

AGENDA ITEM #18
July 13, 2010
Public Hearing/Action

CORRECTED

MEMORANDUM

July 9, 2010

TO: County Council

FROM: Glenn Orlin, Deputy Council Staff Director ^{GO}

SUBJECT: **Public Hearing/Action**—amendments to the FY11-16 Capital Improvements Program and supplemental appropriation to the FY11 Capital Budget, Montgomery County Government, Department of Transportation:
ARRA Highway Improvements, \$1,029,000;
ARRA Traffic Improvements, -\$1,029,000

The County Executive has recommending transferring \$1,029,000 from the ARRA Traffic Improvements project to the ARRA Highway Improvements project. The Executive's transmittal is on ©1-2, a draft adoption resolution is on ©3-4, and the proposed project description forms are on ©5-7.

ARRA Traffic Improvements currently has programmed for \$2,775,000 for FY11 covering five programs. One of the programs is \$600,000 to install fiber optic cable along US 29 from Briggs Chaney Road to the Howard County line. However, the Federal Highway Administration has noted that if Highway Trust Funds are used to implement a facility, such as a communications network, then the facility usage should be limited to transportation purposes. FHWA and Maryland Department of Transportation communicated that only that portion of the communications improvement that would be used specifically for transportation-related purposes would be eligible for federal funds. The County DOT estimates that 50% of the County's fiber optic network usage is transportation related; therefore FHWA would only fund up to 50% of the total cost of the \$600,000 program.

In three of the other programs bids have come in lower than the estimates, while for the fifth program the bid is slightly higher than the estimate. The net result is that a further \$429,000 is not needed for the ARRA Traffic Improvements project.

The Executive wishes to maximize the use of American Recovery and Reinvestment Act funds, so he proposes adding \$1,029,000 to the ARRA Highway Improvements project. That program funded \$5,715,000 in FY10 for primary/arterial resurfacing. The Executive is recommending using the \$1,029,000 for more of the same in FY11. The details on both sets of changes are shown on ©8.

Council staff recommendation: Approve the supplemental appropriation and CIP amendments as recommended by the Executive. The use of the funds for primary/arterial resurfacing is particularly appropriate. The Council may recall that while its draft FY11-16 CIP would have restored the traditional annual level of funding to the Resurfacing: Primary/Arterial project, this project was cut back by \$1 million per year at CIP Reconciliation. This transfer would restore primary/arterial resurfacing to its traditional annual level, at least during FY11.

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OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Isiah Leggett
County Executive

MEMORANDUM

June 21, 2010

TO: Nancy Floreen, President, County Council

FROM: Isiah Leggett, County Executive 

SUBJECT: Amendment to the FY11-16 Capital Improvements Program and
Supplemental Appropriation #1-S11-CMCG-1 to the FY11 Capital Budget
Montgomery County Government
Department of Transportation
ARRA Highway Improvements (No. 501003), \$1,029,000
ARRA Traffic Improvements (No. 501002), -\$1,029,000

I am recommending a supplemental appropriation to the FY11 Capital Budget and amendment to the FY11-16 Capital Improvements Program (CIP) for the following projects: ARRA Highway Improvements (No. 501003) \$1,029,000 and ARRA Traffic Improvements (No. 501002) -\$1,029,000. Transfer of funds between these projects will allow for additional resurfacing of two County roads approved as candidate projects for American Recovery and Reinvestment Act (ARRA) funding.

The Federal Highway Administration has advised the State and the County that ARRA Federal Stimulus funds originally programmed in ARRA Traffic Improvements (No. 501002) for fiber optic installation are ineligible (\$600,000). In addition, actual bids for several of the projects programmed in the ARRA Traffic Improvements project are less than initially estimated, and the remaining funds need to be reallocated (\$429,000). Consequently, in order to fully utilize the ARRA funds, I recommend that \$1,029,000 be transferred to the ARRA Highway Improvements project to be used for road resurfacing. The amount of transfer exceeds the ten percent threshold permitted for Executive transfer.

The recommended amendment is consistent with the criteria for amending the CIP because reallocating Federal Stimulus funds represent a significant opportunity which will be lost if not taken at this time.

Nancy Floreen, President
County Council
June 21, 2010
Page 2

I recommend that the County Council approve this supplemental appropriation and amendment to the FY11-16 Capital Improvements Program in the amount of \$1,029,000 for ARRA Highway Improvements and -\$1,029,000 for ARRA Traffic Improvements and specify the source of funds as Federal Stimulus.

I appreciate your prompt consideration of this action.

IL:bm

Attachment: Amendment to the FY11-16 Capital Improvements Program and Supplemental Appropriation #1-S11-CMCG-1

c: Arthur Holmes, Jr., Director, Department of Transportation
Joseph Beach, Director, Office of Management and Budget

Resolution: _____
Introduced: _____
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the Request of the County Executive

SUBJECT: Amendment to the FY11-16 Capital Improvements Program and
Supplemental Appropriation #1-S11-CMCG-1 to the FY11 Capital Budget
Montgomery County Government
Department of Transportation
ARRA Highway Improvements (No. 501003), \$1,029,000
ARRA Traffic Improvements (No. 501002), -\$1,029,000

Background

1. Section 307 of the Montgomery County Charter provides that any supplemental appropriation shall be recommended by the County Executive who shall specify the source of funds to finance it. The Council shall hold a public hearing on each proposed supplemental appropriation after at least one week's notice. A supplemental appropriation that would comply with, avail the County of, or put into effect a grant or a Federal, State or County law or regulation, or one that is approved after January 1 of any fiscal year, requires an affirmative vote of five Councilmembers. A supplemental appropriation for any other purpose that is approved before January 1 of any fiscal year requires an affirmative vote of six Councilmembers. The Council may, in a single action, approve more than one supplemental appropriation. The Executive may disapprove or reduce a supplemental appropriation, and the Council may reapprove the appropriation, as if it were an item in the annual budget.
2. Section 302 of the Montgomery County Charter provides that the Council may amend an approved capital improvements program at any time by an affirmative vote of no fewer than six members of the Council.
3. The County Executive recommends the following capital project appropriation changes:

<u>Name</u>	<u>Project Number</u>	<u>Project Element</u>	<u>Cost Amount</u>	<u>Source of Funds</u>
ARRA Highway Improvements	501003	PDS	\$140,000	Federal Stimulus
ARRA Highway Improvements	501003	Construction	\$889,000	Federal Stimulus
ARRA Traffic Improvements	501002	Site Improvements and Utilities	-\$1,029,000	Federal Stimulus
TOTAL			- 0 -	Federal Stimulus

4. These changes are needed because the Federal Highway Administration has advised the State and the County that Stimulus funds originally programmed in ARRA Traffic Improvements (No. 501002) for fiber optic installation are ineligible (\$600,000). In addition, actual bids for several of the projects programmed in the ARRA Traffic Improvements project are less than initially estimated, and the remaining funds need to be reallocated (\$429,000). Consequently, in order to fully utilize the ARRA funds, \$1,029,000 can be transferred to the ARRA Highway Improvements project to be used for road resurfacing. The recommended amendment is consistent with the criteria for amending the CIP because reallocating Federal Stimulus funds represent a significant opportunity which will be lost if not taken at this time.
5. The County Executive recommends that the County Council approve this supplemental appropriation and amendment to the FY11-16 Capital Improvements Program in the amount of \$1,029,000 for ARRA Highway Improvements and -\$1,029,000 for ARRA Traffic Improvements and specify the source of funds as Federal Stimulus.
6. Notice of public hearing was given and a public hearing was held.

Action

The County Council for Montgomery County, Maryland, approves the following action:

The FY11-16 Capital Improvements Program of the Montgomery County Government is amended as reflected on the attached project description forms and supplemental appropriation changes are approved as follows:

<u>Name</u>	<u>Project Number</u>	<u>Project Element</u>	<u>Cost Amount</u>	<u>Source of Funds</u>
ARRA Highway Improvements	501003	PDS	\$140,000	Federal Stimulus
ARRA Highway Improvements	501003	Construction	\$889,000	Federal Stimulus
ARRA Traffic Improvements	501002	Site Improvements and Utilities	<u>-\$1,029,000</u>	Federal Stimulus
TOTAL			- 0 -	Federal Stimulus

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council

ARRA Highway Improvements -- No. 501003

Category
Subcategory
Administering Agency
Planning Area

Transportation
Highway Maintenance
Transportation
Countywide

Date Last Modified
Required Adequate Public Facility
Relocation Impact
Status

June 11, 2010
No
None.
Final Design Stage

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY09	Est. FY10	Total 6 Years	FY11	FY12	FY13	FY14	FY15	FY16	Beyond 6 Years
Planning, Design, and Supervision	1,014	0	860	154	154	0	0	0	0	0	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	0	0	0	0	0	0	0	0	0	0	0
Construction	5,730	0	4,855	875	875	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	6,744	0	5,715	1,029	1,029	0	0	0	0	0	0

FUNDING SCHEDULE (\$000)

Fed Stimulus (State Allocation)	6,744	0	5,715	1,029	1,029	0	0	0	0	0	0
Total	6,744	0	5,715	1,029	1,029	0	0	0	0	0	0

DESCRIPTION

This project provides for paving and resurfacing of various primary roads within the County that are in the Federal Aid System and to be funded under the American Recovery and Reinvestment Act (ARRA) Federal economic stimulus program. Approximately 45 lane miles on stretches of road throughout the County will be resurfaced including: (1) Barnesville Road from Mt. Ephraim Road to FT117 Bucklodge Road; (2) Shady Grove Road from 1270 to Damestown Road; (3) Forest Glen Road from MD97 - Georgia Avenue to Brunett Avenue; (4) Old Columbia Pike from MD198/Spencerville Road to US29-Columbia Pike ramp; (5) Randolph Road East of Nebel Street; (6) Travilah Road from River Road to Dufief Mill Road; and (7) Wightman Road from Brink Road to Goshen Road as actual pavement conditions and associated funding allows.

ESTIMATED SCHEDULE

Work to be completed in FY11.

COST CHANGE

Increase due to addition of the Travilah Road and Wightman Road projects with funds made available from the transfer of \$1,029,000 from ARRA Traffic Improvements (No. 501002).

JUSTIFICATION

The repair of the County's primary and arterial roadway infrastructure is critical to mobility throughout the County. In addition, the state of disrepair of the primary and arterial roadway system causes travel delays, increased traffic congestion, and compromises the safety and ease of travel. Well maintained road surfaces assist in the relief of traffic congestion.

The March 2008 "Report of the Infrastructure Maintenance Task Force" identified an annual resurfacing program level of effort based on a 12 year resurfacing frequency.

OTHER

Plans and Studies:

Montgomery County completed a countywide Pavement Management Study in FY08 that physically inspected and rated all County maintained roadways. An independent consultant, specializing in pavement management, conducted all physical inspections and developed subsequent ratings based on levels of observed pavement distress (type and extent), average daily traffic (ADT) and designation as an emergency route.

FISCAL NOTE

Funding is provided under the Federal economic stimulus ARRA, Local Highway Allocation, awarded to the County through a Highway Improvements Program grant. Total grant funds are \$8.49M and do not require a County match. See the ARRA Traffic Improvements project (#501002) for the remainder of the grant.

Conditions precedent to disbursement of the grant require the State of Maryland to approve planning, specifications and estimates as well as the low, responsive and responsible bidder for construction.

OTHER DISCLOSURES

- A pedestrian impact analysis will be performed during design or is in progress.

APPROPRIATION AND EXPENDITURE DATA	COORDINATION	MAP																																																			
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ARRA Traffic Improvements -- No. 501002

Category	Transportation	Date Last Modified	June 11, 2010
Subcategory	Traffic Improvements	Required Adequate Public Facility	No
Administering Agency	Transportation	Relocation Impact	None.
Planning Area	Countywide	Status	Under Construction

EXPENDITURE SCHEDULE (\$000)

Cost Element	Total	Thru FY09	Est. FY10	Total 6 Years	FY11	FY12	FY13	FY14	FY15	FY16	Beyond 6 Years
Planning, Design, and Supervision	0	0	0	0	0	0	0	0	0	0	0
Land	0	0	0	0	0	0	0	0	0	0	0
Site Improvements and Utilities	1,746	0	0	1,746	1,746	0	0	0	0	0	0
Construction	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0
Total	1,746	0	0	1,746	1,746	0	0	0	0	0	0

FUNDING SCHEDULE (\$000)

Fed Stimulus (State Allocation)	1,746	0	0	1,746	1,746	0	0	0	0	0	0
Total	1,746	0	0	1,746	1,746	0	0	0	0	0	0

OPERATING BUDGET IMPACT (\$000)

Maintenance	15	0	3	3	3	3	3	3	3
Energy	55	0	11	11	11	11	11	11	11
Net Impact	70	0	14						

DESCRIPTION

This project provides for various traffic improvements to be funded under the American Recovery and Reinvestment Act (ARRA) Federal economic stimulus program.

- (1) Streetlight Installation on MD 124 (\$743,000) - Installation and energizing of pedestrian lights (approximately 115) along MD 124 between Lindberg Drive and Rosewood Manor Lane.
- (2) Traffic Signals UPS/BBU (\$520,000) - Deployment of Uninterruptible Power Supply (UPS) / Battery Backup (BBU) at approximately 50 traffic signals.
- (3) Traffic Sign Upgrades (\$236,000) - Upgrade or replacement of traffic warning signs with fluorescent micro-prismatic sign sheeting.
- (4) Guard Rail End Treatments (\$247,000) - Replacement of deficient and/or substandard guardrail end treatments along the Federal-aid network to meet current standards (approximately 75).

ESTIMATED SCHEDULE

All projects are scheduled for completion in FY11. Work on the streetlight project will commence upon the completion of the State's MD124 reconstruction project.

COST CHANGE

The Advance Transportation Management System (ATMS) (Fiber Optics-\$600,000) project was deleted due to Federal ineligibility. Project allocations were revised in June 2010 based on actual bids and excess funds (\$429,000) along with the above mentioned ATMS funds were transferred to ARRA Highway Project (No.501003)

JUSTIFICATION

- (1) Streetlight Installation on MD 124, Maryland State Highway Administration (MSHA) is currently reconstructing this stretch of road, which is suburban with numerous commercial zones, but is not installing lighting as part of their project. Installation of streetlights along MD 124 between Lindberg Drive and Rosewood Manor Lane will improve safety. At the County's request, MSHA has agreed to install conduits and handboxes for a pedestrian lighting system. County will install and energize the lights.
- (2) Traffic Signals UPS/BBU mitigates the vulnerability of the traffic control system due to loss of electrical power during storms or in the case of an evacuation.
- (3) Traffic Sign Upgrades improves visibility and traffic safety, particularly during low light and inclement weather situations.
- (4) Guard Rail End Treatments improves traffic safety and reduces the severity of run-off-the-road accidents.

Plans and Studies:

Streetlight Installation on MD 124: MSHA Contract No. MO6325171

Traffic Signals UPS/BBU: Concept of Operations, Version: Revision I, dated February 8, 2007; System Requirements, Version: Revision F, dated May 15, 2007

Traffic Sign Upgrades: Manual on Uniform Traffic Control Devices

Guard Rail End Treatments: Current MSHA guardrail standards and Montgomery County Department of Transportation 2004 guardrail study.

FISCAL NOTE

Funding is provided under the Federal economic stimulus ARRA, Local Highway Allocation, award to the County through a Highway Improvements Program grant. Total grant funds are \$8.49M and do not require a County match. See the ARRA Highway Improvements project (No. 501003) for the remainder of the

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ARRA Traffic Improvements -- No. 501002 (continued)

grant.

Conditions precedent to disbursement of the grant require the State of Maryland to approve planning, specifications and estimates as well as the low, responsive and responsible bidder for construction.

OTHER DISCLOSURES

- A pedestrian impact analysis will be performed during design or is in progress.

**Amendment to the FY11-16 Capital Improvements Program & Supplemental Appropriation
#1-S11-CMCG-1 to the FY11 Capital Budget**

ARRA TRAFFIC IMPROVEMENTS (#501002)

<u>INITIAL PROJECT / COST ESTIMATES</u>		<u>REVISED PROJECT / COST ESTIMATES</u>		<u>DIFFERENCE</u>
1 ATMS Fiber Optics Installation of fiber optic cable plant along US29 corridor (Briggs Chaney Rd to Howard County line)	\$600,000	Deleted - Determined Ineligible	\$0	(\$600,000)
2 Streetlight Installation (MD124) Installation of approx. 115 Pedestrian lights (Lindberg Dr to Rosewood Manor La)	\$1,100,000	Cost reduced based upon actual bid prices	\$743,000	(\$357,000)
3 Traffic Signals UPS / BBU Deployment of Uninterruptible Power Supply/Battery Backup @ approx. 40 traffic signal control cabinets	\$600,000	Cost reduced based upon actual bid prices Due to reduced costs, will be able to deploy at an additional 10 sites (from 40 to 50)	\$520,000	(\$80,000)
4 Traffic Sign Upgrades Upgrade/replacement of warning signs with flourescent micro-prismatic sheeting to improve traffic safety	\$250,000	Cost reduced based upon actual bid prices	\$236,000	(\$14,000)
5 Guard Rail End Treatments Replacement of deficient/substandard guardrail end treatments along Federal Aid network to meet current standards (approx. 75)	\$225,000	Cost increased based upon actual bid prices	\$247,000	\$22,000
TOTAL	\$2,775,000		\$1,746,000	(\$1,029,000)

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REDUCTION [\$1,029,000] IN ARRA TRAFFIC PROJECT TRANSFERRED TO ARRA HIGHWAY PROJECT

ARRA HIGHWAY IMPROVEMENTS (#501003)

<u>INITIAL PROJECT / COST ESTIMATES</u>		<u>REVISED PROJECT / COST ESTIMATES</u>		<u>DIFFERENCE</u>
1 Primary Roads: Paving & Resurfacing (roads in Federal Aid System) Barnesville Rd.: Mt. Ephraim Rd to Rt 117 Bucklodge Rd Shady Grove Rd: I270 to Darnestown Rd Forest Glen Rd: MD97 Georgia Ave to Brunnett Ave Old Columbia Pike: MD198 Spencerville Rd to US29 Columbia Pike ramp Randolph Rd: E. of CSX crossing to Rock Creek Bridge	\$5,715,000	No Change to initial allocation	\$5,715,000	\$0
	\$0	2 Transfer of funds from ARRA Traffic Project Primary Roads: Paving & Resurfacing (2 roads in Federal Aid System added) Travilah Rd: River Rd to Duffel Mill Rd Wightman Rd: Brink Rd to Goshen Rd	\$1,029,000	\$1,029,000
TOTAL	\$5,715,000		\$6,744,000	\$1,029,000