To: TAC Funding & Programming Committee
Prepared By: Joe Barbeau, Senior Planner, phone 651-602-1705

Requested Action
Saint Paul requests a program year extension for its Kellogg Bridge replacement (SP# 164-158-028) from fiscal year 2023 to fiscal year 2024.

Recommended Motion
That the Funding & Programming Committee recommend that TAB approve Saint Paul’s request to extend its Kellogg Bridge replacement (SP# 164-158-028) from fiscal year 2023 to fiscal year 2024.

Summary
Saint Paul was awarded $7M in the 2020 Regional Solicitation to replace the Kellogg/3rd Street Bridge from Broadway Street to Maria Avenue. The city requests that the project be extended from 2023 to 2024 after supply-chain and cost concerns.

Background and Purpose
In the 2020 Regional Solicitation, the City of Saint Paul was awarded $7M to replace the Kellogg/3rd Street Bridge (Broadway St. to Maria Ave). The project was programmed for fiscal year 2023. The city is requesting that the project be extended to fiscal year 2024 due to supply-chain shortages and 17.5% inflation for this type of bridge from 2020 to 2021.

Relationship to Regional Policy
The Transportation Advisory Board (TAB) adopted the Program Year Policy in April 2013 (updated in August 2014) to assist with management and timely delivery of transportation projects awarded federal funding through the TAB’s Regional Solicitation. The policy includes a procedure to request a one-year extension based on extenuating circumstances within certain guidelines.

Staff Analysis
Per the Program Year Policy’s progress assessment (attached) a minimum score of 7 is needed to be eligible for an extension. This process helps assess whether the project is in position to be able to be obligated with the one-year extension. The request obtained a score of 10 Therefore, staff recommends approval of the request.

An extension of the program year does not guarantee federal funding will be available in that year. The project sponsor is responsible for completing the project in the new program year and
covering the federal share of the project until federal funding becomes available. At this time the project would be in line for 2028 reimbursement of federal funds, though an earlier reimbursement may occur if funding becomes available.

**Routing**

<table>
<thead>
<tr>
<th>To</th>
<th>Action Requested</th>
<th>Date Completed (Scheduled)</th>
</tr>
</thead>
<tbody>
<tr>
<td>TAC Funding &amp; Programming Committee</td>
<td>Review &amp; Recommend</td>
<td>January 19, 2023</td>
</tr>
<tr>
<td>Technical Advisory Committee</td>
<td>Review &amp; Recommend</td>
<td>February 1, 2023</td>
</tr>
<tr>
<td>Transportation Advisory Board</td>
<td>Review &amp; Adopt</td>
<td>February 15, 2023</td>
</tr>
</tbody>
</table>
December 27, 2022

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

RE: PROGRAM YEAR EXTENSION REQUEST FOR SP 164-158-028, MSAS 158 (KELLOGG/3RD ST) FROM BROADWAY ST TO 0.04 MI W OF MARIA AVE IN ST PAUL – REPLACE BRIDGE NOS. 62080 AND 62080A WITH NEW BRIDGE 62666 INCLUDING APPROACH ROADWAYS AND INTERSECTIONS

Dear Mr. Thompson,

I am writing on behalf of the City of Saint Paul to respectfully request that the Funding and Programming Committee consider the program year extension for the reconstruction of Bridge No. 62080/62080A as referenced above.

“Kellogg-Third” Bridge No. 62080/62080A is a significant structure with a complex history and regional importance, connecting Lowertown Saint Paul with Dayton's Bluff and T.H. 61 (Mounds)/I-94. The bridge functions as a gateway to major downtown facilities including CHS Field, Farmer's Market and Union Depot.

The existing bridge was designed in 1980 and built in 1982 by MnDOT. Soon after, MnDOT re-routed T.H. 5 to follow E 7th Street and transferred ownership of Kellogg Boulevard and the Kellogg-Third Bridge to the City by Commissioner's Orders. The structure is the longest (and one of the tallest) bridges owned and maintained by the City of Saint Paul. In 2014, structural analysis of bridge supports found that traffic cannot be supported on the outer portions of the bridge deck. Traffic was immediately removed from those portions of the bridge. City of Saint Paul committed local funds and sought external state and federal funds for a replacement bridge. In 2020, the project was awarded $7M in Federal Regional Solicitation Grants, and State Legislature dedicated an additional $52M of General Obligation Bonds to the project.

Design and engineering tasks are currently at 95% phase, on schedule to be “shovel-ready” in 2023.

Over the past two years, the bridge and road construction industry experienced widespread supply chain shortages and unprecedented cost escalations. Consecutive-year double-digit cost increases to numerous items (such as prestressed beams, disc bearings and steel reinforcement) outpaced historic inflation rates...
and resulted in a funding shortfall that must now be addressed to successfully deliver the project. As the City looks to close the funding gap in 2023, we respectfully ask that your office, with the help of your chairmanship, will embrace this project and provide your support for extension of the program year to 2024.

Should you require additional information, please do not hesitate to contact me directly at 651-266-6203 or at Paul.Kurtz@ci.stpaul.mn.us.

Sincerely,

Paul Kurtz, City Engineer
Department of Public Works

CC: Colleen Brown, MnDOT Federal Aid
    Brent Christensen, Project Engineer (Saint Paul)
    Glenn Pagel, City Bridge Engineer (Saint Paul)
    Anne Weber, TAC F&P Committee Member (Saint Paul)
REQUEST FOR PROGRAM YEAR EXTENSION
For
SP 164-158-028

MSAS 158 (KELLOGG/3RD ST) FROM BROADWAY ST TO 0.04 MI W OF MARIA AVE IN ST PAUL – REPLACE BRIDGE NOS. 62080 AND 62080A WITH NEW BRIDGE 62666 INCLUDING APPROACH ROADWAYS AND INTERSECTIONS

City of Saint Paul, MN

REQUESTED BY:

Paul Kurtz
Phone: +1-651-266-6203
Email: Paul.Kurtz@ci.stpaul.mn.us
1. PROJECT BACKGROUND

a) Project Name: SP 164-158-028, MSAS 158 (KELLOGG/3RD ST) FROM BROADWAY ST TO 0.04 MI W OF MARIA AVE IN ST PAUL – REPLACE BRIDGE NOS. 62080 AND 62080A WITH NEW BRIDGE 62666 INCLUDING APPROACH ROADWAYS AND INTERSECTIONS

b) Location Map: City of Saint Paul, MN

c) Sponsoring Agency: City of Saint Paul, MN

d) Other Participating Agencies: N/A

e) Project Description: Reconstruct Bridge Nos. 62080/62080A, walls, approach roadways and intersections including signal systems, on Kellogg Boulevard/Third Street from Broadway Street to Mounds Boulevard

Figure 1 – Project Location Map
f) Funding Category:
The project is funded as tabulated below:

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal Regional Solicitation Grant LBRP FY 2023</td>
<td>7,000,000.00</td>
</tr>
<tr>
<td>State GO Bonds STBGP</td>
<td>52,000,000.00</td>
</tr>
<tr>
<td>Local Sources</td>
<td>3,737,000.00</td>
</tr>
<tr>
<td><strong>Total Budget</strong></td>
<td><strong>62,737,000.00</strong></td>
</tr>
</tbody>
</table>

**g) Federal Funds Allocated:**

Federal funds in the amount of $7,000,000 have been secured for Fiscal Year 2023.

2. PROJECT PROGRESS

a) Project Schedule:

The list below outlines the project schedule from preparation of preliminary plans to approval of project memorandum to approval of final plans for construction. The dates highlight current project status and upcoming milestones for the project. Future activity dates anticipate program year extension.

**Completed/In Progress Activity / Milestone Date Completed**

- MnDOT Level 2 Layout Completed – 9/16/2020
- BNSF/UP Railroad Concept Plan Submittal 7/16/21
- BNSF/UP Railroad 30% Plan Submittal 10/27/21
- 60% Roadway Plans Submitted 11/05/21
- Preliminary Bridge Plans Approved 11/08/21
- Draft Project Memorandum (CATEX) Submitted – 12/1/21
- 60% Bridge Plans Submitted 4/18/22
- 90% Bridge & Roadway Plans, Specifications, Estimates, and 60% Design comment responses Submitted 9/12/22
- BNSF/UP Railroad Final Plan Submittal 9/12/22
- UP Railroad Final Plan Approval 10/18/22
- BNSF Railroad Final Plan Approval 11/8/22
- Final Project Memorandum (CATEX) Approved 11/16/2022
- UP Railroad Construction & Maintenance Agreement – Started 12/1/22 (in progress)
- BNSF Railroad Construction & Maintenance – Started 12/1/22 (in progress).

**Future Activity / Anticipated Completion Date**

- ROW Certificate #1 – September 2023*
- Final Plans Approval and Authorization – October 2023
- Project Bid Opening – December 2023
- Desired Construction Start – January/February 2024

*See part (b) for detail related to ROW Certificate completion and subsequent future activity dates.
b) **Right of Way Acquisition:**
The City began conducting its Real Estate activities in February 2020, clarifying land ownership and existing property rights upon the 22 parcels that are affected by project activities. Several right-of-way tasks were successfully completed as appropriate and necessary to reconstruct the bridge. For example, in September 2021 the City recorded an amendment to existing DNR Conservation Easement on city-owned parcels within Bruce Vento Nature Sanctuary (below the central portion of the bridge). Also starting in 2021, the City approached all property owners to coordinate construction needs and acquire permanent and/or temporary easements. The City performed title work and property valuation of all affected parcels. Offer letters were sent out in Spring 2022, and City Real Estate staff negotiated terms and easement offers with property owners into Summer 2022. At the time of the 95% engineer’s cost estimate, the City was on track to acquire all necessary easements by year-end 2022 and to submit Right of Way Certificate #1 early in 2023, supporting a June 2023 project authorization date and bidding and construction activities in the second half of 2023. Upon confirming a project funding shortfall, the City approached property owners to determine willingness to amend terms such that the shortfall could be adequately addressed. Options considered included specifying a ‘floating’ start date that would be tied to Contract Award, or increasing the duration of easements from three years to four or five years. Property owners presented with such options indicated opposition to open-ended start dates and concerns about future valuations or the taking of longer easements that could restrict the sale or redevelopment of their property. Likewise, the City recognizes a significant future risk in entering into easements before securing necessary project funds, should they expire during construction. Negotiating new easements or extensions during construction would be complicated and costly, especially considering the number of affected parcels.

Notably, at the time that the funding shortfall was identified in September 2022, the City had already made offers, met with all affected property owners, and negotiated mutually-acceptable terms for permanent and (three-year) temporary easements. It is expected that when funding is resolved and a construction timeframe is re-established, right-of-way acquisition will resume and be completed in a timely manner and without need for condemnation. Project schedule dates noted in section (a) above assume that project funding will be secured during the first half of 2023, and allows for a 90-day period to secure right-of-way acquisition agreements from property owners (which include private owners, county agency, and railroads).

Right-of-way plan sheets are included as attachments to this narrative.

c) **Plans:**
The City’s design consultant (SRF Consulting) completed 95% construction plans in September 2022 and submitted to review agencies: MnDOT State Aid, Union Pacific Railroad, and BNSF Railway. Final comments were received by all external agencies. The City has since put final plan and specification revisions on temporary hold, acknowledging the critical path priorities of project financing and right-of-way acquisition. The City and its consultant expect that the minor remaining design tasks can be completed within 90 days.

Cover sheets, general layouts, typical sections, right-of-way plans, and bridge general plan and elevation sheets are provided as attachments to this narrative.

d) **Permits:**

Table 1 – Permits required.
## PERMITS

<table>
<thead>
<tr>
<th>Permitting Agency</th>
<th>Required (Y/N)</th>
<th>Permit Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>DNR</td>
<td>No</td>
<td>No DNR properties will be impacted</td>
</tr>
<tr>
<td>MPCA – NPDES</td>
<td>Yes</td>
<td>Application completed, awaiting submittal of permit fee by City.</td>
</tr>
<tr>
<td>Capitol Regions Watershed District</td>
<td>Yes</td>
<td>Conditionally approved, awaiting approval of NPDES permit.</td>
</tr>
<tr>
<td>US Army Corp. of Engineers</td>
<td>Yes</td>
<td>Completed – Falls under USACOE Transportation Region General Permit</td>
</tr>
<tr>
<td>Board of Water and Soil Resources</td>
<td>No</td>
<td>Concerns waived under the USACOE General Permit</td>
</tr>
<tr>
<td>Railroad</td>
<td>Yes</td>
<td>In progress by Union Pacific and BNSF Railroads.</td>
</tr>
<tr>
<td>MnDOT</td>
<td>Yes</td>
<td>Detour permit application to be submitted with final design plans.</td>
</tr>
<tr>
<td>FAA</td>
<td>Yes</td>
<td>Completed – FAA obstruction permit obtained on 9/19/2022</td>
</tr>
</tbody>
</table>

### Approvals:
The following is a list of agencies with approval authority and the status of each approval:

### Table 2 – Agency Approval Required

<table>
<thead>
<tr>
<th>Agency for Approval</th>
<th>Requirement</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>MnDOT State Aid</td>
<td>Project Memorandum</td>
<td>Approved 11/16/2022</td>
</tr>
<tr>
<td></td>
<td>Preliminary Plans</td>
<td>Prelim bridge approved 11/8/21</td>
</tr>
<tr>
<td></td>
<td></td>
<td>60% roadway plans submitted 11/05/21</td>
</tr>
<tr>
<td></td>
<td></td>
<td>60% bridge plans submitted 4/18/22</td>
</tr>
<tr>
<td></td>
<td></td>
<td>90% roadway &amp; bridge plans submitted 9/12/22</td>
</tr>
<tr>
<td></td>
<td>Final Plans and Specifications</td>
<td>Anticipated March 2023</td>
</tr>
<tr>
<td>Union Pacific Railroad</td>
<td>Concept Submittal</td>
<td>Completed – 7/16/21</td>
</tr>
<tr>
<td></td>
<td>30% Submittal</td>
<td>Completed – 10/27/21</td>
</tr>
<tr>
<td></td>
<td>Final Submittal</td>
<td>Approved – 10/18/22</td>
</tr>
<tr>
<td>BNSF Railway</td>
<td>Concept Submittal</td>
<td>Completed – 7/16/21</td>
</tr>
<tr>
<td></td>
<td>30% Submittal</td>
<td>Completed – 10/27/21</td>
</tr>
<tr>
<td></td>
<td>Final Submittal</td>
<td>Approved – 11/08/22</td>
</tr>
</tbody>
</table>
f) Identified Funds Spent to Date on Project:

City of Saint Paul committed local project funds to advance the design phase to 95% completion status. Approximate expenditures to December 2022 include $3M for City staff project management and administration, consultant engineering services, and external review agency fees.

3) Justification for Extension Request:

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

The existing bridge was built in 1982 by MnDOT. Soon after, MnDOT re-routed T.H. 5 to follow E 7th Street and transferred ownership of Kellogg Boulevard and the Kellogg-Third Bridge to the City by Commissioner’s Orders. The structure became the longest (and one of the tallest) bridges owned and maintained by the City of Saint Paul. The bridge replacement need was a sudden and unanticipated result of a 2014 structural analysis of the bridge supports, which found that traffic cannot be supported on the outer portions of the bridge deck. The City sought project funding for several years, and in 2020 was awarded $7M Federal Regional Solicitation Grant and $52M State General Obligation Bond funds. At the time of funding, total budget was adequate to deliver the project, and the City began design.

Recent world events, including COVID-19 pandemic and Russian invasion of Ukraine, contributed to widespread supply chain shortages and unprecedented inflation rates. Two reports that serve to illustrate and quantify these increases are provided for reference:

1) The most recently published (2021) MnDOT State Aid Bridge Office Cost Report recorded a 17.5% increase in average bridge cost from 2020 to 2021, for prestressed precast concrete beam bridge type. https://edocs-public.dot.state.mn.us/edocs_public/DMResultSet/download?docId=17981678

2) Associated General Contractors (AGC) published a July 2022 Construction Inflation Alert that utilized U.S. Bureau of Labor Statistics data and indicated alarming production price index (PPI) trends: for example, the steel mill index more than doubled between April 2020 and June 2022, and the bid price index soared 19.8% from June 2021 to June 2022. https://www.agc.org/sites/default/files/users/user21902/Construction%20Inflation%20Alert%20Cover_Jul2022_V4.pdf

Comparison of project cost estimates prepared at key stages of design (preliminary in January 2020, interim in May 2021, and final in 2022) track successive project cost increases that resemble the 2020-2021 and 2021-2022 bid price reports noted above. In Summer 2022, the project team attempted to offset price increases with cost-reduction measures. However, because the replacement bridge already utilizes the most economical methods of bridge construction available (driven steel pile foundation, reinforced concrete substructures, prestressed precast concrete beams, structural concrete deck, standard slip-form barrier) very few material substitutions, scope reductions, or design alternatives exist to reduce the cost of the bridge as-proposed.
Though not without challenge, a local agency such as the City of Saint Paul could potentially mitigate unprecedented cost inflation on its local bridge projects, by re-allocation of its local road and bridge improvement program, and deferral of some lesser priority projects. Kellogg-Third Bridge is no ordinary local bridge structure, however, and the immense scale of the bridge, multiplied by actual 2020-2022 bid price increases, results in a substantial and unforeseeable funding gap.

Extension of the program year is necessary to preserve the $7M Federal Regional Solicitation Grant funds that have been allocated to the project while the City acts to resolve the funding gap in 2023.

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

If the project is not delivered in FY 2023, the existing Federal funds are at-risk and the project funding shortfall will increase by an additional $7M.

c) What are the implications if the project does not obtain the requested extension?

If the project does not obtain the requested extension, the City of Saint Paul may be unable to secure necessary right-of-way (temporary easements that require known construction duration) and advance the project to authorization. Consequently, the existing Federal funds are at-risk and the project funding shortfall will increase by an additional $7M.

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

The City’s top priority will be to solve the funding gap associated with the Kellogg-Third Bridge Replacement Project. The City will continue to evaluate and pursue all potential sources for additional funding at local, state and federal levels.

- As a recurrent program, Regional Solicitation Grant is one important component of capital project planning.
- Between 2015 and 2020, the City requested direct appropriation for the State legislature, and is considering submitting a 2023 request, citing the unprecedented cost escalations that were experienced in years following State contribution to the project.
- Other special Federal Grant sources have been evaluated for funding viability, including the Bridge Improvement Program (BIP) and Reconnecting Communities. The City will submit the Kellogg-Third Bridge Replacement Project to any and all grants for which the project appears to be a likely candidate for program award.
ATTACHMENTS:

95% Roadway Set
Cover Sheet
General Layout
Typical Sections (8 sheets)
Right-of-Way Plans (4 sheets)

95% Bridge Set
Cover Sheet
General Plan and Elevation (4 sheets)
Bridge Underpass Detail and Typical Section (2 sheets)
ATTACHMENT 1: PROGRESS SCHEDULE FOR PROGRAM YEAR EXTENSION

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

<table>
<thead>
<tr>
<th>PROGRESS SCHEDULE FOR PROGRAM YEAR EXTENSION</th>
<th>Enter request date</th>
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<tbody>
<tr>
<td><strong>PROJECT MEMORANDUM</strong></td>
<td></td>
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<tr>
<td>X Reviewed by State Aid</td>
<td>If checked enter 4.</td>
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<tr>
<td>Date of approval 05/18/22</td>
<td></td>
</tr>
<tr>
<td>X Completed/Approved</td>
<td>If checked enter 5.</td>
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<tr>
<td>Date of approval 11/16/22</td>
<td></td>
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<tr>
<td>EA</td>
<td></td>
</tr>
<tr>
<td>Completed/Approved</td>
<td>If checked enter 2.</td>
</tr>
<tr>
<td>Date of approval</td>
<td></td>
</tr>
</tbody>
</table>

**EITHER**

| Anticipated Date of Completion              |                    |
| If prior to January 31 of the program year, enter 1. | |

### OPPORTUNITY FOR PUBLIC HEARING (not necessary for project memorandum)

| OP-PORTUNITY TO PUBLIC HEARING              |                    |
| 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)

| FINAL ENVIRONMENTAL ASSESSMENT              |                    |
| 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)

| STUDY REPORT (required for Environmental Assessment Only) |                    |
| Complete/Approved                                      | If checked enter 1. |
| Date of Approval                                        |                    |

| Not Complete                                            |                    |
| Anticipated Date of Completion                          |                    |

Page 4
CONSTRUCTION PLANS

_____Completed (includes signature of District State Aid Engineer)

Date __________________________ If checked enter 3.

X _____Completed (approved by District State Aid as to SA Standards but not signed)

Date 10/05/22 ______________________ 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 __________________________

X _____Not Complete

Anticipated Date of Completion 09/31/23 _________________________

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

ENGINEERS ESTIMATE OF COSTS

X _____Completed If checked enter 2.

Date 09/12/22 _________________________

_____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 12/01/23 ______.  
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 10
GENERAL NOTES:

ALL CROSS SLOPES ARE IN FT/FT
ROADWAY DIMENSIONS ARE 30 INCHES OF CURB UNLESS OTHERWISE NOTED.
BOULEVARD DIMENSIONS START FROM BACK OF CURB UNLESS OTHERWISE NOTED.
SEE RETAINING WALL PLANS SHEETS W-27 - W-43 FOR RETAINING WALL INFORMATION.
SEE SLOPING AND STRIPPING PLAN SHEETS 102 - 211 FOR LANE CONFIGURATIONS AND MARKINGS.

NOTES:
1. SEE SUPER ELEVATION PLANS SHEETS 113 - 116 FOR ROAD GRADES
2. PER HVAC STANDARD PLATE 7100

KELOGG BDG
KELOGG E4 STA 113+428.0 TO STA 117+13.8
GENERAL NOTES:

- All cross slopes are in % ft/ft.
- Roadway dimensions are to face of curb unless otherwise noted.
- Sidewalk dimensions drawn from back of curb unless otherwise noted.

- SEE RETAINING WALL PLANS SHEETS WM07 - WM43 FOR RETAINING WALL INFORMATION.
- SEE SIGN AND STRIPING PLAN SHEETS 192 - 211 FOR LANE CONFIGURATIONS AND MARKINGS.

At 0.050 above or below grade, the size of the concrete cross slope is 6"/ft.

**NOTES:**

1. See super-elevation plans sheets 113 - 116 for road grades.
2. 0.006 distance clear zone from edge of wall.

**DETAIL A**

- B6172 - MOD C Age Out

**SAINT PAUL, MINNESOTA**

**TYPICAL SECTIONS**

**KELLOGG/3RD STREET BRIDGE REPLACEMENT**

**SHEET 54 OF 235**
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
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.