ACTION TRANSMITTAL – 2021-37

DATE:	August 12, 2021
TO:	TAC Funding & Programming Committee
PREPARED BY:	Jed Hanson, Intern (jed.hanson@metc.state.mn.us) Joe Barbeau, Senior Planner (joe.barbeau@metc.state.mn.us)
SUBJECT:	Scope Change / TIP Amendment Request for Hennepin County Signal Revisions and Pedestrian Improvements
REQUESTED ACTION:	Hennepin County requests a scope change for its CSAH 35 / CSAH 52 Signal Revisions and Pedestrian Improvements project (S.P. 027-635-038) to remove planned improvements at the CSAH 35 (Portland Ave) and American Blvd intersection. This request is accompanied by a 2022-2025 TIP amendment request.
RECOMMENDED MOTION:	That the Funding & Programming Committee recommend that the TAC recommend approval of Hennepin County's request to remove planned improvements at the CSAH 35 (Portland Ave) and American Blvd intersection from its CSAH 35 / CSAH 52 Signal Revisions and Pedestrian Improvements project (S.P. 027-635-038), along with the corresponding amendment to the 2022-2025 TIP.

BACKGROUND AND PURPOSE OF ACTION: Hennepin County was awarded $846,000 in Highway Safety Improvement Program (HSIP) funds for the 2022 fiscal year in the reactive category as part of the 2018 HSIP solicitation. The award was to fund signal improvements (signal head replacement, retiming, additional signal heads, confirmation light, and exclusive left-turn phasing) and pedestrian improvements (curb extensions (if feasible), pedestrian ramp upgrades to ADA requirements, accessible pedestrian signals and countdown timers) at six intersections:

- CSAH 35 (Portland Avenue) and
  - American Boulevard
  - 86th Street
  - 90th Street
  - CSAH 1 (98th Street)
- CSAH 52 and
  - 70th Street
  - 76th Street

The project is intended to address a high share of left-turn crashes at these intersections and improve pedestrian crossing and accessibility. Since this project was awarded funding, the Minnesota of Department of Transportation (MnDOT) has planned construction for the CSAH 35 and American Blvd intersection as part of the I-494 Corridors of Commerce Project (S.P. 2785-424). This MnDOT-led project is planned for construction in 2023-2025 and will reconstruct the signal and pedestrian facilities at this intersection. The scope change application states that the MnDOT-led project will upgrade accessibility features beyond what is feasible in the county's project.

The proposed scope change would construct the intersection improvements at the remaining five intersections and remove the planned improvements at CSAH 35 and American Blvd (as illustrated in Attachment 1) to be constructed as part of another project, leaving the full project intact once all projects are completed.

The cost estimate, including local match, at the time of the original application was $940,000, while the cost shown in the draft 2022-25 TIP is $1,015,200. The scope change application shows an updated cost estimate is $1,650,000. The original HSIP application estimates $174,000 in costs for the CSAH 35 and American Blvd intersection, accounting for $156,600 of the HSIP award under the 90/10 federal-local split in the HSIP Program.

Hennepin County requests it retain the full $940,000 of the HSIP award, noting that the remaining $804,000 will be covered by local match. The proposed scope change results in a 51% federal and 49% local share if award dollars are retained.

The TIP amendment accompanying this request is to be reflected in the 2022-2025 TIP, which is yet to be approved. Provided a scope change request is approved by TAB, the Council will consider the amendment following federal approval of the 2022-2025 TIP.

RELATIONSHIP TO REGIONAL POLICY: Projects that receive funding through the Regional Solicitation process are subject to the regional scope change policy. The purpose of this policy is to ensure that the project is designed and constructed according to the plans and intent described in the original application. Additionally, any federally funded project scope change must go through a formal review and TIP amendment process if the project description or total project cost changes substantially. The scope change policy allows project sponsors to adjust their projects as needed while still providing substantially the same benefits described in their original project applications.

Federal law requires that all TIP amendments meet the following four tests: fiscal constraint; consistency with the adopted regional transportation plan; air quality conformity; and opportunity for public input. It is the TAB's responsibility to adopt and amend the TIP per these four requirements.

STAFF ANALYSIS:

Approval/Denial of the Scope Change: Because the county is taking advantage of other projects to construct intersection improvements and the project will be completed in its entirety, staff recommends approval of the scope change request (removal of the intersection improvements identified). A scoring analysis is not needed because there is a 233-point scoring spread between this project and the highest-scoring unfunded project, and further because the request is predicated on the removed improvements being completed through another project.

Funding: Staff provides the following two options:

1. Allow the applicant to retain the full award in recognition that the full project will be built.

2. Reduce the federal award by $156,600 corresponding to the federal share of the CSAH 35/American Blvd intersection's estimated costs in the original HSIP application.

TIP Amendment: Assuming a scope change is approved, a TIP amendment reflecting the change should be approved as well. The TIP amendment meets fiscal constraint because the federal funds are sufficient to fully fund the project. This amendment is consistent with the

Metropolitan Council Transportation Policy Plan, adopted by the Metropolitan Council on November 18, 2020 with FHWA/FTA conformity determination established on December 4, 2020. Public input opportunity for this amendment is provided through the TAB's and the Council's regular meetings. The Minnesota Interagency Air Quality and Transportation Planning Committee determined that the project is exempt from air quality conformity analysis.

ROUTING

TO	ACTION REQUESTED	DATE SCHEDULED / COMPLETED
TAC Planning or TAC Funding & Programming Committee	Review & Recommend	08/19/2021
Technical Advisory Committee	Review & Recommend	09/01/2021
Transportation Advisory Board	Review & Recommend TIP Amendment & Adopt Scope Change	09/15/2021

Note: Following the Transportation Advisory Board, the amendment to the 2022-2025 TIP will still need to be considered by the Transportation Committee and Metropolitan Council, following approval of the draft 2022-2025 TIP.

July 22, 2021

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

Re: Scope Change request to S.P. 027-635-038 - CSAH 35 (Portland Ave) and CSAH 52 (Nicollet Ave) Signal Revisions and Pedestrian Improvements

Dear Mr. Thompson,

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

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

Along CSAH 35 (Portland Ave) in Bloomington

- American Boulevard
- 86th Street
- 90th Street
- CSAH 1 (98th Street)

Along CSAH 52 (Nicollet Ave) in Richfield

- 70th Street
- 76th Street in Richfield

The current 2021-2024 State Transportation Improvement Program (STIP) identifies $846,000 in federal funding and $169,200 in local match funding for the project, for a STIP total of $1,015,200. The program year for this project is 2022.

Project development has been ongoing since 2020; and in 2021, it became known that coordinating agencies (MnDOT and Hennepin County) were planning separate improvement projects at the CSAH 35 (Portland Ave) and American Blvd intersection in different construction years. The Hennepin County led, and subject line project is planned for construction in 2022 and the MnDOT led T.H. 494 Corridors of Commerce Project – S.P. 2785-424 is planned for construction in 2023-2025. At this time, Hennepin County requests a scope change that would remove the planned improvements at the CSAH 35 (Portland Ave) and American Blvd intersection from the subject line project as the T.H. 494 Corridors of Commerce Project will reconstruct the signal and pedestrian facilities (attached is a layout showing the proposed work). Approval of this scope change request will allow for enhanced improvements at this intersection including ADA accommodations designed to be fully compliant and a new signal system, beyond what is feasible as part of the county's current signal revision and an ADA retrofit project. The change would also result in only one project (rather than two) at this intersection which will further minimize impacts to the

local community and traveling public. The proposed cost estimate of the work at CSAH 35 (Portland Ave) and American Blvd per the funding application was $174,000 and applying the 90/10 HSIP split results in a $156,600 federal portion and $17,400 local match.

Additionally, after further estimation, Hennepin County has determined that construction costs will likely be higher than initially anticipated; as such, we are requesting a revision to the new 2022-2025 STIP to reflect a STIP total of **$1,650,000**; an increase of $634,800 when compared to the 2021-2024 STIP. Therefore, we kindly request to retain the full original federal funding amount of $846,000, while the balance of $804,000 would be the revised local match.

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

Sincerely,

Ryan T. Allers

Ryan Allers, PE, PTOE

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

FUNDING DATA FOR SCOPE CHANGE REQUEST

1. Original Application

Regional Solicitation Year	N/A
Application Funding Category	N/A
HSIP Solicitation	Yes - 2018
Application Total Project Cost	$940,000
Federal Award	$846,000
Application Federal Percentage of Total Project Cost	90%

Project Elements Being Removed:	Original Application Cost
Work at Portland Ave/American Blvd intersection	$174,000

2. Funding Scenario

Current Funding vs. Proposed Funding

	Current STIP (2021-2024)	**Proposed – Intersection Work at Portland Ave/American Blvd Removed but no federal funds removed**	**Proposed - Intersection Work at Portland Ave/American Blvd Removed and federal funds removed ($174,000 total – 90% - $156,600, 10% $17,400)**
Federal	$846,000	$846,000	$689,400
Local Match	$169,200	$804,000	$960,600
Total Construction Cost	$1,015,200	$1,650,000	$1,650,000
% of Federal to Total	83%	51%	42%

3. Attachments

Attachment 1

Project map identifying locations of work to be removed.

Attachment 2

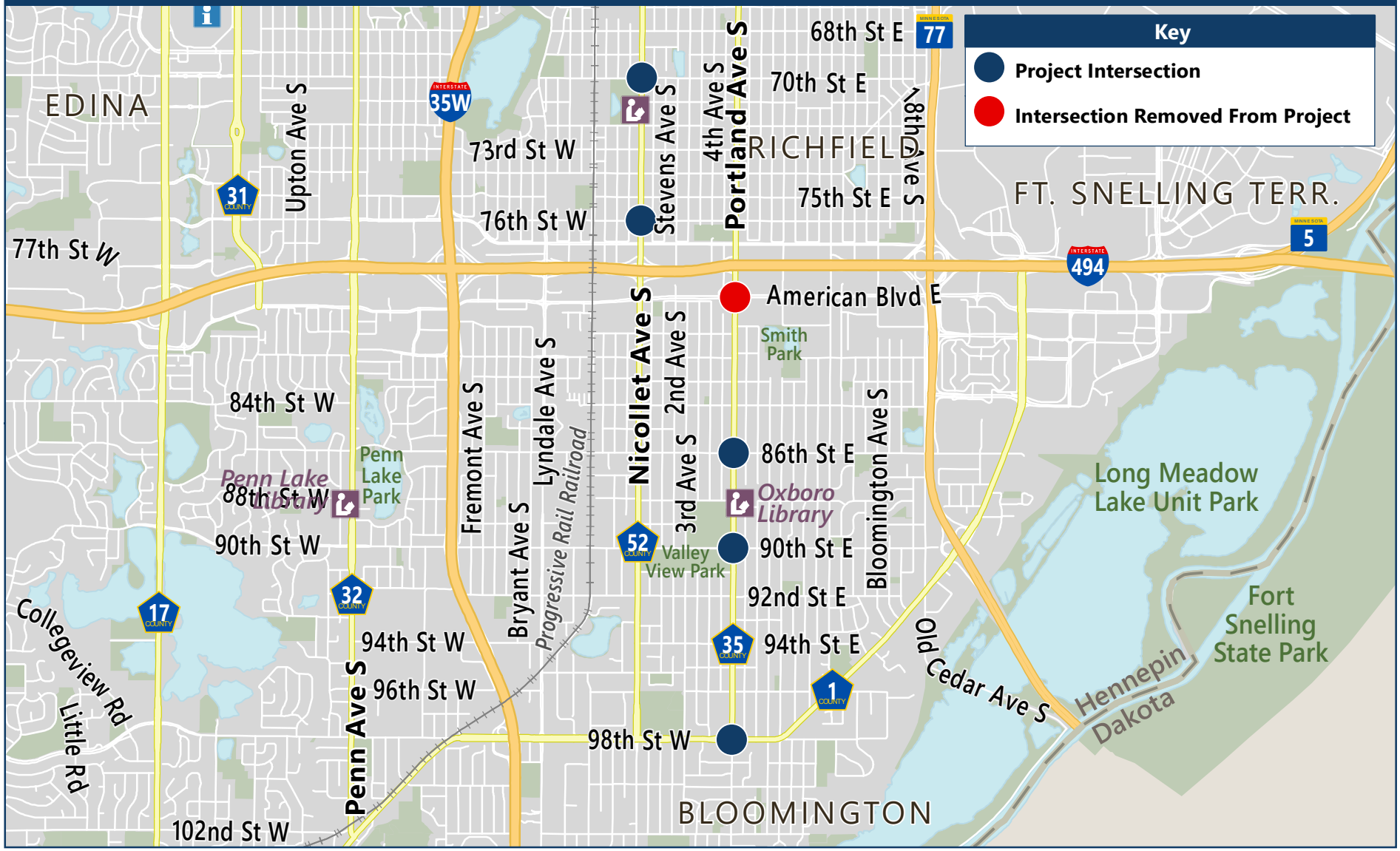
Letter of support and commitment from MnDOT.

ATTACHMENT 1

PROJECT MAP

S.P. 027-635-038

CSAH 35 (Portland Ave) and CSAH 52 (Nicollet Ave) Signal Revisions and Pedestrian Improvements | CP 2191600



ATTACHMENT 2

AGENCY LETTER OF SUPPORT AND COMMITMENT

DEPARTMENT OF TRANSPORTATION

July 22, 2021

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

RE: CSAH 35 (Portland Ave) and CSAH 52 (Nicollet Avenue) Signal Revisions and Pedestrian Improvements Project – Letter of Commitment

Dear Ms. Stueve:

MnDOT formally presents this letter of commitment to Hennepin County regarding the county's CSAH 35 (Portland Avenue) and CSAH 52 (Nicollet Avenue) Signal Revisions and Pedestrian Improvements Project (Hennepin County Project No. 2191600, {S.P. 027-635-038}); specifically, the planned signal revisions and ADA work at the Portland Avenue / American Boulevard intersection.

It is understood that Hennepin County has received federal funding to support signal revisions and ADA improvements at various intersections along Portland Avenue between American Boulevard and 98th Street. Such work at the Portland Avenue and American Boulevard intersection includes upgrading pedestrian ramps at all four corners to meet ADA and signal system revisions (including installation of flashing yellow left arrows).

It is further acknowledged that MnDOT currently has roadway improvements programmed in the STIP for the I494 Project 1 (State Project No. 2785-424) which includes the reconstruction of the Portland Avenue and American Boulevard intersection. At this time, it is anticipated that the I494 Project 1 will be delivered in 2023-2026 by MnDOT and will include new pavement, new signal system, removal of a free right, drainage, and pedestrian accommodations (including ADA) at the Portland Avenue and American Boulevard intersection.

MnDOT supports consolidating work at the Portland Avenue/American Boulevard intersection and hereby commits, via its planned I494 Project 1, to include those improvements at Portland Avenue/American Boulevard intersection that would have otherwise been delivered as part of Hennepin County's Project No. 2191600. Such consolidation will not only minimize construction impacts to the local community and roadway users; it will also allow for the construction of superior ADA accommodations due to the opportunity to substantially modify pavements and curb lines as part of the I494 Project 1.

MnDOT looks forward to continued coordination with Hennepin County on the I494 Project 1.

Sincerely,

Amber Blanchard

Digitally signed by Amber Blanchard
Date: 2021.07.22 06:36:25 -05'00'

Amber Blanchard, P.E.
Major Projects Manager/I494 Corridor Director

CC: Andrew Lutaya, West Area Engineer/I494 Project Manager

April Crockett, West Area Manager

Colleen Brown, Metro State Aid

Josh Potter, Hennepin County Transportation Engineer

Ryan Allers, Hennepin County Senior Project Engineer

Equal Opportunity Employer

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

PROJECT IDENTIFICATION:

Seq #	State Fiscal Year	ATP / Dist	Route System	Project Number	Agency	Description
TBD	2022	M	CSAH 35	027-635-038	Hennepin County	On CSAH 35 (Portland Ave) from 98th St E to ~~American Blvd~~ 86th St. E. in Bloomington and on CSAH 52 (Nicollet Ave) from 76th St E to 70th St E in Richfield – Signal revisions and pedestrian improvement

Miles	Prog	Type of Work	Prop Funds	Total $	FHWA $	Other $
0.0	SH	Traffic Signal Revision	HSIP	~~1,015,200~~ 1,650,000	846,000	~~169,200~~ 804,000

PROJECT BACKGROUND:

1. Briefly describe why amendment is needed (e.g., project in previous TIP but not completed; illustrative project and funds now available; discretionary funds received; inadvertently not included in TIP).

This amendment is needed to update the project description and costs. Changes are the result of a pending Met Council Scope Change.

2. How is Fiscal Constraint Maintained as required by 23 CFR 450.216 (check all that apply)?
   - New Money
   - Anticipated Advance Construction
   - ATP or MPO or MnDOT Adjustment by deferral of other projects
   - Earmark or HPP not affecting fiscal constraint
   - Other **X**

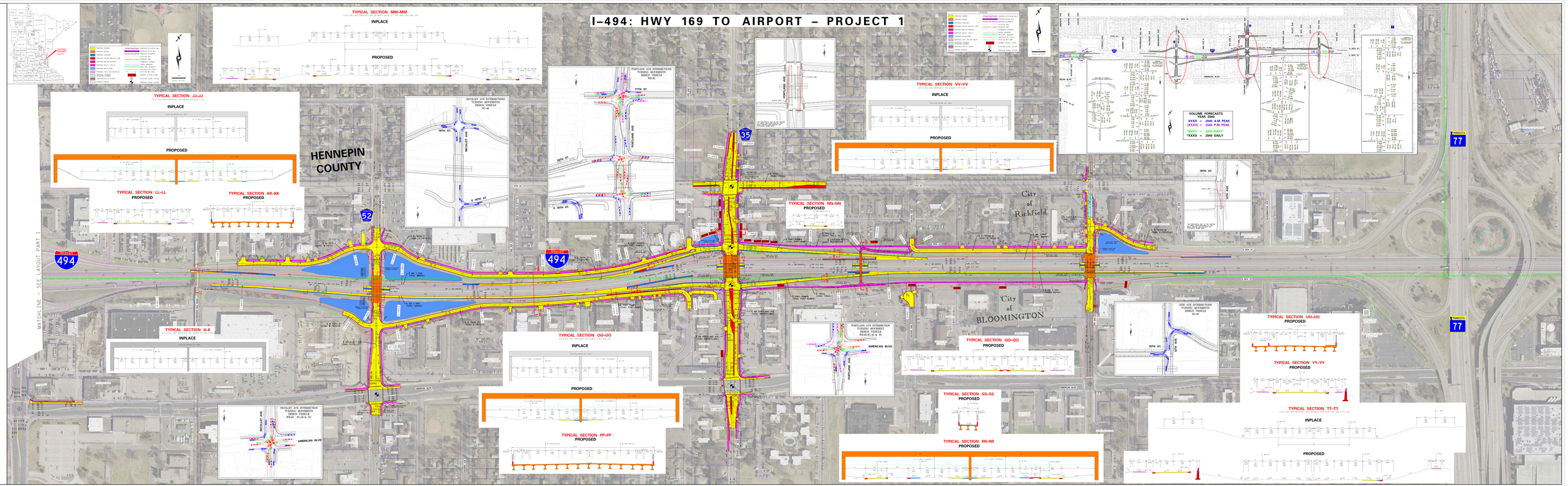
No additional federal funds are being added to the project, therefore fiscal constraint is maintained.

CONSISTENCY WITH MPO LONG RANGE PLAN:

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

AIR QUALITY CONFORMITY:

- Subject to conformity determination
- Exempt from regional level analysis **X**
- 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.

I-494: HWY 169 TO AIRPORT – PROJECT 1