

**MEMORANDUM**

**TO:** Genesee Transportation Council Members & Alternates  
**FROM:** James Stack, Executive Director  
**DATE:** December 1, 2022  
**SUBJECT:** Proposed Resolutions 22-62 through 22-71 (Amending the *FFYs 2023-2027 Transportation Improvement Program*)

NYSDOT and RGRTA have requested changes to the *FFYs 2023-2027 TIP*. The Planning Committee reviewed the following proposed changes on November 10, 2022 and recommends favorable action for Proposed Resolutions 22-62 through 22-71.

The amendment requests and supporting documents have been grouped and are provided for your consideration in the following attachments:

**Attachment A** – TIP Amendments – Highway: Planning Target-funded (#1-2)

**Attachment B** – TIP Amendments – Highway: Statewide-funded (#3-6)

**Attachment C** – TIP Amendments – Transit (#7-10)

[Proposed Resolutions 22-62 through 22-71](#)

***Recommended Action:***

*Approve proposed Resolutions 22-62 through 22-71, amending the FFYs 2023-2027 TIP.*

## **Attachment A – Highway: Planning Target-funded**

### *Change in Project Schedule*

- 1. Proposed Resolution 22-62** (Amending the *FFYs 2023-2027 TIP* by deferring phases of the Rt 18 over Northrup and Smith Creeks Bridge Replacements project)  
(TIP # B20-24-MN1, PIN 401802)

*Defer* a FFY 24 Construction phase of \$2,208,200 (\$1,766,600) to FFY 25;

*Defer* a FFY 24 Construction Inspection phase of \$220,800 (\$176,600) to FFY 25.

The source of programmed Federal funds is the Surface Transportation Block Grant – Flex program. The offset of FFY 24 funds is provided to Available Balances. The offset of FFY 25 funds is provided by Available Balances. The phases are being deferred to maintain fiscal constraint across the program.

### *Change in Project Cost*

- 2. Proposed Resolution 22-63** (Amending the *FFYs 2023-2027 TIP* by increasing the Total Cost of the Rt I-590 Bridges over Rt 31 and Allen’s Creek Rd project)  
(TIP # B20-21-MN1, PIN 459004)

*Increase* the Total Cost from \$20,047,500 (\$7,854,800 Federal) to \$37,598,600 (\$23,650,800 Federal);

*Increase* a FFY 24 Construction phase of \$16,980,000 (\$5,094,000) to \$32,800,000 (\$19,332,000 Federal);

*Increase* a FFY 24 Construction Inspection phase of \$1,548,900 (\$1,394,000) to \$3,280,000 (\$2,952,000 Federal).

The source of programmed Federal funds is the National Highway Performance Program, managed by NYSDOT Main Office. The offset of FFY 24 funds is provided by Available Balances.

NYSDOT requests to increase Construction phases funding as the project engineering scope has been clarified. The cost increase reflects the latest Engineer’s Estimate including: a significant increase to the estimated cost of the highway crossover; additional accomplishments for paving the highway section between the two structures and highway approaches; and addressing the non-standard features by both widening and increasing shoulder pavement thickness.

NYSDOT notes that this project is best positioned to utilize the significant NHPP Planning Target balance available in FFY 24. Planning Committee Resolution 22-17 previously provided \$15,335,000 to Available Balances. Additionally, addressing the pavement needs in conjunction with the bridges project will minimize impact to motorists versus implementing separate projects.

## **Attachment B – Highway: Statewide-Funded**

### *Change in Project Schedule*

NYSDOT – Region 4 is pursuing contracted engineering services to supplement their in-house design efforts. Based on recent projects, they have realized this method requires more lead time and have requested to advance engineering phases in order to procure contracted design services without a corresponding impact on project delivery. Planning Targets for each Federal fund will be reduced in each year of the current TIP to reflect the commensurate amount of State Dedicated Fund (SDF) dollars provided to each of the following projects (#3 through #6). In essence, Main Office will provide advanced funding to allow the projects to accelerate and the regional Planning Targets will be reduced in future years to repay that advance.

- 3. Proposed Resolution 22-64** (Amending the *FFYs 2023-2027 TIP* by advancing phases of the Rt 31 over I-490 Bridge Replacement project)  
(TIP # B23-35-MN1, PIN 403110) - NYSDOT

*Advance* a FFY 25 Preliminary Engineering phase of \$1,910,600 (\$1,719,500 Federal) to FFY 23;

*Decrease* the Federal Share of a FFY 23 Preliminary Engineering phase from \$1,719,500 to \$0.

The source of programmed Federal funds is National Highway Performance Program. NYSDOT requests to advance the Preliminary Engineering phase to allow time for the consultant procurement process. In order to maintain fiscal constraint of Planning Targets, the Preliminary Engineering phase will be funded with SDF from Main Office in FY 23 with a corresponding reduction in the NHPP Planning Target in FY 25.

- 4. Proposed Resolution 22-65** (Amending the *FFYs 2023-2027 TIP* by advancing phases of the I-490 over Railroad Bridge Replacement project)  
(TIP # B23-34-MN1, PIN 449061) - NYSDOT

*Advance* a FFY 25 Preliminary Engineering phase of \$3,066,200 (\$2,759,600 Federal) to FFY 23;

*Decrease* the Federal Share of a FFY 23 Preliminary Engineering phase from \$2,759,600 to \$0.

The source of programmed Federal funds is National Highway Performance Program. NYSDOT requests to advance the Preliminary Engineering phase to allow time for the consultant procurement process without delaying construction. In order to maintain fiscal constraint of Planning Targets, the Preliminary Engineering phase will be funded with SDF with a corresponding reduction in the NHPP Planning Target in FY 25.

- 5. Proposed Resolution 22-66** (Amending the *FFYs 2023-2027 TIP* by advancing phases of the I-490 from Rt 204 to Howard Road Preventive Maintenance project)  
(TIP # H23-41-MN1, PIN 449050) – NYSDOT

*Advance* a FFY 24 Preliminary Engineering phase of \$2,014,800 (\$1,813,300 Federal) to FFY 23;

*Decrease* the Federal Share of a FFY 23 Preliminary Engineering phase from \$1,813,300 to \$0.

The source of programmed Federal funds is National Highway Performance Program. NYSDOT requests to advance the Preliminary Engineering phase to allow time for the consultant procurement process without delaying construction. In order to maintain fiscal constraint of Planning Targets, the Preliminary Engineering phase will be funded with SDF with a corresponding reduction in the NHPP Planning Target in FY 24.

**6. Proposed Resolution 22-67** (Amending the *FFYs 2023-2027 TIP* by advancing phases of the I-490 from Bridge over Garnsey Rd to I-90 Preventive Maintenance project) (TIP # H20-57-R41, PIN 449057) – NYSDOT

*Decrease* the Total Cost from \$6,119,100 (\$5,507,200 Federal) to \$2,938,000 (\$900 Federal);

*Decrease* a FFY 23 Detailed Design phase from \$261,000 (\$234,900 Federal) to \$1,000 (\$900 Federal);

*Advance* a FFY 26 Construction phase of \$5,325,600 (\$4,793,000 Federal) to FFY 23;

*Decrease* a FFY 23 Construction phase from \$5,325,600 (\$4,793,000 Federal) to \$2,670,000 (\$0 Federal);

*Advance* a FFY 26 Construction Inspection phase of \$532,500 (\$479,300 Federal) to FFY 23;

*Decrease* a FFY 23 Construction Inspection phase from \$532,500 (\$479,300 Federal) to \$267,000 (\$0 Federal).

The source of programmed Federal funds is the National Highway Performance Program. The offset of FFY 23 funds from the Detailed Design phase is provided to Available Balance. In order to maintain fiscal constraint of Planning Targets, the Construction phases will be funded these phases with SDF with a corresponding reduction in the NHPP Planning Target in FY 26.

NYSDOT requests to adjust project schedule and funding based upon an updated pavement treatment type. As project engineering progressed, the preferred treatment was determined to be a diamond grind with spot repairs rather than the heavy concrete pavement restoration. This treatment is considerably less expensive and will provide many years of useful life; however, there is a limited window of opportunity. This project can now progress using an Initial Project Proposal/Final Design Report, so the Detailed Design phase is decreased as well.

## **Attachment C – Transit**

- 7. Proposed Resolution 22-68** (Amending the *FFYs 2023-2027 TIP* by reinstating the Shared Mobility Project project)  
(TIP # T20-20-MN1, PIN 476124) - RGRTA

*Reinstate* a Project with a Total Cost of \$202,500 (\$162,000 Federal);  
*Add* a FFY 23 Other phase of \$2,240,000 (\$1,792,000 Federal);  
*Decrease* a FFY 23 Other phase from \$2,240,000 (\$1,792,000 Federal) to \$202,500 (\$162,000 Federal).

The source of reinstated Federal funds is the Congestion Mitigation and Air Quality Improvement Program (CMAQ), flexed to the Federal Transit Administration as Urbanized Area Formula Funding (Section 5307).

RGRTA requests that funding be moved from FFY 22 to FFY 23 to align with the fiscal year currently anticipated to have the funding obligated. Due to limitations related to the flexing of the funding to the FTA, funding of the bikeshare program under the CMAQ program was deemed not to be eligible under FAST Act rules. The vanpool portion of the project is continuing to be funded under this project. RGRTA is requesting \$1,630,000 in Federal funding be reassigned from to Community Mobility Zone Operations (TIP # T20-21-MN1, PIN 476125) so they are not a lost opportunity for the region. NYSDOT Main Office and the FTA agree that this is an appropriate use of CMAQ funds.

- 8. Proposed Resolution 22-69** (Amending the *FFYs 2023-2027 TIP* by reinstating the Community Mobility Zone Operations project)  
(TIP # T20-21-MN1, PIN 476125) - RGRTA

*Reinstate* a Project with a Total Cost of \$8,287,500 (\$6,630,000 Federal);  
*Add* a FFY 23 Other phase of \$8,287,500 (\$6,630,000 Federal).

The source of reinstated Federal funds is the Congestion Mitigation and Air Quality Improvement Program (CMAQ), flexed to the Federal Transit Administration as Urbanized Area Formula Funding (Section 5307).

RGRTA requests that funding be moved from FFY 22 to FFY 23 to align with the fiscal year currently anticipated to have the funding obligated. Additionally, RGRTA requests that an additional \$1,630,000 in Federal funding be added to the project, offset from the Shared Mobility Project (TIP # T20-20-MN1, PIN 476124). NYSDOT Main Office and the FTA agree that this is an appropriate use of CMAQ funds.

- 9. Proposed Resolution 22-70** (Amending the *FFYs 2023-2027 TIP* by increasing the Total Cost of the RTS Access Paratransit Facility project)  
(TIP # T20-31-MN1, PIN 482307) - RGRTA

*Reinstate* a Project with a Total Cost of \$25,600,000 (\$22,758,300 Federal);  
*Add* a FFY 23 Other phase of \$25,600,000 (\$22,758,300 Federal);  
*Change* the Project Description to "Design and Construction of new RTS Access paratransit facility".

The source of reinstated Federal funds is the Urbanized Area Formula Funding (Section 5307). The source of additional Federal funds is the FTA Bus and Bus Facilities Competitive Program (Section 5339(b)).

RGRTA requests that the FFY 22 funding for the design activities be moved to FFY 23 to align with the currently anticipated date of obligation with the FTA. Due to the environmental review process, the FTA was not able to obligate the funding in FFY 2022. Additionally, RGRTA requests that \$20,000,000 (\$16,000,000 Federal) in FFY 23 discretionary funds awarded by USDOT for the construction of the new facility be added to the project.

**10. Proposed Resolution 22-71** (Amending the *FFYs 2023-2027 TIP* by increasing the Total Cost of the Hydrogen Fuel Cell Vehicles and Fuel System project)  
(TIP # T23-24-MN1, PIN 476138) - RGRTA

*Increase* the Total Cost from \$6,250,000 (\$5,000,000) to \$15,054,100 (\$12,043,300);  
*Increase* a FFY 23 Other phase of \$6,250,000 (\$5,000,000) to \$15,054,100 (\$12,043,300);  
*Decrease* the State share from \$625,000 to \$0;  
*Change* Project Description to "Acquisition of ~~two (2)~~ five (5) hydrogen fuel cell 40-ft buses, five (5) hydrogen fuel cell vans and fueling system.

The source of programmed Federal funds is the Congestion Mitigation and Air Quality Improvement Program (CMAQ), flexed to the Federal Transit Administration as Urbanized Area Formula Funding (Section 5307). The source of additional Federal funds is the FTA Low or No Emission Vehicle Program (Section 5339(c)).

RGRTA is requesting that this project be amended to reflect recent discretionary grant awards. Specifically, RGRTA is requesting \$7,043,331 in FFY 2023 Section 5339 funding and \$5,000,000 in FFY 2023 Section 5307 funding be added to the TIP.

The decrease in State funds reflecting clarification that this discretionary Federal program is not eligible for Transit State Dedicated Fund match.