

Transportation Advisory Board
of the Metropolitan Council of the Twin Cities

ACTION TRANSMITTAL No. 2020-33

DATE: September 3, 2020
TO: Transportation Advisory Board
FROM: Technical Advisory Committee
PREPARED BY: Joe Barbeau, Senior Planner (651-602-1705)
SUBJECT: 2020-2023 and 2021-2024 Streamlined TIP Amendment for MnDOT: I-94 Frontage Road Pedestrian Improvements
REQUESTED ACTION: MnDOT requests an amendment to the 2020-2023 and 2021-2024 TIPs to increase the cost of its I-94 frontage road pedestrian project (SP# 6282-231)
RECOMMENDED MOTION: That the Transportation Advisory Board recommend that the Metropolitan Council adopt an amendment to the 2020-2023 and 2021-2024 TIPs to increase the cost of MnDOT's I-94 frontage road pedestrian project (SP# 6282-231)

BACKGROUND AND PURPOSE OF ACTION: This amendment is requested to increase the cost of MnDOT's I-94 frontage road pedestrian project to \$1,846,146, as the project cost ended up being higher than projected. The amendment is proposed for both the 2020-23 and 2021-24 TIPs, as it is uncertain whether the latter will be approved when the project is obligated.

The project is funded with National Highway Preservation Program (NHPP) funds, programmed by MnDOT.

The project is included in the current (2020-2023) TIP and the draft 2021-2024 TIP. The latter is scheduled to be approved by the Metropolitan Council on September 23, after which time it will be provided to MnDOT and then in federal review. Should this amendment be approved by the Metropolitan Council prior to federal approval of the 2021-2024 TIP, it will not be official until after that approval is granted. Should the 2021-24 TIP be approved prior to obligation, the action to the 2020-23 TIP will be unnecessary.

RELATIONSHIP TO REGIONAL POLICY: Federal law requires that all transportation projects that will be 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 per these four requirements.

STAFF ANALYSIS: The TIP amendment meets fiscal constraint because the federal and local funds are sufficient to fully fund the project. The amendment is consistent with the Transportation Policy Plan, adopted by the Metropolitan Council on October 24, 2018, as amended on April 24, 2019, with FHWA/FTA conformity determination established on May 9, 2019. The Minnesota Interagency Air Quality and Transportation Planning Committee determined that the project is exempt from air quality conformity

analysis. Public input opportunity for this amendment is provided through the TAB's and Council's regular meetings.

COMMITTEE COMMENTS AND ACTION: At its September 2, 2020, meeting, the Technical Advisory Committee voted unanimously to recommend that the Metropolitan Council adopt an amendment to the 2020-2023 and 2021-2024 TIPs to increase the cost of MnDOT's I-94 frontage road pedestrian project

ROUTING

TO	ACTION REQUESTED	DATE SCHEDULED / COMPLETED
Technical Advisory Committee	Review & Recommend	9/2/2020
Transportation Advisory Board	Review & Adopt	9/16/2020
Metropolitan Council Transportation Committee	Review & Recommend	9/28/2020
Metropolitan Council	Adopt	10/12/2020

Please amend the 2020-2023 and 2021-2024 Transportation Improvement Programs (TIPs) to include this project in program year 2021. This project is being submitted with the following information:

PROJECT IDENTIFICATION:

State Fiscal Year	ATP / DIST	Route System	Project Number (S.P. #)	Agency	Description	Miles
2021	M	I-94	6282-231	MNDOT	I94, frontage road along I94 from Cretin Ave to Griggs St. in St Paul, ADA improvements, signals, ped Br 62849	2.08

TIP	Prog	Type of Work	Prop Funds	Total \$	FHWA \$	TH \$	Other \$
2020-23	SC	Bike/Ped	NHPP	934,000	781,000	86,800	66,000
				<u>1,846,146</u>	<u>1,602,132</u>	<u>178,014</u>	
2021-24	SC	Bike/Ped	NHPP	782,000	647,100	71,900	63,000
				<u>1,846,146</u>	<u>1,602,132</u>	<u>178,014</u>	<u>66,000</u>

PROJECT BACKGROUND:

- Briefly describe why the 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 TIP).

This formal amendment is required due to a total project cost increase to \$1,846,146, including \$1,602,312 in federal NHPP funding. The project is listed at different costs in the 2020-2023 and 2021-2024 TIPs and both are being proposed for amendment, as it is unknown whether the later will be approved when the project is obligated.

- How is Fiscal Constraint Maintained as required by 23 CFR 450.216 (check all that apply)?
 - New Money
 - Anticipated Advance Construction
 - ATP or MPO or MnDOT Adjustment by deferral of other projects
 - Earmark or HPP not affecting fiscal constraint
 - Other X

OTSM/Finance Office provides an annual program capacity review and reports those findings to FHWA after federal fiscal close in October 2020. It is MnDOT's intention to use that unprogrammed capacity for the additional federal funds (for 20-23), or after 1st AND 2nd quarter letting. MnDOT will capture bid savings for the additional federal funds required (21-24). Therefore, fiscal constraint will be maintained.

CONSISTENCY WITH MPO LONG RANGE PLAN:

This amendment is consistent with the Metropolitan Council Transportation Policy Plan, adopted by the Metropolitan Council on October 24, 2018, as amended on April 24, 2019, with FHWA/FTA conformity determination established on May 9, 2019.

AIR QUALITY CONFORMITY:

- Subject to conformity determination
- Exempt from regional level analysis X*
- N/A (not in a nonattainment or maintenance area)

*Exempt Project Category AQ2. Bicycle and Pedestrian Facilities per Section 93.126 of the Conformity Rules.