

**ACTION TRANSMITTAL – 2020-07**

**DATE:** January 17, 2020

**TO:** Technical Advisory Committee

**FROM:** TAC Funding & Programming Committee

**PREPARED BY:** Elaine Koutsoukos, TAB Coordinator (651-602-1717)  
Joe Barbeau, Senior Planner (651-602-1705)

**SUBJECT:** Program Year Extension Request: Richfield 77<sup>th</sup> Street  
Extension/MN 77 Bridge

**REQUESTED ACTION:** Richfield requests a program year extension for its 77<sup>th</sup> Street extension / MN 77 bridge project (SP# 157-108-035) from fiscal year 2020 to fiscal year 2021.

**RECOMMENDED MOTION:** That the Technical Advisory Committee recommend to TAB approval of Richfield's program year extension request to move its 77th Street extension / MN 77 bridge project (SP# 157-108-035) from fiscal year 2020 to fiscal year 2021.

**BACKGROUND AND PURPOSE OF ACTION:** Richfield received \$7,000,000 from the 2016 Regional Solicitation to fund a new roadway connection on 77<sup>th</sup> Street, four new bridges on MN 77, and two ramps between MN 77 and I-494 for program year 2020. The City is requesting an extension of the program year to 2021 to close a funding gap.

**RELATIONSHIP TO REGIONAL POLICY:** The Transportation Advisory Board (TAB) adopted the Program Year Policy in April 2013, and updated it in August 2014, to assist with management and timely delivery of transportation projects awarded federal funding through the TAB's Regional Solicitation. The policy includes a procedure to request a one-year extension based on extenuating circumstances within certain guidelines.

**STAFF ANALYSIS:** Based on the score on the attached worksheet, staff recommends approval of the program year extension to 2021. An extension of the program year does not guarantee federal funding will be available in that year. The project sponsor is responsible for completing the project in the new program year and covering the federal share of the project until federal funding becomes available. At this time the project would be in line for 2024 reimbursement of federal funds, though an earlier reimbursement may occur if funding becomes available. The program year change will be administered in the annual Transportation Improvement Program (TIP) update and does not require a separate TIP amendment.

**COMMITTEE COMMENTS AND ACTION:** At its January 16, 2020, meeting, the Funding & Programming Committee voted unanimously to recommend approval of the program year extension request to move Richfield's 77th Street extension / MN 77 bridge project from fiscal year 2020 to fiscal year 2021.

---

**ROUTING**

<b>TO</b>	<b>ACTION REQUESTED</b>	<b>DATE COMPLETED</b>
TAC Funding & Programming Committee	Review & Recommend	1/16/2020
Technical Advisory Committee	Review & Recommend	
Transportation Advisory Board	Review & Accept	



## Public Works Department

December 18, 2019

**MAYOR**

MARIA REGAN  
GONZALEZ

**CITY COUNCIL**

EDWINA GARCIA  
MARY SUPPLE  
SIMON TRAUTMANN  
BEN WHALEN

**CITY MANAGER**

KATIE RODRIGUEZ

Mr. Paul Oehme  
Chair, TAC Funding and Programming Committee  
Metropolitan Council  
390 Robert Street North  
St. Paul, MN 55101-1805

RE: PROGRAM YEAR EXTENSION REQUEST FOR SP 2758-82, SP 157-108-035  
Construction of a new roadway connection on 77th Street and 4 new bridges on TH 77 and on two TH 77 ramps to and from I-494.

Dear Mr. Oehme,

The City of Richfield respectfully requests that the Funding and Programming Committee consider a program year extension for the above referenced project. The project's current program year is 2020 and includes construction of 0.36 miles of a new 4-lane road connecting 77th Street from Bloomington Avenue to Longfellow Avenue and construction of 4 new bridges carrying TH 77 and ramps for the TH 77 and I494 interchange.

The City applied for and was awarded \$7,000,000 STP funds for program year 2020. Due to a gap in the project funding the City is requesting this extension. The City is pursuing funds that will close the funding gap in the 2020 state legislature. Therefore, the City may not know whether those funds are allocated for this project until the end of the session, and thus after the deadline to request an extension has passed.

The project cannot meet the deadline for authorization within its 2020 program year and a program year extension is necessary. Based on the current schedule, authorization could not occur until July 2020 which is past the June 2020 deadline. The City of Richfield can demonstrate to the Funding and Programming Committee that significant public involvement and progress has been made on the project since the award of 2020 funding. A one-year time extension would allow the City to retain the funding to keep this needed safety improvement.

We therefore request the Funding and Programming Committee's support for extending the City of Richfield's program year to 2021. If additional information is needed, please contact me at 612-861-9795 or by email at [Kasher@richfieldmn.gov](mailto:Kasher@richfieldmn.gov)

Sincerely,

Kristin Asher - Public Works Director / City Engineer

cc: Colleen Brown, MnDOT Federal Aid Joe Barbeau, Metropolitan Council

REQUEST FOR PROGRAM YEAR EXTENSION

For

SP 2758-82, SP 157-108-035

Roadway and Bridge Construction on 77<sup>th</sup> Street and TH 77

City of Richfield, MN

REQUESTED BY:

Kristin Asher

Phone: 612-861-9795

Email:

Kasher@richfieldmn.gov

## 1. PROJECT BACKGROUND

a. Project Name: 77<sup>th</sup> Street and TH 77 Underpass

b. Location Map:

See **Figure 1 – Location Map** and **Figure 2 – Project Area Map** for the project location and adjacent roadways.

c. Sponsoring Agency: City of Richfield

d. Other Participating Agencies: Minnesota Department of Transportation

e. Project Description: Construction of 0.36 miles of a new 4-lane road connecting 77th Street from Bloomington Avenue to Longfellow Avenue and construction of 4 new bridges carrying TH 77 and ramps for the TH 77 and I494 interchange.

f. Funding Category:

The project is funded with STP funds.

g. Federal Funds Allocated:

Federal funds in the amount of \$7,000,000 have been secured for Fiscal Year 2020.

## 2. PROJECT PROGRESS

a. Project Schedule:

The schedule below outlines the progress of the project to date as well as the schedule moving forward without the program year extension.

<b>Activity / Milestone</b>	<b>Date Completed</b>
Design - Layout Options	August 2017
Draft Project EA	May 2018
Project EA Submittal	April 2019
Draft Project Memo (Design Memo)	February 2019
Project Memo (Design Memo) Submittal - Approval	March 2019
Submit Construction Plans for review	March 2019
Right of Way Acquisition	May 2020
Plan Approval and Authorization	March 2020
Project Bid Opening	October 2020
Project Construction	April 2021

**b. Right of Way Acquisition:**

Permanent and temporary easement needs have been identified for 4 parcels per attached preliminary ROW Plan (**Figure 3 – Right of Way Layout**). The City of Richfield is in the process of acquiring the proposed easements and will have title and possession in early May, 2020.

**c. Plans:**

The preliminary layout has been developed and the plan preparation is estimated at 99 percent complete. Attached is an exhibit showing the proposed project corridor layout (**Figure 4 – Project Layout**)

d. Permits:

Table 1 – Permits required

<b>Permits Required</b>		
<b>Agency</b>	<b>REQ'D</b>	<b>Status/ Date Received</b>
USACE Section 404	N	Not applicable (N/A) (no wetlands within the project area)
Coast Guard	N	N/A
DNR - Water	N	N/A
DNR - Public Waters	N	N/A (no DNR public waters within the project area)
MPCA - NPDES	Y	Permit will be obtained prior to construction
MPCA - Section 401	N	N/A
Watershed District	Y	Permit will be obtained prior to construction – In Process
Wetland Conservation Act/ BWSR	N	N/A (no wetlands within the project area)
Railroad	N	N/A (no railroads within the project area)
Other	Y	Mn Dept. of Health – watermain. In process.

e. Approvals:

The following is a list of agencies with approval authority and the status of each approval:

<b>Agency</b>	<b>Approval Required</b>	<b>Status</b>
MnDOT State Aid	Project Memorandum	Draft submitted February, 2019
	Final Plan Approval	Not yet submitted, March 2020. 95% plans submitted in March 2019.

Agency	Approval Required	Status
County - NA	Preliminary Layout	NA
	Final Plan Approval	NA
City of Richfield	Preliminary Layout	Completed
	Final Plan Approval	Not yet submitted, March 2020. 95% plans submitted in March 2019.

f. Identified Funds Spent to Date on Project:

To date, the City of Richfield has spent approximately \$2.1 million on preliminary and final design. The City of Richfield is in process of hiring an appraiser for the project.

**3. JUSTIFICATION FOR EXTENSION**

**a. What is unique about this project that requires an extension of the program year?**

This project has involved coordination with multiple MNDOT projects in the south metro. Our team has coordinated with MNDOT over the past year and adjusted our project schedule back to accommodate roadway closures caused by those projects. This project also involves easement acquisition from the Metropolitan Airports Commission. This acquisition process has been ongoing for several months. The process of the acquisition has changed during this time which has pushed the acquisition schedule back to its current timeline. The circumstances that caused the delay in the schedule were unforeseen during the coordination with MAC. The funding of this project is also unique. There are several funding sources, one of which is the federal STP funds. The project also involves State funding. Currently the City is requesting additional funds from the State legislature, in the 2020 legislative session, to close the current funding gap. It is possible that the funds will not be allocated this session and pushed back to the 2021 session. Due to this factor the City cannot guarantee full project funding prior to the project needing to be authorized for 2020 federal funding.

**b. What are the financial impacts if the project does not meet its current program year?**

If federal funds are surrendered, the proposed project will likely be postponed until an alternate source of funding can be secured, or the project will be eliminated. The City of Richfield has spent funds in excess of \$2 million to complete the environmental document and all but complete the design and construction documents and anticipate continued design work costs of an additional \$50,000 to complete the final documents and acquire the required easements. The City of Richfield feels strongly that this project is a high priority segment as it will act as a reliever roadway to the congested I494 to the south.

**c. What are the implications if the project does not obtain the requested extension?**

The project cannot be delivered within the current funding year due to the unknown of whether the City will be able to secure the necessary funding from the State legislature



in the 2020 legislative session prior to needing project authorization. Without the current federal funds, the project will be even further short on funding and the project will not move forward at this time.

**d. What actions will the agency take to resolve the problem facing the project in the next three to six months?**

The City of Richfield has worked diligently over the past two years to complete the environmental document and to complete the design and construction documents to prepare the project for letting. The City has also worked closely with the Metropolitan Airports Commission over the past two years to properly acquire the necessary easements to construct the project. The information provided by MAC during the first year was not correct in regards to how the easements would be obtained. The City has continued to work closely with MAC to find a remedy to the situation and properly acquire the easements. Recent coordination has led the City to determine that the MAC easements will be acquired in the next six months. The City will continue its close coordination with MnDOT to obtain final construction document approval in the next three months. The City has already worked closely with MnDOT to obtain approval of the Design memo. The City will also continue to closely coordinate with State government staff in order to obtain the necessary funding from the State to eliminate the funding gap on the project.



STUDY REPORT (required for Environmental Assessment Only)

Complete/Approved If checked enter 1. 1  
Date of Approval March 8, 2019  
 Not Complete  
Anticipated Date of Completion \_\_\_\_\_

CONSTRUCTION PLANS

Completed (includes signature of District State Aid Engineer)  
Date \_\_\_\_\_ If checked enter 3. \_\_\_\_\_  
 Completed (approved by District State Aid as to SA Standards but not signed)  
Date \_\_\_\_\_ If checked enter 2. \_\_\_\_\_  
 Not Complete  
Anticipated Date of Completion March 20, 2020  
If prior to June 30 of the current program year, enter 1. 1

RIGHT OF WAY ACQUISITION

Completed (includes approval of R/W Cert. #1 or #1A) If checked enter 2. \_\_\_\_\_  
Date \_\_\_\_\_  
 Not Complete  
Anticipated Date of Completion May 29, 2020  
If prior to December 31 of the year following the original program year, enter 1. 1

ENGINEERS ESTIMATE OF COSTS

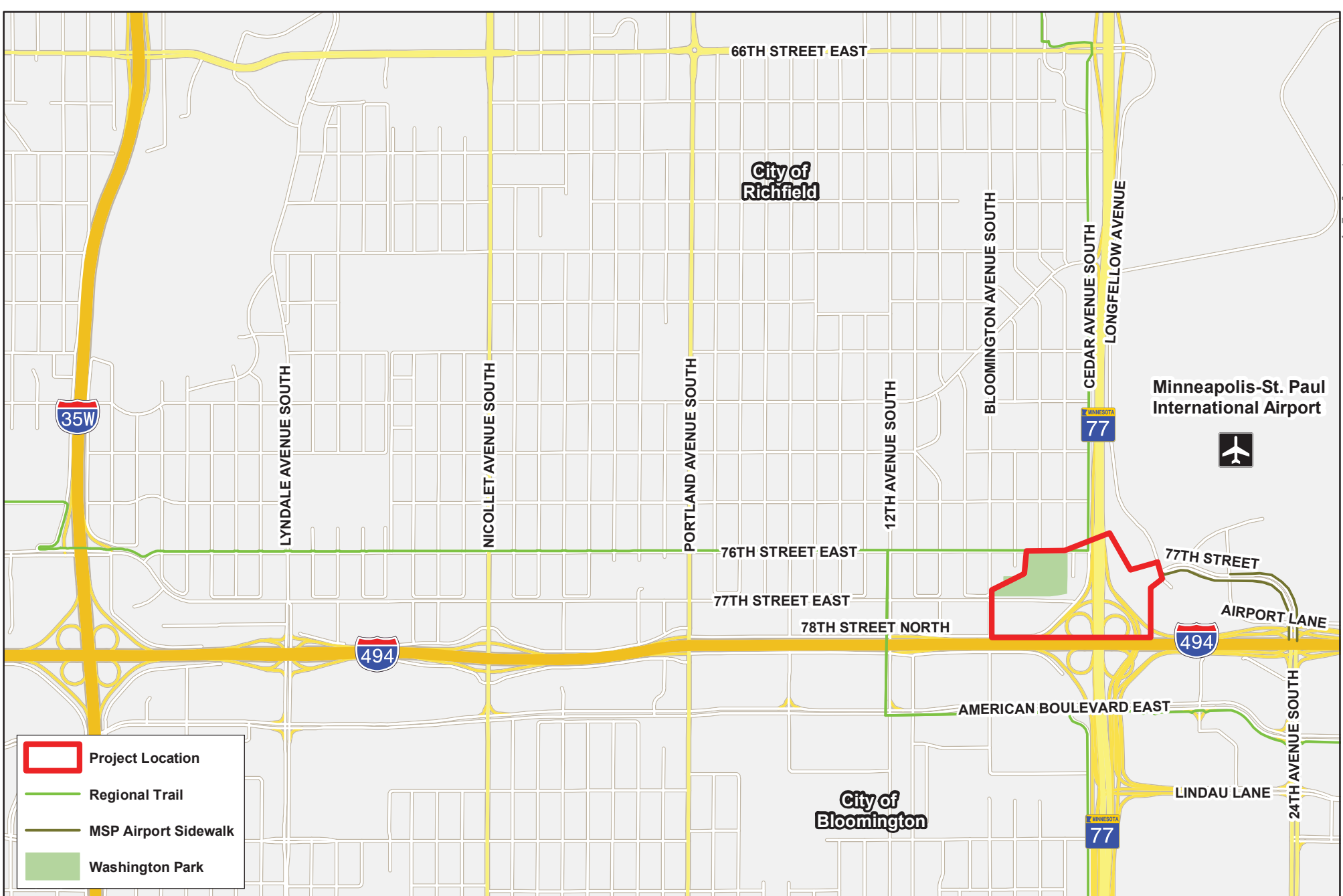
Completed If checked enter 2. \_\_\_\_\_  
Date \_\_\_\_\_  
 Not Complete  
Anticipated Date of Completion March 20, 2020  
If prior to December 31 of the year following the original program year, enter 1. 1

AUTHORIZED

Anticipated Letting Date October 2020.  
Anticipated letting date must be prior to June 30  
in the year following the original program year,  
so that authorization can be completed prior to  
June 30 of the extended program year.

TOTAL POINTS 10

## Figure 1 - Location Map



**Figure 1 : Project Area**  
**77th Street Extension and TH 77 Underpass**  
 Richfield, MN | SP 2758-82/SP 157-108-035/SP 157-594-003 | EA February 2019

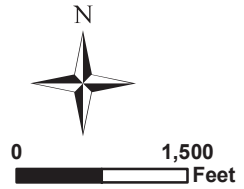
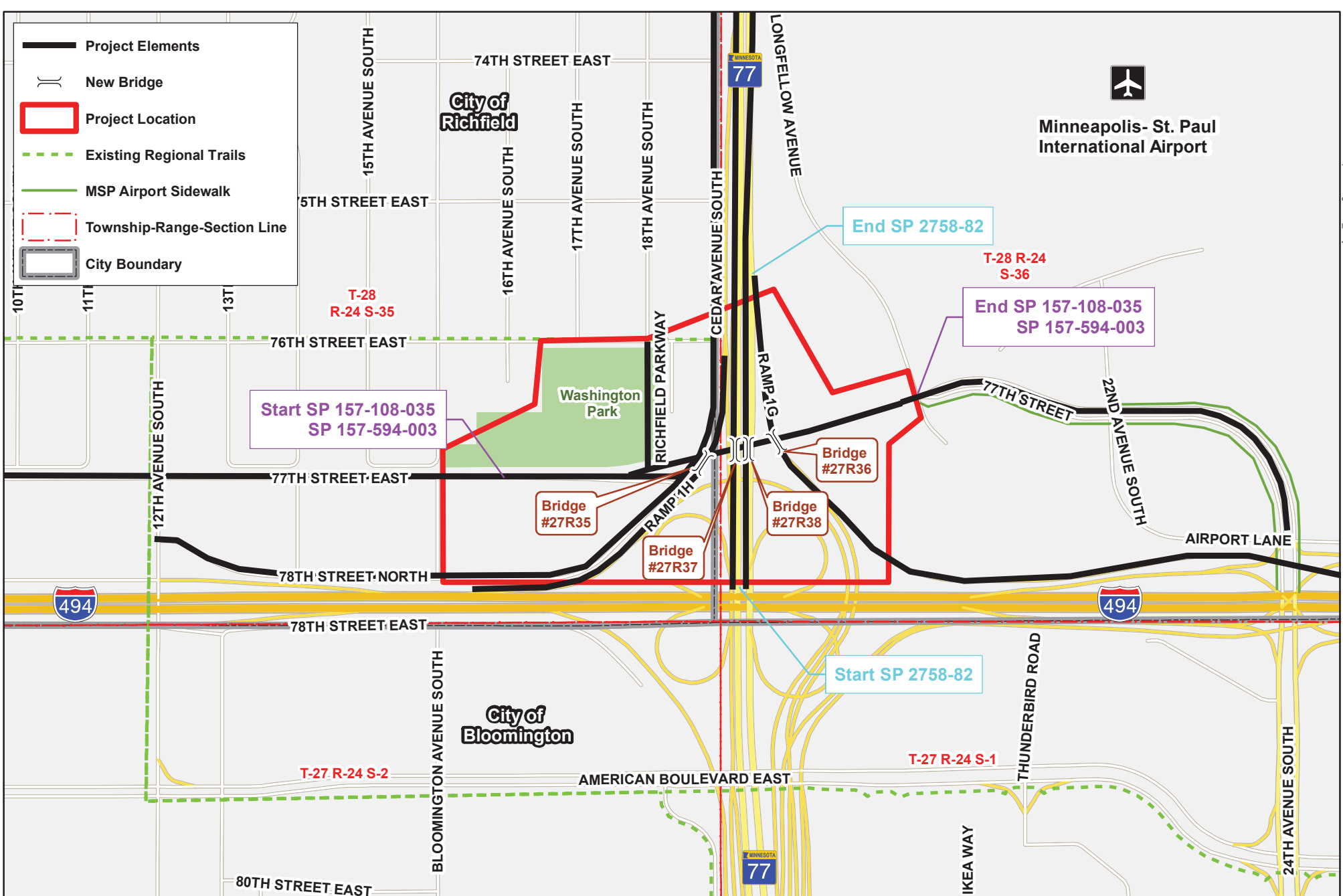


Figure 2 – Project Area Map



**Figure 2 : Project Location**  
**77th Street Extension and TH 77 Underpass**  
 Richfield, MN | SP 2758-82/SP 157-108-035/SP 157-594-003 | EA February 2019

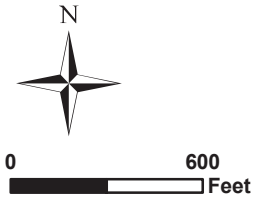
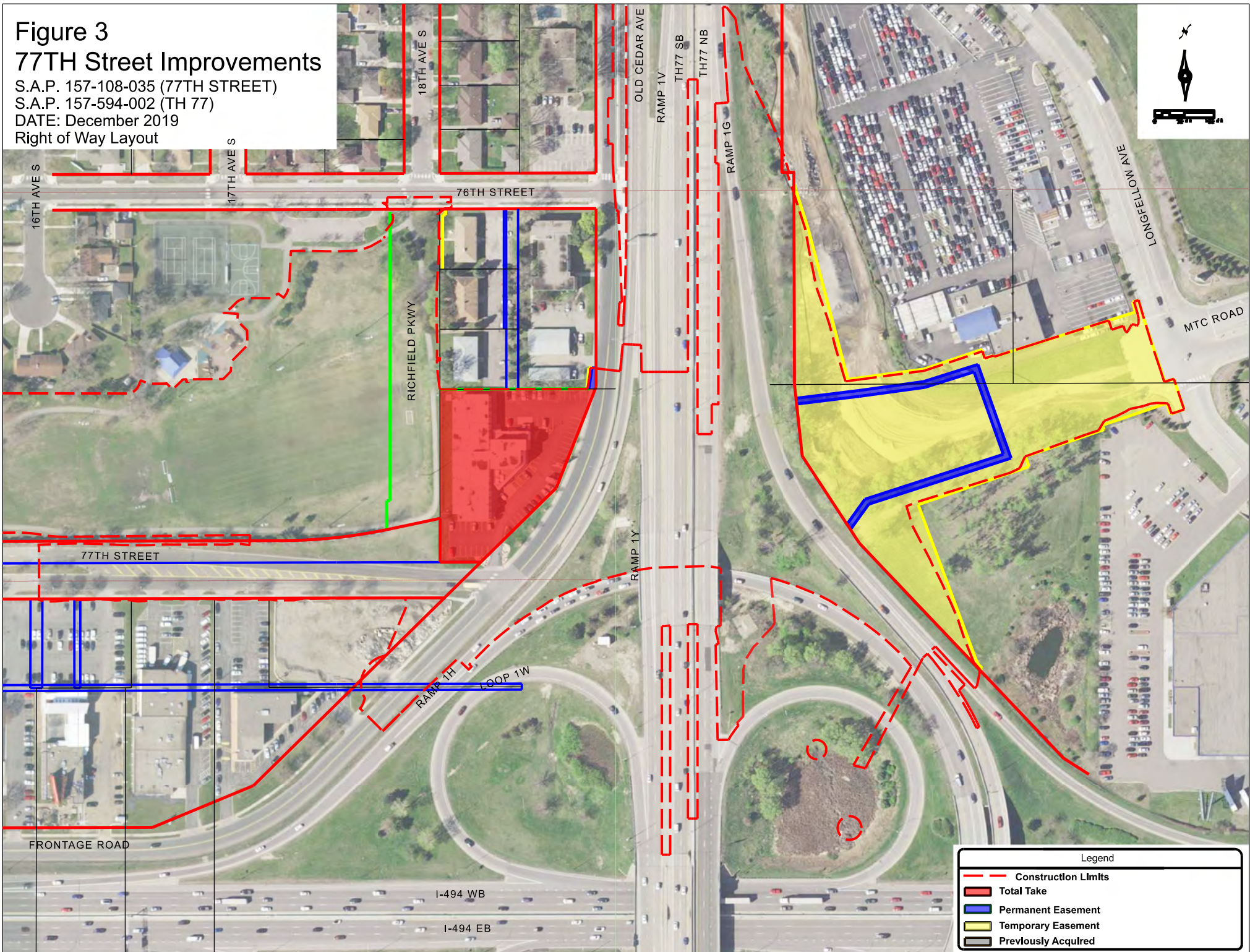


Figure 3 – Right of Way Layout



# Figure 3 77TH Street Improvements

S.A.P. 157-108-035 (77TH STREET)  
 S.A.P. 157-594-002 (TH 77)  
 DATE: December 2019  
 Right of Way Layout



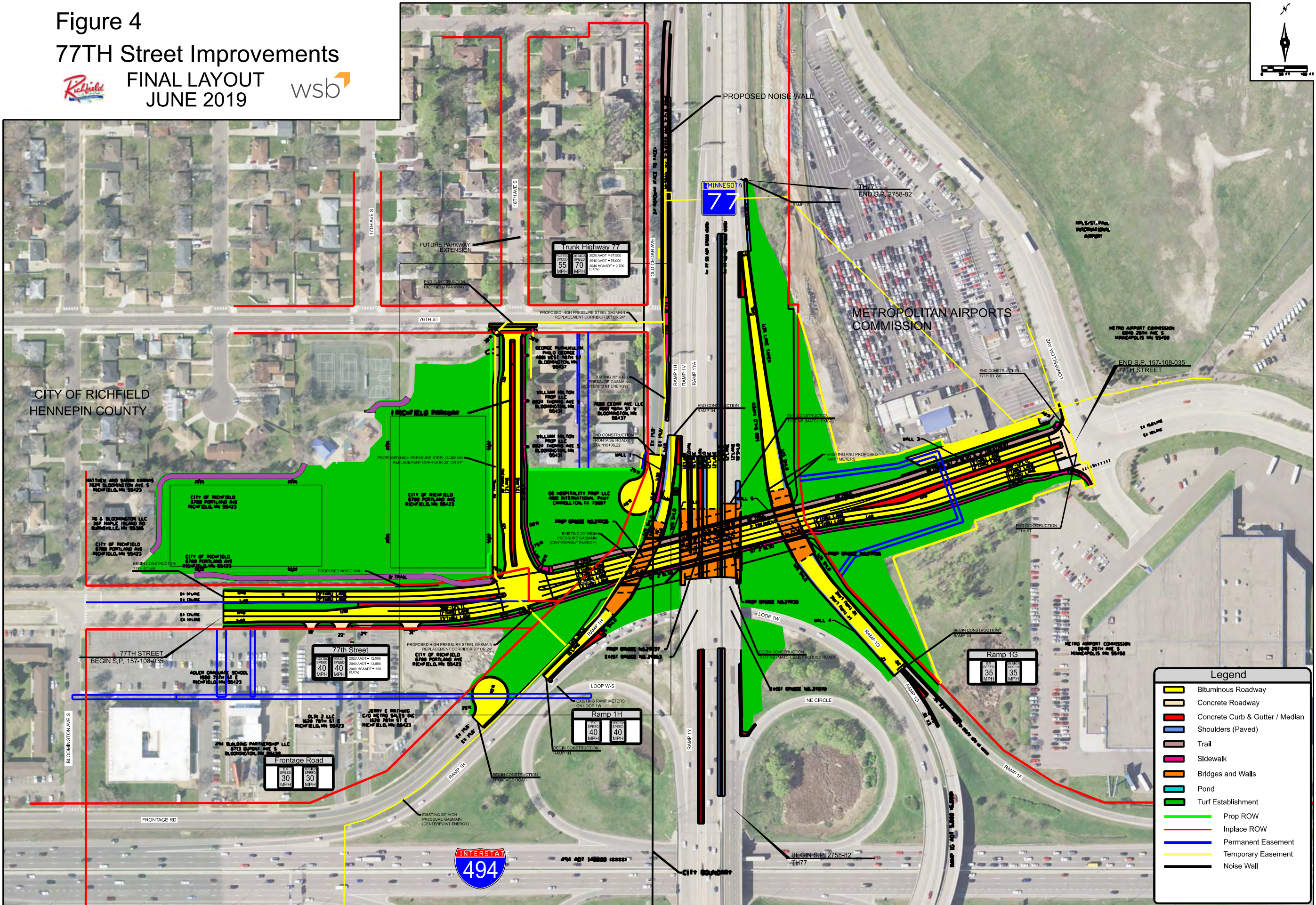
Legend

- Construction Limits
- Total Take
- Permanent Easement
- Temporary Easement
- Previously Acquired

DATE: 12/15/19  
 DRAWN BY: J. [unreadable]  
 CHECKED BY: [unreadable]

Figure 4 – Project Layout

# Figure 4 77TH Street Improvements FINAL LAYOUT JUNE 2019



### Legend

- Bituminous Roadway
- Concrete Roadway
- Concrete Curb & Gutter / Median
- Shoulders (Paved)
- Trail
- Sidewalk
- Bridges and Walls
- Pond
- Turf Establishment
- Prop ROW
- Inplace ROW
- Permanent Easement
- Temporary Easement
- Noise Wall