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 17, 2009

TO: Lincoln MPO Officials Committee Members

RE: Request to amend the ***FY 2009-2014 and FY 2010-2015 Transportation Improvement Programs*** 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.

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

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

These projects have been reviewed by the MPO Technical Advisory Committee for conformity with the *Lincoln Metropolitan Transportation Plan* and fiscal constraint and are recommended for inclusion in the current *Transportation Improvement Program*. Amendments approved by the MPO Officials Committee will be added to the TIP and recommended to Nebraska Department of Roads for inclusion in the State Transportation Improvement Program (STIP).

Sincerely,

Mike Brienzo
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)

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U.S. Department of Transportation
Federal Highway Administration

NEBRASKA DIVISION

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

July 8, 2009

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) 479-4325 • 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.

Funds	No. of Projects	Cost
C200	16	$280,000
C220	4	$70,000
C230	5 (Lincoln)	$87,500
	0(MAPA)	$0
C250	16	$280,000
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.