

RESOLUTION NO. 2696

A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE MAYOR TO SIGN AN INTERGOVERNMENTAL AGREEMENT WITH METRO FOR A FEDERAL FUND EXCHANGE ASSOCIATED WITH THE I-5 PEDESTRIAN (AND BIKEWAY) BRIDGE (CAPITAL IMPROVEMENT PROJECT #4202).

WHEREAS, the City has planned and budgeted for Capital Improvement Project (CIP) #4202, known as the I-5 Pedestrian Bridge project (the Project); and

WHEREAS, the Project includes preliminary engineering, environmental due diligence, and property acquisition work necessary to ready the project for construction; and

WHEREAS, the Project was awarded federal funds through Metro's Regional Flexible Funds Allocation (RFFA) program for the Project in the amount of \$1.55 million; and

WHEREAS, the Kinsman Road Extension (Kinsman Project) (CIP #4004) is a federally funded project for which the City provided significant local funding in excess of the federal funding requirement for minimum local match, called overmatch;

WHEREAS, the City provided sufficient local overmatch for the Kinsman Project to exchange with the federal funds awarded to the Project; and

WHEREAS, the fund exchange will "defederalize" the Project and provide the Project both cost and schedule efficiencies; and

WHEREAS, the City of Wilsonville is required to enter into Intergovernmental Agreement (IGA) No. 935323 with Metro, attached hereto and incorporated herein as **Exhibit 1**, to complete the fund exchange and ensure the exchanged local funds are expended on the Project as set forth in the City's RFFA application (included with the IGA as Attachment 1 to Exhibit A – Scope of Work).

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. The City Council does hereby approve and authorize the Mayor to sign Intergovernmental Agreement No. 935323 between the City of Wilsonville and Metro to ensure the project known as the I-5 Pedestrian

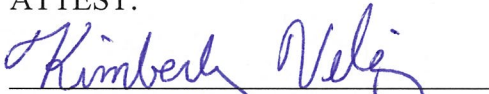
Bridge (CIP #4202), now financed with local funds, proceeds as set forth in the City's RFFA application. A copy of Intergovernmental Agreement No. 935323 marked **Exhibit 1** is attached hereto and incorporated herein.

2. This resolution becomes effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 16th day of July 2018, and filed with the Wilsonville City Recorder this date.


Tim Knapp, Mayor

ATTEST:


Kimberly Veliz, City Recorder

SUMMARY OF VOTES:

Mayor Knapp	Yes
Council President Starr	No
Councilor Stevens	Yes
Councilor Lehan	Yes
Councilor Akervall	Excused

Attachment:

1. Exhibit 1 – IGA No. 935323



Metro

600 NE Grand Ave.
Portland, OR 97232-2736

Intergovernmental Agreement

Metro Contract No. 935323

Project: I-5 Bike/Ped O-xing: SW Barber-SW Town Center Loop

This Intergovernmental Agreement (the Agreement) is between **Metro**, a metropolitan service district organized under the laws of the State of Oregon and the Metro Charter, located at 600 N.E. Grand Avenue, Portland, Oregon 97232-2736, and the **City of Wilsonville**, referred to herein as "the City," located at 29799 S.W. Town Center Loop, E, Wilsonville, Oregon 97070.

1. Background

Metro is the federally mandated metropolitan planning organization (MPO) designated by the Governor to develop an overall transportation plan for the region. The Metropolitan Transportation Improvement Program (MTIP) documents how all federal transportation money is spent in the Portland metropolitan area. It also documents state- and locally-funded projects that may significantly affect the region's air quality. As the MPO for the Portland region, Metro is required to prepare the MTIP documenting funded projects scheduled for the next four years.

Regional flexible funds are money from the federal government that may be used for a wide range of projects. These funds come from three federal grant programs. Surface Transportation Block Grant Program (STBG) funds may be used for projects to preserve and improve conditions and performance on public roads, pedestrian and bicycle infrastructure, and transit capital projects. Congestion Mitigation/Air Quality Program (CMAQ) funds may be used for surface transportation projects and other related efforts that contribute air quality improvements and provide congestion relief. Transportation Alternatives Program (TAP) funds may be used for programs and projects defined as transportation alternatives, including on- and off-road pedestrian and bicycle facilities, infrastructure projects for improving non-driver access to public transportation and enhanced mobility, community improvement activities and environmental mitigation.

In 2016, the Metro Council adopted the recommendation of the Joint Policy Advisory Committee on Transportation and authorized funding of the 2019-21 Regional Flexible Funds ("RFF") Allocation projects and programs (Metro Resolution No. 16-4756). The City of Wilsonville – I-5 Walking and Biking Bridge ("the Project") was included in the 2019-21 RFF allocation. The total RFFA award amount is \$1,550,000, excluding the local match. A copy of the City's application for the Project is attached to this Agreement's Scope of Work.

On May 1, 2018, the City proposed to replace the Project's RFFA funds with local funds and to apply the RFF funds to the construction phase of an existing federally funded project – Kinsman Rd.: SW Boeckman – SW Barber (key 14429). Metro has agreed to the proposal and will take all necessary steps to exchange the funds, including facilitation of an amendment to the 2018-2021 MTIP.

The purpose of this Agreement is to ensure the Project, now financed with local funds, proceeds as set forth in the City's RFF application.

2. Term

The term of this Agreement will be from the latest signature date set forth below until **September 30, 2021**, unless terminated or extended as provided in this Agreement.

3. Scope of Work

The City and Metro must perform all activities specified in the attached "Exhibit A – Scope of Work," which is incorporated into this Agreement by this reference as if set forth in full.

4. Changes to Scope of Work

The City and Metro authorize Metro's Planning and Development Director or Deputy Director and the Wilsonville Community Development Director or other defined designee to modify the Scope of Work, upon mutual agreement,



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provided that there are no changes to the City's contribution nor substantial changes to the schedule covered by the Scope of Work and so long as the change does not require adoption by JPACT or the Metro Council.

The City will deliver the I-5 Walking and Biking Project with local funds and cannot request funding from Metro for the purposes of completing the project as awarded in the 2019-2021 RFFA.

5. Records Maintenance

The City must maintain all fiscal records relating to this Agreement in accordance with generally accepted accounting principles ("GAAP"). In addition, the City must maintain any other records pertinent to this Agreement in such a manner as to clearly document the City's performance. The City must retain and keep accessible all such fiscal records, books, documents, timesheets, papers, plans, and writings for a minimum of six (6) years, or such longer period as may be required by applicable law, following final payment and termination of this Agreement, or until the conclusion of any audit, controversy or litigation arising out of or related to this Agreement, whichever date is later.

6. No Third-Party Beneficiary

Except as set forth herein, this Agreement is between the Parties and creates no third-party beneficiaries. Nothing in this Agreement gives or will be construed to give or provide any benefit, direct, indirect, or otherwise to third parties unless third persons are expressly described as intended to be beneficiaries of its terms.

7. Indemnity

To the extent permitted by Oregon law and subject to the limitations of the Oregon Tort Claims Act and the Oregon Constitution, the City agrees to indemnify and defend Metro and hold Metro, its agents, employees and elected officials harmless from any and all claims, demands, damages, actions, losses, and expenses, including attorney's fees at trial and on appeal, arising out of or in any way connected with its performance of this Agreement.

8. Oregon Law, Dispute Resolution, and Forum

This Agreement is to be construed according to the laws of the State of Oregon. The City and Metro shall negotiate in good faith to resolve any dispute arising out of this Agreement. If the Parties are unable to resolve any dispute within fourteen (14) calendar days, the Parties shall attempt to settle any dispute through mediation. The Parties shall attempt to agree on a single mediator. The cost of mediation will be shared equally. If the parties agree on a mediator, the mediation must be held within 60 days of selection of the mediator unless the Parties otherwise agree. If the Parties cannot agree on a mediator, or the matter is not settled during mediation, the Parties will have all other remedies available at law or in equity. Any litigation between Metro and the City arising under this Agreement or out of work performed under this Agreement will occur, if in the state courts, in the Multnomah County Circuit Court, and if in the Federal courts, in the United States District Court for the District of Oregon located in Portland, Oregon.

9. State and Local Law Compliance

The City must comply with all applicable federal, state, and local laws, regulations, executive orders and ordinances applicable to the work under this Agreement. The City must comply with the State of Oregon requirements for crossing an interstate highway.

10. Discrimination Prohibited

No recipient or proposed recipient of any services or other assistance under the provisions of this Agreement or any program related to this Agreement may be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with the funds made available through this Agreement on the



Metro

600 NE Grand Ave.
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grounds of race, color, or national origin, 42 U.S.C. §2000d (Title VI), or on the grounds of religion, sex, ancestry, age, or disability as that term is defined in the Americans with Disabilities Act. For purposes of this section, "program or activity" is defined as any function conducted by an identifiable administrative unit of the City receiving funds pursuant to this Agreement.

11. Project Information

The City must share all major project information and fully cooperate with Metro, informing Metro of all keys aspects of the project including actual or potential problems or defects. Metro and the City will determine the aspects of the Project that trigger this information sharing requirement.

12. Independent Contractor Status

The City is an independent Contractor for all purposes and is entitled only to the compensation provided for in this Agreement. Under no circumstances will the City be considered an employee of Metro. The City must provide all tools or equipment necessary to carry out this Agreement, and will exercise complete control in achieving the results specified in the Scope of Work.

The City is solely responsible for its performance under this Agreement and the quality of its work; for obtaining and maintaining all licenses and certifications necessary to carry out this Agreement; for payment of any fees, taxes, royalties, or other expenses necessary to complete the work except as otherwise specified in the Scope of Work; and for meeting all other requirements of law in carrying out this Agreement.

13. Notice and Parties Representatives

The parties must address any notices permitted or required by this Agreement to the other party's representative(s) as set forth below and will be deemed received (a) on the date they are personally delivered, (b) on the date they are sent via facsimile, or (c) on the third day after they are deposited in the United States mail, postage fully prepaid, by certified mail return receipt requested. Either party may change its representative(s) and the contact information for its representative(s) by providing written.

The City's Designated Representatives:

Nancy Kraushaar, Community Development Director
Zachary Weigel, Capital Projects Engineering Manager
Barbara Jacobson, City Attorney
City of Wilsonville
29799 S.W. Town Center Loop, E
Wilsonville, OR 97070

Metro's Designated Representatives:

Grace Cho
Metro Regional Center
600 N.E. Grand Avenue
Portland, OR 97232-2736

with copy to:
Metro Attorney
600 N.E. Grand Avenue
Portland, OR 97232-2736



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14. Assignment

The City may not assign or transfer this Agreement without written permission from Metro.

15. Interpretation of Agreement

This Agreement will not be construed for or against any Party by reason of authorship or alleged authorship of any provision. The Section headings contained in this Agreement are for ease of reference only and may not be used in constructing or interpreting this Agreement.

16. Entire Agreement; Modification; Waiver

This Agreement constitutes the entire agreement between the Parties on the subject matter hereof and supersedes all prior or contemporaneous written or oral understandings, representations, or communications of every kind. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. No waiver, consent, modification, or change of terms of this Agreement will bind either Party unless in writing and signed by both Parties. Such waiver, consent, modification, or change, if made, will be effective only in the specific instance and for the specific purpose given. The failure of a Party to enforce any provision of this Agreement will not constitute a waiver by a Party of that or any other provision.

17. Choice of Law

The situs of this Agreement is Portland, Oregon. Any litigation over this Agreement will be governed by the laws of the State of Oregon and will be conducted in the Circuit Court of the State of Oregon for Multnomah County, or, if jurisdiction is proper, in the U.S. District Court for the District of Oregon.

18. No Waiver of Claims

The failure to enforce any provision of this Agreement does not constitute a waiver by Metro of that or any other provision.

19. Modification

Notwithstanding and succeeding any and all prior agreements or practices, this Agreement constitutes the entire Agreement between the parties, and may only be expressly modified in writing, signed by both parties.

20. Severability

If any clause, sentence or any other portion of the terms and conditions of this Grant Agreement becomes illegal, null or void for any reason, the remaining portions will remain in full force and effect to the fullest extent permitted by law.

21. Authority

The representatives signing on behalf of the Parties certify they are duly authorized by the Party for whom they sign to make this Agreement.

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22. Further Assurances

Each of the Parties shall execute and deliver any and all additional papers, documents, and other assurances, and shall do any and all acts and things reasonably necessary in connection with the performance of their obligations hereunder and to carry out the intent and agreements of the Parties hereto.

23. No Special or Consequential Damages

The City expressly waives any claims against Metro regarding the Scope of Work under this Agreement. In no event will Metro be liable for and the City specifically releases Metro from any liability for special, punitive, exemplary, consequential, incidental or indirect losses or damages (in tort, contract or otherwise) under or in respect of this Agreement or for any failure of performance related to the Scope of Work or this Agreement, however caused, whether or not arising from Metro's sole, joint or concurrent negligence.

24. Counterparts

This Agreement may be executed in any number of counterparts, each of which will be an original, but all of which will constitute one and the same instrument.

THE CITY, BY EXECUTION OF THIS AGREEMENT TO AGREE, HEREBY ACKNOWLEDGES THAT THE CITY HAS READ THIS AGREEMENT TO AGREE, UNDERSTANDS IT, AND AGREES TO BE BOUND BY ITS TERMS AND CONDITIONS.

City of Wilsonville

Metro

By: _____

By: _____

Printed: _____

Printed: Martha Bennett

Title: _____

Title: Chief Operating Officer

Date: _____

Date: _____

Exhibit A – Scope of Work

Metro Contract No. 935323

Metro's duties:

Metro will support and facilitate the City's fund exchange proposal.

The City's duties:

The City agrees to deliver the project as described in the 2019-2021 RFFA application and awarded funding.

The City agrees to coordinate the project work with any future I-5 Mobility Corridor Study.

The City will provide the following information to Metro and will proceed with the Project:

1. Project Title/Project Number: I-5 Pedestrian Bridge (Project #4202) – The project consists of preliminary engineering, environmental due diligence, and property acquisition for a pedestrian and bicycle bridge over Interstate 5 connecting S.W. Barber Street and the Wilsonville Town Center necessary to make the project construction ready, subject to availability of construction funds.

2. Estimated budget at time of award:

Total Cost of Project:	\$2,250,000
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3. Budget by phase:

Preliminary Engineering	\$1,550,000
Environmental Permitting	\$50,000
Property Acquisition	\$550,000

Metro Award Amount by Phase:	
Preliminary Engineering	\$ 1,550,000
Environmental Planning	\$ 0
Property Acquisition	\$0

Preliminary Project Schedule:	
Preliminary Engineering:	February 2019 – March 2021
Environmental Planning:	January 2020 - June 2020
Property Acquisition:	September 2020 - September 2021

4. Project Location: Interstate 5 at S.W. Barber Street and S.W. Boones Ferry Road Intersection and at S.W. Town Center Loop West. Beginning at Interstate 5 milepost 284.4 and ending at milepost 284.2 in Wilsonville, Clackamas County.

5. The City agrees to submit to Metro the following project deliverables:

Instruction: The Project Deliverables includes the work and requirements the City will undertake. The original Regional Flexible Fund Application and project budget is attached for reference.

- Phase 1: Pre-construction activities including design, permits, construction documents and contractor selection:
- The City will submit 30%, 60%, 90% and final design documents to Metro staff for review and notify Metro when permits are acquired.

Exhibit A – Scope of Work

Metro Contract No. 935323

- The City will submit an updated cost estimate with each plan set.
 - The City will submit an updated timeline based on final design documents.
 - The design of the project must be consistent with industry design standards.
- Phase 2: Right-of-way easements and acquisition (if completed).
 - The City will submit the final adopted survey filed with assessment OR document of legal conveyance of easement.
 - The City must substantially comply with the Federal Acquisition Guidelines.
 - The City will comply with the State of Oregon's requirements for temporary construction easements, permanent right-of-way, and interstate highway crossings.
- 6. The City agrees to submit to Metro regular progress reports. The reporting requirements are below:
 - a) Quarterly Progress Reports: In addition to the Project Deliverables set forth above, once work has begun, the City must provide to Metro a progress report, documenting the status of the Project. The City must submit the progress report to Metro quarterly and when Project Deliverables are met.
 - b) The City must include the following details in all progress reports:
 - i. An account of the work accomplished to date.
 - ii. A statement regarding the City's progress on meeting benchmarks.
 - iii. The percentage of the Project completed.
 - iv. A statement as to whether the Project is on schedule or behind schedule.
 - v. A description of any unanticipated events.
 - c) The City must submit all progress reports in a memorandum format with the title of "Progress Report: (insert name of project) or in another Metro approved and documented reporting method.
 - d) Final Report:

The City must submit a final report within sixty (60) days of the earlier of (a) the Project completion date or (b) the expiration date of the Intergovernmental Agreement. The final report must include:

 - i. Full and final accounting of all expenditures.
 - ii. The value and source of all matching funds.
 - iii. A description of work accomplished.
 - iv. Volunteer hours and participation (if applicable).
 - v. Project photos (including a photo of the signage acknowledging Metro during construction), if used.
 - e) The final report submitted by the City must be in the Final Report Form provided by Metro unless Metro approves in writing another reporting method.

Exhibit A – Scope of Work

Metro Contract No. 935323

**ATTACHMENT 1
FUND APPLICATION
FOLLOWS**



Active Transportation & Complete Streets Projects

Name of Project I-5 Pedestrian & Bikeway Bridge (Town Center Loop to Barber Street)

(project name will be adjusted to comply with ODOT naming convention if necessary)

Project application

The project application provides in depth process, location and project definition details and serves as the nomination form for project funding consideration. **Project applications should be kept to 12 pages total per project.** The application form is available electronically at: <http://www.oregonmetro.gov/rffa>. Please complete the following:

Project Definition

Project Description

- Facility or area: street(s), intersection(s), path or area. Interstate 5 at SW Barber Street and SW Boones Ferry Road Intersection and at SW Town Center Loop West
- Beginning facility or milepost. 284.4 (Interstate 5)
- Ending facility or milepost. 284.2 (Interstate 5)
- Provide a brief description of the project elements. The project consists of a new 14-foot wide pedestrian and bicycle bridge spanning 290 feet over SW Boones Ferry Road and Interstate 5, connecting SW Barber Street with SW Town Center Loop West. The bridge approaches will include retaining walls and be constructed to meet ADA standards with a grade of less than 5% and will tie into existing pedestrian and bike facilities on SW Barber Street, SW Boones Ferry Road, and SW Town Center Loop West. The project will include a public art component, relocation of conflicting utilities and the collection and treatment of stormwater runoff.
- City (ies). Wilsonville
- County(ies). Clackamas

Base project information

- Corresponding RTP project number(s) for the nominated project. 11554
- Attach a completed Public Engagement and Non-discrimination checklist (Appendix A).
- Purpose and need statement (The purpose and need statement should address the criteria as they apply to the project, for example: increase non-auto trip access to essential services in the X town center, particularly for the high concentration of Y and Z populations in the project area). The project purpose is to increase safety and volume of non-auto trip access to essential services in the Wilsonville 2040 Town Center, SMART Central Station and WES commuter rail, employment areas, and educational resources, particularly for the elderly, disabled, and disadvantaged populations within and around the project area.

- Attach a completed Active Transportation Design checklist (Appendix C).
- Description of post implementation measurement of project effectiveness (Metro staff is available to help design measurement methodologies for post-construction project criteria performance).
 - Decrease in combined total local vehicle trips crossing Interstate 5 between west and east Wilsonville at Boeckman Road and Wilsonville Road, accounting for population growth.
 - Increase in pedestrian and bike trips on Barber Street between Boones Ferry Road and Boberg Road.
 - Increase in combined total pedestrian and bike trips crossing Interstate 5 at Boeckman Road, new ped/bike bridge, and Wilsonville Road.
 - Increase in total pedestrian and bike trips to and from SMART Central Station and WES commuter rail.

Project Cost and Funding Request Summary

- Attach a completed Cost Methodology workbook (Appendix E) or alternative cost methodology. Describe how the project cost estimate was determined, including details on project readiness and ability for project funding to be obligated within the 2019-21 timeframe. Reference availability of local match funds, status of project development relative to the requirements of federal-aid projects, and indicators of political and community support

The RFFA funding request is for Preliminary Engineering, Environmental, and ROW acquisition to make the I-5 Pedestrian and Bikeway Bridge project shovel ready for construction. In 2013, the City in consultation with OBEC Consulting Engineers performed conceptual design and cost estimating of three bridge types. In 2015, the bridge cost estimates were updated and a preliminary engineering, environmental, and ROW acquisition scope of work and schedule developed (See attached supporting information). As a result, the project is ready to enter into the preliminary engineering phase of work immediately.

Data from the conceptual design was input into the RFFA Cost Estimate Workbook (See attached Appendix E) to determine the project cost. Although the RFFA funding request does not include construction, the City is planning for self-funded construction within 10 years of preliminary engineering funds being obligated in accordance with FHWA requirements. Beginning next fiscal year, the City will begin to set aside funds specific to the construction of the I-5 Pedestrian and Bikeway Bridge project at an average rate of \$550,000 per year, fully funding construction within 10 years of the PE fund obligation. At the end of the City’s 5-year capital improvement plan forecast, adopted as part of the City’s FY16/17 Budget, the I-5 Pedestrian and Bikeway Bridge project account balance is \$1,842,500 in Street System Development Charges. This amount will fund the City’s match for the RFFA request and begin building a healthy reserve for construction.

Although the City is planning for self-funded construction, the City will continue to pursue all federal funding and private investment opportunities utilizing the City’s project set aside account as a source of matching funds to help construct the bridge on a shorter timeframe.

The project has been through an extensive public approval process being identified as a high priority project in the adopted 2013 Transportation System Plan. It also is identified as one of the

City's top bike and pedestrian needs in the adopted 2013 Bicycle & Pedestrian Connectivity Action Plan. This project is also included in the 2014 Metro Regional Transportation Plan (RTP ID No. 11554) identified as a significant improvement to the regional active transportation system.

The Wilsonville City Council has provided support for this project and Resolution No. 2598 authorizing staff to apply for regional flexible funding for the design and construction of the I-5 Pedestrian and Bikeway Bridge project is included as part of this proposal.

- **Total project cost**
(Include and describe any cost elements beyond those funded by the request + match):
The total project cost is \$9.1 Million. The RFFA funding request is for preliminary engineering, environmental permitting, and right-of-way acquisition with a total project cost of \$2.25 Million. Future construction costs are estimated at \$6.85 Million.
- **RFFA funding request by project phase:**
(e.g. Project Development, P.E., Environmental, ROW acquisition, Construction)
Preliminary Engineering Phase: \$1,550,000 (total including City match)
Environmental Permitting Phase: \$50,000 (total including City match)
ROW Acquisition Phase: \$650,000 (total including City match)
Total request: \$2,250,000 (total including City match)
- **Local match or other funds**
(minimum match = 10.27% of funds requested + match):
Total City match: \$700,000, 31.11% of total funding request

Map of project area

- Provide a map of the project consistent with GIS shapefile standards found in Appendix B

Project sponsor agency

- Contact information (phone # & email) for:
- Application lead staff
Zachary J. Weigel, P.E., 503 570-1565, weigel@ci.wilsonville.or.us
- Project Manager (or assigning manager)
Zachary J. Weigel, P.E., 503 570-1565, weigel@ci.wilsonville.or.us
- Project Engineer (or assigning manager)
Nancy Kraushaar, P.E., 503 570-1562, kraushaar@ci.wilsonville.or.us
- Describe the agencies record in delivering federal aid transportation projects on time and budget or whether the lead agency has failed to deliver a federal aid transportation project and if so, why. The City of Wilsonville has a long track record of successfully delivering federal aid transportation projects. These projects include:
 - Key #15108: I-5 Wilsonville Road Interchange (completed).
 - Key #16515: Barber Street – Boones Ferry to Boberg (completed).
 - Key #12400: Boeckman Road – 95th to Tooze Rd (completed).

Key #14058: Barber Street - Coffee Lake Drive to Kinsman Road (Bridge) (completed).

Key #14429: Kinsman Road - Boeckman Rd to Barber St (construction – completion June 2018).

Key #17212: Tooze Road – 110th Avenue to Grahams Ferry Road (PE - completion Dec. 2018).

Key #17264: French Prairie Bridge - Boones Ferry Rd to Butteville Rd (project development currently underway with 30% design documents scheduled for completion in June 2018).

The number of projects completed and currently underway is a good indicator of the City's success of delivering projects. The City does not have a recorded instance of failing to deliver on a federal aid transportation project.

- Describe how the agency currently has the technical, administrative and budget capacity to deliver the project, with an emphasis on accounting for the process and requirements of federal aid transportation projects.

As a non-certified agency, the City of Wilsonville retains qualified and experienced consulting firms with the technical and administrative capacity to successfully deliver federal aid transportation projects. All current Wilsonville staff, including the city engineer, civil engineers, inspectors, and administrative staff have previous experience with federal aid transportation projects, as is evidenced by the 7 federal aid projects listed above, as well as projects while working in previous other jurisdictions. As a result, Wilsonville staff is familiar with and understands the process and requirements associated with federal aid projects.

The I-5 Pedestrian and Bikeway Bridge project is identified in the City's 5-year Capital Improvement Plan (CIP) forecast, adopted as part of the City's Fiscal Year 16/17 Budget. As a result, the project is incorporated into the City's work plan with the necessary administrative and engineering staff resources assigned to manage the project. Also, the I-5 Bridge is identified as a project of high importance to the Wilsonville City Council and citizens. The City is committed to assigning resources necessary to complete the project within the timeframe proposed.

The City's adopted 5-year CIP forecast also identifies a balance of \$1,842,500 in Street System Development Charges for the I-5 Pedestrian and Bikeway Bridge project in FY2020. This will fund the City's match for the RFFA request and begin building a healthy reserve for construction.

Highest priority criteria

1. What communities will the proposed project serve? What are the estimated totals of low-income, low-English proficiency, non-white, elderly and young, and persons with disabilities populations that will benefit from this project, and how will they benefit?

The City of Wilsonville is bisected by Interstate 5, splitting the City into east and west halves connected by only 3 existing roadway crossings that are primarily designed for high volume, motorized vehicles. The I-5 Pedestrian and Bikeway Bridge provides an additional connection across Interstate 5 that is designed for active transportation modes and separated from vehicular traffic.

This new bridge crossing is proposed at a strategic location, directly linking communities west of Interstate 5 to Wilsonville's Metro designated 2040 Town Center and high tech employment centers, as well as linking communities east of Interstate 5 to the SMART Central Station, the hub of Wilsonville's transit system, south terminus of TriMet's WES commuter rail and 450-car park and ride. The bridge location optimizes transportation alternatives by providing safe, separated bike and pedestrian facilities and improved access to transit and commuter rail at a centralized location. Many communities within Wilsonville depend on these alternative transportation modes for travel within the region, including those who cannot afford or are unable to operate a passenger vehicle.

According to Regional Equity Atlas, portions of Wilsonville have a population above the regional average in poverty, with west Wilsonville at 18.2% and south Wilsonville at 7.5%. The I-5 Pedestrian and Bikeway Bridge will provide those in poverty with a safer, more direct transportation alternative to the Town Center businesses and services, including Wilsonville City Hall and Library, and high tech job opportunities and educational resources.

Additionally, Wilsonville as a whole has a higher than average number of households with low English proficiency (7.3%) and above average non-white population (25%) in eastern and southern Wilsonville. The project will provide a benefit to these communities by providing better access to local and regional transit via the WES commuter rail and SMART Central Station, jobs in the City's high tech employment areas, higher education opportunities at Oregon Institute of Technology, Clackamas Community College, Pioneer Pacific College, and regional trail systems and open space, such as the Ice Age Tonquin Trail and Graham Oaks Nature Park.

Wilsonville is home to a higher than average percentage of young persons between the age of 0 and 17 (26% – 30%). Currently, the City's only high school is located in east Wilsonville and a single middle school in west Wilsonville. The project will provide better, safer transportation choices for Wilsonville's youth in crossing Interstate 5 to get to school.

Although the Regional Equity Atlas indicates an average population of elderly, there are pockets of elderly housing adjacent to the I-5 Pedestrian and Bikeway Bridge, including the extensive Villebois neighborhood, Elder Care of Wilsonville, The Springs of Wilsonville, and Brookdale Wilsonville. This project will help to improve mobility of Wilsonville's elderly residents by providing safer more direct connections to Town Center services and shopping, as well as regional transit.

The extensive Villebois neighborhood on the west side of Wilsonville includes a number of mental health and disability housing units as part of an agreement to develop the former Dammasch State Hospital property. The I-5 Pedestrian and Bikeway Bridge provides direct, non-motorized access via Barber Street to shopping, medical facilities, and educational institutions in the Town Center area, so important to those disadvantaged populations.

2. What safety problem does the proposed project address in an area(s) with higher-than-average levels of fatal and severe crashes? How does the proposed project make people feel safer in an area with high walking and bicycling demand by removing vehicle conflicts?

The project is a key component to improving the safety of the region's multi-modal transportation network as identified in the Wilsonville Transportation System Plan and Bicycle & Pedestrian Connectivity Action Plan, as well as the Metro 2014 Regional Active Transportation Plan.

Currently, there is high demand for alternative modes of transportation crossing Interstate 5 in southern Wilsonville to better connect Wilsonville's Metro designated 2040 Town Center and high tech employment centers to the SMART Central Station and extensive Villebois neighborhood. This demand is anticipated to increase in the future as the Villebois neighborhood continues to develop, regional transit use via the SMART Central Station increases, and the Wilsonville Town Center evolves into a modern, walkable, and commercially vibrant, mixed use district.

Currently, pedestrians and bicyclists crossing Interstate 5 must navigate either the Wilsonville Road Interchange or the Boeckman Road I-5 Over-Crossing. Wilsonville Road is classified as a major arterial roadway and handles the most traffic of all City streets. The current Average Daily Traffic (ADT) of Wilsonville Road is 27,000 trips and is projected to increase to 31,000 trips by 2035. The I-5 interchange at Wilsonville Road includes 8 separate pedestrian and bike crossings and two instances of vehicle right turn lane movements crossing bike lanes.

An analysis of ODOT crash data from 1/1/2011 -12/31/2015 shows a total of 284 crashes along the Wilsonville Road corridor with three severe injuries reported. Of these crashes, 11 involved pedestrians with one severe injury and 5 involved cyclists. At the Wilsonville Road / I-5 Interchange, there were 66 crashes within the same time frame, 4 pedestrian crashes and 3 bike crashes, ranging from minor to moderate injuries.

Boeckman Road is classified as a major arterial roadway and transports a significant volume of traffic between east and west Wilsonville, approximately 8,000 ADT. Boeckman Road traffic is anticipated to increase to 15,000 trips by 2035. Originally designed as a rural farm road, the existing Boeckman Bridge crossing I-5 consists of two travel lanes and narrow shoulders. Modern bike and pedestrian facilities, such as sidewalks, bike lanes, and roadway lighting, are not provided along the Boeckman Bridge crossing Interstate 5. Analysis of the same ODOT crash data along the Boeckman Road corridor identified one pedestrian and one bicycle crash.

These existing I-5 crossings present a significant barrier for the typical bicyclist and pedestrian traveling between the east and west sides of the City. The I-5 Pedestrian and Bikeway Bridge will improve the experience and help users feel safer in walking and biking between east and west Wilsonville, by shifting the Interstate 5 crossing away from the congested, intimidating Wilsonville Road interchange and outdated Boeckman Road Over-Crossing.

The proposed bridge will connect Barber Street, a collector roadway with bike lanes and sidewalks and Town Center Loop, a major arterial roadway with an existing multi-use pathway. ODOT crash data identifies only one pedestrian crash between both the Barber Street and Town Center Loop West corridors over the last 5 years. This new multi-modal route, along with a non-motorized crossing of I-5, will eliminate conflicts with motor vehicles and freight in crossing Interstate 5, significantly reducing the frequency of bicycle and pedestrian injury crashes.

3. What priority destinations will the proposed project will serve? How will the proposed project improve access to these destinations?

Identified as a bikeway need in the ODOT Region 1 Active Transportation Assessment, this project provides a new and convenient link for Oregon’s transportation system. In addition, the project fills a gap in the bicycle and pedestrian transportation network between the west and east side of Wilsonville by directly linking Town Center Loop West with Barber Street and Boones Ferry Road.

Metro’s designated 2040 Town Center in Wilsonville is located on the east side of the proposed project. The town center area consists of a varied mix of uses, including residential populations, elderly care facilities, employment areas, shopping areas, educational institutions, medical services, and parks. Recently, two multi-family apartment complexes consisting of approximately 700 units were completed immediately north of the Town Center and would benefit from a direct connection across I-5 to west side of Wilsonville.

Many of the services located within the town center area are essential destinations for environmental justice/underserved communities within Wilsonville many of whom live on the other side of I-5. These destinations include Wilsonville City Hall and Library, medical facilities such as Providence Medical Plaza, high tech employment areas such as Xerox, Rockwell Collins, Sysco, Mentor Graphics, and Flir, education opportunities through Oregon Institute of Technology, Clackamas Community College, and Pioneer Pacific College, and regional parks such as Town Center Park and Memorial Park. Additionally, the city’s primary social service referral agency and food-bank operated by the nonprofit Wilsonville Community Sharing is located two blocks from the bridge site.

Regional publications have identified a need to better connect Wilsonville’s Town Center. The Metro Weekly Digest for July 25, 2016 includes an article titled [Dispatches: Seeing Change in 4 Oregon Communities](#) which states:

“But only three roads link the growing west and east sides of Wilsonville across the freeway. ...it remains a barrier to making the so-called Wilsonville Town Center feel like the true heart of the community, particularly since thousands of Wilsonville residents live across the freeway in neighborhoods like the fast-growing Villebois.”

West of the proposed bridge project, destinations include local and regional travel options at the SMART Central Station on Barber Street, the hub of Wilsonville’s transit system and the south

terminus of TriMet's WES commuter rail line. Improved connection to the SMART Central Station is particularly important to the elderly, disabled, and disadvantaged populations who reside in the Town Center and are dependent on local and regional alternative transportation options.

In addition, the I-5 Pedestrian and Bikeway Bridge provides access to the extensive manufacturing facilities, office parks, and supporting service industries located in western Wilsonville, including Coca-Cola, Microsoft, Convergys, and Rite Aid distribution to name a few. Other destinations include access to regional trail systems, such as the Ice Age Tonquin Trail.

4. How will the proposed project support the existing and planned housing/employment densities in the project area?

The City of Wilsonville is the fifth fastest growing city in Oregon and home to major employers such as Xerox, Sysco, Microsoft, Flir, Mentor Graphics and Rockwell Collins. The 2012 census data reports that the City has over 20,000 residents and the population nearly doubles during the day as commuters travel from around the region to work in Wilsonville.

The I-5 Pedestrian and Bikeway Bridge will serve both residents and employees by providing a safe, inviting crossing of I-5, separated from motor vehicles, improving multi-modal access between housing, such as the extensive Villebois urban village neighborhood and apartments in the Town Center area, the high tech employment centers in east Wilsonville, the manufacturing and business parks in west Wilsonville, the service oriented jobs in the Town Center area; and regional and local transit access via the SMART Central Station and WES commuter rail.

In addition to recent employment growth, new residential areas in Wilsonville are increasing demand for connectivity within the community. The Frog Pond / Advance Rd. area (500-acre residential development with 1932 homes anticipated), Coffee Creek Industrial Area (250-acre industrial development with 1800 projected jobs), Basalt Creek planning area (400-acre industrial development with 2500 projected jobs) and remaining Villebois planned development will only increase the demand for additional access points across I-5 for bicyclists and pedestrians.

Over the next couple of years, the City will be developing strategies for how the Town Center area can evolve into a more walkable, attractive, and commercially vibrant, mixed-use district. Currently, the 100-acre 1980's era commercial area is prime for redevelopment into a more modern, mixed use district, with increased housing and employment densities and supportive active transportation connections. This plan, a priority of the City Council, will culminate in a set of actions and investments. The I-5 Pedestrian and Bikeway Bridge will provide a key connection to the Town Center area and is essential to the success of its transformation.

Higher priority criteria

5. How does the proposed project complete a gap or improve a deficiency in the Regional Active Transportation network? (See Appendix 1 of the Regional ATP: Network Completion, Gaps and Deficiencies).

The I-5 Pedestrian and Bikeway Bridge completes a gap in the regional active transportation network. According to both the Regional Bicycle Network and Regional Pedestrian Network Active Transportation Plan, the project is identified as Bicycle Parkway and Pedestrian Parkway, the highest functional class for bike and pedestrian routes. The project connects two regional bicycle and pedestrian districts, Wilsonville 2040 Town Center and the SMART Central/WES Station, and removes a major barrier currently imposed by Interstate 5 between the two districts.

The project is included in Appendix 1 of the 2014 Regional Active Transportation Plan as ATP ID# D29, Wilsonville – WES Bicycle/Pedestrian District. This project is also included in the 2014 Metro Regional Transportation Plan (RTP ID No. 11554).

6. What design elements of the proposed project will lead to increased use of Active Transportation modes by providing a good user experience/increasing user comfort? What barriers will be eliminated or mitigated?

The project is a key component in the expansion of the region's multi-modal transportation system, tying the two sides of the Wilsonville community together across the barrier presented by I-5. The project will provide a safe and inviting bicycle and pedestrian crossing of I-5 that is separated from vehicular traffic and removes barriers posed by the other crossings. The bridge will lead to increased use of Active Transportation modes between the two sides of Wilsonville.

The project consists of a new 14-foot wide pedestrian and bicycle bridge spanning 290 feet over SW Boones Ferry Rd and Interstate 5, connecting SW Barber St with SW Town Center Loop West. The bridge approaches will meet ADA standards with a grade of less than 5%, making it safe, comfortable, and accessible to all residents. The bridge approaches will tie into existing pedestrian and bike facilities on SW Barber St, SW Boones Ferry Rd, and SW Town Center Loop West.

The project will incorporate at least 20 of the active transportation design guidelines of Appendix C. Where facilities are adjacent to a roadway, a minimum 5' separation will be provided. Pedestrian crossings with high visibility markings will be added at appropriate locations on Boones Ferry Road and Town Center Loop. A raised pedestrian refuge median will be provided on Town Center Loop where appropriate. Pedestrian scale lighting will be provided along the bridge and approaches. Modifications to the City's wayfinding and interpretive signage and striping will be incorporated into the project. Benches, gateway features, and street trees will be integrated into the design to create a more pedestrian and bike friendly environment.

Included as part of the project scope is an architectural and artistic design component that provides an opportunity to increase awareness of cultural or natural, historic, scenic features along the route of travel. These features are intended to enhance user experience and provide enjoyment and comfort, encouraging use of the facility and promoting active transportation throughout the community. Determination of the exact features will involve discussions with community members and groups and will be incorporated into preliminary design of the project.

7. How does the proposed project complete a so-called 'last-mile' connection between a transit stop/station and an employment area(s)?

The SMART Central Station is the hub of Wilsonville's transit system, south terminus of TriMet's WES commuter rail and 450-car park and ride. With an annual ridership of 340,000, Wilsonville's SMART system not only provides transit services throughout Wilsonville, but also provides regional connections to TriMet in Beaverton and Portland, as well as the Cherriots system in Salem. The WES commuter rail provides commuter transit service between Wilsonville and Beaverton, averaging nearly 1900 passengers per weekday.

One of the region's largest employment centers is located within Wilsonville. The 2012 census data reports that the City has over 20,000 residents and the population nearly doubles during the day as commuters travel from around the region to work in Wilsonville.

Currently, active transportation connections between these employment centers and the transit center are shared with congested roadways, are intimidating, and out of direction adding significant distance and time to access these destinations. However, the Town Center and employment areas are within a mile of the SMART Central Station as the "crow flies". The I-5 Pedestrian and Bikeway Bridge literally completes the "last mile" between local and regional transit connections and the City's main employment areas.

Also, as other employment lands within Wilsonville continue to development, such as the Town Center, Coffee Creek Industrial Area, and Basalt Creek planning area, the demand for additional access points across I-5 for bicyclists and pedestrians will only increase.

Priority criteria

8. How the public will be engaged relative to the proposed project? Include description of engagement during project development and construction, as well as demand management efforts to increase public awareness and utilization of the project post-construction. (Metro Regional Travel Options staff is available to help design an effective and appropriate level of education and marketing for your project nomination).

The project includes extensive public involvement throughout the development and construction of the project. During project development, the City will implement the public engagement and non-discrimination checklist in Appendix A and the Public Engagement Quick Guide to ensure broad based, early and continuing public involvement throughout the project. The City will publish and update regularly a project website, provide public open houses and forums for public input, post project information and documents to the City website for public review and comment, post project updates and notices through local publications, such as the Boones Ferry Messenger, and press releases through social media, maintain a list of interested and affected groups, compile public comments and responses, and other outreach as needed. Visual aids will be utilized to help condense complex information and material in a visible, easy to understand format. A

demographic analysis will be conducted to make sure communities of color, limited English proficiency, low-income populations, disabled, seniors and youth are included in engagement opportunities.

Throughout construction, the City will continue regular update of the project website and publish notices through local publications. In addition, the City will install project information signs with contact information and utilize door hangers and mailers to affected residents and businesses, and other outreach as needed.

Post-construction, the City will utilize ongoing demand management efforts to increase public awareness and utilization of the project. These efforts include an update of City maps, bikeway and pedestrian guides, wayfinding signage and striping, and public notices in local publications and press releases through email and social media. The City will work with other agencies and businesses, such as SMART and the business community to educate riders and employees on alternative transportation methods and routes. This type of outreach has proved to be very successful in the past with businesses such Microsoft, Xerox, and Mentor Graphics.

9. What additional sources of funding, and the amounts, will be leveraged by an investment of regional flexible funds in the proposed project?

The total cost to complete the project according to the RFFA Cost Estimate Workbook is \$9.1 Million. The RFFA funding request is for Preliminary Engineering, Environmental, and ROW acquisition to make the project shovel ready for construction. The total project cost for this work is \$2.25 Million, with \$1.55 Million in federal aid and \$700,000 in City street system development charges as the match. For this preliminary phase of the work, the City is proposing a 31.11% match of the total funding request.

To complete the project through construction, the City is planning for self-funded construction within 10 years of preliminary engineering funds being obligated in accordance with FHWA requirements. Beginning next fiscal year, the City will begin to set aside funds specific to the construction of the I-5 Pedestrian and Bikeway Bridge project at an average rate of \$550,000 per year, fully funding construction within 10 years of the PE fund obligation. The City's 5-year capital improvement plan forecast, adopted as part of the City's Fiscal Year 16/17 Budget, includes an I-5 Pedestrian and Bikeway Bridge project account balance of \$1,842,500 utilizing Street System Development Charges in FY2020. This amount will fund the City's match for the RFFA request and begin building a healthy reserve for construction.

Although the City is planning for self-funded construction, the City will continue to pursue all federal funding and private investment opportunities utilizing the City's project set aside account as a source of matching funds to help construct the bridge on a shorter timeframe.

10. How will the proposed project provide people with improved options to driving in a congested corridor?

Currently, all pedestrian and bicycle traffic moving from one side of Wilsonville to the other are funneled through three existing I-5 street crossings, the Elligsen Road interchange, the Boeckman Road Overcrossing, and the Wilsonville Road interchange. The existing Elligsen Road interchange is located approximately 1.3 miles north of the Boeckman Road I-5 Over-Crossing, too far north of significant residential neighborhoods and the transit center, as well as being too distressing for bikes and pedestrians to navigate the interchange to be considered a viable active transportation crossing connecting the east and west sides of south Wilsonville.

The existing Boeckman Road I-5 Over-Crossing is generally unimproved, consisting of narrow bike lanes and lacking sidewalks. While the Wilsonville Road undercrossing has modern bike lanes and wide sidewalks, the roadway is Wilsonville's busiest roadway, carrying 27,000 vehicle trips per day over six lanes of travel, consistent with an urban interstate interchange. During the PM peak hour of traffic, Interstate 5 consistently backs up due to an existing bottleneck at the Boone Bridge crossing of the Willamette River. Due to the proximity of the Wilsonville Road Interchange to this bottleneck, Wilsonville Road becomes severely congested, blocking major intersections such as Boones Ferry Road, causing significant delay on almost a daily basis for traffic traveling in southern Wilsonville. The frequent congestion and blockage not only leads to frustrated drivers, but creates an unsafe situation for bikes and pedestrians where drivers are less likely to pay attention to other modes of travel. As a result, it makes it increasingly difficult for pedestrians and bicyclists to navigate safely and comfortably on Wilsonville Road.

The I-5 Pedestrian and Bikeway Bridge will provide a safe, inviting, and less-congested I-5 crossing alternative that is separated from vehicular traffic. The transition from local vehicle trips on Wilsonville Road to non-motorized trips utilizing the I-5 Pedestrian and Bikeway Bridge will also improve the existing roadway capacity and reduce transportation delay.

Process

- Describe the planning process that led to the identification of this project and the process used to identify the project to be put forward for funding consideration. (Answer should demonstrate that the process met minimum public involvement requirements for project applications per Appendix A)

For the past decade, Wilsonville has identified the I-5 Pedestrian and Bikeway Bridge as a high priority multi-modal transportation improvement. The proposed project is consistent with the following adopted plans.

Bicycle and Pedestrian Master Plan (2006) - Medium priority, project C4 on page 22.

Transportation System Plan (2013 TSP) - High priority, project BW-09 on page 5-12

Bicycle & Pedestrian Connectivity Action Plan (2013) - High priority, project no. 13

Metro Regional Transportation Plan (2014): Active transportation project on the financially constrained project list (RTP ID No. 11554)

The project has been through a robust planning process as part of the Wilsonville TSP, Bike/Ped Action Plan and METRO RTP that included all actions identified in the attached Public Engagement and Non-Discrimination Certification - Appendix A with one exception. Although the City is in compliance with Title VI of the Civil Rights Act during the Wilsonville TSP process and at no time discriminated against regarding the receipt of benefits or services because of race, color, national origin, sex, age or disability, a statement of non-discrimination was not included on public engagement reports or notices. However, the non-discrimination statement will be included on all project public engagement efforts throughout the course of the project.

The I-5 Pedestrian and Bikeway Bridge project was selected for funding consideration by first identifying all projects in the Wilsonville TSP and Bike/Ped Action Plan that would likely need to be supplemented with federal aid funding to ensure project completion. All identified projects were compared with the MTIP RFFA criteria and staff recommendations presented to the Wilsonville City Council. Council directed staff through Resolution No. 2598 (attached) to apply for regional flexible funding for the design and construction of the I-5 Pedestrian and Bikeway Bridge project, judging it best fit the RFFA criteria and determining it the top priority.

- Describe how you coordinated with regional or other transportation agencies (e.g. Transit, Port, ODOT, Metro, Freight Rail operators, ODOT Region 1, Regional Safety Workgroup, and Utilities if critical to use of right-of-way) and how it impacted the project location and design.

The I-5 Pedestrian and Bikeway Bridge will be located within ODOT property as it crosses over Interstate 5. In 2013, the City began initial discussion with ODOT regarding the project that helped guide the conceptual design work. During the proposed preliminary engineering work, further ODOT coordination and agreement is necessary to determine the required bridge clearance and permissible locations for placement of bridge supports within the ODOT right-of-way. Approval from FHWA will also be required to cross Interstate 5, who will be engaged during the project.

6. Project Summary Sheet

I-5 Pedestrian and Bikeway Bridge

Over Interstate 5 between Town Center Loop West and Barber Street

A new 14-foot wide bike and pedestrian bridge spanning over Interstate 5 connecting the east and west sides of Wilsonville and separated from vehicular traffic.

City of Wilsonville

6.A - Cost Summary in 2007\$

	Item Total	Phase Total
<u>Preliminary Engineering (PE)</u>		\$1,562,347
Surveying, design, coordination	\$1,115,962	
Contingency at 20%	\$223,192	
Administration at 20%	\$223,192	
<u>Right-of-Way (ROW)</u>		\$604,800
Right-of-Way (moderate confidence)	\$432,000	
Contingency at 40%	\$172,800	
Right-of-Way (low confidence)	\$0	
Contingency at 50%	\$0	
<u>Construction (Const)</u>		\$6,249,389
Construction (Section 1)	\$3,719,874	
Contingency at 20%	\$743,975	
Environmental (Section 2)	\$0	
Contingency at 20%	\$0	
Construction Engineering	\$743,975	
Contingency at 20%	\$148,795	
Administration at 20%	\$892,770	
	Total	\$8,416,536

6.B - Funding Summary by Year of Expenditure

Phase		2007 Dollars	YOE Year	Escalation	YOE Cost
Preliminary Engineering	PE	\$ 1,562,347	2019	1.52%	\$ 1,586,041
Right-of-Way	ROW	\$ 604,800	2020	5.58%	\$ 638,531
Construction	Const	\$ 6,249,389	2021	9.80%	\$ 6,861,846
Total		\$ 8,416,536			\$ 9,086,417