

# PACTS

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## Portland Area Comprehensive Transportation System

### Executive Committee Meeting Notice

August 3, 2010  
8:00 a.m. to 10:00 a.m.  
GPCOG, 68 Marginal Way, Portland

#### **Agenda**

1. Call to order
2. Public Comment
3. Minutes of July 13<sup>th</sup> meeting
4. Action on a proposal to submit a TIGER II Application for a Greater Portland Bicycle and Pedestrian Project (8:05)
5. Transportation Improvement Program Topics
  - A. Action on proposal to amend our TIP for four traffic signal projects (8:20)
  - B. Review options for use of the Holding PIN account (8:25)
  - C. Action on Portland TIP project substitution proposal, and consideration of Portland proposal to use Holding PIN funds for Riverside/Warren project (8:40)
  - D. Schedule for completion of 2012/2013 priority setting process (9:10)
  - E. Review MaineDOT proposal regarding reimbursement of expenses for withdrawn Cape Elizabeth project (9:25)
6. Updates from Staff and Committees (9:40)
7. Other business.
8. Adjourn.

Next meeting: September 7<sup>th</sup> at 8:00 a.m.

*The Metropolitan Planning Organization for the Portland Urbanized Area*  
68 Marginal Way • Portland, Maine 04101  
Telephone: (207) 774-9891 • Fax: (207) 774-7149 • [www.pactsplan.org](http://www.pactsplan.org)

## Minutes of July 13<sup>th</sup> Meeting

**In Attendance:** Kathi Earley, Chair; Dan Bacon; Judy Harris; Mike Laberge; Mike McGovern; Nathan Poore; Al Presgraves; Sara Trafton; John Duncan; Carl Eppich; Paul Niehoff; Maddy Adams

1. **Call to Order.** Kathi Earley called the meeting to order at 10:10 a.m.
2. **Public Comment.** None.
3. **Minutes of June 8<sup>th</sup> meeting.** Kathi recommended that the Committee make decisions by consensus (per our bylaws), unless a formal vote is necessary. *The June 8<sup>th</sup> minutes were accepted by consensus.*

### 4. **Unified Planning Work Program Topics.**

**Recommendation on FTA 5303 Tasks.** The real FTA planning funds turned out to be less than the estimated number. The PACTS Transit Committee has accepted the recommendations listed in the agenda packet. Task 6 was increased because a good amount of time was spent on the 5303 allocation process. Carl explained the various tasks. Kathi asked that a breakdown of the task costs and shifts of money be provided to the Policy Committee. *Consensus was reached on forwarding the Transit Committee's recommendation for 5303 funds to the Policy Committee.*

**Background and recommendation on FHWA-Funded Tasks.** John Duncan explained that \$64,900 is available and staff has recommended the following:

- \$17,000 implementation of the Portland TDM Ordinance (\$20,000 requested)
- \$35,000 Oakhill pedestrian plan (\$40,000 requested)
- \$12,000 regional bicycle and pedestrian promotion initiative by the Bicycle Coalition of Maine (requested \$14,000).

There was a \$25,000 alternative funding proposal from Windham which ranked significantly lower in the ranking process. PACTS funded a Windham proposal a year ago which hasn't yet been started. PACTS staff is excited about the BCM proposal. Judy noted that the Policy Committee has not scored the BCM proposal; it is a staff recommendation. She has an issue with that since the other projects went through the process. Carl responded that not all items in the UPWP are ranked; there are items that don't go through the ranking process. BCM came to PACTS with a regional need. It did get reviewed through the budget process. Mike Laberge voiced concern that there are member communities that need funding for projects and BCM is not a PACTS member. Paul noted that from a regional standpoint, the BCM proposal was a good regional project (they are a statewide organization) and it could take effect immediately. A proposal outline was distributed by e-mail yesterday to the Executive Committee. Nathan suggested putting everything through the ranking process next spring.

Mike L. asked if the Portland and Scarborough studies would be shortchanged since the proposed funding is less than requested. Dan said that \$5,000 wasn't going to make or break the Scarborough project; they would probably just reduce the radius of the study area. Judy responded that she just learned of the reduction for the Portland project; they would probably just do less outreach. *Nathan recommended fully funding the two top projects (Portland TDM at \$20,000 and Scarborough Oakhill pedestrian plan at \$40,000). The \$5,000 balance would be left over. The Committee agreed by consensus with this recommendation to the Policy Committee.*

5. **Regional Transit Leadership.** Ed Clifford, Director of the ShuttleBus/ZOOM is resigning from his position. As the result of this announcement, Nathan has raised the question about consolidation of transit service providers. The PACTS Transit Committee has been doing a great job of

implementing the Regional Coordination Study and they wish to stay the course. Nathan suggested that we keep this item on our radar and consider a study to determine cost savings of consolidation. Judy noted that she was part of the Regional Coordination Study process. Working together on that study developed a strong working transit group and they communicate and work well together as a result.

6. **Destination Tomorrow Update.** Carl reported that a very dedicated group has been meeting and working on the plan update for over a year. A complete rewrite will occur in 2014. The Committee has simplified five layers of goals, strategies and objectives. They hope to go from over 100 objectives to about 40. The Gorham East/West Study will also play an important part in the *2010 Destination Tomorrow Update*. *Carl's report on Destination Tomorrow was accepted by consensus.*

7. **Transportation Improvement Program Topics**

- A. **Holding PIN.** Mike L. suggested that the Committee select a couple of 2012/2013 candidates that would utilize the money now. There was much discussion about how the funding would work. Nathan suggested that another consideration is to put the money into collector paving. We should come up with a few different scenarios. Kathi asked that Scarborough provide more current information for Dunstan Corner; money has already been moved to the Dunstan Corner project. Staff will provide more details on the how to use the Holding PIN funds and provide some scenarios.

- B. **2012/2013 Priority Setting Process.** It looks like we might have \$15,300,000. Dan asked if the Executive Committee needs to review the recommendations made by the Joint Planning and Technical Committee. Kathi responded yes, we would like to review the short list. She also asked that a list of what didn't get funded last year be provided. Kathi also asked to see the Transit Committee's capital projects list.

- C. **Credit Program proposals.** The credit program is a good concept but the devil is in the details. Paul provided some background information. There was a question about the rule to bring roads up to state standards. Paul explained that the premise of the collector program was looking at roads at the bottom of the PACTS collectors list that would never get funded. The state and federal standards question came up at the committee meetings -- do we collectively care whether a town builds a road to state standards or is it good enough for the town to improve the road to a lesser condition? The Executive Committee agreed that the road would need to be rebuilt to state standards, with design exceptions. The road has to be reconstructed or rehabbed to state standards in order to be eligible for credit program money; it has to be a capital improvement. Mike L. noted that the towns were interested in future federal pavement preservation money.

Mike McGovern pointed out that Route 77 in Cape Elizabeth meets state standards. The town realized that they would need to pay for the road themselves. Cape has spent \$800,000 on PACTS roads. Many sections of Route 77 have been redone – over \$500,000 worth of work. Mike M. disagreed with guiding principle #1. Cape took care of the shoulders on the road and brought it back to state standards. Now PACTS wants Cape to fix the guardrails. He hopes that the Executive Committee will take another look at this and put it back on the list. Additionally, if they get the credit, then how can they spend it unless it is spent on an enhancement project? Paul responded that the Shore Road project is one that could use the credit money. Mike asked that the Committee please try to work with the communities to make this credit program work. Paul explained why guard rail ends either need to be improved or get a design

exception. The section in question doesn't meet the pavement rehabilitation standard. Nathan said that he would hope that Mike could get a design exception for the guardrail problem. Lowering the threshold was what might be a better idea. Paul explained that the \$500,000 had been established without much discussion.

Kathi noted that we have time to rethink the policies. We should get more information about design exceptions and state standards. Paul added that it is not the staff's position to determine if a road is up to standard. Mike L. stated that if PACTS in their professional opinion decides that a road is up to standard, that is good enough for MaineDOT. MaineDOT engineers do not want to deal with the liability.

Kathi pointed out that this is a new pilot project and we will need to work out the glitches. A suggestion was made to discuss having the threshold number drop from \$500,000 to a lower number. This might be a way we could help some of our member communities. It was suggested that anything that was previously done or planned for this construction season should be considered. Dan suggested that we determine what other projects are out there and tinker with the guidelines. He would be interested in seeing another round of requests and try to fund these projects. The Executive Committee will discuss this issue at their August meeting.

**D. Falmouth's Allen Avenue Project.** This is essentially a formality. The Allen Avenue project needs to be killed in order to bring it back. This doesn't need to go to the Policy Committee as it is a MaineDOT request. *Consensus was reached to amend the TIP as proposed.*

**E. Substitution of Old Orchard Beach projects.** Mike L. explained that this is \$800,000 in bike/ped money that is no longer going for bike/ped. Shore Road is the next bike/ped project on the list. It was suggested that the money be kept in the category it is coming from. When money is substituted, it usually goes in the pot not to a particular category. This is money that is ready to go now. Paul asked if we would potentially go back to the last round of applications from 10-11 rather than the next round of projects and the response was that we probably would. We will come back to this item. *Consensus was reached to endorse the withdrawal of the two sidewalk projects and put the money in the Holding PIN.*

**8. Updates from staff and Committees – not addressed**

**9. Agenda for July Policy Committee Meeting.**

- Annual check-in on Executive Committee process
- Kat Beaudoin presentation on MaineDOT's new draft local match policy regarding capital improvements – maybe
- Provide update on TIP project and priority setting reports but don't take up any of the items
- Amend our UPWP per today's agenda
- Endorse PACTS submitting an application for a planning grant under the TIGER II program. Spell out what that project is.
- Accept Executive Director's Report
- Consent Agenda
- Annual performance evaluation of Executive Director

**10. Adjourn.** The next Executive Committee meeting is scheduled for August 3<sup>rd</sup>. The meeting adjourned at 12:35 p.m.

## **Agenda Item 4: TIGER II Application for a Greater Portland Bicycle and Pedestrian Project**

Staff Resource: Paul Niehoff

Member Resources: Dan Bacon and Kathi Earley

Recommendation: Endorse the proposal that PACTS submit a final TIGER II application for a Greater Portland Bicycle and Pedestrian Project – with the understanding that the grant administration costs borne by GPCOG and PACTS staff (if the grant is awarded) be paid through the grant and that any local match required for those expenses be paid by the benefiting municipalities.

### Background

The Policy Committee recently endorsed the submission of the preliminary grant application, asked that the Executive Committee learn more about the grant application and also asked that the Executive Committee consider endorsing the recommendation above on behalf of the Policy Committee.

Jon Doré, of the South Portland Land Trust, will be present to answer questions today. Municipal representatives involved have also been invited to today's meeting.

This bicycle and pedestrian transportation planning project will conduct benefit cost analyses, feasibility studies, and preliminary trail and bridge designs that when built would complete a safe, efficient regional trail corridor through the Greater Portland area that will connect rural, suburban, urban and economically-disadvantaged populations to our major employment, transit and educational centers.

Primary Partners: The Town of Scarborough, the City of Portland, the City of South Portland, Portland Trails, the Eastern Trail Management District, the East Coast Greenway Alliance and the South Portland Land Trust.

Primary Grant Writers: Jon Doré, South Portland Land Trust, [wgarland@maine.rr.com](mailto:wgarland@maine.rr.com),  
Nan Cumming, Portland Trails  
Jeff Ryan, 19 Oaks, [jryan5@mac.com](mailto:jryan5@mac.com), (207) 807-7633.

Project Components: Traffic and Feasibility Studies, Route and Benefit/Cost Analyses, and Designs

- The Scarborough component of the project will open up trail use as a viable commuting and recreational option to the residents of the Town of Scarborough and to all users of the Eastern Trail/East Coast Greenway.
- The Long Creek Bridge component will provide an off-road connection from Scarborough and the east end of South Portland to the Maine Mall area, one of

Maine's most important centers of employment and commerce. Connector trails will also lead to the separated bike/ped facilities of the soon-to-be reconstructed Veteran's Memorial Bridge and West Commercial Street.

- The Veteran's Memorial Bridge pedestrian overpass will provide safe access over an automobile onramp eliminating the need for bicyclists and pedestrians to cross high speed, high volume traffic at any point in their trip across the bridge and onto connector trails
- The Bayside component will provide a 1.2 mile trail link between the Eastern Promenade trail and the Back Cove trail. This trail will pass along the Franklin Street Arterial through the ongoing revitalization effort in the economically disadvantaged Bayside Neighborhood and through Exit 7 off I-295 to Back Cove. The component includes a trail link from the Bayside trail to Deering Oaks Park.
- Finally, the swing bridge retrofit component will open up a major commuter link by retrofitting an old rail swing bridge that will carry users coming over the Martin's Point Bridge from the Town of Falmouth into Downtown Portland and to all trail points south.

*The final submission will also include a PACTS/GPCOG administration budget.*

**The Town of Scarborough's Eastern Trail and East Coast Greenway: \$190,000**  
(Total Const. = \$2,544,000)

**The Veteran's Memorial Bridge Off/On Ramp Overpass: \$78,400** (Total Const. = \$1,120,000)

**The Long Creek Bicycle and Pedestrian Bridge and Connector Trails: \$328,658**

Detailed Construction Cost Estimates for LCB are as follows:

Trail – East Side of Long Creek = \$886,000

Long Creek Bridge = \$1,512,000

Trail – West Side Bank of Long Creek = \$1,131,000

Trail along Jetport Plaza Road = \$25,000

Lincoln Street = \$714,285

10% for Contingency = \$426,828

Total Cost of Construction = \$4,695,113

Total Study, Planning and Design Costs = \$328,658 (7% of construction)

**The City of Portland's Trestle Swing Bridge Retrofit and Trail connections:**  
\$750,000 (Total Construction Cost = \$10,714,285)

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**The Total Planning Project Cost Estimate = \$1,347,058**

**The Total TIGER II Funding Requested = \$1,077,646 (80%)**

**The Total Matching Required = \$269,411 (20%)**

Portland/Portland Trails = \$150,000

The City of South Portland = \$81,411

The Town of Scarborough = \$38,000

**5-page excerpt from 25-page draft application**

Honorable Ray LaHood  
Secretary, United States Department of Transportation  
1200 New Jersey Avenue, SE  
Washington D.C. 20590

Dear Secretary LaHood,

The undersigned partner agencies, municipalities and nonprofit organizations are pleased to submit the attached grant application for consideration in the 2010 TIGER II planning grant program. Our project, Greater Portland's Bicycle and Pedestrian Corridor project, will plan for a sweeping series of projects that aim to revitalize the regional economy, create more commuter options, improve bike/ped safety, reduce dependence on fossil fuels, lower greenhouse gas emissions, improve access for disadvantaged populations, and enhance livability in our communities.

The project partners will use this granting process to establish a project management structure in the form of a regional bike/ped transportation committee that will follow a unified regional bike/ped trail plan, seek and administer funds, and coordinate efforts between partners and with a number of large, ongoing transportation and neighborhood revitalization projects.

The project will conduct studies and complete trail and bridge designs for five project components that when built would complete a safe, efficient and scenic regional trail corridor. The corridor connects unfinished trails that have for so long acted as significant barriers to the regional flow of bicycle commuters, tourists, recreational users, shoppers, wellness program participants and low income populations. The corridor will connect rural, suburban, urban and economically-disadvantaged districts to our major employment, transit and educational centers. The trail system will also fill the last remaining gaps in the East Coast Greenway as it carries trail users into and through the greater Portland area.

As a partnership, we wholeheartedly and enthusiastically submit this application and pledge to work together to use TIGER II funds to plan the most efficient and cost effective bike/ped projects possible.

Sincerely,

**Project Title:**

Greater Portland's Regional Bicycle and Pedestrian Corridor Planning Project

## **Project Description:**

This bicycle and pedestrian transportation planning project will conduct benefit cost analyses, feasibility studies, and preliminary trail and bridge designs for a series of projects that when built will establish a safe, efficient regional trail corridor that will connect rural, suburban, urban and economically-disadvantaged populations to our major employment, transit and educational centers.

## **Introduction:**

Greater Portland's Bicycle and Pedestrian Corridor Planning project lays the groundwork for subsequent construction projects that will transform how people move from place to place in greater Portland. Our project partners have consulted numerous area plans to design the most far-reaching bicycle and pedestrian initiative ever undertaken in the region. The project will help us develop three bike/ped bridges and plan for a trail network that connects the people of the region to:

- 1) the area's most populated neighborhoods in Portland and South Portland - Maine's first and fourth largest cities,
- 2) all the area's major transportation hubs, including the Portland International Jetport;
- 3) the State's largest employers;
- 4) the State's first and fourth largest hospitals;
- 5) Three major educational institutions; and
- 6) Southern Maine's most active shopping areas.

The project partners intend to dovetail this plan with two large-scale, ongoing automobile bridge reconstruction projects in the area. The project will also help fill the last remaining gaps in the East Coast Greenway as it carries trail users through greater Portland from the Town of Scarborough to the Town of Falmouth.

This planning grant proposal is made up of the following project components:

### **The Town of Scarborough's Eastern Trail and East Coast Greenway: \$95,000**

The Eastern Trail is a multipurpose transportation and recreation trail between Portsmouth, New Hampshire and South Portland. The East Coast Greenway is an overlay on its route. When the Eastern Trail and the East Coast Greenway Trails are complete, residents up and down the country's coastline will benefit from a 3,000 mile traffic-free trail from Key West, Florida to the Canadian border at Calais, Maine. Currently, however, this trail possesses a conspicuous gap as it enters the Greater Portland area from the south. The gap begins at the Nonesuch River and ends at the City of South Portland's Wainwright Recreational Complex. This break in the trail disconnects bicyclists and walkers in the Town of Scarborough and areas to the south from the amenities in Portland by requiring them to contend with the fast and busy automobile traffic on State Highway Route 1.

The community is already invested in this project. PACTS (Portland Area Comprehensive Transportation System, the Metropolitan Planning Organization for the Portland, Maine region) in partnership with the City of South Portland, plans to fund the design and construction of the last half-mile stretch of this gap within the City of South Portland through its Bicycle and Pedestrian Transportation Enhancement Program for fiscal years 2012 and 2013.

The project partners will then use a 2006 route analysis conducted by the Eastern Trail Management District to determine the best route for and design of the last 1 mile, unfunded section of the Eastern Trail/East Coast Greenway in Scarborough; acquire the necessary trail easements; and design a 60 foot long bike/ped bridge over the Nonesuch River.

Once built, the Scarborough component of the project will open up trail use as a viable commuting and recreational option to the rural and suburban residents of the Town of Scarborough and of the southern municipalities of Saco and Biddeford, as well as to all users of the Eastern Trail/East Coast Greenway. The proposed trail will create a safe, efficient connection for these residents to South Portland, to downtown Portland and to the proposed trail and bridge into the Maine Mall area. This component will likely service a significant number of new bicycle commuters and wellness program participants as it passes by a commercial and light industrial district and the Corporate and Distribution Headquarters of Hannaford Brothers Supermarkets.

**The Veteran’s Memorial Bridge Off/On Ramp Overpass: \$78,400**

The project will dovetail with the soon-to-be reconstructed Veteran’s Memorial Bridge and its connection to a new Exit 4 (off Interstate 295), in order to provide safe pathways at all approaches on and off the new bridge and through the new interchange.

Currently, the Veteran’s Memorial Bridge provides bicyclists and pedestrians with no bike lanes and inadequately narrow strips of concrete for walking. Recently, a coalition of stakeholders, including many of the partners in this application, worked with the Maine Department of Transportation (MDOT) to include improvements to the replacement bridge. The new bridge will now provide users with a 12' wide bicycle and pedestrian path, separated from traffic. The MDOT is also planning to widen an existing sidewalk into a bicycle and pedestrian separated facility that will connect the bridge to Main Street in South Portland at an estimated cost of 1.25 million in Maine State and Federal transportation funds.

As part of this component, the project partners are proposing to design a pedestrian overpass to provide safe access over an automobile onramp at the southern end of the Veteran’s Memorial Bridge. The overpass will eliminate the need for bicyclists and pedestrians to cross high speed, high volume traffic at any point in their trip across the bridge and onto connector trails.

The City of Portland is well into a process of designing and seeking funding – separate from this application -- for the construction of improvements on the other end of the bridge—a 0.9 mile stretch of West Commercial Street leading in to downtown Portland. When the new Veteran’s Memorial Bridge is complete, its improved bike/ped facilities as well as those of the already improved Fore River Parkway will direct users onto what will soon be a 12’ multi-use, bike/ped path of bituminous concrete along a City of Portland right of way.

**The Long Creek Bicycle and Pedestrian Bridge and Connector Trails: \$248,780**

Currently, cycling to the West End district of South Portland from either the East End of South Portland or from Portland is not an alternative for all but the most intrepid cyclists due to inadequate bike lanes and dangerous cycling conditions on Broadway, Lincoln Street, the Veteran’s Memorial Bridge and when trying to navigate through traffic at the I-295, Exit 3 underpass.

The Long Creek Bridge and connector trails will coordinate with the Veteran’s Memorial Bridge bike/ped improvements by designing a route that would avoid the hazards of the Exit 3 underpass and improve bike/ped conditions along Lincoln Street. This component will design a bike/ped bridge and pathway from the Veteran’s Memorial Bridge’s southern off ramp across Long Creek to the bustling retail and commercial West End district of South Portland. The component will also determine the most cost effective bike/ped improvements to Lincoln Street, which will serve as the primary connector between the east and west ends of South Portland and between the Eastern Trail/East Coast Greenway and the west end of South Portland (see Map 3).

The Long Creek Bridge is critical a component of the greater Portland Bike/Ped network, opening up a safe route for tens of thousands of users to hundreds of West End retail stores, the Portland International Jetport and Maine's largest employers, including the Maine Mall, National Semiconductor, Fairchild Semiconductor, UNUM Insurance Company and Anthem Blue Cross and Blue Shield. This component, when built, will create bike/ped transportation alternatives where virtually none exist today and a safe and efficient route for the lower income residents of the Redbank/Brickhill neighborhood to the employers and transportation hubs in Portland.

**The City of Portland’s Trestle Swing Bridge Retrofit and Trail connections: Planning study: \$100,000. Design: \$650,000.**

Greater Portland’s downtown and business center is located on a peninsula in Casco Bay. The peninsula is encircled by two major rivers. There is no way to get in or out of the City from the north or south without crossing some body of water.

This component will open up a major commuter link between Portland and Falmouth and all coastal points north. Currently, bicyclists and pedestrians coming to and from

downtown Portland from the north must navigate dangerous I-295 on/off ramps to reach the safety of the Back Cove Trail. The project partners are proposing to rebuild an old rail trestle bridge to span the Back Cove inlet. This highly visible bike/ped project will link users directly to the Eastern Promenade Trail and downtown Portland and thus to rest of the trail network described in this proposal.

A landmark in the City of Portland, the wooden trestle bridge over Back Cove was severely damaged by fire and abandoned more than 50 years ago. While the structure was designed to swing open on a vertical axis, the bridge has been stuck in the open position since the fire. The City of Portland and State of Maine have both produced conceptual plans for reuse of the bridge as a bike and pedestrian connection.

This component will include a study to determine the best route and design for bike/ped improvements that would connect the swing bridge into the Town of Falmouth via the Martin's Point Bridge. At this point, the assumed route from the bridge will cross through a local marina (easements secured in 2009) and follow neighborhood streets or the retired rail bed to Maine State Highway Route 1, utilizing an I-295 highway off ramp to reach the Martin's Point Bridge crossing over to the Town of Falmouth.

Engineers at Woodard & Curran have evaluated the cost of a trail connection between the Eastern Prom Trail and Martin's Point via a completely new bridge at the current swing trestle bridge location. The estimated construction cost of a new bridge is \$3.5 - \$4 million. A trail extension from the Eastern Prom Trail to the retired railroad bed and along the shoulder of the I-295 to Route 1 off-ramp is approximately 6,800 ft in length (including the 1,500 lf bridge). The total estimated construction cost for the project is \$5,350,000. This project is extremely difficult to estimate at a concept level, and a thorough study will be required before we will even know whether a new bridge will be required or the existing bridge can be rebuilt.

The study would involve development of preliminary base mapping; meetings with Maine Department of Transportation, Coast Guard & Harbor Commissioner; concept development; evaluation of utilizing the I-295 to Route 1 off-ramp; evaluation of permitting requirements; preparation of preliminary cost estimates; and a summary report.

Design would include ground level survey, geotechnical exploration & evaluation, permitting, design plans, specifications, construction cost estimates, and bid phase services.

## **Agenda Item 5: Transportation Improvement Program Topics**

### **A. Action on proposal to amend our TIP for four traffic signal projects**

Staff Resource: Carl Eppich

Recommendation: Amend the PACTS TIP to include the four traffic signal projects described below.

#### **Background**

On January 21<sup>st</sup> the Policy Committee amended our TIP to add these four projects – but the meeting packet did not provide the details below. MaineDOT has asked that we take the action again with the details in the meeting packet.

The Executive Committee is authorized to take this action because it is in response to a MaineDOT request. See page 5 of our bylaws. At our last meeting we decided to put this item on today's agenda rather than put it on the recent Policy Committee agenda (in order to reduce administrative requests of the Policy Committee).

Here are the projects:

- **PIN 17856.00, Portland, Riverside Street** -- Traffic signal coordination and associated intersection upgrades: Beginning at Warren Avenue and extending southerly approximately 0.66 of a mile to Westbrook Crossing. The estimated cost is \$65,000, with a federal share of 80% and a local share of 20%.
- **PIN 17857.00, Portland, Route 302** -- Traffic signal coordination and associated intersection upgrades: Beginning at High Street and continuing westerly for 2.46 miles to Morrill's Corner (Forest/Stevens/Allen). The estimated cost is \$800,000, with a federal share of 80% and a local share of 20%.
- **PIN 17858.00, Portland-Westbrook, Route 22** -- Traffic signal coordination and associated upgrades: Beginning at County Rd./Spring St. in Westbrook and continuing easterly for 1.96 miles to International Parkway in Portland. The project includes related signal connections for .58 mile at Skyway Dr./Johnson Rd. and at MTA ramps on Skyway Dr. The estimated cost is \$70,000, with a federal share of 80% and a local share of 20%. (Portland's share will be 17.5%, and Westbrook's will be 2.5 %.)
- **PIN 17855.00, Scarborough, Payne Road** -- Traffic signal coordination and associated intersection upgrades: Beginning at the entrance to The Gateway Shoppes (Cabela Boulevard) and extending 0.60 of one mile northeasterly to the intersection of Holmes Road. The estimated cost is \$40,000, with a federal share of 80% and a local share of 20%.

**B. Review options for use of the Holding PIN account**

Staff Resources: Paul Niehoff and John Duncan

Recommendation: Discussion today and at our September 7<sup>th</sup> meeting

Background

We discussed this at length at our July meeting. Here is the balance per that meeting.

**PACTS Holding PIN Account Status July 29th**

	<u>Federal</u>	<u>State</u>	<u>Fed+State</u>	<u>Notes</u>
July 8th balance	\$1,454,531	\$276,041	\$1,730,572	
<u>July 13th actions</u>				
OOB sidewalk withdrawal #1	\$151,882	\$24,301	\$176,183	
OOB sidewalk withdrawal #2	\$122,200	\$18,800	\$141,000	
OOB intersection substitution	-\$162,954	\$2,380	-\$160,574	
<u>Upcoming reductions</u>				
Credit Program -- Read Street (Ptld)	-\$54,000	-\$6,000	-\$60,000	Pending
Credit Program -- Route 88 (Cumb)	-\$237,500	-\$12,500	-\$250,000	Pending
Credit Program -- Route 77 (Cape)	<u>-\$45,000</u>	<u>-\$5,000</u>	<u>-\$50,000</u>	Pending
Balance after additions/reductions	\$1,229,159	\$298,022	\$1,527,181	
Buying power of \$1,527,181 with 25% local match:			<b>\$2,036,241</b>	

In July, staff recommended that the Policy Committee allocate the \$1,229,159 in federal funds to our five Set Asides using the federal-state-local match ratios in our TIP Policies and Procedures document.

At the meeting, members also suggested allocating the entire amount to collector paving, and to other projects that are ready to go. (Since then, we have also discussed the estimated \$250,000 need for regional transit automatic vehicle location (AVL) work, but staff has concluded that the AVL planning process still has a long way to go, so the \$250,000 estimate is too preliminary for consideration now.)

Please see Agenda Item 5C regarding Portland's new Riverside/Warren proposal to use a significant portion of the funds listed above.

The table on the next page reflects the options suggested so far. *Please note that the amounts are approximate and are based on best estimates and assumptions as of today.*

**July 29th Options for use of Holding PIN and 12/13 Biennium Set Aside funds**

<b><u>Sources of Funds</u></b>	<b><u>Federal</u></b>	<b><u>State</u></b>	<b><u>Local</u></b>	<b><u>Total</u></b>
12/13 Biennium Allocation Per MaineDOT letter	\$10,243,217	\$1,280,402	na	na
10/11 biennium left over Per July 19th request	\$16,279	\$32,987	na	na
Holding PIN Per July 15th estimate	<u>\$1,229,159</u>	<u>\$298,022</u>	na	na
<b>Total</b>	<b>\$11,488,655</b>	<b>\$1,611,411</b>	<b>\$3,938,998</b>	<b>\$17,039,064</b>

The \$17,373,690 is the \$11,488,655 times 1.5122 (our average ratio of total to federal funds).  
The backed-into \$4,273,624 is the \$17,373,690 less the available federal and state funds.

**Options for Use of the Holding PIN and the 2012/2013 MPO Allocation**

(Amounts are sums of fed+state+local.)

	<b><u>Current Budget</u></b>	<b><u>Current Plus Holding PIN to Set Asides</u></b>	<b><u>Current Plus Holding PIN to Collectors**</u></b>	<b><u>Current Plus **** Holding PIN to R'side/Warren</u></b>
Collector paving (57%)	\$8,982,513	\$10,074,667	\$11,018,513	\$8,982,513
Bicycle-pedestrian (4%)	\$630,352	\$706,994	\$630,352	\$630,352
Rebuild roads	\$1,280,402	\$1,767,485	\$1,280,402	\$1,280,402
Intersections (19%) *	\$3,000,000	\$3,534,971	\$3,000,000	\$3,000,000
Transit (9%)	\$1,152,362	\$1,292,474	\$1,152,362	\$1,152,362
Riverside at Warren ***	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$980,236</u>
<b>Total</b>	<b>\$15,045,629</b>	<b>\$17,376,591</b>	<b>\$17,081,629</b>	<b>\$16,025,865 ****</b>

\* In January 2010 the Policy Committee capped the 12/13 new funds PACTS contribution to the Dunstan Corner at \$3 million.

\*\* Holding PIN amount used here is \$2,036,000.

\*\*\* The \$980,236 is Portland's \$735,177 (only fed+state) proposal times 1.33. This is placeholder estimate.

\*\*\*\* This scenario leaves approximately \$1,050,000 to distribute from the Holding PIN.

**C. Action on Portland TIP project substitution proposal, and consideration of Portland proposal to use Holding PIN funds for Riverside/Warren project**

Staff Resource: John Duncan and Paul Niehoff

Member Resource: Kathi Earley

Staff Recommendations:

1. Endorse Portland's request for a project substitution
2. Review the Holding PIN use proposal, and advise Portland and PACTS staff in preparation for the September 16<sup>th</sup> Policy Committee meeting

Note: Portland's proposal came in last Wednesday. In order to get the meeting packet out on Thursday staff has had to send this out before being able to address/confirm several questions/details. Fortunately, action today on these two proposals is not necessary. We will likely discuss this again at our next meeting.

**Background on Project Substitution Proposal**

In May, the Executive Committee began a discussion of a Portland "substitution" proposal: to move the \$567,555 programmed for preservation paving of Read Street to the Riverside at Warren intersection project. The members needed more time and information, so the proposal was tabled.

The Executive Committee has the authority to make substitutions, and has done so several times during the past two years. Here is our Substitution Policy:

*A municipality or transit agency may request to withdraw a PACTS MPO Allocation project in order to transfer its funds to another PACTS MPO Allocation project that requires additional funding. This process is considered a project substitution.*

- *A request for substitution of a funded project may be made only after the Legislature has approved the project in the MaineDOT's Biennial Capital Work Plan.*
- *A municipality or transit system seeking a substitution will submit a written request to the Executive Committee for consideration. The Executive Committee will consider such requests on a case-by-case basis, and may send the request to the Policy Committee for action.*
- *A municipality may not request to withdraw funds from a PACTS collector paving project for the purpose of this policy. (In 2009 this policy applies to all active collector paving projects.)*

- *If the withdrawn project retains a balance after transfer to the under funded project, the remaining balance will go into the PACTS “Holding PIN” for reprogramming by the Policy Committee.*
- *A municipality or transit system may not request to withdraw funds from a project that is four or more years old for the purpose of this policy. (The clock for this purpose starts when a project is first printed in a MaineDOT Capital Work Plan.)*
- *If the substitution is approved, new funding for the withdrawn project may not be requested from PACTS during the next biennial funding cycle. There is also no future-funding guarantee ascribed to the withdrawn project.*

The Portland proposal has an interesting twist to it – Portland has already done the Read Street work with Portland funds. Portland is proposing that the PACTS funding, which is no longer needed, be moved to the regionally significant Riverside/Warren project which needs a lot of money.

Background on Proposal to use Holding PIN funds in the Riverside/Warren project

PACTS originally programmed \$406,000 for this project in 2002 for the 2004/2005 biennial program. We added about \$500,000 several years later. MaineDOT says that we have programmed \$1,300,000. This needs confirmation.

Kathi Earley and Shawn Smith can give the members a history of this project. PACTS staff have also been to many meetings on this project during the past five years.

July 28<sup>th</sup> email from Kathi Earley to MaineDOT, Portland and PACTS Staff

In order to attempt to fill the current funding gap for the Riverside/Warren intersection project, the City of Portland will be making two requests of PACTS through the August 3rd Executive Committee meeting and September 16th Policy Committee meeting.

Current figures provided by MDOT indicate that the total project cost now stands at \$2,747,000. This results in a funding gap of \$1,448,082.

On August 3rd the City will request that the Executive Committee act on a substitution of the Read St. collector paving project into Riverside/Warren; current figures indicate the value of the Federal/State obligation for Read St. stands at \$428,035.

Also on August 3rd the City will request that the Executive Committee recommend utilizing up to \$735,177 of the current Holding PIN to meet the remaining funding gap. (The City currently has \$415,000 obligated to this project, including the \$130,130 local match)

On Sept. 16 the Policy Committee will act on the Executive Committee's recommendations on how to utilize the \$1,527,181 in Holding PIN funds.

We appreciate the work everyone has been putting into this frustrating project and note that it will be very important for MDOT staff to be ready to present the reasons behind the costs increases in order for Tuesday's Executive Committee to be fully informed as they

consider the City's requests. Mike L. - who do you suggest will present that material? I'd like to be able to check-in with them ahead of Tuesday's 8 AM meeting.

Excerpt from Shawn Smith email 7/28/2010 8:35 AM

Good Morning Kathi,

As requested, here is a breakdown of the estimated costs of the Riverside /Warren Intersection.

PE Expended to date: \$ 324,434.25 (including GeoTech & retaining wall Eng)

Const Estimate \$ 2,062,00.00

Construction Engineering \$ 250,000.00

Total estimated project cost is \$ 2,747,000.00

PACTS has funded \$ 1,298,918.17

Leaving a - \$ 1,448,081.83 difference.

The Construction value has increased significantly by the type of wall required as well as the lightweight fill. As explained at the May 3<sup>rd</sup> meeting, the soils at the wall location are unstable and are very sensitive to weight. In order to construct a wall that will hold up the widening and roadway as designed, we must go to a very specific wall design, lightweight fill, as well as excavate the existing material further into Riverside Street to eliminate the old heavier material and replace it with lightweight fill. We estimate that the retaining wall and the lightweight fill added about \$ 500k. Also, in looking at the estimate, the signal system is estimated at \$ 220,000.00 installed. I would assume this would account for the larger mast arm and base required due to the fact we will not have smaller mast arms at each quadrant.

I have attached the wall design for your information.

#### **D. Schedule for completion of 2012/2013 priority setting process**

Staff Resource: John Duncan and Paul Niehoff

Recommendation: Accept staff report

##### Background

##### 1. Collector Road Projects (\$8.98 million budget)

Paul will meet with the Technical Committee next Tuesday to discuss a first draft list of potential candidates. The Technical Committee to adopt a short list of proposals (for field review this month by MaineDOT and municipalities) for endorsement by the Policy Committee in July. The Technical Committee will finalize list of proposals for programming by the Policy Committee in September or October.

2. Bike/Ped Projects (\$630,000 budget)

In March, the Policy Committee endorsed a short list of proposals to undergo further scoping (EPS). We have hired Sebago Technics to do the EPS work. The process is:

- The Technical and Planning Committees jointly will adopt a list of proposal to be field reviewed.
- Policy Committee final programming action in October.

3. Rebuild Roads (\$1,575,000 budget)

Paul and Carl scored the proposals, and submitted to the Policy Committee a short list of proposals for EPS to be done this summer. On May 20<sup>th</sup> the Policy Committee chose three proposals for which EPS will be done (by Gorrill-Palmer). Like Bike/Ped above, the process will be:

- The Technical and Planning Committees jointly will adopt a list of proposal to be field reviewed.
- Policy Committee final programming action in October.

4. Intersections (\$3,000,000 budget)

We are going to use the entire amount (plus) on the Dunstan Corner project per the Policy Committee vote in January.

5. STP Transit Capital Projects (\$1,152,000 budget)

The Transit Committee adopted the following list of projects on July 8<sup>th</sup> for action by the Policy Committee in October. Not all requests were funded, of course.

**STP Transit Set Aside Recommendation for 2012/2013**

<b><u>Provider(s)</u></b>	<b><u>Scope and Location</u></b>		<b><u>Cost Est.</u></b>
SPBS	Mill Creek Transit Hub	1	\$ 206,870
BSOOB	Bus Shelters	2	\$ 100,000
SPBS	Ops and Maintenance Buildings	3	\$ 238,153
RTP	Mobile Data Terminals	4	\$ 244,613
BSOOB	UNE - Downtown Bus	5	\$ 200,000
CBITD	Electronic Ticketing	7	\$ 115,000
		<b>Total</b>	\$ 1,104,636
		New Estimated Set-Aside (Mod 2)	\$ 1,152,362
		Remainder	\$ 47,726

**E. MaineDOT proposal regarding reimbursement of expenses for withdrawn Cape Elizabeth project**

Staff Resource: John Duncan

Recommendation: Forward this topic to the Policy Committee with a recommendation that PACTS be kept whole on this matter.

**Background**

MaineDOT is proposing to reduce the next allotment of State capital funds to PACTS (for the 2012/2013 biennium) by a net \$44,000 in order to cover some of the expenses incurred during the design process for an intersection project from which the Cape Elizabeth Town Council withdrew its support. MaineDOT had intended that the Town reimburse the entire \$134,000 in expenses incurred, but negotiated a lesser payment of only \$20,000 when the Town claimed that MaineDOT had done design work beyond the scope agreed to with the Town.

MaineDOT and PACTS staff requested that the FHWA reimburse MaineDOT for the federal share of the expenses incurred. The FHWA denied the request based on their rules about the financing of projects that get withdrawn.

Note that MaineDOT has a practice of spending 100% state funds on federally funded projects and then requesting FHWA reimbursement. This creates an accounting complexity for us as we explain this situation here. Note also that the Town of Old Orchard Beach also dropped a project six months ago (for which \$105,000 had been spent by the State) and repaid MaineDOT the entire amount. The federal and state shares of that amount have been put in the PACTS Holding PIN for reprogramming.

**Cape Intersection Project**

(\$\$ rounded)

<u>Program Sources</u>	<u>State funds spent</u>	<u>Cape reimbursed MaineDOT</u>	<u>MaineDOT proposal for PACTS to re-program</u>	<u>Re-program sources (per MaineDOT)</u>	<u>PACTS staff comment</u>
Federal	\$67,000	\$0	\$67,000	New fed \$ from MDOT	See below
State	\$44,000	\$0	\$44,000	NA	See below
Local *	<u>\$23,000</u>	<u>\$20,000</u>	<u>\$0</u>	Local	OK
Total	\$134,000	\$20,000	\$111,000		

MaineDOT is proposing to reduce the state funding in the PACTS 12/13 biennium by \$111,000, and to give us \$67,000 in new federal funds to program. This would restore, in effect, the \$111,000 that MaineDOT spent in state funds.

The net effect on PACTS would be a loss of \$44,000 in state funds in our MPO Allocation. PACTS staff would prefer that MaineDOT take the hit on this.

\* Need to clear up the difference in MaineDOT email regarding \$23,000 and \$20,000. The amounts were provided by MaineDOT.

## **Agenda Item 6: Updates from Staff and Committees**

### Executive Committee September 7<sup>th</sup> draft agenda

1. Submit recommendations and report to the Policy Committee regarding the 2012/2013 TIP, including:
  - Riverside/Warren project
  - Use of the Holding PIN
  - Credit Program projects
2. Review draft annual goals for the Executive Director
3. Discuss suggestion to change PACTS policy regarding the use of funds from unspent or withdrawn projects
4. Discuss implications of the draft MaineDOT/Local Cost Sharing Policy
5. Finalize September 16<sup>th</sup> agenda for Policy Committee
6. Monthly updates from members and staff

### September Policy agenda

- Final action on TIP projects for 2012/2013 biennium, on the use of the Credit Program funds and on the use of the Holding PIN money.
- MaineDOT overview on Portland North Study process and recommendations, and the MaineDOT study regarding extension of Amtrak service to Lewiston/Auburn.

### Highway Simplification Study, and the MaineDOT idea about reducing the MPO Allocation

### The Culvert Law

### Regional Traffic Signal Management Study

GPCOG, PACTS staff and others will submit a \$1,000,000-plus study proposal under the HUD/EPA/DOT Sustainable Communities Planning Grant Program later this month.

In early 2009 Paul convened an informal gathering of “bike/ped” parties in order to share what’s going on in the region. He has convened them three or four times, and calls them the “PACTS Area Bike/Pedestrian and Preferred Modes of Transportation Group”.

Donna Larson recently asked how this group fits into the PACTS process. We think that is a good question, and we would like to discuss with the Executive Committees the pros and cons of having an informal “PACTS” group meet periodically.

Paul Niehoff recently returned from bicycle policy/funding/riding mecca: Portland, OR.