PACTS Executive Committee Agenda

May 5, 2020
8:30 – 10:30 a.m.

Zoom Meeting: https://us02web.zoom.us/j/81171156074

As of March 31st, 2020 PACTS and GPCOG will be holding all committee meetings via Zoom conferencing technology. We remain committed to full public access and participation in our meetings through remote access during the COVID-19 crisis. Remote meetings will be held in accordance with the requirements of LD 2167, Public Law Chapter 618.

1. Welcome – Matt Sturgis, Chair

2. Public Comment
Residents are welcome to provide up to three minutes of public comment on any issue, including items on the agenda.

3. Acceptance of April 7, 2020 meeting minutes (Attachment A)

4. Staff Report (Attachment B)


Staff Report
The CARES Act provides $25 billion nationally to transit agencies to help prevent, prepare for, and respond to the COVID-19 pandemic. The PACTS region is receiving approximately $54 million in 5307 funds. The PACTS Transit Committee has agreed to a phased approach for these funds, with an initial request of $13.7 million for the initial phase covering the period from February 1 through June 30. This includes a total of
$125,000 for PACTS planning related to COVID-19. These planning tasks and funds need to be included in the UPWP.

- Post-pandemic transit planning ($60,000). This task will explore what our region’s transit network will look like after the pandemic, how the region’s transit agencies should pivot to ensure the fastest possible recovery in operations, revenues, and ridership, and how Transit Tomorrow should be modified to integrate the challenges the pandemic and future pandemics pose. $35,000 – consulting support; $25,000 – staff support.
- Programming the region’s CARES funds ($40,000). PACTS is approaching the allocation of CARES Act funds in phases. The initial phase was focused on immediate recovery and covered February 1 to June 30. The second phase will use a framework to guide the next allocations. $15,000 – consulting support; $25,000 – staff support.
- Virtual public participation ($25,000). This element will enhance PACTS’ ability to virtually engage hard-to-reach populations and others in transit decision-making, and enhance our online public participation and Title VI compliance. The allocation includes $25,000 for staff and direct expenses.

METRO has agreed to serve as the direct recipient of the funding for GPCOG. This funding will support activities through June 30, 2020, but does not have to be fully expended by that date.

Staff has received guidance from MaineDOT that a separate task should be added to the 2020-2021 UPWP explaining how the CARES Act funds will be used, although the funding amount of the UPWP contract with MaineDOT will not be changed.

*Proposed action: Authorize staff to incorporate the CARES Act tasks as described above into the 2020-2021 UPWP.*

6. Programming of PACTS CARES Act Public Transportation Funds – 15 minutes

**Staff Report**
With the CARES Act phase one split letter approved, the PACTS Transit Committee is focusing on developing a framework for programming the approximately $40 million remaining for the region. The Committee has developed several general major assumptions and principles to guide its thinking going forward. These include:
• Be conservative; assume no additional funds will be coming for recovery
• Focus heavily on ridership recovery and expect to allocate funding over multiple years
• Recognize that ridership recovery will be incremental, and the pace will vary among modes and agencies
• Factor in and develop models that reflect individual organizational circumstances
• Track trends in ridership data and incorporate into thinking for future phases
• Make the health and safety of staff and riders a top priority, and factor related expenses into allocations
• Communicate to build rider confidence in the safety of using transit and to rebuild ridership
• Seek public input about ridership expectations and needs
• Determine the role of normal funding sources and frameworks in future phases
• Determine the potential of CARES Act funds relative to other sources for capital projects

The Transit Committee will further refine this framework over the coming weeks and months, with the next Transit Committee meetings on May 14 and May 26.

Proposed action: Offer input on the initial list of major assumptions and principles for allocating the remaining CARES Act transit funds.

7. Consider Revising PACTS Policy to Include Up to 20% of Total Project Overages – 15 minutes

Staff Report
The Town of Windham has asked PACTS to consider if the additional funds to cover the 20% overage can be used to cover shortfalls in all project costs, including preliminary engineering, right-of-way, and construction engineering. The Executive Committee is asked to consider revising PACTS' policy to cover up to 20% of the construction cost estimate to cover overages on all phases of a project. If the policy is revised, PACTS' governing bodies would continue to make determinations on whether to cover overages of up to 20% on a case-by-case basis.

The Town of Windham Route 35 sidewalk project has a funding deficit from overages in preliminary engineering, right-of-way, and expected construction costs. The Town is
requesting an additional 20% of the construction funding. This is in accordance with the PACTS Executive Committee’s decision in March to increase PACTS’ maximum contribution of construction cost overages from 10% to 20%. Additional expenses are covered by the municipality. The available construction funds for this project are $245,200, and the deficit is estimated to be $56,800. The City is requesting up to an additional $49,040, which will not cover the overage. The additional amount needed will depend on construction bids, which are scheduled to open June 10. The letter from the Town of Windham and a spreadsheet summarizing the PACTS Holding WIN balance will be included separately.

**Proposed action:**

- **Decide whether to change the policy for the use of extra funds, up to 20% of the construction cost estimate, to cover overages on all phases of a project, within reason.**
- **Consider and decide whether to grant, up to 20% of the construction cost estimate, to cover overages on the Town of Windham’s Route 35 sidewalk project.**

8. PACTS 2020 – 2023 Transportation Improvement Plan (TIP) Amendments – 10 minutes

**Staff Report**

All federally funded projects must be in the State Transportation Improvement Program (STIP) and the MPO’s Transportation Improvement Program (TIP) in order to receive federal funding. These projects are located in the PACTS area and are funded with Federal Highway Administration and Federal Transit Administration funds. PACTS must update the TIP when there is a change to any project such as funding or a request to add a project to the TIP. Those changes must also be reflected in the MaineDOT STIP. MaineDOT must receive the PACTS Executive or Policy Committee endorsement when any federally funded project has a major scope change or cost increase or when MaineDOT wishes to add a project to the STIP. All TIP amendments must be posted to the GPCOG website for a 10-Day comment period.

Today the Committee is asked to approve two amendments to the 2020-2023 TIP. Both amendments were posted for public comment on April 30, 2020:
• An amendment to withdraw project WIN No. 23985.00, Saco, pavement preservation of Maple Street from Lincoln Street and extending northeast 0.37 miles to Bradley Street. The project funding is $185,284.90 comprised of $138,963.67 federal funds and $46,321.23 local funds. Saco has decided not to advance this project.

• An amendment to incorporate the amount of Federal Transit Administration funds programmed for capital expenses in FY 2020 approved by the PACTS Executive Committee on April 7. The programmed amount of $9.9 million exceeds the previous amount in the TIP by $4.4 million.

**Proposed action:** Approve the proposed TIP amendments so long as no substantial public comment is received by May 14, 2020. Authorize staff to submit the TIP amendments to Maine DOT to be included in the State Transportation Improvement Program.

9. Adjourn

**Upcoming Meetings:**
- May 14, 9:30 a.m. – PACTS Transit Committee
- May 26, 1:00 p.m. – PACTS Transit Committee Workshop
- June 2, 8:30 a.m. – PACTS Executive Committee
PACTS Executive Committee Minutes
April 7, 2020

<table>
<thead>
<tr>
<th>Committee Members</th>
<th>Affiliation</th>
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<tbody>
<tr>
<td>Chris Branch</td>
<td>Central Subregion</td>
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<tr>
<td>Jennifer Brickett</td>
<td>MaineDOT</td>
<td>Y</td>
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<tr>
<td>Hope Cahan</td>
<td>PACTS Vice Chair</td>
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<tr>
<td>Erin Courtney</td>
<td>Maine Turnpike Authority</td>
<td>Y</td>
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<tr>
<td>Eric Dudley</td>
<td>Western Subregion</td>
<td>N</td>
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<tr>
<td>Greg Jordan</td>
<td>Transit Committee</td>
<td>Y</td>
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<tr>
<td>Matt Sturgis, Chair</td>
<td>PACTS Chair</td>
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<tr>
<td><strong>Guests</strong></td>
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<td>Jim Bennett</td>
<td>Biddeford/PACTS Policy Committee</td>
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<td>Ken Capron</td>
<td>MicroRail</td>
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<td>Chris Mann</td>
<td>MaineDOT</td>
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**For GPCOG**

Kristina Egan, Ryan Neale, Elizabeth Roberts, Phaeng Southisombath

1. **Welcome – Matt Sturgis, Chair**
Hope Cahan chaired the meeting until Matt could join via video on Zoom.

2. **Open Public Comment**
There were no public comments.

3. **Acceptance of March 3, 2020 meeting minutes**
Chris Branch moved to accept the minutes, and Matt Sturgis seconded. The minutes were accepted unanimously.
4. Approval of 2020 and 2021 Transit Capital and Operating Funding

A. Approve recommended Federal Transit Administration 5307 formula funding for capital and operations for 2020 and 2021 and corresponding Split Letter

Greg Jordan provided an overview of transit funding programmed for 2020 and 2021. The 5337 program for fixed guideways is only available to Casco Bay Lines and the Northern New England Passenger Rail Authority. The 5307 formula funds are the primary source of funding for the region and are used for operational expenses, preventive maintenance, ADA paratransit, capital purchases, and planning. The federal share of funding varies by category. The Six Year Capital and Operating Plan (SYCOP) focuses on maintaining the current transit system and ensuring it continues to operate in a state of good repair that satisfies federal mandates. The current process is agency driven and consensus based. Typical uses of funds include vehicle replacement, maintenance, railroad replacement, fleet and facilities maintenance, railroad tie replacement, safety/security, and a large portion of the operating costs for bus agencies.

The process begins when federal appropriations are made for the region. Agencies submit funding requests which are evaluated and ultimately included in a split letter that allocates funds for the particular year. The Regionally Administered Discretionary Grant program (RAD) is funding that is set aside for expansion or service improvement. This is a merit-based process with an application, scoring process, and review by the Transit Committee to ensure requests meet the region’s needs. This program will be revised based on the new funding prioritization framework being developed.

PACTS normally considers a six-year federal funding plan. This year, the Transit Committee is asking the Executive Committee to approve a two-year capital and operating plan so that the funding prioritization framework can be used for future years. The six-year forecast shows a balance that is positive but below the normal $1 million reserve in 2022. The new prioritization framework will evaluate transit requests relative to each other and other regional needs.

In response to a question from Matt, Greg said that the transit industry received $25 billion nationally through the CARES Act, and that the PACTS region will receive $53 million to address COVID-19 impacts. The Transit Committee met to discuss the impact of COVID-19 on transit agencies and is currently discussing a process to
allocate the funds. Greg said that a split letter for CARES Act funds will be executed. Kristina noted that GPCOG will help to standardize a process to enable transit agencies to access CARES Act funds quickly.

Hope asked if transit agencies are pursuing FEMA funds to provide support for emergency workers. Greg said that the amount of the CARES funds may make this unnecessary, but agencies would explore the opportunity, particularly if FEMA funds will cover something that the CARES funds will not. Greg noted that due to the uncertainty of the health and economic impacts of the crisis, he would advocate for a conservative approach to allocating funds. Jim Bennett said it would be prudent to keep in mind the impact of COVID-19 on employees.

Matt moved to approve the allocation of $14.3 million in 2020 and $10.6 million in 2021 FTA 5307 funds and the corresponding Split Letter as recommended by the PACTS Transit Committee and as detailed in Attachment C. Hope seconded, and the motion was approved unanimously.

B. Authorize MaineDOT to continue to assign 5339 funds for the PACTS region

Matt made a motion to authorize MaineDOT to administer 5339 funds for the PACTS region in 2020. Erin seconded, and the motion was approved unanimously.

5. Proposed Unified Planning Work Plan (UPWP) Revisions

Kristina said that the Committee would not be voting on this item today due to a request from MaineDOT for additional time to review the changes. The Policy Committee will consider this item at its April 23 meeting. A governing committee vote is needed because budget is proposed to be moved between tasks. MaineDOT and federal approval is not needed for a revision. Staff time for committees might be reduced, pending any changes recommended to the committee structure by the committee task force.

Elizabeth noted that tracking, monitoring, and troubleshooting capital projects includes a significant amount of time communicating with municipalities regarding funding and the administration of contracts. Funds within Task 4 will be reallocated to managing capital projects. Funds would be reallocated from managing high crash locations
projects by focusing more on getting projects built rather than more studying. Funding was reduced based on Elizabeth’s assessment of the time needed to complete the project and the time available.

Hope asked if the change in staff time to assist municipalities would require municipalities to take on more of that themselves. Elizabeth said assistance to towns still exists and staff time was reallocated to support this item. Elizabeth is working with MaineDOT and municipalities to move capital projects forward.

Hope requested a future progress report on UPWP projects. Kristina agreed and noted that there will be a report in December and a full two-year report when the UPWP is complete.

The Committee expressed support for the revisions, which will be considered in their current form by the Policy Committee.

6. Approval of Additional PACTS Funding for Portland’s Congress Street Signals Project

Elizabeth referenced the staff report and noted that, as there is a local match for the project, only 75% of the requested amount will be taken from the PACTS Holding WIN. Chris Branch added that in addition to the local match, the City will also put in an additional $56,000 to fully fund the project.

Matt said he is in favor of the proposed action and asked if the amounts would change if the project went back out to bid. Chris noted that in the current market, only one company is bidding for traffic signal work, and the cost will likely be the same unless there is another bidder. Erin asked about reallocating funds from the Washington Street project and asked if that situation was resolved with the increase of the maximum allocation from 10% to 20%. Chris said that what had been discussed was reallocating funds from the Washington Street project to the Brighton Avenue roundabout project, which has already been done.
Hope moved to approve the reallocation of Federal Highway capital funding from the Holding WIN to the Portland Congress Street Downtown Signals project. Chris Branch seconded, and the motion was approved unanimously.

7. **Adjourn**
Hope moved to adjourn. Greg seconded the motion, and all were in favor.
Staff Report

Transportation Improvement Program (TIP) Ad Hoc Committee

PACTS Chair Matt Sturgis and Vice-Chair Hope Cahan have named PACTS Executive and Policy Committee member Erin Courtney of the Maine Turnpike Authority and Policy Committee member Jay Chace of Scarborough to serve as chair and vice-chair, respectively, of the TIP Ad Hoc Committee. The Committee will next meet on Tuesday, May 19.

Sub-Regional Meetings and Annual Summit

GPCOG’s sub-regional meetings on Transit Tomorrow, planning the region’s public transportation future, were scheduled for late April and early May before the COVID-19 pandemic. These important discussions are being rescheduled for May 28th, at GPCOG’s Annual Summit, which will be held virtually this year.

Identification of Potential High Capacity Transit Corridors in the Region

Staff has been scoping a possible planning grant application for the Better Utilizing Investments to Leverage Development (BUILD) Transportation Discretionary Grant Program. The planning grant would study the feasibility of rapid transit for selected transportation corridors in the PACTS region. We will not apply for this round of BUILD grants but will create a detailed scope of work for the rapid transit study in order to be prepared for future funding opportunities. Rapid transit would incorporate several of the highest priorities of PACTS’ member communities, including:

- Upgrading traffic signals and intersections
- Targeting investments to places where people live and work
- Expanding public transportation

The study will analyze four transit priority corridors for feasibility of implementing rapid transit. Factors to be examined include the presence of or potential for transit-
Potential High Capacity Transit Corridors - Market Connections

- Ridership forecasts
- Operating costs
- Travel time savings
- Capital costs
- Changes in vehicle emissions

The study will document any expected impacts on the environment, natural and historical resources, and right-of-way. The study will develop conceptual plans and cost estimates to build and operate a bus rapid transit system in the selected corridors.

A focus of the Transit Tomorrow study is the identification of high capacity transit corridors in the region. In reviewing several factors, project consultant AECOM has produced the following list of potential high capacity transit corridors. These are also shown in the map included as Attachment C.

<table>
<thead>
<tr>
<th>Potential High Capacity Transit Corridors - Market Connections</th>
<th>Roadways between Market Connections</th>
<th>Existing Transit Services within Corridor</th>
<th>Communities Served</th>
<th>Current Daily Commute Traffic (Both Directions, All Modes)</th>
<th>Major Developments</th>
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</thead>
<tbody>
<tr>
<td>Biddeford/Saco - Portland</td>
<td>Route 1, I-95</td>
<td>BSOOB, Metro, NNEPRA</td>
<td>Biddeford, Saco, Scarborough, South Portland, Portland</td>
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<td>Cape Elizabeth - Portland</td>
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<td>SPBS</td>
<td>Cape Elizabeth, South Portland, Portland</td>
<td>7,627</td>
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New/Enhanced Market Connections (High Capacity Transit Corridors)