

MEETING OF THE FUNDING & PROGRAMMING COMMITTEE

Thursday January 21, 2020

Remote Meeting Via Webex# | 1:30 PM

Contact Joe Barbeau (joseph.barbeau@metc.state.mn.us) for access to the video conference.

AGENDA

I. CALL TO ORDER

II. APPROVAL OF AGENDA

III. APPROVAL OF MINUTES

November 19, 2020, meeting of the Funding & Programming Committee*

IV. TAB REPORT

V. BUSINESS

1. 2021-05: Scope Change Request for St. Louis Park's CSAH 25/Beltline Blvd Pedestrian Improvements *
2. 2021-06: TIP Amendment for St. Louis Park: CSAH 25/Beltline Blvd Pedestrian Improvements*
3. 2021-07: Distribution of \$4.5 Million in Unused CMAQ Funding *
4. 2021-08: Highway 252 Program Year Change*
5. 2021-09: CSAH 103 Program Year Change*

VI. INFORMATION

1. 2021 Meeting Schedule*
2. 2022-2025 Transportation Improvement Program (TIP) Development Schedule*

VII. OTHER BUSINESS

IX. ADJOURNMENT

* Additional materials included for items on published agenda.

Minutes of the REGULAR MEETING OF THE TAC FUNDING & PROGRAMING COMMITTEE

Thursday, November 19, 2020

Committee Members Present: Paul Oehme (Chair, Lakeville), Jerry Auge (Anoka County), Angie Stenson (Carver County), John Sass (Dakota County), Jason Pieper (Hennepin County), John Mazzitello (Ramsey County), Craig Jenson (Scott County), Emily Jorgensen (Washington County), Elaine Koutsoukos (TAB), Cole Hiniker (Metropolitan Council), Anna Flintoft (Metro Transit), Molly McCartney (MnDOT Metro District), Innocent Eyoh (MPCA), Colleen Brown (MnDOT Metro District State Aid), Mackenzie Turner Bargaen (MnDOT Bike & Ped), Nancy Spooner-Mueller (DNR), Aaron Bartling (MVTA), Karl Keel (Bloomington), Robert Ellis (Eden Prairie), Jim Kosluchar (Fridley), Ken Ashfeld (Maple Grove), Michael Thompson (Plymouth), Jenifer Hager (Minneapolis), Anne Weber (St. Paul)

Committee Members Absent: Robert Ellis (Eden Prairie)

I. CALL TO ORDER

A quorum being present, Chair Oehme called the regular meeting of the Funding & Programming Committee to order at 1:33 p.m. on Thursday, November 19, 2020. Due to the COVID-19 pandemic, the meeting was held via teleconference.

II. APPROVAL OF AGENDA

The agenda was approved without a vote. A vote is only needed if any changes are made to the agenda.

III. APPROVAL OF MINUTES

MOTION: It was moved by Spooner-Mueller and seconded by Jorgensen to approve the minutes of the September 17, 2020, regular meeting of the Funding & Programming Committee. The motion was approved unanimously via roll-call with Keel and Ashfeld yet to arrive.

IV. TAB REPORT

Koutsoukos reported on the November 18, 2020, TAB meeting.

V. BUSINESS

1. 2020-38: 2020 Highway Safety Improvement Program Project Selection

Steve Peterson, Metropolitan Council, reported that the MnDOT Highway Safety Improvement Program (HSIP) solicitation process selected a slate of 26 projects, 25 for inclusion into the TIP with one in Chisago County. Peterson said that one project from Hennepin County scored well enough to be funded in the Regional Solicitation and that it was replaced in the HSIP program by a project from Ramsey County.

MOTION: It was moved by Keel and seconded by Auge to recommend that TAC recommend that TAB approve the 25 HSIP projects for funding through the HSIP program and include them in the TIP. The motion was approved unanimously.

2. 2020-39: 2020 Regional Solicitation Funding Scenario Options

Peterson provided a summary of TAB's November 18, 2020, discussion that led to the board to determine that scenario 1B should be selected because it funds projects in all counties and funds additional pedestrian and bicycle projects. He added that a Metro Transit project is going

to return \$4.5 million, but TAB suggested consideration of how to use that money at a later date. He also discussed that MnDOT has limited funding with which to help pay for local matches.

Koster asked whether projects from two different modes can be funded in the same corridor. Peterson said that the project elements cannot “double dip” funds. Koutsoukos said that that the requirement for not funding in the same corridor is within the same mode.

Koster asked whether the HSIP solicitation is considered alongside the Regional Solicitation in terms of regional balance and funding all counties. Peterson replied that it is not but it should be discussed.

Hiniker mentioned that a TAB member questioned funding two high-cost projects simply to get to one Scott County project, even though the projects were only separated by one point. In this case, accommodating Scott County forced funding a project in Carver County, which was already receiving disproportionately high funds. He suggested that TAB could be more flexible. Koutsoukos said that TAB’s decision there was based on TAC’s firm stance that projects should not be skipped.

Koster said that the new \$10 million maximum federal award in the Strategic Capacity category, created some inflexibility. Koutsoukos said that TAB discussed this in October and that this can be brought up going into the 2022 Regional Solicitation.

McCartney said that there should be more flexibility for two projects to be done in one place, citing projects within the same transit line that are coordinated. She said she would not want to see pieces of projects left out because of the rules about one project per mode per location.

Stenson said that the inclusion of partial funding for a project that is not the lowest-scoring project has no precedent. Peterson said that the partial funding idea started at the Funding & Programming Committee. He added that both partners said they would accept the reduced federal amount.

Hiniker said that “regional balance” should be an official rule, since it is already an un-written rule that TAB makes great effort to follow.

Eyoh asked whether the basis for making sure that projects are funded in all counties. Peterson replied that TAB members did not want to see any county go unfunded.

MOTION: It was moved by Keel and seconded by Thompson that the Funding & Programming Committee recommend that TAC recommend to TAB selection of the projects listed in Scenario 1B to be included in the 2022-2025 TIP.

Koster said that it was difficult to just be handed a scenario and told to make a decision. He added that Scott County was awarded an HSIP project and wondered whether consideration is given to that, as opposed to two years ago when TAB made sure to give Washington County a project but no HSIP project was funded there.

The Motion was approved unanimously.

Kosluchar asked whether a motion is needed to address a rule about geographic balance. Peterson suggested responding about this in the survey that staff sends to members.

Keel suggested that the geographic balance discussion could be informed by using Streetlight data to determine commute patterns. Stenson added that a definition of what is “balanced” is

needed, along with a definition of what is meant by “every county gets a project.” Koster said that regional balance is much more complex than geographical dispersion of projects. McCartney said that the impact on land use should be examined, as should how people and goods, as opposed to vehicles, are moved.

VI. INFORMATION

None.

VII. OTHER BUSINESS

Barbeau said that TAC is going to appoint a new chair at its December meeting. He added that the new TAC chair will select a Funding & Programming chair and members should let him know if they are interested in chairing.

This potentially being his last meeting, members thanked chair Oehme for his three years of service as chair.

VIII. ADJOURNMENT

The meeting was adjourned via voice vote.

Joe Barbeau
Recording Secretary

ACTION TRANSMITTAL No. 2021-05

DATE: January 14, 2021

TO: TAC Funding & Programming Committee

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

SUBJECT: Scope Change Request for St. Louis Park's CSAH 25/Beltline Blvd Pedestrian Improvements

REQUESTED ACTION: St. Louis Park requests a scope change for its CSAH 25/Beltline Blvd Pedestrian Improvements project (SP # 163-291-008) to eliminate two sidewalk segments.

RECOMMENDED ACTION: That the Funding & Programming Committee recommend that the TAC recommend approval of St. Louis Park's request to eliminate two segments from its CSAH 25/Beltline Blvd Pedestrian Improvements project (SP # 163-291-08) with a reduced federal award of \$44,994 from \$560,000 to \$515,006.

BACKGROUND AND PURPOSE OF ACTION: St. Louis Park was awarded \$560,000 in Surface Transportation Block Grant (STBG) Program funds to construct sidewalks and streetscaping elements on Beltline Boulevard/Ottawa Avenue South (W 36th St to Minnetonka Blvd), CSAH 25 (Beltline Blvd to Lynn Ave), and Lynn Avenue (CSAH 25 to Minnetonka Blvd) for the 2020 fiscal year in the Pedestrian Facilities category as part of the 2016 Regional Solicitation. (Note: the project has since received a one-year program year extension to 2021).

This project is meant to serve the Southwest Light Rail Transit (SWLRT) station at Beltline Boulevard. Since this project was awarded funding, two segments of this project have been moved to other efforts:

1. The SWLRT project is including pedestrian facilities on Beltline Boulevard from Park Glen Road to CSAH 25.
2. St. Louis Park has entered into an agreement to construct a multiuse pathway along the south side of CSAH 25 from Beltline Boulevard to Lynn Avenue.

The proposed scope change would construct the remaining project segments and eliminate the two segments to be constructed as part of other projects, leaving the full project intact once all projects are completed (see Attachment 2 for these segments along with the original project segments to remain).

Attachment 4 shows a recreated time-of-application budget separating the project by segment. The second and fifth columns show the columns to be removed.

Despite the reduced coverage, the overall project cost of the remaining segments is \$820,457, while the full original project was originally estimated at \$700,000.

RELATIONSHIP TO REGIONAL POLICY: Projects that receive funding through the Regional Solicitation process are subject to the 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.

While two segments of the project (2,225 feet; 29% of the original project distance) are proposed to be excluded in the project, the city proposes a reduction of \$11,760 in federal funds. The rationale for this is that the city will pay for the SWLRT segment (Beltline Boulevard from Park Glen Road to CSAH 25) and pay for part of the developer's segment (CSAH 25 from Beltline Boulevard to Lynn Avenue).

A TIP amendment request accompanies this request.

STAFF ANALYSIS:

Approval/Denial of the Scope Change: Because the city is taking advantage of other efforts to construct project segments and the project will be completed in its entirety, staff recommends approval of the scope change request (removal of the two segments identified). Because six of the seven projects applied for were funded (with this project ranked first) and because the request is predicated on the idea that the full project would be completed, a scoring analysis is not needed.

Funding: Using the cost of each segment staff provides the following options:

- a) Removing the cost associated with the two removed projects
- b) Allowing "credit" for local funding spent on these elements being completed as part of other elements. In this case, this would be possible because the retained portion of the project has increased in cost (a 17% increase to a project that has decreased in size).

Staff therefore recommends using the applicant's segment-by-segment cost estimate to determine the federal portion forgone but does not recommend "crediting" the applicant with money spent elsewhere. That would lead to a reduction of the two removed segments, \$44,994 (80% of the \$56,242 total).

Other options could include using only the CSAH 25 portion and that total would be \$29,400 (\$23,520 to reflect 80%). The city suggests half of this last amount because the CSAH 25 portion is to be partially funded by the city.

ROUTING

TO	ACTION REQUESTED	DATE SCHEDULED / COMPLETED
TAC Funding & Programming Committee	Review & Recommend	1/17/2021
Technical Advisory Committee	Review & Recommend	2/3/2021
Transportation Advisory Board	Review & Approve	2/17/2021

Project Summary (From Application)

The proposed project will complete gaps in the pedestrian system along Beltline Blvd, CSAH 25, Ottawa Avenue, and Lynn Avenue in order to improve pedestrian access across the busy CSAH 25 corridor and connect to the planned Beltline LRT station (Southwest LRT-Green Line Extension). The project consists of constructing pedestrian facilities on the following roadways: along Beltline Blvd from West 36th Street to Minnetonka Blvd; replacing and completing gaps in the sidewalks along both sides of Ottawa Avenue and Lynn Avenue from CSAH 25 to Minnetonka Blvd; and constructing a walkway along CSAH 25 from Beltline Blvd to Lynn Avenue. In addition,

streetscaping elements will be installed along CSAH 25 and Beltline Blvd. The proposed project will build upon the City of St. Louis Park's efforts to improve multi-modal access within and across the CSAH 25 corridor, transform the CSAH 25 corridor into an urban corridor with pedestrian friendly features, and accommodate recommended local improvements identified in the Beltline Transitional Station Area Action Plan.

CSAH 25 is an A-Minor Arterial that transitions from the State Highway 7 expressway west of State Highway 100 to an urban arterial (Lake Street) in Minneapolis. CSAH 25 is a 4-lane divided roadway with no bike or pedestrian facilities, has a speed limit of 45mph, and ADT of 25,500. The level of high-speed traffic and congestion currently makes it unattractive to walk even with all of the nearby destinations and amenities the area offers. With the planned LRT station located just south of CSAH 25 at Beltline Blvd, the City is looking to build upon the existing population and employment base and future regional investments in the area to make it more inviting and comfortable for walking along and across the CSAH 25 corridor.

The proposed project will provide the following benefits:

1. Connect: Upgrade pedestrian facilities to improve safety and north-south connectivity (and reduce automobile dependence) beyond the planned Beltline LRT station area.
2. Enhance: Transform the CSAH 25 corridor to an urban boulevard with more pedestrian friendly features that build upon existing and planned nearby population and employment destinations.
3. Enrich: Provide streetscape improvements along CSAH 25 and Beltline Blvd that are essential to enhancing access and development potential near the planned LRT station.

December 28, 2020

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

RE: Scope Change Request SP 163-291-008
CSAH 25/Beltline Pedestrian Improvements

Dear Mr. Thompson,

City of St. Louis Park respectfully requests that the Funding and Programming Committee consider the attached Scope Change request for the CSAH 25 / Beltline Boulevard Pedestrian Improvement project.

Background:

The City applied for and was awarded 2016 STBGP funds for program year 2020, and then extended to 2021. The City has worked with Metro Transit for the past few years to locate a station for the Southwest Light Rail Transit (SWLRT) project at Beltline Boulevard and CSAH 25. The scope of the project included constructing and upgrading pedestrian facilities that will help transform the CSAH25 corridor to an urban corridor with pedestrian friendly features, while accommodating improvements identified in the Beltline Transitional Station Area Action Plan ([ch-7-beltline.pdf \(swlrcommunityworks.org\)](http://ch-7-beltline.pdf(swlrcommunityworks.org))).

Program Funding

In 2015, the City of St. Louis Park applied for and was selected to receive STBGP funds for the construction of pedestrian improvements along Beltline Boulevard from 36th St to CSAH 25, Ottawa Avenue from CSAH 25 to CSAH 5, Lynn Avenue from CSAH 25 to CSAH 5, and along CSAH 25 from Beltline Boulevard to Lynn Avenue. A map showing the project location is provided as Figure 1.

Project Development

At the time of application, plans for future development along with the SWLRT including the Beltline Station plans had not been developed and / or finalized. Therefore, the City included a segment along the southside of CSAH 25 from Beltline Boulevard to Lynn Avenue, as well a segment along Beltline Boulevard from Park Glen Road to CSAH 25. Since the original application was submitted, the SWLRT project included pedestrian facilities from Park Glen Road to CSAH 25. The City has also entered into an agreement with a developer, Sherman Development Associates, to include constructing a multiuse pathway along the southside of CSAH 25 from Beltline Boulevard to Lynn Avenue to be constructed in the near future.

Proposed Scope Change

The proposed scope change does not physically eliminate the segments along CSAH 25 from Beltline Boulevard to Lynn Avenue or along Beltline Boulevard from Park Glen Road to CSAH 25, as these segments are being constructed by the SWLRT and Sherman Development. The

requested scope change does eliminate these segments from being included with this project.

Funding

The City has funded through its agreement with the SWLRT, the segment along Beltline Boulevard from Park Glen Road to CSAH 25, see attached. The segment along CSAH 25 from Beltline Boulevard to Lynn Avenue will be partially funded by the City through a TIF Development and agreement with Sherman Development Associates. We have developed the attached Exhibit 1: Funding Data for Scope Change Request, which captures the original application funding amount and the reduction of the pedestrian facility costs that is not covered by City funding these projects.

The overall project cost is estimated at \$820,457, which is significantly higher than the federal funding amount. A summary of the overall project cost and reduction for the proposed scope change is summarized below.

Federal Funding Amount in STIP	\$ 560,000
Estimated Project Cost	\$ 700,000
Project Cost to be Covered by Local Funds	\$ 140,000
Removal of Pedestrian Improvements	\$ 14,700
Change in Project Costs	\$ (14,700)
80% Federal	\$ 11,760
20% Local	\$ 2,940
Revised Project Cost	\$ 820,457
Revised Federal Amount	\$ 548,240
Revised Local Amount	\$ 272,217

Summary

With the modified scope described above the project goal of providing safe and convenient pedestrian connections to the SWLRT station and adjacent Cedar Lake LRT Regional Trail is still being met.

We therefore request the Funding and Programming Committee’s support for scope change as described. If additional information is needed, please contact me at 952.924.2669 or by email at bmanibog@stlouispark.org.

Sincerely,



Ben A Manibog Jr.
City of St. Louis Park

Cc: Colleen Brown, MnDOT Federal Aid Att: (1) Funding data for scope change request
 John Barbeau, Metropolitan Council (2) Location Map
 Wayne Houle, SEH (3) Excerpt from SWLRT Agreement

ATTACHMENT 1: FUNDING DATA FOR SCOPE CHANGE REQUEST

Original Application:

Regional Solicitation Year	2016
Application Funding Category	Bicycle and Pedestrian Facilities
HSIP Solicitation?	no
Application Total Project Cost	\$700,000.00
Federal Award	\$560,000.00
Application Federal Percentage of Total Project Cost	80%

Project Elements Being Removed:

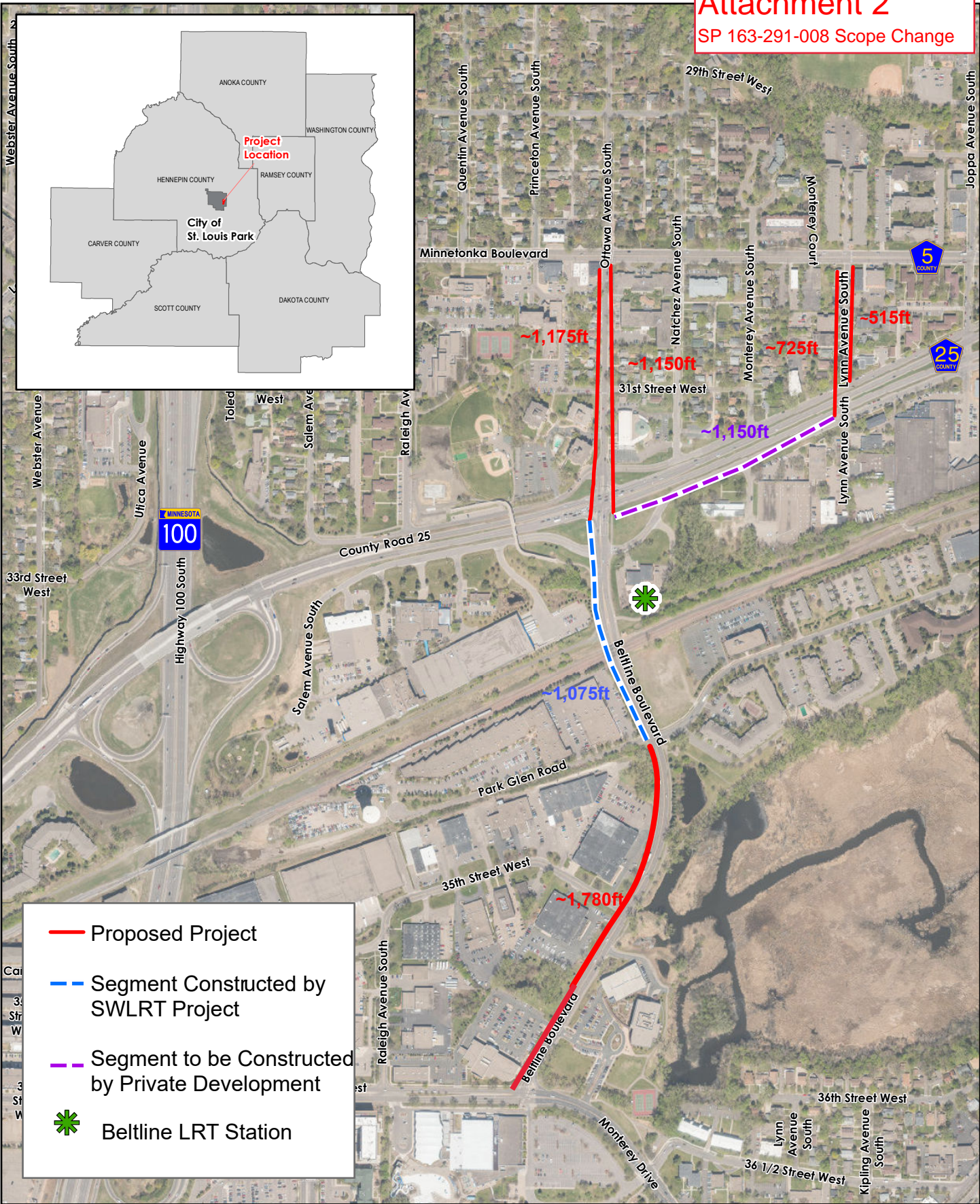
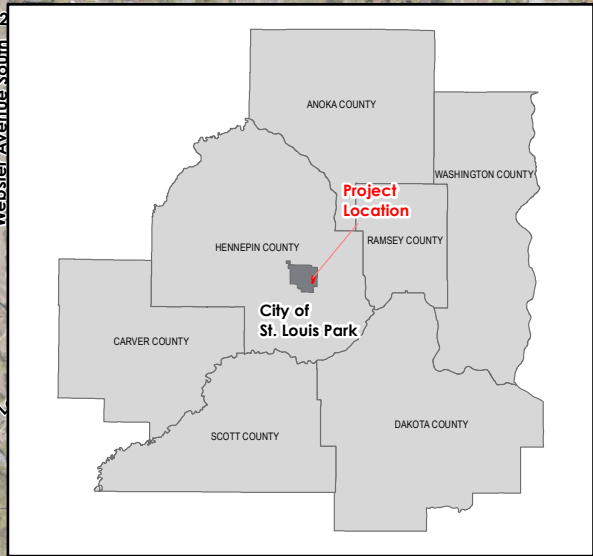
Elements	Original Application Cost – Beltline Blvd	Original Application Cost – CSAH 25 (Note 2)
Removals	Note 1	0
Trail	Note 1	\$ 12,300
Ped Ramps	Note 1	\$ 600
Turf	Note 1	\$ 1,800
Total Segment Costs	Note 1	\$ 14,700
Total Cost of Removed Elements	\$14,700	

Notes:

1. City funded this improvement through agreement with SWLRT.
2. Partially funded through development agreement with Sherman Associates

New Project Elements:

Elements	Original Application Cost



- Proposed Project
- Segment Constructed by SWLRT Project
- Segment to be Constructed by Private Development
- Beltline LRT Station

Path: P:\PT\GIS\Stlou\163156\5-final-dsgn\51-drawings\90-GIS\Maps\Beltline_CSAH25_121720.mxd

		Project: STLOU 153156 Print Date: 12/17/2020 	PROJECT LOCATION Bellline/CSAH 25 Pedestrian Improvements (S.P. 163-291-008) Scope Change Request St. Louis Park, Minnesota	Figure 1
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This map is neither a legally recorded map nor a survey map and is not intended to be used as one. This map is a compilation of records, information, and data gathered from various sources listed on this map and is to be used for reference purposes only. SEH does not warrant that the Geographic Information System (GIS) Data used to prepare this map are error free, and SEH does not represent that the GIS Data can be used for navigational, tracking, or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. The user of this map acknowledges that SEH shall not be liable for any damages which arise out of the user's access or use of data provided.

EXHIBIT A

Description of Local Work, Payment Schedule, and Budget Detail

Local Work	Name	Description	Bid Amount
32	Beltline/CSAH 25 Improvements	<p>Includes roadway and pedestrian improvements in the Beltline Boulevard Station area, such as:</p> <ul style="list-style-type: none"> • Bike lanes, pavement, striping, signing, and lighting on Beltline Boulevard from Park Glen Road to approximately 225 feet north of Park Glen Road and from CSAH 25 to approximately 335 feet south of CSAH 25 • Sidewalk and trail improvements on the west side of Beltline Boulevard from Park Glen Road to approximately 380 feet north of Park Glen Road and from CSAH 25 to approximately 375 feet south of CSAH 25 • Trail improvements on the east side of Beltline Boulevard from Park Glen Road to approximately 290 feet north of Park Glen Road • Lengthening the left turn lane for eastbound CSAH 25 • Traffic Signal and pedestrian ramp improvements at the Beltline Boulevard and CSAH 25 intersection • Trail improvements along the south side of CSAH 25 from Beltline Boulevard to Lynn Avenue • Pedestrian accommodations at the Lynn Avenue and CSAH 25 traffic signal including pedestrian ramps and APS • Sidewalk connection on the east side of the Beltline Station park and ride lot 	\$882,195
34a	Upgraded Railing on Beltline Trail Bridge	Includes installing upgraded railing on the Beltline Trail bridge.	\$332,683
34b	Lighting on Beltline Trail Bridge	Includes installing lighting on the Beltline Trail bridge.	\$225,999

34c	Upgraded Railing on Louisiana Trail and LRT Bridges ¹	Includes installing upgraded railing on the Louisiana trail and LRT bridges.	\$62,556
		Bid Total	\$1,503,433
		Administration (3%)	\$45,103
		SFA Total	\$1,548,536

¹ The Council will own and maintain the LRT Bridge railing. When necessary, however, the Council is not responsible for replacing the LRT Bridge railing in-kind.

Original Costs for Regional Solicitation
 SP 163-291-0038
 CSAH 25 Beltline Blvd Pedestrian Improvement Project

Attachment 4
 SP 163-291-008 Scope Change

FROM REGIONAL SOLICITATION		Beltline Blvd - 36th to Park Glen	Beltline Blvd - Park Glen to CSAH 25	Ottawa Ave	Lynn Ave	CSAH 25	Total Costs	
LINE NO.	SPECIFIC ROADWAY ELEMENTS CONSTRUCTION PROJECT ELEMENTS/COST ESTIMATES							
	COSTS							
1	Mobilization (approx. 5% of total cost)	\$28,000.00	\$ 8,800.00	\$ 1,500.00	\$ 8,800.00	\$ 7,100.00	\$ 1,800.00	\$ 28,000.00
2	Removals (approx. 5% of total cost)	\$96,000.00	\$ 4,000.00	\$ 1,242.00	\$ 59,172.00	\$ 31,586.00	\$ -	\$ 96,000.00
3	Roadway (grading, borrow, etc.)	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
4	Roadway (aggregates and paving)	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
5	Subgrade Correction (muck)	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
6	Storm Sewer	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
7	Ponds	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
8	Concrete Items (curb & gutter, sidewalks, median barriers)	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
9	Traffic Control	\$5,000.00	\$ -	\$ -	\$ 3,400.00	\$ 1,600.00	\$ -	\$ 5,000.00
10	Striping	\$1,000.00	\$ -	\$ -	\$ 1,000.00	\$ -	\$ -	\$ 1,000.00
11	Signing	\$2,000.00	\$ -	\$ -	\$ 1,200.00	\$ 800.00	\$ -	\$ 2,000.00
12	Lighting	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
13	Turf - Erosion & Landscaping	\$10,000.00	\$ 2,600.00	\$ 1,600.00	\$ 3,000.00	\$ 1,500.00	\$ 1,300.00	\$ 10,000.00
14	Bridge	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
15	Retaining Walls	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
16	Noise Wall (do not include in cost effectiveness measure)	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
17	Traffic Signals	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
18	Wetland Mitigation	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
19	Other Natural and Cultural Resource Protection	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
20	RR Crossing	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
21	Roadway Contingencies	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
22	Other Roadway Elements	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Totals	\$ 142,000.00	\$ 15,400.00	\$ 4,342.00	\$ 76,572.00	\$ 42,586.00	\$ 3,100.00	\$ 142,000.00
	SPECIFIC BICYCLE AND PEDESTRIAN ELEMENTS CONSTRUCTION PROJECT ELEMENTS/COST ESTIMATES							
	COSTS							
23	Path/Trail Construction	\$155,000.00	\$ 80,400.00	\$ -	\$ 50,900.00	\$ -	\$ 23,700.00	\$ 155,000.00
24	Sidewalk Construction	\$206,000.00	\$ -	\$ 20,500.00	\$ 93,000.00	\$ 92,500.00	\$ -	\$ 206,000.00
25	On-Street Bicycle Facility Construction	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
26	Right-of-Way	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
27	Pedestrian Curb Ramps (ADA)	\$5,000.00	\$ 800.00	\$ 700.00	\$ 1,600.00	\$ 1,000.00	\$ 900.00	\$ 5,000.00
28	Crossing Aids (e.g., Audible Pedestrian Signals, HAWK)	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
29	Pedestrian-scale Lighting	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
30	Streetscaping	\$136,000.00	\$ 60,000.00	\$ 800.00	\$ 46,000.00	\$ 28,300.00	\$ 900.00	\$ 136,000.00
31	Wayfinding	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
32	Bicycle and Pedestrian Contingencies	\$56,000.00	\$ 18,500.00	\$ 500.00	\$ 20,200.00	\$ 16,000.00	\$ 800.00	\$ 56,000.00
33	Other Bicycle and Pedestrian Elements	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Totals	\$558,000.00	\$159,700.00	\$22,500.00	\$211,700.00	\$137,800.00	\$26,300.00	\$558,000.00
	SPECIFIC TRANSIT AND TDM ELEMENTS CONSTRUCTION PROJECT ELEMENTS/COST ESTIMATES							
	COST							
34	Fixed Guideway Elements	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
35	Stations, Stops, and Terminals	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
36	Support Facilities	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
37	Transit Systems (e.g. communications, signals, controls, fare	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
38	Vehicles	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
39	Contingencies	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
40	Right-of-Way	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
41	Other Transit and TDM Elements	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Totals	\$0.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	TOTAL COSTS	\$700,000.00	\$175,100.00	\$26,842.00	\$288,272.00	\$180,386.00	\$29,400.00	\$700,000.00
	OVERALL TOTAL	\$700,000.00						
	FEDERAL AMOUNT	\$ 560,000.00						
	LOCAL MATCH	\$ 140,000.00						
		\$ 700,000.00						

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.
- Reversion to the original scope (or a previously approved scope change). Note that any federal funds taken away in a previous scope change cannot be returned; the entire scope would need to be completed with the reduced federal contribution.

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. Project sponsor must attend TAC Funding & Programming, TAC, and TAB meetings, where the item is on the agenda.

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 – 2021-06

DATE: January 14, 2021

TO: TAC Funding & Programming Committee

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

SUBJECT: 2021-2024 Streamlined TIP Amendment for St. Louis Park: CSAH 25 / Beltline Blvd Pedestrian project

REQUESTED ACTION: St. Louis Park requests an amendment to the 2021-2024 TIP to reduce the scope and increase the cost of its CSAH 25 Beltline Boulevard Pedestrian project (SP# 163-291-008).

RECOMMENDED MOTION: That the Funding & Programming Committee recommend that the Technical Advisory Committee recommend adoption of an amendment to the 2021-2024 TIP to reduce the scope and increase the cost of St. Louis Park's CSAH 25 Beltline Boulevard Pedestrian project (SP# 163-291-008).

BACKGROUND AND PURPOSE OF ACTION: This amendment is needed to reflect St. Louis Park's scope change request to remove project elements being constructed by other projects. The amendment request also includes a cost increase. The project was funded through the 2016 Regional Solicitation.

RELATIONSHIP TO REGIONAL POLICY: Federal law requires that all transportation projects that will be funded with federal funds must be in an approved TIP and meet the following four tests: fiscal constraint; consistency with the adopted regional transportation plan; air quality conformity; and opportunity for public input. It is the TAB's responsibility to recommend TIP amendments to the Council for adoption. The streamlined TIP amendment process allows projects that meet certain conditions to be streamlined, which entails forgoing TAC Funding & Programming Committee Review and results in saving a month of process time.

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

This TIP amendment requests reflects the scope change request for the same project (AT 2021-06).

ROUTING

TO	ACTION REQUESTED	DATE SCHEDULED / COMPLETED
TAC Funding & Programming Committee	Review & Recommend	1/21/2021
Technical Advisory Committee	Review & Recommend	2/3/2021
Transportation Advisory Board	Review & Recommend	2/17/2021
Metropolitan Council Transportation Committee	Review & Recommend	3/8/2021
Metropolitan Council	Review & Adopt	3/10/2021

Please amend the 2021-2024 Transportation Improvement Program (TIP) to amend this project in program year 2021. This project is being submitted with the following information:

PROJECT IDENTIFICATION:

Seq #	State Fiscal Year	ATP/ Dist	Route System	Project Number (S.P. #)	Agency	Description
1685	2021	M	MSAS 291	163-291-008	St. Louis Park	*AC**: MSAS 291 (Beltline Blvd) from W 36th St to <u>Park Glen Rd and CSAH 25 to Minnetonka Blvd & CSAH 25 from Beltline Blvd to Lynn Ave</u> and Lynn Ave from CSAH 25 to Minnetonka Blvd in St Louis Park- Construct pedestrian facilities and streetscaping elements (AC project with payback in FY24)

Miles	Prog	Type of Work	Prop Funds	Total \$	AC \$	Other \$
0.0	EN	Sidewalks	STBGP	756,000 <u>820,457</u>	560,000 <u>548,240</u>	196,000 <u>272,217</u>

NOTE: The changes will also be reflected in 163-291-008AC, the advance construction payback scheduled for 2024.

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 reflect a scope change, removing elements being constructed by other sources and total project cost increase.

2. How is Fiscal Constraint Maintained as required by 23 CFR 450.216 (check all that apply)?

- New Money
- Anticipated Advance Construction
- ATP or MPO or MnDOT Adjustment by deferral of other projects
- Earmark or HPP not affecting fiscal constraint
- Other

✓ The total project cost increased from \$756,000 to \$820,457. No additional federal funding is needed. Increased local funds provided by St. Louis Park, 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

ACTION TRANSMITTAL No. 2021-07

DATE: January 14, 2021

TO: TAC Funding & Programming Committee
Steve Peterson, Mgr of Highway Planning and TAB/TAC Process

PREPARED BY: (steven.peterson@metc.state.mn.us)
Joe Barbeau, Senior Planner (joe.barbeau@metc.state.mn.us)

SUBJECT: Distribution of \$4.5 Million in Unused CMAQ Funding

REQUESTED ACTION: MTS staff requests that the Funding & Programming Committee recommend an option for spending roughly \$4.5 million in CMAQ funding recently made available.

RECOMMENDED MOTION: That the TAC Funding & Programming Committee recommend that TAC recommend to TAB that roughly \$4.5 million in CMAQ funding be provided to Washington County's Woodbury Gold Line Parking Structure project.

On November 11, 2020, Metro Transit sent a letter to TAB Chair Hovland that the I-94 park-and-ride lot at Manning Avenue is no longer needed and that it will be returning \$4.4 to \$4.5 million¹ of CMAQ funding to the region for redistribution. This occurred during the closing weeks of TAB's decision on awarding the over \$200 million Regional Solicitation program, leading TAB to choose to make any decisions on distribution of these funds after that process.

By federal rule, CMAQ funds are to be spent on projects that directly lead to emissions reduction. The funding our region receives for CMAQ tends to be used on transit projects, travel demand management (TDM), and traffic management technology projects. This returned CMAQ funding comes from a transit expansion project. The funding could be spent on non-air quality projects as staff is currently working on assigning funding types to projects. That said, the attached Federal Funds Reallocation Policy favors spending funds within the same mode.

BACKGROUND AND PURPOSE OF ACTION: The Federal Funds Reallocation Policy provides a process for redistributing, dividing into processes for funds slated for the current program year and funds slated for future program years. It is assumed that these funds should be treated as future-year funds as they do not need urgent action. Funds that are awarded to Federal Transportation Administration (FTA) projects are far more flexible than Federal Highway Administration (FHWA) funds in terms of year-of-programming (though less flexible in that advance construction is not an option). Therefore, staff recommends that the funds be treated as future year funds. Under future years funds, the policy shows the first priority as spending funds in a "future TAB solicitation process if at all possible." Given that these funds are from a project several years ago, and that this solution is still easily manageable, staff suggests using this funding on a 2020 Regional Solicitation Project. Tables 1 and 2 show the high-scoring transit projects from the 2020 Regional Solicitation.

¹ The precise amount will not be known until project close-out.

Table 1: Transit Expansion Projects

Rank	Applicant	Project Name	Selected Scenario	Federal Requested	Local Match	Total Proj Cost	Total Score
1	Washington Co	I-494 Park & Ride Structure in Woodbury	-	\$7,000,000	\$8,170,946	\$15,170,946	852
2	Metro Transit	Route 17 Service	Funded	\$2,511,123	\$627,781	\$3,138,904	607
3	Metro Transit	Route 54 Service	Funded	\$1,762,070	\$440,518	\$2,202,588	589
4	Metro Transit	New Route 757 Limited Stop	Funded	\$4,669,486	\$1,167,372	\$5,836,858	566
5	SouthWest Transit	I-494 N SW Prime Service in Eden Prairie, Minnetonka, Plymouth, M Grove	-	\$5,600,000	\$1,400,000	\$7,000,000	555

Table 2: Transit Modernization Projects

Rank	Applicant	Project Name	Selected Scenario	Federal Requested	Local Match	Total Proj Cost	Total Score
1	Metro Transit	Gold Line DT Saint Paul	Funded	\$7,000,000	\$3,500,000	\$10,500,000	721
2	Metro Transit	Bus Farebox Upgrade	Funded	\$7,000,000	\$1,750,000	\$8,750,000	637
3	Dakota Co	140th Red Line Ped/Bike Overpass in Apple Valley	-	\$2,400,000	\$600,000	\$3,000,000	610
4	MVTA	Burnsville Bus Garage	Funded	\$2,800,000	\$700,000	\$3,500,000	604
5	Apple Valley	Apple Valley Red Line BRT 147th Street Station Skyway	-	\$3,810,400	\$952,600	\$4,763,000	602
6	SouthWest Transit	Signal Prioritization at East Creek P/R	Funded	\$443,520	\$110,800	\$554,320	582
7	SouthWest Transit	Solar Array at SouthWest Village in Chanhassen	-	\$4,840,000	\$1,210,000	\$6,050,000	436

Staff provides the following options for use of this funding:

1. Providing the entire amount to the Washington County I-494 parking structure in Woodbury. This project was easily the top-rated project in the Transit Expansion funding category, scoring 245 more points than the second-ranked project. It was not funded because the top-rated project in the Transit Modernization category, was on the same corridor (the Gold Line). Solicitation rules dictate that two projects along the same transitway corridor cannot be funded. The rules also do not allow more than \$7 million along BRT corridors (beyond the F-Line), which had been met. Staff believes these rules do not apply to this reallocation funding, as this money was not part of the 2020 Regional Solicitation.
2. Proportionally fund the top transit projects in each category that were skipped. Assuming \$4.5M available, this approach would fund just under 50% of each request. It would result in funding the top transit expansion project, the Washington County parking

structure, at \$3.35M award (\$7M requested) and the Dakota County 140th Street Red Line Pedestrian/Bicycle Overpass in Apple Valley at \$1.15M (\$2.4M requested).

The Dakota County project was the third-highest scoring transit modernization project and was also skipped over due to the rule limiting awarding to BRT projects. This approach would also provide funding to Dakota County, where only 4% of the total Regional Solicitation funding was provided, while 14% of the region's population resides there.

Staff recommends Option 1, providing the full \$4.5M of funding to Washington County. This is because this project is the highest-scoring transit expansion project by far and the funding originally came from a transit expansion project.

ROUTING

TO	ACTION REQUESTED	DATE SCHEDULED/COMPLETED
TAC Funding & Programming Committee	Review & Recommend	1/21/2021
Technical Advisory Committee	Review & Recommend	2/3/2021
Transportation Advisory Board	Review & Approve	2/17/2021

Federal Funds Reallocation Policy

Projects awarded federal funds by the Transportation Advisory Board (TAB) as part of the Regional Solicitation or Highway Safety Improvement Program (HSIP) 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. 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. Regionally-selected project(s) from another mode to pay back or advance using steps 1-3 above. Should this action be used, TAB shall consider the amount when addressing modal distribution in programming the next regional solicitation.
5. Regionally-selected projects programmed in the current program year in the same mode 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

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.

maximum, followed by the project needing the second smallest amount of federal funds, and so on.

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 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.

ACTION TRANSMITTAL No. 2021-08

DATE: January 14, 2021

TO: TAC Funding & Programming Committee

PREPARED BY: Joe Barbeau, Senior Planner (joe.barbeau@metc.state.mn.us)
Steve Peterson, Manager of Highway Planning
(steven.peterson@metc.state.mn.us)

SUBJECT: Program Year Change Request: City of Brooklyn Center, City of Brooklyn Park, Hennepin County, and MnDOT

REQUESTED ACTION: The City of Brooklyn Center, City of Brooklyn Park, Hennepin County, and MnDOT request a program year change for four Highway 252 projects to align funding in 2026 as part of a larger MnDOT-led project.

RECOMMENDED ACTION: That the Funding & Programming Committee forward comments to the TAC regarding the following four TH 252-related Regional Solicitation grants potentially moving to 2026:

- TH 252/66th Ave intersection improvements
- TH 252/70th Ave pedestrian overpass
- TH 252/85th Ave intersection improvements
- TH 252/Brookdale Dr intersection improvements

BACKGROUND AND PURPOSE OF ACTION: Based on extraordinary circumstances, the City of Brooklyn Center, City of Brooklyn Park, Hennepin County, and MnDOT are requesting an exception to TAB's Program Year Policy (attached, starting on page 12). The project partners would like to move four awarded Regional Solicitation projects to 2026 to align with construction of the larger MnDOT-led Highway 252/I-94 project. In June 2020, staff brought this request to the TAB Executive Committee, who then asked staff to route the item through the technical committees for their feedback in granting the possible exception.

Over the course of three Regional Solicitation cycles, three different agencies have applied for and been awarded Regional Solicitation funding for four separate projects in the Highway 252 corridor (see Table 1, as well as the project descriptions/one-pagers originally submitted with their Regional Solicitation applications). In 2018, MnDOT received \$119M in Corridors of Commerce funding to convert Highway 252 to a freeway and add a MnPASS lane to Highway 252/I-94 from Highway 610 to Dowling Avenue.

All the individual projects selected through the Regional Solicitation were incorporated into the larger Corridors of Commerce project by MnDOT and project partners as the project's environmental process began. This consolidation of projects is required because all the projects are considered connected actions by federal environmental law.

Connected actions are defined as actions that trigger other actions; actions that cannot or will not proceed unless other actions are taken previously or simultaneously; actions are interdependent parts of a larger action and depend on the larger action for justification. All the individual projects

are now considered connected actions in the environmental document's purpose and need statement. Therefore, despite regional funding policy, the local agencies could not get Federal Highway Administration (FHWA) approval to construct their projects at this time even if they wanted to do so.

In fall of 2019 due to emerging environmental issues, MnDOT, at the urging of FHWA, changed the project environmental document from an environmental assessment (EA) to an environmental impact statement (EIS), which are is only used on a few select projects (e.g., Rethinking I-94, Mall of America, and other projects that may have major environmental impacts). This change of course was needed to garner further public input, continue to vet alternatives like the interchange location and transit options, and further evaluate local concerns and impacts potentially arising from the development of the project. Moving to an EIS process has pushed the project letting beyond the years being programmed for the Regionally Solicitation projects. The project is now scheduled to be let in state fiscal year 2026 (July 2025-June 2026), making 2026 program funds the earliest the local partners could use the Regional Solicitation funds. It is for these reasons that the project applicants are requesting that their funds be shifted to 2026.

Table 1: Regional Solicitation Awards for the Highway 252 Corridor

Funding Cycle	Applicant	Project	Award Amount	Existing Year	Req Year	Summary
2016	Brooklyn Center	TH 252/66th Ave intersection improvements	\$7,000,000	2023	2026	Page 7
2016	Brooklyn Center	TH 252/70th Ave pedestrian overpass	\$1,902,640	2023	2026	Page 8
2018	Hennepin County	TH 252/85th Ave intersection improvements	\$7,000,000	2023	2026	Page 9
2020	Brooklyn Park	TH 252/Brookdale Dr intersection improvements*	\$10,000,000	2025	2026	Page 10
Totals			\$25,902,640			

*This project was awarded funds in the 2020 Regional Solicitation.

RELATIONSHIP TO REGIONAL POLICY: The Transportation Advisory Board (TAB) manages the \$90 million annual program of projects programmed by the Regional Solicitation. The request does not follow TAB's Program Year Policy, which states that the maximum length of a program year extension is one year and that projects are only eligible for one program year extension (two of the projects have already received program year extensions). Due to extenuating circumstances, the applicants are requesting an exception to the policy.

STAFF ANALYSIS: While the program year policy only allows for one-year, one-time program year extensions, this is a unique circumstance. MnDOT is constructing the project and the local applicants are bound to MnDOT's timelines and the environmental process that is federally required. The more in-depth environmental process will allow for greater levels of public involvement and project input and these are activities that TAB values. In addition, the timeline delay and longer environmental process will result in a project that provides positive improvements and eliminates, mitigates, or reduces overall negative impacts on stakeholders and the environment.

From a programming perspective, there are no known issues with the request. There are enough projects to fill the \$15,902,640 funding hole left in 2023. The \$10,000,000 funding hole in 2025 would be filled as part of the 2022 Regional Solicitation cycle.

Staff requests assistance from the technical committees in filling out a pros/cons table.

Table 2: Pros/Cons of Granting Exception to Program Year Policy

Pros	Cons
<p>-The more detailed environmental process, which is causing the delay, will provide greater input opportunities for the public and stakeholders.</p>	<p>-There is time for local agencies to reapply next funding cycle for at least some of the funding again (rules restrict both interchanges from being awarded funds in the same cycle).</p>
<p>-Pulling the funding may result in one or more of the Regional Solicitation projects not being included in the larger project or other project elements not being included to stay within budget.</p>	<p>-There is risk that the environmental process does not select the location or project elements described in the Regional Solicitation applications.</p>
<p>-Pulling the funding places financial burden on local agencies, especially Brooklyn Center and Brooklyn Park, to come up with further local match for the larger project.</p>	<p>-The approach is not consistent with how TAB deals with other program year extension requests.</p>
<p>-Due to the Corridors of Commerce funding and expanded project area, local agencies cannot get approval to deliver the project until MnDOT's environmental process is complete.</p>	
<p>-TAB has the ability to help with the success of one the largest highway mobility projects planned in the region in the next decade.</p>	
<p>-No financial impact to the overall Regional Solicitation program.</p>	

ROUTING

TO	ACTION REQUESTED	DATE SCHEDULED/COMPLETED
TAC Funding & Programming Committee	Review & Recommend	1/17/2021
Technical Advisory Committee	Review & Recommend	2/3/2021
Transportation Advisory Board	Review & Approve	2/17/2021



January 12, 2021

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

RE: Program Year Change Request for:
SP 109-010-007/109-010-007F – 2023 – Brooklyn Center - MN Hwy 252 at 66th Avenue Grade Separation
SP 09-090-002 – 2023 – Brooklyn Center - 70th Avenue Pedestrian Improvements
SP 027-709-029 – 2023 – Hennepin County - MN Hwy 252 at 85th Avenue Grade Separation
SP 2748-65 – 2023 – MnDOT – I-94/MN Hwy 252 Mobility Improvements
Brookdale Drive – 2025 – Brooklyn Park (currently unfunded) – Grade Separation

Dear Mr. Thompson,

The City of Brooklyn Center, City of Brooklyn Park, Hennepin County and MnDOT respectfully request that the Funding and Programming Committee support a program year change for the above referenced funded projects. It is our understanding that the Brooklyn Park Brookdale Drive project is a strong candidate for funding in the current funding solicitation for funding in 2025. In an effort to coordinate these projects located along MN Hwy 252, we request the programmed funding for all of the above referenced projects be made available in program year 2026.

For informational purposes, the following is a brief history of these projects:

- Brooklyn Center applies for and receives funding for their two projects to be funded in 2021.
- Brooklyn Center, Brooklyn Park MnDOT and Hennepin County jointly begin a MN Hwy 252 freeway conversion study.
- FHWA suggests that based on the direction the conversion study that perhaps an environmental review of the entire MN Hwy 252 corridor be initiated.
- Hennepin County assumes the leadership role in developing an Environmental Assessment (EA) of the entire MN Hwy 252 corridor.
- During the EA analysis it was determined that it would be beneficial to include I-94 from Dowling Avenue to MN Hwy 252 in the EA.
- Hennepin County applies for and receives funding for 85th Avenue project to be funded in 2023.

City of Brooklyn Center | Public Works - Engineering Division

- Metropolitan Council staff applies for and receives Corridors of Commerce (COC) funding for the I-94/MN Hwy 252 mobility project to be funded in 2023.
- Brooklyn Center applies for and is granted a Program Year Change Request for their projects to be funded in 2023 to align with the COC project.
- The project team determined that it would be appropriate to pivot from the EA that was underway to an Environmental Impact Statement (EIS) in order to ensure a more thorough review of environmental, health and equity impacts is performed. MnDOT assumes the leadership role in developing the EAW.
- Due to the change to an EIS, the MnDOT Corridors of Commerce project is not likely to be delivered until state fiscal year 2026.

Brooklyn Center understands that the Metropolitan Council’s policy is to only grant one program year extension, however, due to the complex, intertwined nature of these projects and the fact that they cannot be completed as stand-alone projects, the project team believes that a policy exception should be granted. It should be noted that all of these projects were selected for funding based on their regional impact and/or available local funding.

The cities of Brooklyn Center and Brooklyn Park, Hennepin County and MnDOT request the Funding and Programming Committee's support for a common sense approach to address these funding challenges and for changing all of the projects identified to program year 2026. Please contact us if additional information is needed.

Sincerely,



Doran M. Cote, P.E.
Brooklyn Center Public Works Director



Jesse Struve, P.E.
Brooklyn Park City Engineer



Carla Stueve, P.E., P.T.O.E.
Hennepin County Engineer

April Crockett, P.E.
MnDOT West Area Manager

City of Brooklyn Center | Public Works - Engineering Division

TH 252/66th Ave intersection improvements

The project would convert TH 252 to a freeway from I-694 to 70th Avenue N in Brooklyn Center. TH 252 is a Principal Arterial under MnDOT jurisdiction. Project components include:

1. 66th Avenue N: Close at-grade signalized intersection and construct folded-diamond interchange. Construct new intersection at east and west intersections of 66th Ave N and freeway entrance/exit ramps.
2. 70th Avenue N: Close existing T-intersection with TH 252; construct cul-de-sac on 70th Ave N west of TH 252.
3. TH 252: Reconstruct portions of the highway between I-694 and approximately ¼ mile north of existing intersection with 66th Ave N.
4. Construct 10-foot wide multiuse trail on both sides of 66th Ave N between west intersection with entrance/exit ramps and trail along West River Road.
5. Improve existing park and ride transit facility at 66th Ave N.
6. Construct noise walls on both sides of TH 252 from I-694 to 70th Ave N.

The proposed project will provide the following benefits:

1. Vehicle safety: 66th Ave intersection is ranked in the top 10 highest crash intersections in the metro. Two fatalities have occurred at this location since 2003. Most crashes are rear-end crashes associated with queues at the traffic signal. The proposed interchange would eliminate the traffic signal and reduce conflicts and crashes at this location. Closing 70th Ave N would result in similar benefits.
2. Pedestrian/bicycle safety: There are safety concerns for pedestrians/bicyclists crossing TH 252. TH 252 is a six-lane, high-speed expressway. People do not feel safe crossing here and there has been one pedestrian-vehicle crash at this location. The interchange will include multiuse trails that will provide a grade-separated pedestrian/bicycle crossing of TH 252.
3. 3.Mobility: Traffic volumes on TH 252 have exceeded capacity for a six-lane expressway. The project will convert this section of TH 252 to a freeway and will accommodate future traffic volumes at an acceptable level of service. This will result in local and regional mobility benefits.
4. 4.Support community connectivity: TH 252 is a barrier for the community. Traffic (all modes) crossing TH 252 experiences significant delays because signals are optimized to move traffic on TH 252. As a result it is difficult for residents on the west side of TH 252 to access destinations on the east side of TH 252 and vice-versa. The interchange at 66th Ave will support community connectivity by reducing delays and improving safety for people driving, biking, and walking across TH 252.
5. 5.Improve multimodal travel: Enhance multimodal travel by providing safer bus stops and safer pedestrian/bicycle crossings of TH 252.

TH 252/70th Ave pedestrian overpass

The TH 252 Pedestrian/Bicycle Overpass at 70th Ave North is located within Brooklyn Center and provides a connection across TH 252, a major local and regional barrier to bicycle and pedestrian transportation. TH 252 is a six-lane expressway with 59,000 vehicles per day and a 55 mph speed limit. There are only three opportunities for at-grade crossings of TH 252 in Brooklyn Center: at 66th Ave N, 70th Ave N, and 73rd Ave N (approximately .5 miles apart).

There are safety problems at at-grade crossings of TH 252 due to high speeds and traffic volumes. In Brooklyn Center, there has been one pedestrian fatality in the last five years (at 73rd Avenue N) and two other crashes involving pedestrians or bicyclists. The width of the crossing and high traffic speeds/volumes make this crossing very uncomfortable for pedestrians and bicyclists, especially children/families, seniors, and people with disabilities. Residents are afraid to cross TH 252 on foot/bike and will only cross if absolutely necessary. A grade-separated crossing is necessary to support pedestrian and bicycle safety in the city and the region.

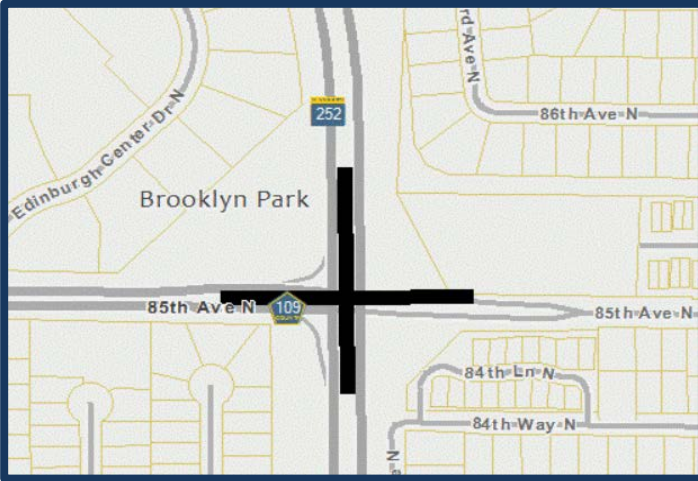
The lack of a safe and comfortable crossing creates connectivity problems for walking and bicycling. The lack of a safe connection limits access to residential and commercial areas as well as schools (Evergreen Elementary and Brooklyn Center High), parks and trails. Existing conditions also create problems for transit users accessing express bus stops located on the east and west side of TH 252 at 70th Ave N.

The 69th/70th Avenue N trail is a key connection between two regional trails - the Shingle Creek Regional Trail and the West Mississippi River Regional Trails. These are high-quality facilities that serve people of all ages and abilities. However, the existing at-grade crossing interrupts the comfortable trail experience and discourages people from using the regional trail system. A grade-separated crossing is needed to make the trail system accessible for all users.

The project consists of a 14-foot wide bridge over TH 252. The project will tie into existing multiuse separated facilities along 70th Avenue N and existing trail along West River Road. The project is necessary for pedestrian and bicycle connectivity as part of implementation of a long-term freeway vision for TH 252. When TH 252 is converted to a freeway, the 70th Ave N intersection will be closed and there will no longer be an at-grade pedestrian and bicycle crossing of TH 252. Without this project, there will be even fewer opportunities for pedestrian/bicycle crossings of TH 252. This project will improve pedestrian/bicycle safety and continuity in the near-term, and preserve this connection in the future.



Project Location



Existing Conditions



Project Overview

Project Name: CSAH 109 (85th Ave) Expansion Project
Roadway: CSAH 109 (85th Ave)
Project Termini: At TH 252
Project Location: City of Brooklyn Park

Solicitation Information

Applicant: Hennepin County
Funding Requested: \$7,000,000
Total Project Cost: \$26,307,000

Project Information

The proposed project will convert the existing at-grade intersection to an interchange to improve safety and mobility along the TH 252 between I-694 and TH 610. The existing intersection experiences routine congestion and high crash rates (especially those resulting in injuries).

Brooklyn Center, Brooklyn Park, Hennepin County, and MnDOT have been working towards identifying improvements along the TH 252. This project addresses one of the six existing at-grade intersections along the corridor. Recently, Corridors of Commerce funding was awarded for mobility and safety improvements along TH 252, and this application seeks to further minimize local costs for the project.

Project Benefits

The proposed interchange will provide significant safety and mobility benefits along the TH 252 corridor. Elimination of an at-grade intersection will offer more reliable travel times and allow TH 252 to better accommodate changes in traffic volumes (typically caused by poor weather or crash events). Furthermore, the interchange will eliminate unnecessary stops for through vehicles along TH 252, providing a significant reduction in crashes (especially rear-end crashes resulting in injuries).

Additionally, the project will include off-road facilities for non-motorized users that provides a more direct connection across TH 252 when compared to the nearby bridge that requires a longer travelling path.

Project Summary TH 252/Brookdale Drive Interchange

Applicant – City of Brooklyn Park

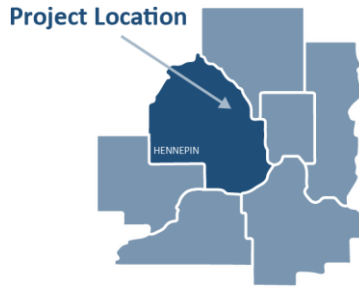
Project Location – TH 252 and Brookdale Drive in Brooklyn Park, Hennepin County

Total Project Cost – \$33,215,015

Requested Federal Dollars - \$10,000,000

Project Description:

The proposed TH 252 /Brookdale Drive interchange project will improve roadway safety and mobility along TH 252 through the Cities of Brooklyn Park and Brooklyn Center. The project will provide regional access to the area with the construction of a diamond interchange at TH 252. Furthermore, local traffic operations, mobility and safety for all modes of transportation at the project intersection will be improved while connecting the neighborhoods divided by TH 252.



TH 252 is a high-speed high-volume north-south connection between I-94/I-694 and TH 610. It is a MnDOT Trunk Highway that serves as an important Principal Arterial roadway linking communities in the northern area of the Twin Cities. It is currently an expressway design that varies between four and six lanes with at-grade signalized intersections approximately every ½ mile.

As part of the *TH 252 Corridor Study (2016)*, Mn/DOT, Hennepin County, Metropolitan Council, Metro Transit and the Cities of Brooklyn Park and Brooklyn Center worked together to establish the long-term vision “that a freeway was the best alternative to safely accommodate future traffic volumes and allow TH 252 to serve its function as a Principal Arterial”. Building towards the ultimate vision of a freeway, the ongoing environmental review identified the construction of a diamond interchange at Brookdale Drive.

Project Benefits:

The conversion of the at-grade signalized intersection at TH 252 and Brookdale Drive to an interchange will provide the following benefits:

- Be consistent with the long-term vision and phasing of TH 252 to a freeway facility
- Improve vehicular safety with the reduction of intersection crashes; specifically rear-end crashes

- Reduce heavy delays and congestion during peak hour conditions at an intersection that currently operates with the second worst overall level of service along the study corridor
- Improve pedestrian and bicycle mobility and safety across TH 252; under current conditions, long green times allocated to TH 252 make it difficult to cross
- Improve community connectivity with removing the TH 252 barrier
- Improve transit operations with the elimination of an at-grade intersection to provide more reliable travel times for transit buses along TH 252
- Enhance pedestrian and bicycle travel along the Brookdale Drive corridor with additional trail improvements east and west of the newly constructed interchange
- Provide underserved residents with improved access to the area’s jobs and transit as the project is located in a census tract that is above the regional average for population in poverty or population of color

Existing Conditions:



Traffic congestion along TH 252 at the Brookdale Drive intersection.

Before Photo
TH 252/Brookdale Drive Interchange

Applicant – City of Brooklyn Park

Project Location – TH 252 and Brookdale Drive in Brooklyn Park, Hennepin County



Transportation Advisory Board Regional Program Year Policy

- The Regional Program Year Policy is intended to manage the development and timely delivery of transportation projects awarded federal funds through the TAB's Regional Solicitation Process.
- Project sponsors awarded federal funds through the regional solicitation process are expected to get their project ready for authorization in their program year.
- The program year is July 1 to June 30 of the year in which the project is originally programmed in the Transportation Improvement Program (TIP).
- By April 1 of the program year, the project must meet the criteria on the attached sheet.
- Additionally, if a regionally selected project is not ready to request authorization by June 15 of its program year, the project will not be carried over into the new TIP unless the project sponsor receives a program year extension from the TAB.
- Project sponsors that have made significant progress but are delayed by circumstances that prevent them from delivering their projects on time must submit a request for a program year extension to the TAB Coordinator by December 31 of the project's program year.
- The maximum length of a program year extension is one year. Projects are eligible for only one program year extension request.
- If a program year extension is granted, funding the project will be contingent on the availability of federal funds. A project sponsor is responsible for funding the project until federal funding becomes available.
- Projects receiving program year extensions will not receive an inflationary cost increase in their federal cost caps.
- "Procedure to Request a Program Year Extension" is provided as Attachment 1.

CRITERIA FOR MEETING PROGRAM YEAR

Construction Projects through the FHWA Process:

- Environmental document approved – April 1
 - *Environmental Documentation draft submittal due December 1*
- Right of way certificate approved –April 1
 - *Condemnation proceedings formally initiated by February 28 with title and possession by June 1.*
- Final construction plans submitted and reviewed for standards, eligibility, funding and structural design – April 1
- Engineer's estimate – April 1
- Utility relocation certificate – April 1
- Permit applications submitted – April 1

Construction Projects through the FTA Process

- Environmental document completed; project plans complete and reflect the project that was selected
- Letting date can be set within 90 days
- FTA notification that grant approval imminent

Right of Way Only Projects through FHWA Process

- Environmental document approved – April 1
- OCPPM/SALT authorization to proceed – June 1

Right of Way Only Projects through FTA Process

- Environmental document completed
- Appraisals over \$250,000 approved by FTA; under \$250,000 reviewed by Right of Way Section
- FTA notifies that grant approval is imminent
- OCPPM transfers funds
- Offers made/condemnation initiated if offers refused

Program Project

- Grant application submitted to FTA; includes work plan
- Notification from FTA that grant approval is imminent
- Work will begin within 90 days after grant approval
- Agreement executed between MnDOT and proposer once funds are transferred

TRANSPORTATION ADVISORY BOARD PROCEDURE TO REQUEST A PROGRAM YEAR EXTENSION

If it appears that a project cannot meet the deadline for authorization within its program year and a program year extension is necessary, the project sponsor must demonstrate to the Funding and Programming Committee that significant progress has been made on the project and the program year criteria can be met within the requested one-year time extension. Projects may be granted only one program year extension. Requests for a program year extension must be submitted by December 31 of the project's program year.

The answers provided on the Progress Schedule for Program Year Extension on Attachment 1 will determine whether a project is **eligible** for a one-year extension. In addition to responding to the Progress Schedule for Program Year Extension, the project sponsor must submit the following materials to the Funding and Programming Committee so it can determine if a program year extension is reasonable:

- 1) Project Background (will be provided by TAB Coordinator).
- 2) Project Progress:
 - a) Complete attached progress schedule with actual dates.
 - b) Right of way acquisition - provide map showing status of individual parcels.
 - c) Plans - Provide layout and discussion on percent of plan completion.
 - d) Permits - provide a list of permitting agencies, permits needed and status.
 - e) Approvals - provide a list of agencies with approval authority and approval status.
 - f) Identify funds and other resources spent to date on project.
- 3) Justification for Extension Request:
 - a) What is unique about this project that requires an extension of the program year?
 - b) What are the financial impacts if this project does not meet its current program year?
 - c) What are the implications if the project does not obtain the requested extension?
 - d) What actions will the agency take to resolve the problems facing the project in the next three to six months?

PROCESS AND ROLES

The Funding and Programming Committee will hear all requests for extensions. The Committee's recommendation will be forwarded to the TAC and TAB for action. The requests will be presented to the TAB for action on its consent agenda. Staff for the Funding and Programming Committee will notify the applicant of the committee's decision.

Adopted by the Transportation Advisory Board

April 17, 2013

Attachment 1: PROGRESS SCHEDULE FOR PROGRAM YEAR EXTENSION

Enter request date

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. _____
Date of approval _____

Completed/Approved If checked enter 5. _____
Date of approval _____

EA
 Completed/Approved If checked enter 2. _____
Date of approval _____

EITHER
 Not Complete
Anticipated Date of Completion _____
If prior to January 31 of the program year, enter 1. _____

OPPORTUNITY FOR PUBLIC HEARING (not necessary for project memorandum)

Completed
Date of Hearing _____ If checked enter 2. _____

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 _____

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 _____
 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 _____
If prior to June 30 of the program year, enter 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 _____
If prior to December 31 of the year following the original program year, enter 1. _____

ENGINEERS ESTIMATE OF COSTS

Completed _____ If checked enter 2. _____
Date _____
 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 _____.
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 _____

ACTION TRANSMITTAL No. 2021-09

DATE: January 14, 2021

TO: TAC Funding & Programming Committee

PREPARED BY: Joe Barbeau, Senior Planner (joe.barbeau@metc.state.mn.us)
Steve Peterson, Manager of Highway Planning
(steven.peterson@metc.state.mn.us)

SUBJECT: Program Year Change Request: City of Brooklyn Park CSAH 103 Projects Near the Blue Line Extension

REQUESTED ACTION: The City of Brooklyn Park requests a program year change for two CSAH 103 projects to move funding to 2025 and 2026 to align with the Blue Line Light Rail Transit Extension.

RECOMMENDED ACTION: That the Funding & Programming Committee forward comments to the TAC regarding the following two CSAH 103-related Regional Solicitation grants potentially changing years:

- CSAH 103 from 85th Ave to 93rd Ave reconstruction / lane expansion from 2022 to 2025 (110-020-041)
- CSAH 103 from 74th Ave to 93rd Ave streetscape and transit improvements from 2023 to 2026 (110-020-042)

BACKGROUND AND PURPOSE OF ACTION: Based on issues with BNSF railroad, the City of Brooklyn Park is requesting an exception to TAB’s Program Year Policy (attached). The City would like to move two projects back three years each to align with construction of the Blue Line Extension (Bottineau LRT).

In the 2018 Regional Solicitation, Brooklyn Park was awarded two projects that tie into the Blue Line Extension: a reconstruction and lane expansion project (strategic capacity funding category) with the LRT running down the center median and a streetscaping and transit improvements project in between future LRT stations (pedestrian facilities funding category) (see Table 1 and the attached project one-pagers). The Blue Line extension was originally scheduled to begin construction in 2019. However, Hennepin County’s and Metro Transit’s negotiations with the BNSF railroad have delayed the project until 2024 or 2025, as project partners explore options to advance the project without using the railroad property.

Table 1: Regional Solicitation Awards CSAH 103

Funding Cycle	Applicant	Project	Award Amount	Existing Year	Requested Year
2018	Brooklyn Park	Reconstruct, 2-to-4-lane conversion with trails	\$7,000,000	2022	2025
2018	Brooklyn Park	Streetscaping / transit improvements	\$1,000,000	2023	2026

RELATIONSHIP TO REGIONAL POLICY: The Transportation Advisory Board (TAB) manages the \$90 million annual program of projects programmed by the Regional Solicitation. The request

does not follow TAB's Program Year Policy, which states that the maximum length of a program year extension is one year. Due to extenuating circumstances, the applicants are requesting an exception to the policy.

STAFF ANALYSIS: While the program year policy only allows for one-year, one-time program year extensions, this is a unique circumstance. The projects are dependent on Metro Transit's construction of the Blue Line Extension.

From a programming perspective, there are no known issues with the request. There are enough projects to fill the \$7,000,000 funding hole left in 2022 and the \$1,000,000 hole left in 2023.

Staff requests assistance from the technical committees in filling out a pros/cons table.

Table 2: Pros/Cons of Granting Exception to Program Year Policy

Pros	Cons
-Pulling the funding may result in one or more of the Regional Solicitation projects not being included in the larger project or other project elements not being included to stay within budget.	-There is time for the City of Brooklyn Park to reapply next funding cycle for the streetscaping project (the roadway project request is for 2025, which was just programmed in the 2020 Regional Solicitation).
-This section of the Blue Line Extension alignment is not on the BNSF right-of-way, rendering it a low risk for change, provided the project moves forward.	-There is risk that the Blue Line Extension could be delayed further as a new alignment is not known at this time.
-No financial impact to the overall Regional Solicitation program.	-The approach is not consistent with how TAB deals with other program year extension requests.
-TAB has the ability to help with the success of one the largest transit expansion projects planned in the region in the next decade.	

ROUTING

TO	ACTION REQUESTED	DATE SCHEDULED/COMPLETED
TAC Funding & Programming Committee	Review & Recommend	1/17/2021
Technical Advisory Committee	Review & Recommend	2/3/2021
Transportation Advisory Board	Review & Approve	2/17/2021

January 11, 2021

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

RE: Program Year Change Request for SP 110-020-041 and SP 110-020-042: CSAH 103
Improvements in Conjunction With the Bottineau Light Rail Transit Project

Dear Mr. Thompson,

The City of Brooklyn Park respectfully requests the Funding and Programming Committee consider a program year change for above referenced projects. The current program year for SP 110-020-041 (expansion of CSAH 103 from 85th Avenue 93rd Avenue) is 2022. The current program year for SP 110-020-042 (streetscape and transit improvements from 74th Avenue to 93rd Avenue) is 2023. We request the programmed funding be made available for SP 110-020-041 in fiscal year 2025 and SP 110-020-042 in fiscal year 2026.

The Bottineau Light Rail Transit (BLRT) Project was expected to begin construction by 2019 and be completed within three to four years. The City was committed to completing the expansion and streetscape projects in their program years. However, a significant portion of the BLRT alignment was designed within the existing BNSF freight railroad right of way immediately west of Bottineau Boulevard (Hennepin CSAH 81). Hennepin County and Metro Transit have been negotiating with BNSF for years to allow the BLRT to run parallel to the freight line and just recently announced that they can't come to an agreement. This negotiation delay and subsequent current need to determine and design a new alignment to replace previous BNSF segment has significantly delayed the expected construction of the BLRT Project. This is expected to delay the start of construction to approximately 2024/2025.

We request the Funding and Programming Committee's support for changing the City's CSAH 103 expansion and streetscape projects' program years to 2025 and 2026, respectively, to align with the revised BLRT construction schedule. Please contact me if additional information is needed.

Sincerely,



Dan Ruiz, Director of Operations and Maintenance

CC: Kim Berggren, Director of Community Development

Jesse Struve, City Engineer

Project Summary

Project Name – West Broadway Avenue BLRT Streetscape Improvements

Applicant – City of Brooklyn Park

Project Location – West Broadway Avenue from 74th Avenue to Oak Grove Parkway in the City of Brooklyn Park, Hennepin County

Total Project Cost – \$6,179,354.00

Requested Federal Dollars - \$1,000,000

Before Photo –



WEST BROADWAY AVENUE AT BROOKLYN BOULEVARD (LOOKING SOUTH)

Project Description – As part of the Bottineau Light Rail Transitway (BLRT), West Broadway Avenue through Brooklyn Park will be completely reconstructed as a multi-modal transit corridor supporting several modes of transportation. Hennepin County, Metropolitan Council, and the City of Brooklyn Park have worked to create a unified vision within the 3.5 miles of West Broadway between 74th Avenue and Oak Grove Parkway. Streetscape visioning goals have been established as:

- Re-envision the West Broadway Corridor as a multi-modal transit corridor that supports LRT, pedestrian, and bicycle connections.
- Maximize and strategically align public and private investments in the corridor to support transit-oriented development (TOD) through catalytic investments in life-cycle housing, commercial development, and public infrastructure.
- Promote economic opportunity by improving access to jobs and supporting business recruitment and expansion along the corridor.

Project Benefits – The West Broadway Streetscape Plan will transform the West Broadway Corridor into four distinct districts in which will all have future light rail transit stops:

- Retail at Brooklyn Boulevard
- Employment at 93rd Avenue
- Mixed Use at Oak Grove Parkway
- Institutional at 85th Avenue

Among these districts, common themes exist in types of plantings, decorative concrete, fencing, lighting, and benches. Guiding principles to create a multi-modal corridor vision was outlined and a unified approach to streetscaping has been adopted in the West Broadway Streetscape Framework Manual.

Project Summary

Project Name – West Broadway Avenue (CSAH 103) Roadway Expansion

Applicant – City of Brooklyn Park

Project Location – West Broadway Avenue from 85th Avenue to 93rd Avenue in the City of Brooklyn Park, Hennepin County

Total Project Cost – \$ 13,965,399.00

Requested Federal Dollars - \$7,000,000

Before Photo –

WEST BROADWAY AVENUE (LOOKING NORTH)



Project Description – West Broadway Avenue (County State Aid Highway 103) is primarily a rural, two-lane undivided, 60-year-old roadway classified as an A-Minor Expander (from 85th Avenue to 93rd Avenue) and an A-Minor Reliever (from 93rd Avenue to Trunk Highway (TH) 610) located in Hennepin County. The West Broadway Reconstruction project is directly related to the Bottineau Light Rail Transitway (BLRT) Project that will provide for transit improvements in the highly traveled northwest area of the Twin Cities. The proposed roadway improvements will widen West Broadway Avenue from a two-lane roadway to a four-lane roadway with turn lanes, upgrade traffic signals and lighting, and provide multi-use trails along both sides of West Broadway Avenue including ADA improvements and count down timers. The proposed project will also perform the grading for the future BLRT project.

Project Benefits – The proposed West Broadway Avenue Expansion project will provide the following benefits:

- Provide final grading throughout the project limits for the future track of the BLRT Project.
- Relocate all overhead electric assets to underground.
- Enhance safety and mobility for all users.
- Address aged pavement conditions
- Underserved residents will benefit from better access to the area’s jobs and improved transit facilities/routes.

The Regional Program Year Policy is intended to manage the development and timely delivery of transportation projects awarded federal funds through the TAB's Regional Solicitation Process.

Project sponsors awarded federal funds through the regional solicitation process are expected to get their project ready for authorization in their program year.

The program year is July 1 to June 30 of the year in which the project is originally programmed in the Transportation Improvement Program (TIP).

By April 1 of the program year, the project must meet the criteria on the attached sheet.

Additionally, if a regionally selected project is not ready to request authorization by June 15 of its program year, the project will not be carried over into the new TIP unless the project sponsor receives a program year extension from the TAB.

Project sponsors that have made significant progress but are delayed by circumstances that prevent them from delivering their projects on time must submit a request for a program year extension to the TAB Coordinator by December 31 of the project's program year.

The maximum length of a program year extension is one year. Projects are eligible for only one program year extension request.

If a program year extension is granted, funding the project will be contingent on the availability of federal funds. A project sponsor is responsible for funding the project until federal funding becomes available.

Projects receiving program year extensions will not receive an inflationary cost increase in their federal cost caps.

"Procedure to Request a Program Year Extension" is provided as Attachment 1.

Criteria for Meeting Program Year

Construction Projects through the FHWA Process:

- Environmental document approved – April 1
 - *Environmental Documentation draft submittal due December 1*
- Right of way certificate approved – April 1
 - *Condemnation proceedings formally initiated by February 28 with title and possession by June 1.*
- Final construction plans submitted and reviewed for standards, eligibility, funding and structural design – April 1
- Engineer's estimate – April 1
- Utility relocation certificate – April 1
- Permit applications submitted – April 1

Construction Projects through the FTA Process

- Environmental document completed; project plans complete and reflect the project that was selected
- Letting date can be set within 90 days
- FTA notification that grant approval imminent

Right of Way Only Projects through FHWA Process

- Environmental document approved – April 1
- OCPPM/SALT authorization to proceed – June 1

Right of Way Only Projects through FTA Process

- Environmental document completed
- Appraisals over \$250,000 approved by FTA; under \$250,000 reviewed by Right of Way Section
- FTA notifies that grant approval is imminent
- OCPPM transfers funds
- Offers made/condemnation initiated if offers refused

Program Project

- Grant application submitted to FTA; includes work plan
- Notification from FTA that grant approval is imminent
- Work will begin within 90 days after grant approval
- Agreement executed between MnDOT and proposer once funds are transferred

Procedure to Request A Program Year Extension

If it appears that a project cannot meet the deadline for authorization within its program year and a program year extension is necessary, the project sponsor must demonstrate to the Funding and Programming Committee that significant progress has been made on the project and the program year criteria can be met within the requested one-year time extension. Projects may be granted only one program year extension. Requests for a program year extension must be submitted by December 31 of the project's program year.

The answers provided on the Progress Schedule for Program Year Extension on Attachment 1 will determine whether a project is **eligible** for a one-year extension. In addition to responding to the Progress Schedule for Program Year Extension, the project sponsor must submit the following materials to the Funding and Programming Committee so it can determine if a program year extension is reasonable:

- 1) Project Background (will be provided by TAB Coordinator).
- 2) Project Progress:
 - a) Complete attached progress schedule with actual dates.
 - b) Right of way acquisition - provide map showing status of individual parcels.
 - c) Plans - Provide layout and discussion on percent of plan completion.
 - d) Permits - provide a list of permitting agencies, permits needed and status.
 - e) Approvals - provide a list of agencies with approval authority and approval status.
 - f) Identify funds and other resources spent to date on project.
- 3) Justification for Extension Request:
 - a) What is unique about this project that requires an extension of the program year?
 - b) What are the financial impacts if this project does not meet its current program year?
 - c) What are the implications if the project does not obtain the requested extension?
 - d) What actions will the agency take to resolve the problems facing the project in the next three to six months?

PROCESS AND ROLES

The Funding and Programming Committee will hear all requests for extensions. The Committee's recommendation will be forwarded to the TAC and TAB for action. The requests will be presented to the TAB for action on its consent agenda. Staff for the Funding and Programming Committee will notify the applicant of the committee's decision.

Regional Program Year Policy

TAB Adopted: April 17, 2013
Administrative Modifications: August 20, 2014

Attachment 1: Progress Schedule for Program Year Extension

Enter request date

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. _____

Date of approval _____

_____ Completed/Approved If checked enter 5. _____

Date of approval _____

_____ EA

_____ Completed/Approved If checked enter 2. _____

Date of approval _____

EITHER

_____ Not Complete

Anticipated Date of Completion _____

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

OPPORTUNITY FOR PUBLIC HEARING (not necessary for project memorandum)

_____ Completed

Date of Hearing _____ If checked enter 2. _____

_____ 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 _____

_____ 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 _____

_____ Not Complete

Anticipated Date of Completion _____

Regional Program Year Policy

TAB Adopted: April 17, 2013

Administrative Modifications: August 20, 2014

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 _____
If prior to June 30 of the program year, enter 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 _____
If prior to December 31 of the year following the original program year, enter 1. _____

ENGINEERS ESTIMATE OF COSTS

_____ Completed If checked enter 2. _____
Date _____
_____ 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 _____.
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 _____

INFORMATION ITEM

DATE: January 14, 2021
TO: TAC Funding & Programming Committee
PREPARED BY: Joe Barbeau, Senior Planner (651-602-1705)
SUBJECT: 2021 Funding & Programming Meeting Schedule

The Funding & Programming Committee meets on the third Thursday of the month. This leaves the meeting the day after TAB (scheduled for the third Wednesday of the month). However, in months in which the third Thursday comes before the third Wednesday, Funding & Programming Committee meetings are usually moved to the fourth Thursday (i.e., the 22nd).

For 2021, this occurs in April and July. If members are agreeable, those meetings can be scheduled for the 22nd of those months.

Transportation Advisory Board
of the Metropolitan Council of the Twin Cities

INFORMATION ITEM

DATE: January 14, 2021
TO: TAC Funding & Programming Committee
PREPARED BY: Joe Barbeau, Senior Planner (651-602-1705)
SUBJECT: 2022-2025 TIP Development Schedule

Federal regulations require that a Transportation Improvement Program (TIP) be developed at least every four years. The Metropolitan Council revises its TIP every year in conjunction with MnDOT's State Transportation Improvement Program (STIP). The below schedule is a minor departure from the schedule used in recent years. Traditionally, the public comment period ends in early August, providing roughly a week for staff to assemble a public comment report. During development of the 2021-2024 TIP, 210 public comments were provided. These proved difficult to assemble prior to the August TAB meeting. Therefore, the TIP will now be released for public comment in May, rather than June, enabling the public comment period to end in July. The below schedule captures the schedule and any changes to past practice.

2022-2025 TIP/STIP ADOPTION SCHEDULE (All dates are in 2021)

DATE	ACTION	ORGANIZATION	NOTES
Mar-Apr	MnDOT provides draft project data to Council. Council develops draft TIP.	MC /MnDOT Staff	No change from past practice
May 19	Release draft TIP for public comment. Public comment period starts May 23.	TAB	Release for public comment moved up one month to make time for development of the public comment report.
May 20	Recommend approval of draft TIP	TAC – F&PC	Recommendation, potentially along with technical recommendations
June 2	Recommend approval of draft TIP	TAC	Recommendation, potentially along with technical recommendations
June 16	Consider technical comments on draft TIP.	TAB	TAB used to release for public comment at this meeting via action. Now an info item.
July 6	45-day public comment period ends	Council Staff	Early ending enables staff to assemble the comment report and consider comments
Aug 11	Prepare Public Comment Report. Draft TIP revised to address public comment	Council Staff	Include in TAB meeting packet
Aug 18	Accept Public Comment Report and recommend final TIP to Council	TAB	No change from past practice
Sept 13	Review final TIP – recommend to Council	Transportation Committee	No change from past practice
Sept 22	Adopt final TIP	Met Council	No change from past practice
Sept-Oct	TIP is incorporated into State TIPs	MnDOT/WisDOT	No change from past practice
Oct-Nov	Federal conformity determination	FHWA / FTA / EPA	No change from past practice
Nov	STIP Approved	FHWA and FTA	No change from past practice