



CITY OF LINCOLN
NEBRASKA
 MAYOR CHRIS BEUTLER

Lincoln Metropolitan Planning Organization

County-City Building
 555 South 10th Street - Suite 213
 Lincoln, Nebraska 68508
 (402) 441-7491

September 2, 2009

TO: MPO Technical Committee Members

RE: Request to revise the *FY 2010-2015 Transportation Improvement Program* for the City of Lincoln, Nebraska.

This is a request by City of Lincoln: Public Works Department and Nebraska Department of Roads, in an emergency declaration, to revise the *FY 2009-2014 and FY 2010-2015 Transportation Improvement Programs (TIP)* to move the PE/NEPA phase of four (4) approved projects forward one programming year into FY 2008-2009. The purpose is to package the preliminary engineering (PE) and NEPA documentation elements of these projects with other *American Recovery and Reinvestment Funded (ARRA)* projects for a cost savings. These projects were reviewed and adopted as part of FY 2010-2015 TIP by both the MPO Technical Advisory Committee and Officials Committee

Amendments are major revisions to the TIP which require recommendations by the MPO Technical Committee and approval by the MPO Officials Committee. Upon approval, amendments will be submitted to the Nebraska Department of Roads for approval. [Federal regulations: 23 CFR § 450.326]

These amendments are to move the PE/NEPA phase of the following projects in the City of Lincoln: Public Works Section into FY 2008-2009 TIP.

Project: **Holdrege Street - 33rd Street to 47th Street - Stimulus Project**
 Number: C.N. 13067 LCLC-5244(7)
 Description: Mill & Overlay to increase the safety of the traveling public and prolong the life of the roadway. Curb ramps will be replaced as necessary to meet ADA requirements. Length 3980'
 Funding: PE/NEPA Phase – \$17,500 STP-Urban Stimulus

Project: **Adams Street - 57th Street to 62nd Street - Stimulus Project**
 Number: C.N. 13068 LCLC-5250(3)
 Description: Mill & Overlay to increase the safety of the traveling public and prolong the life of the roadway. Curb ramps will be replaced as necessary to meet ADA requirements. Length 1725'
 Funding: PE/NEPA Phase – \$17,500 STP-Urban Stimulus

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Project: **North 70th Street - Aylesworth to Vine Street - Stimulus Project**
Number: C.N. 13081 LCLC-5247(12)
Description: Mill & Overlay to increase the safety of the traveling public and prolong the life of the roadway. Curb ramps will be replaced as necessary to meet ADA requirements. Length 3392'
Funding: PE/NEPA Phase – \$17,500 STP-Urban Stimulus

Project: **Holdrege Street - 70th Street to 79th Street - Stimulus Project**
Number: C.N. 13082 LCLC-5244(8)
Description: Mill & Overlay to increase the safety of the traveling public and prolong the life of the roadway. Curb ramps will be replaced as necessary to meet ADA requirements. Length 3286'
Funding: PE/NEPA Phase – \$17,500 STP-Urban Stimulus

The Technical Committee is asked to review these amendments for conformity with the Long Range Transportation Plan and fiscal constraint. Recommendations will be forwarded to the MPO Officials Committee. Amendments approved by the Officials Committee will be added to the TIP and included in the STIP by reference.

Sincerely,



Mike Brienza

Lincoln-Lancaster Planning Department

cc: Ron Schlautman, NDOR, Planning & Project Development
Raitis Tigeris, NDOR Local Projects Section
Kendall Tonjes, NDOR, Project Scheduling & Program Management

Attachments (2)



U.S. Department
of Transportation
**Federal Highway
Administration**

NEBRASKA DIVISION

July 8, 2009

100 Centennial Mall North
Room 220
Lincoln, NE 68508
(402)437-5765

In Reply Refer To:
HDA-NE

Monty Fredrickson
Director
Nebraska Department of Roads
Lincoln, NE

Dear Mr. Fredrickson:

In response to your July 7, 2009 letter, the Federal Highway Administration (FHWA) hereby approves your request to utilize non-competitive negotiations to award certain contracts. This approval is granted only for those contracts established to assist Nebraska's local public agencies (LPA) with completing requisite environmental work associated with the American Recovery and Reinvestment Act (ARRA) projects, as described in the attachment to your letter. Any modifications to these contracts must receive prior approval from the FHWA.

As you are aware, 23 CFR 172.5(a)(3)(ii) allows for contracts to be awarded by noncompetitive negotiations if "there is an emergency which will not permit the time necessary to conduct competitive negotiations." Due to significant challenges facing Nebraska's LPA program, coupled with the infusion of ARRA funds and associated deadlines, urgent measures need to be taken to assist LPAs in expeditiously completing environmental documents on local ARRA projects. Importantly, these circumstances do not permit the necessary time to conduct competitive negotiations and otherwise could place local ARRA funding in jeopardy.

The Nebraska Department of Roads (NDOR) should proceed with an amendment to the Statewide Transportation Improvement Program to add this project to the program. Due to the urgency associated with this request, NDOR should receive documented concurrence from affected metropolitan planning organizations prior to proceeding.

If you have any questions, please feel free to contact me.

Sincerely yours,

Joseph A. Werning
Division Administrator



Dave Heineman
Governor

STATE OF NEBRASKA

DEPARTMENT OF ROADS

Monty W. Fredrickson, P.E., Director State Engineer

1500 Highway 2 • PO. Box 94759 • Lincoln NE 68509-4759

Phone (402) 471-4567 • FAX (402) 479-4326 • www.transportation.nebraska.gov

July 7, 2009

Mr. Joseph Werning
Division Administrator
FHWA Nebraska Division
100 Centennial Mall North, Room 220
Lincoln, NE 68508-3851

Re: Waiver of 23 CFR 172.5 (3)
Statewide Local Environmental Assistance
Project No. ARRA-STWD (93), Control No. 00800

Dear Mr. Werning:

The Nebraska Department of Roads formally requests approval of using non-competitive negotiation for the procurement of Federal-Aid contracts for providing Local Public Agencies the necessary assistance to complete their NEPA documents on ARRA projects. This is necessary due to the time it will take to complete the Quality Based Selection under 23CFR 172.5 (a).

As you discussed with my staff, NDOR will amend our STIP to add this project. Even though some of these funds will be used in metropolitan areas covered by their own TIP's, we request you allow us to amend our STIP now and let the MPO's follow their normal procedures to amend their TIP's.

Your approval will expedite the authorization of funds for this project and the obligation of local ARRA funds prior to March 2, 2010. I respectfully request FHWA's urgent consideration of this matter. We look forward to continuing our partnership with FHWA on a program that has significantly improved the quality of life in so many Nebraska communities.

Sincerely,

Monty W. Fredrickson, P.E.
Director - State Engineer

Project Number: ARRA-STWD(93)

Control Number: 00800

Project Name: Statewide Local Environmental Assistance

Description: To assist the locals with NEPA documents. The average cost to complete NEPA process is \$17,500 per project.

<u>Funds</u>	<u>No. of Projects</u>	<u>Cost</u>
C200	16	\$280,000
C220	4	\$70,000
C230	5 (Lincoln)	\$87,500
	0(MAPA)	\$0
C250	16	\$280,000
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Total	41	\$717,500

- There are 17 projects in MAPA that could be added later. Since we do not have their consent at this time, we removed them from the total.