

Workshop Meeting



To: Town Council

From: Travis Morgan

Date: 2/27/2023

Re: **Johnston Road Additional Grant and Time** (Informational/Action Item)

Background:

The Johnston Road realignment project was split into two parts as required by NCDOT. This was noted because the funds (State STP-DA funds) would only cover the immediate area around a state road (Main Street) and not a portion of the Town Road section. Part "A" was the intersection and around Main Street. I was able to secure \$1.175 million with the town paying the remainder or the minimum 20% required town matching funds within Part A. The project had a state project number of EB-5949 assigned.

Part B was southern portion to be Town funded around Childers Lane and was not covered in the original grant.

Proposal:

Ryan was able to get an additional \$1.435 million in grant funds from FHWA or Federal dollars for the EB-5949 realignment project. This was to cover Part B of the remaining projects projected cost. These additional funds needed to be in association with a state numbered project. We were hoping the project would be looked at as the greater or total project. That appears not the case. EB-5949 only includes Part A limits of the project. We cannot use both grants (1.175M and 1.435M) within Part A. Below are the options per NCDOT:

Option 1, the Town contacts the MPO and ask them to create a new project (EB-5949A) as the southern portion of this realignment, which was previously the Town's responsibility. Then have them move the original BGDA funds for EB-5949 (\$1,175,000 @ 80% & \$293,750 @ 20% Local Match) to this newly created TIP (EB-5949A). This would leave the earmarked funds (\$1,435,000) still on EB-5949 and you can move forward with construction on the northern portion after we did another SA to revise the funding again. We would then have to make sure that everything done for this EB-5949A project is per NCDOT Specs/Stnds. This would include your ROW acquisition being done per the Uniform Relocation Act. Hopefully, that was the case since you've already acquired the ROW. We would also need to review/approve your plans, construction estimate, and contract. We would require you to get your ROW Cert and Util/RxR Cert as well. I believe the CE was done for both the northern and southern portions, so you should be fine with the current one. You may want to double check this is correct though. If this above process takes a bit, you will be required to do a CE Consultation form since your NRTR (endangered species study) would be past 2 years old. You would go through the advertising and contract letting process before obtaining concurrence of award from NCDOT. You also need to go through the CEI selection process again, along with rate and CEI contract approval. Option 1 will certainly delay the construction of this southern section but it is an option.

Option 2, the Town continues with the southern portion as previously planned. The southern portion would remain a Town project and completely separate from the northern portion (EB-5949). During EB-5949, the earmarked funds (\$1,435,000) would be expended first and then the original BGDA funds (\$1,175,000) will come into play afterwards. The Town is still responsible for the 20% local match of either funding source. Whatever funds remain, after final invoicing for EB-5949, will be returned to the MPO.

Summary:

To utilize the additional 1.435M grant money (again this is additional newly available grant money), it will most definitely cause a delay in the project. It is a time vs. money question staff would like Council input and direction. The best guess estimated delay is below:

*Based on conversations with Jennifer Stafford, the CRTPO portion of the process was likely 4-6 months. With the review able to overlap for a portion of that timeframe, I would estimate another 2-3 months for Construction Authorization, bidding and award. So call it **6-9 months**.*

*Thanks,
Tony*

*Tony Spacek, P.E.
Kimley-Horn*

District 10 of NCDOT is currently looking in to this. Town staff has been communicating with them to see if there are other possibilities. Going back to the CRTPO is a last resort. If the Town does go back through the CRTPO to add the Part B section there is a risk they could make the previously awarded Part A section get re-ranked or re-qualify. If that is a requirement: that is where the possibility that The Town could lose the previously awarded 1.175 million. If that is the case we could fall back and utilize the new Federal grant of 1.435 million within Part A limits but with a delay due to the process.