

TWIN CITIES AREA TRANSPORTATION STUDY

TECHNICAL ADVISORY and POLICY COMMITTEES MEETING

Monday, May 16, 2022

9:30 am

In Person: Kinexus (Michigan Works!) Anchor Room A&B
499 W Main St, Benton Harbor, MI 49022

Web: <https://us06web.zoom.us/j/9347787681?pwd=a3MrVUUxa3VMSmIPWXJLeU5NUzNjQT09>

Audio: Call in Number: 1 (312) 626-6799
Meeting ID: 934 778 7681
Passcode: 687880

AGENDA

1. Call to Order and Roll Call
2. Changes to the Agenda
3. Public Comment
4. Approve Minutes from March 21, 2022 Meeting (*enclosed*) *Action*
5. Staff Report (*enclosed*)
 - Unprogramed 2023-2026 federal funds:
 - IIJA/Surface Transportation Block Grant Program (STBG)
 - Carbon Reduction Program (CR)
 - MDOT Federal Buyout Announcement
6. Project Updates & Amendments
 - Local Road Agencies
 - Public Transit/TCATA (*enclosed*) *Action*
 - MDOT (*enclosed*) *Action*
7. New Business *Action*
 - FY 2023 TwinCATS Unified Work Program (https://www.swmpc.org/tcats_uwp.asp)
 - FY 2023-2026 TwinCATS Transportation Improvement Program (<https://www.swmpc.org/twincatstip.asp>)
8. Privilege of the Floor or Public Comment
9. Adjournment

Comments can be sent prior to the meeting to Brandon Kovnat at kovnatb@swmpc.org or calling (269) 925-1137 x 1524. For questions about accessibility or to request accommodations, please contact Kim Gallagher at (269) 925-1137 x 1518 or by email at gallagherk@swmpc.org

TWIN CITIES AREA TRANSPORTATION STUDY

TECHNICAL ADVISORY COMMITTEE AND POLICY COMMITTEE COMBINED MINUTES

March 21, 2022

TWINCATS MEMBER ORG./POSITION	MEMBERS	TAC	POL	J	F	M	A	M	J	J	A	S	O	N	D
Benton Charter Township	Richard Royal	x	x	V	V	V									
Berrien Co. Board of Commissioners	Ray Bell		x	V	V	A									
Berrien Co. Community Dev. Dept.	Evan Smith	x		A	A	A									
Berrien Co. Planning Commission	Eric Lester, M.D.		x	V	V	V									
Berrien Co. Road Dept.	(vacant)		x												
Berrien Co. Road Dept.	Kevin Stack	x		V	A	V									
City of Benton Harbor	Ellis Mitchel		x	A	A	A									
City of Benton Harbor	Tim Drews	x	Alt	IP	V	IP									
City of Bridgman	Juan Ganum	Alt	x	A	A	A									
City of Bridgman	Tim Kading	x	Alt	A	IP	V									
City of St. Joseph	John Hodgson		x	A	V	V									
City of St. Joseph	Tim Zebell (TAC V. Ch.)	x		IP	IP	V									
Cornerstone Alliance	Sue Wyman	x	x	A	A	A									
Disability Network of SW Mich.	Cindy gray	x		V	V	A									
Hagar Township	(vacant)	x	x												
Kinexus	(vacant)	x													
Lake Charter Township	Gloria Payne	x	x	A	A	A									
Lincoln Charter Township	Dick Stauffer (Pol. Ch.)		x	A	IP	A									
Lincoln Charter Township	Terrie Smith	x		A	V	A									
MDOT – Bureau of Trans. Planning	Jim Sturdevant	x	x	V	V	V									
MDOT – Bureau of Trans. Planning	Anita Boughner	Alt	Alt	V	A	A									
MDOT – Southwest Region	Amy Lipset	x	x	A	A	IP									
MDOT – Southwest Region	Brian Sanada	Alt	Alt	A	V	A									
MDOT – Trans. Service Center	Jonathon Smith	x	x	A	V	V									
Royalton Township	Steve Tilly	x	x	A	A	A									
Sodus Township	David Chandler	x	x	A	A	A									
Southwest Mich. Regional Airport	Vince Desjardins	x	x	A	A	A									
St. Joseph Charter Township	Denise Cook		x	V	IP	IP									
St. Joseph Charter Township	Roger Seeley	x		V	IP	IP									
	Ron Griffin	Alt		A	A	A									
	Jonathan Fisk	Alt		V	A	IP									
Twin Cities Area Trans. Authority	Richard Lee	x	x	A	A	IP									
Village of Grand Beach	(vacant)	x	x												
Village of Shoreham	Mike Allard	x	x	V	V	V									
Village of Stevensville	(vacant)		x												
Village of Stevensville	Tim Drews	x	Alt	IP	V	IP									
Federal Highway Administration	Andy Pickard	x	x	A	A	A									
Federal Transit Administration	Cecilia Crenshaw	x	x	A	A	A									
MDOT - Modeling	Katie Beck	x		A	A	A									
MDOT - Passenger Division	Fred Featherly	x		A	V	V									
Northwestern Ind. Reg. Plan. Comm.	Scott Weber	x	x	A	A	A									
Southwest Michigan Planning Comm.	Kim Gallagher	x	x	IP	V	IP									
Southwest Michigan Planning Comm.	Brandon Kovnat			IP	IP	IP									

Pol. Ch. - Policy Chair; TAC Ch. - TAC Chair; Alt – Alternate; IP – Present in person; V – Participating remotely; A – Absent; A blank spot means the position is vacant.

Others Present: Alan Smaka, Wightman & Associates, on behalf of St. Joseph Township; Greg Smith, TCATA

1. Call to Order and Roll Call

Tim Zebell, Technical Advisory Committee Vice Chair, called the meeting to order at 9:35 AM. Kim Gallagher led roll call.

2. Changes to the Agenda

None.

3. Public Comment

None.

4. Vote for TwinCATS Policy Committee Vice Chair

Denise Cook Volunteered to be the Policy Committee Vice Chair.

Motion to appoint Denise Cook as the TwinCATS Policy Committee Vice Chair. Made by Amy Lipset, and seconded by Denise Cook. **Motion approved.**

5. Approve Minutes from February 28, 2022 Meeting

Motion to approve the minutes from the February 28, 2022 TwinCATS combined Policy and Technical Advisory Committee meeting. Made by Roger Seeley and seconded by Denise Cook.

Motion approved.

6. New Business – Amendments to projects

Berrien County Road Department: Stack said he just held a GI meeting for the guardrail project. Due to material cost increases, the project cost has increased.

Twin Cities Area Transportation Authority: Gallagher explained that the operating budget as shown in the TIP represents the Federal 5307 funds estimated to be spent that year along with the state & Local match. These funds do not need to match the 5307 allocation since transit agencies can use unspent funds from previous years (carryover) or carryover funding to future years. Gallagher added that CARES Act funds are also being used for operating, and there do not need to be included in the TIP. Therefore, the Operating expenses in the TIP may not reflect the actual operating budget for TCATA.

Kovnat said he sent out a revised amount for TCATA's new projects on Friday before the meeting. Their original request did not reflect the proper 80/20 federal/state funding split.

Gallagher explained that TCATA has two buses eligible in 2023 and both are programed for replacement using CMAQ funds. They also applied for a bus replacement using 5339 funds which they do not need. The driveway repair was an emergency repair initially programed to use 5307 funding. TCATA was able to use CARES funds instead.

MDOT: Smith discussed the 2023 M-139 Culvert preplacement between Tanglewood Trail and Scottdale Road. During the design process, they discovered that they will need to do additional excavation due to poor soils. There are also material cost increases. M-139 will be closed to through traffic during the construction period. They are working with the Road Department on plans for the alternate route.

Motion for the Technical Advisory Committee to recommend that the Policy Committee approve the amendments to the TwinCATS 2020-2023 Transportation Improvement Program as included in the meeting packet. Made by Roger Seeley, and seconded by Tim Drews. **Motion approved.**

Motion by the Policy Committee to approve the recommendation from the Technical advisory Committee. Made by Amy Lipset and seconded by Denise Cook. **Motion approved.**

7. Privilege of the Floor or Public Comment
None.

8. Adjournment
The meeting was adjourned at 10:20 am. The next meeting is scheduled for April 18, 2022 at 9:30 am at Michigan Works/Kinexus and online via Zoom.

Minutes compiled by Brandon Kovnat, SWMPC Associate Planner

TwinCATS Federal Fund Balances 2023-2026 - IJJA Funding					
Funding Source	2023	2024	2025	2026	Total
Carbon Reduction	\$134,000	\$137,000	\$140,000	\$143,000	\$554,000
STBG	\$227,002	\$104,546	\$125,000	\$128,000	\$584,548

Carbon Reduction Funding Program: See attached sheet for information on program.

CARBON REDUCTION PROGRAM PROJECT SELECTION TIMELINE

DATE	TASK
June 28, 2022	Call for Carbon Reduction 2023-2026 Projects Released
August 15, 2022	Project Selection Criteria Approved by TwinCATS
Early September 2022 TBD	Project Selection Committee Meeting
September 27, 2022	Proposed projects approved by NATS

NOTE: Carbon Reduction Funding cannot be carried over from one year to the next, however it can be combined with other federal funding sources or advanced constructed to use multiple years of funding.

STBG fund Balance

Along with the Carbon Reduction Meeting, The Projects Review Committee will discuss options for programing the STBG balance, which will be to either

- Add additional federal funds to reduce local match
- Add a project from the Illustrative list

No new call for projects will be issued at this time

Carbon Reduction Program Details

H.R. 3684 p 127 Sec 11403

<https://www.congress.gov/117/bills/hr3684/BILLS-117hr3684enr.pdf>

Eligible activities:

- A. establish or operate a traffic monitoring, management, and control facility or program, including advanced truck stop electrification systems
- B. public transportation
- C. construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other nonmotorized forms of transportation
- D. advanced transportation and congestion management technologies
- E. infrastructure-based intelligent transportation systems capital improvements and the installation of vehicle-to-infrastructure communications equipment, including retrofitting dedicated short-range communications (DSRC) technology deployed as part of an existing pilot program to cellular vehicle-to-everything (C-V2X) technology
- F. replace street lighting and traffic control devices with energy-efficient alternatives
- G. development of a carbon reduction strategy
- H. a project or strategy that is designed to support congestion pricing, shifting transportation demand to nonpeak hours or other transportation modes, increasing vehicle occupancy rates, or otherwise reducing demand for roads, including electronic toll collection, and travel demand management strategies and programs
- I. efforts to reduce the environmental and community impacts of freight movement
- J. a project to support deployment of alternative fuel vehicles, including— “(i) the acquisition, installation, or operation of publicly accessible electric vehicle charging infrastructure or hydrogen, natural gas, or propane vehicle fueling infrastructure; and “(ii) the purchase or lease of zero-emission construction equipment and vehicles, including the acquisition, construction, or leasing of required supporting facilities
- K. diesel engine retrofit
- L. a project described in section 149(b)(5) that does not result in the construction of new capacity
- M. transportation emissions at port facilities, including through the advancement of port electrification.

Other requirements, 2-years after the enacting of IIJA, MDOT will be required to create a carbon reduction strategy, in cooperation with MPOs that:

- A. support efforts to reduce transportation emissions
- B. identify projects and strategies to reduce transportation emissions, which may include projects and strategies for safe, reliable, and cost-effective options
 - i. to reduce traffic congestion by facilitating the use of alternatives to single-occupant vehicle trips, including public transportation facilities, pedestrian facilities, bicycle facilities, and shared or pooled vehicle trips within the State or an area served by the applicable metropolitan planning organization, if any
 - ii. to facilitate the use of vehicles or modes of travel that result in lower transportation emissions per person-mile traveled as compared to existing vehicles and modes

- iii. to facilitate approaches to the construction of transportation assets that result in lower transportation emissions as compared to existing approaches; “(C) support the reduction of transportation emissions of the State; “(D) at the discretion of the State, quantify the total carbon emissions from the production, transport, and use of materials used in the construction of transportation facilities within the State; and “(E) be appropriate to the population density and context of the State, including any metropolitan planning organization designated within the State.
- C. support the reduction of transportation emissions of the State
- D. at the discretion of the State, quantify the total carbon emissions from the production, transport, and use of materials used in the construction of transportation facilities within the State
- E. be appropriate to the population density and context of the State, including any metropolitan planning organization designated within the State.

Must be updated every 4-years and submitted to FHWA for approval.

Funding available:

Michigan will receive (*estimates*)

FY	Carbon Reduction	Flex Any Area (35%)	Sub-allocated by Area (65%)	TMA's	Small MPO	Small Urban	Rural
2022	\$ 32,395,504	\$ 11,338,426	\$ 21,057,078	\$ 11,909,379	\$ 2,156,855	\$ 1,439,384	\$ 5,551,460
2023	\$ 33,043,414	\$ 11,565,195	\$ 21,478,219	\$ 12,147,566	\$ 2,199,992	\$ 1,468,172	\$ 5,662,489
2024	\$ 33,704,282	\$ 11,796,499	\$ 21,907,784	\$ 12,390,518	\$ 2,243,992	\$ 1,497,535	\$ 5,775,739
2025	\$ 34,378,368	\$ 12,032,429	\$ 22,345,939	\$ 12,638,328	\$ 2,288,872	\$ 1,527,486	\$ 5,891,253
2026	\$ 35,065,935	\$ 12,273,077	\$ 22,792,858	\$ 12,891,095	\$ 2,334,650	\$ 1,558,036	\$ 6,009,078

Federal Aid Buyout Program Current Status

May 5, 2022

Implementing Public Act 49 of 2022

Approved by the Governor March 29, 2022

Effective October 1, 2022 (FY 2023)

Federal Aid Buyout Bill Overview

Links to relevant Legislation -

SB 465 <http://legislature.mi.gov/doc.aspx?2021-SB-0465>

SB 466 <http://legislature.mi.gov/doc.aspx?2021-SB-0466>

The state trunkline funding made available for Fiscal Year (FY) buyout (*subsection 8*)

FY 2023	\$25 million
FY 2024	\$35 million
FY 2025	\$45 million

Public ACT 49 directs the Michigan Department of Transportation (MDOT) to develop a Federal Aid Buyout program. Requirements outlined in the legislation include:

- Buyout projects must be in the federally approved Statewide Transportation Improvement Program (STIP), either in a Metropolitan Planning Organization (MPO) transportation improvement program or in the rural transportation improvement program based on the project location (*subsection 9*)
- MDOT is directed to create an announcement, instructions, forms, and deadlines, and make them available online (*subsection 9*)
- Buyouts must be awarded in the order received (*subsection 9*)
- The exchange rate is 90 cents per dollar of federal aid programmed to the job phase as listed in the STIP (*subsection 10*)
- MDOT must receive sufficient obligation authority to complete the buyout (*subsection 11*)
- The local agency must complete the project that was funded in the buyout:
 - Surplus funds can be used on any federal aid eligible project or returned to MDOT (*subsection 12*)
 - Completed work must be reported to the transportation asset management council investment reporting tool or any successor system (*subsection 12*)
 - If the local agency cannot complete the project within 3 years, they must notify MDOT, MPO or Rural Task Force (RTF), and identify an alternative project, that is federal aid eligible, that can be constructed within the original 3-year period or return the funds to MDOT (*subsection 13*)
 - Must follow policy that governs the number of force accounts and the total amount of money spent on force account project cost authorizations in a fiscal year (*subsection 14*)

- Contracts between local road agencies and contractors must contain a federal wage and benefits schedule consistent with Section IV of Form Federal Highway Administration 1273, revised May 1, 2012, or any successor form (*subsection 15*)

Buyout Timeline (DRAFT)	FY 2023 Call	Future Calls
Call for Buyouts for FY	June 2022	November 1 st of prior FY
Buyout Requests Due	June 31, 2022	January 3 rd of prior FY
Selections of Buyouts Announcement	August 1, 2022	Mid-February of prior FY

It is recommended to start the Call for Federal Aid Buyouts at a specific hour of the day, such as 8:00 am. An email address has been created: MDOT-FederalAidBuyout@michigan.gov

This timeline is important because in the Local Agency Programs (LAP) timeline for project submittals, a local agency should get **National Environmental Policy Act** (NEPA) documents to LAP by March for the following FY obligations, and time is needed to prepare these documents. July is when grade inspection packages should be submitted to LAP for the following FY obligations.

MDOT's Current Draft Administration Framework for the Federal Aid Buyout (DRAFT)

1. Limit the buyout to only Surface Transportation Block Grant (STBG) and STBG flex funding only.
2. Exchange requests will be e-mailed to MDOT-FederalAidBuyout@michigan.gov. The call for exchange requests will be send out 2 weeks before the call opens. The call will start at a specific time on the first day of the call for exchange applications and close at a specific date and time as specified in the call letter. The received timestamp on email will identify the order received. Plan to have an auto generated received e-mail send to the submitter to confirm receipt of the exchange request. Publish a received list on the MDOT website for review to allow an agency to dispute (if agency can show they sent an email did not go through). Allow 2-weeks to review for discrepancies.
3. The amounts of the buy-out will be capped at the STIP approved federal amount. If the available amount of federal aid is decreased from the estimated amount for a given fiscal year, then the amount of the exchange may be decreased.
4. Projects would be locally let and would not be let by MDOT LAP
5. Projects cannot be part of the federal aid buyout and be part the Local Federal Fund Exchange (LFFE) program
6. Projects that are utilizing advance construction cannot be part of the buyout
7. If the project has other federal aid sources that are not eligible for the buyout (ex: HIP, CMAQ) then the project cannot be exchanged.

8. You must buyout the entire project and complete it with state or local funds.
9. Contract requirements will follow the guidelines of the buyout. Compliance will be on the local to demonstrate.
10. If an MPO deems a project regionally significant that is in the buyout, then the MPO can re-program it as a locally funded regionally significant project and it will remain on the MPO TIP.
11. Program contacts must be the local agency and not a consultant.
12. Buyouts can only be for construction phases
13. Subject to change and based on funding availability. Ex: if a gas tax holiday is passed and there is a decrease in available state aid.
14. Local agency will report to MDOT once the project is completed including confirmation that the federal wage and benefits were adhered to, confirmation that force account policy was adhered to, state the amount spend on the project, and state what federal aid eligible activity any surplus funds spend on.

Items under consideration

1. Determine whether a cap or maximum amount per agency should be set to ensure that the opportunity is spread across more participants rather than a few large projects.
2. Determining a process for limiting the program once the minimum program level is reached.
3. Interpret the Act 49 subsection 12 language reference to *any surplus must be applied to federal-aid-eligible projects* to mean that surplus funds can be used for the local agencies federal aid eligible activities and improvements (excluding routine maintenance) as outlined in Section 10c(l) of Michigan Public Act 51 of 1951 (MCL247.660c, Section 10c(l)), OR, as matching funds on any federal aid project undertaken by the local agency. (This is the same language used in the LFFE program guidelines)

Products that MDOT is developing

- Program guidelines
- Call for projects letter
- Submittal form
- Program email MDOT-FederalAidBuyout@michigan.gov
- Internal MDOT process after project selection
- Program Agreement/Contract
- Final project completion report form or format

Please submit any comments, concerns, or questions regarding the federal aid buyout program to MDOT-FederalAidBuyout@michigan.gov.

MDOT Amendment Requests for May 16, 2022

Contact: Jon Smith, MDOT Engineer SmithJ29@michigan.gov

Cost Increase

Project	Agency	Year	Job #
Pavement Marking Retroreflectivity Readings	MDOT	2022	207341

	Current	Proposed	Increase
Federal – HSIP	\$1,099	\$1,997	\$898
State	\$122	\$222	\$100
Total	\$1,221	\$2,219	\$998

Increase based on the low bid received

Cost & Scope Change

Project	Limits	Agency	Year	Job #
I-94 Maintenance	Pavement change east of I-196 to Benton and Bainbridge	MDOT	2023	207341

Scope change: The limits of the project have been extended to the east and west for the split merge maintenance of traffic concept. This concept supports MDOT initiative for worker positive protection.

Cost Increase

	Current	Proposed	Increase
Federal – Interstate Maintenance	\$3,439,800	\$3,672,000	\$232,200
State	\$382,200	\$408,000	\$25,800
Total	\$3,822,000	\$4,080,000	\$258,000

The CON phase budget was increased to account for the new MDOT plan.

TCATA Amendment Requests for May 16, 2022

Contact: Angel Crayton, TCATA Director acrayton@tcatabus.org

Add the following projects:

Year	Project Name	Project Description	Federal Funding Source	Federal Cost	State Cost	Local Cost	Total
2022	Interior Painting-Facility	Interior Painting	5339	\$40,000	\$10,000	0	\$50,000
2022	Shop Equipment	Replace maintenance equipment past useful life; tire machine, bus washer	5339	\$28,000	\$7,000	0	\$35,000
2022	TAM plan	Update TAM to meet current FTA standards	5307	\$16,000	\$4,000	0	\$20,000
2022	Architecture & Engineering services	Job Order Contract for building assessment, project specification, engineering and construction oversight	5339	\$79,200	\$19,800	0	\$99,000
2022	Office equipment	Replace items past their useful life in office such as furniture, computers, and other items	5339	\$12,000	\$3,000	0	\$15,000