

**ACTION TRANSMITTAL No. 2021-21**

**DATE:** June 30, 2021

**TO:** Technical Advisory Committee

**PREPARED BY:** Joe Barbeau, Senior Planner (651-602-1705)

**SUBJECT:** Streamlined 2021-2024 TIP amendment for MnDOT: I-35W Frontage Road Turnback

**REQUESTED ACTION:** MnDOT requests an amendment to 2021-2024 TIP to increase the cost and scope of its I-35W turnback in Bloomington (SP # 2782-363).

**RECOMMENDED MOTION:** That the Technical Advisory Committee recommend that the Transportation Advisory Board recommend adoption of an amendment to the 2021-2024 TIP to increase the cost and scope of MnDOT's I-35W turnback in Bloomington (SP # 2782-363).

**BACKGROUND AND PURPOSE OF ACTION:** The 2021-2024 TIP includes a MnDOT turnback agreement for I-35W from 90<sup>th</sup> Street to River Terrace Drive in Bloomington. MnDOT requests this amended to the 2021-2024 TIP to increase the cost and scope of this fiscal year 2022 project.

This project is entirely state-funded and therefore was not funded through the Regional Solicitation.

**RELATIONSHIP TO REGIONAL POLICY:** Federal law requires that all TIP amendments 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.

The streamlined TIP amendment process allows projects that meet certain conditions to be streamlined, which entails forgoing the TAC Funding & Programming Committee review and results in saving a month of process time.

**STAFF ANALYSIS:** The TIP amendment meets fiscal constraint because the state funds are sufficient to fully fund the project. This amendment is consistent with the Metropolitan Council Transportation Policy Plan, adopted by the Metropolitan Council on November 18, 2020 with FHWA/FTA conformity determination established on December 4, 2020. Public input opportunity for this amendment is provided through the TAB's and the Council's regular meetings. The Minnesota Interagency Air Quality and Transportation Planning Committee determined that the project is exempt from air quality conformity analysis.

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**ROUTING**

<b>TO</b>	<b>ACTION REQUESTED</b>	<b>DATE SCHEDULED / COMPLETED</b>
Technical Advisory Committee	Review & Recommend	7/7/2021
Transportation Advisory Board	Review & Recommend	7/21/2021
Metropolitan Council Transportation Committee	Review & Recommend	8/9/2021
Metropolitan Council	Review & Adopt	8/11/2021

Please amend the 2021-2024 Transportation Improvement Program (TIP) for program year 2022. 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
2022	M	I 35W	2782-363	MnDOT	I-35W from 90 <sup>th</sup> St to Riverter Dr. in Bloomington— Turnback Agreement  I-35W from 84 <sup>th</sup> St to Bliss Ln from west of I35W Bloomington and 90 <sup>th</sup> St to 106 <sup>th</sup> St east of I35W (Frontage Road Turnback	0.0 3.2

Prog	Type of Work	Prop Funds	Total \$	TH \$
AM	Misc Agreement	SF	500,000 2,200,000	500,000 2,200,000

**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 TIP).

This amendment is needed to increase the cost and scope of this 100% state funded project into state fiscal year 2022 of the 2021-2024 TIP. The TIP is being amended because it is uncertain which TIP will be in effect when the project is obligated (it is being included in the final (2022-2025 TIP, as well) .

2. 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

The total project cost is \$2,200,000, entirely state funding. Therefore, fiscal constraint is maintained.

**CONSISTENCY WITH MPO LONG RANGE PLAN:**

This amendment is consistent with the Metropolitan Council Transportation Policy Plan, adopted by the Metropolitan Council on November 18, 2020 with FHWA/FTA conformity determination established on December 4, 2020.

**AIR QUALITY CONFORMITY:**

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

\*Exempt Project O-1: Specific activities that do not involve or lead directly to construction, such as planning and technical studies, grants for training and research programs, planning activities conducted pursuant to titles 23 and 49 U.S.C., and Federal-aid systems revisions