

**ACTION TRANSMITTAL – 2022-05**

**DATE:** December 29, 2021

**TO:** Technical Advisory Committee

**FROM:** TAC Funding & Programming Committee

**PREPARED BY:** Joe Barbeau, Senior Planner ([joe.barbeau@metc.state.mn.us](mailto:joe.barbeau@metc.state.mn.us))

**SUBJECT:** Scope Change / TIP Amendment Request for Hennepin County CSAH 42 and CSAH 3 Signal Revisions and Pedestrian Improvements

**REQUESTED ACTION:** Hennepin County requests a scope change for its CSAH 42 / CSAH 3 signal revisions and pedestrian improvements project (S.P. # 027-030-050) to remove BRT station underground and flatwork along with one intersection and approve an amendment to the 2022-2025 TIP reflecting this change.

**RECOMMENDED MOTION:** That the Technical Advisory Committee recommend that TAB:

- Approve Hennepin County’s request to remove BRT station underground and flatwork along with one intersection from Hennepin County’s CSAH 42 / CSAH 3 signal revisions and pedestrian improvements project (S.P. # 027-030-050) while retaining all its original federal funding and
- Recommend the Council approve an amendment to the 2022-2025 TIP reflecting this change.

**BACKGROUND AND PURPOSE OF ACTION:** Hennepin County was awarded \$828,000 in Highway Safety Improvement Program (HSIP) funds for 2022 in the proactive category as part of the 2018 HSIP Solicitation. The award was to fund pedestrian crossing improvements (curb extensions, raised medians, crossing beacons, ADA pavement markings, and signage) at five intersections:

- CSAH 3 (Lake Street) and CSAH 152 (Cedar Avenue)
- CSAH 42 (42<sup>nd</sup> Street) and CSAH 152 (Cedar Avenue)
- CSAH 42 and 21<sup>st</sup> Avenue
- CSAH 42 and 26<sup>th</sup> Avenue
- CSAH 42 and Nokomis Avenue

The project was included in the 2021-2024 TIP with the following description:

**Various locations on CSAH 3 (Lake St) and CSAH 42 (42nd St) in Mpls – Ped crossing safety improvements: curb extensions, raised medians, crossing beacons, ADA, pavement markings, signage**

In March of 2021, staff worked with MnDOT Metro District State Aid to approve an informal scope change request to add transit station work related to the B-Line arterial bus rapid transit (ABRT) project. Because the station work would be paid for with local funds and the local work

would not diminish the HSIP project, the informal scope change was acceptable. The project is currently shown in the TIP with the following description:

**Various locations on CSAH 3 (Lake St) and CSAH 42 (42nd St) in Mpls – Ped crossing safety improvements: curb extensions, raised medians, crossing beacons, ADA, pavement markings, signage. Two bus rapid transit stations underground and flatwork**

The federal funding amount remains unchanged, though the total cost has increased from \$993,600 to \$1,193,600. Hennepin County is requesting the following changes to the project:

1. Remove the ABRT station underground and flatwork. On its own, this change would return the project back to its original scope.
2. Remove the CSAH 3 / CSAH 152 intersection from project. This would enable the signal and pedestrian facilities to be constructed as part of the Metro Transit B-Line ABRT project, along with enhanced improvements<sup>1</sup> at the intersection. This would result in completion of one project at the intersection, rather than two. Note that the HSIP project is scheduled for 2022 and the Metro Transit project is scheduled for 2023.
3. Change “crossing beacons” to “signal.” This would apply to the four remaining intersections.

The requested change would bring the total project cost to \$1,030,000. The proposed scope change / TIP amendment would result in the following description (matching the original description except that “signal” would replace “crossing beacons”):

**Various locations on CSAH 42 (42nd St) in Mpls- Ped crossing safety improvements: curb extensions, raised medians, signal, ADA, pavement markings, signage**

Hennepin County states that the intersection proposed for removal accounts for \$190,000, of the original application, which would mean \$171,000 in federal funding (per the 90/10 HSIP split). The county requests retention of all its federal funding.

**RELATIONSHIP TO REGIONAL POLICY:** Projects that receive funding through the Regional Solicitation and HSIP Solicitation processes are subject to the regional scope change policy. The purpose of this policy is to ensure that the project is designed and constructed according to the plans and intent described in the original application. The scope change policy allows project sponsors to adjust their projects as needed while still providing substantially the same benefits described in their original project applications.

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.

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<sup>1</sup> This includes ADA accommodations designed to be fully compliant and a new signals system, beyond what is feasible as part of the current project.

**STAFF ANALYSIS:**

Approval/Denial of the Scope Change: A scoring analysis is provided in Table 1. This application was scored through a MnDOT process. Hennepin County states that the Metro Transit project that will be completed one year following the HSIP project will include completion of the intersection being removed.

Table 1: Scoring Analysis

Measure	Max Score	Original Score	Scope Change	Notes
1. Connection to 2014-19 MN Strategic Highway Safety Plan	100	60	0	
2. Cost per Mile or Intersection	200	10	0	One of five intersections, worth 20.7% of the original project cost.
3. Wide Strategy Deployment vs. Single Spot Location	200	100	0	Reduction from five to four intersections
4. Average Annual Daily Traffic	50	14	-	Removing Lake Street likely reduces the ADT (though the score was already low)
5. Fatal and Serious Injury Crashes (10 years)	50	18	--	17 of the project's 28 injury crashes, along with the only fatality, were at the removed intersection.
6. Crash Reduction Factor	250	182	0	
7. Part of a Plan	150	150	0	
<b>TOTAL</b>	<b>1,000</b>	<b>534</b>	-	

\* 0 = no change

+ = small improvement, ++ = moderate improvement, +++ = large improvement

- = small diminishment, -- = moderate diminishment, --- = large diminishment

The highest-scoring unfunded project in the category scored 499 points. While omission of the busiest amongst these intersections would have led to a reduced score, it likely would have been funded. Further, history has shown that requests for which removed project elements are completed elsewhere are usually approved without concern for scoring.

Funding: Provided the scope change is approved, staff provides the following two options:

1. Allow the applicant to retain the full award in recognition that the full project will be built.
2. Reduce the federal award by \$171,000 corresponding to the federal share of CSAH 3 portion of the original project.

Recent precedent has allowed for funding of removed elements to be retained if those elements are being paid for by local funds, as is the case here. That said, any local funds would pay for existing project elements, essentially covering cost increases from the original application, potentially resulting in return of some of those funds, should the total cost be low enough.

TIP Amendment: Assuming a scope change is approved, a TIP amendment reflecting the change should be approved as well. The TIP amendment meets fiscal constraint because the federal and local 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.

**COMMITTEE COMMENTS AND ACTION:** At its December 16, 2021, meeting, the TAC Funding & Programming Committee voted unanimously to recommend approval of Hennepin County’s request to remove BRT station underground and flatwork along with one intersection from Hennepin County’s CSAH 42 / CSAH 3 signal revisions and pedestrian improvements project while retaining all of its original federal funding. Also included in the motion was recommendation of approval of an amendment to the 2022-2025 TIP reflecting this change.

Discussion focused on the retention of the full federal funds and in the end the committee recommended that the applicant keep the full original award. Given that the same amount of federal funding can essentially only cover cost increases to the remaining intersections, there was question as to whether this is appropriate, as cost increases are not supposed to be funded. Staff reported that while there is minimal precedence, recent history shows that full funding has been retained if the removed project elements are being completed in other projects—and paid for by the applicant—as is the case in this request.

Scope change decisions since approval of the current Scope Change Policy that could inform this point include:

- [2021-37](#); Hennepin County’s signal revisions and pedestrian improvements on CSAH 52 and CSAH 35. Similar action with six intersections being reduced to five (and the removed intersection to be constructed as part of another project). All federal funds retained. The federal portion attached to the removed elements was \$165,600. The applicant retained the original federal amount. The rationale was that the county’s objectives remained unchanged.
- [2021-05](#); St. Louis Park’s CSAH 25/Beltline Blvd Pedestrian Improvements. Two project segments removed (to be constructed as part of other projects). Full federal funding retained. The federal portion attached to the removed elements was \$44,994. The applicant retained the original federal amount. The rationale was that the proposed amount of federal funding to remove was small and the city was spending additional money on other efforts to complete the full original project.

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**ROUTING**

<b>TO</b>	<b>ACTION REQUESTED</b>	<b>DATE SCHEDULED / COMPLETED</b>
TAC Planning or TAC Funding & Programming Committee	Review & Recommend	12/16/2021
Technical Advisory Committee	Review & Recommend	1/5/2022
Transportation Advisory Board	Review & Recommend TIP Amendment & Adopt Scope Change	1/19/2022
Metropolitan Council Transportation Committee	Review & Recommend (TIP Amendment Only)	1/24/2022
Metropolitan Council	Review & Adopt (TIP Amendment Only)	1/26/2022

# HENNEPIN COUNTY

## MINNESOTA

November 22, 2021

Michael Thompson  
Chair, TAC Funding and Programming Committee  
Metropolitan Council  
390 Robert Street North  
Saint Paul, MN 55101-1805

**Re: Scope Change request to S.P. 027-030-050 - CSAH 3 (Lake Street) and CSAH 42 (42<sup>nd</sup> Street) Signal Revisions and Pedestrian Improvements**

Dear Mr. Thompson,

Hennepin County respectfully requests that the Funding and Programming Committee consider the attached Scope Change request for the above referenced project.

In 2018, Hennepin County was awarded federal funding as part of the Highway Safety Improvement Program (HSIP) to make safety and mobility improvements to the following intersections in Minneapolis:

Along CSAH 3 (Lake Street)

- CSAH 152 (Cedar Avenue)

Along CSAH 42 (42<sup>nd</sup> Street)

- CSAH 152 (Cedar Avenue)
- 21<sup>st</sup> Avenue
- 26<sup>th</sup> Avenue
- Nokomis Avenue

The current 2022-2025 State Transportation Improvement Program (STIP) identifies \$828,000 in federal funding and \$365,600 in local match funding for the project, for a STIP total of \$1,193,600. The program year for this project is 2022.

Project development has been ongoing since 2020; and it has become known that both Metro Transit and Hennepin County both have separate projects planned for the CSAH 3 (Lake Street) and CSAH 152 (Cedar Avenue) intersection. The Hennepin County led, and subject line project is planned for construction in 2022, and the Metro Transit led B Line Bus Rapid Transit (BRT) project is anticipated to begin construction in 2023. Therefore, it's in the public's best interest for agencies to coordinate planned activities to minimize impacts to the public.

At this time, Hennepin County requests a scope change that would remove the planned improvements at the CSAH 3 (Lake Street) and CSAH 152 (Cedar Avenue) intersection from the subject line project as the Metro Transit B Line Bus Rapid Transit (BRT) project will reconstruct the signal and pedestrian facilities. Approval of this scope change request will allow for enhanced improvements at this intersection including ADA accommodations designed to be fully compliant and a new signal system, beyond what is feasible as part of the county's current signal revision and an ADA retrofit project. The change would also result in

Hennepin County Transportation Project Delivery  
Public Works Facility, 1600 Prairie Drive, Medina, MN 55340  
612-596-0300 | hennepin.us



# HENNEPIN COUNTY

## MINNESOTA

only one project (rather than two) at this intersection which will further minimize impacts to the local community and traveling public. The proposed cost estimate of the work at CSAH 3 (Lake Street) and CSAH 152 (Cedar Avenue) is \$190,000 and applying the 90/10 HSIP split results in a \$171,000 federal portion and \$19,000 local match.

With your approval, the improvements at CSAH 3 (Lake Street) and CSAH 152 (Cedar Avenue) will be delivered with the Metro Transit B Line BRT project, in which Hennepin County intends to cost participate with local funds. Therefore, we kindly request to retain the full original federal funding amount of \$828,000.

With your approval, we respectfully request the above-mentioned revision be made to the new 2022-2025 STIP. Please advise of any additional information you may need and contact me with any questions.

Sincerely,



Kelly Agosto, PE

Cc: Colleen Brown, MnDOT Metro State Aid  
Carla Stueve, PE, PTOE  
Jessa Trbojevich, PE  
Chad Ellos, PE  
Jason Pieper, PE

## FUNDING DATA FOR SCOPE CHANGE REQUEST

### 1. Original Application

Regional Solicitation Year	N/A
Application Funding Category	N/A
HSIP Solicitation	Yes - 2018
Application Total Project Cost	\$920,000
Federal Award	\$828,000
Application Federal Percentage of Total Project Cost	90%

Project Elements Being Removed:	Original Application Cost
Work at Lake St./Cedar Ave. intersection	\$190,000

### 2. Funding Scenario

Table 1 | Current Construction Cost Breakdown

Location	Construction Costs	Percentage of Total Project
4 Intersections along 42 <sup>nd</sup> St.	\$1,030,000	84%
Lake St./Cedar Ave.	\$190,000	16%
Total	\$1,220,000	100%

Table 2 | Federal Fund Breakdown for Current Construction Cost

	Federal Share	Local Share	Total Construction
4 intersections along 42 <sup>nd</sup> St.	\$699,049	\$330,951	\$1,030,000
Lake St./Cedar Ave.	\$128,951	\$61,049	\$190,000

# HENNEPIN COUNTY

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Table 3 | Proposed Construction Cost and Federal Funding Breakdown  
(Lake St./Cedar Ave. Removed)

	Option 1 No Federal Funds Removed	Option 2 Federal Funds Removed
Construction Total	\$1,030,000	\$1,030,000
Federal	\$828,000	\$699,049
Local Match	\$202,000	\$330,951
% Federal	80%	68%

### 3. Attachments

#### Attachment 1

Project map identifying location of work to be removed.

#### Attachment 2

Letter of support and commitment from Metro Transit and City of Minneapolis.



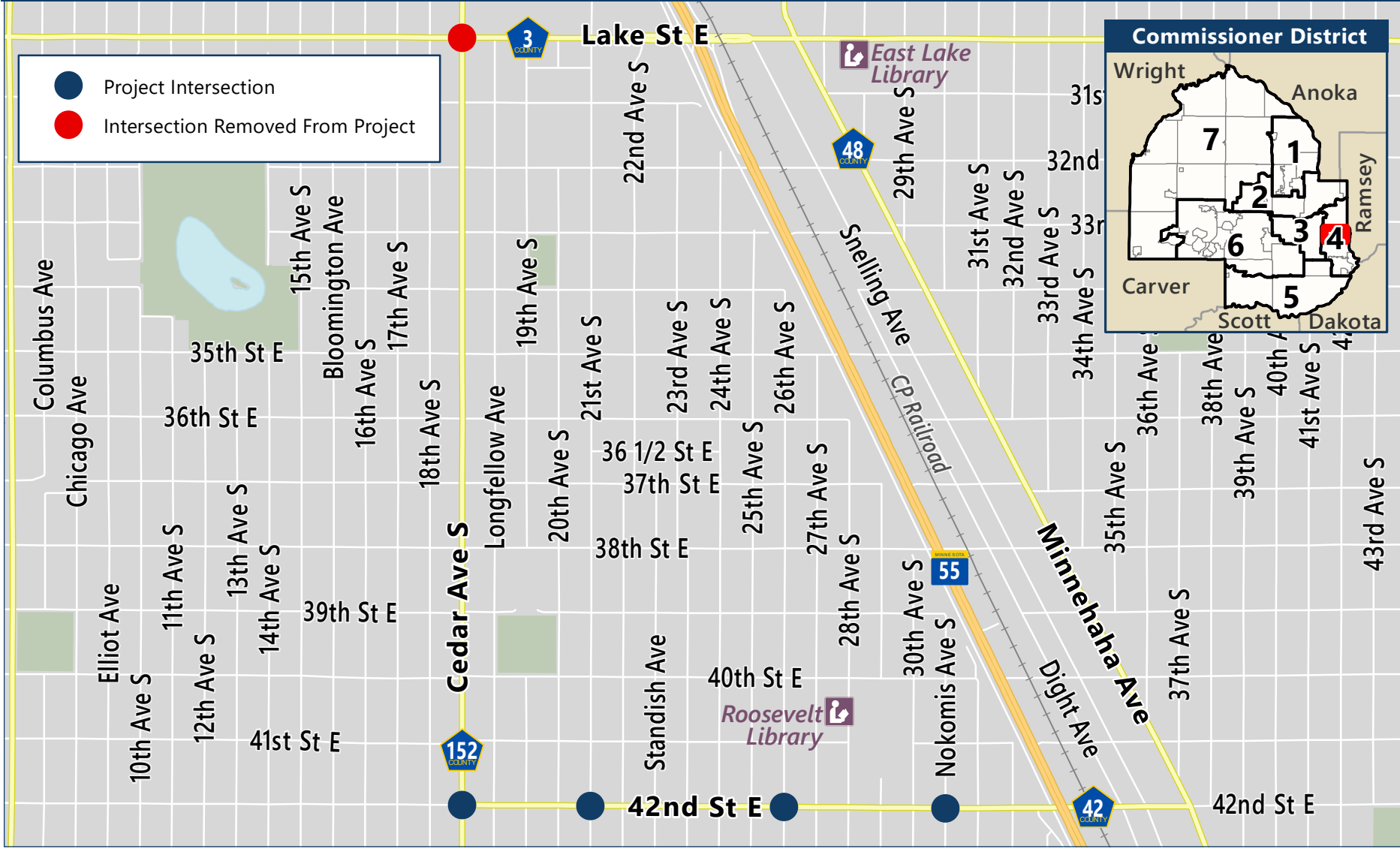
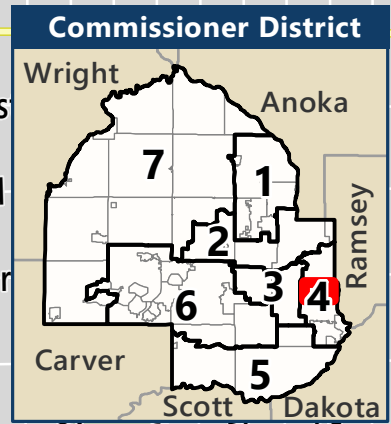
**ATTACHMENT 1**

PROJECT MAP

# S.P. 027-030-050 Scope Change

CSAH 3 & CSAH 42 Intersection Improvements | CP 2191800

- Project Intersection
- Intersection Removed From Project



**ATTACHMENT 2**

AGENCY LETTERS OF SUPPORT AND COMMITMENT



November 12, 2021

Carla Stueve, P.E., P.T.O.E.  
Director of Transportation Project Delivery and County Engineer  
Hennepin County Public Works  
1600 Prairie Drive  
Medina, MN 55340

RE: 2022 Highway Safety Improvement Project – Letter of Understanding

Dear Carla:

Metro Transit presents this letter of understanding to Hennepin County regarding the county's 2022 Highway Safety Improvement Project (Hennepin County Project No. 2191800); specifically, the planned ADA work and lighting updates at the CSAH 3 (Lake Street) and CSAH 152 (Cedar Ave) intersection.

As the County is aware, Metro Transit is developing the B Line bus rapid transit (BRT) project with planned station construction primarily along Lake Street, including a station with platforms on two corners of the CSAH 3 (Lake Street) and CSAH 152 (Cedar Ave) intersection. The project is currently fully funded with construction planned for 2023-2024. We appreciate Hennepin County's ongoing partnership around the B Line project and broader improvements being studied on Lake Street.

It is understood that Hennepin County has received federal funding to support intersection improvements at various intersections along CSAH 152 (Cedar Ave) and CSAH 42 (42<sup>nd</sup> St), including the intersection of CSAH 3 (Lake Street) and CSAH 152 (Cedar Ave). Such work at this intersection includes addition of curb extensions, pedestrian ramp upgrades, addition of accessible pedestrian signals (APS) and push buttons, and lighting updates at all four quadrants. It is further understood that Hennepin County is seeking to remove this intersection from the overall 2022 Highway Safety Improvement Project, and deliver the work with Metro Transit's B Line project. This will allow agencies to best coordinate the planned improvements, and allow for County decisions anticipated by the end of 2021 to inform the design of both these intersection improvements and B Line stations at Lake Street and Cedar Avenue.

Metro Transit understands that Hennepin County commits to participating in the full cost of those scoped improvements, and intends to enter into agreements with Metro Transit to formalize that commitment for design and construction.

Pending future formal funding participation commitment, Metro Transit supports consolidating Hennepin County's work at the Lake Street and Cedar Ave intersection into B Line project

A service of the Metropolitan Council

delivery. In conjunction with the planned B Line project, Metro Transit commits to partnering with Hennepin County to include those improvements at the CSAH 3 (Lake Street) and CSAH 152 (Cedar Ave) intersection that would have otherwise been delivered as part of Hennepin County's Project No. 2191800. Such consolidation will not only minimize construction impacts to the local community and roadway users; it will also allow for the construction of superior ADA accommodations due to the opportunity to substantially modify curb lines in conjunction with the B Line project.

We look forward to continued coordination with Hennepin County on the B Line project.

Sincerely,



Katie Roth

Assistant Director, Bus Rapid Transit Projects

cc: Nick Thompson, Deputy General Manager  
Charles Carlson, Director, BRT Projects  
Luke Sandstrom, Principal Engineer

November 10, 2021

Carla Stueve, P.E., P.T.O.E  
Director of Transportation Project Delivery and County Engineer  
Hennepin County Public Works  
1600 Prairie Drive  
Medina, MN 55340

Re: CSAH 3 (Lake St) and CSAH 42 (42<sup>nd</sup> St) Pedestrian Crossing Safety Improvements – Letter of Support

Dear Ms Stueve:

The City of Minneapolis formally presents this letter of support to Hennepin County regarding the county's 2022 Highway Safety Improvement Project (Hennepin County Project No. 2191800), specifically regarding the pedestrian safety improvements at the intersection of CSAH 3 (Lake St) and CSAH 152 (Cedar Ave).

It is understood that Hennepin County has received federal funding via the Highway Safety Improvement Program (HSIP) for pedestrian safety improvements at five intersections, including CSAH 3 (Lake St) and CSAH 152 (Cedar Ave). This work includes construction of curb extensions, pedestrian ramp upgrades, accessible pedestrian signals (APS) and lighting. It is further understood that Hennepin County is seeking to remove this intersection from the overall 2022 HSIP Project and deliver the work as a part of Metro Transit's B Line BRT project.

Furthermore, Metro Transit has full funding to construct the METRO B Line bus rapid transit (BRT) project that is planned for construction in 2023-2024. The METRO B Line is a planned BRT project that will provide faster and more reliable transit service in the Route 21 corridor along Lake Street and Marshall and Selby avenues. At this time, it is anticipated that the METRO B Line BRT project will be delivered in 2023-24 by Metro Transit and will include new BRT stations with curb extensions, pedestrian ramp upgrades, accessible pedestrian signals (APS) and lighting at two corners of the CSAH 3 (Lake St) and CSAH 152 (Cedar Ave) intersection.

In order to promote efficient project delivery, Hennepin County and Metro Transit have indicated it will be in the best interest of the public and all involved agencies to remove this intersection from the HSIP project and have all improvements be delivered with the METRO B Line BRT project. The City of Minneapolis supports this consolidation of work, understanding that Hennepin County commits to participating in the full cost of the scoped improvements and intends to enter into agreements with Metro Transit to formalize that commitment for design and construction. Consolidating the County's work in conjunction with Metro Transit's METRO B Line BRT project will not only minimize construction impacts to the local community and roadway users, but will also allow for construction of superior ADA accommodations due to the opportunity to substantially modify curb lines to support BRT service and improved conditions for people walking and rolling as originally outlined in the HSIP application.

The City of Minneapolis looks forward to continued coordination with Hennepin County on the HSIP project, as well as advancing the improvements at CSAH 3 (Lake St) and CSAH 152 (Cedar Ave) with Metro Transit.

Sincerely,



Jenifer Hager  
Director of Transportation Planning & Programming  
Minneapolis Public Works

Please amend the 2022-2025 Transportation Improvement Program (TIP) to amend this project in program year 2022. This project is being submitted with the following information:

**PROJECT IDENTIFICATION:**

Seq #	State Fiscal Year	ATP/ Dist	Route System	Project Number	Agency	Description
1447	2022	M	CSAH 42	027-030-050	Hennepin County	Various locations on <del>CSAH 3 (Lake St)</del> and CSAH 42 (42nd St) in Mpls- Ped crossing safety improvements: curb extensions, raised medians, <del>crossing beacons</del> , signal, ADA, pavement markings, signage. <del>Two bus rapid transit stations underground and flatwork</del>

Miles	Prog	Type of Work	Prop Funds	Total \$	FHWA \$	Other \$
0	SH	Pedestrian Ramps	HSIP	<del>1,193,600</del> <u>1,030,000</u>	828,000	<del>365,600</del> <u>202,000</u>

**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 update the project description and costs due to an approved scope change.

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
  - X Other

No additional federal funds are being added to the project. 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 Category AQ-2. Bicycle and pedestrian facilities per Section 93.126 of the Conformity Rules.