REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Restord No.:

19777

Sponsor(s):

Tony Miller

Date:

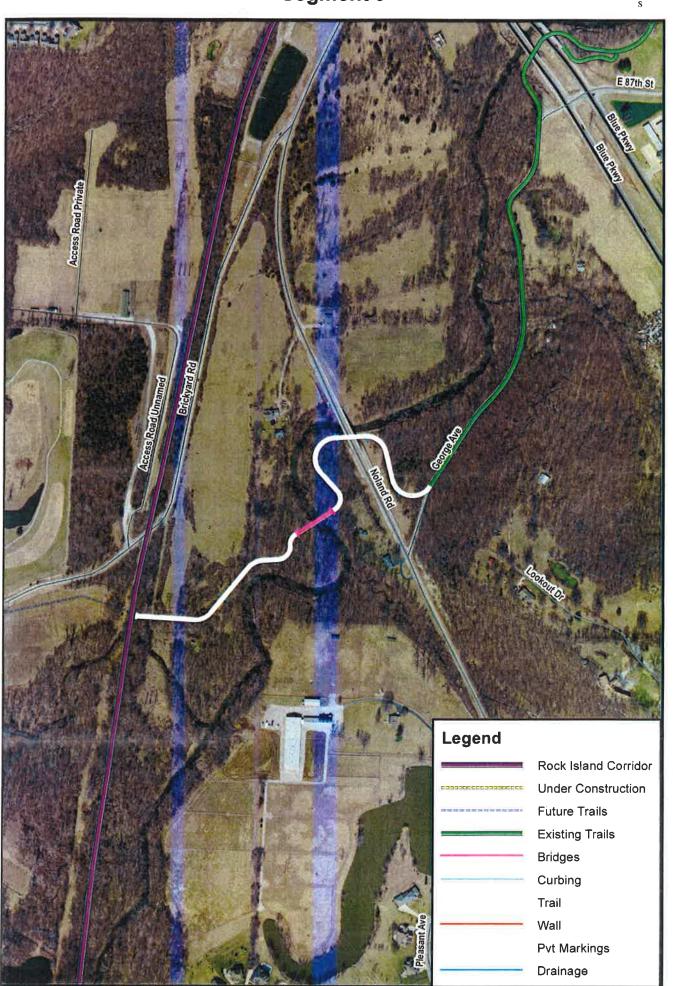
March 19, 2018

	T*				
SUBJECT	Action Requested Resolution Ordinance Project/Title: A RESOLUTION authorizing a Transportation Alternatives (TA) application to the Mid America Regional Council for the Little Blue Trace/Rock Island Connector Project.				
BUDGET					
INFORMATION	Amount authorized by this legislation this fiscal year:	\$			
To be completed	Amount previously authorized this fiscal year:	\$			
By Requesting	Total amount authorized after this legislative action:	\$			
Department and Finance	Amount budgeted for this item * (including	\$			
1 mance	transfers):	*			
	Source of funding (name of fund) and account code	FROM ACCT			
	number; FROM / TO	TO ACCT			
	* If account includes additional funds for other expenses, total budgeted in the account is: \$				
	OTHER FINANCIAL INFORMATION: No budget impact (no fiscal note required) Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use: \$ Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):				
PRIOR	OR Prior ordinances and (date): n/a				
LEGISLATION	Prior resolutions and (date): n/a				
CONTACT INFORMATION	RLA drafted by (name, title, & phone): Brian Nowotny, Deputy Director Park Operations, 816.503.4803				
REQUEST SUMMARY	Parks + Rec respectfully requests authorization to apply for federal assistance from the Federal Highway Administration (FHWA) through Mid America Regional Council for improvements to the Little Blue Trace Trail and authority for the County Executive to sign all required application documents and agreements. If funded, the proposed project would extend and connect the trail approximately one-half mile from the George Road/Noland Road intersection to the Rock Island Corridor. In addition, the project will connect the Rock Island Corridor to Kansas City's Little Blue Valley Park and the Raytown Sports Complex. The project is supported by the City of Kansas City, the county's development partner for the Little Blue Trace. There is no cost to apply for assistance. If awarded, Transportation Alternative projects require, by separate project agreement, a 20% match from the project sponsor and a commitment to maintain the project for its useful life expectancy. If awarded, the project would commence in 2021.				

1100						
CLĖ	ARANCE					
			pleted (Purchasing & Department)			
	☐ Business License Verified (Purchasing & Department) ☐ Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)					
		Chapter o Compilan	ce - Affirmative Action/Prevailing w	age (County Auditor's O	mce)	
ATT	TACHMENTS project site map; MARC TA program/application information; letter of support from the City of Kansas City					
REVIEW		Department Director:			Date: 3-6-18	
		Finance (Budget Approx	val):		Date:	
		If applicable				
		Division Manager:	e		Date: 3-7-18	
		County Counselor's Offi	ice:		Date:	
		1				
Fisca		n (to be verified by Bu	ndget Office in Finance Departn	nent)		
	Funds for thi	is were encumbered from	the F	ound in		
	is chargeable	and there is a cash balance	pered to the credit of the appropriation be otherwise unencumbered in the treat to provide for the obligation herein au	asury to the credit of the f		
	Funds suffic	ient for this expenditure w	ill be/were appropriated by Ordinance	e #		
	Funds suffic	ient for this appropriation	are available from the source indicate	d below.		
	Account N	mber: Account Title: Amount Not to Ex		Amount Not to Exceed:		
			d does not obligate Jackson County to cessity, be determined as each using a		. The availability of	
\boxtimes	This legislati	ve action does not impact	the County financially and does not r	equire Finance/Budget ar	proval.	

Little Blue Trace Trail Segment 9





Call for Projects:

Kansas City Metropolitan Region Federal Fiscal Years 2021-2022 Kansas & Missouri Transportation Alternatives (TA) Set-Aside Funds

Dates:

The opening date for this proposal solicitation is January 19, 2018. Applications must be submitted in full by 4:00 p.m. local time on March 23, 2018. Late applications will not be considered.

Summary:

The Mid-America Regional Council (MARC) is accepting proposals from local and regional government agencies for federal fiscal years (FFY) 2021–2022 Transportation Alternatives (TA) Set-Aside funds for projects and programs that support the regional transportation goals in the adopted metropolitan transportation plan, *Transportation Outlook 2040*. Most projects require a minimum 20 percent non-federal cost share.

Contents by Section:

- I. Funding Opportunity Description
- II. Programming Policy
- III. Eligibility Information
- IV. Programming Process
- V. Award Administration Information
- VI. Evaluation Criteria
- VII. Resources
- VIII. Contacts

I. FUNDING OPPORTUNITY DESCRIPTION

A. Background

The Transportation Alternatives (TA) Set-Aside program helps increase transportation choices and access, enhance the built and natural environment and the transportation experience, and provide a sense of place. These set-aside funds include all projects and activities that were previously eligible under the former Transportation Alternatives Program (TAP).

Under FHWA guidance, projects eligible for TA funds include:

- Construction, planning, and design of on-road and off-road trail facilities
- Construction, planning, and design of infrastructure-related projects and systems that will
 provide safe routes for non-drivers, including children, older adults, and individuals with
 disabilities to access daily needs.
- Conversion and use of abandoned railroad corridors for trails
- Construction of turnouts, overlooks, and viewing areas.
- Community improvement activities, including:

- Inventory, control, or removal of outdoor advertising;
- Historic preservation and rehabilitation of historic transportation facilities;
- Vegetation management practices in transportation rights-of-way
- archaeological activities relating to impacts from transportation projects
- Environmental mitigation activities

In addition to defined Transportation Alternatives (as described above), eligible activities also include:

- The recreational trails program under 23 USC 206.
- The safe routes to school program under §1404 of SAFETEA-LU

B. Estimated Funding Levels

Since the current federal transportation legislation expires at the end of federal fiscal year 2020, some uncertainty remains about the level of funding available for programming by MARC for 2021-2022. In light of this, MARC has looked to recent historical levels of funding to provide a reasonable estimate of the resources available for programming purposes.

For this project solicitation, MARC anticipates the following funding targets; however, these estimates may be subject to change:

Kansas:

Approximately \$2.4 million

Missouri:

Approximately \$3.0 million

C. Funding Type

TA Set-Aside is a reimbursement program. Funding recipients must have the capacity to cover project costs at the outset of project or program implementation. Eligible expenses will be reimbursed by the administering state department of transportation or the Federal Transit Administration once the applicant has submitted a reimbursement request and supporting documentation.

II. PROGRAMMING POLICY

On June 23, 2015, the MARC Board of Directors adopted a Programming Policy to provide instructions to committees and staff on developing funding recommendations as part of update to the metropolitan transportation plan, Transportation Outlook 2040. The Programming Policy includes:

- Guidance relating to the policy framework of Transportation Outlook 2040, transportation system performance measures and other current regional policies.
- Instructions for planning committees on developing advisory project priorities for use by programming committees.
- Instructions for programming committees in developing project funding recommendations for policy committees.

A link to the Programming Policy is available in the resources section of this document. Please review this information carefully before submitting any application(s) for funding.

III. ELIGIBILITY INFORMATION

A. Geography & Applicants

Jurisdictions and transportation agencies located within MARC's metropolitan planning organization (MPO) boundary may submit projects for consideration. This includes the entirety of Johnson, Leavenworth, Miami and Wyandotte counties in Kansas, and Cass, Clay, Jackson and Platte counties in Missouri.

For Kansas applications, nonprofit organizations are ineligible to directly receive Surface Transportation Set-Aside (TAP) funding. This policy does not prohibit nonprofit agencies from receiving funds; nonprofit agencies are eligible to receive funding through the proper procurement process in partnership with an eligible sponsor.

For Missouri applications, limited eligibility is available to recognized non-profits and school districts. Recognized non-profits and school districts shall:

- Have written organizational structure with bylaws and a policy board that meets regularly.
- Be in existence and be registered with the Missouri Secretary of State continuously for a minimum of five years prior to application for LPA funds.
- Not have any disparaging financial or ethical infractions on record with any government agency or private business within the past five years.
- Have qualified full-time staff able to comply with 2 CFR 200 Requirements for Federal Awards
- Have written procurement processes for equipment, materials, and/or non-engineering services necessary to implement a project.

All other entities in Missouri must partner with a city or county to apply for and/or administer a federal aid transportation project.

B. Project Types

Projects eligible for TAP funds include, but are not limited to:

- Construction, planning, and design of on-road and off-road trail facilities
- Construction, planning, and design of infrastructure-related projects and systems that will
 provide safe routes for non-drivers, including children, older adults, and individuals with
 disabilities to access daily needs.
- Conversion and use of abandoned railroad corridors for trails
- Construction of turnouts, overlooks, and viewing areas.
- Community improvement activities, including:
 - inventory, control, or removal of outdoor advertising;
 - historic preservation and rehabilitation of historic transportation facilities;

- vegetation management practices in transportation rights-of-way
- archaeological activities relating to impacts from transportation projects
- Environmental mitigation activities

In addition to defined Transportation Alternatives (as described above), eligible activities also include:

- The Recreational Trails Program
- The Safe Routes to School Program

C. Relationship to Surface Transportation

The project must be in one of the eligible activity categories and also show a direct relationship to surface transportation (by land and water). This relationship may be a combination of proximity, function and/or impact.

Proximity: Proximity alone is not enough to establish the relationship to surface transportation. The project is located within the immediate vicinity of the transportation system and may be visible to the general public, such as the acquisition of scenic easements or landscaping.

Function: The project will serve as a functional part of the transportation system; for example, the construction of pedestrian and bicycle facilities.

Impact: The project has a physical impact on the transportation system, such as retrofitting an existing highway by creating a wetland to filter runoff from the highway. In this example, the funds would be used to mitigate the pollution from the roadway runoff. Projects with this type of transportation relationship are usually associated with ongoing or planned highway projects.

D. Excluded Uses

In order to demonstrate greater financial commitment by project applicants and to maximize the availability of these funds for project implementation activities, TA Set-Aside funds generally are not used for right-of-way, utility relocation, or preliminary engineering and design work.

Additionally, non-federal funds used for these purposes will generally not be considered as matching funds for federal dollars, with the exception of preliminary engineering, which can be used toward the local match as long as the federal requirements for preliminary engineering are met. The following *are* considered reimbursable expenses:

- Materials
- Labor/construction
- Contingency on construction (limited to 10 percent of the total cost of materials and labor/construction)
- Construction engineering (limited to 15 percent of the total cost of materials and labor/construction)

E. Funding Limits

For TA Set-Aside projects, federal funding requests should not exceed \$500,000.

F. Projects Involving State Owned Right of Way

Project sponsors should contact KDOT or MoDOT before submitting an application for a project that involves the use of state owned right of way.

G. Other Eligibility Requirements

- The project must go beyond activities customarily incorporated into motor vehicle roadway, highway and transit projects.
- The project must be available for public use for at least 25 years **or** the expected life of the project. Property must either be owned by the project sponsor or involve a permanent lease.
- The project sponsor must demonstrate adequate plans for, and commit to, ongoing maintenance costs for the expected life of the project. TAP funds cannot pay for regular maintenance activities.
- The project will be governed by the applicable state Local Public Agency (LPA) Manual.
- Historic preservation projects funded solely through the TAP Historic Preservation category
 must submit a letter of eligibility determination from the state historic office certifying that
 the project is listed or eligible to be listed on the National Register of Historic Places before
 any monies may be reimbursed.
- Consultant pro-bono application preparation will result in the consultant being ineligible for consideration as the project design consultant.

IV. PROGRAMMING PROCESS

A. Committee Roles

MARC programs TA Set-Aside funds using a competitive application process overseen by the Active Transportation Programming Committee (ATPC), which is a subcommittee of the Total Transportation Policy Committee. Funding recommendations made by the Active Transportation Programming Committee are reviewed and approved by both the Total Transportation Policy Committee and the MARC Board of Directors before their inclusion in the regional Transportation Improvement Program.

B. Schedule

Below is a table outlining the process MARC will undertake to solicit and review proposals, and to select projects for funding. The submission deadline will not change, but the dates of other steps in the process may be subject to change.

Call for proposals

January 19, 2018

Pre-Application Workshop

January 31, 2018

Proposals due

March 23, 2018

Staff review/scoring of proposals	March – April 2018
Committee review of scoring and development of planning committee advisory priorities	May – June 2018
Active Transportation Programming Committee (ATPC) meeting(s) to develop and approve project funding list	June - August 2018
Total Transportation Policy Committee review of ATPC funding recommendations	August 21, 2018
Total Transportation Policy Committee release of Committee recommendations for public review and comment as part of quarterly TIP amendment	September 18, 2018
TTPC approves TIP amendment and programming recommendations	October 16, 2018
MARC Board of Directors approves TIP amendment programming recommendations	October 23, 2018
	October 23, 2018
MARC transmits project list to state and federal agencies for approval and funding	

C. Pre-Application Workshop

On Wednesday, January 31, 2018, MARC staff will conduct a pre-application workshop and will be available to answer questions regarding the application procedures and form. This application workshop will be held in the MARC Board Room from 1:30–4 pm. Attendance at this workshop is not required for applicants to participate in this funding opportunity, but is encouraged.

D. Application Database

• Create an Account

The submission database is located at http://www.marc.org/Transportation/Funding/Processes/Funding-opportunities
Click on "Create New User" and fill in the requested information to create a unique account. Multiple people from the same jurisdiction or agency can set up individual accounts.

Add a Project

Log in to the database and click on "File a new application" to add a new project. A blank submission form will open.

• Revise a Project

Each time you log in to the database, you will see a list of projects you have submitted or are working on. You can update information on an existing project or add a new one. You can make changes to projects through 4:00 p.m. on March 23, 2018. All information submitted by this time and date will be considered final.

If you need assistance with the submission database, contact Marc Hansen, mhansen@marc.org, at 816-701-8317.

V. Award Administration Information

A. Award Notices

MARC will notify successful applicants in writing and by electronic mail. Project sponsors for successful applications will enter into a contract with KDOT, MoDOT or the FTA. Applicants whose projects are selected for funding are cautioned not to proceed with work until they have received a notice of funding obligation and notice to proceed by KDOT, MoDOT or FTA.

B. Reasonable Progress

It is MARC's intent to program federal funds for projects that meet regional goals and objectives and that can be implemented on schedule to provide their benefits to the travelling public in a timely manner.

It is MARC's expectation that project sponsors awarded federal funds will:

- Make every reasonable effort to obligate federal funds for their projects in the year in which they are originally programmed.
- Work expeditiously with state departments of transportation or other agencies to complete required project development activities on schedule.
- Keep MARC apprised of their progress.

MARC reserves the right to reallocate funds for any project that does not make and maintain reasonable progress towards obligation and implementation in a timely manner.

C. State LPA Processes

The local public agency manuals maintained by both the Kansas and Missouri departments of transportation are intended to be used as a guide for cities and counties that sponsor projects utilizing federal transportation funds.

For projects administered by local officials, the states will furnish information concerning the necessary federal requirements and will act as coordinator. The necessary design, acquisition, environmental, historical and archaeological clearances and approvals, construction and maintenance of improvements will be the responsibility of the local agency. A DOT representative will be the primary contact, furnish the necessary guidelines and coordinate the necessary reviews and approvals. DOT personnel will also advise and assist the local agency in meeting the requirements of the program.

Projects are performed under the terms of an agreement with KDOT or MoDOT. Work on any part of the project cannot proceed until the local agency has been notified by KDOT or MoDOT that federal funding has been approved — obligated — by the Federal Highway Administration (FHWA). If funds are approved, they will be distributed through the local agency sponsoring the project. If a project is not completed, the local agency sponsoring the project will be required to repay the sum of federal funds reimbursed to date. The local agency will be responsible for cost overruns.

The federal-aid transportation program operates on a reimbursement basis as work progresses. It is a federal reimbursement program in which the local agency is reimbursed minus its matching percentage after KDOT or MoDOT receives proper proof of payment by the local agency to the contractor for work performed.

Regardless of whether federal funds are available at the time of acquisition, local agencies are strongly encouraged to comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act), of the Code of Federal Regulations when acquiring realty rights, easement access or other real property. When a local agency project uses federal funds on any portion of the project, all realty rights must be acquired in accordance with the Uniform Act. If the realty rights were acquired more than five years prior to the first request for federal funds, the local agency shall submit a statement certifying that no new realty rights are needed and the dates the existing realty rights were acquired. If the realty rights were acquired less than five years prior to the first request for federal funds, the acquisition must have occurred within the parameters of the Uniform Act in order for any portion of the project to received federal funds.

D. Project Fee

Per established policy, MARC will collect a fee equivalent to 0.5% of any federal funds awarded to projects through this programming cycle. Sponsors of projects awarded funding will be invoiced for this fee in 2019.

E. Transportation Improvement Program

Following approval of the funding recommendations developed by the Active Transportation Programming Committee, projects receiving funding are required to be incorporated into the regional Transportation Improvement Program (TIP). Project sponsors are also required to maintain the

accuracy of the information contained in the TIP by providing updates to MARC as necessary.

F. MARC Reporting

To acknowledge the role served by the members of the Active Transportation Programming Committee, funded projects should credit MARC in any press release about the project that mentions funding sources and invite MARC to groundbreaking, ribbon-cutting or other events related to the project.

G. Maintenance

TA Set-Aside funds may not be used for regular maintenance and operations activities. The project sponsor must demonstrate adequate plans for and commit to ongoing maintenance costs for the expected life of the project, which should be at least 25 years.

Maintenance includes snow, ice and debris removal from pedestrian facilities. For more information, refer to the Federal Highway Administration Memorandum on Snow Removal on Sidewalks Constructed with Federal Funding: www.fhwa.dot.gov/preservation/082708.cfm.

VI. EVALUATION CRITERIA

In order to make the most progress toward regional and transportation visions, the broad policy goals identified in *Transportation Outlook 2040* will serve as a guide for regional transportation investments during this call for projects. Project proposals submitted for consideration will be evaluated based on how closely they align with the policy goals of the plan. The scores developed through this evaluation process will serve as one tool to evaluate project proposals and will be supplemented by MARC committee reviews, follow-up technical analysis, and public and stakeholder input.

	POLICY GOAL	CRITERIA	All Projects	Active Transportation Infrastructure	Historic Preservation/ Archaeological	Transportation Aesthetics and Scenic Values	Environmental Mitigation and Vegetation Management	Safe Routes to School Non- Infrastructure
N.T	Economic Vitality	Serves regional activity centers	1.65	10	10	10	10	5
38.4	Place Making	Local and regional plans, place making principles	5	10	15	5	5	3
Z	Equity	Improves access for environmental justice (EJ) area	10	160			.	<u> </u>
CONNECTED	Transportation Choices	Creates link/access, transportation function/impact	- 3	7.5	15	15	15	5
	Safety and Security	Safety treatments/facility width, addresses conflicts	•	15	-	-	8	15
	System Condition	Preservation/restoration, long-term maintenance	38	-	15	10	2	20
	System Performance	Number of people served/benefiting directly		10	5	10	10	20
GREEN	Public Health	Active mode access/facilities, stormwater mgmt.	7,20	7.5	*	5	5	5
	Environment	Preserves/restores environmental lands/resources	525	5	5	5	15	4
	Climate Change and Energy Use	VMT reduction, renewable energy sources/materials	383	5	5	10	10	3
Other	Implementation	ROW, project readiness, community support	10			222	€.	¥
	Local Match	% local match provided	5	1.00				
	Committee Ranking	Committee ranking process	Up to 10 p	ossible	±	5#3		
		Total Points	40	70	70	70	70	70

A. MARC Resources

Complete Streets

http://www.marc.org/transportation/completestreets.htm

Congestion Management Process

http://www.marc.org/transportation/congestionmanagementsystem.htm

Sustainable Code Framework

http://codes.sustainable-kc.org/

Project Fee

http://www.marc.org/Transportation/Funding/pdf/New-Freedom/MARC-Local-Match-Policy-April2012.aspx

MetroGreen®

http://www.marc.org/metrogreen/

Population and Employment Forecast

http://www.marc.org/forecast/2040forecast.asp

Programming Policy Statement

http://www.to2040.org/assets/2015_plan/AppendH_PPS_adopt final.pdf

Reasonable Progress Policy

http://www.marc.org/Transportation/Funding/assets/Reasonable

Transportation Improvement Program

http://www.marc.org/Transportation/Plans-

Studies/Transportation-Plans-and-Studies/TIP/2018-2022-

TIP.html

Transportation Outlook 2040

http://www.marc.org/2040/

Stormwater Best Management Practices

http://www.marc.org/Environment/Water-Resources/Local-Government-Resources/Stormwater-Best-Management-

Practices

2012 Best Practices Local Bikeway Planning and

Design Guide

http://kcmetro.apwa.net/content/chapters/kcmetro.apwa.net/file/Specifications/2012 MARC Local Bikeway Best Practices.pdf

B. Federal Resources

Federal Highway Administration

http://www.fhwa.dot.gov/

Federal Transit Administration

http://www.fta.dot.gov

United States Department of Transportation

http://www.dot.gov/

C. State Resources

Kansas Department of Transportation

http://www.ksdot.org/

KDOT LPA Process

http://www.ksdot.org/burLocalProj/LPA/lpaindex.asp

TA Set-Aside Fact Sheet

https://www.fhwa.dot.gov/fastact/factsheets/transportationalte

rnativesfs.cfm

TA Set-Aside Guidance

https://www.fhwa.dot.gov/environment/transportation_alternat

ives/guidance/guidance 2016.cfm

Missouri Department of Transportation

http://www.modot.mo.gov/

MoDOT LPA Manual

http://epg.modot.org/index.php?title=Category%3A136 Local

Public Agency %28LPA%29 Policy

VIII. CONTACTS

Kaitlyn Service Transportation Planner 816-701-8280 kservice@marc.org

Marc Hansen, AICP Principal Planner 816-701-8317 mhansen@marc.org

Board of Parks and Recreation Commissioners

CITY OF FOUNTAINS



March 9, 2018

Ron Achelpohl, Director of Transportation and Environment Mid-America Regional Council 600 Broadway, Suite 200 Kansas City, MO 64105



Sylvester "Sly" James Mayor

Jean Paul Chaurand President

Shannon Cade Commissioner

Allen Dillingham Commissioner

Mary Jane Judy Commissioner

David Mecklenburg Commissioner

Mark L. McHenry Director RE: Jackson County/Kansas City Little Blue Trace, Rock Island Connector Pathway

Dear Mr. Achelpohl:

I'm writing to express the City of Kansas City, Parks and Recreation Department strong support for Jackson County's efforts to extend the Little Blue Trace trail to connect with the Rock Island Corridor and urge full and fair consideration of the County's Transportation Alternatives Program application. The Little Blue Trace trail is a collaborative effort between Kansas City and Jackson County.

These transportation funds will support implementation of the next phase of the Little Blue Trace trail in Kansas City, and link the City's Little Blue Valley Park with the Rock Island Corridor. The trail currently stretches over sixteen miles in total. This high priority connection will link the trail with the Rock Island Shared Use Path and future transit developments between Kansas City, Raytown, and Lee's Summit.

The Little Blue Trace is a proven transportation and recreational asset for the City, with thousands of residents using the trail every day. This is precisely what was envisioned when the City entered into partnership with Jackson County in 2011 to share responsibilities for funding and development of the project. Therefore, the City hereby reconfirms our support for the Little Blue Trace trail and commitment to equally share matching funds with the County for the Transportation Alternatives Program application.

I am confident the proposed extension will enhance our connectivity and quality of life in Kansas City.

Thank you for your consideration of this request. I hope we can count on your support.

Sincerely

Mark McHenry, Director

Parks and Recreation Department



Terry R. Dopson Parks and Recreation Administration Building 4600 East 63rd Street * Kansas City, Missouri 64130 * 816-513-7500 * kcparks.org