

Transportation Committee

Meeting date: October 25, 2021

For the Metropolitan Council meeting of November 10, 2021

Subject: METRO Purple Line Bus Rapid Transit – Subordinate Funding Agreement No. 01 with MnDOT

District(s), Member(s): District 11 (Vento), District 13 (Lee), District 14 (Fredson)

Policy/Legal Reference: FM14-2 - Expenditures for the Procurement of Goods and Services
Greater than \$500,000

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Division/Department: Metro Transit BRT Projects – METRO Purple Line Project Office

Proposed Action

That the Metropolitan Council (“Council”) authorize the Regional Administrator to negotiate and execute Subordinate Funding Agreement (“SFA”) No. 01 (#211147A) with the Minnesota Department of Transportation (“MnDOT”) for the METRO Purple Line (formerly Rush Line) Bus Rapid Transit Project (Project) for an amount not to exceed \$1,015,000, contingent upon Council approval of the 4th quarter Budget Amendment and changes to the Authorized Capital Budget for the Project on November 10, 2021.

Background

The proposed SFA will allow the Council to reimburse MnDOT for eligible professional services costs incurred during December 2021 and calendar year 2022 that are related to the Project.

The Council established a contractual framework with MnDOT when it authorized the Regional Administrator to negotiate and execute a Cooperation Agreement (#211037) at its August 11, 2021 meeting and a Master Funding Agreement (#21147) at its September 8, 2021 meeting for the development the Project.

The current Environmental Analysis Phase (“EAP”) will conclude after both the Federal Transit Administration (“FTA”) and the Federal Highway Administration (“FHWA”) issue environmental decisions for the Project. The FTA approved its environmental decision, a Finding of No Significant Impact, on October 5, 2021. An environmental decision from the FHWA is expected later this fall. During the EAP, Ramsey County (“County”), in coordination with the Council and MnDOT, advanced the Project’s engineering and design to approximately 25 percent and, in coordination with the FTA, completed and published an Environmental Assessment document for public review and comment. The County, in coordination with MnDOT, requested and received municipal consent from White Bear Lake on October 12, 2021, for a highway access change associated with the Project near the proposed Whitaker Street station.

On October 5, 2021, the County committed \$39.9 million to fully fund the upcoming Project Development Phase and approved a Capital Grant Agreement for those funds. On October 8, 2021, the Council submitted a request to the FTA

for entry of the Project into the Capital Investment Grant Project as a New Starts project. On October 12, 2021, the Council advertised a Requests for Proposals for Engineering and Project Management Consultant Services.

The Council expects to receive a response from the FTA on its request before the end of the year. Entry into the federal program will allow actions critical to the continued advancement of the Project to be taken, including the awarding of consultant services contracts, establishment of a project office, and activation of agency staff resources.

Rationale

Use of MnDOT staff is a cost-effective way to provide expertise in areas such as engineering and design, construction oversight, permitting, and right-of-way coordination. In 2022, MnDOT will assist the Project in preliminary engineering and advanced design support, permitting, utility coordination, and real estate activities.

Thrive Lens Analysis

Investment in high-quality transportation options will advance the Thrive outcome of prosperity, by making the region more economically competitive through increased workers' access to employment, and support to employers by increasing available workforce with affordable, convenient transportation.

The Project advances the Equity outcome by distributing transit resources throughout the region, benefitting regional residents and increasing transit service quality. More than half of the corridor population identify as Black, Indigenous, or people of color (BIPOC). There are approximately 18,000 zero car households in the corridor and nearly 20 percent of households living below the poverty level. Increased access to financial opportunities, educational opportunities, and health services are a key outcome of implementing the Project, advancing the Thrive outcome of livability.

This agreement with MnDOT advances the Thrive Integration and Collaboration principles as it will continue a productive, decades long partnership between the agencies. Using MnDOT staff for these functions also meets the Council's Stewardship outcome.

Funding

Funding is fully available through a Capital Grant Agreement (#21I040) between the Council and Ramsey (County and Regional Railroad Authority). The funding is included in the 4th quarter Unified Budget Amendment with changes to the Authorized Capital Budget for approval by the Council on November 10, 2021.

Known Support / Opposition

The Metropolitan Council and MnDOT have executed Cooperation and Master Funding Agreements, and both agencies are committed to working together to advance the Project. MnDOT has indicated its support of this agreement.