

Memo



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Date: May 20, 2021
To: Metro Council and Interested Parties
From: Ken Lobeck, Funding Programs Lead
Subject: May 2021 MTIP Formal Amendment & Resolution 21-5177 Approval Request

FORMAL AMENDMENT STAFF REPORT

FOR THE PURPOSE OF AMENDING THE 2021-24 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM (MTIP) TO REPROGRAM UNIFIED PLANNING WORK PROGRAM (UPWP) ANNUAL PROGRAM ESTIMATES OUTSIDE THE CONSTRAINED MTIP TO AVOID OBLIGATION TARGET CONFLICTS IMPACTING METRO, PLUS ADD ONE AND CANCEL ONE PROJECT IMPACTING MULTNOMAH COUNTY AND ODOT (MA21-10-MAY)

BACKGROUND

What This Is:

The May 2021 Formal Metropolitan Transportation Improvement Program (MTIP) Formal/Full Amendment bundle which is contained in Resolution 21-5177 and being processed under MTIP Amendment MA21-10-MAY. The bundle contains a total of 15 projects.

What is the requested action?

JPACT approved Resolution 21-5177 on May 10, 2021 consisting of thirteen projects which include required updates to the UPWP impacting Metro, and two additional projects impacting Multnomah County and ODOT and is now providing their approval recommendation to Metro Council to approve Resolution 21-5177 and the May 2021 Formal MTIP Amendment bundle.

Proposed May 2021 Formal Amendment Bundle Amendment Type: Formal/Full Amendment #: MA21-10-MAY Total Number of Projects: 15					
ODOT Key #	MTIP ID #	Lead Agency	Project Name	Project Description	Description of Changes
UPWP Project Reprogramming Actions					
Project #1 Key 20889	70871	Metro	Corridor and Systems Planning (2021)	Corridors and Systems Planning Program conducts planning level work in corridors. Emphasizes the integration of land use and transportation. Determines regional system needs, functions, and desired outcomes performance measures, investment strategies. (FY 2021 fund allocation Year)	REPROGRAM FUNDS: Reprogram to the unconstrained FY 2025 to avoid possible conflicts with the development and execution of annual obligation targets

ODOT Key #	MTIP ID #	Lead Agency	Project Name	Project Description	Description of Changes
Project #2 Key 22154	71111	Metro	Next Corridor Planning (FFY 2022)	Funds contribute toward development of prioritized transportation improvements and funding strategy for the region's next priority corridor. (FY 2022 UPWP allocation year)	REPROGRAM FUNDS: Reprogram to the unconstrained FY 2025 to avoid possible conflicts with the development and execution of annual obligation targets
Project #3 Key 22155	71112	Metro	Next Corridor Planning (FFY 2023)	Funds contribute toward development of prioritized transportation improvements and funding strategy for the region's next priority corridor. (FY 2023 UPWP allocation year)	REPROGRAM FUNDS: Reprogram to the unconstrained FY 2025 to avoid possible conflicts with the development and execution of annual obligation targets
Project #4 Key 22156	71113	Metro	Next Corridor Planning (FFY 2024)	Funds contribute toward development of prioritized transportation improvements and funding strategy for the region's next priority corridor. (FY 2024 UPWP allocation year)	REPROGRAM FUNDS: Reprogram to the unconstrained FY 2025 to avoid possible conflicts with the development and execution of annual obligation targets
Project #5 Key 22145	71118	Metro	Freight and Economic Development Planning (FFY 2022)	Regional planning to support freight systems planning and economic development planning activities. (FY 2022 UPWP allocation year)	REPROGRAM FUNDS: Reprogram to the unconstrained FY 2025 to avoid possible conflicts with the development and execution of annual obligation targets
Project #6 Key 22146	71119	Metro	Freight and Economic Development Planning (FFY 2023)	Regional planning to support freight systems planning and economic development planning activities. (FY 2023 UPWP allocation year)	REPROGRAM FUNDS: Reprogram to the unconstrained FY 2025 to avoid possible conflicts with the development and execution of annual obligation targets
Project #7 Key 22147	71120	Metro	Freight and Economic Development Planning (FFY 2024)	Regional planning to support freight systems planning and economic development planning activities. (FY 2024 UPWP allocation year)	REPROGRAM FUNDS: Reprogram to the unconstrained FY 2025 to avoid possible conflicts with the development and execution of annual obligation targets
Project #8 Key 22151	71131	Metro	Regional MPO Planning (FFY 2022)	Funding to support transportation planning activities and maintain compliance with federal planning regulations (FY 2022 UPWP allocation year)	REPROGRAM FUNDS: Reprogram to the unconstrained FY 2025 to avoid possible conflicts with the development and execution of annual obligation targets

Project #9 Key 22152	71132	Metro	Regional MPO Planning (FFY 2023)	Funding to support transportation planning activities and maintain compliance with federal planning regulations (FY 2023 UPWP allocation year)	REPROGRAM FUNDS: Reprogram to the unconstrained FY 2025 to avoid possible conflicts with the development and execution of annual obligation targets
Project #10 Key 22153	71133	Metro	Regional MPO Planning (FFY 2024)	Funding to support transportation planning activities and maintain compliance with federal planning regulations (FY 2024 UPWP allocation year)	REPROGRAM FUNDS: Reprogram to the unconstrained FY 2025 to avoid possible conflicts with the development and execution of annual obligation targets
Project #11 Key 22157	71106	Metro	Regional Travel Options (RTO) Program (FFY 2022)	Funding to support transportation planning activities and maintain compliance with federal planning regulations (FY 2022 UPWP allocation year)	REPROGRAM FUNDS: Reprogram to the unconstrained FY 2025 to avoid possible conflicts with the development and execution of annual obligation targets
Project #12 Key 22158	71107	Metro	Regional Travel Options (RTO) Program (FFY 2023)	The Regional Travel Options (RTO) program implements strategies to help diversify trip choices, reduce pollution and improve mobility (FY 2023 UPWP allocation year)	REPROGRAM FUNDS: Reprogram to the unconstrained FY 2025 to avoid possible conflicts with the development and execution of annual obligation targets
Project #13 Key 22159	71108	Metro	Regional Travel Options (RTO) Program (FFY 2024)	The Regional Travel Options (RTO) program implements strategies to help diversify trip choices, reduce pollution and improve mobility (FY 2024 UPWP allocation year)	REPROGRAM FUNDS: Reprogram to the unconstrained FY 2025 to avoid possible conflicts with the development and execution of annual obligation targets
End UPWP Related Project Amendments					
Project #14 Key 20330	70946	Multnomah County	Stark Street Multimodal Connections	Close the existing east-west gap in bicycle and pedestrian travel by constructing sidewalks and bike lanes on the north side and part of the south side of SE Stark Street between SW 257th Ave and S Troutdale Rd.	CANCEL PROJECT: The project is being cancelled before implementation due to a projected revised substantial cost increase to the project. The funds are being transferred to ODOT's new project in Key 22421
Project #15 Key 22421 New Project	TBD	ODOT	Cornelius Pass Hwy: US26 to US30 ITS Improvements	On Cornelius Pass Hwy, complete various safety and ITS improvements such as upgrade and install signing, striping, and signal equipment as well as install new ITS devices such as cameras and variable message signs for improved traveler safety.	ADD NEW PROJECT: The amendments adds this project using funds from Key 20330 which is being cancelled and added funds from ODOT

AMENDMENT BUNDLE SUMMARY AND THE UPWP:

The May 2021 MTIP Formal Amendment bundle consists of required updates and changes to two groups of projects. The first group involves reprogramming several UPWP project grouping buckets out to FY 2025. The UPWP projects are being pushed-out to the MTIP non-constrained year in FY 2025 to avoid possible conflicts with the annual Obligation Targets. The key conflict involves how much Metro allocated Surface Transportation Block Grant (STBG) funds will be needed to support the annual UPWP.

The annual Obligation Targets program is designed on the capital project delivery process which includes multiple project phases, defined scopes, and defined approval steps. This allows the project managers, ODOT Local Agency Liaisons (LAL), and Metro oversight staff the ability to project phase obligation timing and delivery of scope activities six months or more with an 80% or higher confidence level. This is not the case for UPWP planning projects that utilize federal funds.

UPWP planning projects are less structured in scope and delivery requirements. They do not fit well into the capital project highway delivery process. Due to these differences, UPWP planning projects are more difficult to estimate their obligation month with 90% or higher certainty factor. As a result, estimating the correct obligation timing for UPWP planning projects is about 50%-50% guess. Unfortunately, with a minimum obligation target of 80%, there is an insufficient error margin for the Metro Annual Obligation Targets project list to absorb the failure of UPWP planning projects to obligate during their identified fiscal year and still meet the 80% minimum obligation requirement.

The solution now being initiated is to reprogram the UPWP pre-positioned project grouping buckets out to the MTIP's non-constrained fiscal year of FY 2025. Once the annual UPWP is developed with the approved list of project, the STBG funds will be advanced through a formal/full amendment to the required obligation year in the MTIP. This action will help avoid identifying UPWP projects prematurely for the annual Obligation Targets program that end not being part of the final UPWP or, due to a need to further scope the project, will not obligate in the current federal fiscal year.

The UPWP reprogramming action occurring through this formal/full MTIP will take two formal amendments to complete. Thirteen projects are identified as part of the May 2021 Formal MTIP. The remaining UPWP reprogramming actions will be completed through the June 2021 MTIP Formal Amendment.

The second group of projects included in the May 221 Formal MTIP Amendment consist of the regular projects that require changes which are significant to trigger the formal amendment. These projects are listed at the end of the bundle.

SUPPLEMENTAL TPAC DISCUSSION CONCERNING THE STARK ST PROJECT CANCELATION:

During their May 7, 2021 meeting, TPAC members raised several questions about how ODOT determined the new Cornelius Pass Hwy ITS project (also part of this amendment bundle) was an acceptable replacement project. As requested by TPAC members, the following provides additional details about the Stark Street cancellation and decision to commit the funding to the Cornelius Pass Hwy ITS project.

1. The Multnomah County Starke Street Multimodal Connections project received a discretionary funding award from ODOT. The discretionary award originates from ODOT's Enhance program. The programmed federal funds are not from Metro or the Regional

Flexible Fund Allocation (RFFA) program. The project is programmed in the MTIP and STIP in Key 20330.

2. The project's scope and purpose was to close the existing east-west gap in bicycle and pedestrian travel by constructing sidewalks and bike lanes on the north side and part of the south side of SE Stark Street between SW 257th Ave and S Troutdale Rd.
3. As with other discretionary funded projects, the MTIP and STIP programming is based on early cost estimates before the Preliminary Engineering (PE) began. Subsequent reviews and updates to the project indicated the project cost would be significantly higher than the current budget and STIP and MTIP programming showed. The County's ability to cover the additional costs was not guaranteed.
4. Follow-on discussion between Multnomah County and ODOT resulted in Multnomah County requesting that the Stark Street Multimodal Connections project be canceled. The project had not progressed far through the federal transportation delivery process and expenditures against the project were low.
5. Normally, when the lead agency requests cancelation of a transportation grant award, the funds are relinquished back to the grantor. In this case, the grantor is ODOT. Once the funds are relinquished, the grantor can re-purpose the funds contingent upon need, eligibility of the funds, geographic balancing, or other factors which are under the control of the grantor. For ODOT, their options basically ranged from re-purposing the funds to another project across the state, allocating the funds to a project within Region 1, or plan on committing the funds to a future STIP project.
6. Because federal transportation funds possess various eligibility requirements (e.g. shelf-life obligation requirements, and/or other restrictions or use parameters), the grantor has to address the eligibility and restrictions for the funds when considering their repurposing. No black-and-white standardized repurposing process usually exists for the grantor to follow when funds are relinquished. The grantor will weigh fund use eligibility, shelf-life obligations, ease of reimbursement, location, and other factors when determining their repurposing options.
7. For the Stark Street Multimodal Connections project, once ODOT approved the funds to be relinquished, their re-purposing process considered of the following:
 - a. The ODOT Region 1 Manager in conjunction with the Area Manager West, based on recommendations from Traffic and Operations team, decided this was best use of funds to keep money in the county and improve the safety and operational issues that need to be addressed on the acquired highway.
 - b. Specifically, the ODOT Region 1 Traffic section looked at this stretch of highway and determined several safety and operational improvements (ITS, signing, striping) that could be made for the benefit of the traveling public. These could be designed and installed relatively quickly so travelers will see the safety benefits soon. This has the added benefit of building upon the current ITS project immediately already under design in this corridor (K21500).
 - c. Region 1 did not get additional resources to manage this new state highway in the near term, so this is an opportunity to invest in safety there before more funds become available in the 24-27 STIP cycle.

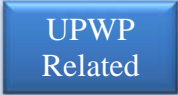
8. In this specific case, ODOT determine the best repurposing use for the funds was to keep them in Region 1 within Multnomah County, but re-allocate them to support a more direct safety improvement project on Cornelius Pass Hwy.

PROJECT SUMMARY OVERVIEWS

A detailed summary of the UPWP projects being reprogrammed out to FY 2025 are listed below. They are grouped together based on their purpose and funding categories. They are followed by the Multnomah County Stark Street cancelation and the new Cornelius Pass Hwy project.

Projects 1-4:		Corridor and Systems Planning (2021) (Key 20889) Next Corridor Planning (FFY 2022) (Key 22154) Next Corridor Planning (FFY 2023) (Key 22155) Next Corridor Planning (FFY 2024) (Key 22156)		<div>UPWP Related</div>	
Lead Agency:		Metro			
ODOT Key Number:		20889 22154 22155 22156	MTIP ID Number:		70873 71111 71112 71113
Projects Description:		<p>Project Snapshot:</p> <ul style="list-style-type: none"><u>Metro UPWP Project:</u> Yes<u>Proposed improvements:</u> The project grouping buckets support regional and corridor based annual UPWP projects. The final developed and approved projects will be identified in the UPWP. The projects will then draw their funding from this bucket and be a stand-alone project in the MTIP, or be included in the Master Agreement list of approved annual UPWP projects.<u>Source:</u> Existing project.<u>Amendment Action:</u> Reprogram to FY 2025. (Advance to FY 2022) required funding when identified and approved as part of the SFY 2023 UPWP<u>Funding:</u> The funding is federal Step1 Regional Flexible Funding Allocation (RFFA) Surface Transportation Block Grant (STBG)<u>FTA Conversion Code:</u> Not Applicable<u>Location, Limits and Mile Posts:</u><ul style="list-style-type: none">Location: MPO Region wideCross Street Limits: N/AOverall Mile Post Limits: N/A<u>Current Status Code:</u> 0 = No activity (for these program funds)<u>Air Conformity/Capacity Status:</u>			

	<p>The projects are not defined at this time. However, as planning projects, they will be considered a “non-capacity enhancing” project from a roadway/motor vehicle improvement perspective and are exempt from air quality conformity analysis per 40 CFR 93.126, Table 2 – Other - Planning activities conducted pursuant to titles 23 and 49 U.S.C.</p> <ul style="list-style-type: none">• <u>Regional Significance Status:</u> N/A• <u>Amendment ID and Approval Estimates:</u><ul style="list-style-type: none">○ STIP Amendment Number: TBD○ MTIP Amendment Number: MA21-10-MAY○ OTC approval required: No.○ Metro approval date: Tentatively scheduled for June 10, 2021.																														
What is changing?	<p><u>AMENDMENT ACTION: REPROGRAM FUNDS</u></p> <p>The formal amendment pushes the identified projects Keys from their current allocation year to be in the MTIP’s non constrained year of FY 2025. The reprogramming action avoids possible conflicts with the Obligation Targets program. The UPWP funds will remain committed to their project grouping buckets. Each specific year the UPWP is developed and approved, required funds will be advanced into the required obligation year supporting UPWP Next Corridor and Systems Planning needs</p>																														
Additional Details:	<p>A formal MTIP amendment will be required to advance the approved funds to their specific year of obligation once they are identified in the applicable annual UPWP.</p>																														
Why a Formal amendment is required?	<p>Per the FHWA/FTA/ODOT/MPO approved Amendment Matrix, moving funds from a fiscally constrained year to unconstrained year requires a formal amendment.</p>																														
Total Programmed Amount:	<p>Programming remains unchanged for the identified projects</p> <table><tr><th>Key</th><th>Prior Programmed Year</th><th>New Programmed year</th><th>Federal STBG</th><th>Match</th><th>Total</th></tr><tr><td>20889</td><td>2022</td><td>2025</td><td>\$571,070</td><td>\$65,362</td><td>\$636,432</td></tr><tr><td>22154</td><td>2022</td><td>2025</td><td>\$588,202</td><td>\$67,322</td><td>\$655,524</td></tr><tr><td>22155</td><td>2023</td><td>2025</td><td>\$605,848</td><td>\$69,342</td><td>\$675,190</td></tr><tr><td>22156</td><td>2024</td><td>2025</td><td>\$624,024</td><td>\$71,422</td><td>\$695,446</td></tr></table>	Key	Prior Programmed Year	New Programmed year	Federal STBG	Match	Total	20889	2022	2025	\$571,070	\$65,362	\$636,432	22154	2022	2025	\$588,202	\$67,322	\$655,524	22155	2023	2025	\$605,848	\$69,342	\$675,190	22156	2024	2025	\$624,024	\$71,422	\$695,446
Key	Prior Programmed Year	New Programmed year	Federal STBG	Match	Total																										
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22155	2023	2025	\$605,848	\$69,342	\$675,190																										
22156	2024	2025	\$624,024	\$71,422	\$695,446																										
Added Notes:	<p>Key 20888 has Corridor funds for the SFY 2022 UPWP. Remaining unobligated funds were already reprogrammed to FY 2025. These funds will be available if needed as part of the SFY 2023 UPWP.</p>																														

Project 5-7:	Freight and Economic Development Planning (FFY 2022) (Key 22145) Freight and Economic Development Planning (FFY 2023) (Key 22146) Freight and Economic Development Planning (FFY 2024) (Key 22147)			
Lead Agency:	Metro			
ODOT Key Number:	22145	MTIP ID Number:	71118	
	22146		71119	
	22147		71120	
Projects Description:	<p>Project Snapshot:</p> <ul style="list-style-type: none"> • <u>Metro UPWP Project:</u> Yes • <u>Proposed improvements:</u> Regional planning to support freight systems planning and economic development planning activities. • <u>Source:</u> Existing project. • <u>Amendment Action:</u> Reprogram funding to FY 2025 • <u>Funding:</u> The funding is federal Step1 Regional Flexible Funding Allocation (RFFA) supporting UPWP Freight and Economic Development Planning. Committed federal funds are STBG. While separated into its own subcategory, the funding normally supports Metro staff activities and will be included in the Master Agreement list of approved UPWP projects. • <u>Location, Limits and Mile Posts:</u> <ul style="list-style-type: none"> ○ Location: MPO Region wide ○ Cross Street Limits: N/A ○ Overall Mile Post Limits: N/A • <u>Current Status Code:</u> 0 = No activity (for these program funds) • <u>Air Conformity/Capacity Status:</u> 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 – Other - Planning activities conducted pursuant to titles 23 and 49 U.S.C. • <u>Regional Significance Status:</u> N/A • <u>Amendment ID and Approval Estimates:</u> <ul style="list-style-type: none"> ○ STIP Amendment Number: TBD ○ MTIP Amendment Number: MA21-10-MAY ○ OTC approval required: No. ○ Metro approval date: Tentatively scheduled for June 10, 2021. 			

What is changing?	<u>AMENDMENT ACTION: REPROGRAM FUNDS</u> The formal amendment reprograms the three constrained UPWP Freight and Economic Development planning projects from their allocation year to the MTIP’s unconstrained year of FY 2025. The reprogramming purpose to avoid possible conflicts with the annual Obligation Targets program requirements.					
Additional Details:	A formal MTIP amendment will be required to advance the approved funds to their specific year of obligation once they are identified in the applicable annual UPWP.					
Why a Formal amendment is required?	Per the FHWA/FTA/ODOT/MPO approved Amendment Matrix, moving funds from a fiscally constrained year to unconstrained year requires a formal amendment.					
Total Programmed Amount:	Summary of Economic Freight Reprogramming Actions					
	Key	Prior Programmed Year	New Programmed year	Federal STBG	Match	Total
	22145	2022	2025	\$72,263	\$8,500	\$82,763
	22146	2022	2025	\$76,491	\$8,755	\$85,246
	22147	2023	2025	\$78,786	\$9,017	\$87,803
Added Notes:						

Projects 8-10:	Regional MPO Planning (FFY 2022) (Key 22151) Regional MPO Planning (FFY 2023) (Key 22152) Regional MPO Planning (FFY 2024) (Key 22153)		UPWP Related
Lead Agency:	Metro		
ODOT Key Number:	22151 22152 22153	MTIP ID Number:	71131 71132 71133
Projects Description:	<p>Project Snapshot:</p> <ul style="list-style-type: none"> <u>Metro UPWP Project:</u> Yes <u>Proposed improvements:</u> The STBG funding is reserved to support transportation planning activities and maintain compliance with federal planning regulations. The funds along with the annual allocated PL and 5303 funds are normally committed to the final UPWP Master Agreement list of projects <u>Source:</u> Existing project. <u>Amendment Action:</u> Reprogram annual Regional Planning projects (FY 2022 through FY 2024) to FY 2025 to avoid conflicts with the Obligation Targets program <u>Funding:</u> The funding is federal Regional Flexible Fund Allocation (RFFA) Step 1 "Surface Transportation Block Grant (STBG) funds. 		

	<ul style="list-style-type: none"> • <u>Location, Limits and Mile Posts:</u> <ul style="list-style-type: none"> ○ Location: Regional ○ Cross Street Limits: N/A ○ Overall Mile Post Limits: N/A • <u>Current Status Code:</u> 0 = No activity (for these program funds) • <u>Air Conformity/Capacity Status:</u> 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 – Other - Planning and Technical Studies • <u>Regional Significance Status:</u> N/A • <u>Amendment ID and Approval Estimates:</u> <ul style="list-style-type: none"> ○ STIP Amendment Number: TBD ○ MTIP Amendment Number: MA21-10-MAY ○ OTC approval required: No. ○ Metro approval date: Tentatively scheduled for May 6, 2021 					
What is changing?	<p><u>AMENDMENT ACTION: REPROGRAM FUNDS</u></p> <p>The formal amendment reprograms the three UPWP Regional Planning STBG revenue buckets out to FY 2025. The action will eliminate possible conflicts with the development and execution of the annual Obligation Targets program. As each new UPWP is developed and approved, the required funds from each STBG UPWP bucket will be then advanced and combined into the designated project key for the Master Agreement list of UPWP projects.</p>					
Additional Details:	The FY 2021 STBG UPWP revenue bucket was already combined into Key 20597. This occurred as part of the April 2021 Formal MTIP Amendment.					
Why a Formal amendment is required?	Per the FHWA/FTA/ODOT/MPO approved Amendment Matrix, adding a new project to the MTIP requires a formal/full amendment complete.					
Total Programmed Amount:	Key	Prior Programmed Year	New Programmed year	Federal STBG	Match	Total
	22151	2022	2025	\$1,400,673	\$160,313	\$1,560,986
	22152	2023	2025	\$1,442,694	\$165,123	\$1,607,817
	22153	2024	2025	\$1,485,975	\$170,076	\$1,656,051
Added Notes:						

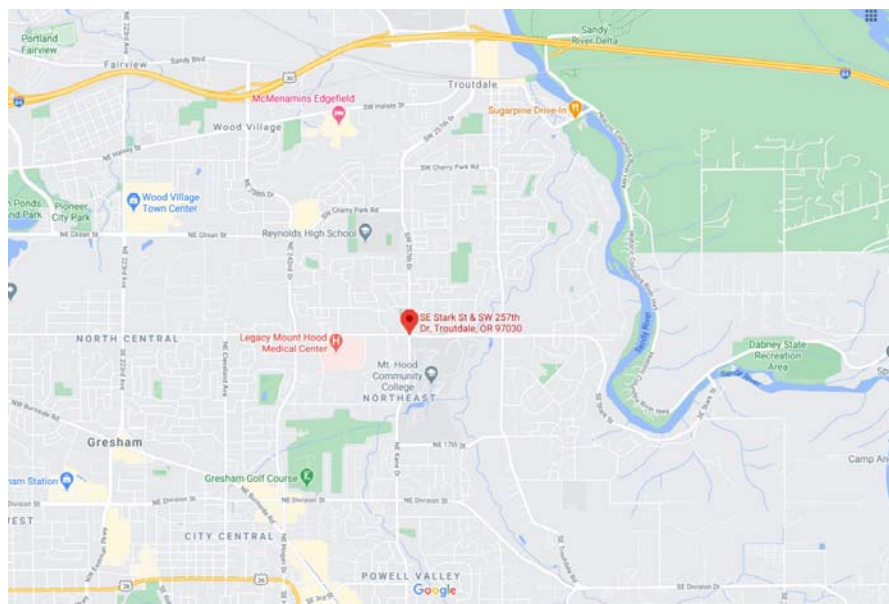
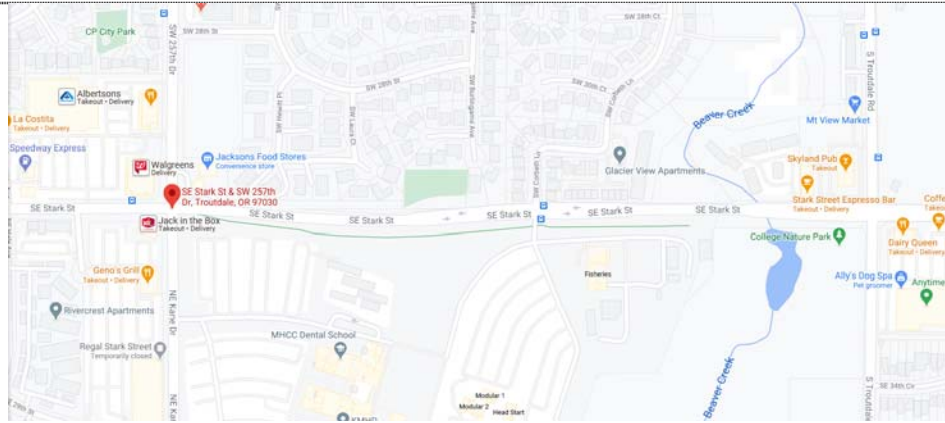
Projects 11-13:		Regional Travel Options (RTO) program (FFY 2022) (Key 22157) Regional Travel Options (RTO) program (FFY 2023) (Key 22158) Regional Travel Options (RTO) program (FFY 2024) (Key 22159)		<div>UPWP Related</div>	
Lead Agency:		Metro			
ODOT Key Number:		22157 22158 22159	MTIP ID Number:		71106 71107 71108
Projects Description:		<p>Project Snapshot:</p> <ul style="list-style-type: none"><u>Metro SFY 2022 UPWP Project:</u> Yes<u>Proposed improvements:</u> The Regional Travel Options (RTO) program implements strategies to help diversify trip choices, reduce pollution and improve mobility. Source: Existing project.<u>Amendment Action:</u> Reprogram funds out to FY 2025 to avoid conflicts with the Obligation Targets program<u>Funding:</u> The funding is federal Step1 Regional Flexible Funding Allocation (RFFA) supporting the Regional Travel Options (RTO) program. The approved funding originates from the SFY 2022 UPWP Funding Summary. This is an annual UPWP recurring project. The project is a UPWP Stand-alone project in the MTIP because the federal STBG funds will be flex-transferred to FTAFTA Conversion Code: Section 5307.<u>Location, Limits and Mile Posts:</u><ul style="list-style-type: none">Location: MPO Region wideCross Street Limits: N/AOverall Mile Post Limits: N/A<u>Current Status Code:</u> 0 = No activity (for these program funds)<u>Air Conformity/Capacity Status:</u> 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 – Other - Planning activities conducted pursuant to titles 23 and 49 U.S.C.<u>Regional Significance Status:</u> N/A<u>Amendment ID and Approval Estimates:</u><ul style="list-style-type: none">STIP Amendment Number: TBDMTIP Amendment Number: MAP21-10-MAY			

	<ul style="list-style-type: none">○ OTC approval required: No.○ Metro approval date: Tentatively scheduled for June 10, 2021																								
What is changing?	<p><u>AMENDMENT ACTION: REPROGRAM FUNDS</u></p> <p>The formal amendment completes reprograms the RTO funds out to FY 2025 to avoid conflicts with the Obligation Targets program.</p>																								
Additional Details:	<p>The Regional Travel Options (RTO) program guides the region in creating safe, vibrant, and livable communities by supporting programs that increase walking, biking, ride sharing, telecommuting, and public transit use. The RTO program is a critical strategy for getting the most benefit and use from transportation infrastructure investments. Through grants, sponsorships, policy guidance, regional coordination, and technical assistance, the Metro RTO program has been serving the region for over 20 years.</p>																								
Why a Formal amendment is required?	<p>Per the FHWA/FTA/ODOT/MPO approved Amendment Matrix, shifting committed funds from constrained years into unconstrained years requires a formal/full amendment complete.</p>																								
Total Programmed Amount:	<table><tr><th>Key</th><th>Prior Programmed Year</th><th>New Programmed year</th><th>Federal STBG</th><th>Match</th><th>Total</th></tr><tr><td>22157</td><td>2022</td><td>2025</td><td>\$2,756,697</td><td>\$315,516</td><td>\$3,072,213</td></tr><tr><td>22158</td><td>2023</td><td>2025</td><td>\$1,485,975</td><td>\$324,982</td><td>\$3,164,380</td></tr><tr><td>22159</td><td>2024</td><td>2025</td><td>\$2,924,580</td><td>\$334,731</td><td>\$3,259,311</td></tr></table>	Key	Prior Programmed Year	New Programmed year	Federal STBG	Match	Total	22157	2022	2025	\$2,756,697	\$315,516	\$3,072,213	22158	2023	2025	\$1,485,975	\$324,982	\$3,164,380	22159	2024	2025	\$2,924,580	\$334,731	\$3,259,311
Key	Prior Programmed Year	New Programmed year	Federal STBG	Match	Total																				
22157	2022	2025	\$2,756,697	\$315,516	\$3,072,213																				
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22159	2024	2025	\$2,924,580	\$334,731	\$3,259,311																				
Added Notes:																									

End of UPWP reprogramming Actions

Projects 14:	Stark Street Multimodal Connections (Cancel Project)		
Lead Agency:	Multnomah County		
ODOT Key Number:	20330	MTIP ID Number:	70946
Projects Description:	<p>Project Snapshot:</p> <ul style="list-style-type: none"> <u>Metro UPWP Project:</u> No <u>Proposed improvements:</u> The project will close the existing east-west gap in bicycle and pedestrian travel by constructing sidewalks and bike lanes on the north side and part of the south side of SE Stark Street between SW 257th Ave and S Troutdale Rd. <u>Source:</u> Existing project. <u>Amendment Action:</u> Cancel project and transfer funding to Multnomah County's new project in Key 22145. <u>Funding:</u> 		

	<p>Key 20330 is primarily funded with ODOT discretionary federal funds awarded from their Enhance program.</p> <ul style="list-style-type: none"> • <u>Location, Limits and Mile Posts:</u> <ul style="list-style-type: none"> ○ Location: On SE Stark Street ○ Cross Street Limits: SE 257th Ave to South Troutdale Rd ○ Overall Mile Post Limits: N/A • <u>Current Status Code:</u> 1 = Pre-first phase obligation activities (IGA development, project scoping, scoping refinement, etc.). • <u>Air Conformity/Capacity Status:</u> 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 – Pedestrian and Bicycle facilities • <u>Regional Significance Status:</u> The project is considered Regionally Significant as Stark Street is identified as a minor arterial in the Metro Motor Vehicle network within the project limits. Stark Street is also a Pedestrian Parkway in the Pedestrian Model. • <u>Amendment ID and Approval Estimates:</u> <ul style="list-style-type: none"> ○ STIP Amendment Number: TBD ○ MTIP Amendment Number: MA21-10-MAY ○ OTC approval required: No, but ODOT Director’s approval was required ○ Metro approval date: Tentatively scheduled for June 10, 2021
What is changing?	<p><u>AMENDMENT ACTION: CANCEL PROJECT:</u></p> <p>The amendment cancels the project and transfers the remaining unobligated funding to Multnomah County’s new project in Key 22421. As scoping progressed, the a significant increased project cost would impact the project if it moved forward. ODOT and Multnomah County agreed that the funds could be re-purposed and applied to a substitute project The new project is in Key 22421 (next project in the amendment bundle).</p>
Additional Details:	Project Location Information



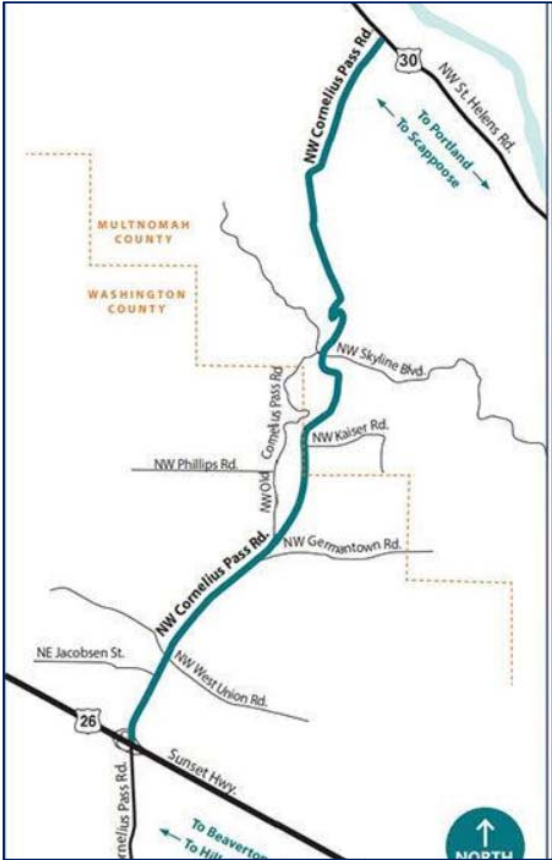
Why a Formal amendment is required?

Per the FHWA/FTA/ODOT/MPO approved Amendment Matrix, canceling a project from the MTIP requires a formal/full amendment.

Total Programmed Amount:	Key 20330 decreases in total project funding from \$4,114,379 to \$0
Added Notes:	OTC approval was not required, but approval from the ODOT Director was required.

Project 15: (New Project)	
Lead Agency:	ODOT
ODOT Key Number:	22421 MTIP ID Number: TBD
Projects Description:	<p>Project Snapshot:</p> <ul style="list-style-type: none"> • <u>Metro SFY 2022 UPWP Project:</u> No • <u>Proposed improvements:</u> On Cornelius Pass Hwy, complete various safety and ITS improvements such as upgrade and install signing, striping, and signal equipment as well as install new ITS devices such as cameras and variable message signs for improved traveler safety. • <u>Source:</u> New project. • <u>Amendment Action:</u> Add new project to the 2021-24 MTIP • <u>Funding:</u> Key 22421 is ODOT funded with State Transition Assistance Program (TAP) funds and the use of Advance Construction for a federal fund placeholder in the Construction phase. • <u>Location, Limits and Mile Posts:</u> <ul style="list-style-type: none"> ○ Location: On Cornelius Pass Rd ○ Cross Street Limits: US26 in Hillsboro north to US30 ○ Overall Mile Post Limits: N/A • <u>Current Status Code:</u> 2 = Pre-design/project development activities (pre-NEPA) (ITS = ConOps.) • <u>Air Conformity/Capacity Status:</u> 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 – Safety - Traffic control devices and operating assistance other than signalization projects. • <u>Regional Significance Status:</u> Regionally Significant project (federal funds + Major Arterial (in the Metro UGB) • <u>Amendment ID and Approval Estimates:</u> <ul style="list-style-type: none"> ○ STIP Amendment Number: TBD ○ MTIP Amendment Number: MA21-10-MAY ○ OTC approval required: No, but approval from the ODOT Director was required

	<ul style="list-style-type: none"> ○ Metro approval date: Tentatively scheduled for June 10, 2021
What is changing?	<p><u>AMENDMENT ACTION: ADD NEW PROJECT</u></p> <p>The amendment the new project to the 2021-24 MTIP. The project includes repurposed funds from Key 20330 which was canceled. ODOT is committing additional funds to fund Key 22421 as well.</p> <p>Jurisdictional Transfer Agreements 844 and 845 approved by the OTC January 21, 2021 transferred ownership and responsibility for Cornelius Pass Highway between US26 - Sunset Highway (US26) and US30 - Lower Columbia River Highway from Washington County and Multnomah county to ODOT.</p> <p>The newly acquired Cornelius Pass Highway is in need of operational and safety improvements as soon as eligible funding is identified. The cancellation of the Stark Street Multimodal Connections project will free up \$3,143,965 in federal funds that could be applied to ITS improvements on Cornelius Pass Highway. In addition, Region 1 is adding \$1,518,623 from R1 Fix-It Financial Plan savings to fully fund recommended improvements to be delivered within the 2021-2024 STIP cycle.</p> <p>The new project will upgrade and install signing, striping, and signal equipment as well as install new ITS devices such as cameras and variable message signs. The benefit of adding this project will be improved safety, traveler information, and overall corridor operations and management.</p> <p>For the Stark Street Multimodal Connections project, once ODOT approved the funds to be relinquished, their re-purposing process considered of the following:</p> <ol style="list-style-type: none"> The ODOT Region 1 Manager in conjunction with the Area Manager West, based on recommendations from Traffic and Operations team, decided this was best use of funds to keep money in the county and improve the safety and operational issues that need to be addressed on the acquired highway. Specifically, the ODOT Region 1 Traffic section looked at this stretch of highway and determined several safety and operational improvements (ITS, signing, striping) that could be made for the benefit of the traveling public. These could be designed and installed relatively quickly so travelers will see the safety benefits soon. This has the added benefit of building upon the current ITS project immediately already under design in this corridor (K21500). Region 1 did not get additional resources to manage this new state highway in the near term, so this is an opportunity to invest in safety there before more funds become available in the 24-27 STIP cycle.

Additional Details:	<p style="text-align: center;">Project Location Information</p> 
Why a Formal amendment is required?	Per the FHWA/FTA/ODOT/MPO approved Amendment Matrix, adding a new project to the MTIP requires a via a formal/full amendment.
Total Programmed Amount:	Key 22421 total programming is \$4,673,000
Added Notes:	A copy of the approval letter by the ODOT Director is also included



Oregon
Kate Brown, Governor

Oregon Transportation Commission
Office of the Director, MS 11
355 Capitol St NE
Salem, OR 97301-3871

DATE: April 14, 2021
TO: Kristopher W. Strickler
Director

FROM: Rian Windsheimer
Region 1 Manager

SUBJECT: Amend the 2021-2024 Statewide Transportation Improvement Program (STIP) to cancel Stark Street multimodal connections project in Multnomah County and add a new project for Intelligent Transportation Systems (ITS) Improvements on Cornelius Pass Highway.

Requested Action:

Approve amending the 2021-2024 Statewide Transportation Improvement Program (STIP) to cancel the Stark Street multimodal connections project, re-allocate funds, and add additional funds for a new Cornelius Pass Highway: US26 to US30 Intelligent Transportation Systems (ITS) Improvements project.

STIP Amendment Funding Summary

Project	Current Funding	Proposed Funding
Stark Street multimodal connections - (Federal Enhance funds only)	\$3,154,377	\$0
Cornelius Pass Hwy. US26 to US30 ITS Improvements	\$0	\$4,673,000
Region 1 Fix-It Financial Plan*	\$1,518,623	\$0
TOTAL	\$4,673,000	\$4,673,000

* This line is meant to show funds that come from the Region 1 Financial Plan savings.

Project to cancel:

Stark Street multimodal connections (K20330)				
PHASE	YEAR		COST	
	Current	Proposed	Current	Proposed
Preliminary Engineering	2019		\$428,582	\$36,376
Right of Way	2021		\$400,000	\$0
Construction	2021		\$3,285,795	\$0
TOTAL			\$4,114,377*	\$36,376**

*Federal Enhance: \$3,154,377, Local Contribution: \$960,000

** Local Agency pays for \$36,376 already spent per the Inter-governmental Agreement (IGA)

Project to add:

Cornelius Pass Hwy. US26 to US30 ITS Improvements (Key number TBD)				
PHASE	YEAR		COST	
	Current	Proposed	Current	Proposed
Preliminary Engineering	N/A	2021	\$0	\$1,321,617
Right of Way	N/A	2022	\$0	\$147,418
Utilities Relocation	N/A	2023	\$0	\$60,000
Construction	N/A	2024	\$0	\$3,143,965
TOTAL			\$0	\$4,673,000

Background:

Stark Street multimodal connections

The Stark Street multimodal connections project was originally awarded \$3,154,377 Federal Enhance funds as part of the 2018-2021 STIP. Per the terms of the award, Multnomah County committed \$960,000 in addition to the match required for the Federal funds.

The intent of the project was to close the existing east-west gap in bicycle and pedestrian travel and improve safety by constructing sidewalks and bike lanes on the north side and part of the south side of SE Stark Street between SW 257th Ave and S Troutdale Rd.

On October 12, 2020, ODOT received an official request from Multnomah County for the immediate termination of the local agency supplemental project agreement No. 33003 for the Stark street multimodal connections STIP project.

Multnomah County's reason for cancellation was due to a reduction in gas tax revenues that has resulted in a \$5.4M shortfall in their County Road fund that was triggered by the COVID-19 pandemic. The County is scaling back capital projects to ensure their County Road fund does not run out of money, and is re-focusing their efforts on maintaining existing infrastructure, rather than funding expansions. Multnomah County has declared they do not have budget to perform all planned capital projects and the Stark Street multimodal connections STIP project so the associated agreement needs to be cancelled as a result.

Some funds have been expended on the design phase. Per the agreement, the local agency will provide \$36,376 to close out the project.

Project Timeline

- October 2017 - Project approved in 18-21 STIP
- April 2019 - Preliminary Engineering funds authorized
- January 2019 - Right-of-Way phase slips to 2021
- August 2020 - Right-of-Way phase slips to 2022
- October 2020 - Multnomah County requests to cancel project
- January 2021 - Preliminary Engineering funds returned to program

Cornelius Pass Hwy: US26 to US30 ITS Improvements

Jurisdictional Transfer Agreements 844 and 845 approved by the OTC January 21, 2021 transferred ownership and responsibility for Cornelius Pass Highway between US26 - Sunset Highway (US26) and US30 - Lower Columbia River Highway from Washington County and Multnomah county to ODOT. The newly acquired Cornelius Pass Highway is in need of operational and safety improvements as soon as eligible funding is identified. The cancellation of the Stark Street Multimodal Connections project will free up \$3,143,965 in federal funds that could be applied to ITS improvements on Cornelius Pass Highway. In addition, Region 1 requests to add \$1,518,623 from R1 Fix-It Financial Plan savings to fully fund recommended improvements to be delivered within the 2021-2024 STIP cycle.

The new project will upgrade and install signing, striping, and signal equipment as well as install new ITS devices such as cameras and variable message signs. The benefit of adding this project will be improved safety, traveler information, and overall corridor operations and management.

Project Timeline

- January 2021 - OTC Approves Cornelius Pass Highway jurisdictional transfer from Washington County and Multnomah County to ODOT
- February 2021 - Region Manager approves use of Stark Street funds and additional region funds for Corn Pass Highway improvements
- March 2021 - Transfer to ODOT recorded
- March 2021 - Region 1 tech center provides estimates for priority operations improvements

Options:

With approval, the agreement will be terminated and the project will be cancelled from the STIP. The County will be paying the amount required to close the project. Federal funds will be re-allocated to the Cornelius Pass Hwy: US26 to US30 ITS Improvements project.

Without approval, Multnomah County will not be able to meet the terms of the agreement.

Attachments:

- Attachment 1 – Location & Vicinity Maps

Copies to:

Jeri Bohard	Karen Rowe	Rian Windsheimer	Sam Hunaidi
Travis Brouwer	Mac Lynde	Tova Peltz	Matt Freitag
Cooper Brown	Jeff Flowers	Ted Miller	
Lindsay Baker	Arlene Santana	Chris Ford	
Jess McGraw	Amanda Sandvig	Talena Adams	
Tom Fuller	Alice Bibler	Adriana Antelo	

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.
- 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:
 - 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.
- 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.

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.	

APPROVAL STEPS AND TIMING

Metro's approval process for formal amendment includes multiple steps. The required approvals for the May 2021 Formal MTIP amendment (MA21-10-MAY) will include the following:

- | <u>Action</u> | <u>Target Date</u> |
|---|--------------------|
| • Initiate the required 30-day public notification process..... | April 30, 2021 |
| • TPAC notification and approval recommendation..... | May 7, 2021 |
| • JPACT approval and recommendation to Council..... | May 20, 2021 |

- Completion of public notification process..... May 31, 2021
- **Metro Council approval..... June 10, 2021**

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..... | June 15, 2021 |
| • Submission of the final amendment package to USDOT..... | June 15, 2021 |
| • ODOT clarification and approval..... | Early July, 2021 |
| • USDOT clarification and final amendment approval..... | Mid-Late July, 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 21-5177 on May 10, 2021 consisting of thirteen projects which include required updates to the UPWP impacting Metro, and two additional projects impacting Multnomah County and ODOT and is now providing their approval recommendation to Metro Council to approve Resolution 21-5177 and the May 2021 Formal MTIP Amendment bundle.

- TPAC notification and approval recommendation date: May 7, 2021
- JPACT approval; May 10, 2020

Attachments: None