

MEETING OF THE FUNDING & PROGRAMMING COMMITTEE

Thursday | January 17, 2019

Room LLA | 1:30 PM

AGENDA

I. CALL TO ORDER

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

December 20, 2018, meeting of the Funding & Programming Committee

IV. BUSINESS

1. 2019-09: Scope Change Request: St. Paul Safe Routes to School*
2. 2019-10: Program Year Extension: Carver County TH 5 Regional Trail*
3. 2019-11: Scope Change Consultation and Evaluation Process *
4. 2019-13: Federal Funds Management Process *

V. INFORMATION

VI. OTHER BUSINESS

VII. ADJOURNMENT

* Additional materials included for items on published agenda.

TRANSPORTATION ADVISORY BOARD
Metropolitan Council
Minutes of a meeting of the
FUNDING AND PROGRAMMING COMMITTEE
December 20, 2018

MEMBERS PRESENT: Paul Oehme (Chair, Chanhassen), Joe MacPherson (Anoka County), Lyndon Robjent (Carver County), Chad Ellos (Hennepin County), Joe Lux (Ramsey County), Craig Jenson (Scott County), Emily Jorgensen (Washington County), Elaine Koutsoukos (TAB), Steve Peterson (Metropolitan Council), Anna Flintoft (Metro Transit), Molly McCartney (MnDOT Metro District), Colleen Brown (MnDOT Metro District State Aid), Innocent Eyoh (MPCA), Gina Mitteco (MnDOT Bike & Ped), Jen Lehmann (MVTA), Robert Ellis (Eden Prairie), Jim Kosluchar (Fridley), Ken Ashfeld (Maple Grove), Michael Thompson (Plymouth), Nathan Koster (Minneapolis), Anne Weber (St. Paul), and Joe Barbeau (staff)

1. Call to Order

The meeting was called to order just after 1:30 p.m.

2. Adoption of Agenda

MOTION: Koutsoukos moved to adopt the agenda. Seconded by Eyoh. The motion was approved unanimously.

3. Approval of the Minutes from the November 29, 2018, Meeting

MOTION: Lux moved to approve the minutes. Seconded by MacPherson. The motion was approved unanimously.

4. TAB Report – Information Item

Koutsoukos reported on the December 20, 2018 TAB meeting.

5. Program Year Extension: Ramsey County CSAH 31/CSAH 58 Intersection Improvements – Action Item 2019-02

Barbeau said that Ramsey County received \$1,018,607 from the 2014 Highway Safety Improvement Program (HSIP) Solicitation for program year 2019 to fund its County State Aid Highway (CSAH) 31/CSAH 58 intersection improvements project. Ramsey County is requesting an extension of the program year to 2020 following delays to design after a pilot project on Maryland Avenue was performed in response to a nearby traffic fatality in 2016.

MOTION: MacPherson moved to recommend approval of the program year extension request. Seconded by Thompson. The motion was approved unanimously.

6. 2018 Highway Safety Improvement Program Project Selection – Action Item 2019-03

Peterson said that MnDOT programs the HSIP solicitation, which is designed for 70% of its program to be spent on reactive projects and 30% on proactive projects. The proposed program of projects selected by MnDOT includes eight percent over-programming. It also funds one project in Chisago County, since the funds are distributed within MnDOT districts. Thompson, who was on the scoring committee, said that the new scoring system worked out well. Peterson said that MnDOT would like to form a small group to review the scoring process.

MOTION: Eyoh moved to recommend approval of the projects identified for funding by MnDOT through the HSIP solicitation. Seconded by MacPherson. The motion was approved unanimously.

7. Program Year Change Request for City of Brooklyn Center – Action Item 2019-05

Barbeau said that the City of Brooklyn Center received two projects on Highway 252 in the 2016 Regional Solicitation: \$7 million for construction of an interchange at 66th Avenue North and \$1,902,640 for a pedestrian overpass at 70th Avenue North. Both projects are programmed for 2021. MnDOT recently

received Corridors of Commerce funding for converting Highway 252 to a freeway and adding MnPASS to Highway 252/I-94. This larger Corridors of Commerce project is slated for delivery in 2023 and encompasses the two Regional Solicitation projects within its project area. The Corridors of Commerce project on Highway 252 needs to wait until 2023 because a parallel north-south corridor, I-35W, will be under construction from 2019 to 2022 to add a MnPASS lane and make other improvements. MnDOT and other project partners do not want to have major construction projects on parallel corridors simultaneously. In an effort to coordinate all the Highway 252 projects, the City of Brooklyn Center, along with MnDOT, is requesting that its two Regional Solicitation projects be moved from 2021 to 2023.

MOTION: Thompson moved to recommend approval of the program year change request. Seconded by Ellis. The motion was approved unanimously.

8. 2018 Regional Solicitation Funding Options– Action Item 2019-04

Peterson said that at its December 19, 2018, meeting, TAB reduced the number of scenarios to be considered by the technical committees from five to two. The remaining two scenarios include an amended version of the Base Scenario, dubbed the Base Plus Scenario, and the already-existing Expansion-Heavy Scenario. On a split vote, TAB also voted to express a preference toward the Base Plus Scenario. The Base Plus Scenario included the following adjustments to the original Base Scenario:

- Add Ramsey County’s Lexington Parkway Connection project at \$2.24 million
- Add Washington County’s Helmo/Bielenberg Bridge project at \$4.4 million
- Add \$4 million (partial funding) to the City of St. Paul/HOURCAR unique project request
- Reduce funding for the MVTA Orange Line Connector project request from \$2.744 million to \$1.5 million
- Reduce funding for the Metro Transit Route 6 from \$7million to \$6.724 million
- Eliminate the Hennepin County Osseo Road project at \$6.12 million
- Eliminate the Minneapolis ITS project at \$3 million

This amended scenario was proposed by Hennepin County, which voluntarily gave up its Osseo Road project, so the TAB motion included giving “favorable treatment” in the 2020 Regional Solicitation. The details on what “favorable treatment” means would need to be explored further by Council staff and the technical committees. Adding back the Osseo Road project as part of the 2018 Regional Solicitation would bring total over-programming in this scenario to over 12%.

Ellos said that Hennepin County’s Osseo Road project should be an option to include in the Base Plus Scenario, since it was removed as a result of a Hennepin County-suggested compromise. Peterson said that the addition of the project would bring over-programming up to 12.2%, which is higher than the 11% TAB expressed comfort with at its meeting. Ellos responded by suggesting an offer of partial funding to the project. Kosluchar asked whether, beyond two Safe Routes to School projects identified, any discussion of adding bicycle and pedestrian projects occurred at TAB’s meeting. Peterson replied that most of the over-programming discussion involved transit and roadway projects. Kosluchar asked whether geographic balance was improved in the Base Plus Scenario, to which Peterson replied that such analysis had yet to occur.

MacPherson expressed displeasure with the idea of favorable treatment to a specific project for the next Regional Solicitation cycle, suggesting that each Regional Solicitation should be on its own.

McCartney asked how much over-programming would be needed to partially fund the Carver County US 212 project, to which Koutsoukos said it would be too much over-programming, as the Hennepin County Osseo Road project that outscored it would also have to be funded.

Lux asked about the implications of partial funding. Lehmann replied that MVTA can make it work. Flintoft replied that Metro Transit supports it.

Robjant asked why the Base Plus Scenario adds two Roadway Expansion projects, to which Koutsoukos replied that this funds Washington County’s project.

Thompson suggested that the Committee could recommend 10% over-programming without specifying projects.

Mitteco expressed concern with the risk involved in additional over-programming. She added that she did not like the idea of providing “favorable treatment” to a project in the next Regional Solicitation. Peterson said that there are several potential inflows of new funding including unspent funds from other states, new federal funding, and withdrawn projects.

McCartney said that more over-programming leads to flexibility should funding become available.

MOTION 1: Robjent moved to recommend over-programming at 10% without specifying any projects. Seconded by Thompson.

Ellos suggested directing TAC to recommend projects.

MOTION 1 was approved unanimously.

Given potentially increased over-programming, Brown suggested that a policy may be needed to direct MnDOT Metro District State Aid on how to determine which projects should be delayed. She suggested that a policy on this could be a part of the TAB Federal Funds Management Process, which is going to be updated soon.

MOTION 2: Kosluchar moved to ask staff to work with MnDOT Metro District State Aid to create a policy that would address how to determine what project(s) are delayed in over-programmed situations. Seconded by Brown. The motion was approved unanimously.

9. Adjournment

MOTION: MacPherson moved to adjourn the meeting. Seconded by Eyoh. The motion was approved unanimously, and the meeting was adjourned.

ACTION TRANSMITTAL No. 2019-09

DATE: January 9, 2019

TO: TAC Funding and Programming Committee

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

SUBJECT: Scope Change Request for St. Paul's Washington Technology School Safe Routes to School Project

REQUESTED ACTION: The City of St. Paul requests a scope change for its Washington Technology School Safe Routes to School project (SP # 164-591-003) to eliminate the Arlington Avenue on-street separated bike lane.

RECOMMENDED ACTION: The Committee can recommend approval or denial of the request and recommend a federal award amount

BACKGROUND AND PURPOSE OF ACTION: The City of St. Paul was awarded \$816,000 in Surface Transportation Block Grant funds for the 2019 fiscal year in the Safe Routes to School category as part of the 2016 Regional Solicitation. The project has since been extended to 2020 with payback in 2022. The scope consists of pedestrian and bicycle improvements in the area of Washington Technical School, including traffic signal improvements at two locations on Rice Street, bike lanes on Arlington Avenue, sidewalks along various arterials, crossing improvements, and bump-outs.

Citing poor and deteriorating pavement condition, the City is requesting removal of the on-street separated bicycle lane along Arlington Avenue from the scope. In lieu of this project element, the City proposes installation of ADA ramps on 12 corners spread across eight intersections.

The original cost estimate, including local match, was \$1,020,000. Per the revised cost estimate, it appears that roughly \$115,000 is eliminated due to removal of the bicycle lane. The replacement elements (i.e., ADA ramps) more than cover that amount.

RELATIONSHIP TO REGIONAL POLICY: Projects that receive funding through the Regional Solicitation process 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. Additionally, any federally-funded project scope change must go through a formal review and TIP amendment process if the project description or total project cost changes substantially. 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.

STAFF ANALYSIS:

Approval/Denial of the Scope Change: The current "Process to evaluate scope change requests for regionally-selected projects" states "the TAC F&PC will base their recommendation on whether the estimated score of the revised project scope would have been high enough to have been awarded funds through the regional solicitation." Whether this project would have been funded is inconclusive. All three projects that applied within the Safe Routes to School category were funded.

Table 1: Final Safe Routes to School Scores in 2016 Regional Solicitation

Applicant	Project	Final Score
St. Paul	Expo Area SRTS Improvements	958
St. Paul	Washington Tech SRTS Improvements	711
Carver County	US 212 Crossing	700

While all three projects were funded, the primary rationale when staff presented funding scenarios funding all three applications was because the US 212 crossing project was the only project to be funded in Carver County.

Staff shared the scope change request with any scores whose scores could have changed had the application been submitted without the bike lane. The scorer in the equity category, citing the reduced geographic reach the proposal creates, felt that the raw score should be reduced from 39 points to 28 points. As the top-scoring project in the category, it retains the maximum of 50 points (and, therefore, the final score of 711). However, the reduction in raw score decreases the project’s advantage over its competitors. Therefore, the other projects improve within the category, changing the final scores as shown below in Table 2.

Table 2: Adjusted Safe Routes to School Scores after Score Review

Applicant	Project	Final Score	Adjustment	Adjusted Final
St. Paul	Expo Area	958	10	968
Carver County	US 212 Crossing	700	14	714
St. Paul	Washington Tech	711	0	711

It is nearly impossible to be certain about whether the project would have been funded.

Note also that the Safe Routes to School subject expert did not reply to requests to examine scores. The assumption is “no change.” The scoring measures are:

- “5 E’s” (Engineering Education, Enforcement, Encouragement, Evaluation)
- Overcoming Gaps/Barriers:
- Safety
- Public Engagement

Funding: Currently, there is no policy language regarding removal of federal funding and past precedent is inconsistent. The draft Scope Change Policy update states: “While adding eligible project elements is permitted, federal funds cannot be shifted away from any removed elements to new project elements unless the removed elements are being done as part of some other programmed project.” The applicant would like to shift funding the bike lane to the additional curb ramps. Per proposed policy, TAB should remove the approximate federal cost of the eliminated element. The cost of the bike lane is \$80,000, the federal portion of which is \$64,000. The federal portion of that is \$64,000.

ROUTING

TO	ACTION REQUESTED	COMPLETION DATE
TAC Funding & Programming Committee	Review & Recommend	
Technical Advisory Committee	Review & Recommend	
Transportation Advisory Board	Review & Approve	



CITY OF SAINT PAUL
Melvin Carter III, Mayor

Nick Peterson, Division Manager Telephone: 651-266-6155
Street Engineering/Construction Fax: 651-292-6315
900 City Hall Annex
25 West Fourth Street
Saint Paul, MN 55102-1660

December 21, 2018

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

SUBJECT: Washington Technology School Safe Routes to Schools
Scope Change Request
S.P. 164-591-003

Dear Mr. Oehme

The City of Saint Paul was successful in the 2016 federal funding solicitation for the Safe Routes to School Program for pedestrian improvements in the area of Washington Technology Magnet School. The improvements include new sidewalks, pedestrian crossing improvements (including ADA ramps), bump-outs, pedestrian-leading interval/countdown timers at two traffic signals (Nebraska/Rice and Arlington/Rice), and bike lanes on Arlington Avenue. The funding is in the 2019-2021 State Transportation Improvement Program (STIP) in the amount of \$1,060,800 (\$816,000 federal). The purpose of this letter is to request a scope change for the project.

The requested scope change is to remove on-street bike lanes along Arlington Avenue from the project and use the funds to provide additional pedestrian ramp improvements at eight intersections to bring all intersection roadway access points in compliance with ADA requirements (Attachment 1). The bike lane scope included ground-in epoxy striping of bike lanes on Arlington Avenue from Wheelock Parkway to Edgerton Street at an estimated \$80,000. The additional pedestrian ramp work is estimated at \$100,000. The requested scope change will increase the project cost; however, the increase will be funded by the City of Saint Paul. In lieu of reducing the allocated funding, we hope you accept the proposed of increase in the number of pedestrian ramp locations improved with this project.

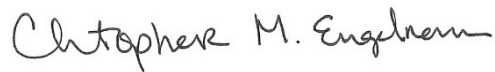
Since applying for the grant, the City has initiated and completed projects that have strengthened pedestrian and bicycle routes in the area. The addition of a new school building, the Community

School of Excellence, north of Washington Technology Magnet School has increased the number of youth in the area. These new factors, combined with the additional costs identified for the bike facility construction, led the City to request this change to the scope for this project. We find the changes in the use of the area lends priority to completing pedestrian gaps north of Hoyt versus the bicycle facility to the south of the project area.

Additionally, Arlington Avenue is in poor condition and deteriorated much quicker than anticipated at the time of the funding solicitation application. In the current condition the pavement does not lend itself to incorporating bike lanes without additional rehabilitation at an estimated cost of \$900,000 (beyond the above existing cost estimate of the project).

Thank you for awarding these funds to the City of Saint Paul and for considering this scope change. If you have any questions or need additional information, please feel free to contact me at 651.266.6084 or by email at Chris.Engelmann@ci.stpaul.mn.us.

Sincerely,

A handwritten signature in black ink that reads "Christopher M. Engelmann". The signature is written in a cursive, slightly slanted style.

Christopher M. Engelmann, P.E.
Saint Paul Public Works – Street Design and Construction

SCOPE CHANGE REQUEST

Washington Technology Safe Routes to School Project
SP 141-591-003

Location Map

A map showing the location of the project is attached.

Revised Project Scope

The original scope included pedestrian and bicycle improvements in the area of Washington Technology Magnet School. This includes sidewalk gap infill, improved pedestrian crossings with bump outs, pedestrian ramps, pedestrian-leading interval/countdown timers at two traffic signals (Nebraska/Rice and Arlington/Rice), and bike lane striping on Arlington Avenue.

In developing the plans for the project, the pavement surface of Arlington Avenue was determined to be in poor condition and deteriorating rapidly. The pavement condition index (PCI) report shows a PCI of 70/73 in 2012; degrading to a PCI of 15/27 in 2015 (Attachments 2). In 2018, the City of Saint Paul resurfaced and added bikes to Arlington Avenue from Rice Street to Jackson Street (approximately 0.5 miles of the proposed scope). The remaining roadway has undergone multiple maintenance actions, with the most recent being a mill and overlay in 2000. Time lapse photos of select pavement locations are included as attachment 3. This level and rate of degradation was not anticipated at the time of the solicitation submission.

In the current condition the pavement does not lend itself to incorporating bike lanes without additional rehabilitation. The bike facility would normally be located along the gutter line of the south curb and along the parking lane of the north curb line. The south curb lane has tire track rutting. The pavement section is also showing raveling on both sides of the roadway in areas where the bike lane would be striped. While these are not major concerns for automotive vehicles, it is a larger concern for bike facilities as bike riders are more susceptible to accidents due to pavement conditions. Should the current degradation of the roadway surface continue, the potential for accidents will increase. If the bike lanes are added in 2019, it is likely they would require resurfacing and restriping via a project in the near future (i.e., within 10 years) based on the age, condition, and rate of degradation of the existing roadway surface. See Attachment 4 for location of the originally scoped bike lanes and the resurfaced section.

Additionally, the City has two projects planned for 2019 that mesh well with the need for a stronger pedestrian grid network north of Washington Technology Magnet school. The City is preparing to construct sidewalk east of the new Community School of Excellence between the school and Rice Street along the south side of Larpenteur Avenue W. Also, the fourth phase of Wheelock Parkway, a full reconstruction project that includes new sidewalk and a separated bike trail, extending from Western Avenue to Rice Street will be constructed. This segment will connect the already constructed portions extending from Como Boulevard to Edgerton Street (Gateway State Trail)- more than 3.5 miles of complete streets in total length.

Another new development in the area, the Community School of Excellence at 270 Larpenteur Avenue (near Galtier Street) with an enrollment of approximately 1,000 students, has increased the number of students using sidewalks north of Wheelock Parkway. This new school was not a known

consideration at the time of submitting for the solicitation and lends priority to completing pedestrian gaps versus the bicycle facility to the south of the project area.

The proposed scope revision is shown in the attached location map. The proposed scope revision includes sidewalk gap infill, improved pedestrian crossings with bump outs at W Hoyt Avenue (a primary crossing for students arriving from the south), pedestrian ramps (increased locations), and countdown timers at two traffic signals (Nebraska/Rice and Arlington/Rice). The scope will reinforce the pedestrian movement options north and south from Larpenteur Avenue to Wheelock Parkway and to Washington Technology Magnet School along Hoyt Street and Nebraska Street.

Project Schedule

The project is currently at 30% design and a revised cost estimate was prepared as part of our engineering design process. Plans will be submitted for review in March 2019. Once authorized, advertisement for bids is planned July 2019. Construction is planned to start in late summer 2019 with completion in summer 2020.

Revised Cost Estimate

The table below summarizes the original and revised cost estimate.

Element	Original Cost	Revised
Traffic Signals	\$50,000	\$10,000
Striping	\$80,000	\$55,000
Sidewalk	\$600,000	\$650,000
Pedestrian Curb Ramps (ADA)	\$200,000	\$365,000
Bicycle and Pedestrian Contingencies	\$80,000	\$0
Other Bicycle and pedestrian Elements	\$10,000	\$0
Total	1,020,000	1,080,000

The revised cost estimate removes the cost included in the proposal for bike lane striping on Arlington Avenue between Wheelock Parkway and Edgerton Street (Striping element). The revised cost includes an increased focus on sidewalk, pedestrian curb ramps, and crossings. The original bike lane scope included striping of bike lanes on Arlington Avenue from Wheelock Parkway to Edgerton Street at an estimated \$80,000. The additional pedestrian ramp work is estimated at \$100,000.

The revised cost estimate for resurfacing, striping bike lanes with durable elements, and updating the pedestrian ramps from Wheelock Parkway to Edgerton Street (excluding Rice Street to Jackson Street) is \$900,000. This cost is beyond the budget for this project.

Revised Funding

Project funding is in the 2019-2022 State Transportation Improvement Program (STIP) in the amount of \$1,060,800 (\$816,000 federal). The project was advanced to 2018 construction from

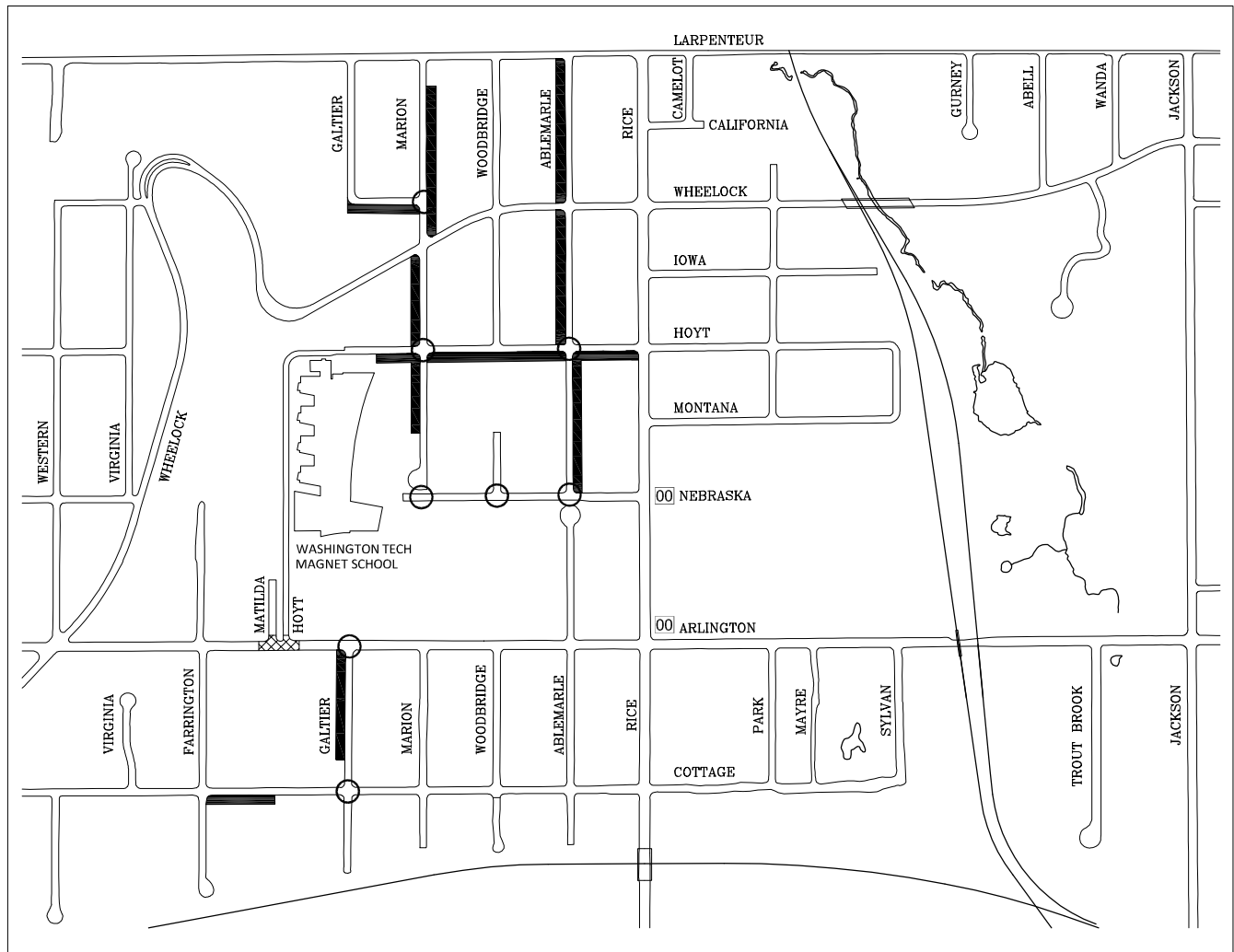
the 2020 program year. A program extension was granted in 2017 for a 2019 construction year as local funding was not available in 2018.

Funding Source	Current STIP	Proposed Funding
FHWA	\$816,000	\$816,000
City Local	\$244,800	\$264,000
Total	1,060,800	\$1,080,000

Despite the removal of the bike lane scope, we are not proposing to reduce the FHWA funding for the project. We instead are proposing using the funding to further improve the pedestrian experience by increasing the pedestrian ramp construction scope. Keeping the proposed funding to the current STIP amount would allow the City to pursue construction of 12 corners in 8 locations that are not directly adjacent to the sidewalk infill scope (at an expenditure of approximately \$100,000). In developing the 30% design, these additional pedestrian ramp locations were identified as needed to provide seamless transitions to the existing, new, and future sidewalks. City found additional synergies with other projects in the area to improve safe routes to school. Specifically, this project will work well to provide the north/south connections from Larpenteur Avenue and Wheelock Parkway sidewalk/trail additions in 2019 to the Washington Technology Magnet School. In lieu of reducing the allocated funding, we hope you accept the proposed of increase in the number of pedestrian ramp locations improved with this project.







City of Saint Paul
 Department of Public Works
 Street Design and Construction Division



Sidewalk Locations:
 Galtier - Cottage to Arlington
 Marion - Nebraska to Larpenteur
 Ablemarle - Nebraska to Larpenteur
 Hoyt - Marion to Rice
 Nebraska - Marion to Rice
 Cottage - Farrington to Galtier

Crossing Improvement Locations:
 Arlington/Matilda/Hoyt Intersection
 Countdown Timer @ Rice/Nebraska
 Countdown Timer @ Rice/Arlington

LEGEND KEY:

-  PRIMARY SIDEWALK INFILL
-  CROSSING IMPROVEMENT
-  COUNTDOWN TIMER
-  ADA RAMP



2019-2020

SAFE ROUTE TO SCHOOL PROJECT

L = 5,500 ft.
 PROJECT MAP

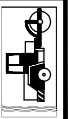


DESIGNED	CX
DRAWN	CX
APPROVED	CME

PREPARED BY STREET ENGINEERING DIVISION FOR THE CITY OF ST. PAUL, DEPARTMENT OF PUBLIC WORKS

WASHINGTON TECH SRTS

PROJECT:	19-T-1373
STATE AID	164-591-003
PROJECT NUMBER:	
DATE:	12/3/2018



\\Teal\cod\streets\projects\current\Washington Tech SRTS\Map\Washington Tech SRTS - Project Map.dwg Dec 03, 2018 - 8:38am

ARLINGTON AVE E:ARLINGTON AVE W=>TROUT BROOK CIR (S-0518738)

Distress Survey

Sample No: 1 of 2 | **Distress History** | Sample CI: []

Distress Data | Section CI History | Distribution | Section CI: []

Sample No: (Empty)

Sample No	Distress	Quantity	Location	Total Samples	Area	Sample CI
InspectDate: 6/9/2015 (17 items)						
1 of 2	BlockHigh	270		2	2436	15
1 of 2	BlockMed	450		2	2436	15
1 of 2	LongTransHigh	40		2	2436	15
1 of 2	PatchLow	45		2	2436	15
1 of 2	RavelLow	192		2	2436	15
1 of 2	RutHigh	120		2	2436	15
1 of 2	RutLow	240		2	2436	15
1 of 2	RutMed	120		2	2436	15
2 of 2	AlligatorLow	20		2	2436	27
2 of 2	BlockLow	740		2	2436	27
2 of 2	BlockMed	340		2	2436	27
2 of 2	DeprHig	30		2	2436	27
2 of 2	EdgeHigh	5		2	2436	27
2 of 2	LongTransHigh	100		2	2436	27
2 of 2	LongTransMed	60		2	2436	27
2 of 2	RavelMed	50		2	2436	27
2 of 2	RutHigh	120		2	2436	27
InspectDate: 9/21/2012 (10 items)						
1 of 2	FlushingLow	100		2	2400	73
1 of 2	FlushMed	50		2	2400	73
1 of 2	LongTransLow	75		2	2400	73
1 of 2	LongTransMed	100		2	2400	73
1 of 2	RavelLow	240		2	2400	73
2 of 2	AlligatorLow	10		2	2400	70
2 of 2	FlushingLow	250		2	2400	70
2 of 2	LongTransLow	50		2	2400	70
2 of 2	LongTransMed	120		2	2400	70
2 of 2	RavelLow	240		2	2400	70

Attachment 3 Selected Street View Photos

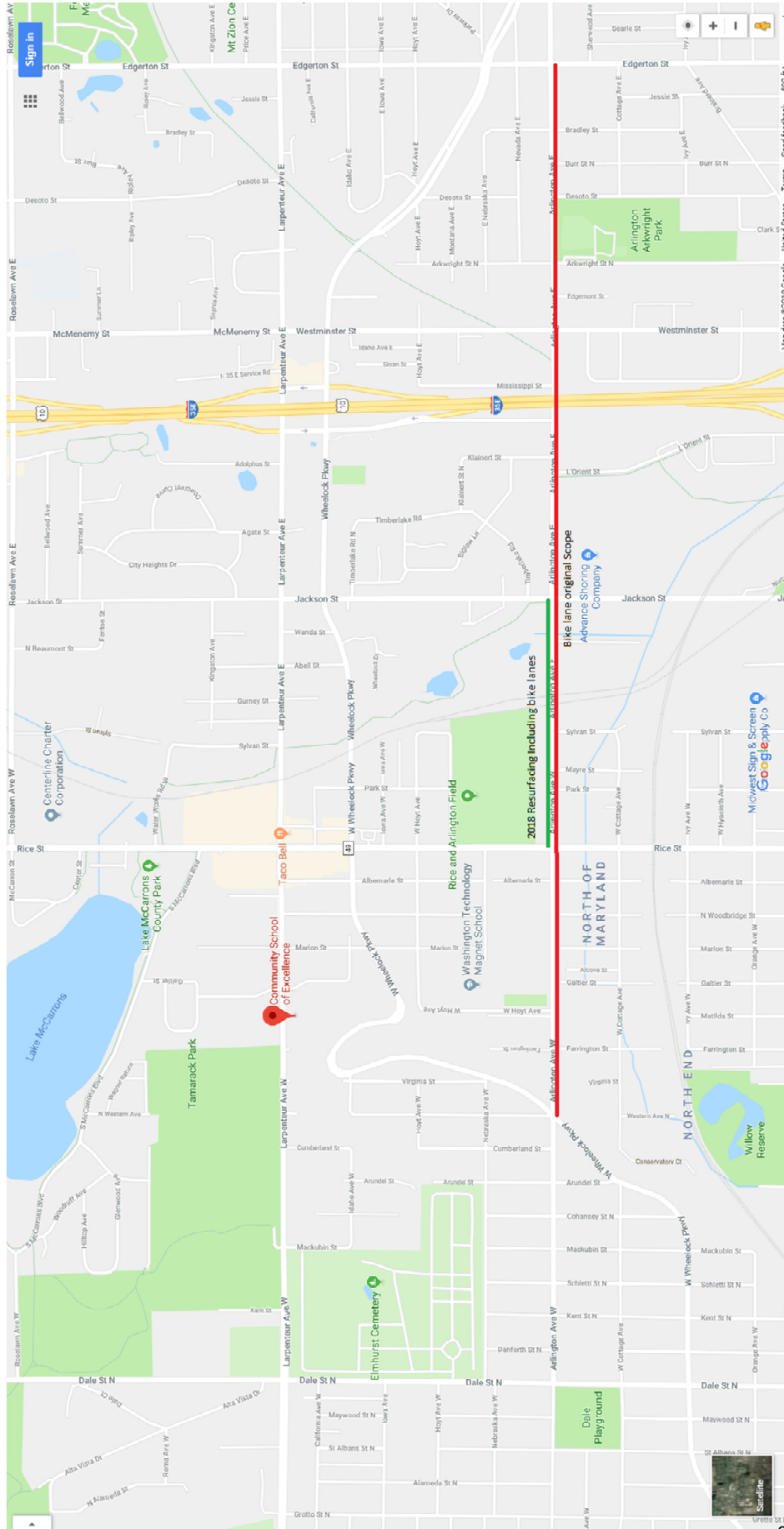


Facing eastbound at Hoyt Ave (October 2012 top; October 2017 bottom)



Facing Westbound at Burr St N (September 2013 top; October 2016 bottom)

Attachment 4 Bike Lane Scope



Transportation Advisory Board
of the Metropolitan Council of the Twin Cities

ACTION TRANSMITTAL No. 2019-10

DATE: December 31, 2018
TO: TAC Funding & Programming Committee
PREPARED BY: Joe Barbeau, Senior Planner (651-602-1705)
SUBJECT: Program Year Extension Request: Carver County TH 5 Regional Trail
REQUESTED ACTION: Carver County requests a program year extension for its TH 5 Regional Trail project (SP# 010-090-008) to 2020.
RECOMMENDED MOTION: That the TAC Funding & Programming Committee recommend to TAC approval of the program year extension request to move Carver County's TH 5 Regional Trail project (SP# 010-090-008) to 2020.

BACKGROUND AND PURPOSE OF ACTION: Carver County received \$1,192,147 from the 2014 Regional Solicitation to fund its Trunk Highway (TH) 5 Regional Trail from Minnewashta Parkway to Century Boulevard in program year 2019. The County is requesting an extension of the program year to 2020 following the request from MnDOT's Office of Environmental Stewardship for completion of a Phase I archaeological survey, which uncovered the need for a Phase II survey.

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 2020. It is important to note that 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. In that case the program year change would be administered in the annual Transportation Improvement Program (TIP) update and does not require a separate TIP amendment.

ROUTING

TO	ACTION REQUESTED	DATE COMPLETED
TAC Funding & Programming Committee	Review & Recommend	
Technical Advisory Committee	Review & Recommend	
Transportation Advisory Board	Review & Approve	



**Carver
County
Parks**

11360 Highway 212 West, Suite 2
Cologne, MN 55322

December 27, 2018

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

RE: PROGRAM EXTENSION REQUEST FOR SP 010-090-008
TRUNK HIGHWAY 5 REGIONAL TRAIL FROM MINNEWASHTA PARKWAY TO CENTURY BOULEVARD

Dear Mr. Oehme:

In 2017, Carver County was awarded federal funding as part of the Metropolitan Council Regional Solicitation to construct 1.9 miles of multi-use regional trail along the south side of Trunk Highway (TH) 5, extending from the existing pedestrian underpass at Minnewashta Parkway to Century Boulevard through the Minnesota Landscape Arboretum. The trail project also includes a box culvert pedestrian underpass at TH 41, retaining walls and stormwater management improvements.

During the agency review process of the Project Memorandum, the Cultural Resources Unit of MNDOT's Office of Environmental Stewardship requested a Phase I archaeological survey for the trail segment through the Landscape Arboretum, which was completed this fall. The survey identified several locations that require a Phase II survey that cannot be started until spring 2019. Carver County requests that the TAC Funding and Programming Committee consider a program year extension to 2020, which will allow for the Phase II archaeological study work to be completed. Extending the program year to 2020 will allow Carver County to fully document the historical sites within the trail corridor.

Please refer to the enclosed documentation and attachments for additional information regarding this request and please contact me with any questions at 952-466-5252, or by email at mwalsh@co.carver.mn.us.

Sincerely,

Martin Walsh, Director
Carver County Parks

CC: Lyndon Robjent, Public Works Director

**REQUEST FOR PROGRAM EXTENSION
for
SP 010-090-008**

TRUNK HIGHWAY 5 REGIONAL TRAIL FROM MINNEWASHTA PARKWAY TO CENTURY
BOULEVARD
in the
CITY OF CHANHASSEN, MINNESOTA

REQUESTED BY:
MARTIN WALSH, DIRECTOR
CARVER COUNTY PARKS
952-466-5252
mwalsh@co.carver.mn.us

Materials and Narrative to Aid in Determination of Requested Program Year Extension

1. Project Progress

a. Project Schedule

The following project schedule demonstrates the project progress, to-date, and actions taken by Carver County to advance the development of the TH 5 Regional Trail between Minnewashta Parkway and Century Boulevard. A progress schedule for future actions is included as Attachment 1.

September 2015	TH 5 Regional Trail from Minnewashta Parkway to Century Boulevard included in the 2016-2019 STIP for fiscal year 2019
October 2016	Carver County Contracts with SRF to create TH 5 Regional Trail Master Plan and run public input and review process
October 2017	Draft TH 5 Regional Trail Master Plan completed for agency approval processes
November 2017	Carver County contracts with SRF for preliminary trail design
December 2017	SRF begins design development and site survey
February 2018	Carver County passes resolution and approves the TH 5 Regional Trail Master Plan
June 2018	Metropolitan Council approves TH 5 Regional Trail Master Plan
July 2018	Carver County submits requests for review to MnDOT CRU, OES, and CMMT as part of the Project Memorandum
October 2018	MnDOT CRU responds to Carver County with request to conduct Phase I archeology survey as part of the 80/20 MnDOT contracting process
November 2018	Florin Cultural Resource Services conducts Phase I field work
December 2018	MnDOT CRU notifies Carver County that a Phase II survey is needed in spring, after the ground thaws
December 2018	Carver County requests program year extension to provide time for Phase II archaeological survey

b. Right-of-Way Acquisition and Agreements

Carver County has completed a Memorandum of Understanding with the City of Chanhassen for construction of the regional trail and a second Memorandum of Understanding with the University of Minnesota for the construction of the trail on the Landscape Arboretum property. Carver County is working on a permanent easement with Life Time Fitness for the segment of trail that will be on their property west of TH 41 and an easement with MnDOT for the portion of trail east of TH 41 that will be in TH 5 right-of-way. Acquisitions will be complete by June 15, 2019.

c. Plans

Construction plans are well underway. The preliminary plan set is included as Attachment 2. Final plans are anticipated to be complete by February 28, 2019.

d. Permits

Anticipated permits on this project include the following:

- Section 404/Wetland Conservation Act
- DNR Public Waters Work Permit
- MPCA National Pollutant Discharge Elimination System (NPDES)
- Minnehaha Creek Watershed District Erosion Control Permit
- Riley Purgatory Creek Watershed District Permit

Permits will be obtained and approved prior to project letting.

e. Approvals

In addition to the permit approvals listed in d. above, plan approval will be required from Carver County and MnDOT.

f. Funds and Resources

Carver County anticipates spending about \$100,000 by the end of 2018 to complete survey, preliminary engineering and design, and the Project Memorandum. Final design and project procurement is anticipated to cost an additional \$142,000.

2. Justification for Project Year Extension

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

Design development for the TH 5 Regional Trail has been moving ahead on schedule. It was unforeseen by all parties, including the Landscape Arboretum and Carver County that a Phase I archaeology survey would be required for the trail project. The timing of the request for the survey, which was made in October 2018, provided time for field work before freeze-up this fall. The field work identified three pre-contact period sites and three segments of historic road that may be part of a mid-1800s roadway identified on the 1855 General Land Office survey map. These findings precipitated a request for a Phase II survey. However, by the time the request for the Phase II survey was made in December, the window of opportunity for additional field work this season had passed.

The Phase II archaeological survey is scheduled for the earliest possible timeframe in spring 2019. It is anticipated that one month will be needed to complete the field work and to prepare the Phase II report. The report will be sent to SHPO for review and approval, which is a process that takes up to 30 days to complete. The timeframe to complete the archaeology surveys, reports and agency reviews may push the project past the deadline for Project Memorandum approval.

Carver County is committed to delivering the project as soon as possible, and anticipates all approvals for the Project Memorandum by the end of June 2019, unless further archaeology analysis is required. The County anticipates approval for bidding by summer 2019 and construction is expected to begin in the fall of 2019.

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

If the project does not meet its current program year, federal funding would be lost and the project would be left competing for funding amongst other needs in Carver County's Capital Improvement Program (CIP).

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

If the project does not obtain the requested extension, Carver County would likely not be able to deliver the project by the current program year deadline. Specifically, the County would not be able to complete the requested Phase II archaeological study in-time to receive approval from the State Historic Preservation Office (SHPO) and then receive final approval for the Project Memorandum.

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

Carver County is coordinating with MnDOT CRU to have a consultant conduct the Phase II archaeological study as soon as the ground is unfrozen in the spring of 2019. The field work and concurrent review by MnDOT CRU and SHPO is anticipated to take up to eight weeks from the time the ground is thawed. Carver County will have completed the construction documents and project specifications for the trail project and will be ready for review and approval for bidding, pending any modifications that may be needed based on the findings of the Phase II archaeological study. Carver County will be in a position to proceed with project bidding and construction in Project Year 2020.

ATTACHMENT 1

PROGRESS SCHEDULE FOR PROGRAM YEAR EXTENSION

Attachment 1: PROGRESS SCHEDULE FOR PROGRAM YEAR EXTENSION

Enter request date

2020

INSTRUCTIONS:

1. Check status of project under each major heading.
2. Enter dates as requested for each major heading.
3. Enter points as suggested by each applicable response.
4. Total points received in the TOTAL POINTS line on the last page. **The minimum score to be eligible to request an extension is seven points.**

ENVIRONMENTAL DOCUMENTATION

PROJECT MEMORANDUM

Reviewed by State Aid

If checked enter 4.

4

Date of approval **01/31/2019**

____ Completed/Approved

If checked enter 5.

Date of approval _____

____ EA

____ Completed/Approved

Date of approval _____

EITHER

____ Not Complete

Anticipated Date of Completion _____

If prior to January 31 of the program year, enter 1. _____

NOTE: PM PENDING FINAL SIGNATURE AT THE TIME OF THIS STATUS UPDATE. ANTICIPATE FINAL SIGNATURE MAY 2019.

OPPORTUNITY FOR PUBLIC HEARING (not necessary for project memorandum)

____ Completed

Date of Hearing _____

If checked enter 2.

N/A Not Complete

Anticipated Date of Completion _____

If prior to February 28 of the program year, enter 1. _____

FINAL ENVIRONMENTAL ASSESSMENT (not required for project memorandum)

____ Completed/FONSI Approved

If checked enter 2.

Date of approval _____

N/A Not Complete

Anticipated Date of Completion _____

If prior to March 31 of the program year, enter 1. _____

STUDY REPORT (required for Environmental Assessment Only)

Complete/Approved If checked enter 1. _____
Date of Approval _____
 N/A 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 2/28/2019
If prior to June 30 of the 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 6/15/2019
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. 2
Date 12/13/2018
 Not Complete
Anticipated Date of Completion _____
If prior to December 31 of the year following the original program year, enter 1. _____

AUTHORIZED

Anticipated Letting Date 03/2/2020
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 8

ACTION TRANSMITTAL No. 2019-11

DATE: November 5, 2018

TO: TAC Funding and Programming Committee
Steve Peterson, Manager of Highway Planning and TAB/TAC
Process (651-602-1819)

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

SUBJECT: Scope Change Consultation and Evaluation Process

REQUESTED ACTION: The Scope Change Work Group requests approval of the Scope Change Policy.

RECOMMENDED MOTION: That the TAC Funding & Programming Committee recommend to the Technical Advisory Committee the Scope Change Policy.

BACKGROUND AND PURPOSE OF ACTION: Projects funded through the Regional Solicitation process are selected based on how well they will address safety, congestion, air quality and other criteria used in the scoring evaluation. TAB wants to ensure that the benefits from any re-scoped projects are essentially intact. Therefore, applicants that want to make changes to a project's scope are currently subject to the following policies:

- Scope Change Consultation Process (2015). When an applicant wishes to change a project's scope, this process guides staff in the determination of whether a formal scope change request is needed.
- Process to Evaluate Scope Change Requests for Regionally-Selected Projects (2011). Once a formal request is needed, this process guides the analysis of whether a request should be granted.

The proposed scope change policy will address some of the shortcomings of the two existing policies and incorporate the following principles:

- Simplify: Combine the two existing policies into one policy.
- Evaluate Regional Benefits: Transition from a precise, but somewhat inaccurate rescoring of the measures to a qualitative review of the impacted measures, consideration of the total scoring gap between the project being evaluated and unfunded projects, and evaluation of the overall benefits gained/lost based on the requested scope change.
- Clarify: Clearly lay out the scope change process, what types of project scope changes need to go through the process, and whether federal funds can be shifted to similar, adjacent projects.
- Provide Consistency: Treat project requests in a fair and consistent way by requesting the same information from all applicants in the same year of costs.
- Ease of Combining Projects: Make it easier for project sponsors to combine two adjacent projects to minimize disruption to the public and improve efficiency.

RELATIONSHIP TO REGIONAL POLICY: Projects that receive funding through the Regional Solicitation process are subject to policies and scrutiny when sponsors want to change project scopes. When TAB approves a program of projects, it does so with the expectation that projects will be

completed as shown in the applications. A scope change policy is needed to ensure that projects are designed and constructed according to the plans and intent described in the original application.

STAFF ANALYSIS: Over the past year, stakeholders have identified the following shortcomings of the two existing policies:

- Projects were scored at a moment at time, so comparing one project that has completed major engineering, public involvement, and environmental documentation to a project still in the concept stage is difficult. For example, rescoring the cost effectiveness measure is no longer comparing “apples to apples” since the project with the scope change request has been fully developed, as opposed to project concepts whose costs would likely also rise as they are developed.
- There are two separate policies regarding scope changes with some overlapping language.
- Major changes starting in the 2014 Regional Solicitation involving online application submittal, use of mapping software, and the need to submit output from traffic analysis programs make it more difficult and time-consuming for project applicants, scorers, and Council staff to precisely rescore project applications.
- It is difficult for volunteer scorers to rescore applications three or four years after their original scoring.
- More clarity is needed for what types of projects need to go through each of the three scope change processes.
- More clarity is needed for what year revised cost estimates should be used to ensure consistent treatment of all requests.
- A recent trend in scope changes is to remove project elements and “replace” them with new elements with the intent of keeping all federal funding. No policy language exists to allow, or prohibit, this type of request.
- There is confusion as to whether separate adjacent projects can be combined and how this change impacts the scope change process.

Led by TAC Funding & Programming Chair Paul Oehme, a multi-agency Scope Change Workgroup met three times to address these identified issues and included the following individuals:

- Paul Oehme, City of Chanhassen
- Lyndon Robjent, Carver County
- Karl Keel, City of Bloomington
- Colleen Brown, MnDOT Metro State Aid
- Jen Lehmann, MVTA
- Adam Harrington, Metro Transit
- Mary Gustafson, Metro Transit
- Jeni Hager, City of Minneapolis
- Craig Jenson, Scott County
- Gina Mitteco, MnDOT
- John Sass, Dakota County
- Elaine Koutsoukos, TAB Coordinator
- Joe Barbeau, Met Council
- Steve Peterson, Met Council

Staff discussed the proposed policy with TAB in August 2018 and then supplied an example project to TAB in November 2018 to illustrate how the new policy would be implemented compared to the existing ones. If the new policy is approved, staff will provide TAB with an evaluation on the new scope change policy within one year of approval to analyze how well it is working and if any changes need to be made. It should also be noted that approval of the Scope Change Policy will replace two existing

policies: Scope Change Consultation Process and the Process to Evaluate Scope Change Requests for Regionally-Selected Projects.

ROUTING

TO	ACTION REQUESTED	COMPLETION DATE
TAC Funding & Programming Committee	Review & Recommend	
Technical Advisory Committee	Review & Recommend	
Transportation Advisory Board	Review & Approve	

Scope Change Policy

Projects awarded federal funds by the Transportation Advisory Board (TAB) as part of the Regional Solicitation or Highway Safety Improvement Program (HSIP) are often concepts that are further developed in the period from project application to implementation. Project sponsors work on activities after funds are awarded such as preliminary and final design, environmental studies, and public involvement. Sometimes during this project development process, the project sponsor wants to make changes to the scope of the project. Changes to a project's scope could affect its benefits to the region. It is important to the TAB that any change in a project's scope does not substantially reduce these benefits.

Scope Changes

A scope change is any revision that changes the physical characteristics of the project and has the potential to add to or detract from the project's benefits to the region. The project description in the original funding application serves as the project's scope for the purpose of determining whether a scope change is needed.

Three Levels of Scope Changes

There are three types of scope changes described below. The TAB Coordinator, the MnDOT Metro District Federal Aid Program Coordinator (for Federal Highway Administration-administered projects), and the Transit Federal Grants Manager (for Federal Transit Administration-administered projects) will determine the type of scope change.

Administrative scope changes:

Minor changes that typically occur when projects move into detailed design or minor additions such as project amenities or aesthetic items do not need TAB Coordinator/Metropolitan Council staff review. The MnDOT Metro District Federal Aid Program Coordinator or Metropolitan Council Transit Federal Grants Manager can review and approve minor changes including, but not limited to:

- Removing or adding of minor items, such as benches, waste receptacles, signage, etc.
- Changing the design of aesthetic items, such as lighting, railings, benches, etc.
- Adding items due to normal detailed design of a project such as noise walls, retaining walls, storm sewers, bike racks, wi-fi, etc.
- Adding new project elements/improvements funded through another source (e.g., a change to a more fuel-efficient bus) or combining a TAB-funded project with one or more separate non-TAB funded projects to improve efficiency and reduce construction impacts (e.g., combining a roadway project with an adjacent mill and overlay project). These changes should not detract from the original scope.
- Changing the width of a bike path (must still meet standards).

Informal scope changes:

Scope changes that exceed the standards of administrative scope changes are brought for a consultation between the TAB Coordinator; the MnDOT Metro District Federal Aid Program Coordinator or Metropolitan Council Transit Federal Grants Manager; and Council staff. The consultation will determine if the scope change can be approved through an informal process or if a formal scope change request is needed due to the potential negative impacts of the changes. An informal scope change may include, but is not limited to:

- Slightly changing a bike or pedestrian trail route alignment while still making the major connections.

- Combining two separate TAB-funded projects, provided this does not threaten to negatively impact either project.
- Changing the termini of a project, provided this does not threaten to negatively impact the project.
- Changing a pedestrian overpass to an underpass; or an underpass to an overpass.
- Changing an intersection treatment (e.g., a traffic signal to a roundabout) or an interchange design.
- Changing bus length, fuel source, type, or number, provided there is no resulting decrease in transit service.

Formal scope changes:

Any change that may significantly alter the estimated benefits to the region (particularly if altered to the degree where the revised scope may not have justified its original selection) must go through the formal committee process and be approved by TAB. A formal scope change request process is likely to be needed in instances including, but not limited to:

- Removing significant elements such as a trail, sidewalk, pedestrian bridge, traffic signal, transit stop, transit vehicle, etc.
- Adding elements that detract from the value or intent of the original application.
- Removing proposed access closures, if the closures are described in the project description and used to score points in the application.
- Reducing the frequency or hours of transit service.
- Reducing the number of parking spaces in a park-and-ride facility.
- Changing the number of travel lanes.
- Shifting from a bridge replacement project to a bridge rehabilitation project.
- Changing designs from an off-road trail to on-road bicycle route.

Ineligible Requests

The TAB Coordinator may inform the project sponsor that the proposed revisions exceed the limits of a scope change and that the proposed change constitutes a new project. Such requests will not be processed through the TAC and TAB and that the original project should either be completed or withdrawn. If the project is to be withdrawn, the project sponsor should submit a formal letter to the TAB Coordinator stating that the project is being withdrawn and federal funds are being returned to the region for reallocation. A proposed change will be considered a new project and therefore not eligible for a scope change if it is:

- Relocating the project away from the defined problem, need, or location, such as switching transit start-up service from one market area to another
- Moving funding from one project to another, such as moving funds awarded to a project on County Road A to the same, similar, or different work on County Road Z.
- Eliminating the primary improvement proposed in the project description (e.g., a bridge will not be improved for a project submitted in the bridge application category or a trail will not be improved in the multiuse trails application category).

Steps and Requirements to Determine Scope Change Type and Request a Formal Scope Change

The following steps must be followed to determine a scope change type and whether the proposed change needs to go through the formal scope change request process. It should be noted that once a MnDOT Metro District State Aid project has been authorized, the project scope cannot change.

1. The project sponsor informs the TAB Coordinator and the MnDOT Metro District Federal Aid Program Coordinator or the Metropolitan Council Transit Grants Manager that it wants to change a project. At this time, the MnDOT Metro District Federal Aid Program Coordinator or the Metropolitan Council Transit Federal Grants Manager may determine that the change is minor in scope and no further action is needed. If the requested change is more substantial, the project sponsor will be asked to provide a written description of the proposed scope change and a map or schematics showing how the proposed scope change affects the project.
2. Upon this submittal, the TAB Coordinator will consult with the MnDOT Metro District Federal Aid Program Coordinator or the Metropolitan Council Grants Manager to discuss the extent of the changes and whether the scope change will require a formal scope change request. The TAB Coordinator will contact the project sponsor and inform them whether the proposed modification can be accomplished administratively or whether it will trigger a formal scope change request and/or TIP amendment¹ request.
3. For a formal scope change request, the project sponsor must provide data on the revised project scope to the TAB Coordinator, including a complete project description; location map; project layout, sketches, or schematics; and a discussion of project benefits being retained, gained, or lost. Applicants must provide a cost breakdown of the TAB-eligible items proposed for removal and addition (in the year of costs used in the original application) using the attached project cost worksheet. Failure to do so can result in the request not being included on the TAC Funding & Programming Committee's agenda.
4. Council staff and will conduct an analysis of the requested change, including the background information provided by the project sponsor for consideration by the TAC Funding & Programming Committee. The Committee will discuss the staff analysis and recommend one the following to TAC and TAB (see detailed sections below and on the following page about determining scope change and federal funding amount recommendations):
 - Approval of the scope change as requested;
 - Approval of the scope change request with modifications to the scope and/or a recommended reduction of federal funds; or
 - Denial of the requested change

Determining the Scope Change Approval Recommendation

To determine whether the scope change request should be approved, the TAC Funding & Programming Committee will discuss the merits of the proposed changes and weigh the overall

¹ A TIP amendment request is only required to accompany a scope change request if the project is in the current fiscal year and either the project description changes in the TIP, the project termini change by 0.3-mile or greater, or the funding amount changes enough to meet federal TIP amendment thresholds.

benefits or reduction of benefits to the region. Council staff will provide a written analysis regarding the potential impacts of the proposed changes. The affected scoring measures, except for cost-effectiveness (any cost increases are paid for by the local agency and not federal funds), will be analyzed by Council staff to determine if each sub-score would have likely increased, decreased, or stayed the same with the scope change (a precise rescoring of the application is not possible since applications were scored against each other at a specific moment in time). Council staff will then evaluate whether the total score would have likely increased, decreased, or stayed roughly the same based on the summation of the sub-score changes. This relative change in the total score will be compared to the scoring gap between the project's original score and the highest unfunded project in the same application category. The TAC Funding & Programming Committee may consider recommending denial of the scope change request if it is clear that the project would have scored fewer points than the highest-scoring unfunded project (i.e., the project would have been undoubtedly below the funding line). Council staff may confirm their findings with the original scorer of the measure and/or request additional information of the applicant, if necessary.

Determining the Federal Funding Amount Recommendation

To determine whether federal funds should be recommended to be removed from a project, Council staff will assess the project elements being reduced or removed and provide this information to the TAC Funding & Programming Committee. While adding eligible project elements is permitted, federal funds cannot be shifted away from any removed elements to new project elements unless the removed elements are being done as part of some other programmed project. Federal funds cannot be added to a project beyond the original award.

Applicants must provide a revised cost estimate including a cost breakdown of the items proposed for removal using the attached project cost worksheet. Any removed or added items should use the costs in the year requested in the original application instead of the year of construction costs. Regional Solicitation projects must continue to maintain at least a 20% non-federal match, while HSIP projects must continue to maintain at least a 10% non-federal match.

Staff may recommend funding reduction options, if applicable, based on the federal share of the cost of the project elements being removed or the proportionate reduction of project benefits in cases in which that is discernable (e.g., number of parking spaces or length of sidewalk) and/or another method developed by staff or the TAC Funding & Programming Committee. A recommendation will move from TAC Funding & Programming Committee to the TAC and TAB for approval. If applicable, a TIP amendment request will also be moved for approval through the Metropolitan Council.

ATTACHMENT 1: FUNDING DATA FOR SCOPE CHANGE REQUEST

Original Application:

Regional Solicitation Year	
Application Funding Category	
HSIP Solicitation?	Yes No
Application Total Project Cost	
Federal Award	
Application Federal Percentage of Total Project Cost	

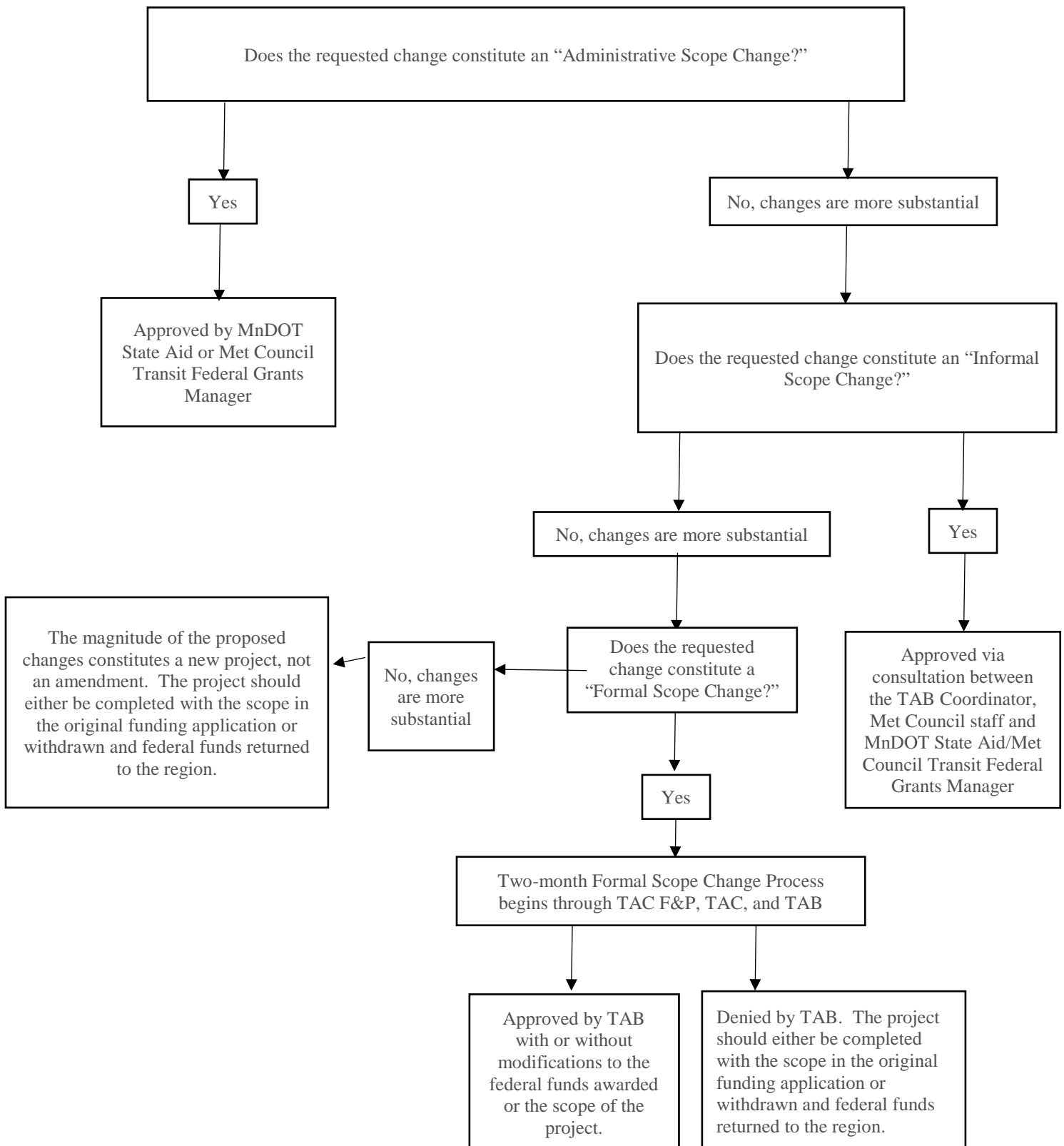
Project Elements Being Removed:

	Original Application Cost

New Project Elements:

	Cost (Based on Year of Costs in Original Application)

SCOPE CHANGE POLICY DECISION TREE



Scope Change Policy

Projects awarded federal funds by the Transportation Advisory Board (TAB) as part of the Regional Solicitation or Highway Safety Improvement Program (HSIP) are often concepts that are further developed in the period from project application to implementation. Project sponsors work on activities after funds are awarded such as preliminary and final design, environmental studies, and public involvement. Sometimes during this project development process, the project sponsor wants to make changes to the scope of the project. Changes to a project's scope could affect its benefits to the region. It is important to the TAB that any change in a project's scope does not substantially reduce these benefits.

Scope Changes

A scope change is any revision that changes the physical characteristics of the project and has the potential to add to or detract from the project's benefits to the region. The project description in the original funding application serves as the project's scope for the purpose of determining whether a scope change is needed.

Three Levels of Scope Changes

There are three types of scope changes described below. The TAB Coordinator, the MnDOT Metro District Federal Aid Program Coordinator (for Federal Highway Administration-administered projects), and the Transit Federal Grants Manager (for Federal Transit Administration-administered projects) will determine the type of scope change.

Administrative scope changes: Changes allowed with Metro State Aid or Metropolitan Council Grants Manager review and approval:

Minor changes that typically occur when projects move into detailed design or minor additions such as project amenities or aesthetic items do not need TAB Coordinator/Metropolitan Council staff review. The MnDOT Metro District Federal Aid Program Coordinator or Metropolitan Council Transit Federal Grants Manager can review and approve minor changes including, but not limited to:

- Removing or adding of minor items, such as benches, waste receptacles, signage, etc.
- Changing the design of aesthetic items, such as lighting, railings, benches, etc.
- Adding items due to normal detailed design of a project such as noise walls, retaining walls, storm sewers, bike racks, wi-fi, etc. ~~unless the cost increases enough to require a TIP amendment~~
- Adding new project elements/improvements funded through another source (e.g., a change to a more fuel-efficient bus) or combining a TAB-funded project with one or more separate non-TAB funded projects to improve efficiency and reduce construction impacts (e.g., combining a roadway project with an adjacent mill and overlay project). These changes should not detract from the original scope.
- Changing the width of a bike path (must still meet standards).

Informal scope changes: Project modifications allowed through informal consultation process:

Scope changes that exceed the standards of administrative scope changes are brought for a consultation between the TAB Coordinator; the MnDOT Metro District Federal Aid Program Coordinator staff or Metropolitan Council Transit Federal Grants Manager; and Council staff. The consultation will determine if the scope change can be approved through an informal process or if a formal scope change request is needed due to the potential negative impacts of the changes. An informal scope change may include, but is not limited to:

- Slightly changing a bike or pedestrian trail route alignment while still making the major connections.
- Combining two separate TAB-funded projects, provided this does not threaten to negatively impact either project.
- Changing the termini of a project, provided this does not threaten to negatively impact the project.
- Changing a pedestrian overpass to an underpass; or an underpass to an overpass.
- Changing an intersection treatment (e.g., a traffic signal to a roundabout) or an interchange design.
- Changing bus length, fuel source, type, or number, provided there is no resulting decrease in transit service.
- ~~Very minor change in project termini, such as adding one block of project, such as a roadway or trail, to make better connection~~
- ~~Change in bike path width (must still meet standards)~~
- ~~Adding locally-funded project to the federally-funded project (such as mill and overlay adjacent to project)~~

Formal scope changes: ~~Scope changes requiring approval by TAB:~~

Any change that may significantly alter the estimated benefits to the region ~~and project score and its rank within its solicitation category,~~ (particularly if altered to the degree where the revised scope may not have justified its original selection) must go through the formal committee process and be approved by TAB. A formal scope change request process is likely to be needed in instances including, but not limited to:

- Removing significant elements such as a trail, sidewalk, pedestrian bridge, ~~lighting,~~ traffic signal, transit stop, transit vehicle, etc.
- Adding ~~significant~~ elements that detract from the value or intent of the original application.
- Removing proposed access closures, if the closures are described in the project description and used to score points in the application.
- Reducing the frequency or hours of transit service.
- ~~Changing~~ Reducing the number of parking spaces in a park-and-ride facility.
- ~~Reducing~~ Changing the number of travel lanes.
- Shifting from a bridge replacement project to a bridge rehabilitation project ~~and vice versa.~~
- Changing designs from an off-road trail to on-road bicycle route.
- ~~Changing the termini of a project significantly~~
- ~~Pedestrian bridge to a tunnel, or a tunnel to a pedestrian bridge~~
- ~~Off-road trail to on-road~~
- ~~Signal to a roundabout~~

Ineligible Requests ~~When is a scope change a new project?~~

The TAB Coordinator may inform the project sponsor that the proposed revisions exceed the limits of a scope change and that the proposed change constitutes a new project. Such requests will not be processed through the TAC and TAB and that the original project should either be completed or withdrawn. If the project is to be withdrawn, the project sponsor should submit a formal letter to the TAB Coordinator stating that the project is being withdrawn and federal funds are being returned to the region for reallocation. A proposed change will be considered a new project and therefore not eligible for a scope change if it is:

- Relocating the project away from the defined problem, need, or location, such as switching transit start-up service from one market area to another
- Moving funding from one project to another, such as moving funds awarded to a project on County Road A to the same, similar, or different work on County Road Z.
- Eliminating the primary improvement proposed in the project description (e.g., a bridge will not be improved for a project submitted in the bridge application category or a trail will not be improved in the multiuse trails application category).

Steps and Requirements to Determine Scope Change Type and Request a Formal Scope Change

The following steps must be followed to determine a scope change type and whether the proposed change needs to go through the formal scope change request process. It should be noted that once a MnDOT Metro District State Aid project has been authorized, the project scope cannot change.

1. The project sponsor informs the TAB Coordinator and the MnDOT Metro District Federal Aid Program Coordinator staff or the Metropolitan Council Transit Grants Manager that it wants to change a project. At this time, the MnDOT Metro District Federal Aid Program Coordinator or the Metropolitan Council Transit Federal Grants Manager may determine that the change is minor in scope and no further action is needed. If the requested change is more substantial, the project sponsor will be asked to provide a written description of the proposed scope change and a map or schematics showing how the proposed scope change affects the project.
2. Upon this submittal, the TAB Coordinator will consult with MnDOT Metro District State Aid or the Metropolitan Council Grants Manager to discuss the extent of the changes and whether the scope change will require a formal scope change request. The TAB Coordinator will contact the project sponsor and inform them whether the proposed modification can be accomplished administratively or whether it will trigger a formal scope change request and/or TIP amendment¹ request.
3. For a formal scope change request, the project sponsor must provide data on the revised project scope to the TAB Coordinator, including a complete project description; location map; project layout, sketches, or schematics; and a discussion of project benefits being retained, gained, or lost. Applicants must provide a cost breakdown of the TAB-eligible items proposed for removal and addition (in the year of costs used in the original application) using the attached project cost worksheet. Failure to do so can result in the request not being included on the TAC Funding & Programming Committee's agenda.
4. Council staff and will conduct an analysis of the requested change, including the background information provided by the project sponsor for consideration by the TAC Funding & Programming Committee. The Committee will discuss the staff analysis and recommend one the following to TAC and TAB (see detailed sections below and on the following page about determining scope change and federal funding amount recommendations):

¹ A TIP amendment request is only required to accompany a scope change request if the project is in the current fiscal year and either the project description changes in the TIP, the project termini change by 0.3-mile or greater, or the funding amount changes enough to meet federal TIP amendment thresholds.

- Approval of the scope change as requested;
- Approval of the scope change request with modifications to the scope and/or a recommended reduction of federal funds; or
- Denial of the requested change

Determining the Scope Change Approval Recommendation

To determine whether the scope change request should be approved, the TAC Funding & Programming Committee will discuss the merits of the proposed changes and weigh the overall benefits or reduction of benefits to the region. Council staff will provide a written analysis regarding the potential impacts of the proposed changes. The affected scoring measures, except for cost-effectiveness (any cost increases are paid for by the local agency and not federal funds), will be analyzed by Council staff to determine if each sub-score would have likely increased, decreased, or stayed the same with the scope change (a precise rescoring of the application is not possible since applications were scored against each other at a specific moment in time). Council staff will then evaluate whether the total score would have likely increased, decreased, or stayed roughly the same based on the summation of the sub-score changes. This relative change in the total score will be compared to the scoring gap between the project's original score and the highest unfunded project in the same application category. The TAC Funding & Programming Committee may consider recommending denial of the scope change request if it is clear that the project would have scored fewer points than the highest-scoring unfunded project (i.e., the project would have been undoubtedly below the funding line). Council staff may confirm their findings with the original scorer of the measure and/or request additional information of the applicant, if necessary. ~~The project sponsor must also recalculate the responses to certain key criteria based on the revised project scope and provide them to the TAC F&PC. Met Council and TAB staff may consult with the scoring group chair and individual project scorers if necessary to evaluate the recalculated responses and estimate the change in the original project score. The TAC F&PC will base their recommendation on whether the estimated score of the revised project scope would have been high enough to have been awarded funds through the regional solicitation. A recommendation to approve the scope change and adopt a TIP amendment will go before the TAC, TAB Programming Committee and full TAB for adoption, then to the Metropolitan Council for concurrence. A recommendation to reject the scope change and TIP amendment will go before the TAC, TAB Programming Committee and full TAB for approval.~~

Determining the Federal Funding Amount Recommendation

To determine whether federal funds should be recommended to be removed from a project, Council staff will assess the project elements being reduced or removed and provide this information to the TAC Funding & Programming Committee. While adding eligible project elements is permitted, federal funds cannot be shifted away from any removed elements to new project elements unless the removed elements are being done as part of some other programmed project. Federal funds cannot be added to a project beyond the original award.

Applicants must provide a revised cost estimate including a cost breakdown of the items proposed for removal using the attached project cost worksheet. Any removed or added items should use the costs in the year requested in the original application instead of the year of construction costs. Regional Solicitation projects must continue to maintain at least a 20% non-federal match, while HSIP projects must continue to maintain at least a 10% non-federal match.

Staff may recommend funding reduction options, if applicable, based on the federal share of the cost of the project elements being removed or the proportionate reduction of project benefits in cases in which that is discernable (e.g., number of parking spaces or length of sidewalk) and/or another method developed by staff or the TAC Funding & Programming Committee. A recommendation will move from TAC Funding & Programming Committee to the TAC and TAB for approval. If applicable, a TIP amendment request will also be moved for approval through the Metropolitan Council.

ATTACHMENT 1: FUNDING DATA FOR SCOPE CHANGE REQUEST

Original Application:

Regional Solicitation Year	
Application Funding Category	
HSIP Solicitation?	Yes No
Application Total Project Cost	
Federal Award	
Application Federal Percentage of Total Project Cost	

Project Elements Being Removed:

	Original Application Cost

New Project Elements:

	Cost (Based on Year of Costs in Original Application)

ACTION TRANSMITTAL No. 2019-13

DATE: January 9, 2019

TO: TAC Funding and Programming Committee

PREPARED BY: Steve Peterson, Manager of Highway Planning and TAB/TAC Process (651-602-1819)
Elaine Koutsoukos, TAB Coordinator (651-602-1717)
Joe Barbeau, Senior Planner (651-602-1705)

SUBJECT: Federal Funds Management Process

REQUESTED ACTION: The Scope Change Work Group requests revisions to the Federal Funds Management Process.

RECOMMENDED MOTION: That the TAC Funding & Programming Committee recommend to the Technical Advisory Committee revisions to the Federal Funds Management Process.

BACKGROUND AND PURPOSE OF ACTION: Projects selected through the Regional Solicitation sometimes are delayed or withdrawn due to unforeseen circumstances. When this happens, it is important for the region to be able to reallocate funds to keep them in the region and maximize the utility thereof. In 2015, the Federal Funds Management Process was created to establish a consistent policy for redistributing funds when project delays or withdrawals occur. The policy prioritizes reallocating funds to projects in the same mode slated to receive Advanced Construction (AC) payback, followed by projects able to be advanced. When those options cease to exist, the process, provides funds to existing projects with capacity to take more federal funds (i.e., those that do not have 80% federal funding).

The policy states:

- Pro-rate remaining federal funds to regional solicitation current program year projects in the same mode in the original program year up to the maximum 80%.

This approach often leads to a tedious administrative process of distributing a small amount of funding to multiple projects. The attached Federal Funds Reallocation Policy includes a proposed change that all these funds go first to the project able to absorb the smallest amount of federal funds up to the federal maximum percentage, which will reduce administration and make a bigger impact on the recipient project.

This action also proposes a title change from “Federal Funds Management Process” to “Federal Funds Reallocation Policy.”

These changes were recommended by the Scope Change Workgroup and were discussed as an information item in the summer of 2018.

RELATIONSHIP TO REGIONAL POLICY: Moving Ahead for Progress in the 21st Century (MAP-21), the federal transportation bill signed into law in 2012, reduced the ability for federal funds to be deferred

to subsequent years. Therefore, it is important for the Council to have a simple and consistent policy for reallocating funds when projects are delayed or withdrawn.

ROUTING

TO	ACTION REQUESTED	COMPLETION DATE
TAC Funding & Programming Committee	Review & Recommend	
Technical Advisory Committee	Review & Recommend	
Transportation Advisory Board	Review & Approve	

Federal Funds ~~Management Process~~ Reallocation Policy

Projects awarded federal funds by the Transportation Advisory Board (TAB) as part of the Regional Solicitation or Highway Safety Improvement Program (HSIP) in the Twin Cities TIP can be advanced or deferred based on TAB policy, project deliverability and funding availability, provided fiscal balance is maintained. The process assumes some projects will be deferred, withdrawn, or advanced. This process establishes policy and priority in assigning alternative uses for federal transportation funds when TAB-selected projects in the Transportation Improvement Program (TIP) are deferred, withdrawn, or advanced. This process also addresses the distribution of the limited amount of federal funds available to the region at the end of the fiscal year, known as “August Redistribution.” This process does **not** address how to distribute new federal dollars available through larger, specific programs (~~i.e., ARRA~~). TAB will make separate decisions specific to those kinds of programs and timing.

Current Program Year Funds

For funding that is available due to project deferrals or withdrawals, the funds shall be reallocated as shown in the below priority order. When there is insufficient time to go through the TAB committee process, TAB authorizes staff (Minnesota Department of Transportation (MnDOT) Metro District State Aid or Metropolitan Council Grants Department, as appropriate), working with the TAB Coordinator, to reallocate funds to projects that have been selected through the regional solicitation per the below priorities on TAB’s behalf.

Reallocation priorities¹ for available funding programmed for the current fiscal year:

1. Regionally selected projects in the same mode slated for advanced construction/advanced construction authority (AC/ACA)² payback that have already advanced because sponsors were able to complete them sooner. If more than one project is slated for AC/ACA payback, the projects using the smallest amount of federal funding will be funded first. Partial AC/ACA payback can be paid on a project up to available levels of funds.
2. Projects in the same mode slated for AC/ACA payback that have been moved due to previous deferrals. If more than one project is slated for AC/ACA payback, the projects using the smallest amount of federal funding will be funded first. Partial AC/ACA payback can be paid on a project up to available levels of funds.
3. Regionally selected projects in the same mode that are able to be advanced.
4. ~~Pro rate remaining federal funds to r~~Regionally-selected-solicitation projects programmed in the current program year~~projects in the same mode in the original program year~~up to the federally allowed maximum. If more than one project can accept additional federal funds, the project needing the smallest amount of funds to achieve full federal participation³ based on the latest engineer’s estimate will be funded first up to the federal maximum, followed by the project needing the second smallest amount of federal funds, and so on.

¹ Regional Solicitation and HSIP funds should be considered separately for purposes of this policy.

² Note: Advanced construction (AC) is used for Federal Highway Administration-funded projects. Federal Transit Administration-funded projects use advanced construction authority (ACA).

³ Up to 80% of eligible project costs paid for with the federal funds, except in the case of HSIP, which funds up to 90% of eligible costs with federal funds.

5. ~~Select a r~~Regionally-selected project(s) from another mode to pay back or advance using steps 1-4 above. Should this action be used, TAB shall consider the amount when addressing modal distribution in programming the next regional solicitation.

Future Program Year Funds

While history shows that most deferrals and withdrawals will be in the current program year, even current year withdrawals can affect future year funding by advancing a project from a future year into the current year. For future-year funds, the TAB Coordinator will work with MnDOT Metro State Aid and/or Metro Transit Grants staff, Metropolitan Council staff and project sponsors to provide a set of options to be considered by the Technical Advisory Committee (TAC) Funding & Programming Committee, TAC, and TAB.

The first priority for use of future-year funds will be to include the funds in a future TAB solicitation process if at all possible. When not possible, TAB should first consider items 1-3 and 5 from the above list. It can also consider other options such as selecting an unfunded project from the most recent ~~regional~~solicitation⁴ that could be delivered within the required timeframe. Other options could include setting up a special solicitation, depending on the amount of funds and time available, or other measures as TAB deems appropriate to address unique opportunities. TAB will consider the established “Guiding Principles” in making its decisions.

⁴ Note that projects must be selected prior to December 1 of the program year.