metro Council approve Resolution 21-5163 consisting of ODOT's US30 NW Kittridge to NW Bridge Ave limits expansion project to be amended correctly into the 2021-24 MTIP with final approval to occur from USDOT.**

- TPAC Approval Date: March 5, 2021
- JPACT Approval Date: March 18, 2021

Note: No attachments: