

T Transportation Committee
Meeting date: February 22, 2010
Council Meeting: February 24, 2010

ADVISORY INFORMATION

Date: February 18, 2010
Subject: 2010-2013 TIP Amendment to include potential stimulus funds for local projects
District(s), Member(s): All
Policy/Legal Reference: TAB Action
Staff Prepared/Presented: Arlene McCarthy, Director MTS (651-602-1754)
Amy Vennewitz, Dep. Dir. Finance & Planning MTS (651-602-1508)
Carl Ohrn, Planning Analyst (651-602-1719)
Division/Department: Metropolitan Transportation Services

Proposed Action

That the Council concur with the Transportation Advisory Board (TAB) action to amend the 2010-2013 Transportation Improvement Program (TIP) to include a set-aside of one-half of the Metro share of the estimated \$35 million in new Federal Economic Stimulus STP funds, to be distributed equally among each of the seven counties for STP eligible projects that do not require environmental review, right-of-way or temporary easements, acquisition, or have trunk highway impacts.

Background

This amendment is needed to add a set aside to the current TIP in FY 2010. The legislation, passed by the House of Representatives, identifies approximately the same amount of funding for Minnesota as was available in the American Reinvestment and Recovery Act (ARRA). If this funding level is realized, approximately \$70 million will be available to the region. The main difference between this legislation and the ARRA is that 50% of the funds must be awarded for contract within 90 days of passage of the legislation. Because of this tight timeline, the USDOT has requested states and MPOs to prepare for meeting this requirement before passage of the bill. The motion that was made by the TAC voted to allocate these estimated funds to the seven counties for projects that could be under contract award within the 90-day timeline. The remainder of funds could be opened up to cities for similar types of work but would not be subject to the 90-day contract award requirement.

Rationale

In order to spend federal transportation funds, the project(s) must be in a current TIP. This TIP amendment is being pursued now to ensure these funds can meet the stringent deadlines being imposed.

Funding

The TIP amendment is being advanced assuming a second stimulus bill will be passed with funding levels similar to ARRA. Should the bill not pass or be significantly different than anticipated, this action will have to be modified or nullified.

Known Support / Opposition

No opposition was expressed at the TAC or TAB meetings.

Transportation Advisory Board

of the Metropolitan Council of the Twin Cities

Bill Hargis
Acting Chair

February 18, 2010

County Commissioners

Dennis Berg
Anoka County

Randy Maluchnik
Carver County

Paul Krause
Dakota County

Jan Callison
Hennepin County

Tony Bennett
Ramsey County

Jon Ulrich
Scott County

Dennis Hegberg
Washington County

Municipal Officials

Dick Swanson
Blaine City Council

Steve Lampi
Mayor of Brooklyn Park

Bethany Tjornhom
Chanhassen City Council

Dan Gustafson
Burnsville City Council

Julia Whaten
Champlin City Council

James Hovland
Mayor of Edina

Becky Petryk
Hugo City Council

Robert Lilligren
Minneapolis City Council

Russ Stark
St. Paul City Council

William Hargis
Mayor of Woodbury

Citizen Members - Precinct

vacant - A
Bill Guidera - B
James Meyers - C
Chuck Haik - D
Bart Ward - E
Donn Wiski - F
Jill Smith - G
Ken Johnson - H

Agency Representatives

Peggy Leppik
Metropolitan Council

Scott McBride
Minnesota DOT

Sherry Stenerson
M.A.C.

David Thornton
M.P.C.A.

Modal Representatives

Richard Mussell
Transit

vacant
Transit

Ron Have
Freight

David Gepner
Non-motorized

Peter Bell, Chair
Metropolitan Council
390 Robert Street No.
St. Paul, MN 55101

Mr. Bell,

On February 17, 2010, the Transportation Advisory Board voted to adopt an amendment to the region's 2010-2013 Transportation Improvement Program to add a set-aside amount of \$35 million. This figure represents half of the estimated amount of STP funding that could be made available to the metro region in a potential second economic stimulus program.

The TAB forwards this action to the Metropolitan Council along with additional information described in TAB action transmittal 2010-12.

Sincerely,



for Bill Hargis, Acting Chair
Transportation Advisory Board

Transportation Advisory Board
of the Metropolitan Council of the Twin Cities

ACTION TRANSMITTAL

No. 2010-12

DATE: February 18, 2010
TO: Metropolitan Council
FROM: Transportation Advisory Board
SUBJECT: TIP Amendment to include locally-selected projects from potential new federal economic stimulus legislation

MOTION: The Transportation Advisory Board amended the 2010-2013 TIP to include a set-aside for one half of the metro share of the new federal economic stimulus STP funding estimated at \$35 million to be distributed equally among each of the seven counties for STP-eligible projects that do not require environmental review, right-of-way or temporary easement acquisition or have trunk highway impacts.

BACKGROUND AND PURPOSE OF ACTION: This amendment is needed to add a set aside project line to the current TIP in FY 2010 in order to use federal funds that are anticipated to be made available from the second round of federal economic stimulus "Jobs for Main Street". The current legislation, passed by the House of Representatives, identifies approximately the same amount of funding as was available in the ARRA. This results in approximately \$70 million for the Metropolitan Planning Organization (MPO) to distribute. The main difference between this legislation and the ARRA is that 50% of the funds must be awarded for contract within 90 days of passage of the legislation. Because of this timeline, the USDOT has requested states and MPOs to prepare meeting this requirement before passage of the bill. The TAC voted to allocate half of these potential funds to the seven counties for projects that could be under contract award within the 90-day timeline. The other half of these funds would be made available to cities and other federally-eligible applicants, but not the seven counties, for similar types of work but would not be subject to the 90-day contract award requirement.

Additional information is attached.

ROUTING

TO	ACTION REQUESTED	DATE COMPLETED
TAC Funding & Programming Committee	Review & Recommend	January 21, 2010
Technical Advisory Committee	Review & Recommend	February 3, 2010
TAB Programming Committee	Review & Recommend	February 17, 2010
Transportation Advisory Board	Review & Adopt	February 17, 2010
Metropolitan Council	Concurrence	



Minnesota Department of Transportation

Metro District
 1500 West County Road B-2
 Roseville, MN 55113

Office Telephone: (651) 234-7700
 Fax: (651) 234-7786

January 21, 2010

Karl Keel, Chair
 TAC – Funding and Programming Committee
 Metropolitan Council
 390 North Robert St.
 St. Paul, Minnesota 55101

Re: Amendment to the Twin Cities 2010-2013 Transportation Improvement Program (TIP)
 State Project Number: 880M-ARRA-10; ARRA II (Jobs for Mainstreet) Set aside

Dear Mr. Keel:

Please amend the 2010- 2013 Transportation Improvement Program (TIP) to include this project in SFY 2010. This project is being submitted with the following information:

PROJECT IDENTIFICATION:

STATE FISCAL YEAR	ATP	DIST	ROUTE SYS	PROJECT NUMBER (S.P. #) (Fed # if available)	AGENCY	DESCRIPTION include location, description of all work, & city (if applicable)	MILES
2010	M	M	Local 999	880M-ARRA-10	Local	Metro ATP Local Setaside for ARRA II (Jobs for Mainstreet) - 2010	NA

PROG	TYPE OF WORK	PROP FUNDS	TOTAL \$	FHWA Target (STP)	ARRA II (Jobs for Mainstreet) \$	FTA \$	TH \$	OTHER \$
ARRA STP	Setaside	Jobs for Main St, (ARRA II), Local	35,000,000	0	35,000,000	0	0	0

PROJECT BACKGROUND:

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

This amendment is needed to add a Setaside project line to the current TIP in SFY 2010 in order to use federal funds that are anticipated to be made available to the Metropolitan Area MPO from the Stimulus II Jobs for Main Street funding legislation.

On December 16, 2009, the House of Representatives passed a Stimulus II bill (Title 1; HR 2847) that identifies approximately the same amount of funding for highways and bridges that was available in the first American Reinvestment and Recovery Act (ARRA). The amount available to Metropolitan Area MPO under ARRA was \$75M, and FHWA has given the direction to assume the same funding level for the second stimulus program.

A key difference of the current House Bill, however, is a 90-day timeline for 50% of the total funds to be awarded for contract. This would begin on the date the bill is signed into law, which is currently expected sometime in mid February. Due to this more stringent timeline, the U.S. Secretary of Transportation has advised all states and MPOs to begin preparing immediately for meeting this requirement before the bill officially passes. A key element of this preparation is to include all projects in the MPO TIPs and STIPs.

The U.S. Senate is expected to pass a similar ARRA II (Jobs for Mainstreet) bill in February and the President may sign the final combined bill as soon as February 17. This means 50% of the state's STP allocation (\$250M) must be under contract by May 15, 2010. Each MN/DOT District has been directed to amend their respective TIPs to program half of what they expect to receive. MN/DOT Metro District has amended the Twin Cities TIP to include the reconstruction of the I-494/TH 169 interchange in order to accomplish this requirement. To assist the Metro District in meeting this requirement, the TAC Funding & Programming Committee asked all seven Metro Counties to identify \$5M of preservation projects on federally-eligible county or municipal systems. Preservation work could include mill and overlays, signal rebuilds, signing, striping, guardrail, or ADA compliance. Counties are not limited to preservation projects however. The key issue is deliverability - that the projects will not need right-of-way or an easement, no SHPO clearance, have no Trunk Highway Impacts, they will be exempt from regional and project air quality analysis and not need any other approval that would delay project authorization. This process would identify approximately \$35M in projects in the seven metro counties, equaling 50% of the MPO's expected ARRA II funding under contract in 90 days.

As the eligible projects are identified, an administrative modification will be processed to take down the amended \$35 M setaside amount. Each of the seven metro counties have identified candidate projects. The MPO is submitting this proposed TIP amendment assuming the most likely funding scenario available to the Metro Region and will make adjustments as needed if and when a final bill is signed into law.

With regard to public involvement, the TAB meetings are open to the public, and agendas are available on the Metropolitan Council website.

2. How is Fiscal Constraint Maintained as required by 23 CFR 450.216 (check all that apply)?

- New Money* X
- Anticipated Advance Construction
- ATP, MPO, or MN/DOT Adjustment by deferral of other projects
- Earmark or HPP not affecting fiscal constraint
- Other**

* Fiscal Constraint will be maintained by using \$35M of new money Jobs for Main Street that is assumed to be 100%, requiring no local match. This set aside is contingent on the Jobs for Main Street funding bill becoming law.

3. AIR QUALITY CONFORMITY:

- Subject to conformity determination
- Exempt from regional level analysis* yes
- Exempt from project level analysis* yes
- Exempt by virtue of interagency consultation.....
- N/A (not in a nonattainment or maintenance area).....

* In order to be eligible for funding by the set aside, the projects will need to be exempt from regional and project level analysis by falling into one of the exempt project categories identified in Exhibit 4 of the 2010-2013 TIP.

CONSISTENCY WITH MPO LONG RANGE PLAN:

This amendment is consistent with the Metropolitan Council Transportation Policy Plan, adopted on January 14, 2009, with FHWA/FTA conformity determination established on September 16, 2009.

We are requesting approval of this TIP amendment at this time. If you have any questions, please contact me at.

Sincerely,

cc: Tim Mayasich
Karl Keel
Susan Moe