

**ACTION TRANSMITTAL No. 2013-18**

**DATE:** April 9, 2013  
**TO:** Transportation Advisory Board  
**FROM:** Technical Advisory Committee  
**PREPARED BY:** Heidi Schallberg, Senior Planner (651-602-1721)  
Ted Schoenecker, MnDOT Metro District (651-234-7761)  
Ann Braden, Senior Planner (651-602-1705)  
**SUBJECT:** 2013-2016 TIP Amendment for 2013 Local Federal Program  
**REQUESTED ACTION:** Metropolitan Council requests a TIP amendment to add 12 projects in 2013 using \$17,568,279 of federal Surface Transportation Program (STP) funding.  
**RECOMMENDED MOTION:** Recommend that the Transportation Advisory Board adopt an amendment to the 2013-2016 Transportation Improvement Program (TIP) to add 12 projects using a total of \$17,568,279 in federal Surface Transportation Program (STP) funding in 2013.

**BACKGROUND AND PURPOSE OF ACTION:** The annual local program review to determine the status of project delivery in the region resulted in the identification of \$34,356,208 of federal funding programmed in 2013 that would not be delivered in that year either due to a project being withdrawn or moving to a later year because of a sunset date or schedule extension. The federal funding total for withdrawn projects in 2013 is \$7,692,636, and the federal funding total for projects moving out of 2013 is \$26,663,572. A portion of the 2013 funds will be allocated to existing projects through a TIP modification.

Under SAFETEA-LU, the region could allow MnDOT to use these federal funds and provide the TAB with an equal amount of funding in the next regional solicitation. MAP-21 requires that the federal funding be managed differently, within each federal program, and it is not possible to manage the unused federal funds in this manner. The recommended amendment would reprogram these unused funds on projects identified by the seven metro counties. A TIP amendment is needed to enable other projects to use the remaining \$17,568,279 of funding in the state fiscal year 2013. The list of 12 projects is attached.

**COMMITTEE COMMENTS AND ACTION:** A discussion at the March 20, 2013, meeting of the Transportation Advisory Board recommended a process to use these federal funds in the current fiscal year. First, MnDOT Metro District State Aid staff would work with project sponsors to identify existing projects that could advance to 2013 from later years. The federal funding total from projects moving into 2013 from later years is \$6,775,987, leaving \$27,580,221 unprogrammed for 2013.

Next, MnDOT Metro District State Aid staff identified projects that have not yet been authorized and could have additional federal funding added to them for 2013 that could increase the percentage of federal funds used. These projects will be capped at a maximum federal funding level of 75% or \$2.5 million of additional federal funds, whichever is lower, to distribute the funds to more projects. This distribution also will aid in managing risk so that a large amount of federal funding is not on one project. It was determined that \$10,011,942 of federal funding could be added to existing projects. For the Congestion Mitigation Air Quality (CMAQ) and Transportation Enhancements (TE) programs, all available funding was used by existing projects. For STP, existing projects could use \$9,079,529 of the available funding, leaving \$17,568,279 of Surface Transportation Program (STP) funding still unused for 2013. Additional information about changes to existing projects will be available from MnDOT at the April TAC meeting.

The remaining \$17,568,279 balance of federal STP funds in 2013 would be distributed to the seven counties within the region based on the state aid allocation formula. Any new county projects had to be able to move through the federal process quickly to use the 2013 funding; recommended project types include pavement preservation, ADA improvements, or safety enhancements. FHWA has also stated they can process a small number of existing federalized projects that could accommodate additional federal funds. Because of the short timeline for using these federal funds, counties are still identifying project specifics, so placeholders will be added to the TIP and modified as needed through the administrative modification process.

At its March 21, 2013, meeting, the TAC Funding and Programming Committee unanimously approved a recommendation that the TAB adopt this amendment with the provision that project details would be submitted by sponsors to enable the air quality conformity exemption or analysis to be determined by the Minnesota Interagency Air Quality and Transportation Planning Committee.

At its April 3, 2013, meeting, the TAC unanimously approved the motion. A couple of county TAC members said it was challenging to quickly put together new projects for these funds. The county representatives on the TAC agreed to provide a report on how the funds were spent.

**RELATIONSHIP TO REGIONAL POLICY:** Federal law requires that all transportation projects that will be partially funded with federal funds must be in an approved TIP and meet the following four tests: fiscal constraint; consistency with the adopted regional transportation plan; air quality conformity; and opportunity for public input. It is the TAB's responsibility to adopt and amend the TIP according to these four requirements.

**STAFF ANALYSIS:** The TIP amendment meets fiscal constraint because the federal and local funds are sufficient to fully fund these projects. The amendment is consistent with the Transportation Policy Plan, adopted by the Metropolitan Council on November 10, 2010, with FHWA/FTA conformity determination established on February 23, 2011. The Minnesota Interagency Air Quality and Transportation Planning Committee determined the projects are exempt from air quality conformity analysis. Public input opportunities for this amendment are provided through the TAB's and Council's regular meetings.

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**ROUTING**

<b>TO</b>	<b>ACTION REQUESTED</b>	<b>DATE COMPLETED</b>
TAC Funding & Programming Committee	Review & Recommend	March 21, 2013
Technical Advisory Committee	Review & Recommend	April 3, 2013
Transportation Advisory Board	Review & Adopt	
Metropolitan Council Transportation Committee	Concurrence	
Metropolitan Council	Concurrence	

April 9, 2013

Karl Keel, Chair  
TAC Funding and Programming Committee  
Metropolitan Council  
390 Robert Street No.  
St. Paul, Minnesota 55101

Re: Amendment to the 2013-2016 Transportation Improvement Program (TIP) for the Twin Cities Metropolitan Area

Dear Mr. Keel:

Please amend the 2013 – 2016 Transportation Improvement Program (TIP) to add 12 projects to use federal funds in the local program that remain available due to other project delays or withdrawals in fiscal year 2013.

**PROJECT BACKGROUND:**

1. Briefly describe why amendment is needed (e.g., project in previous TIP but not completed; illustrative project and funds now available; discretionary funds received; inadvertently not included in STIP).

This amendment is needed to add 12 projects that will use the federal funds that will be distributed to the seven metro counties for projects that will be delivered in 2013. The list of projects for each county is attached.

The annual local program review identified \$34,356,208 of federal funding for projects selected by the TAB through the regional solicitation process and programmed in 2013 that would not be delivered in that year either due to a project being withdrawn or moving to a later year because of a sunset date extension. The federal funding total for withdrawn projects in 2013 is \$7,692,636, and the federal funding total for projects moving out of 2013 is \$26,663,572.

To address the funding gap in 2013, MnDOT Metro District State Aid staff worked with project sponsors to identify projects that could advance to 2013 from later years. The federal funding total from projects moving into 2013 from later years is \$6,775,987, leaving \$27,580,221 unprogrammed for 2013.

MnDOT Metro District State Aid staff identified projects that have not yet been authorized or could have additional federal funding added to them for 2013 that could increase the percentage of federal funds used. It was determined that \$10,011,942 of federal funding could be added to existing projects, leaving \$17,568,279 still unused for 2013.

A discussion at the March 20, 2013, meeting of the Transportation Advisory Board recommended distributing the remaining \$17,568,279 balance of federal funds in 2013 to the seven counties within the region. The funding would be distributed to the seven counties based on the state aid allocation formula. Any new county projects had to be able to move through the federal process quickly to use the 2013 funding; project types considered include pavement preservation, ADA improvements, or safety enhancements, or existing federalized projects that could add additional federal funds.

4/11/2013

2. How is Fiscal Constraint Maintained as required by 23 CFR 450.216 (check all that apply)?

- New Money \*(indicate type here) \_\_\_\_\_
- Anticipated Advance Construction \_\_\_\_\_
- ATP or MPO or Mn/DOT Adjustment of other projects   X
- Earmark or HPP federal funds outside the ATP target \_\_\_\_\_
- Other (indicate source here) \_\_\_\_\_

\* Defined as additional funds not previously programmed in the TIP.

A total of \$27,580,221 in federal funds became available in FY 2013 changes to the 2013 program. A total of \$10,011,942 of the additional federal funds will be added to the federal funds on identified projects that are already programmed in FY 2013. The remaining \$17,568,279 of the available federal funds will be distributed to the seven metro area counties to projects that can be delivered in 2013. The total of the federal funds being added to existing projects and the total federal funds for the new county projects being added to FY 2013 of the 2013-2016 TIP do not exceed the \$27,580,221 in newly available federal funds. In addition, the local match for each of the projects that will receive additional federal funds and the local match for the new county projects are adequate to fully fund the projects; therefore, fiscal constraint is maintained. The local share of each project will be paid with county funds.

**CONSISTENCY WITH MPO LONG-RANGE PLAN:**

This amendment is consistent with the Metropolitan Council's Transportation Policy Plan, adopted by the Metropolitan Council on November 10, 2010, with FHWA/FTA conformity determination established on February 23, 2011.

**AIR QUALITY CONFORMITY:**

- Subject to conformity determination .....\_\_\_\_\_
- Exempt from regional level analysis\* .....  X
- Exempt from project level analysis\* .....\_\_\_\_\_
- Exempt by virtue of interagency consultation\* .....\_\_\_\_\_
- N/A (not in a nonattainment or maintenance area).....\_\_\_\_\_

\*Exempt Project Category # \_\_\_\_\_ as attached \_\_\_\_  
Per Section 93.126 of the Conformity Rules

The Minnesota Interagency Air Quality and Transportation Planning Committee has determined the projects are exempt under the categories noted on the attached project list.

We are requesting approval of this TIP amendment at this time. If you have any questions, please contact me at 651-602-1728.

Sincerely,

Kevin Roggenbuck  
Transportation Coordinator

cc: Brian Isaacson, MnDOT Metro Program Management  
Cindy Krumsieg, MnDOT Metro Program Management  
Heidi Schallberg, Metropolitan Council

**2013-2016 TIP Amendment Request: 2013 STP Funding**

TIP Amendment Action	Year	PRT	Route	Project #	Prog	Funding	Agency	Project Description	Project Total \$	FHWA \$	Demo \$	AC \$	State \$	Other \$	Air Quality Code
Add project	2013		LOCAL	002-607-022		STP	Anoka County	Bituminous Pavement Rehabilitation on CSAH 7, and CSAH 20	\$1,900,000	\$1,425,000	\$0	\$0	\$0	\$475,000 County Funds	S10
Add project	2013		LOCAL	002-622-033		STP	Anoka County	Concrete Pavement Rehabilitation on CSAH 22	\$1,800,000	\$1,261,680	\$0	\$0	\$0	\$538,320 County Funds	S10
Add project	2013		LOCAL	010-633-039		STP	Carver County	Bituminous Pavement Rehabilitation on CSAH 33 and CSAH 51	\$2,501,647	\$966,036	\$0	\$0	\$0	\$1,535,611 County Funds	S10
Add project	2013		LOCAL	019-647-022		STP	Dakota County	Bituminous Pavement Rehabilitation on CSAH 47	\$2,965,000	\$2,352,082	\$0	\$0	\$0	\$612,918 County Funds	S10
Add project	2013		LOCAL	027-606-018		STP	Hennepin County	Bituminous Pavement Rehabilitation on CSAH 6, CSAH 25, CSAH 51, CSAH 152	\$3,130,000	\$2,504,000	\$0	\$0	\$0	\$626,000 County Funds	S10
Add project	2013		LOCAL	027-603-056		STP	Hennepin County	Concrete Pavement Rehabilitation on CSAH 3, CSAH 10, CSAH 62 and CSAH 60	\$425,000	\$340,000	\$0	\$0	\$0	\$85,000 County Funds	S10
Add project	2013		LOCAL	027-608-013		STP	Hennepin County	Concrete Pavement Rehabilitation on CSAH 8, CSAH 88, CSAH 136, and CSAH 153	\$613,901	\$491,121	\$0	\$0	\$0	\$122,780 County Funds	S10
Add project	2013		LOCAL	027-030-030		STP	Hennepin County	Pedestrian Curb Ramps - various locations throughout Hennepin County	\$835,200	\$665,465	\$0	\$0	\$0	\$169,735 County Funds	AQ2
Add project	2013		LOCAL	TRS-TCMT-13J		STP	Hennepin County	"The Interchange" Project - Multi Modal Transportation Facility in the vicinity of 5th St. N. & 6th Ave. N. in the City of Minneapolis; Fare Vending Equip, Rail Control Ctr Mod, LRT Variable Message Signs and Cameras, Enhanced Lighting Upgrades, Driveway and Walkway Snowmelt System	\$2,455,605	\$1,964,484	\$0	\$0	\$0	\$491,121 County Funds	O8
Add project	2013		LOCAL	062-696-029		STP	Ramsey County	Concrete Rehabilitation, Signal Revision and Turn Lanes on CSAH 96, CSAH 30, CSAH 27, CSAH 65, and CSAH 77	\$5,825,294	\$2,678,502	\$0	\$0	\$0	\$3,146,792 County Funds	E1
Add project	2013		LOCAL	070-614-006		STP	Scott County	Bituminous Pavement Rehabilitation on CSAH 14, CR 69, and CSAH 16	\$2,444,802	\$1,369,426	\$0	\$0	\$0	\$1,075,376 County Funds	S10
Add project	2013		LOCAL	082-607-014		STP	Washington County	Bituminous Pavement Rehabilitation on CSAH 7	\$2,500,000	\$1,550,484	\$0	\$0	\$0	\$949,516 County Funds	S10