

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADDING OR)	RESOLUTION NO. 18-4909
AMENDING EXISTING PROJECTS TO THE)	
2018-21 METROPOLITAN TRANSPORTATION)	Introduced by Chief Operating Officer
IMPROVEMENT PROGRAM INVOLVING TWO)	Martha Bennett in concurrence with
PROJECTS IMPACTING PORTLAND AND)	Council President Tom Hughes
ODOT (AG19-01-AUG))	

WHEREAS, the Metropolitan Transportation Improvement Program (MTIP) prioritizes projects from the Regional Transportation Plan (RTP) to receive transportation related funding; and

WHEREAS, the Joint Policy Advisory Committee on Transportation (JPACT) and the Metro Council approved the 2018-21 MTIP via Resolution 17-4817 on July 27, 2017; and

WHEREAS, JPACT and the Metro Council must approve any subsequent amendments to add new projects or substantially modify existing projects in the MTIP; and

WHEREAS, the U.S. Department of Transportation (USDOT) has issued clarified MTIP amendment submission rules and definitions for MTIP formal amendments and administrative modifications that both ODOT and all Oregon MPOs must adhere to which includes that all new projects added to the MTIP must complete the formal amendment process; and

WHEREAS, Metro received a federal Highway Infrastructure Program funding allocation of \$5,185,063 from FHWA as part of the statewide appropriation of HIP funds to the State of Oregon, and

WHEREAS, the eligibility and use of HIP is limited to supporting roadway construction improvement projects with an eligibility priority on the construction of highways, bridges, and tunnels; and

WHEREAS as a condition for their use, the HIP funds must be obligated no later than September 30, 2021 or will lapse and must be fully expended by September 30, 2025; and

WHEREAS, a review of eligible projects by Metro and ODOT-Salem based on the eligibility, obligation, and expenditure restrictions resulted in the North Rivergate Blvd Freight project emerging as the best candidate project for the HIP funds; and

WHEREAS, the city of Portland will provide Metro a local fund exchange of \$4 million in return to support of Metro's regional planning needs for the \$5.1 million commitment of federal HIP funds to the North Rivergate Blvd Freight Project which maximizes a fund leveraging opportunity supporting both regional construction implementation plus planning needs; and

WHEREAS, the draft 2018 Regional Transportation Plan (RTP) identifies a number of plans and projects in need of further planning and project development work in the near-term which the local fund exchange will support; and"

WHEREAS, ODOT's OR217 Southbound: OR10 to OR99W project will include the construction of sound walls as part of the project scope and has secured implementation phase funding (Right of Way, Utility Relocation, and Construction phase funding) for the project which is being programmed through this amendment; and

WHEREAS, an existing consistency issue between the project and the current 2014 Regional Transportation Plan (RTP) exists, but will be resolved upon approval of the new draft RTP this December; and

WHEREAS, construction of the sound walls requires an early initiation of pre-acquisition right-of way activities; and

WHEREAS, a review of the project schedule and the needed pre-right-way acquisition activities against the current and new draft RTP does not appear to pose a consistency or legal issue for our federal oversight agencies, Metro, or ODOT; and

WHEREAS, Metro has requested from FHWA an early right-of way phase obligation exception to allow the pre-right-of-way activities involving the sound walls to be initiated to help ensure the project stays on schedule; and

WHEREAS, all amended projects were evaluated against six revised MTIP review factors to ensure all requested changes and additions can be accomplished legally through the MTIP amendment process; and

WHEREAS, the MTIP review factors included project eligibility/proof of funding, RTP consistency with the financially constrained element, consistency with RTP goals and strategies, determination of amendment type, inclusion in the Metro transportation regional models, determination of Regional Significance, fiscal constraint verification, and compliance with MPO MTIP federal management responsibilities; and

WHEREAS, the MTIP's financial constraint finding is maintained as all projects proof of funding has been verified; and

WHEREAS, no negative impacts to air conformity will exist as a result of the changes completed through the July 2018 Formal MTIP Amendment; and

WHEREAS, all projects included in the August 2018 (for FFY 2019) Formal MTIP Amendment successfully completed a required 30-day public notification/opportunity to comment period without any significant issues raised; and

WHEREAS, TPAC received their notification and recommended approval on August 3, 2018 and approved the amendment recommendation to JPACT; now therefore

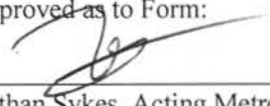
BE IT RESOLVED that the Metro Council hereby adopts the recommendation of JPACT on September 20, 2018 to formally amend the 2018-21 MTIP to include the August 2018 (FFY 2019) Formal Amendment bundle consisting of two projects.

ADOPTED by the Metro Council this 27th day of SEPTEMBER 2018.



Tom Hughes, Council President

Approved as to Form:



Nathan Sykes, Acting Metro Attorney

2018-2021 Metropolitan Transportation Improvement Program
 Exhibit A to Resolution 18-4909



Proposed August 2018 Formal Amendment Bundle			
Amendment Type: FORMAL, AG19-01-AUG			
Total Number of Projects: 2			
ODOT Key	Lead Agency	Project Name	Required Changes
Project #1 18841	ODOT	OR217 Southbound: OR10 - 99W	<p>ADDING REQUIRED PAHSE FUNDING: The amendment adds required and approved funding to this named HB2017 project to the Right-of-Way (ROW) and Construction phases bringing the project up to its fully funded level of \$47 million. The amendment is also moving forward now to enable the ROW phase to obligate early during FFY 2019 to initiate pre-ROW acquisition activities supporting the later construction of the required sound walls.</p>
Project #2 19300	Portland	North Rivergate Freight Project	<p>COST INCREASE: The formal amendment adds \$5,185,063 of federal Highway Infrastructure Program (HIP) funds and \$1,000,000 of Immediate Opportunity Funds (IOF) along with match to the construction phase to address a funding shortfall. Based on the 30% design cost estimate for the project, the North Rivergate Blvd overcrossing at the UPRR is fully funded now.</p>

Exhibit A to Resolution 18-4909

2018-2021 Metropolitan Transportation Improvement Program Chapter 5 Tables Amendment
 Action: Amend the MTIP to increase or adjust required funding and scope, or add new projects



PROJECT #1 EXISTING MTIP PROGRAMMING (from the 2015 MTIP)									
ODOT Key	MTIP ID	Lead Agency	Project Name					Project Type	Project Cost
18841	70782	ODOT	OR217 Southbound: OR10 - OR99W					Highway	\$ 3,302,832
Project Description:			Consolidate the SB Allen Blvd on-ramp with the SB Denny off-ramp						
Existing MTIP Project Fund Programming by Phase									
Fund Type Code	Fund Code	Type	Year	Planning	Preliminary Engineering	Right of Way	Other (Utility Relocation)	Construction	Total
HSIP		Federal	2014		\$ 758,254				\$ 758,254
Local	Match	Local	2014		\$ 63,969				\$ 63,969
State STP-FLX	M240	Federal	2014		\$ 1,934,451				\$ 1,934,451
Local	Match	Local	2014		\$ 221,407				\$ 221,407
Other	OTH0	Overmatch	2014		\$ 324,751				\$ 324,751
									\$ -
									\$ -
Total:				\$ -	\$ 3,302,832	\$ -	\$ -	\$ -	\$ 3,302,832
Notes:	1. Red Font = Funding reductions made to the project phase. Blue font = Additions made to the project as part of the amendment. 2. Shaded rows (funding in years before 2018): Funding in year prior to 2018 are considered prior obligated years. These funding years are outside the existing active years of the 2018-2021 MTIP. In the MTIP, the funding is totaled and listed as "Prior Obligated". 3. HSIP = Federal Highway Safety Improvement Program funds allocated to ODOT to be used for various types of safety improvement projects. 4. State = General state funds committed by ODOT normally in support of the required match to the federal funds. 5. Local = General local funds committed by the lead agency in support of the required local match to the federal funds. 6. State STP-FLX = Federal Surface Transportation Program funding allocated to ODOT from FHWA. 7. Other = Additional local funds the lead agency commits to the project above the required match to the federal funds. Referred to as "Overmatch".								
Amendment Summary Proposed changes are stated on the next page									

PROJECT #1 PROPOSED AMENDED CHANGES									
ODOT Key	MTIP ID	Lead Agency	Project Name				Project Type	Project Cost	
18841	70782	ODOT	OR217 Southbound: OR10 - OR99W				Highway	\$ 47,502,832	
Project Description:			On OR217 from OR10 to OR99W, lane construct lane segments between existing aux lanes to provide a 3rd SB through lane, IC ramp improvements, shoulder widening, and construct sound walls						
Amended MTIP Fund Programming by Phase									
Fund Type Code	Fund Code	Type	Year	Planning	Preliminary Engineering	Right of Way	Other (Utility Relocation)	Construction	Total
HSIP	MS30	Federal	2014		\$ 758,254				\$ 758,254
Local	Match	Local	2014		\$ 63,969				\$ 63,969
HSIP-FAST	ZS30	Federal	2014		\$ 1,934,451				\$ 1,934,451
Other	Overmatch	Local	2014		\$ 546,158				\$ 546,158
ADVCON	ACPO	Federal	2019			\$ 179,460			\$ 179,460
State	Match	State	2019			\$ 20,540			\$ 20,540
ADVCON	ACPO	Federal	2020					\$ 39,481,200	\$ 39,481,200
State	Match	State	2020					\$ 4,518,800	\$ 4,518,800
									\$ -
Total:				\$ -	\$ 3,302,832	\$ 200,000	\$ -	\$ 44,000,000	\$ 47,502,832
Notes:	<p>1. Red Font = Funding reductions made to the project phase. Blue font = Additions made to the project as part of the amendment.</p> <p>2. Shaded rows (funding in years before 2018): Funding in year prior to 2018 are considered prior obligated years. These funding years are outside the existing active years of the 2018-2021 MTIP. In the MTIP, the funding is totaled and listed as "Prior Obligated".</p> <p>3. HSIP = Federal Highway Safety Improvement Program funds allocated to ODOT to be used for various types of safety improvement projects.</p> <p>4. State = General state funds committed by ODOT normally in support of the required match to the federal funds.</p> <p>5. Local = General local funds committed by the lead agency in support of the required local match to the federal funds.</p> <p>6. ADVCON = a federal fund code placeholder that identifies that the funding will be federal, but the specific fund code has not yet been identified. Until then, ODOT will their State funds to cover the phase costs until the specific federal fund code is committed to the project.</p> <p>7. Other = Additional local funds the lead agency commits to the project above the required match to the federal funds. Referred to as "Overmatch".</p>								
Amendment Summary									
This amendment adds the ROW and construction phase funding to the project. By accomplishing this now, the ROW phase can obligate in October 2018 (early FFY 2019) to initiate pre-ROW acquisition activities involving the eventual construction of sound walls as part of the project.									

Exhibit A to Resolution 18-4909

2018-2021 Metropolitan Transportation Improvement Program Chapter 5 Tables Amendment

Action: Amend the MTIP to increase or adjust required funding and scope, or add new projects



PROJECT #2 EXISTING MTIP PROGRAMMING									
ODOT Key	MTIP ID	Lead Agency	Project Name					Project Type	Project Cost
19300	70678	Portland	North Rivergate Freight Project					Bridge	\$ 22,266,019
Project Description:			In North Portland on North Rivergate Blvd between North Time Oil Rd and North Lombard St, construct a 2-lane grade separation over the UPRR tracks, modify/reconstruct Rivergate/Lombard Street Intersection to improve mobility and safety						
Existing MTIP Project Fund Programming by Phase									
Fund Type Code	Fund Code	Type	Year	Planning	Preliminary Engineering	Right of Way	Other (Utility Relocation)	Construction	Total
Local	Overmatch	Local	2017		\$ 3,000,000				\$ 3,000,000
STP>200K	M230	Federal	2018			\$ 300,000			\$ 300,000
Local	Match	Local	2018			\$ 34,336			\$ 34,336
STP>200K	M230	Federal	2018				\$ 1,000,000		\$ 1,000,000
Local	Match	Local	2018				\$ 114,454		\$ 114,454
TIGER VIII	BTDG	Federal	2019					\$ 7,329,000	\$ 7,329,000
Local	Match	Local	2019					\$ 1,832,250	\$ 1,832,250
STP		Federal	2019					\$ 1,922,000	\$ 1,922,000
Local	Match	Local	2019					\$ 219,982	\$ 219,982
State STP-FLX	M240	Federal	2019					\$ 987,030	\$ 987,030
Local	Match	Local	2019					\$ 112,970	\$ 112,970
Local	Overmatch	Local	2019					\$ 5,413,997	\$ 5,413,997
Total:				\$ -	\$ 3,000,000	\$ 334,336	\$ 1,114,454	\$ 17,817,229	\$ 22,266,019
Notes:	1. Red Font = Funding reductions made to the project phase. Blue font = Additions made to the project as part of the amendment. 2. STP>200K = Federal Surface transportation Program funds allocated to qualifying projects in areas where the population is at least 200,000 people. 3. Local = General local funds committed by the lead agency in support of the required local match to the federal funds. 4. TIGER VIII = Federal discretionary grant award to the project from FHWA. TIGER = Transportation Investment Generating Economic Recovery 5. State STP-FLX = Federal Surface Transportation Program funds allocated to ODOT annually.. 6. STP = Federal Surface Transportation Program funds generally allocated to Metro with no geographic or population use conditions.								
Amendment Summary Proposed changes are stated on the next page									

PROJECT #2 PROPOSED AMENDED CHANGES

ODOT Key	MTIP ID	Lead Agency	Project Name	Project Type	Project Cost
19300	71053	Metro	North Rivergate Freight Project	Bridge	\$ 26,158,076

Project Description: In North Portland on North Rivergate Blvd between North Time Oil Rd and North Lombard St, construct a 2-lane grade separation over the UPRR tracks, modify/reconstruct Rivergate/Lombard Street Intersection to improve mobility and safety

Amended MTIP Fund Programming by Phase

Fund Type Code	Fund Code	Type	Year	Planning	Preliminary Engineering	Right of Way	Other (Utility Relocation)	Construction	Total	
Local	Overmatch	Local	2017		\$ 3,000,000				\$ 3,000,000	
STP>200K	M230	Federal	2018			\$ 300,595			\$ 300,595	
Local	Match	Local	2018			\$ 34,405			\$ 34,405	
STP>200K	M230	Federal	2018				\$ 987,030		\$ 987,030	
Local	Match	State	2018				\$ 112,970		\$ 112,970	
TIGER VIII	BTDG	Federal	2019					\$ 7,329,000	\$ 7,329,000	
Local	Match	Local	2019					\$ 1,832,250	\$ 1,832,250	
STP		Federal	2019					\$ 1,934,375	\$ 1,934,375	
Local	Match	Local	2019					\$ 221,398	\$ 221,398	
State STP-FLX	M240	Federal	2019					\$ 987,030	\$ 987,030	
State	Match	State	2019					\$ 112,970	\$ 112,970	
IOF	S600	State	2019					\$ 1,000,000	\$ 1,000,000	
HIP	Z005	Federal	2019					\$ 5,185,063	\$ 5,185,063	
Local	Match	Local	2019					\$ 593,454	\$ 593,454	
Other	Overmatch	Local	2019					\$ 2,527,536	\$ 2,527,536	
Total:					\$ -	\$ 3,000,000	\$ 335,000	\$ 1,100,000	\$ 21,723,076	\$ 26,158,076

- Notes:
1. Red Font = Funding reductions made to the project phase. Blue font = Additions made to the project as part of the amendment.
 2. STP>200K = Federal Surface transportation Program funds allocated to qualifying projects in areas where the population is at least 200,000 people.
 3. Local = General local funds committed by the lead agency in support of the required local match to the federal funds.
 4. TIGER VIII = Federal discretionary grant award to the project from FHWA. TIGER = Transportation Investment Generating Economic Recovery
 5. State STP-FLX = Federal Surface Transportation Program funds allocated to ODOT annually..
 6. STP = Federal Surface Transportation Program funds generally allocated to Metro with no geographic or population use conditions.
 7. IOF = State Immediate Opportunity Funds managed and allocated by ODOT. IOF funds support primary economic development through the construction and improvement of streets and roads.

HIP = Federal Highway Infrastructure Program funding allocated to states supporting roadway improvement implementation phase needs (e.g. construction)

Amendment Summary

This amendment is adds \$5.1 million of federal HIP funds and \$1 million of State IOF program funding to support and address a construction phase funding shortfall. Project costs are adjusted based on the 30% Design update for the project.

Memo

Date: Friday, September 14, 2018
 To: Metro Council and Interested Parties
 From: Ken Lobeck, Funding Programs Lead, 503-797-1785
 Subject: August 2018 MTIP Formal Amendment plus Approval Request of Resolution 18-4909

STAFF REPORT

FOR THE PURPOSE OF ADDING OR AMENDING EXISTING PROJECTS TO THE 2018-21 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM INVOLVING TWO PROJECTS IMPACTING PORTLAND AND ODOT (AG19-01-AUG)

BACKGROUND

What this is:

The August 2018 Formal Metropolitan Transportation Improvement Program (MTIP) Amendment bundle (for FFY 2019) contains required changes and updates impacting Portland and ODOT. Two projects are included in the amendment bundle. They are summarized in the below table:

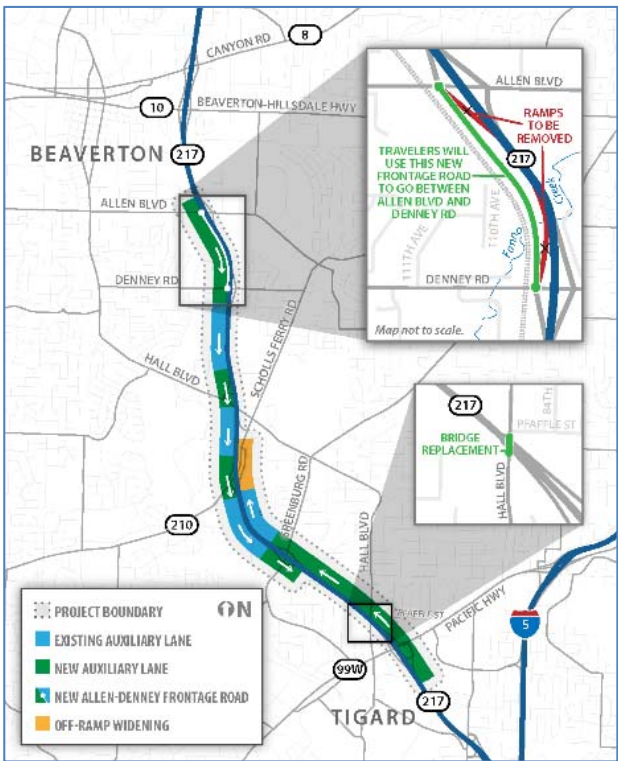
August 2018 Formal MTIP Amendment Amendment Type: Formal Name: AG19-01-AUG Number of Projects: 2			
ODOT Key MTIP ID	Lead Agency	Project Name & Description	Required Changes
Project #1 ODOT Key 18841 MTIP ID 70782	ODOT	OR217 Southbound: OR10 - OR99W	ADD APPROVED PHASE FUNDING: The amendment adds required and approved funding to this named HB2017 project to the Right-of-Way (ROW) and Construction phases bringing the project up to its fully funded level of \$47.5 million. The amendment is also moving forward now to enable the ROW phase to obligate early during FFY 2019 to initiate pre-ROW acquisition activities supporting the later construction of the required sound walls.
Project #2 ODOT Key 19300 MTIP ID 70678	Portland	North Rivergate Freight Project In North Portland on North Rivergate Blvd between North Time Oil Rd and North Lombard St, construct a 2-lane grade separation over the UPRR tracks, modify/reconstruct Rivergate/Lombard Street Intersection to improve mobility and safety	COST INCREASE: The formal amendment adds \$5,185,063 of federal Highway Infrastructure Program (HIP) funds and \$1,000,000 of Immediate Opportunity Funds (IOF) along with match to the construction phase to address a funding shortfall. Based on the 30% design cost estimate for the project, the North Rivergate Blvd overcrossing at the UPRR is fully funded now.

What is the requested action?


JPACT is requesting Metro Council approval of Resolution 18-4909 containing the August 2018 formal amendment (for FFY 2019) and then on to USDOT for final approval to enable the 2018 MTIP to be officially amended.

A detailed summary of the two projects being amended is provided in the below tables:

1. Project: OR217 Southbound: OR10 - OR99W	
Lead Agency:	Washington County ODOT
ODOT Key Number:	18841 MTIP ID Number: 70782
Project Description:	On OR 217 From Beaverton in the north at OR10 (MP 2.05) to OR 99W (MP 5.69) in the Tigard area, construct a lane segments between existing SB auxiliary lanes to provide a continuous 3 rd travel lane, construct sound walls, construct a frontage road between Allen Blvd and Denney Rd ICs, replace the southern Hall Blvd bridge, construct retaining walls, and widen shoulders.
What is changing?	<p><u>Summary:</u> Design work (Preliminary Engineering) for OR217 Southbound OR10-OR99W project was initiated in 2014. The project is now ready to add the right-of-way and construction phase funding to the project.</p> <p>The OR 217 SB project is a named project in HB2017 (Section 71, Highway Road and Street Projects). Within this section of the Legislation, HB 2017 authorized a total of \$249,700,000 to ten projects including the OR217 SB Project. The estimated total project cost is \$47,502,832. The approximate split of phase costs is as follows:</p> <ul style="list-style-type: none"> • Preliminary Engineering..... \$3,302,832 • Right-of-Way..... \$200,000 (Obligate in early FFY 2019) • <u>Construction..... \$44,000,000</u> (Obligate in FFY 2020) <p style="text-align: right;">Total: \$47,502,832</p> <p><u>Amendment Purpose:</u> Through this amendment, the Right-of-Way and Construction phase funding is being added to the project. Right of Way needs to be added now to allow for an early obligation and the ability to start pre-right-of-way activities in support of the later sound walls construction.</p> <p><u>Project Scope:</u> The primary project scope elements include the following:</p> <ol style="list-style-type: none"> 1. Build SB lane segments southbound from Beaverton-Hillsdale Highway, continuing south to OR 99W to provide continuous 3rd travel lane. <p>Drivers will use this right lane for getting on and off the highway. Those driving straight on OR 217 will have two full lanes to travel in, separate from the on- and off-ramp merging traffic. These will reduce</p>



	<p>recurring bottlenecks and allow for more stable traffic flow at the OR 217 interchanges</p> <ol style="list-style-type: none"> 2. Build a frontage road between the Allen Boulevard and Denney Road interchanges along OR 217 southbound. This will eliminate the Allen Boulevard southbound on-ramp and the Denney Road southbound off-ramp. Instead, drivers will use the new frontage road to travel between the two interchanges. These interchanges are one of the worst bottleneck locations on OR 217 and also one of the most dangerous. A frontage road will reduce the weaving movements and crashes. The newly configured Allen/Denney interchange will function similarly to the Canyon Road/Beaverton-Hillsdale Highway interchange to the north 3. Widen the Scholls Ferry off-ramp from OR 217 northbound to include an additional lane. 4. Build several retaining walls. 5. Replace one of the Hall Boulevard bridges over OR 217. There are two Hall Boulevard bridges over OR 217 - one near Washington Square and one farther south at SW Pfaffle Street. The bridge being replaced is the one farther south, at SW Pfaffle Street (near OR 99W in Tigard). The bridge replacement is needed to accommodate the new auxiliary lanes 6. Widen highway shoulders so stalled vehicles can move out of traffic and emergency vehicles can quickly respond
<p>Additional Details:</p>	<p><u>RTP Consistency Issue:</u> The project limits as stated in the 2014 do not match the current project limits from OR10 to OR99W. However, this has been corrected in the new draft 2018 RTP. The anticipated approval for the 2018 RTP is December 2018. Based on the current project schedule, Right of Way acquisition will not begin until January 2019. As noted earlier construction of the sound walls necessitates early assessments and, contacts, and negotiations with potential impacted residents.</p> <p>Technically, the Right of way phase should not obligate until the new RTP is approved which then removes the consistency issue. However, staff's review of the project schedule indicated that allowing the right-of-way phase to obligate in late October would enable the pre-right-of-way acquisition activities to begin and be completed by January after the new RTP is approved allowing the when right-of-way acquisition elements to begin. A joint Metro and ODOT request for the right-of-way phase early obligation exception has been requested from FHWA, Presently, FHWA has not objected to the early obligation request.</p>
<p>Why a Formal amendment is required?</p>	<p>Per the FHWA/FTA approved STIP/MTIP Amendment Matrix, projects with a total project cost of \$1 million or greater may make cost adjustments up to 20% as Administrative Modifications. Cost change above 20% require a formal MTIP amendment. The present programming for the project is \$3,302,832. The amendment adds \$44,200,000 which is above the 20% threshold.</p>
<p>Total Programmed Amount:</p>	<p>Total programming adds \$44,200,000 for right-of-way and construction phases. This increases the project cost from \$3,302,832 to \$47,502,832.</p>
<p>Added Notes:</p>	<p>OTC approval was required to approve the SB2017 funding for the project. Approval occurred at both the August 2017 and September 2017 OTC meetings.</p>

2. Project: North Rivergate Blvd Freight Project	
Lead Agency:	Portland
ODOT Key Number:	19300 MTIP ID Number: 70678
Project Description:	In North Portland on North Rivergate Blvd between North Time Oil Rd and North Lombard St, construct a 2-lane grade separation over the UPRR tracks, modify/reconstruct N. Rivergate/Lombard Street Intersection to improve mobility and safety
What is changing?	<p>The Rivergate Industrial District (Rivergate) is the largest industrial district in the City of Portland and contains nearly half of the marine terminals, thousands of acres of industrial land, and more than three-fourths of the marine terminal acreage in the Portland Harbor. The project improvement will directly address congestion at Rivergate created by the at-grade rail crossing at the entrance to Rivergate and Terminal 5, while simultaneously providing safer and more reliable access to jobs for communities that need them the most. The City of Portland is collaborating with the Port of Portland on this project to maximize the several hundred million dollars in public and private investments made in the area, and to support vital exports and job growth.</p> <p style="text-align: center;">Existing North Rivergate Blvd at the UPRR crossing</p>  <p><i>Key Project Scope Elements:</i></p> <p>The project improvement will:</p> <ol style="list-style-type: none"> 1. Construct a two through-lane overcrossing to separate vehicle traffic from the train crossings. 2. Provide intersection reconstruction and alignment improvements at North Rivergate Blvd/N. Lombard St 3. Reconstruct the North Rivegate Blvd west to N Time Oil Road 4. Construct a new frontage road parallel to North Rivergate Blvd from N. Lombard St to the beginning of the new over crossing.

Proposed Overcrossing Improvement



Eliminating the freight truck and rail conflicts at the at-grade crossing will increase traffic flow, improve the mobility of goods and employees, and enhance the reliability of freight rail operations. The new frontage road will improve access to the businesses on the north side of Rivergate Boulevard.

The project as programmed stands at \$22,266,019. The most recent design update provided a revised total project cost of \$26,158,076. The increase is primarily in the construction phase which rose from an estimate of \$17,817,229 to \$21,723,076.

Federal funds committed to the project include Metro RFFA approved Surface Transportation (STP) funds of \$3,222,000, ODOT State STP of \$7,329,000, and a Transportation Investment Generating Economic Recovery (TIGER) VIII grant of \$7,329,000. Together, the federal funds total \$11,538,030 and account for 50.9% of the existing project programming in the MTIP.

The project also has been approved a state \$1 million Immediate Opportunity Fund grant from ODOT. The Port of Portland and city of Portland also will contribute up to \$8 million in local funds to the project.

Overall, the Port of Portland, city of Portland, Metro, ODOT, and FHWA are all contributing funding towards completion of the North Rivergate Blvd Freight project.

The Highway Infrastructure Program Funding Award

During April 2018, ODOT advised Metro that the State had received a Highway Infrastructure Program (HIP) appropriation of which Metro would be allocated \$5,185,063. The total HIP apportionment to Oregon is \$25,148,640.

Initially, little information about the uses and restrictions were known about the funds when the appropriation was received. Our first "use assumptions" were made from the 2010 HIP apportionment which turned out to be wrong. Metro initially designated the funds to be used in support of regionally planning needs. However, upon receipt of subsequent eligibility and use guidance for the 2018 HIP apportionment, Metro learned that the focus of the HIP funds were for only for highway construction areas. Specific eligibility activities included three primary areas:

- Construction of highways
- Construction of bridges
- Construction of tunnels

	<p>The funds are limited to use in support of roadway improvement implementation phases.</p> <p>As a result staff reviewed potential <u>Metro-funded</u> eligible projects. The review included ODOT-Salem to validate project eligibility. The North Rivergate Blvd Freight Project emerged as the clear and top candidate to receive the HIP funds.</p> <p>Discussions with the Port of Portland and the City of Portland ensued to also include a local fund exchange for the HIP funds. With a total local overmatch commitment of \$8 million between both agencies to the project, the \$5.1 million of HIP funds allows a local fund exchange of \$4 million to be returned to Metro in support regional planning activities. Note: Based on the project cost estimate, if the HIP funds are not committed to the North Rivergate Blvd Freight Project, the construction phase would still be approximately \$1.5 million short of the required funding.</p> <p>The local funds received in exchange are to be used for planning and project development activities, in anticipation of future funding identified in the draft 2018 RTP. These planning and project development activities include, but are not limited to:</p> <ul style="list-style-type: none"> • Central City Transit Capacity and Steel Bridge Analysis • Willamette River Pedestrian and Bicycle Bridge • Enhance Transit on Tualatin Valley Highway • Jurisdictional Transfer Assessment Program
<p>Additional Details:</p>	<p>Additional use requirement for the HIP include the following:</p> <ol style="list-style-type: none"> 1. The HIP fund obligation must occur no later than September 2021 or they shall lapse. The target construction phase obligation for the North Rivergate Blvd. Freight Project is early summer 2019. This is critical as the TIGER VIII grant federal funds must be obligated by September 30, 2019. 2. The HIP funds must be expended by September 30, 2025, or an expenditure lapse will occur.
<p>Why a Formal amendment is required?</p>	<p>Because the project also includes a local fund exchange component, a formal MTIP amendment was determined to be required.</p>
<p>Total Programmed Amount:</p>	<p>The total project programming amount increases from \$22,266,019 to \$26,158,076.</p>
<p>Added Notes:</p>	<ol style="list-style-type: none"> 1. OTC action was required for approval of the \$1 million IOF grant to the project 2. ODOT-Salem provided project eligibility verification as well in support of selecting the north Rivergate project as the top candidate for the HIP funds.

Note: The Amendment Matrix on the next page is included as a reference for the rules and justifications governing Formal Amendments and Administrative Modifications to the MTIP that the MPOs and ODOT must follow.

METRO REQUIRED PROJECT AMENDMENT REVIEWS

In accordance with 23 CFR 450.316-328, Metro is responsible for reviewing and ensuring MTIP amendments comply with all federal programming requirements. Each project and their requested changes are evaluated against multiple MTIP programming review factors that originate from 23 CFR 450.316-328. The programming factors include:

- Verification as required to programmed in the MTIP:
 - Awarded federal funds and is considered a transportation project
 - Identified as a regionally significant project.

- Identified on and impacts Metro transportation modeling networks.
- Requires any sort of federal approvals which the MTIP is involved.
- Passes fiscal constraint verification:
 - Project eligibility for the use of the funds
 - Proof and verification of funding commitment
 - Requires the MPO to establish a documented process proving MTIP programming does not exceed the allocated funding for each year of the four year MTIP and for all funds identified in the MTIP.
- Passes the RTP consistency review:
 - Identified in the current approved constrained RTP either as a stand-alone project or in an approved project grouping bucket
 - RTP project cost consistent with requested programming amount in the MTIP
 - If a capacity enhancing project – is identified in the approved Metro modeling network
- Satisfies RTP goals and strategies consistency: Meets one or more goals or strategies identified in the current RTP
- Determined the project is eligible to be added to the MTIP, or can be legally amended as required without violating provisions of 23 CFR450.300-338 either as a formal Amendment or administrative modification:
 - Does not violate supplemental directive guidance from FHWA/FTA’s approved Amendment Matrix.
 - Adheres to conditions and limitation for completing technical corrections, administrative modifications, or formal amendments in the MTIP.
 - Is eligible for special programming exceptions periodically negotiated with USDOT as well.
 - Programming determined to be reasonable of phase obligation timing and is consistent with project delivery schedule timing.
- MPO responsibilities completion:
 - Completion of the required 30 day Public Notification period:
 - Project monitoring, fund obligations, and expenditure of allocated funds in a timely fashion.
 - Acting on behalf of USDOT to provide the required forum and complete necessary discussions of proposed transportation improvements/strategies throughout the MPO.

ODOT-FTA-FHWA Amendment Matrix
Type of Change
FULL AMENDMENTS
1. Adding or cancelling a federally funded, and regionally significant project to the STIP and state funded projects which will potentially be federalized
2. Major change in project scope. Major scope change includes: <ul style="list-style-type: none"> • Change in project termini - greater than .25 mile in any direction • Changes to the approved environmental footprint • Impacts to AQ conformity • Adding capacity per FHWA Standards • Adding or deleting worktype
3. Changes in Fiscal Constraint by the following criteria: <ul style="list-style-type: none"> • FHWA project cost increase/decrease: <ul style="list-style-type: none"> • Projects under \$500K – increase/decrease over 50% • Projects \$500K to \$1M – increase/decrease over 30% • Projects \$1M and over – increase/decrease over 20% • All FTA project changes – increase/decrease over 30%
4. Adding an emergency relief permanent repair project that involves substantial change in function and location.
ADMINISTRATIVE/TECHNICAL ADJUSTMENTS
1. Advancing or Slipping an approved project/phase within the current STIP (if slipping outside current STIP, see Full Amendments #2)
2. Adding or deleting any phase (except CN) of an approved project below Full Amendment #3
3. Combining two or more approved projects into one or splitting an approved project into two or more, or splitting part of an approved project to a new one.
4. Splitting a new project out of an approved program-specific pool of funds (but not reserves for future projects) or adding funds to an existing project from a bucket or reserve if the project was selected through a specific process (i.e. ARTS, Local Bridge...)
5. Minor technical corrections to make the printed STIP consistent with prior approvals, such as typos or missing data.
6. Changing name of project due to change in scope, combining or splitting of projects, or to better conform to naming convention. (For major change in scope, see Full Amendments #2)
7. Adding a temporary emergency repair and relief project that does not involve substantial change in function and location.

APPROVAL STEPS AND TIMING

Metro’s approval process for formal amendment includes multiple steps. The required approvals for the August 2018 Formal MTIP amendment will include the following:

<u>Action</u>	<u>Target Date</u>
• TPAC notification and approval recommendation.....	August 10, 2018
• Initiate the required 30-day public notification process.....	August 7, 2018
• Completion of public notification process.....	September 5, 2018
• JPACT approval and recommendation to Council.....	September 20, 2018*
• Metro Council approval.....	September 27, 2018

*Note: If any notable comments are received during the public comment period requiring follow-on discussions, they will be addressed by JPACT.

USDOT Approval Steps:

<u>Action</u>	<u>Target Date</u>
• Metro development of amendment narrative package	October 8, 2018
• Amendment bundle submission to ODOT for review.....	October 9, 2018
• Submission of the final amendment package to USDOT.....	October 9, 2018
• ODOT clarification and approval.....	Mid October, 2018
• USDOT clarification and final amendment approval.....	Mid October, 2018

ANALYSIS/INFORMATION

1. **Known Opposition:** None known at this time.
2. **Legal Antecedents:** Amends the 2018-2021 Metropolitan Transportation Improvement Program adopted by Metro Council Resolution 17-4817 on July 27, 2017 (For The Purpose of Adopting the Metropolitan Transportation Improvement Program for the Portland Metropolitan Area).
3. **Anticipated Effects:** Enables the projects to obligate and expend awarded federal funds.
4. **Metro Budget Impacts:** None to Metro

RECOMMENDED ACTION:

JPACT recommends the approval of Resolution 18-4909.

- TPAC approval of Resolution 18-4909: 8/10/2018.
- JPACT approval of Resolution 18-4909: 9/20/2018

Attachment: Project Location Maps

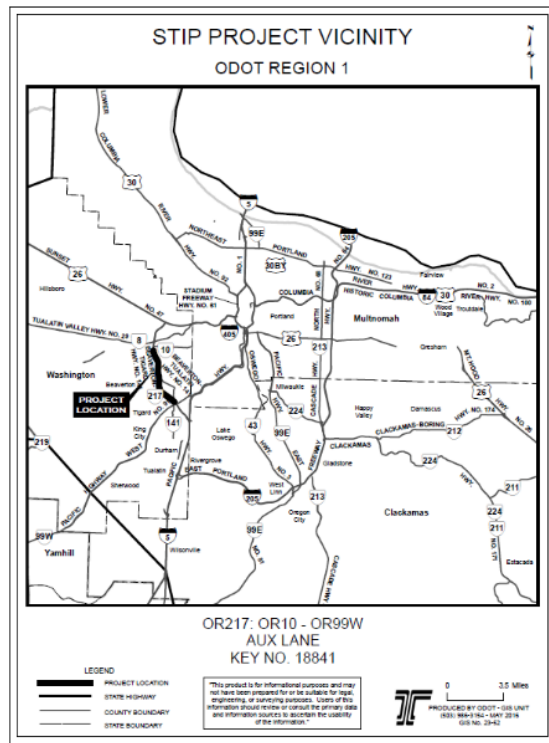
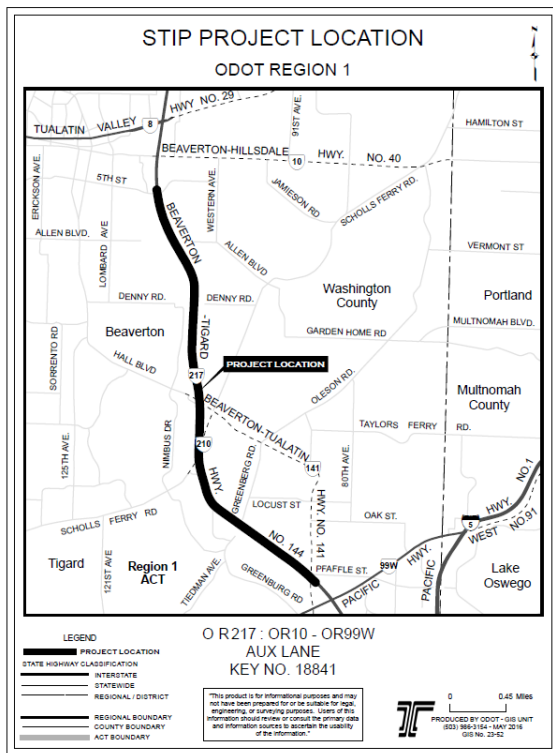
Date: Friday, September 14, 2018
 From: Ken Lobeck, Funding Programs Lead, 503-797-1785
 Subject: Attachment 1 to the August 2018 MTIP Formal Amendment Staff Report – Project Location Maps

BACKGROUND

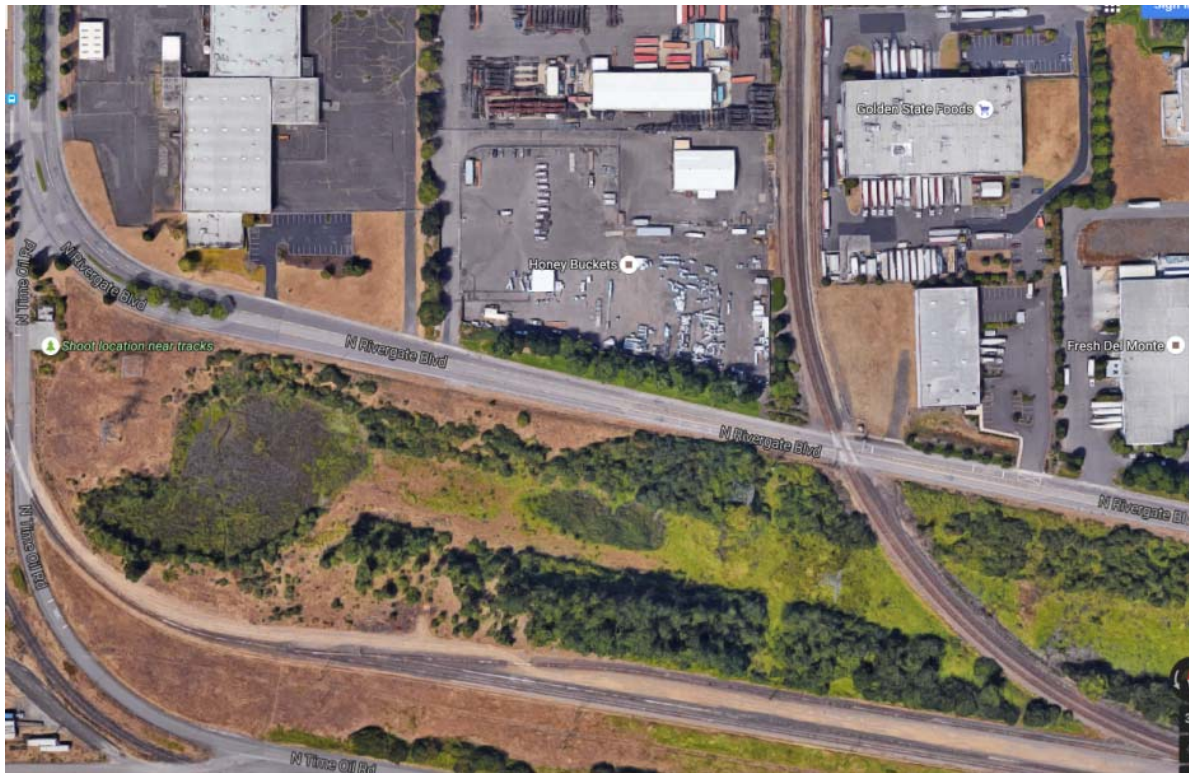
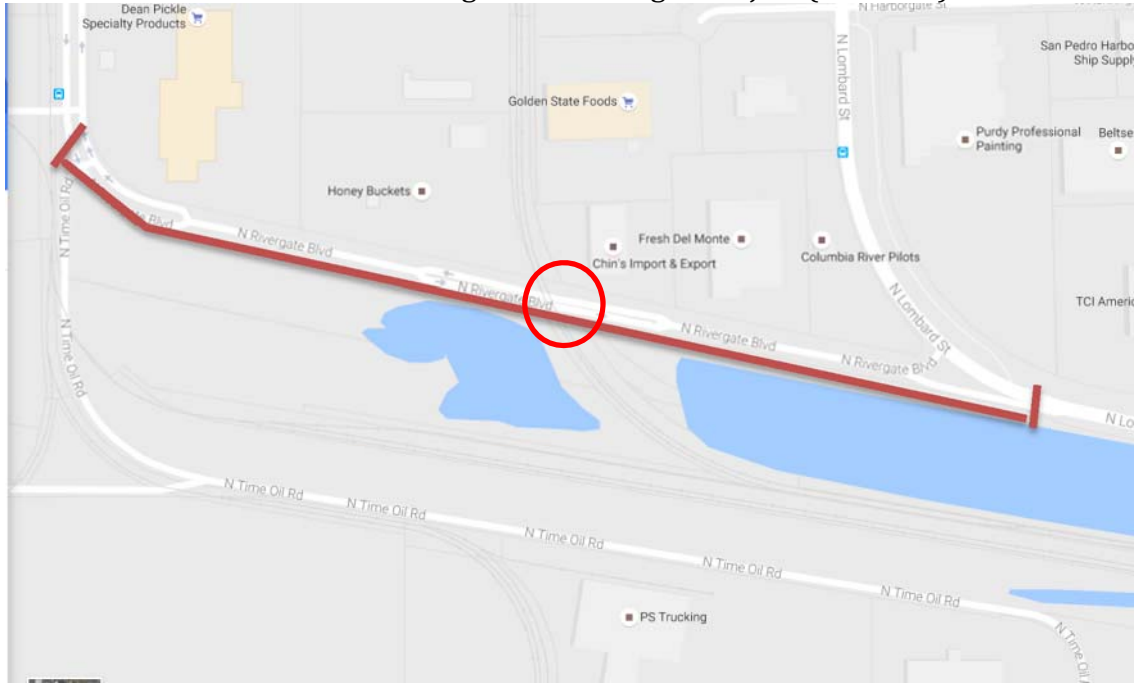
Available project location maps and OTC request letters are included in this attachment to the staff report for reference for their applicable projects. Maps and/or OTC letters are included for:

- Key 18841 – OR217 Southbound: OR10 to O99W (lead changes to ODOT)
- Key 19300 – North Rivergate Blvd Freight Project (Portland)

Key 18841
 OR217 Southbound: OR10 to O99W (ODOT)



Keys 19300
North Rivergate Blvd Freight Project (Portland)



North Rivergate Blvd at UPRR Crossing

