

Agenda

TAC Funding and Programming Committee



Meeting date: August 15, 2024

Time: 1:00 PM

Location: Virtual

Public participation:

This meeting will be streamed and recorded.

[Watch the meeting online.](#)

If you have comments, we encourage members of the public to email us at public.info@metc.state.mn.us.

You may pre-register to speak at a virtual public meeting of the TAC Funding and Programming Committee by emailing us at public.info@metc.state.mn.us.

Call to order

1. Roll call
2. Approval of the agenda
3. Approval of June 20, 2024, TAC Funding and Programming minutes – roll call

Public comment on committee business

TAB report

Business

1. 2024-39: Southwest Transit Scope Change (Robbie King, MTS) – roll call
2. 2024-40: Scope Change Policy Update (Joe Barbeau, MTS) – roll call
3. 2024-41: Program Year Policy Update (Joe Barbeau, MTS) – roll call

Information

Other business

Adjournment

Key:

- * Agenda item changed following initial publication

Council contact:

Robbie King, Planner
robbie.king@metc.state.mn.us
651-602-1380

Minutes

TAC Funding and Programming Committee



Meeting date: June 20, 2024

Time: 1:00 PM

Location: Virtual

Members present:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Bloomington – Karl Keel | <input checked="" type="checkbox"/> TAB Coordinator – Elaine Koutsoukos | <input checked="" type="checkbox"/> Anoka Co. – Jerry Auge |
| <input checked="" type="checkbox"/> Lakeville – Paul Oehme (Vice Chair) | <input checked="" type="checkbox"/> MnDOT Metro District – Jody Carter | <input checked="" type="checkbox"/> Carver Co. – Darin Mielke |
| <input checked="" type="checkbox"/> Eden Prairie – Robert Ellis | <input checked="" type="checkbox"/> MnDOT Metro District State Aid – Colleen Brown | <input type="checkbox"/> Dakota Co. – Jenna Fabish |
| <input checked="" type="checkbox"/> Fridley – Jim Kosluchar | <input checked="" type="checkbox"/> MnDOT Bike/Ped – Mike Samuelson | <input checked="" type="checkbox"/> Hennepin Co. – Carla Stueve |
| <input checked="" type="checkbox"/> Minneapolis – Nathan Koster | <input checked="" type="checkbox"/> MPCA – Innocent Eyoh | <input type="checkbox"/> Ramsey Co. |
| <input checked="" type="checkbox"/> Plymouth – Michael Thompson (Chair) | <input checked="" type="checkbox"/> DNR – Nancy Spooner-Walsh | <input checked="" type="checkbox"/> Scott Co. – Adam Jessen |
| <input type="checkbox"/> St. Paul – Anne Weber | <input checked="" type="checkbox"/> Suburban Transit Assoc. – Matt Fyten | <input checked="" type="checkbox"/> Wash Co. – Madeline Dahlheimer |
| <input checked="" type="checkbox"/> Met Council – Cole Hiniker | | <input type="checkbox"/> = present, E = excused |
| <input checked="" type="checkbox"/> Metro Transit – Scott Janowiak | | |

Call to order

A quorum being present, Committee Chair Thompson called the regular meeting of the TAC Funding and Programming Committee to order at 1:00 p.m.

Agenda approved

Chair Thompson noted that a roll call vote was not needed for approval of the agenda unless a committee member offered an amendment to the agenda. Committee members did not have any comments or changes to the agenda.

Approval of minutes

It was moved by Maddie Dahlheimer, seconded by Elaine Koutsoukos, to approve the minutes of the May 16, 2023, regular meeting of the TAC Funding and Programming Committee with changes. **Motion carried** unanimously.

Public comment on committee business

None.

TAB report

Elaine Koutsoukos, TAB Coordinator, outlined the discussion at the June 12, 2024 meeting of the Transportation Advisory Board.

Business

2024-31: Regional Solicitation Project Selection

Steve Peterson, Metropolitan Transportation Services, presented the 2024 Regional Solicitation Funding options. S. Peterson outlined the desire of TAB to find consensus for a funding option that can result in broad support.

Innocent Eyoh, MPCA, asked about the purpose and interest of the \$30 million of overprogramming.

S. Peterson clarified that the interest in this overprogramming was to provide more projects to the bike/ped modes in the Closest to Midpoint or the Safety funding option.

Carla Stueve, Hennepin County, asked about the sentiment that she heard at TAB about safety elements. Stueve asked if that was a sentiment received by Metropolitan Council staff.

S. Peterson and E. Koutsoukos concurred that it was a point received by staff.

Karl Keel, Bloomington, asked about how much overprogramming would be needed to fund every single project in every option.

S. Peterson said that roughly \$18 million of overprogramming might be required to fund every project in all options.

Karl Keel lended support for funding all projects listed in all options.

S. Peterson noted that monies set aside might not be needed for that purpose in 2026 and beyond, because the evaluation is occurring right now that might result in removing the purpose for those set asides.

Colleen Brown, MnDOT, noted discussions with staff at MnDOT that the current level of overprogramming might be too high as it is.

S. Peterson noted that Council staff had not been made aware of this by MnDOT.

Cole Hiniker, MTS, asked if Karl Keel was considering the Midpoint option when asking about attempting to over program all projects in all options.

Nathan Koster, Minneapolis, asked if the Safety option provides projects that truly have a safety benefit.

S. Peterson discussed that when the Safety option was developed the performance measure was monetized crash benefit so this was able to be captured for this option. There are arguments to be made for other types of projects, however, those arguments might not have a measure to fairly compare.

S. Peterson outlined the three additional active transportation projects that could be added to any of the options.

Darin Mielke asked about the current level of overprogramming.



S. Peterson clarified that the level of overprogramming is 10%.

Darin Mielke asked about TAB direction on whether to stray above or below the modal funding ranges.

Elaine Koutsoukos noted that TAB has not provided direction on this, because they typically rely on being as close to the midpoint as possible.

D. Mielke lended support for the Safety option with 10% overprogramming and the additional 5-8% of overprogramming.

J. Kosluchar asked if the overprogramming included the additional active transportation funding.

S. Peterson noted that this will not include active transportation funding, overprogramming relates only to the federal money.

J. Kosluchar asked if the current options reflect the desire of survey respondents.

S. Peterson concurred that the bike/ped option does reflect survey respondents.

C. Stueve stood in support of Nathan Koster's point and reiterated that there has been an increase in fatal and serious injury crashes for all road users. As a result, the Safety option is preferred with overprogramming going into the bike/ped categories.

M. Samuelson noted that clarifying that the safety option is not the only option that captures projects with a safety benefit.

Michael Thompson, Plymouth, asked about what Steve Peterson meant when a project denied RS money and accepted HSIP dollars that it "was a wash".

S. Peterson clarified that he meant there was money that could be used for something else.

Matt Fyten, Suburban Transit, noted that it is reasonable to bring the Transit funding amount to the minimum of the modal range recommended by TAB.

C. Stueve noted that there are investments in transit in the BRT setasides.

Scott Janowiak, Metro Transit, agrees with Fyten about bringing transit funding to the midpoint level.

C. Hiniker asked about the methodology for considering trail reconstructions and other projects that are not new improvements.

S. Peterson noted that the scores were the backbone for building these options.

C. Hiniker lamented that a score driven approach might not be the best approach.

N. Koster asks what the actual midpoint for these modal ranges is, because that may differ from the modal ranges set for this solicitation.

M. Thompson concurs and asks that staff work on not having this type of scenario play out with every solicitation.

E. Koutsoukos notes that TAB typically goes towards the midpoint as a result of limitations inherent in the midpoint approach.



S. Peterson notes that this feedback is good for the ongoing regional solicitation evaluation.

N. Koster continues that TAB boxes themselves into the modal funding ranges.

J. Kosluchar is curious if TAB picked up on the discussion at TAC.

S. Peterson presented a newly developed hybrid option.

C. Stueve raised a concern of the hybrid option. The Marshall Avenue project was not included in the Hybrid scenario but was included in Safety, because of the safety benefit.

K. Keel proposes another option, something to be called like Hybrid, that includes all Safety and Bike/Ped option projects. Keel asks what is the number for overprogramming needed to make this happen.

S. Peterson states that the overprogramming amount would be about 15%.

S. Janowiak asks to clarify how this new option affects the Transit category.

C. Hiniker offered that the committee should consider adding to the motion that TAB should consider removing future Unique projects to borrow from overprogramming.

N. Koster asks for clarification on whether there was discussion on funding more pedestrian projects over funding the more expensive bicycle projects.

S. Peterson notes that there was no consensus on this topic at TAB.

M. Thompson outlines the recommended motion from staff on the action transmittal.

Chair Thompson called for a motion to make the following recommendations to TAC:

- Recommend overprogramming (to fund all projects) for Bike/Ped and Safety options, and use available \$2 Million in funding for transit modernization project
- Recommends funding the 17 Active Transportation projects shown as part of each of the funding options.
- Have staff provide pros and cons for the three 2024 Regional Solicitation funding options as described in this action transmittal.

Cole Hiniker made the motion and it was seconded by Karl Keel. **The motion passed unanimously.**

2024-32: Highway Safety Improvement Program (HSIP) Project Selection

Kaare Festvog, MnDOT, presented on the projects selected during the HSIP competitive process.

Chair Thompson called for a motion to recommend adoption to TAC that TAB approve of the 20 projects for funding through the HSIP solicitation. The motion was made by Elaine Koutsoukos and seconded by Darin Mielke. The motion passed with 13 ayes and 7 abstentions.

Information

None.



Reports

None.

Adjournment

Business completed; the meeting adjourned at 3:21 p.m.

Council contact:

Robbie King, Planner
robbie.king@metc.state.mn.us
651-602-1380



Action Transmittal

Transportation Advisory Board



Committee Meeting Date: August 15, 2024

Date: August 8, 2024

Action Transmittal: 2024-39

Scope Change Request – SouthWest Transit Mall of America Service

To: TAC Funding & Programming Committee

Prepared By: Robbie King, Planner, 651-602-1380
Joe Barbeau, Planning Analyst,
Elaine Koutsoukos, TAB Coordinator, 651-602-171

Requested Action

SouthWest Transit requests a scope change to adjust the service area to remove the Golden Triangle, add the Airport, and increase the operating time for its Mall of America service.

Recommended Motion

That the Funding & Programming Committee recommend approval of SouthWest Transit's scope change request to adjust the service area to remove the Golden Triangle, add the Airport, and increase the operating time for its Mall of America service.

Background and Purpose

In the 2016 Regional Solicitation, SouthWest Transit was awarded \$5,603,505 in the Transit Expansion category to operate a new fixed-route bus service along the I-494 corridor from Southwest Station in Eden Prairie to the Mall of America in Bloomington. This service was originally planned to operate from 5:00 am to 7:00 pm Monday to Saturday and provide service beginning at the Mall of America, intersections adjacent to I-494 & Highway 100, I-494 & France Avenue, and I-494 & Penn Avenue, and the Golden Triangle, terminating at Southwest Station. To operate this service, SouthWest Transit requested regional solicitation grant money for acquisition of eight 35-40 foot cutaway buses. Since the grant was awarded, buses have been ordered and will be delivered for service to start in early 2025.

A thorough analysis was performed by SouthWest Transit to analyze ridership along the I-494 corridor and customer needs have changed dramatically since 2016. This analysis has resulted in three requests as a part of this scope change.

Request 1: SouthWest Transit requests removing the Golden Triangle from the service area

In 2023, only 1,201 unlinked passenger trips were taken from Golden Triangle to other service areas. Further, existing ridership from SouthWest Transit's Prime microtransit service shows that 45.3% of rides beginning within the Golden Triangle were within Eden Prairie. Therefore, SouthWest Transit identifies the requested scope change as removing redundant service from Golden Triangle.

Request 2: SouthWest Transit requests extending service to Minneapolis/Saint Paul Airport terminals

SouthWest Transit's Prime microtransit service has operated for three years and the agency has

observed a 719.5% increase in rides to the airport. Ridership to the airport is 9.8 times greater than in the Golden Triangle.

Request 3: SouthWest Transit requests increasing service days and hours

As a result of ridership trends to and from the airport, SouthWest Transit requests increasing service days and hours. Weekday service will operate from 5am to 7pm with 30-minute frequency. Weekend service will operate as an express from 5am to 11pm with 45-minute frequency.

Relationship to Regional Policy

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

Staff Analysis

Approval/Denial of Scope Change: Table 1 shows a scoring analysis. This was scored through the 2016 Regional Solicitation process. Since the project was funded, new ridership data has been collected and organized by SouthWest Transit to show that requested changes will benefit the project. Staff concur that the requested changes represent an enhancement to the project. The application’s score of 513 is 75 points higher than the highest-scoring unfunded project in the Transit Expansion category. In light today’s conditions, the proposed project is an improvement over the original project and staff recommends approval of the change.

Table 1: Scoring Analysis

Measure	Max Score	Original Score	Scope Change	Notes
1A. Role in Transit System: Employment	50	28	0	No change
1B. Role in Transit System: Connectivity	50	17	+	Likely to change
2A. Usage	350	39	+	Likely to change
3A. Equity	130	108	0	No change
3B. Housing Score	70	64	0	No change
4. Emissions Reduction	200	200	0/+	Potential for some change
5. Multimodal	100	0	0	No change
6. Risk	50	50	0	No change
7. Cost Effectiveness	100	7	0	N/A
TOTAL	1100	513	0/+	Potential for some change

* 0 = no change

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

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

Funding and Budget: While the total cost of the project is increasing, additional Regional Solicitation funding cannot be applied to the project. Shown in Table 1 is the change in the funding to respond to the projected change in Transit Operating Cost shown in Table 2.

Table 2: Funding Analysis

	Original Funding	Proposed Funding	Funding Change
Regional Solicitation Grant	\$5,603,504.80	\$5,603,504.80	\$0
Local Match (20%)	\$1,400,876.20	\$1,976,131.70	\$575,255.50
Total Project Funding	\$7,004,381	\$7,579,636.50	\$575,255.50

Table 3: Budget Analysis

	Original Cost	Proposed Cost	Cost Change
Construction Cost	\$1,600,000	\$1,600,000	\$0
Transit Operating Cost	\$5,404,381	\$5,979,636.50	\$575,255.50
Total Project Cost	\$7,004,381	\$7,579,636.50	\$575,255.50



TAB has the following options regarding retention of federal funds. The key language in the Scope Change Policy is “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. Note that the Golden Triangle will continue to be served through microtransit services. Federal funds cannot be added to a project beyond the original award.”

1. Require removal of a portion of federal funds based on removal of the Golden Triangle as an “element.”
2. Allow for full retention of the federal funds because the microtransit service has been added and serves the Golden Triangle. Note also that if the funding is taken away it is lost to the region. Because of this staff recommends approval with retention of all federal funds.

Routing

To	Action Requested	Date Completed (Date Scheduled)
TAC Funding & Programming Committee	Review & Recommend	August 15, 2024
Technical Advisory Committee	Review & Recommend	September 4, 2024
Transportation Advisory Board	Review & Adopt	September 18, 2024





SouthWest Transit

14405 West 62nd Street., Eden Prairie, MN 55346
swtransit.org • 952-949-2287

July 24, 2024

Nicole Clapp
Grants Manager
Metropolitan Council
290 Robert St N
St Paul, MN, 55101

Subject: Amendment Request for Application '05324 TE SWTransit SWTransitSA MOA Service'

Dear Nicole:

Based on a thorough analysis of current ridership along the 494 corridor and other impacted service areas by the project under application #05324, SouthWest Transit is requesting a formal scope change to '05324 TE SWTransit SWTransitSA MOA Service', that SouthWest Transit (SWT) was awarded as a part of the 2016 Regional Solicitation for the Fixed Route Service between SouthWest Transit Service Area and 494 Corridor. Our customers' needs have changed dramatically since 2016, and this necessitates changes to service so that we can better serve their needs:

- Our 2023 community surveys show that more people in our service area of Eden Prairie, Chanhassen, and Chaska are commuting to the 494-corridor area in Bloomington compared to 2019 (22% vs. 17%).
- Emerging commuting patterns show that the Golden Triangle employment area in Eden Prairie has become only a minor destination for commuters.
- Airport service through our microtransit service SouthWest Prime was launched in 2021 and has demonstrated a significant need to connect to the airport both for employment and travel.
- A thorough financial analysis shows that we can dramatically increase service hours into the evenings and weekends with the same grant dollars in order to serve workers and travelers better.

As per original 2016 Regional Solicitation application, SWT intends to operate this project to connect the SWT service area with numerous employment areas that exists along I-494 corridor, including, Mall of America, intersections at I-494 & I-100, I-494 & France Ave, and I-494 & Penn Ave.

This amendment request consists of multiple formal scope changes to the original grant, which would extend service hours and add an additional service day for the 494-corridor bus route with the remaining minimal operational costs covered by SWT. It includes three formal scope change requests:

1. Removing Golden Triangle from the Service Area:

SWT is requesting a formal scope change to the project for removing the Golden Triangle area from the service area of this project. The existing ridership data is based on SW Prime, SWT's on-demand micro transit service. In 2023, there were only 1201 Unlinked Passenger Trips (UPTs) to and from Golden Triangle to SWT's other service areas, of which only 7.79% of the trips were along the 494-corridor, which means this scope change will not negatively impact the project. Also, 45.30% of the trips in Golden Triangle were within Eden Prairie, out of which 83.46% trips were within our current Mobility Hub (application #11024), a TAB-funded award that will serve the area via micro-transit with a convenient connection through Southwest Station. This effectively removes the potential for overlapping and redundant service.

2. Extending service to MSP airport Terminals

SWT is also requesting another formal scope change to amend this project to extend the terminus to the MSP airport, instead of the Mall of America. This scope change will not threaten or negatively impact the project but enhance it by adding service to one more popular destination. SW Prime has provided service to the MSP airport terminals for three years and has seen 719.5% of growth since it's starting in 2021(1,447 UPTs in 2021 to 11,859 UPTs in 2023), triggering a review to transition the service to a fixed route by adding a section from MOA to MSP in this project. Also, the analysis of SW Prime ridership between the Golden Triangle and the airport reveals a significant disparity in demand. Specifically, the ridership to/from the airport is 9.8 times more than that in the Golden Triangle. Moreover, trips to and from the airport constitute 60.44% of the total SW Prime ridership (19,430 UTPs) along the corridor in 2023, indicating a substantial portion of overall demand.

Table 1-SW Prime 2023 Ridership Data for MSP and Golden Triangle Area

S.N.	Type of Service	Unlinked Passenger Trips (UTPs)	Remarks
1	Golden Triangle Inbound (trips from GT)	537	Only 7.79% of the trips were along the corridor. 45.30% of ridership in GT were within Eden Prairie, out of which 83.46% was within May Mobility service area
2	Golden Triangle Outbound (trips to GT)	664	
Total Golden Triangle		1,201	
3	MSP Inbound (trips from MSP)	2,786	Total MSP ridership 9.8 times more than total GT ridership, and covers 60.44% of overall ridership in 494-corridor
4	MSP Outbound (trips to MSP)	8,957	
Total MSP		11,743	

3. Increasing Service Days and Hours

SWT is requesting the third formal scope change for increasing the service days from Monday through Saturday to all days' service, with additional late hour service on all days of the week. The final route for this project prioritizes optimizing service efficiency and establishing robust connections with other regional transit services. To achieve these goals, the route will operate with two distinct service patterns: express and local. The express service will run mostly along the I-494 offering shorter trip durations and faster travel times to the key destinations of the Mall of America and MSP terminals. Meanwhile, the local route will focus on serving employment corridors during weekdays along I-494 with more frequent stops, enhancing accessibility and facilitating seamless connections with other regional networks along the corridor. This integrated approach provides passengers with flexibility and choice based on their specific travel needs, ensuring a comprehensive and efficient transit experience.

The requested additional service to MSP airport would generate customers every day throughout the week as people travel irrespective of the days in the week. As per Metropolitan's Airport's Commission, the average passenger loads are strong from 5:00am through 7:00 pm, as shown in the graph below. Meanwhile, there is a large influx of employees from 3:30am-8:00am followed by 12:00pm-3pm, with the lowest influx of employees between 8pm to midnight. Hence, all-days service, with additional late-night service would make the 494 service more reliable and convenient.

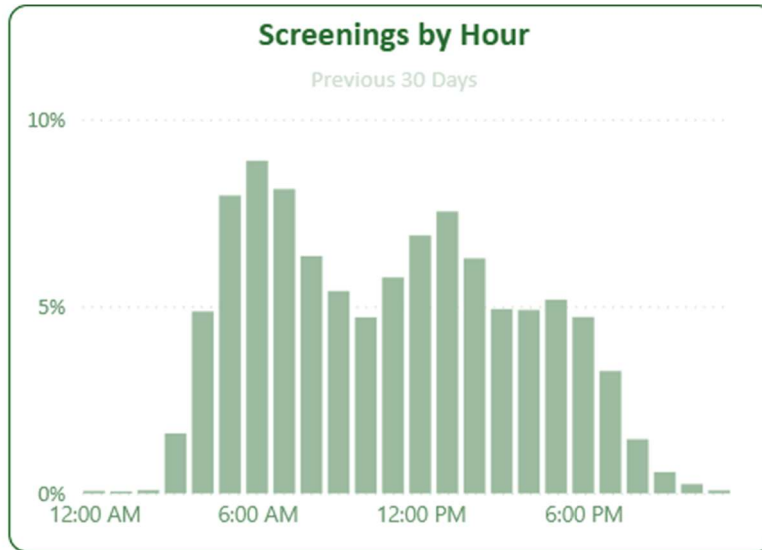


Figure 1- Average Daily Passenger Load Distribution of MSP Airport for June 2024
(Source: Metropolitan’s Airport’s Commission)

Weekdays service: The variation in the service patterns will be operated alternately with 30 minutes frequency between 5am-7pm, which complies with the original grant. The additional late-night service will be express routes only, with a frequency of 45 minutes.

Weekend Service: Only express routes will be operated from 5am-11 pm, with a frequency of 45 minutes.

Total Operating Cost Analysis:

The cost analysis for extending service hours on weekdays and adding service on Sundays indicates that the total operating expenses will slightly exceed the original grant amount. The estimated total operating cost incorporates additional dispatch hours and increased administrative expenses due to these extended service provisions. The total operating cost of the project for all three service years (2025-2027) is estimated to be \$5,979,636.25, which exceeds the operating cost covered in the grant i.e. \$5,404,380.75, by \$575,255.50. Despite the budget overrun, this amount is deemed insignificant when considering the substantial benefits to the community, including expanded service to MSP airport, Sunday service, and extended late-night service hours. SWT recognizes the added value these scope changes will bring to our service area and the community. Therefore, SWT is prepared to fund the additional \$575,255.50, in addition to the required 20% local match for the grant amount.

The table below summarizes the changes pertaining to the above-mentioned formal scope changes to this project:

Table 2- Service Levels of the 494-Corridor Project in the Original Grant and Amendment Request

S.N.	Description	As per Original Grant	As per Amendment Request
1.	Service Area:		
	Golden Triangle Area	Included	Not Included
	MSP airport Terminals	Not Included	Included
2.	Service Pattern	Single pattern	Two patterns: Local & Express
3.	Service Days	Monday-Saturday	Local: Monday-Friday Express: Monday-Friday & Saturday-Sunday
4.	Service Hours	5am-7pm	Local: 5am-7pm Express: 5am-11pm
5.	Frequency	30 min.	Weekdays: 30 minutes between 5am-7pm by running two patterns alternately, 45 minutes express only between 7 pm-11 pm. Weekends: 45 minutes express only
6.	Total Operating Cost (Service years 2025-2027)	\$ 5,404,380.75 (including 20% Local match)	\$ 5,979,636.25 (Additional \$575,255.50 will be covered by SWT in three years)

Thank you for the opportunity to submit this formal scope change request. We invite any questions and ask for your support for these changes.

Sincerely,

Erik Hansen
Chief Executive Officer
SouthWest Transit

CC: Stephanie Alexander, SWT Director of Operations
Sunita Kasichhwa, SWT Transit Planner

Action Transmittal

Transportation Advisory Board



Committee Meeting Date: August 15, 2024

Date: August 8, 2024

Action Transmittal: 2024-40

Scope Change Policy Update

To: TAC Funding & Programming Committee

Prepared By: Joe Barbeau, Planning Analyst, 651-602-1750

Requested Action

The Scope Change and Program Year Policy working group requests approval of an updated Scope Change Policy.

Recommended Motion

That the Funding & Programming Committee recommend approval of the updated Scope Change Policy.

Background and Purpose

Projects funded through the Regional Solicitation process are selected based on how well they will address safety, congestion, air quality and other criteria used in the scoring evaluation. TAB wants to ensure that the benefits from any re-scoped projects are essentially intact. Therefore, applicants that want to make changes to a project's scope are subject to the Scope Change Policy, last updated in 2019. That change defined administrative, informal, and formal scope changes.

In recent years, most scope change requests have related to eliminating a part of a project that will be completed as part of a different project. This is beyond the scope of the existing policy, which assumes requests concern on-the-ground changes related to termini, changing needs for bus types, and other changes that occur during project development. In the absence of policy language written to address such changes, many TAB decisions have allowed scope changes with full retention of federal funds, provided the projects are to be completed as applied for when split among multiple contracts. Given this and the routine nature of the requests, a working group of Technical Committee representatives and contracting professionals was formed to suggest key changes to the policy. The working group also addressed the Program Year Policy, which is discussed in action item 2024-41. Members agreed that the primary objective is to do what is in the public's best interest; for example, avoid creating situations in which something that was recently built needs to be torn up to accommodate the next project. Therefore, members favored codifying the ability for parts of projects to be transferred when needed.

A secondary discussion occurred related to the ability to allow for otherwise informal scope changes to remain informal if a small amount of funding was involved. Staff has been hesitant to administratively allow keeping of any federal funds despite the consistent outcome of smaller amounts being to keep them intact.

The attached policy tracks suggested changes. The below bullets summarize these changes:

- Inclusion of several examples of project changes that do not need to go through the formal

process provided the projects are going to be completed as applied for. In other words, these changes would be approved at the staff level.

- Federal funding is retained because the “on-the-ground result would remain intact.
- Exceptions to the above two bullets that would lead to a formal process:
 - The value of the transitioned project elements exceeds the thresholds shown in Table 1.
 - The project absorbing the applicant project is not included in the TIP or, if not federal, in an agency-approved capital program within the next four years.
- If all project elements are retained (i.e., nothing changes on-the-ground), federal funding is retained.
- No scoring analysis is needed for requests that lead to no on-the-ground changes.

Changes not specifically related to moving project elements to other projects include:

- Any federal funding reduction resulting from reduction of project elements determined to be less than \$50,000 will be retained by the applicant. This is meant to address the dilemma of when to reduce federal funding for project elements that are removed. This applies to both formal and informal requests. This solves the issue of staff’s discomfort with allowing for funding retention at an administrative level for minor changes.
- Informal scope changes can have federal reduction of up to \$100,000 completed administratively. Any reduction above that amount would need to be a formal scope change.
- Clarification that changing a transit project from a vehicle purchase to leasing vehicles is not subject to the formal scope change process. This was added following a recent request.

Relationship to Regional Policy

Projects that receive funding through the Regional Solicitation process are subject to policies and scrutiny when sponsors want to change project scopes. When TAB approves a program of projects, it does so with the expectation that projects will be completed as shown in the applications. A scope change policy is needed to ensure that projects are designed and constructed according to the plans and intent described in the original application.

Staff Analysis

Over the past several years, many applications for changes to Regional Solicitation-funded projects have been subject to the formal scope change process resulting in approval with no resistance. The proposed Scope Change Policy enables these requests to be recognized as formalities. Note that moving project elements to other projects would be subject to the formal scope change process if changes to the original scope are proposed. This adjustment also addresses the issue of applicants keeping small funding amounts by allowing for reductions of less than \$50,000 to be retained by the applicant.

Routing

To	Action Requested	Date Completed (Date Scheduled)
TAC Funding & Programming Committee	Review & Recommend	August 15, 2024
Technical Advisory Committee	Review & Recommend	September 4, 2024
Transportation Advisory Board	Review & Adopt	September 18, 2024



SCOPE CHANGE POLICY – TRACKED CHANGES

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.
- Changing transit project from purchasing vehicle to leasing vehicles.
- 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.
- Moving elements such as a trail, sidewalk, pedestrian bridge, traffic signal, transit stop, transit vehicle, etc., to another project, provided that the on-the-ground result does not change and the federal value being removed is less than the thresholds shown in Table 1. The project absorbing these project elements must be included in the existing Transportation Improvement Program (TIP) or in the case of non-federal projects, an agency-approved capital program within the next four years. A letter of commitment from the recipient project sponsor is also required. Because the entire applied-for project is being completed, federal funds will be fully retained. Any resulting projects must meet the federally required minimum non-federal match.

Table 1 – Value removal thresholds for requests in the above bullet to be moved to the formal process

<u>Federal Project Value*</u>	<u>Removal Threshold</u>
<u>\$0 - \$1,000,000</u>	<u>20%</u>
<u>\$1,000,001 +</u>	<u>10%</u>

*Based on total project cost in original application.

Some informal changes lead to project cost reductions. Any scope change request that a) otherwise meets the definition of informal and b) does not move all removed elements to another project and includes a cost reduction¹ above \$100,000 is a formal scope change.

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:

¹ Cost reduction is calculated by estimating the value, at the time of application, of any project elements being removed. While project elements may be allowed to be added to the scope, their costs do not offset the costs of removed elements.

- 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 amendment² 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 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

² 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.

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.

NOTE: for project requests that result in the on-the-ground project not changing (i.e., project elements being moved directly to another project), this analysis is not necessary.

Determining the Federal Funding Amount Recommendation

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

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 federal 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. Any federal funding reduction determined to be less than \$50,000 will be retained by the applicant. A recommendation will move from TAC Funding & Programming Committee to the TAC and TAB for approval. If applicable, a TIP amendment request will also be moved for approval through the Metropolitan Council.

ATTACHMENT 1: FUNDING DATA FOR SCOPE CHANGE REQUEST

Original Application:

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

Project Elements Being Removed:	Original Application Cost

New Project Elements:	Cost (Based on Year of Costs in Original Application)

SCOPE CHANGE POLICY – ACCEPTED CHANGES

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.
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Determining the Scope Change Approval Recommendation

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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

Transportation Advisory Board



Committee Meeting Date: August 15, 2024

Date: August 8, 2024

Action Transmittal: 2024-41

Program Year Policy Update

To: TAC Funding & Programming Committee

Prepared By: Joe Barbeau, Planner, 651-602-1750

Requested Action

The Scope Change and Program Year Policy working group requests approval of an updated Program Year Policy.

Recommended Motion

That the Funding & Programming Committee recommend approval of the updated Program Year Policy.

Background and Purpose

The Regional Program Year Policy was established to address projects not being let in their program years, as is required by FHWA. The policy, which was last updated in 2014, allows for a one-time, one-year program year extension and includes a scoresheet on which a minimum score is needed for a request to be granted.

In recent years, most program year extension requests have been made by applicants whose projects have become component to a larger project that is either programmed for a later year (i.e., more than one year out) or ends up being delayed. This often results in requested extensions of more than one year along with multiple extension requests for individual projects. These scenarios are not addressed in the existing policy. A working group of Technical Committee representatives and contracting professionals was formed to suggest key changes to the policy. The working group also addressed the Scope Change Policy, which is discussed in action item 2024-40.

The current policy has two primary objectives: to maintain order in the region's program (i.e., minimize the need to use funding sub-optimally or return federal funds) and to keep projects on track to be completed close to the originally awarded program year.

Working group members expressed support for allowing exceptions to the one-time/one-year rules and also addressed several other issues with the ten-year-old policy. Changes highlighted in the attached include:

- Clarification language designed to prevent un-vetted applications coming in at the application deadline.
- Exceptions to the one-time and one-year limitations due to circumstances related to another project.
- Removal of the MnDOT scoresheet for approval. The reasons the working group suggests removing the scoresheets are:
 - The scores are not meaningful to project readiness; this is something that can be

- o determined less formally.
- o Points in the current scoresheet are not available to all projects and do not allow some projects to get a qualifying score. Project readiness to start within one year of the current program year is a better indicator.
- o The scoresheet discourages early application, which can delay re-programming of funds and lead to less optimal outcomes.
- Several deadline changes for documentation.
- Reference to requests being placed on the TAB consent agenda remains but now “at the chair’s discretion” to enable discussion in unique or potentially controversial situations.

Working group members also discussed using federal funding swaps, or defederalization, to balance program years. However, this would be a separate discussion, as it is not a part of this policy.

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 but does not address requests that are dependent on other projects.

Staff Analysis

Over the past several years, many applications for program year changes to Regional Solicitation-funded projects have been for multiple years and/or a second request based on the needs of larger aligned projects. These alignments are done for efficiency’s sake but lead to the need for more flexibility.

Routing

To	Action Requested	Date Completed (Date Scheduled)
TAC Funding & Programming Committee	Review & Recommend	August 15, 2024
Technical Advisory Committee	Review & Recommend	September 4, 2024
Transportation Advisory Board	Review & Adopt	September 18, 2024



Regional Program Year Policy – Tracked Changes

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 (FHWA) or October 1 to September 30 (FTA) 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 should coordinate with the appropriate grants manager (i.e., MnDOT Metro District State Aid or Met Council MTS) on application eligibility prior to submitting ~~must submit~~ a request for a program year extension to the TAB Coordinator by the deadline of 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. Exceptions to these limitations can be made due to extenuating circumstances related to a project's connection to another project. Specifically, if a project's implementation is tied to another project that is delayed and/or programmed more than one year out, TAB can grant a longer extension. Similarly, an additional extension can be granted if a project is tied to another project moving to a later year. In each case, the applicant must show that its project would be ready to authorize in the currently programmed year.

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-June 1
 - *Environmental Documentation draft submittal due December 1*
- Right of way certificate approved – April-June 1
 - *Condemnation proceedings formally initiated by February 28 with title and possession by June 1.*
- Final construction plans ~~approved~~submitted and reviewed for standards, eligibility, funding and structural design – April-June 1
- Engineer's estimate – April-June 1
- Utility relocation certificate – April-June 1
- Permit applications submitted – April-June 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-June 1
- Right of way plans and estimate approved – June 1
- OCP/PPM/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
- OCP/PPM transfers funds
- Offers made/condemnation initiated if offers refused

Program Project - FTA

- 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

Regional Program Year Policy

TAB Adopted: April 17, 2013

Administrative Modifications: August 20, 2014

- If project start date will be more than one year after end of program year, project manager notifies grants manager and consults with TAB Coordinator to demonstrate ability to complete project.

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. Exceptions to both restrictions can be granted for projects that require coordination with other projects with later dates. Requests for a program year extension must be submitted by December 31 of the project's program year.

The project sponsor must submit the following materials to the Funding and Programming Committee. The answers information provided on the under "Project Progress" below 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: Requests must include an agency's anticipated schedule:
 - a) Environmental document approval date or anticipated approval date
 - b) 100% plan approval date or anticipated approval date
 - a) Right-of-way certificate approval date or anticipated approval date 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.
 - g) c)
- 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 at the chair's discretion. 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 _____

Regional Program Year Policy – Accepted Changes

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 (FHWA) or October 1 to September 30 (FTA) of the year in which the project is originally programmed in the Transportation Improvement Program (TIP).

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 should coordinate with the appropriate grants manager (i.e., MnDOT Metro District State Aid or Met Council MTS) on application eligibility prior to submitting a request for a program year extension to the TAB Coordinator by the deadline of 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. Exceptions to these limitations can be made due to extenuating circumstances related to a project's connection to another project. Specifically, if a project's implementation is tied to another project that is delayed and/or programmed more than one year out, TAB can grant a longer extension. Similarly, an additional extension can be granted if a project is tied to another project moving to a later year. In each case, the applicant must show that its project would be ready to authorize in the currently programmed year.

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.

Criteria for Meeting Program Year

Construction Projects through the FHWA Process:

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

- 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
- If project start date will be more than one year after end of program year, project manager notifies grants manager and consults with TAB Coordinator to demonstrate ability to complete project.

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. Exceptions to both restrictions can be granted for projects that require coordination with other projects with later dates. Requests for a program year extension must be submitted by December 31 of the project's program year.

The project sponsor must submit the following materials to the Funding and Programming Committee. The information provided under "Project Progress" below will determine whether a project is eligible for a one-year extension.

- 1) Project Background.
- 2) Project Progress; Requests must include an agency's anticipated schedule:
 - a) Environmental document approval date or anticipated approval date
 - b) 100% plan approval date or anticipated approval date
 - c) Right-of-way certificate approval date or anticipated approval date
- 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 at the chair's discretion. Staff for the Funding and Programming Committee will notify the applicant of the committee's decision.