

NILES-BUCHANAN-CASS AREA TRANSPORTATION STUDY

TECHNICAL ADVISORY COMMITTEE and POLICY COMMITTEE MEETING

Tuesday, May 23, 2023

1:30 pm

In Person: Niles District Library
620 E Main St, Niles, MI 49120

Web: <https://us06web.zoom.us/j/9489277047?pwd=RzkydlFacGFHNkVWeURpak1kSEcxUT09>

Audio: Call in Number: 1 (312) 626-6799
Meeting ID: 948 927 7047
Passcode: 000619

AGENDA

1. Call to Order and Roll Call
2. Changes to the Agenda
3. Public Comment
4. Approve Minutes from the March 28, 2023 Meeting *Action* pg. 2
5. Staff Report
6. Local Agency Updates
7. FY 2023 Funding Discussion & Local Project Amendments *Action* Pg. 6
8. Transit Updates
9. MDOT Updates pg. 10
10. MDOT Amendment Requests *Action* pg. 10
11. CMAQ Performance Targets *Action* Pg. 11
12. FY 2024 Unified work Program *Action*
Link to UWP: www.swmpc.org/nat_uwp.asp
13. Privilege of the Floor or Public Comment
14. Adjournment

Comments can be sent prior to the meeting to Brandon Kovnat at kovnatb@swmpc.org or by 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

NILES BUCHANAN CASS AREA TRANSPORTATION STUDY (NATS)
Joint Technical Advisory Committee (TAC) & Policy Committee Attendance
March 28, 2023, Niles District Library & via Zoom

NATS MEMBER ORG./POSITION	MEMBERS (2022)	TAC	POL	J	F	M	A	M	J	J	A	S	O	N	D
Berrien Co. Board of Commissioners (1)	Michael Majerek		x	A		A									
Berrien Co. Board of Commissioners (2)	(Vacant)		x	A											
Berrien Co. Community Dev. Dept.	Dan Fette	x		A		A									
Berrien Co. Planning Commission	Eric Lester, M.D.		x	A		A									
Berrien Co. Road Dept. (Policy)	(Vacant)		x	A											
Berrien Co. Road Dept. (TAC)	Kevin Stack	X		IP		IP									
Bertrand Township	Butch Payton	x	x	A		IP									
Buchanan Township	Lynn Ferris	x	x	A		IP									
Cass Co. Board of Commissioners (1)	Robert Benjamin		x	A		A									
Cass Co. Board of Commissioners (2)	Roseann Marchetti		x	IP		A									
Cass Co. Planning Commission	(Vacant)	x													
Cass Co. Road Comm. (Policy)	Sandra Seanor		x	IP		IP									
Cass Co. Road Comm. (TAC)	Joe Bellina (TAC Chair)	x		IP		IP									
City of Buchanan	Don Ryman		x	V		IP									
City of Buchanan	Rich Murphy	x		A		IP									
City of Niles (1)	Georgia Boggs		x	IP		A									
City of Niles (2)	Serita Mason		x	V		V									
City of Niles (3)	(Vacant)		x												
City of Niles Community Dev. Director	(Vacant)	x													
City of Niles Dial-A-Ride Transit	Pepper Miller	x	x	IP		IP									
City of Niles Public Works Dir./Airport	Joe Ray	x		IP		IP									
Howard Township	Bill Kasprzak	x	x	IP		IP									
Kinexus	(Vacant)	x													
Mason Township	Doug Feters	x	x	A		A									
MDOT - Bureau of Trans. Planning	Jim Sturdevant	x	x	IP		IP									
MDOT - Southwest Region	Josh Grab	x	x	V		V									
MDOT - Southwest Region (Alternate)	(Vacant)	Alt	Alt												
MDOT - Transportation Service Center	Jonathon Smith	x	x	V		V									
Milton Township	Susan Flowers	x	x	A		IP									
Niles Charter Township	Richard Cooper (P. Ch.)	x	x	IP		IP									
Ontwa Township	Dawn Bolock	x	x	A		A									
Pokagon Band of Potawatomi Indians	(Vacant)	x	x												
Village of Edwardsburg	Dennis Peak	x	x	A		A									
Federal Highway Administration	Andy Pickard	NV	NV	A		A									
Federal Transit Administration	Susan Weber	NV	NV	A		A									
EGLE - Air Quality	Breanna Bukowski	NV		A		A									
MDOT - Modeling	Jon Roberts	NV		A		A									
MDOT - Office of Passenger Trans.	Fred Featherly	NV		A		A									
Michiana Area Council of Governments	Caitlin Stevens	NV	NV	A		A									
Southwest Michigan Planning Comm.	Kim Gallagher	x	x	IP		IP									
Southwest Michigan Planning Comm.	Brandon Kovnat	NV	NV	IP		IP									

P. Ch.: Policy Chair; Alt: Alternate; NV: Non-voting; P: Present in Person; V- Present virtually; A: Absent.

Minutes
Niles-Buchanan-Cass Area Transportation Study
Joint Technical Advisory Committee and Policy Committee Meeting
Tuesday, March 28, 2023

1. Call to Order and Roll Call

Technical Advisory Committee chair, Joe Bellina, called the meeting to Order at 1:30 pm. Kim Gallagher took roll call.

2. Changes to the Agenda

None.

3. Public Comment

None

4. Approve Minutes from the January 24, 2023 Meeting

Motion to approve the minutes from the January 24, 2023, Joint NATS Technical Advisory Committee and Policy Committee Meeting. Made by Joe Ray, and seconded by Sandra Seanor. **Motion approved.**

5. Staff Report

6. **FY 2024 Unified Work Program (UWP):** Gallagher explained that the Unified Work Program (UWP), layouts out the tasks staff will undertake for NATS in Fiscal Year 2024, along with the planning budget. SWMPC staff met with MDOT and federal partners on March 9th to review the current progress on the FY 2023 UWP and discuss the goals for the FY 2024 UWP. For FY 2024, SWMPC requested additional funding to hire a consultant to write an EV readiness plan. This plan would focus on local charging infrastructure needs, unlike the statewide plan which only identifies general locations statewide. The UWP will be voted on at the May NATS meeting.

Carbon Reduction Program (CRP) & Transportation Alternative Program (TAP): Gallagher reminded the attendees that the call for projects to use NATS CRP7 the NATS TAP funds was sent last June a 2023-2026. Staff received one request to use the CRP in 2024. The TAP funds are unique because they can carryover, for up to four years, if not used. Due to the small allocation of TAP funds, typically NATS has selected a single project that combines multiple years of funding. No applications for TP were submitted. Another call for projects for both the CRP and the TAP funds will be sent out within a month.

7. Local Agency Updates

Berrien County Road Department: Stack said the Bertrand project was Let in March with the accepted bid 14% above the programmed estimate of \$592,952.

City of Buchanan: Murphy said the complete biddable package for the Front Street Signal and the Front Street Reconstruction would be submitted to MDOT by April 23rd.

Cass County Road Commission: Bellina said that they acquired the ROW for the Gumwood & Redfield roundabout. The project is set for letting, with construction to begin in July. Road Commission crews began tree clearing today (3/28/2023). To avoid, distributing the nests so the endangered Indian Bat, tree clearing must be completed by April 1st. Any work funded federally (i.e. NATS STBG funds) must be done by a private contractor, selected through the MDOT bid-letting process. Due to the time constraint, the tree clearing was done in-house, without using any of the federal funds.

Bellina said he was confident that the Gumwood Realignment project would be approved in FY 2023. He plans to submit the GI package in the next few weeks. The ROW has not been acquired yet.

8. Transit Updates

Miller said Niles Dial A Ride increased their starting wages to be competitive with hiring.

9. MDOT Updates

Smith did not have any updates beyond what was included in the meeting packet.

10. MDOT Amendment Requests

See the meeting packet for amendment details. Smith highlighted that there was a new fund source called Vulnerable Road Users (VRU) which was being used for a PE phase for a crosswalk project. he said this is a very new program and he's still learning more about it.

Smith explained that MDOT had initially scheduled a much larger repair for US-31S. Due to high costs, this rehabilitation was pushed back past the 2023-2206 TIP period. To maintain the road until then, MDOT added in added the Concrete repairs in 2024. Construction may not occur until 2026.

There were several comments about the poor conditions on US-31. Members thanked MDOT for scheduling repairs but thought they needed to be done sooner. Smith explained that US-31 Northbound was scheduled for repair this year, and MDOT is prepared to move the US-31 Southbound project up if funding becomes available.

Motion for the Technical Advisory Committee to recommend that the Policy Committee approve the Amendments to the NATS 2023-2026 Transportation Improvement Program (TIP) as presented. Made by Jim Sturdevant and seconded by Joe Ray. **Motion approved.**

Motion for the Policy Committee to approve the recommendation from the Technical Advisory Committee. Made by Sandra Seanor and seconded by Susan Flowers. **Motion approved.**

11. Road & Bridge Condition Performance Targets

Kovnat discussed the *NATS 2022 Pavement Condition report*. He explained that the report summarizes the PASER ratings within the NATS area, including the 10-year trends, and ratings by jurisdiction. He explained that the PASER ratings are used in project selection and in creating asset management plans.

Kovnat then presented the national pavement performance measures which FHWA requires all states to set targets for. These measures use Pavement Condition Metrics (PCM) which are a combination of the International Roughness Index (IRI), Cracking Percentage, and Rutting/Faulting. Kovnat briefly discussed how the PCM differs from PASER, and why the same road may be classified as poor under PASER but fair under the PCM. The Michigan Transportation Asset Management Council (TAMC) chose PASER as the statewide measure for Pavement condition. Therefore, the TAMC reports sent to the Michigan Legislature give a different view of pavement condition than the reports sent to FHWA.

Kovnat presented the MDOT statewide pavement condition targets for 203 & 2025. These targets are for the entire state and only apply to roads classified as interstate or Non-interstate National Highways (NHS). Within the NATS area, there are no interstates, and most of the NHS roads are maintained by MDOT.

Kovnat briefly explained how bridges are rated, and presented the statewide bridge condition from 2021 along with the 2yr & 4yr statewide bridge condition targets. He said that more details on bridge condition in the NATS area would be included in the next NATS Long Range Plan which will be approved in June.

Motion for the Technical Advisory Committee to recommend that the Policy Committee approve the 2022-2025 Statewide Pavement and Bridge Condition Targets as developed by MDOT and included in the meeting packet. Made by Jim Sturdevant and seconded by Susan Flowers. **Motion approved.**

Motion for the Policy Committee to approve the recommendation from the Technical Advisory Committee. Made by Bill Kasprzak, and seconded by Sandra Seanor. **Motion approved.**

12. Privilege of the Floor or Public Comment

Joe Ray expressed his anger over the extreme bureaucracy required to get federal funding for even a simple “mill & fill” project. It often requires hiring a consultant and greatly increase the cost. Because local agencies can’t use federal funds for design (PE), the agency ends up spending far more than the 20% match for construction. He also felt that due to the increased time for project approval, it will become impossible to capture additional federal funds that may become available. Another issue is that in FY 2024, MDOT would be the only agency on the November, December, and January lettings. Since the lowest bid must be accepted, this could mean by February, only the more expensive contractors will be bidding on projects.

Bellina discussed the Local Federal Fund Exchange (LFFE) program available for the Rural Task Force (RTF). This allows agencies to trade federal funds, with another agency for local funds. The exchange is typically about 0.8 local for federal. He asked if this could be used for Urban funds. Sturdevant replied that MDOT had a program where they will “purchase” federal funds for 0.9 in non-federal funds. Agencies must apply for this well before the beginning of the fiscal year their project s programmed for. The MDOT exchange, unlike the LFFE, cannot be used on a new project, if funds are announced after the start of the Fiscal year.

13. Adjournment

The meeting was adjourned at 2:35 pm. The next meeting is scheduled for Tuesday, April 25th, 2023 at 1:30 pm.

Minutes compiled by Brandon Kovnat, SWMPC Transportation Planner

FY 2023 Funding Availability

On May 11, 2023 the Cass County Road Commission informed SWMPC Staff that due to delays in the right of way acquisition, the Gumwood Realignment Project cannot be obligated in 2023. This leaves the \$339,282 in FY 2023 NATS Funds unprogrammed.

On May 15, 2023, MDOT informed Staff that there was \$11,849 in HIP funds that NATS could use in FY 2023 (the HIP is used the same as STBG funds). Due to these recent announcements:

NATS has **\$351,131** available which must be obligated in FY 2023. To utilize this funding, the NATS Technical Advisory Committee and Policy Committee are being asked to vote for one following Options:

Option A: Add Funding to The City of Buchanan Front Street Project

In January 2022 the city of Buchanan requested to utilize as much federal funding as possible for the Front Street Reconstruction and to remain in consideration for funding in case the Gumwood Realignment could not be obligated in FY 2023.

Buchanan Front Street Reconstruction

	Currently Programed	Proposed Changes	Revised Project Budget
Total Participating Cost	\$1,611,500	+\$1,099,703	\$2,711,203
Federal NATS STBG	\$639,283	+\$339,282	\$978,565
Federal HIP	\$0	+\$11,849	\$11,849
Total Federal Funds	\$639,283	+\$351,131	\$990,414
Match	\$972,217	+\$748,572	\$1,720,789

Note: The total cost has increased. See the letter from the project engineer on the following page for details.

Option B: Move the Gumwood Project to 2024 and Move the City of Niles Wayne Street project to 2023

The Cass County Road Commission and the City of Niles proposed to move the Gumwood project to 2024 by swapping it with the City of Niles FY 2024 Wayne Street Project. Although not specifically requested, SWMPC staff added the \$11,849 of HIP funds to the proposal, in order for this option to fully utilize all available 2023 funds.

City of Niles Wayne Street Resurfacing – 2024 → 2023

	Currently Programed	Proposed Changes	Revised Project Budget
Total Participating Cost	\$340,571	+\$280,064	\$620,635
Federal NATS STBG	\$252,514	+\$86,768	\$339,282
Federal HIP	\$0	+\$11,849	\$11,849
Total Federal Funds	\$252,514	+\$98,617	\$351,131
Match	\$88,057	+\$181,447	\$269,504

Note: The total cost has increased. See the letter from the City of Niles on the following page for details.

Cass County Road Commission Gumwood Realignment – 2023 → 2024

	Currently Programed	Proposed Changes	Revised Project Budget
Total Project Cost	\$1,165,000	None	\$1,165,000
Federal NATS STBG	\$339,282	-\$86,768	\$252,514
Federal Rural STBG (RTF)	\$532,244	None	\$532,244
Total Federal Funds	\$871,526	-\$86,786	\$784,758
Match	\$293,474	+\$86,786	\$380,242

Note: The Cass County Road Commission also requested \$82,000 in additional 2024 funding. This will be voted on at a later date, once all eligible agencies are notified of the 2024 funding availability and can submit requests.

For more details please see the agency letters and project milestone completions on the following three pages

Front Street Amendment Request

To: NATS Technical Advisory & Policy Committee Members
From: Michael Schwartz, P.E., on behalf of the City of Buchanan

Re: Limits and costs increases for the Buchanan Front Street Project - MDOT Job #206394

Limits Change

Current	Proposed
Oak Street to Red Bud Trail	Front Street from 95 ft. west of Oak St. to 550 ft. East of Red Bud Trl. and Red Bud Trl. from Front Street to 140 ft. North of Front St.

Budget Change

	Current	Proposed
Participating (FHWA Eligible)	\$1,611,500	\$2,711,203
Non-Participating (non-FHWA- Eligible)	\$1,405,800	\$1,605,600
Total	\$3,017,300	\$3,776,803

The project currently has \$639,283 in NATS STBG funding programmed.

Explanation

Updated project cost due to current pricing and contract pay items and moving of items within the project area between the USDA-RD contract and LAP [FHWA eligible / MDOT] project contract.

Submitted by:

Michael Schwartz, P.E.

Prein&Newhof

t. 269-372-1158 c. 269-207-1780

f. 616-364-6955

[Website](#) | [Blog](#) | [LinkedIn](#)

Front Street Reconstruction Current Project Status

	Date Completed or Expected Completion	Approved by MDOT	Date Approved or Date expected to be approved	Comments
Submit program app. & NEPA form 5323 to lap	9/26/2022 1/9/2023	Y	11/22/2022 4/17/2023	Original area was approved and then revised and then re-approved
Submit Grade Inspection packages to LAP	2/7/2023	Y	NA	
Grade Inspection meeting date	2/23/2023	Y	NA	
Submit Final ROW Certification to LAP	5/12/2023	N	5/26/2023	Circulating for signature on the Program Application and Appendix B
Submit the Complete Biddable Package to LAP	5/26/2023	N	6/16/2023	
Letting date	8/4/2023	NA	NA	

May 11, 2023

To: SWMPC NATS and Policy Boards
Re: Proposal to revise TIP

Dear TAC and Policy members:

When funding was allocated to the north leg of the Gumwood/Redfield roundabout the Cass County Road Commission promised that if we felt that we might not meet obligation we would do what is necessary to keep these funds local. The design portion of the project will meet the necessary markers to achieve the goal, but due to delays the ROW acquisition may not.

We respectfully request that the 2023 project for the north leg of the roundabout be moved to 2024 and the City of Niles project on Wayne Street, JN 216092, be moved to 2023. We have spoken with Joe Ray and this exchange is acceptable to the City. This would allow the \$339,292 in 2023, currently allocated to the north leg of the roundabout, to be used locally on an approved project. We additionally request that the current amount of \$252,514 in 2024, currently allocated to the Wayne Street project be allocated to the roundabout project and then be supplemented with the balance of \$82,000 in 2024 unallocated STBG funds, bringing the total federal funds for the roundabout north extension to \$334,514. The reduction in federal funds of \$4,778 on the roundabout project will require an increase in local funds of the same amount from the Cass County Road Commission.

We still expect the north leg of the roundabout will be constructed in 2024.

Respectfully,

Joe Bellina
Chief Engineer
Cass County Road Commission

Gumwood Realignment Current Project Status

	Date Completed or Expected Completion	Approved by MDOT	Date Approved or Date expected to be approved	Comments
Submit program app. & NEPA form 5323 to lap	PA 5/5/23 NEPA 4/12/23			
Submit Grade Inspection packages to LAP	5/5/23			
Grade Inspection meeting date	5/23/23			
Submit Final ROW Certification to LAP	7/13/23			
Submit the Complete Biddable Package to LAP	7/14/23			
Letting date	12/23			

Hello Brandon,

If possible Cass County would like to switch project years with the City of Niles. Assuming the City of Niles project (Wayne Street) will at a minimum be made whole, I will do everything I can to make the deadlines.

The current cost estimate for the Wayne Street project is \$620,635.00. To fund this project, we are requesting \$339,292 in FY 2023 NATS STBG funds, with the remaining \$281,343.00 funded locally.

Attached is the Milestone form and Engineers Estimate. Below is a more inclusive milestones of our intentions.

Thank you,
Joe



Joe Ray
Public Works Director
City of Niles
333 N. Second Street
Niles, MI 49120

voice: 269.683.4700, ext. 3060
fax: 269.684.3930

Wayne Street Current Project Status

	Date Completed or Expected Completion	Approved by MDOT	Date Approved or Date expected to be approved	Comments
Submit program app. & NEPA form 5323 to lap	4/10/23	N	July 14, 2023	SHPO has been approved
Submit Grade Inspection packages to LAP	5/15/23			
Grade Inspection meeting date	June 15th			
Submit Final ROW Certification to LAP	NA			
Submit the Complete Biddable Package to LAP	June 30th			
Letting date	TBD			

MDOT 2023 PROJECTS IN THE NATS AREA – MAY 2023 UPDATE

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

Project	Phase	Estimated Cost	Status
US-12 from Mayflower Rd to M-139 – Mill & two course asphalt overlay	PE	\$422,000	Design (PE) will begin in FY 2023. Construction in 2026.
Pedestrian crosswalk improvements on M-51 (main St. at 10 th Street in the City of Niles	PE	\$20,623	Design (PE) will begin in FY 2023. Construction in either 2024 or 2025
Modernizing signalized intersections at five intersections in the NATS Area	ROW	\$30,000	Design (PE) in progress. Plan completion Jun. 2023 for Dec. 2023 letting. Construction in 2024.
US-12 Nshoulder rehabilitation from Galien Twp. line to Mayflower Rd.	CON	\$10,185,000	Design in progress. Recently held FPC review, plan completion May 2023 for Oct. 2023 letting. Construction in 2024.
US-31 North Bound asphalt overlay from US-12 to Berrien Twp.	CON	\$19,000,000	Construction in progress. Check MiDrive for closure information at interchanges and ramps.
M-51 Resurfacing & interchange removal. Form Chestnut Ln. to M-60BR	CON	\$26,000,000	Plan completed Feb. 2023 for Jul. 2023 letting. Construction in 2024.
US-12 concrete pavement repairs from M-139 to Leet Rd.	CON	\$1,107,187	Project let in Dec. 2022. Construction begins in Jul. 2023.

MDOT PROJECT AMENDMENTS

JN	Project Description	FY	Amendment	Phase	Fed Source	Cost	Total	Federal	State
207367	Special pavement marking on trunkline in the NATS Area	2023	Remvoe	CON	HSIP	Current	\$72,420	\$65,178	\$7,242

JN	Project Description	FY	Amendment	Phase	Fed Source	Cost	Total	Federal	State
215065	Replace the US-12 Bridge over the St. Josepg River	2025	Cost Change	PE	Brige Formula	Current	\$20,000	\$16,370	\$3,630
						Proposed	\$320,000	\$261,920	\$58,080

Added design for the bridge approach and a MOT plan. The PES phase was reduced by \$300K to balance the proeject budget (PE change is less than 25%).

Congestion Mitigation & Air Quality Improvement Performance Targets for the 2022-2025

The Congestion Mitigation and Air Quality (CMAQ) Program has three performance areas. The *Total Emission Reduction Performance Measure* (23 CFR 490 Subpart H), requires MPOs, which receive CMAQ funding due to being within a non-attainment area, to set 2-year and 4-year targets for the reduction of criteria emissions.

The *Peak Hour Excessive Delay (PHED)* and *Percent Non Single Occupancy Vehicle (SOV) Travel Targets* (23 CFR 490 Subpart G), only apply to urban areas with a population of above 200,000 and up. The PHED is a measure of delay on the National Highway system during the most congested (peak) hour of the day. The Percent of non-SOV travel is the percent of the population in the urban area who commute to work by any means other than driving alone in a vehicle; this can include carpooling, transit, walking, or biking to work.

Statewide targets for the *Total Emission Reduction Performance Measure* were developed by MDOT through coordination with each MPO in Michigan that is within a non-attainment area. The PHED and non-SOV targets are set by urban area, and were developed in coordination between INDOT, MDOT, MACOG (South Bend MPO), and SWMPC.

Total Emission Reduction Targets for On-Road Mobile Source Emissions

Cumulative 2-year and 4-year targets, measured in kg/day

Performance Measure	Baseline Values 2021	2-yr. target 2023	4 yr. Target 2025
State Total Emission Reduction: PM2.5	1,527.49	595.00	1,191.00
State Total Emission Reduction: NOx	13,118.82	5,227.00	10,455.00
State Total Emission Reduction: VOC	5,246.55	2,295.00	4,590.00

Traffic Congestion Targets – South Bend Urbanized Area

Performance Measure	Baseline Values 2021	2-yr. target 2023	4 yr. Target 2025
Annual Hours of Peak Hour Excessive Delay Per Capita (<i>NPMRDS/HPMS-AADT</i>)	0.6 hours	2.0 hours	2.0 hours
Percent of Non-Single Occupancy Vehicle (Non-SOV) Travel (<i>ACS Journey to Work Data</i>)	20.6%	18.0%	18.0%