

Summary Narrative of Amendment 3 to the FFY 2024-2028 Transportation Improvement Program for the Northern Middlesex Region

Introduction and Overview

The following table summarizes a draft amendment to Fiscal Year 2024 of the FFY 2024-2028 Northern Middlesex Transportation Improvement Program (TIP). **Amendment 3** proposes a cost increase for Project #609035, which involves the rehabilitation of Boston Road in Westford, programmed for FY 2024. Once a project is programmed in the TIP and endorsed by the MPO board any subsequent changes must be released for public comment prior to MPO board approval.

The proposed amendment was released for a 21-day public comment period at the NMMPO meeting on April 24, 2024. A public comment meeting was held on May 15, 2024 via Zoom. The public was invited to comment on this amendment by email to publiccomments@nmcog.org, or by mail to NMCOG, 672 Suffolk Street, Suite 100, Lowell, MA 01854. After the public comment period closed on May 16, the NMMPO met on May 22, 2024, to hear any comments received and vote to endorse this amendment.

Table of Changes FFY 2024 Project #609035 – “Rehabilitation of Boston Road in Westford”

Project Funding	Former Value	New Value	Variance
Regional: CMAQ	\$1,725,000	\$1,725,000	\$0
Regional: TAP	\$281,909	\$1,000,000	+\$718,091
Regional: STBG	\$8,272,207	\$9,162,651	+\$890,444
Section 2B (State TIP): STBG	\$0	\$3,205,943	+\$3,205,943
TOTAL	\$10,019,116	\$15,093,594	+\$5,074,478

TIP Program Description

The Transportation Improvement Program (TIP) is a critical federally mandated document that directs the allocation of federal transportation funding within the NMMPO region. The TIP outlines a five-year capital plan, featuring a diverse array of projects anticipated to receive federal and state aid. The most [recent TIP](#) is available on the NMCOG website as well as TIPs from [recent years](#). Our TIP is bifurcated into two principal components: one focusing on transit projects through the Lowell Regional Transit Authority’s (LRTA) and the other on regional transportation infrastructure enhancements. The Program of Projects forms the core of the TIP.

Proposed changes to the TIP, referred to as “amendments”, are presented to the NMMPO Board for comprehensive review and consideration for inclusion in the regional plan.

Public Comment Summary

The NMMPO invited the public to provide their input on this TIP amendment. A 21-day comment period was established to ensure sufficient opportunity for community feedback. This process satisfies the MPO’s public participation requirements for the Program of Projects.

- **21-Day Public Comment Period: April 23, 2024 – May 16, 2024**
The NMMPO accepted public comments at publiccomments@nmcog.org, or by mail to NMCOG, 672 Suffolk Street, Suite 100, Lowell, MA 01854. The NMMPO received no comments on the proposed amendment.
- **Virtual Public Meeting: May 15, 2024 at 5:30pm via Zoom**
NMMPO staff Kelly Lynema and Blake Acton hosted a virtual public meeting on Zoom. The consulting engineer for the project, John Rockwell, Project Manager from TEC Inc., attended to provide additional comments and answer any questions about the project.

John shared additional factors related to the cost increase beyond the temporary widening of the roadway. He noted that the basis for the original estimate of \$10.2 million was calculated on the 75% design phase and submitted to MassDOT in October of 2021. Since that time, there has been significant price escalation and scope evolution through various MassDOT submittals. In addition to accommodating the temporary road widening, there is an option for a temporary detour with associated temporary traffic signals. The total estimate incorporates that contingency, as well as increases in costs related to the expansion of the stormwater treatment basin. A MassDOT Hazardous Materials Directive based on MassDEP guidance requires that excess excavation material from the site must be assumed to be potentially contaminated, tested, and disposed of as such. The stormwater treatment basin will result in additional excavation, which therefore will need to be tested and disposed of as if they contain hazardous materials or from invasive species.

Detailed List of Proposed Changes

1. **609035 – Rehabilitation of Boston Road in Westford:**
The project aims to reconstruct Boston Road from the Town Common to the I-495 Southbound Ramps. This extensive rehabilitation will address existing geometric deficiencies and includes the addition of a sidewalk on one side and on-road bicycle lanes in both directions, enhancing safety for all road users. The rehabilitation will also involve full depth pavement reclamation due to the deteriorated state of the existing pavement, and extensive trenching required for drainage and water main replacements. Originally budgeted at approximately \$10.02 million, the total cost has now increased to about \$15.09 million, reflecting an increase of \$5.07 million. The additional funding is sourced primarily from the Surface Transportation Block Grant Program (STBG), with

substantial new allocations from the Transportation Alternatives Program (TAP) and a significant contribution from Section 2B (State TIP) under STBG. The cost increase for this project is primarily attributed to the need for widened pavement at a few strategic locations along Boston Road to facilitate one-way alternating traffic during the underground utility work. Prior to this change construction crews would have needed to close Boston Road to traffic. This adjustment ensures that traffic flow is maintained during construction, minimizing disruption to the local community and ensuring the safety of construction workers and road users.

ENDORSEMENT OF AMENDMENT 3 TO THE FFY 2024 – 2028 TRANSPORTATION IMPROVEMENT PROGRAM FOR THE NORTHERN MIDDLESEX REGION

FFY 2024-2028 Northern Middlesex Transportation Program Air Quality Endorsement Statement

This document certifies that on May 22, 2024 the Northern Middlesex Metropolitan Planning Organization endorsed Amendment #3 to the FFY 2024-2028 Transportation Improvement Program for the Northern Middlesex Region. This TIP amendment is being endorsed in accordance with the 3C Transportation Planning Process and complies with the requirements in the Infrastructure Investment and Jobs Act (IIJA), also known as the “Bipartisan Infrastructure Law” (BIL).

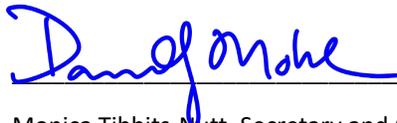
Air Quality Conformity

Whereas, the 1990 Clean Air Act Amendments (CAAA) require Metropolitan Planning Organizations within non-attainment areas and/or attainment areas with maintenance plans to perform air quality conformity determinations prior to the approval of transportation plans and transportation improvement programs, and at such other times as required by regulation;

Whereas, the air quality conformity analysis prepared for the FFY 2024-2028 Transportation Improvement Program also demonstrates air quality conformity of the Northern Middlesex Regional Transportation Plan (RTP), and that all regionally significant transportation projects in the FFY 2024-2028 Transportation Improvement Program are contained in the Regional Transportation Plan, and that all regionally significant projects in the 2020 to 2040 timeframe of the Regional Transportation Plan are modeled in the FFY 2024-2028 Transportation Improvement Program's air quality conformity analyses;

Whereas, the NMMPO has completed its review in accordance with Section 176(c) (4) of the Clean Air Act as amended in 1990 [42 U.S.C. 7251 (a)], and hereby certifies that the FFY 2024-2028 TIP is financially constrained and that the implementation of the RTP satisfies the conformity criteria specified in both 40 CFR Part 51 and 93 (8/15/1997) and 310 CMR 60.03 (12/30/1994). Based on the results of the conformity analyses, the RTP and FFY 2024-2028 TIP is consistent with the air quality goals of, and in conformity with, the Massachusetts State Implementation Plan;

Therefore, in accordance with 23 CFR Part 450.326 (Development and content of the Transportation Improvement Program) and the Northern Middlesex MPO Regional Public Participation Plan (23 CFR 450.316), the MPO hereby endorses the FFY 2024-2028 Transportation Improvement Program.



for

May 22, 2024

Monica Tibbits-Nutt, Secretary and CEO
Massachusetts Department of Transportation (MassDOT);
Chair, Northern Middlesex Metropolitan Planning Organization (NMMPO)

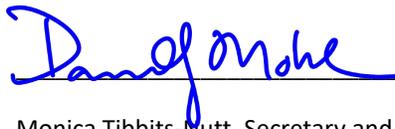
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310 CMR 60.05: GLOBAL WARMING SOLUTIONS ACT REQUIREMENTS FOR THE TRANSPORTATION SECTOR AND THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

Self-Certification Compliance Statement for Metropolitan Planning Organizations

This will certify that the Transportation Improvement Program and Air Quality Conformity Determination for the Northern Middlesex Metropolitan Planning Organization (NMMPO) Transportation Improvement Program is in compliance with all applicable requirements in the State Regulation 310 CMR 60.05: Global Warming Solutions Act Requirements for Transportation. The regulation requires the MPO to:

1. 310 CMR 60.05(5)(a)1.: Evaluate and report the aggregate transportation GHG emissions impacts of MTPs and TIPs;
2. 310 CMR 60.05(5)(a)2.: In consultation with MassDOT, develop and utilize procedures to prioritize and select projects in MTPs and TIPs based on factors that include aggregate transportation GHG emissions impacts;
3. 310 CMR 60.05(5)(a)3.: Quantify net transportation GHG emissions impacts resulting from the projects in MTPs and TIPs and certify in a statement included with MTPs and TIPs pursuant to 23 CFR Part 450 that the MPO has made efforts to minimize aggregate transportation GHG emissions impacts;
4. 310 CMR 60.05(5)(a)4.: Determine in consultation with the RPA that the appropriate planning assumptions used for transportation GHG emissions modeling are consistent with local land use policies, or that local authorities have made documented and credible commitments to establishing such consistency;
5. 310 CMR 60.05(8)(a)2.a.: Develop MTPs and TIPs;
6. 310 CMR 60.05(8)(a)2.b.: Ensure that RPAs are using appropriate planning assumptions;
7. 310 CMR 60.05(8)(a)2.c.: Perform regional aggregate transportation GHG emissions impact analysis of MTPs and TIPs;
8. 310 CMR 60.05(8)(a)2.d.: Calculate aggregate transportation GHG emissions impacts for MTPs and TIPs;
9. 310 CMR 60.05(8)(a)2.e.: Develop public consultation procedures for aggregate transportation GHG emissions impact reporting and related GWSA requirements consistent with current and approved regional public participation plans;
10. 310 CMR 60.05(8)(c): Prior to making final endorsements on the MTPs, TIPs, STIPs, and projects included in these plans, MassDOT and the MPOs shall include the aggregate transportation GHG emission impact assessment in MTPs, TIPs, and STIPs and provide an opportunity for public review and comment on the MTPs, TIPs, and STIPs; and
11. 310 CMR 60.05(8)(a)1.c.: After a final GHG assessment has been made by MassDOT and the MPOs, MassDOT and the MPOs shall submit MPO-endorsed MTPs, TIPs, STIPs or projects within 30 days of endorsement to the Department for review of the GHG assessment.



for

May 22, 2024

Monica Tibbits-Nutt, Secretary and CEO
Massachusetts Department of Transportation (MassDOT);
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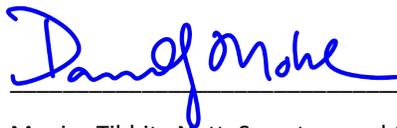
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SELF-CERTIFICATION OF THE 3C PLANNING PROCESS

FFY 2025-2029 Northern Middlesex Transportation Program 3C Process Statement

The Northern Middlesex Metropolitan Planning Organization certifies that its conduct of the metropolitan transportation planning process complies with all applicable requirements, which are listed below, and that this process includes activities to support the development and implementation of the regional Long-Range Transportation Plan and Air Quality Conformity Determination, the Transportation Improvement Program and Air Quality Conformity Determination, and the Unified Planning Work Program.

1. 23 USC 134, 49 USC 5303, and this subpart.
2. Sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 USC 7504, 7506 (c) and (d) and 40 CFR part 93 and for applicable State Implementation Plan projects.
3. Title VI of the Civil Rights Act of 1964, as amended (42 USC 2000d-1) and 49 CFR Part 21.
4. 49 USC 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity.
5. Section 1101 (b) of the Fast Act (Pub. L. 114-357) and 49 CFR Part 26 regarding the involvement of disadvantaged business enterprises in U.S. DOT-funded projects.
6. 23 CFR part 230, regarding implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts.
7. The provisions of the US DOT and of the Americans with Disabilities Act of 1990 (42 USC 12101 et seq.) and 49 CFR Parts 27, 37, and 38.
8. The Older Americans Act, as amended (42 USC 6101), prohibiting discrimination on the basis of age in programs or activities receiving federal financial assistance.
9. Section 324 of Title 23 USC regarding the prohibition of discrimination based on gender.
10. Section 504 of the Rehabilitation Act of 1973 (29 USC 794) and 49 CFR Part 27 regarding discrimination against individuals with disabilities.
11. Anti-lobbying restrictions found in 49 CFR Part 20. No appropriated funds may be expended by a recipient to influence or attempt to influence an officer or employee of any agency, or a member of Congress, in connection with the awarding of any federal contract.



for

May 22, 2024

Monica Tibbits-Nutt, Secretary and CEO
Massachusetts Department of Transportation (MassDOT);
Chair, Northern Middlesex Metropolitan Planning Organization (NMMPO)

Date