

Local Project Management Team
Main Street & Merchants Row Overpass Bridge Replacement Project
Middlebury Town Offices
Wednesday, January 6, 2016
Highlights

Attending the meeting: Selectboard Members Dean George, Nick Artim (via phone) and Donna Donahue. Community Representative Ken Perine. Local Project Manager Bill Finger. Jim Gish, Community Liaison. Town Manager Kathleen Ramsay. John Walsh, Kubricky Construction. Mark Colgan, P.E., VHB. Michele Boomhower, Director of Policy and Planning for the Vermont Agency of Transportation. Public: Sue Hoxie, John Fitzpatrick, Susan McGarry, Gary Baker, Dan Brown, Nancy Malcom and Ed McGuire.

Call to Order. Dean George called the meeting to order at 5:10 p.m.

Highlights of December 15 Meeting. Ken Perine moved that the Board approve the highlights as presented. Donna Donahue seconded the motion, which was approved unanimously by the Team.

State's Response to LPMT's letter of November 10, 2015. On January 5, 2016, Rich Tetreault, Deputy Secretary of the Agency of Transportation sent a response to the LPMT's November 10 letter: **Team questions in bold, responses in italics:**

- 1. A complete cost/benefit analysis of the currently proposed 20 hour work shifts vs. work shifts of no more than 12 hours per day – we believe that the cost impact of a slightly longer duration of construction may be more than offset by the economic benefit to the community of shorter daily shifts, with final decision left to the LPMT.**

A cost/benefit analysis can easily be completed given the use of the CMGC model of development. The project team can work with the CMGC contractor and the ICE to extend their schedules and cost estimates to reflect no more than 12-hour days. With that being said it is clear that this exercise will yield a construction duration that will more than double and a cost that will be significantly increased for the following reason. Currently there is efficiency in that there is a single temporary track relocation for two shifts of work. With a 12-hour scenario there would be temporary track relocation required for every shift of work. This will double the times the track will need to be removed and reset. If the Town intends to pursue this exercise and the expected results are yielded there will need to be cost sharing discussions between the Town and VTrans.

- 2. Funding for business interruption insurance/grants/loans.**

Any business that the project requires permanent or temporary acquisitions from may fill out a business loss request form. Businesses requesting business loss will be reviewed for allowed business loss under state statute. Any approved business loss compensation will be for the loss in profit only.

VTrans does not have a grant program for business interruptions related to construction activities. We will engage with ACCD to see if there is any other avenue to consider. USDA Rural Development's Rural Business Development Grant program may be of assistance to communities facing an interruption in downtown business traffic due to construction projects.

Grants are made to non-profit organizations or municipalities to grow or retain jobs in rural communities. Funds can be used to purchase equipment, provide technical assistance, conduct feasibility studies, create marketing plans, and other activities that can be tied directly to job creation in rural businesses that gross less than \$1 million a year. The typical grant is between \$20,000 and \$30,000, though grants smaller are encouraged, and larger grants, though less common, may occasionally be approved. Though a match is not required, including one will increase the score of the grant. A community impacted by construction might wish to apply for an RBDG grant to undertake a marketing campaign for their downtown, create a wayfinding campaign, create a website where information about the construction project is available with business information, hire a downtown coordinator to provide technical assistance to struggling business, or create a revolving loan fund to help construction businesses with tight credit access bridge loans through the construction season. For more information visit <http://www.rd.usda.gov/programs-services/rural-business-development-grants/vt> or contact Susi Poland of USDA Rural Development's Montpelier office at (802) 828-6002. The anticipated 2016 deadline for applications is April/May.

3. Full funding for a Town (LPMT) – selected site for ACTR Relocation.

VTrans has agreed to fund the relocation of the existing ACTR facility currently located on Merchants Row by making a right-of-way payment to ACTR for “damages” that have been incurred due to project construction. Federal funds bound the eligibility of the relocation to an in-kind replacement known as cost to cure. Any enhancements or additional amenities over and above the existing features will need to be funded by other means. As it has been iterated in past correspondence the location of the relocated site is a local level decision that VTrans has not and will not intervene upon.

4. Full funding for a temporary parking garage for a duration specified by the Town to coordinate with other planned construction project.

Federal Highway Administration agreed to consider allowing federal funds to be used for a temporary parking garage as a measure to mitigate the temporary loss of parking in the project area due to construction activities. The key to this decision, however, was the temporary anticipated loss of parking spaces due to the project. Therefore, funding eligibility will only occur while project construction activities are underway and parking spaces are impacted. Should the town desire to have the temporary parking garage remain in place after parking is impacted by the project's construction activities, the additional time is expected to be at the town's expense.

5. Assurance that AMTRAK/passenger rail service will stop in Middlebury, and financial support for a multi modal station.

As stated in U.S. Department of Transportation TIGER VII Grant application, VTrans has Middlebury as an intended location to build a platform. VTrans will be working closely with Middlebury officials to site the platform at an appropriate location. As has previously been discussed with Town officials, VTrans will be providing the \$26 Million for rail infrastructure upgrades to bring the train service from Rutland to Burlington; the construction of a platform is included in the grant however other associated infrastructure (parking, possible land acquisitions, bus stops, sidewalks, access trails, etc.) were not a part of the grant and will need to be provided by the Town of Middlebury if these project elements are desired by the

community. It is the understanding of VTrans that the Town of Middlebury has been working with students from Middlebury College to design a station and other station related elements. There may be various grants which could be applied for by the Town of Middlebury to assist in the funding of these project elements.

Dean George reminded Michele Boomhower of the Town's interest in exploring the acquisition of state/railway property at the corner of Elm and Exchange Street for use in developing a multi-modal center. Michele noted that Dan Delabruere of the VTrans Rail Section will be in Middlebury in the next week or so and will follow-up.

6. Funding for undergrounding of utilities on Main Street & Merchants Row.

Federal Highway Administration will participate in funding for utility relocation if the utilities are impacted by the project's construction. If found to be eligible for federal funds, then the requirements of state statute per Chapter 16 of Title 19 need to be met. Federal and state funding can only be used if either of the following conditions are met: the affected utilities are located on private property and the utility holds a fee or non-terminable easement at that location, or the utilities are municipal and are located within municipal highway rights of way. To consider placing the utilities underground, there must be a determination that the required design and installation of utilities exceed normal requirements as defined in Section 1605 of Title 19, Chapter 16. We can discuss more one design details and limits are more defined.

Mark Colgan will identify overhead utilities affected by the project in order to quantify the scope of this request.

7. Maintain Pedestrian crossings at Main Street and Merchants Row during construction.

Current plans include provisions for a temporary pedestrian bridge to be installed alongside the temporary vehicular bridge along Main Street and for a Temporary Pedestrian Access Route (TPAR) to be installed across the green on the north side of the church in accordance with the Manual on Uniform Traffic Devices (MUTCD). The TPAR would be a hard packed, ADA acceptable surface that would remain during construction of Merchants Row and Main Street and removed once permanent sidewalk and pedestrian routes are re-opened. This route will be well signed to notify pedestrians of sidewalk closures and to clearly delineate alternative routes. The project team has looked at the possibility of installing a pedestrian bridge along Merchants Row but given the already tight constraints there is no location to safely locate the bridge while under construction.

8. Improving drainage and sanitary sewer lines on the Green.

As with utility relocations, FHWA will only participate in costs to mitigate impacts of the project's construction. Some previously identified issues resulted in minor improvements being included in the project plans. The project team is unaware of any other issues. If the Town feels that another area of the Green will be impacted, more detailed information on how drainage and sanitary sewer lines on the Green will be impacted by the project will need to be received and reviewed prior to a final determination on whether additional improvements can be made through the project.

9. Full funding and perpetual easements for safe and improved access across railroad tracks for:

- a. The Trail-Around-Middlebury (TAM) at Wright Park**
- b. The Town's newly-acquired piece of land south of the Cross Street Bridge**
- c. From Marbleworks to Seymour Street**
- d. From the South Street area to the Boathouse Bridge on the TAM**

This is separate issue and not related to the Middlebury tunnel project. VTrans is currently working with the town and the railroad to look at all of the safety issues and legal rights to cross at the above mentioned locations. The normal procedure would be to find out the legal status of the crossing locations. Any expanded use would have to be agreed upon by all parties including the maintenance responsibilities and liability.

10. Funding for public engagement such as construction viewing areas; public art displays; meetings with the contractor; educational activities for children, etc.

VTrans has agreed to fund a community liaison position for the project. Normally, many of the suggested activities would be coordinated through that type of position. The Town should incorporate the coordination of these activities into the scope of work for the community liaison. If there are questions about what types of activities would be eligible for reimbursement let us know.

In regards to Public Information and outreach you may recall that at previous meetings VTrans had volunteered the use of one of our retainer contracts. If this offer is something the Town would like to pursue please reach out to Erik Filkhorn to work with him to acquire a professional and qualified consultant to work with the Town.

11. Improved communications and team work between all parties on the project: the Town (LPMT); VTrans; FHWA; VT Railway and CMGC Team.

Agreed and will continue to assess and address as needed with you.

Dean George also shared a copy of a Letter to the Editor from Chris Cole, Secretary of Transportation, which stated, in part

The Vermont Rail Council is an advisory board created by Executive Order, its members appointed by the Governor to provide advice to VTrans on rail policy. Your editorial raises the policy question of whether this portion of the western corridor should continue to follow the AREMA standards of a 23' height, set at the current Legislatively-directed height of 21' or at a height of 19' which is slightly larger than the current lowest clearance. This is a policy question worth discussing before the Council and I've asked that they address this matter at their next meeting on February 17, 2016. At that meeting we should have better information on the time and project costs associated with the 21' standard versus a 19' clearance.

VTrans will continue to work with the Town of Middlebury to develop a plan that will successfully balance the needs of the Town with the long-term needs of Vermonters and their transportation infrastructure.

In conjunction with Secretary Cole's letter, Kathleen Ramsay noted that, on Monday, January 4, VTrans Project Manager Joel Perrigo authorized VHB to complete an analysis to determine cost and schedule savings if the vertical clearance were reduced to 19 feet as reimbursable project expense.

Dean also shared a copy of the Selectboard's January 5, 2016 vote of support of the efforts of the Local Project Management Team to push VTrans to consider the Town of Middlebury's issues in planning for the railroad bridge replacement projects, to include mitigating the impact on businesses and residences, reducing the tunnel clearance, minimizing the number of times trains use the tracks during the construction period, and any other measures to reduce costs, as well as working with other state agencies to alleviate the economic impact on Middlebury's downtown.

Update on ACTR Bus Stop Relocation & Next Steps. As requested by the Team, David Saladino, P.E., Director of Traffic Engineering at VHB, prepared a brief scope and fee estimate to provide a traffic assessment of one-way traffic flows on South Pleasant Street and develop a sketch plan showing the relocated ACTR bus hub with a one-way South Pleasant configuration:

TASKS

- 1) Prepare summary of advantages and disadvantages to one-way northbound vs. one-way southbound configuration of South Pleasant Street
- 2) Attend LPMT Meeting to present directional assessment and identify preferred alternative
- 3) Prepare a traffic analysis of a preferred directional alternative to evaluate Level of Service, average delay, and queuing during the morning and evening peak hours at the South Pleasant/Cross Street and South Pleasant/Merchants Row/Court Square intersections under the following scenarios:
 - a. Pre/Post Construction: Main Street & Merchants Row both open to full traffic
 - b. Construction Phase A: Merchants Row closed to traffic
 - c. Construction Phase B: Main Street closed to traffic
- 4) Prepare sketch plan showing ACTR bus stop with one-way South Pleasant Street configuration
- 5) Attend LPMT Meeting to present sketch plan and results of traffic analysis

BUDGET

Approximately \$5,000.

ASSUMPTION

Traffic analysis to be based on existing traffic count data. No new counts will be conducted for this assessment.

Michele Boomhower confirmed that this is a reimbursable expense for the project and Mark Colgan can work-out authorization to proceed with Joel Perrigo when Mark meets with Joel tomorrow.

The Local Project Management Team will hold a work session on Thursday, January 14 at 7 p.m. to develop a matrix for comparing three potential locations for the bus stop: Seymour Street; the parking lot behind the new Town Offices and South Pleasant Street.

Update on Temporary Parking Garage & Next Steps. Dean George noted that the Selectboard endorsed the use of the so-called Economic Development Initiative (EDI) property, behind the new Town Offices, as the location for the temporary parking garage. Mark Colgan said that engineering and site work would be needed to prepare the site for the structure and it would be best to have the structure in place in the fall of 2016, before the construction on Merchants Row and Main Street begins in the spring of 2017.

Citizens Comments. Ed McGuire suggested that VHB's construction plan sections be posted for reference in the Town Offices. Susan McGarry of St. Stephen's Church suggested that Agency and the Town work together to develop the philosophical "good story" of the bridge replacement projects, a piece that has been absent to date. Rev. McGarry also inquired about the status of the historic preservation permit amendment requested by the Owners of Historic Buildings. Mark Colgan said that the historic preservation permit amendment, which includes several standard provisions requested by the Owners of Historic Buildings, is pending submittal until the clearance height of the bridges is finalized.

Team Member Concerns. Ken Perine reminded that the Town's Agreement with the State will need to be updated once the clearance height is determined.

The meeting at 6:20 p.m.

Respectfully Submitted,

Kathleen Swington Ramsay
Town Manager

DRAFT