

TO: J. Church, Project Management Bureau 6th Floor

FROM: K. O'Buckley, Regional Director, Region 4

D. Hallowell, Region 4 Planning & Program Manager

SUBJECT: ARRA***PRIORITY*****

PS&E for Locally Administered Federal Aid project

City of Rochester La Avenida Streetscape (N. Clinton Avenue from Upper Falls

Boulevard to Avenue D Improvements Project

PIN 4LS0.27 --- TIP # N09-02-MN1 City of Rochester, Monroe County

D# TBD

DATE: June 9, 2009

Please be advised that I have accepted the City of Rochester's certification of the plans, specifications, and estimates for this locally administered American Recovery and Reinvestment Act of 2009 (ARRA) federal aid project letting. Please see the attached Local Sponsor's PS&E transmittal memorandum. Design Approval was granted for this project on May 1, 2009. The project is a Class II Automatic Categorical Exclusion as determined by NYSDOT on behalf of FHWA on May 1, 2009. See attached NEPA checklist.

RoW acquisition is not necessary for this project. See attached NYSDOT RoW clearance certification.

This project is programmed as a pedestrian accessibility and safety improvement. The work includes improvements to 36 crosswalks, installation of ADA compliant ramps, introduction of a new mid-block crosswalk near a school, replacing damaged sidewalks, improvements to street lighting, and landscaping elements. The project construction cost estimate is \$1,372,892.00 - Total Base Bid. See attached engineers estimate for activity breakdown.

The project will be let and administered by the City of Rochester County. Construction inspection services will be provided by a consultant engineer. Steve Beauvais is the local project design/construction liaison for this locally administered project.

Please be advised that the NYSDOT Regional Local Projects group would like to set up the following PINs and associated construction costs.

Project Type	Associated PIN	Cost (Mil)	
Streetscape Improvement	4LS0.27.321	\$1,100,000.00	Federal Share- ARRA
	4LS0.27.302	\$472,892.00	City Share
Project Total		\$1,572,892.00	

Based upon my determination to concur with acceptance of this P.S.& E., please secure \$1,100,000 ARRA federal aid eligible dollars for construction funding. At your earliest convenience please advise Edwin Welsh and Steve Beauvais 585-272-3466 that ARRA federal funding authorization is in place. The City of Rochester plans to advertise this project July 6, 2009 to provide a bid opening of July 28, 2009.

It is anticipated that the State Local Agreement for the construction phase, based on the PS&E, will be \$1,100,000 for ARRA federal aid. These federal values include construction costs only. Engineering/Design, additional Construction and Construction Inspection costs, as well as contingency and local administrative costs will be the responsibility of the Local Sponsor.

KO/SFB

Attachments NEPA checklist Sponsor PS&E transmittal ROW Clearance Certificate Safety Screen

pc:

- J. Mroczek, Landscape Architect, City of Rochester, E-mail memo only
- V. Remezova, Area Engineer, Federal Highway Administration, New York Division, E-mail only
- M. Shaker, NYSDOT M.O. Project & Letting Management Bureau, 5-520
- D. Hallowell, Region 4 Planning & Program Manager, E-mail memo only
- E. Welsh, Program Management, Region 4, E-mail memo only
- M. Bell, Real Estate Officer II, Region 4 NYSDOT, E-Mail memo only
- R. Lafever, Program Management, Region 4 NYSDOT, E-mail memo only
- B. Porter, Program Management, Region 4 NYSDOT, E-mail memo only
- S. Beauvais, Local Projects Unit, Region 4 NYSDOT

(4LS027 PS&E memo RD to Albany.doc)

NEPA ASSESSMENT CHECKLIST

I.	THRESHOLD QUESTION				
	1.	Does the project involve unusual circumstances as described in 23 CFR §771.117(b)?	YES	NO x	
	•	If YES, the project does not qualify as a Categorical Exclusion COMPLETING THE CHECKLIST. If NO, go on.	on and an EA or EIS is required. `	You may STOP	
11.		AUTOMATIC CATEGORICAL EXCLUSION			
	2.	Is the project an action listed as an Automatic Categorical	YES	NO	
		Exclusion in 23 CFR §771.117 (c) (C List) and/or is the project an element-specific project classified by FHWA as a Categorical Exclusion on July 22, 1996?		<u> </u>	
	•	If YES to question 2, the project qualifies for a C List Categor THE CHECKLIST. The checklist should be included in the a Summary Memorandum/Final Design Report). The CATEG be sent to the appropriate Main Office Design liaison unit with Summary Memorandum/Final Design Report). A copy of the	appendix of the Final Design Repo ORICAL EXCLUSION DETERMIN th a copy of the Final Design Repo e CATEGORICAL EXCLUSION DI	rt (or Scope IATION memo is to ort (or Scope ETERMINATION	
		memo must also be sent to the Office of Budget and Finance sample DETERMINATION memo attached). (Note – Even if YES to question 2, there may be specific envan EO 11990 Wetland Finding or a determination of effect or Categorical Exclusion but the necessary action must be take wetland finding. Refer to the appropriate section of the Environment	rironmental issues that still require n cultural resources. The project is en, such as obtaining FHWA's sign	an action such as s still an Automatic ature on the	
II.	•	If NO to question 2, go on. PROGRAMMATIC CATEGORICAL EXCLUSION			
•••		TROOMAMINATIO GATEGORIOAE EXCEGGION			
	3.	Is the project on a new location or does it involve a change in the functional classification or added mainline capacity (add through-traffic lanes)?	YES	NO []	
	4.	Is this a Type I project under 23 CFR 772, "Procedures for Abatement of Highway Traffic Noise and Construction"?			
	5.	If the project is located within the limits of a designated sole source aquifer area or the associated stream flow source area, is the drainage pattern altered?			
	6.	Does the project involve changes in travel patterns?			
	7.	Does the project involve the acquisition of more than minor amounts of temporary or permanent right-of-way (a minor amount of right-of-way is defined as not more than 10 percent of a parcel for parcels under 4 ha (10 acres) in size, 0.4 ha (1 acre) of a parcel 4 to 40.5 ha (10 to 100 acres) in size and 1 percent of parcel for parcels greater than 40.5 ha (100 acres) in size)?			

	June 2009 Final Project Scoping Report	/Design Report	PIN 4LS027
8.	Does the project require a Section 4(f) evaluation and determination in accordance with the FHWA guidance?	YES	NO
9.	Does the project involve commercial or residential Displacement?		
10.	If Section 106 applies, does FHWA's determination indicate an opinion of adverse effect?		
11.	Does the project involve any work in wetlands requiring a Nationwide Wetland Permit #23?		
12.	Does the project involve any work in wetlands requiring an individual Executive Order 11990 Wetland Finding?		
13.	Has it been determined that the project will significantly encroach upon a flood plain based on preliminary hydraulic analysis and consideration of EO 11988 criteria as appropriate?		
14.	Does the project involve construction in, across or adjacent to a river designated as a component proposed for or included in the National System of Wild and Scenic Rivers?		
15.	Does the project involve any change in access control?		
16.	Does the project involve any known hazardous materials sites or previous land uses with potential for hazardous material remains within the right-of-way?		
17.	Does the project occur in an area where there are Federally listed endangered or threatened species or critical habitat?		
18.	Is the project, pursuant to EPM Chapter 1A and Table 2 and Table 3 of 40 CFR Parts 51 and 93, non-exempt or does it exceed any ambient air quality standard?		. 🗆
19.	Does the project lack consistency with the New York State Coastal Zone Management Plan and policies of the Department of State, Office of Coastal Zone Management?		

• If NO for questions 3-20, go on to answer question 21.

20. Does the project impact or acquire any Prime or Unique Farmland as defined in 7 CFR Part 657 of the Federal Farmland Protection Policy Act <u>and</u> are there outstanding compliance activities necessary? (<u>Note</u>: Interpret compliance activity to mean completion of Form AD 1006.)

• If YES to any question 3-20, project will not qualify as a Programmatic Categorical Exclusion. Answer questions 21 and 22 for documentation only and go on to question 23.

21.	Does the project involve the use of a temporary road, Detour or ramp closure?		
• pr	If NO to questions 3-20 and NO to question 21, the project qualifies a You may STOP COMPLETING THE CHECKLIST. The checklist shot Design Report (or Scope Summary Memorandum/Final Design Report DETERMINATION memo is to be sent to the appropriate Main Office Design Report (or Scope Summary Memorandum/Final Design Report memo must also be sent to the Office of Budget and Finance, Project sample DETERMINATION memo attached). If YES to question 21, preparer should complete question 22 (i-v). If roject will still qualify as a Programmatic Categorical Exclusion if question	ould be included in the apport). The CATEGORICAL Design liaison unit with a prt). A copy of the Catego t and Letting Managemen questions 3-20 are NO ar	pendix of the Fina EXCLUSION copy of the Final rical Exclusion t, and others (see
		YES	NO
22.	Since the project involves the use of temporary road, detour or ramp closure, will all of the following conditions be met:		•
	 Provisions will be made for pedestrian access, where warranted, and access by local traffic and so posted. 		
	ii. Through-traffic dependent business will not be Adversely affected.		
	iii. The detour or ramp closure, to the extent possible, will not interfere with any local special event or festival.		
	iv. The temporary road, detour or ramp closure does not substantially change the environmental consequences of the action.		
	v. There is no substantial controversy associated with The temporary road, detour or ramp closure.		
•	If question 3-20 are NO, 21 is YES and 22 (i-v) are YES, the project qualifies may STOP COMPLETING THE CHECKLIST. The checklist should be included by the composition of the checklist should be included by the composition of the checklist should be included by the checklist should be included by the checklist should be included by the checklist should be sent to the appropriate Main Office Design Report (or Scope Summary Memorandum/Final Design Report memo must also be sent to the Office of Budget and Finance, Project sample DETERMINATION memo attached).	luded in the appendix of the ort). The CATEGORICAL Design liaison unit with a ort). A copy of the Category	ne Final EXCLUSION copy of the Final rical Exclusion
•	If questions 3-20 are NO, 21 is YES and any part of 22 is NO, go on to question	on 23.	
23.	Is the project section listed in 23 CFR §771.117(d) (D List) Or is the project an action similar to those listed in 23 CFR §771.117 (d)?	YES	NO
any vell subr	those questions which precluded a Programmatic Categorical Exclusi YES response to questions 3-20 or for a NO response to any part of a as the checklist, should be included in the Design Approval Documen mitted to the Main Office/FHWA Design liaison unit for submission to t ect as a D List Categorical Exclusion.	questions 22 (i-v). This do it, i.e., Final Design Repor	cumentation, as t, etc., to be

Final Project Scoping Report/Design Report

June 2009

PIN 4LS027

City of Rochester, Department of Environmental Services City Hall, Room 300B 30 Church Street Rochester, NY 14614

Memorandum

To:

Mr. Stephen Beauvais, NYSDOT - Region 4

From:

James R. McIntosh, City Engineer - City of Rochester

Subject:

ARRA PS&E TRANSMITAL - PRIORITY ROW CLEARANCE CERTIFICATION

CONTRACT DOCUMENT APPROVAL REQUEST

PIN:

4LS027

PROJECT TYPE:

Streetscape Improvement Maintenance Project

RTE NUMBER & NAME:

North Clinton Avenue

LIMITS:

Upper Fails Blvd. to Avenue D

MUNICIPALITY:

City of Rochester, MONROE COUNTY

DUNS Number:

026433719

Date:

June 1, 2009

1. Project Type

This is not a preventive maintenance project; it is a Pedestrian and Bicycle Accommodations project.

2. Federal Aid Procedure

This project is federally funded, has no National System or State Highway involvement, no additional approval of the PS&E is necessary.

3. Project Construction & Inspection Costs

Construction Inspection Costs	\$200,000.00
TOTAL	\$1 572 892 0 0

4. Contract Advertisement, Pre-Bid meeting, Contract Letting, Award, Pre-Construction Meeting and Completion

The project will be advertised for a 3 week period on **July 6, 2009** with Contract Bid Documents available for purchase at Rochester City Hall Purchasing Department, Room 105A, 30 Church Street, Rochester, NY 14614. Phone: (585) 428-7041.

A Pre-Bid Meeting has been scheduled for 10:00 AM on Tuesday, July 14, 2009 in Room 321B, Rochester City Hall, 30 Church Street, Rochester, NY 14614.

The **Bid Opening (Letting)** has been scheduled for **2:00PM**, **EST on July 28**, **2009** in room 321B (Contact the City Purchasing Office at 585-428-7041 the day of the opening to confirm room number) at Rochester City Hall, 30 Church Street, Rochester, NY 14614 (three-week advertisement length).

It is anticipated that the City of Rochester Department of Public Works will provide a **Notice of Award** for the project on **August 11, 2009**.

A Pre-Construction Conference will be held August 21, 2009. Construction will commence on September 1, 2009.

Project is anticipated to be substantially complete by May 15, 2010 with final completion on or before June 1, 2010.

5. Construction Supervision

The supervision of construction is to be by Consultant forces. The pre-negotiated budget cost for Consultant Construction Inspection services is \$200,000.

6. Agency Coordination

The City of Rochester, along with the Monroe County Departments of Transportation and Public Works, are directly involved in construction, maintenance and ownership of the project.

7. Statewide Significance

This project was not determined to be of statewide significance.

8. Design Approval

The Design Approval Document (DAD), dated May 1, 2009, for this project was an IPP/Final Design Report. No nonstandard features have been identified since Design approval.

9. Prerequisites to Advertisement

a. ROW

The Right of Way Clearance Certificate is attached.

b. Environmental Issues

NEPA – Based on 23 CFR Section 771, this project was determined to be a NEPA Class II Automatic Categorical Exclusion as determined by the NYSDOT on May 1, 2009 (DAD date). SEQR – Based on 17 NYCRR Part 15, this project was determined to be a SEQR Type II by the City of Rochester Department of Public Works. The City of Rochester Department of Public Works has completed a Short Environmental Assessment Form.

10. Resolutions / Agreements / Permits / Utilities

This project does not require resolutions/agreements from municipalities.

Permit approvals have been secured.

Utility agreements have been secured.

11. Utility Relocation

This project does not require utility relocation. All appropriate utility coordination has been conducted to ensure all wiring, valve boxes, manholes and other elements will be adjusted or otherwise addressed, as needed, in conjunction with or in advance of paving work.

12. Work Zone Safety and Mobility Compliance

The following information is provided to process the subject project consistent with CFR (Code of Federal Regulations) 630.1012. The Local Sponsor has determined that the subject project is not significant per 23 CFR 630.1010. A Transportation Management Plan (TMP) has been prepared consistent with 23 CFR 630.1012. The TMP consists of a Maintenance and Protection of Traffic Plan and Notes shown in the Contract Documents. The Public Information component of the TMP was completed during design through press releases and standard public outreach. Due to the nature of the work type a public information meeting was not required.

13. Disadvantaged/Minority/Women's Business Enterprise Goals.

A goal reduction or waiver is not being requested. The project group number is 6 and the DBE goal is 9%.

14. ARRA Project Rational

To invest in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits.

15. Designer's Certification

All requirements requisite to these actions and approvals have been met, independent quality control peer reviews have been accomplished, and the work is consistent with established standards, policies, regulations and procedures, except as otherwise noted and explained in this memo.

Requests for Approval

I CONCUR THAT APPLICABLE PERMITS, AGREEMENTS, COST & SHARE BREAK DOWNS AND CONTRACT DOCUMENTS ARE IN ORDER. I ADDITIONALY CONCUR THAT THE FINAL ROW CERTIFICATION HAS BEEN RECEIVED AND ALL RIGHTS OF WAY ARE PROVIDED FOR. CONSTRUCTION PHASE AUTHORIZATIONS WILL BE INITIATIED EFFECTIVE ON THE SPONSOR CONTRACT DOCUMENT APPROVAL DATE.

Danie Hallowell

Program & Project Development Manager

New York State Department of Transportation

I APPROVE THE CONTRACT DOCMENTS AS DESCRIBED AND WILL DIRECT THE PROJECT TO PROCEED TO CONSTRUCTION ADVERTISEMENT ONCE CONSTRUCTION PHASE AUTHORIZATION HAS BEEN PROVIDED BY NYSDOT:

Date

James R. McIntosh

Ct√ Engineer
City of Rochester

Attachments: ROW Clearance Certification

Contract Drawings, Contract proposal,

Engineers estimate

cc: S. Beauvais, Regional Local Project Liaison NYSDOT

	WAT CHEARAINCE CERTIFICATE August 2007 700
To: Regional Real Estate Officer, R	Region <u>4</u> Date: <u>May 22, 2009</u>
From: James R. McIntosh, P.E	City Engineer, Local Sponsor: City of Rochester
P.I.N. #: 4LS027	Project: La Avenida Streetscape (N. Clinton Ave. between Upper Falls Blvd. & Avenue D) Improvement Project
Local #: <u>06321</u>	Acquiring Agency City of Rochester
the Eminent Domain Procedure Lav Policies Act of 1970 and as amende	een or will be acquired in accordance with the Highway Law, w, "Uniform Relocation Assistance Real Property Acquisition ed", and Title 23 of the Code of Federal Regulations, Part pplicable), and that the status of the right-of-way is as
Select: a, b or c	
(a) No right of way (including of project.	clearance of the existing right of way) is required for the
are no improvements existing that no vacated the land and/or improvement right to remove. (c) All the necessary rights of completed, however, the acquired improvements.	d. If applicable, "Statement of Donations" attached. There eed to be removed or demolished and/or all occupants have nts and the Department has the physical possession and the f way, including control of access rights have not been juisitions are being progressed and all legal and physical ks prior to advertising for bids (see attached ROW 9-15A
Project description:	
No. of maps required for project:	0
lo. of Claimants:	0
No. of maps not requiring payment:	0
lo. of Relocations required:	O
lo. of Relocations completed:	
lo. of maps paid to date:	0
lo. of maps deposited to date:	. O
Completed Project File (11-1) and In e attached.	dividual Property Acquisition File (11-2) Check Lists must
Ja Q Malter	Mary Both Sell

2R Projects DOCUMENTATION OF SAFETY RELATED WORK

April 2009	Date =	N = 4LS027	P
	Design = Traffic = Maintenance =	ety Audit Team	Sal
Comments	Guldance	Element	Х
Accident history was not reviewed; roadway alterations are not within scope of this project.	3 year accident history? High Accident Locations? Above average accident locations? Patterns or Clusters attributable to geometric features?	Accidents	х
Signs are not within the scope of this project	Signs should be installed as needed in accordance with the National MUTCD. Review for condition (retroreflectivity), location, post type (breakaway or rigid), and appropriateness (need).	Signing	x
	Immediately notify the Resident Engineer of any missing regulatory or warning signs.		
Proposed pavement markings are in accordance with the National MUTCD.	Pavement markings should be installed in accordance with the National MUTCD. The adequacy of existing passing zones should be evaluated.	Pavement Markings	x
	Delineation should be installed per the National MUTCD	Delineation	х
Traffic signals will not be included in the scope of work.	Signal heads should be upgraded to meet current requirements. Detection systems should be evaluated for actuated signals and considered for fixed-time signals. New traffic signals may be included provide they meet the signal warrants.	Traffic Signals	x
Posted speed limits are below 80km/h.	On rural, high-speed facilities (80 km/h or greater) consider in accordance with HDM §3.2.5.4.	Shoulder Rumble Strips	х
Shoulders widening is not within the scope of work.	Non-freeway lanes be widened to 1.2 m for motor vehicle recovery, bicyclists, and pedestrian.	Shoulder Widening	x
Lane widening is not within the scope of work.	Non-freeway lanes may be widened per HDM §7.3.	Lane Widening	x
Existing intersection geometry will remain, improvement are not included in the scope of work.	Intersections should accommodate the design vehicle without encroachment into other travel lanes or turning lanes.	Design Vehicle	x
Driveways are not included in the scope of work.	Driveways shall meet the spirit and intent of the most recent Policy and Standards for Entrances to State Highways".	Driveways	x
Turn lanes are not included in the scope of work.	Turn lanes should meet the requirements of HDM §5.10.5.5, B.	Turn Lanes	x
There are no speed change lanes being affected as part of the scope of this project.	Speed change lanes should meet AASHTO "Green Book" standards.	Speed Change Lanes	x
Vegetation included in the project will be in accordance with the intersection sight distance,	Trim vegetation to improve substandard intersection sight distance, and horizontal and vertical stopping sight distance. Guidance:	Sight Distance	x

		Intersection Sight Distance – HDM §5.10.5.1 A Passing Sight Distance – HDM §5.8.2.2 Horizontal & Sag Vertical SSD – HDM Chapter 2 and HDM §5.8.2.1	Existing vegetation does not conflict with the sight distance.
x	Curbing	Curbing must meet the requirements of HDM §10.2.2.4.	Curbing will be reset.if it does not meet the requirements of HDM §10.2.2.4.
x	Drainage	Closed drainage work may include new closed drainage structures, culverts, and the cleaning and repair of existing systems. Subsurface utility exploration should be considered for closed system drainage modifications.	Drainage work is not included in the scope of this project.
x	Blcycle & Pedestrian	Sidewalk curb ramps and existing sidewalks must meet HDM Chapter 18 requirements. Consider cross walks and pedestrian push buttons at signals	Sidewalk curb ramps and existing sidewalks will be replaced to meet the HDM Chapter 18 requirements.
X	Superelevation	Gonsultant Figure 231-1 of the NYS MUTCD Identify any current conditions which meet the criteria in §2.1 (i.e., curves where it is determined that existing operating speeds are now causing, or may in the future cause, vehicles to travel off the roadway or cross the centerline). Sharp horizontal curves may be ball banked to help determine the need for additional superelevation. Existing superelevation should not be reduced unless excessive (>8%) and causing a safety problem. Install advisory speed signs and consider additional treatments (e.g., chevrons, roadside clearing, as needed.	Not within scope of work.
x	Shoulder Resurfacing	Unpaved, stabilized shoulders should be paved in order to reinforce the edge of the traveled way, accommodate bicyclists, and increase safety. Where there is no curb, shoulder widths shall be a minimum of 0.6 m (1.2 m is desirable). Existing shoulders and curb offsets cannot be reduced.	Shoulders resurfacing is not included in the scope of work.
X	Clear Zone(s)	Determine based on HDM §10.3.2.2 A.	Clear zones will not be impacted by the project.
X	Fixed Objects	Based on the criteria in §4.0 of this policy, remove, relocate, modify to make crash worthy, shield by guide rail/crash cushion, or delineate any fixed objects that require remediation due to existing or potential safety implications (e.g., tree removal on the outside of a curve or installation of traversable driveway culvert end sections). The Region should determine the liming of the work based on the work involve, accident data and accident potential. For guidance on identifying fixed objects, refer to HDM §10.3.1.2 B	Non conforming fixed objects have not been identified within the project corridor.
x	Guide Rall	The following should be used to evaluate the need for guide rall and other roadside work. HDM §10.2.2.1 – point of need	Guide rails are not required

		 HDM Table 10-7 – acceptable guide rail height HDM §10.3.1.2 B – guidance on determining severely deteriorated guide rail and non-functional guide rail HDM §10.2.2.3 and Table 10-3 – barrier deflection distance HDM §10.2.2 – design of new guide rail Current Els and EBs. 	
x	Bridge Rail Transitions	The Regional Structures Group, Regional design Group, SDCD and DQAB should be contacted, as necessary, to help identify substandard connections to bridge rall and for the recommended treatment.	There are no bridges or rails within the project area.
x	Other	In general, where the 2R policy is silent, the project should follow standard Department guidance and policies. Where policies and guidance have specific information for 3R projects, it should be used for 2R project as well. For example, the roadside design must meet the requirements referenced for 3R projects in HDM §10.3.	The planned improvements will be in accordance with the requirements of the HDM.

Note: This checklist and a memo to file summarizing the finding should be included with the Design Approval Document.

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