SUMMARY STATEMENT

ITEM NO.: DRPA-19-001  SUBJECT: DRPA/PennDOT Grant Reimbursement

COMMITTEE: Operations and Maintenance

COMMITTEE MEETING DATE: January 8, 2019

BOARD ACTION DATE: January 16, 2019

PROPOSAL: That the DRPA Board of Commissioners authorizes a reimbursement payment to the Commonwealth of Pennsylvania, Department of Transportation (PennDOT) in the amount of $654,504.93 for the BFB Westside Roadway Improvement Project. The payment is necessary because the reimbursement agreements between DRPA and PennDOT for the project expired, FHWA did not approve a time extension, and agreement was canceled by PennDOT. Once payback of the federal funds has been received DRPA can request new funds for the continuation of the project.

By way of Resolution #DRPA-07-023, DRPA was approved to receive a federal earmark in the total amount of $5,000,000 from FHWA to undertake the project and entered into Agreement #066522 with PennDOT which authorized the expenditure of these funds which were subsequently reimbursement by PennDOT for the work performed. DRPA conducted the study phase in 2009 and expended $654,504.93.

PURPOSE: To receive authorization for DRPA CEO to execute necessary documents to reimburse the Commonwealth of Pennsylvania, Department of Transportation $654,504.93 for funds DRPA received from PennDOT to do a traffic study and design project for Benjamin Franklin Bridge Philadelphia Operations Improvements, tasks performed under a now expired FY2003 Federal Highway Earmark.

BACKGROUND: The Authority is the owner and operator of the Benjamin Franklin Bridge ("BFB") and its ancillary roadway approaches connecting the City of Philadelphia and the City of Camden. PennDOT has jurisdiction over Interstate 676 which interchanges with the access roadways to the BFB. The City of Philadelphia also owns and controls certain City streets in the vicinity of the BFB.
In FY2003 DRPA was approved to receive a federal earmark in the total amount of $5,000,000 from FHWA which was administered through PennDOT to undertake a project to evaluate traffic conditions and identify potential solutions to the congestion that occurs in the westbound direction on the Philadelphia side of the BFB.

During the time period of receiving the funding and kickoff of the project, the DRPA Board did not meet for approximately 18 months delaying the physical start of the study.

In June of 2007 when board meetings reconvened, by way of resolution DRPA-07-023, DRPA was authorized to enter into a partial reimbursement agreement with PennDOT for an amount not to exceed $1,000,000 of the approved $5,000,000 federal earmark to undertake the study.

DRPA subsequently hired a consultant to start the study. The BFB West Side Traffic Mitigation Study was completed in 2009. DRPA paid the consultant for the work performed and DRPA was reimbursed $654,504.93 by PennDOT.

The study recommended several types of improvements that ranged from operational improvements (signal retiming, signing and pavement marking enhancements, signal modernization), to system improvements (real time travel information systems), to capacity improvements (Broad Street Exit, Flyover Connection). The study recommended an implementation plan that characterized the improvements as Immediate (3-5 months), Short-Term (1-5 years), and Long-Term (6+ years). The study determined that any substantial remediation of west bound traffic would need to be constructed on non-DRPA property at a substantially higher project estimate.

In 2012, DRPA was notified by PennDOT that the original earmark of $5,000,000 was approaching its (10) year life and DRPA was going to forfeit the earmark if the project could not be completed within the 10-year timeline.

In 2010 DRPA entered into an agreement with PennDOT to design and construct the short-term improvements with the balance of the original $5,000,000 funding. The short-term improvements included Signage Improvements on BFB, Broad Street Interchange Improvements of Vine Street Expressway, and Real Time Travel
Information / TMC. This agreement expired in 2015 before it was put into use and a time extension was requested.

In 2018, DRPA was notified by PennDOT that FHWA denied the request for a time extension. DRPA was informed that because the funds had not been drawn down within the allotted period of performance the earmark would expire, and any monies paid out of the earmark would have to be reimbursed.

In an effort to salvage all or a portion of the awarded $5,000,000 earmark, DRPA through its Engineering and Grants department, began negotiations with PennDOT and through those negotiations now have an agreement with PennDOT that once the $654,504.93 paid by PennDOT from the original 2003 earmark is reimbursed back to PennDOT, PennDOT will then authorize new funds in the amount of the full $5,000,000 and allow us to repurpose those funds to a new project currently identified as Ben Franklin Bridge Safety Improvements, a project which PennDOT has already included in the region’s Transportation Improvement Program (TIP) as project #MPMS-72597.

Therefore, the request is that DRPA be authorized to reimburse to PennDOT the sum of $654,504.93 for funds received from a FY2003 Federal Earmark for a project referred to as the Benjamin Franklin Bridge Philadelphia Operational Improvement Project that was incomplete and in doing so DRPA will become eligible to receive a re-appropriation of $5,000,000 for a new project identified as Ben Franklin Bridge Safety Improvements.

SUMMARY:

<table>
<thead>
<tr>
<th>Amount</th>
<th>$654,504.93</th>
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<tbody>
<tr>
<td>Source of Funds</td>
<td>General Fund</td>
</tr>
<tr>
<td>Capital Project</td>
<td>N/A</td>
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<tr>
<td>Operating Budget</td>
<td>N/A</td>
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<tr>
<td>Other Fund Sources</td>
<td>N/A</td>
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<tr>
<td>Other Parties Involved</td>
<td>FHWA/FTA/PennDOT</td>
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SUMMARY STATEMENT                          DRPA/PennDOT Grant Reimbursement
O&M 1/8/2019
RESOLUTION

RESOLVED: That the DRPA Board of Commissioners authorizes the Chief Executive Officer to execute a reimbursement payment to the Commonwealth of Pennsylvania, Department of Transportation in the amount of $654,504.93, for the purpose of reimbursing the Commonwealth for federal grant funding that DRPA received from the Commonwealth for work performed on a study and design that would improve west side traffic congestion on the Benjamin Franklin Bridge with recommended improvements subsequently not being completed; and be it further

RESOLVED: The Chair, Vice Chair and the Chief Executive Officer must approve and are hereby authorized to approve and execute all necessary agreements, contracts, or other documents on behalf of the DRPA consistent with the terms of this Resolution. If such agreements, contracts, or other documents have been approved by the Chair, Vice Chair and Chief Executive Officer and if thereafter either the Chair or Vice Chair is absent or unavailable, the remaining Officer may execute the said document(s) on behalf of DRPA along with the Chief Executive Officer. If both the Chair and Vice Chair are absent or unavailable, and if it is necessary to execute the said document(s) while they are absent or unavailable, then the Chief Executive Officer shall execute such documents on behalf of the DRPA.

SUMMARY: Amount: $654,504.93
Source of Funds: General Fund
Capital Project #: N/A
Operating Budget: N/A
Other Fund Sources: N/A
Other Parties Involved: FHWA/FTA/PennDOT