

Memo



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Date: July 9, 2021
To: JPACT and Interested Parties
From: Ken Lobeck, Funding Programs Lead
Subject: July #2 2021 MTIP Formal Amendment & Resolution 21-5191 Approval Request

FORMAL AMENDMENT STAFF REPORT

FOR THE PURPOSE OF AMENDING THE 2021-24 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM (MTIP) TO ADD TRIMET'S DIVISION TRANSIT PROJECT WHICH WAS AWARDED \$12,963,076 FROM THE AMERICAN RESCUE PLAN ACT OF 2021 (JL21-13-JUL2)

BACKGROUND

What This Is:

The July #2 2021 Formal Metropolitan Transportation Improvement Program (MTIP) Formal/Full Amendment which is contained in Resolution 21-5191 and being processed under MTIP Amendment JL21-13-JUL2 and applies only to TriMet.

What is the requested action?

TPAC received their notification on July 9, 2021 and now is providing JPACT their approval recommendation of Resolution 21-5191 consisting of TriMet's new American Rescue Plan Act of 2021 FTA grant award for their Division Transit project.

Proposed July #2 2021 Formal Amendment Bundle					
Amendment Type: Formal/Full					
Amendment #: JL21-13-JUL2					
Total Number of Projects: 1					
ODOT Key #	MTIP ID #	Lead Agency	Project Name	Project Description	Description of Changes
Project #1 Key New Project TBD	TBD	TriMet	Division Transit Project	High capacity transit on Division from Portland Central Business District to Gresham Town Center.	<u>ADD NEW PROJECT:</u> The formal amendment adds the new FTA grant for the Division Transit Project from the American Rescue Plan Act of 2021.

Project 1:	Division Transit Project New Project		
Lead Agency:	TriMet		
ODOT Key Number:	TBD	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> The TriMet Division Transit Project will construct and implement a 15 mile high-capacity transit along the Division corridor utilizing new 60-foot buses running on average every 12 minutes, and includes up to 30 improved or new passenger stations from Irving/5th in downtown and then south and east to the Cleveland Ave Park-n-Ride in Gresham. • <u>Source:</u> New project. While this is a new project being added to the MTIP allowing the new American Rescue Plan (ARP) Act of 2021, the grant award is the third ward FTA has provided to their project since 2018. • <u>Amendment Action:</u> Add the new ARP Act grant award using FTA Section 5309 funds to the 2021-24 MTIP. • <u>Funding:</u> This specific FTA grant award originates from the ARP Act of 2021, Table 7 Capital projects. \$12,963,076 and are 100% federal funds with no required match. The two prior awards programmed in the MTIP for the Division Transit Project include the following: <ul style="list-style-type: none"> ○ \$56,005,914 of FTA 5309 funds plus \$37,337,276 of local matching funds for a total of \$93,343,190 ○ 34,688,806 of FTA 5309 funds plus \$23,125,871 of local matching funds for a total of \$57,814,677 ○ The estimated total project cost is \$175 million • <u>FTA Conversion Code:</u> N/A • <u>Location, Limits and Mile Posts:</u> <ul style="list-style-type: none"> ○ Location: Downtown Portland and east to Gresham along the Division St corridor ○ Cross Street Limits: Multiple ○ Overall Mile Post Limits: N/A • <u>Current Status Code:</u> 7 = Construction activities or project implementation activities (e.g. for transit and ITS type projects) initiated. • <u>Air Conformity/Capacity Status:</u> The project is considered a "capacity enhancing" project from a roadway/motor vehicle improvement perspective and is not exempt 		

from air quality conformity analysis per 40 CFR 93.126. The project completed its required transportation and air quality modeling analysis as part of the 2018 RTP Update. Associated RTP project IDs are 10909 and 11590.

- Regional Significance Status: The project is regionally significant.
- Amendment ID and Approval Estimates:
 - STIP Amendment Number: TBD
 - MTIP Amendment Number: JL21-13-JUL2
 - OTC approval required: No.
 - Metro approval date: Tentatively scheduled for July 29th, 2021
 - Other required approvals: ARP Capital Projects Funding Awards, Table 7 provided.

AMENDMENT ACTION: ADD NEW PROJECT:

The formal amendment adds the new project consisting of \$12,963,076 of FTA 5309 federal funds to the 2021-24 MTIP. Matching funds are not required. The funding will support the complete of the Division Transit Project which is anticipated to initiate services in Federal Fiscal Year 2022. The project is already under construction which began in 2019.

What is changing?



Project Overview Details (<https://trimet.org/division/>)

Project and Station Locations



Additional Details:

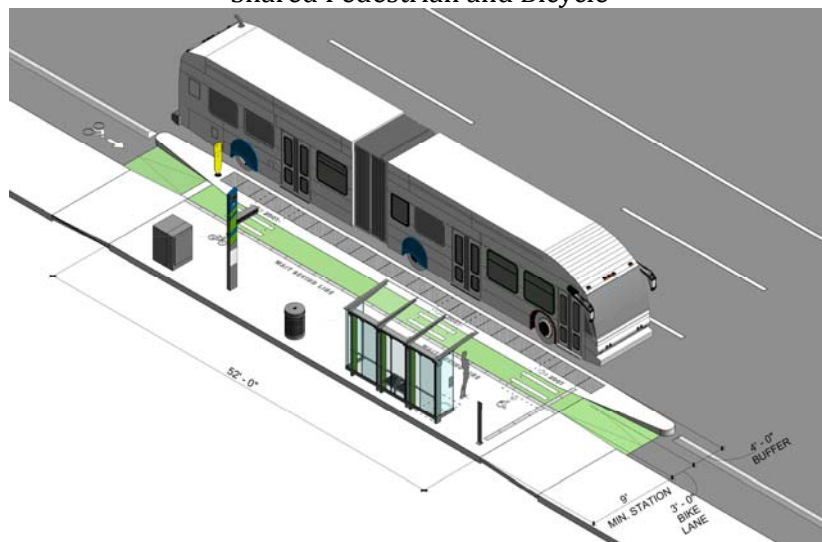
Project Schedule



Station Types Pedestrian Pass-Through



Shared Pedestrian and Bicycle



Pedestrian Bypass



Island



Planned Operating Buses



Transit Benefits

The TriMet Division Transit Project is a 15 mile transit improvement project that will reduce travel times up to 20 percent, with buses running every 12 minutes and more often during peak hours. Additional benefits include:

- Longer buses with room for 60 percent more riders
- Multiple-door boarding for briefer stops
- Expanded bus stations with amenities such as weather protection
- Stations located where rider demand is greatest — minimizing travel times while providing important transit connections
- Transit signal priority — traffic signals prioritize bus travel, getting riders to their destinations faster

Why a Formal amendment is required?	Per the FHWA/FTA/ODOT/MPO approved Amendment Matrix, adding a new project to the MTIP requires a full/formal amendment.
Total Programmed Amount:	The ARP Act of 2021 provided \$12,963,076 of FTA Section 5309 funds and is the latest federal grant to the project that has an estimated total project cost of \$175. million
Added Notes:	N/A

Funding Verification

FEDERAL TRANSIT ADMINISTRATION			
Table 7			
AMERICAN RESCUE PLAN ACT OF 2021 -- CAPITAL INVESTMENTS-- PROGRAM ALLOCATIONS			
Last Updated June 11, 2021			
State	Discretionary ID	Project Location and Description	Allocation
AZ	D2021-RPNS-001	Phoenix, South Central Light Rail Extension/Downtown Hub	\$81,294,942
AZ	D2021-RPSS-001	Tempe, Tempe Streetcar	17,406,412
CA	D2021-RPCC-001	San Carlos, Peninsula Corridor Electrification Project	52,415,186
CA	D2021-RPCC-002	San Francisco, Transbay Corridor	87,075,134
CA	D2021-RPNS-002	Los Angeles, Regional Connector	53,228,415
CA	D2021-RPNS-003	Los Angeles, Westside Subway Section 1	66,428,844
CA	D2021-RPNS-004	Los Angeles, Westside Subway Section 2	58,417,784
CA	D2021-RPNS-005	Los Angeles, Westside Subway Section 3	93,437,754
CA	D2021-RPNS-006	San Diego, Mid-Coast Corridor Transit Project	57,098,330
CA	D2021-RPNS-007	San Francisco - Third Street Light Rail-Central Subway Project	23,121,562
CA	D2021-RPNS-008	Santa Ana and Garden Grove Streetcar	9,407,272
CA	D2021-RPSS-002	San Francisco, Van Ness BRT	21,889,182
CA	D2021-RPSS-003	San Bernardino, West Valley Connector BRT	26,088,771
FL	D2021-RPSS-004	Jacksonville, Southwest Corridor BRT	2,430,716
FL	D2021-RPSS-005	Miami-Dade, South Corridor Rapid Transit Project	29,531,546
FL	D2021-RPSS-006	St. Petersburg, Central Avenue BRT	3,276,537
HI	D2021-RPNS-009	Honolulu - High Capacity Transit Corridor	70,000,000
IL	D2021-RPCC-003	Chicago, Red and Purple Modernization Phase 1	30,650,898
IN	D2021-RPNS-010	Gary, Double Track Northwest Indiana	24,585,403
IN	D2021-RPNS-011	Lake County, West Lake Corridor	43,971,185
IN	D2021-RPSS-007	Indianapolis, IndyGo Purple Rapid Transit Line	12,008,210
MA	D2021-RPNS-012	Boston, Green Line Extension	103,554,165
MD	D2021-RPNS-013	Maryland National Capital Purple Line	106,163,372
MN	D2021-RPNS-014	Minneapolis, Southwest Light Rail Transit	30,552,442
MN	D2021-RPSS-008	Minneapolis, Orange Line BRT	11,362,644
MO	D2021-RPNS-015	Kansas City, Streetcar Main Street Extension	24,673,482
NC	D2021-RPSS-009	Charlotte, LYNX Streetcar Phase 2	11,122,146
NC	D2021-RPSS-010	Raleigh, Wake Bus Rapid Transit New Bern Avenue Project	5,404,048
NJ	D2021-RPCC-004	Hudson County, Portal North Bridge Project	77,821,390
NY	D2021-RPNS-016	New York - East Side Access	70,000,000
NY	D2021-RPSS-011	Albany, Washington/Western BRT	2,490,772
OR	D2021-RPSS-012	Portland, Division Transit BRT	12,963,076
OR	D2021-RPSS-013	Portland, MAX Red Line Extension and Reliability Improvements	15,721,739
PA	D2021-RPSS-014	Pittsburgh, Downtown-Uptown-Oakland-East End BRT	19,285,801
TX	D2021-RPCC-005	Dallas, DART Red and Blue Line Platform Extensions	2,471,166
TX	D2021-RPSS-015	El Paso, Montana BRT	3,111,053
UT	D2021-RPSS-016	Ogden, Ogden/Weber State University Bus Rapid Transit	6,254,183
WA	D2021-RPNS-017	Seattle, Lynnwood Link Extension	94,047,724
WA	D2021-RPNS-018	Seattle, WA Federal Way Light Rail Project	158,583,550
WA	D2021-RPSS-017	Spokane, Central City BRT	5,754,747
WA	D2021-RPSS-018	Tacoma, Tacoma Link Extension	20,704,007
WA	D2021-RPSS-019	Everett, Swift Orange	6,498,606
WA	D2021-RPSS-020	Seattle, Madison BRT	10,897,354
WA	D2021-RPSS-021	Vancouver, Mill Plain BRT	3,704,781
WI	D2021-RPSS-022	Milwaukee, East-West BRT	2,093,669
GRAND TOTAL			\$1,675,000,000

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	
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: <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> • FHWA project cost increase/decrease: <ul style="list-style-type: none"> • 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.	

- 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.

APPROVAL STEPS AND TIMING

Metro's approval process for formal amendment includes multiple steps. The required approvals for the July #2 2021 Formal MTIP amendment (JL21-13-JUL2) will include the following:

<u>Action</u>	<u>Target Date</u>
• Initiate the required 30-day public notification process.....	June 28, 2021
• TPAC notification and approval recommendation.....	July 9, 2021
• JPACT approval and recommendation to Council.....	July 15, 2021
• Completion of public notification process.....	July 27, 2021
• Metro Council approval.....	July 29, 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.....	August 5, 2021
• Submission of the final amendment package to USDOT.....	August 5, 2021
• ODOT clarification and approval.....	Mid to late August 2021
• USDOT clarification and final amendment approval.....	Mid to late August 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:

TPAC received their notification on July 9, 2021 and now is providing JPACT their approval recommendation of Resolution 21-5191 consisting of TriMet's new American Rescue Plan Act of 2021 FTA grant award for their Division Transit project.

No Attachments