



December 9, 2016

Mr. Peter Osborn, Division Administrator
Federal Highway Administration
Leo O'Brien Federal Building, Room 719
Clinton Avenue and North Pearl Street
Albany, New York 12207
Attn. Lorin Willett, R-9 Area Engineer

Dear Mr. Osborn:

**RE: PIN 975316 FRONT STREET GATEWAY PROJECT
SEP-14 DOCUMENTATION AND RECOMMENDATION
CITY OF BINGHAMTON, BROOME COUNTY**

The Front Street Gateway Project in the City of Binghamton involves two complementary project components. The full project consists of 1) storm water drainage and sewer separation, and 2) roadway rehabilitation and sidewalks. Each portion will be separately funded - the storm water separation will be funded by a Housing & Urban Development (HUD) grant administered by the NYS Department of State. The highway rehabilitation will be funded by the Federal Highway Administration (FHWA) through the NYS Department of Transportation. Justification of the mixed-funding proposal through the use of the SEP-14 provisions is attached.

Due to the complexity of the project and the dual nature of the work types, the Department agrees with this mixed-funding proposal. At this time, we respectfully request your office's review and concurrence with the SEP-14 documentation and suggested funding.

This project will officially be progressed as a Locally Administered Federal Aid Project (off the State system); progressed in accordance with the NYSDOT Procedures for Locally Administered Federal-Aid Projects.

If you have any questions regarding the project, please contact me at (607)721-8079.

/S/

Ronald Coleman, P.E.
Project Administrator

Special Experimental Project No. 14 - FHWA/HUD Livability Initiative

Approved Work Plan – City of Binghamton

New York State Department of Transportation
Work Plan Special Experimental Project No. 14 (SEP-14)
HUD/FHWA Jointly Funded Project
Plan Date: October 27, 2016

A. Introduction

The City of Binghamton submits this work plan for review and approval as a multi-agency funded project under the provisions of Special Experimental Project No. 14 (SEP 14) for the use of innovative contracting practices. The New York State Department of Transportation has traditionally provided federal earmark (FHWA) funding to local municipalities to be used as a sole source of funding. This work plan proposes to utilize funding awarded to the City of Binghamton for their Front Street Gateway Project from both FHWA and from a U.S Department of Housing and Urban Development (HUD CDBG-DR) allotment. To accomplish this, the City of Binghamton must meet HUD funding requirements by adding the appropriate HUD Section 3 language related to local hiring preferences in their bidding procedures. The intent of these hiring preferences is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low-and very low-income persons.

This City of Binghamton project is located along Front Street (from Winding Way to Prospect Street) in the City of Binghamton, Broome County, New York State. The Front Street corridor requires roadway safety improvements to address accident clusters, provide pedestrian facilities where gaps exist or the existing pedestrian way is poorly defined, and provide bicycle facilities along the roadway to further encourage alternate forms of transportation. Portions of the existing water main and sanitary sewers need replacement due to condition, capacity or depth of cover issues. The project would update the existing street lighting to meet the City's current standards, improve roadway landscaping and neighborhood aesthetics, integrate neighborhoods along the project and create a City Gateway to better identify the entrance into the City limits and calm traffic.

B. Purpose

Typically and ideally, local municipalities pay for federal earmark (FHWA) funded projects through a single source of funding. For example, the New York State Department of Transportation would provide federal earmark (FHWA) funding for a streetscape project, and the municipality would be able to complete the project with this funding alone.

As a result of dwindling transportation resources, local municipalities must be increasingly innovative in the creation of funding packages for infrastructure projects.

The purpose of this request is to permit a local municipality, the City of Binghamton, Broome County, New York State to utilize two (2) sources of federal funding in the same transportation project: federal earmark (FHWA) funding from FHWA and Community Development Block Grant (CDBG) funding from the U.S. Department of Housing and Urban Development (HUD). This request is in accordance the instructions in the Federal Register/Vol.75, No. 122/Friday, June 25, 2010/Notices 36471.

Approval of this procedure would avoid splitting the project into two separate advertisements. HUD's Section 3 requires that preferential hiring be afforded to those individuals living in the project area. That preferential hiring is in direct conflict with FHWA requirements. Approval of this SEP-14 request will allow more of the available funding to be utilized for revitalization of the area while complying with training,

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employment, and contracting requirements of HUD's Section 3, to the greatest extent feasible. A cost savings is recognized by avoiding duplication of payment for Maintenance and Protection of Traffic, Mobilization, and Inspection, as well as avoiding additional potential economic impacts to the area as a result of increasing the overall construction duration. Specifically, two separate projects would require two different inspection contracts and would also impact the traveling public for two separate contract durations.

C. Scope

The scope of work for this project will include the full depth reconstruction of approximately 0.5 miles of a two lane urban collector that will provide shared use travel lanes (Sharrow lane markings with lanes widths of 12 ft with no adjacent parking and 14 ft with adjacent parking) for vehicles and bicyclists, partial on street parking, granite curbs, concrete sidewalks with ADA compliant ramps and asphalt driveway aprons, a decorative underground fed street lighting system, new storm and sanitary sewer systems and a new water main. This section of Front Street serves as a gateway into the City of Binghamton and as such a gateway monument will be installed near the north end of the project which will announce your arrival into the City. Special attention to street trees will be provided along the project to further enhance the corridor as a gateway and to serve as traffic calming as traffic enters the City limits. The project will enhance the pedestrian environment as well as provide more versatile shared use travel lanes. As the project corridor currently stands, the pedestrian crosswalks are non-compliant, the conditions of the sidewalks are poor, and the pedestrian corridor is poorly delineated due to the lack of a curbed roadway edge that would define and separate the vehicular travel lanes from the pedestrian zone.

Through the provision of pedestrian infrastructure improvements, the City of Binghamton intends to establish and create safe and inviting transportation alternatives. The City of Binghamton is a dense, urban environment, and opportunities abound for people to move throughout the community in a more sustainable manner. It is the goal of the City of Binghamton to maintain vibrant and viable connections between the multiple recreational, cultural, and tourism destinations, commercial businesses and retail establishments within the City.

The goal and vision of the project is to increase the quality of life for residents, visitors, and businesses of the immediate project area and the City of Binghamton as a whole, enhance transportation options that reduce consumption of fossil fuels, and provide safe transportation routes for economically disadvantaged populations. This project, as identified in the City's 2003 Comprehensive Plan, fulfills one of the primary and implementable projects that provides strategic development and improvement of transportation infrastructure within the City of Binghamton and the greater Metropolitan area, and improves the recreational, cultural, economic, and tourism opportunities within the City of Binghamton and surrounding region.

1. Competition

- a. In particular, SEP-14 is intended to permit a State DOT or Local Public Agency to experiment with the use of both FHWA and HUD funding sources in the same construction contract. These funding types would ordinarily be incompatible under a single contract; HUD's Section 3 requires that preferential hiring be afforded to those individuals living in the project area, but FHWA regulations prohibit preferential hiring. However, for contracts approved under FHWA's SEP-14 program, the prohibition on hiring preferences would be waived to accommodate only Section 3 requirements.
- b. The approval of this SEP-14 procedure would avoid splitting the project into two separate advertisements. This would allow more of the available funding to be utilized for revitalization of the project corridor. A single larger contract would allow the contractor more options to fulfill the minority subcontracting requirements. A total cost savings is recognized by avoiding duplication of payment for Maintenance and Protection of Traffic, Mobilization, and

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Inspection as well as minimizing any potential economic impacts to the area by reducing the construction duration by several months. Combining these two projects may make this project more attractive to bidders.

2. Livability

- a. The project enhances the mobility, connections and convenience for travelers and pedestrians by providing for the replacement of existing sidewalks, construction/ establishment of new sidewalks and pedestrian crosswalks, construction of handicapped curb ramps that meet current ADA standards, planting new street trees, the installation of a decorative street lighting system, the installation of a gateway monument, and placement of way-finding signage. Through the provision of pedestrian infrastructure improvements, the City of Binghamton intends to establish and create safe and inviting transportation alternatives. This project will improve intermodal connectivity by allowing pedestrians (and in particular, persons with disabilities) to access fixed route transit stops. The City of Binghamton is a dense, urban environment, and opportunities abound for people to move throughout the community in a more sustainable and environmentally friendly manner. It is the goal of the City of Binghamton to maintain vibrant and viable connections between the multiple recreational, cultural, and tourism destinations.
- b. Once completed, the project will create a safer and viable connection between the multiple recreational, cultural, and tourism destinations and the commercial business and retail establishments within the City. The project will provide for an increasingly effective traffic flow for all vehicle types.
- c. As stated, the condition of the sidewalks are poor, and pedestrian travel to regional recreational, commercial and central business destinations is dangerous and discouraged as travel is oriented towards vehicular traffic. By the City of Binghamton completing this project, all populations including the disadvantaged, non-drivers, senior citizens, and persons with disabilities will have increased access and mobility by providing said provisions and accommodations to amenities. The project corridor is currently serviced by the area's public transportation busing system through local bus stops, but access to the bus service is limited by the current infrastructure and lack of accessible ADA compliant travel routes. The traffic calming components of the project are intended to reduce travel speeds as traffic enters the City, which is conducive to shared use travel lanes.
- d. The project is expected to improve existing transportation choices by enhancing points of modal connectivity or by reducing congestion on existing modal assets. This expectation is based on a fact that modal connectivity is definitely enhanced by connecting existing sidewalks that are in good or fair condition at the edge of the city limits to newly constructed or repaired sidewalks and crosswalks at the center of the city. As stated elsewhere in the narrative, the project provides improved connectivity between fixed route transit and pedestrian facilities.
- e. The original thought and creation of this project was derived from the City of Binghamton 2003 Comprehensive Plan and the 2005 Binghamton Metropolitan Transportation Study (BMTS) long range plan. The Front Street Gateway Project is included as part of the BMTS Transportation Improvement Program, and has been for both the 2014-2018 and 2017-2021 TIP cycles. The storm water separation component of this project was identified as a priority project in the 2014 Broome (County) NY Rising Community Reconstruction Plan - to be undertaken in conjunction with the road reconstruction project. The NY Rising plan also included extensive public engagement. The development and finalization of these plans was driven by a number of invited stakeholders, numerous public hearings and visioning sessions, and incorporation of various regional strategies and initiatives. The project, as presented, has been revised and refined through multiple stakeholder meetings, City of Binghamton departmental review, and a series of Public Information meetings to request and encourage public comment, insight, and review.

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3. Sustainability

- a. This project provides limited opportunities to further the goals of the DOT/EPA/HUD Sustainable Communities Partnership. The potential to incorporate sustainability elements into this project are limited by the nature of linear transportation corridors which serve a very specific set of functions related to the movement of goods and persons and also provides a venue for the installation of public utilities such as water, sewer, electric and telephone that serve the resident and businesses along the corridor. The most significant opportunity to meet the goals of this partnership is relation to the vision for sustainable growth. By improving its safety and efficiency and by increasing the multimodal nature of the corridor we are able to reduce the nation's dependence on foreign oil, reduce greenhouse gas emissions, protect America's air and water, and improve quality of life.
- b. Due to the nature of this project as a true combination of transportation, livability, and streetscape improvements, it would be difficult to provide any quantitative data or information about the reduction of emissions or fuel consumption as a result of the project. This project is expected to contribute to improving energy efficiency, reducing dependence on oil and/or reduction greenhouse gas emissions based on the fact that people will walk or bike in lieu of driving to access the central business district. In addition, fuel consumption could be reduced due to a decrease in idling times with improved traffic flow along Front St. The project will also provide, without any quantitative numbers, increased access and use of pedestrian and bicycle facilities not only for recreational purposes but also for people commuting to the nearby central business district. The increased access will reduce the use of fossil fuels and any associated emissions and improve the health and well-being of the community.
- c. There are several components to the project which act in protecting, maintaining, and enhancing the environment. The additional green space created by reducing the overall pavement surface area will reduce the total storm water runoff along the corridor and will help in the removal of toxins, petroleum wastes, de-icing salts, from entering into the storm water system. The project will achieve the separation of the storm water and sanitary sewer flows by installing a new separate storm water sewer system. The corridor is currently serviced by a combined sewer system. This will drastically reduce the effluent flow to the local waste water treatment plant. The proposed storm water system will also provide a pretreatment chamber which will reduce the amount of sediment and debris entering the nearby Chenango River.

D. Schedule

The Final Design Report has been delivered to FHWA for final design approval concurrence. Final design and ROW acquisition will proceed and be completed by the summer of 2016. Upon approval of the SEP-14, Contract Management will include the necessary HUD requirement in the contract documents, including 24 CFR 135.38, and advertise the project as ECMS 92442. The anticipated dates are as follows:

Advertisement and bid opening: February 2017

NTP (contractor): April 2017

Project Completion: December 2017

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E. Measures

The Engineer's cost estimate for the project has been separated into two shares:

| Highway Share (FHWA eligible) | Sanitary Sewer, Storm Sewer and Water Main (HUD eligible) | Total |
|-------------------------------|---|-------------|
| \$3,597,000 | \$1,365,000 | \$4,962,000 |

The amount of HUD funding to be included in this project is \$1.365 million, which is 27.5% of the overall construction estimate.

1. To the extent that bid information is available, the City of Binghamton will evaluate the differences in bid prices or total bids with similar projects that do not have the local hiring preferences related to 24 CFR 135.38A and explain any potential differences.
2. The City will analyze the anticipated cost savings by avoiding the duplication of payment for Inspection as well as avoiding any potential economic impacts to the area because of the reduced construction duration of one project versus two.
3. The City will monitor the employment, training and contracting preference where feasible in accordance with HUD's Section 3 requirements.
4. The City will provide an opinion from both the prime contractor and the contracting agency's representative on whether the hiring preference requirements related to 24 CFR 135.38A resulted in any additional costs or delays at the end of the project.

F. Reporting

The New York State Department of Transportation and City of Binghamton will prepare and submit initial and final reports on this project since this is a relatively small project. The initial report will be prepared at the approximate time of award of the contract. The initial report will include industry reaction to the mix of funding sources, any identifiable effects on the bid prices received, and a copy of the bid tabs.

A final report will be submitted upon completion of the contract and final New York State Department of Transportation acceptance. The final report will contain an overall evaluation of the project including the economic benefits of one project versus two, an evaluation of the impacts of HUD's Section 3 requirements, an opinion of both the prime contractor and the contracting agency's representative related to whether the hiring preference requirement resulted in any additional costs or delays, and any suggestions and recommendations for improving the process.