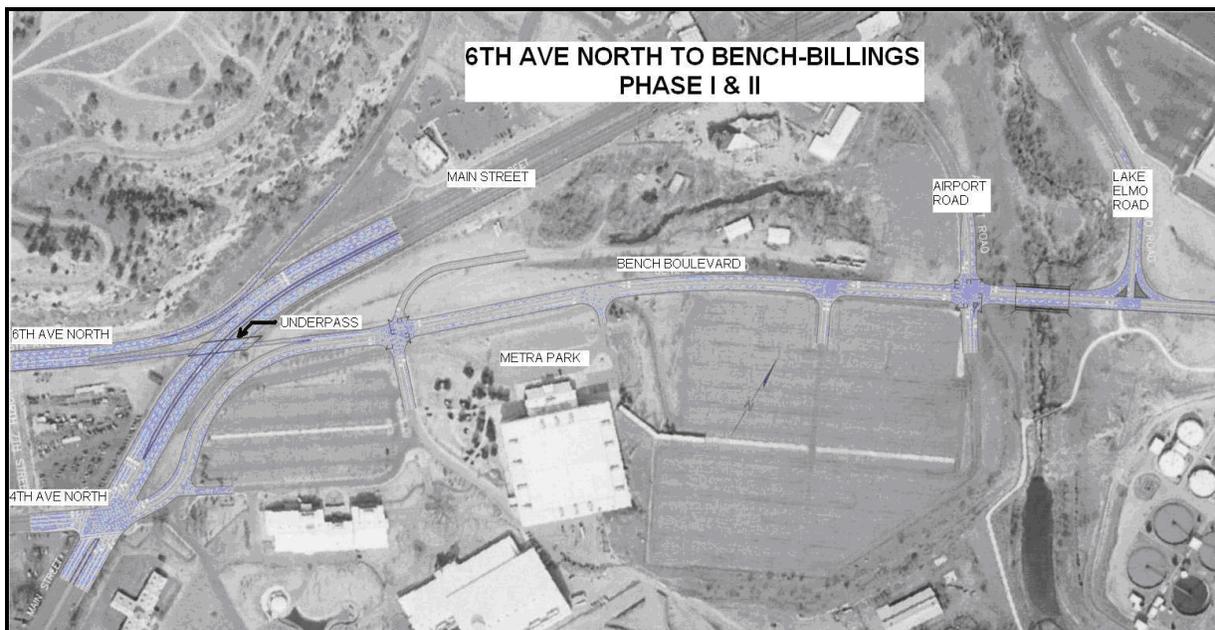


Transportation Investment Generating
Economic Recovery (TIGER)
Discretionary Grant



Montana Billings - 6th Avenue North to Bench Boulevard

Submitted by the Montana Department of Transportation



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1. PROJECT NAME

MONTANA – BILLINGS – 6TH AVENUE NORTH TO BENCH BLVD – (PHASE II)

2. GRANT REQUEST AMOUNT - \$25,000,000

3. PROJECT DATA

State: Montana

County: Yellowstone

City: Billings

Congressional District: MT-001

Urban/Rural: Urban

Type: Highway Reconstruction

DUNS Number: 878557917

Website: http://www.mdt.mt.gov/recovery/grant_billings6thave.shtml

4. PROJECT DESCRIPTION

This project is located in Billings, Montana in Yellowstone County, shown in Figure 1 below. The 2000 Census population for Billings was 89,847, which has increased to 103,994 in 2008. Billings is the largest city in Montana, and it ranks as the 60th fastest growing city out of 259 cities in the United States with a population over 100,000. The project is located on Main Street and Bench Boulevard. Main Street is on National Highway Route 16 and is a federally designated high priority corridor known as the Camino Real Corridor, see Figure 2. This project is also located about 7 miles from the Crow Indian Reservation. The Crow Indian Reservation is categorized as an Economically Distressed area , see Figure 3.



Figure 1: Project Location

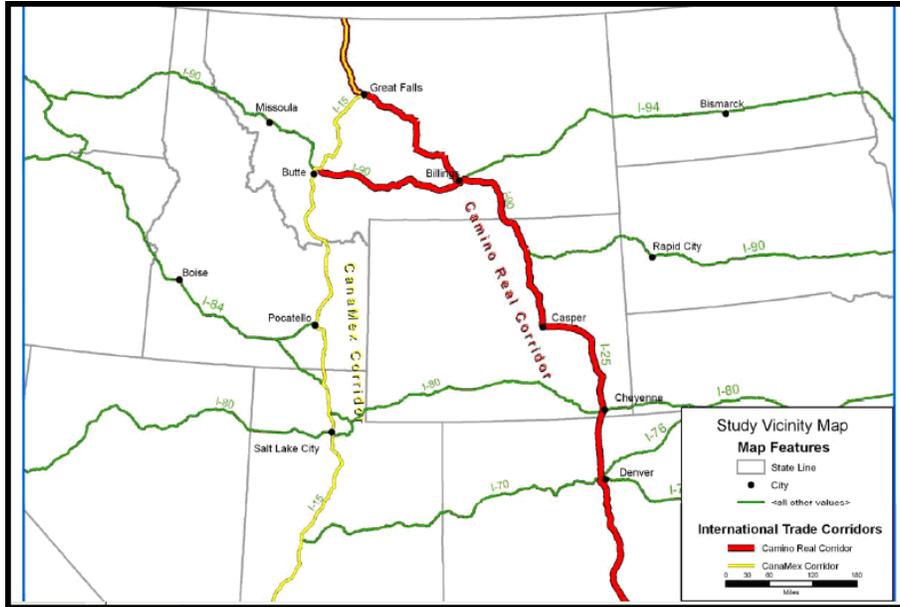


Figure 2: Camino Real Corridor

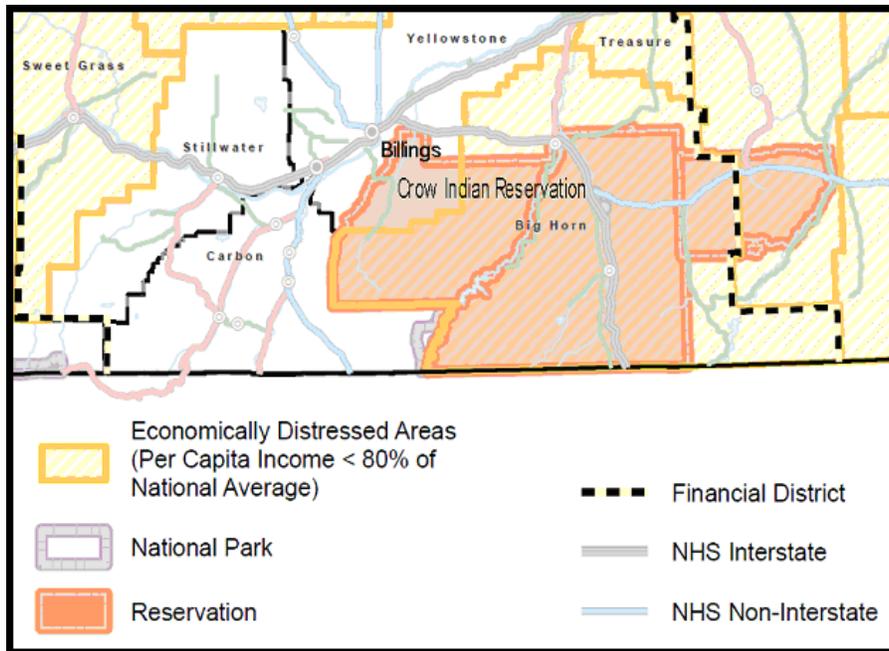


Figure 3: Economically Distressed Area

Main Street in Billings has the highest daily traffic of any street or highway in Montana. It currently has stop and go traffic congestion during rush hours on every work day of the week. Due to this congestion, it is failing to provide a safe and efficient route for the traveling public. Bench Boulevard runs parallel to Main Street as depicted in the map in Figure 4 below.



Figure 4: Map depicting existing Bench Boulevard orientation to Main Street

Bench Boulevard currently connects to Main Street at Lake Elmo Drive and therefore only contributes to the traffic congestion on Main Street instead of relieving it. Phase I of this project will construct the necessary bridge across Alkali Creek on Bench Boulevard and is the first step to providing the desperately needed, parallel route to Main Street. The proposed project will construct Phase II and will finish this parallel route by constructing a bridge on Main Street that will enable Bench Boulevard to connect to 6th Ave North under Main Street. The proposed project will greatly improve the condition of the existing transportation facility by relieving the traffic congestion on Main Street. It will provide an alternate route to and from a portion of Billings that is currently connected only by Main Street. It will also provide a free flowing exit for the Yellowstone MetraPark facility.

MetraPark is a modern 10,000 seat concert, trade show and rodeo arena, surrounded by the fairgrounds, pari-mutuel horse-race track and super-barn complex. MetraPark is a multi facility events campus, the largest of its kind in a 5 state region with professional management solely dedicated to the events business. The Expo Center at 77,000 square feet and the Pavilion building at 28,000 square feet, overlook a relaxing lake and park. MetraPark is a stellar entertainment complex, home of the state's largest event — Montana Fair drawing over 273,000 people in 2008. Currently, there are only two exits from the MetraPark and both of them exit onto Main Street. The result is vehicles queue up for hours to exit the MetraPark parking lot after an event while traffic is backed up exiting onto Main Street. This project will provide a free flowing exit under Main Street onto 6th Ave North and onto Bench Boulevard across Alkali Creek. This is a long term solution that will result in a greatly improved transportation system.

The following narrative was extracted from the City of Billings Transportation Planning document concerning Main Street and the 6th Ave North to Bench Blvd project and provides

a description of the growing congestion conditions and the proposed alternative. The complete document can be viewed using the following link:

[http://www.mdt.mt.gov/publications/docs/brochures/Billings Transportation Plan.pdf](http://www.mdt.mt.gov/publications/docs/brochures/Billings_Transportation_Plan.pdf)

“Main Street provides a clear indication of the growth forecast for the Heights travel to the other Billings neighborhoods. The growth in traffic on Main Street is forecast to be a total of 10-15 percent through the 2025 time frame. This growth causes the existing roadway to become more congested than it operates at present. In 2025, we anticipate traffic volumes of 52,450 along the corridor cannot be accommodated at an acceptable level of service by the current facility components.

The increased traffic will create a situation where congestion may become too great of a risk for the traveling public. Given the fact there is a limited number of routes leading into and out of the Heights, a ‘bottleneck’ condition would most likely develop as all intersections along Main Street become congested with motorists.

The Heights area is somewhat isolated from the remainder of the city by physical barriers. The rims form a formidable barrier between the Heights and downtown, as well as the west area. The Yellowstone River forms a significant barrier between the Heights and Interstate 90 and the Lockwood community. The rims and the river come in close proximity to each other northeast of downtown, and create a physical “bottleneck,” narrowing corridors for travel between the Heights and downtown. Main Street provides the only facility through this bottleneck, and consequently carries heavy traffic volume. The alternative that has emerged as feasible solutions within the Main Street corridor is the extension of Bench Blvd. through Metra Park. This alternative provided significant relief for Main Street traffic, but also has inherent difficulties. This alternative has been previously examined, even engineered, in some detail. This alternative solution is also part of the 1990 and 2000 Transportation Plan. **The modeling indicates that the Bench Blvd. extension to 4th and 6th Avenues provides the most relief to Main Street traffic, when implemented, could hold Main Street traffic volume to 2005 levels or lower through critical sections of Main Street, even to the year 2025.”**

5. PROJECT PARTIES

There are four major parties involved in the 6th Ave N to Bench project. Phase I of this project involves the City of Billings, Yellowstone County, Montana Department of Transportation and the Federal Highway Administration. The City of Billings is the lead on the project development and design with input from Yellowstone County and oversight from the Montana Department of Transportation and Federal Highway Administration.

Phase II of this project will once again involve all four parties with a switch in the roles for the City of Billings and the Montana Department of Transportation. The Montana Department of Transportation is now the lead agency for Phase II portion of this project and the City of Billings is providing input and is a cooperative agency.

6. GRANT FUNDS, SOURCES AND USES OF PROJECT FUNDS

Phase I of this project utilizes funds from the City of Billings, Yellowstone County and a Federal earmark. The request for funding from the TIGER grant for Phase II is \$25,000,000. MDT proposes to utilize Montana Department of Transportation and TIGER

Grant Discretionary funds. This will result in funds being contributed from all four public agencies for Phase I & II. The proposed use of the TIGER Grant funds is shown below.

New Structure	\$ 2,800,000
Road Work	\$12,200,000
Traffic Control	<u>\$ 1,108,000</u>
Subtotal	\$16,108,000
Mobilization	<u>\$ 1,609,000</u>
Subtotal	\$17,717,000
Contingencies	<u>\$ 3,540,000</u>
Subtotal	\$21,257,000
Inflation (1 yr @ 3.5%)	\$ 744,000
Construction Engineering	<u>\$ 2,640,000</u>
<u>Total Construction</u>	\$24,641,000

7. SELECTION CRITERIA – Primary Selection Criteria

7.1. Long Term Outcomes

7.1.1. State of Good Repair

This project will upgrade a surface transportation network that is currently restricting economic growth and stability. The current transportation network is inadequate to provide an acceptable level of service for Billings Heights residents and businesses. This project phase, in conjunction with the other phases of the project, will allow for an alternate route that has the appropriate capacity and facilities for the current and future business activities of the area. The 2005 Billings Transportation Plan clearly illustrates that this particular improvement is absolutely necessary for the protection of the health, safety, and welfare of all Heights residents

This project is appropriately capitalized up front and uses asset management approaches that optimize its long-term cost structure. The City of Billings and Yellowstone County have provided funds to complete Phase I of this project. Phase II can begin construction quickly upon receipt of the TIGER Grant and the funds will be spent steadily, responsibly and expeditiously once construction starts.

This project has a sustainable source of revenue available for long term operations and maintenance. Main Street is on the National Highway System and receives both Federal and State funds for its continued operations and maintenance. Bench Boulevard and 6th Ave North are eligible for three different funding sources because they are owned and maintained by the City of Billings and are approved urban routes eligible for Federal and State funds. Phase I of this project is using City and County funds to construct while another project on Bench Boulevard is using State and Federal funds. It is obvious this project, in conjunction with several other projects, will greatly improve the transportation facility and system's condition and performance. The long term cost structure of these transportation facilities will also be improved by providing a continuous route on Bench Boulevard to 6th Ave North underneath Main Street.

7.1.2. Economic Competitiveness

This project will improve the efficiency, reliability, and competitiveness of the movement of workers and goods by allowing for a greater level of service on Main Street and providing an alternate route into and out of the Heights. This project will allow users to bypass Main Street at peak times that currently are inefficient and at an unacceptable level of service. In addition, the project will allow for the further improvement of the area on the east side of Main Street with further commercial and residential development that otherwise would not happen due to the inadequate transportation network currently in place. There are currently underutilized and undeveloped parcels of land in the area that are not attractive for development due to the geographic location. This project can improve these parcels facilitating infill development as opposed to contributing to the further sprawl of Greenfield development on the periphery of the city.

A large portion of the area east of Main Street is considered Low to Moderate Income (LMI). For example, the area bound by Bench Blvd to the east, Wicks Lane to the north, Lake Elmo Dr to the west, and approximately Hilltop to the south is considered 70% - 100% LMI according to the City of Billings 2000 Census Income Data Map. (See Figure 5) The proposed project would significantly improve the likelihood of new investment by the private sector by allowing for the growth of private sector production at specific locations that are in an economically distressed area.

Additionally, the western border of the project area is adjacent to the East Billings Urban Renewal District (EBURD). The EBURD is currently an area of disrepair that is in the beginning stages of redevelopment. The area has similar issues to the area east of Main Street. For example, the area has a high LMI percentage and is stifled by the same inadequate transportation facilities as the subject area. The recently completed EBURD Master Plan identifies the project area as the “Exposition Gateway” and recommends that this section be redeveloped as part of a larger reinvestment in the area.

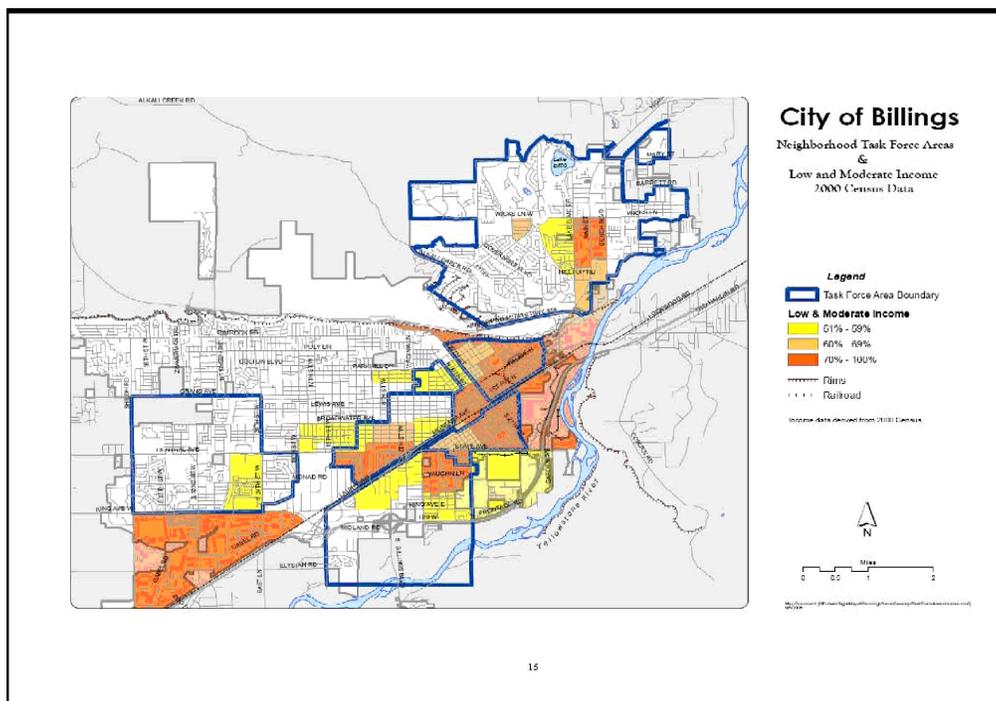


Figure 5: City of Billings – Low to Moderate Income Areas

7.1.3. Livability

This project will significantly enhance user mobility through the creation of more convenient transportation options for travelers. It will provide a much needed free flowing vehicular exit for MetraPark and Fairgrounds in addition to providing a grade separated crossing of Main Street for pedestrians. No longer will pedestrians have to utilize a crosswalk across Main Street. Instead, they will be able to use a safer and more convenient option by going under Main Street at the connection of Bench Boulevard and 6th Ave North. Also, the bridge over Alkali Creek constructed in Phase I will incorporate a sidewalk allowing pedestrians and persons with disabilities to safely cross over Alkali Creek.

This project will improve the existing transportation choices by enhancing points of multi-modal connectivity and reducing congestion on existing modal assets. Bench Boulevard will now be connected to 6th Ave North with a grade separated structure on Main Street. No longer will all traffic from Bench Boulevard have to intersect with all traffic on Main Street. It will now be possible for all traffic on these streets to remain separate and greatly relieve the congestion on Main Street that cripples its flow to stop and go conditions. It will also be possible to exit events at Metra Park Fairgrounds and not have to wait for long periods of time due to the at-grade intersections with Main Street. Figure 6 depicts the project phases below.



Figure 6: 6th Ave North to Bench-Billings Phase I & II

This project will improve accessibility and transport services for economically disadvantaged populations, drivers, senior citizens, and persons with disabilities in the area between Main Street (approximate western limit) and the Yellowstone River (approximate eastern limit), from the MetraPark Complex (approximate southern limit) to the town of Roundup turn off (approximate northern limit). The project will also make goods, commodities, and services more readily available to these groups.

This area has many portions that are in the County limits, yet outside the City of Billings incorporated area. The area is part of what is known as the Heights, or Billings Heights. The entire Heights was originally all developed in Yellowstone County. The area had many

individual potable water wells and individual septic tanks (systems). Due to a number of reasons, some including more dense population development, and the high failure rate of the individual septic systems, a major sewer project was federally funded (with a local match requirement) in the mid to late 1980's to extend sewer collection mains and laterals to portions of the Heights. As part of the sewer project, the areas receiving sewer collection lines were required to be annexed into the City of Billings city limits.

As stated above, much of the area that this project will benefit has many portions that are still in the County. Since the completion of the sewer collection main line extension project, additional medium to larger land parcels have developed into higher density commercial and residential properties and have sought community water supply and community sewer collection (and treatment). The area has a County cemetery that continues to be used for the final resting place for indigent persons. This area also has a County-run nursing home. Additionally the area is served by the Heights Task Force, a community neighborhood group that meets to discuss issues and concerns that are then conveyed to local and state governments (City of Billings, Yellowstone County, Montana Department of Transportation, etc.). There are large pockets of LMI neighborhoods in this area.

The area has numerous apartments and house rentals (both individual and multi-family complexes). The area is served by Met Transit, a City of Billings bus provider. It is also served by taxi and other para-transit providers. Meals on Wheels and other services for home bound persons provide service to this area. The transportation improvements realized by this project would facilitate the delivery of these services to the area residents. Additionally, this project would provide shorter call times for police, fire, ambulance, and other emergency providers due to more direct travel routes. Further, the project will provide a secondary route (and secondary escape route) for residents, travelers, businesses, and shoppers to the Heights community, and for the communities to the north and east of the Heights.

This project has been in planning for over 20 years and has been a part of the City County Transportation Plan for over 10 years. At the time the project was included in the Transportation Plan, the Transportation Plan was required to be fiscally constrained to prioritize and fund the included projects. The City County Planning Department is funded from both the City of Billings and Yellowstone County. As part of the joint department, neighborhood planning is encouraged and neighborhood plans have been created and updated. Projects are requested, then developed, voted on, prioritized, and then (if applicable) included in the City County Transportation Plan and subsequent Transportation Plan Updates. Numerous public meetings were held for this project, and input was gathered and encouraged from community participation.

7.1.4. Sustainability

This project will improve energy efficiency, reduce congestion, reduce dependence on foreign oil, and reduce greenhouse gas emissions by providing an alternate route. As can be seen in the City of Billings 2005 Transportation Congested Segments Map, Figure 7 below, Main St is currently over capacity and Bench Blvd. and Wicks Lane are approaching capacity. Additionally, in Table 1 "Billings Urban Area Daily Total Vehicle Trip Origins/Destinations by Neighborhood" the area of this project is noted as "Heights East." The projected increase in traffic is a startling 55.7% by the year 2020. This projected increase in traffic has nowhere to go presently as the current infrastructure is not adequate

to support the traffic. Additionally, this project will address Alternative Modes Transportation by providing multi-use trail improvements as part of the project.

The MDT Montana Air and Congestion Initiative (MACI) program Bench Connection Project Proposal detailed how the CO emissions would be reduced by improving the current Level of Service and improving the average travel speed:

ADT Main Street = 45,000 Speed 30 MPH (Before Project)
 ADT Main Street = 45,000 Speed 35 MPH (After Project), 5 MPH Difference

Existing Conditions:
 $[(45,000)(1 \text{ Mile})(2.99) = 134,550] - [(45,000)(1 \text{ Mile})(2.62) = 117,900] = 16,650$
 $\times 365 = \mathbf{6,077,250 \text{ Grams CO per day per mile}}$

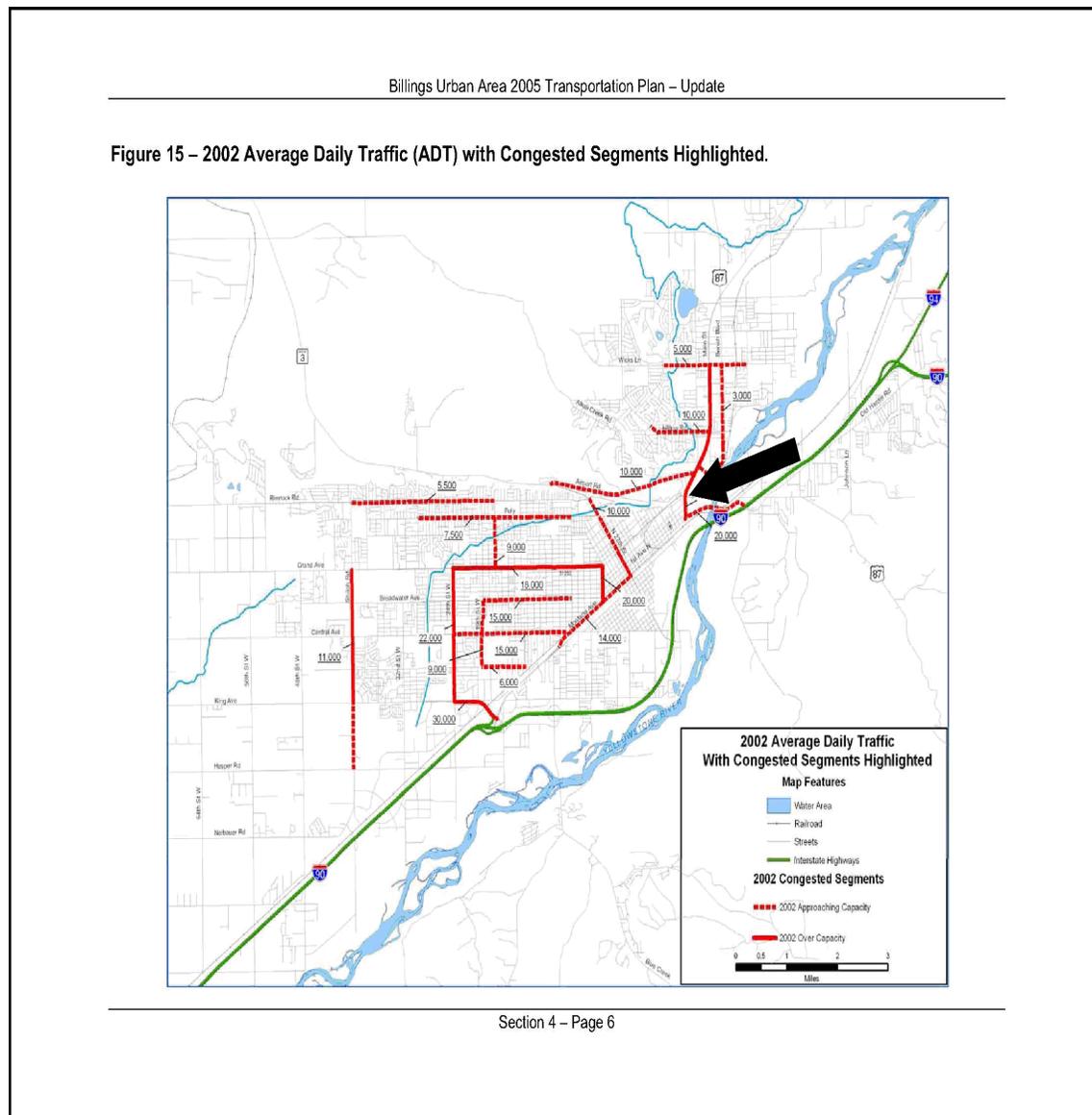


Figure 7: City of Billings 2005 Transportation Congested Segments Map

**Billings Urban Area Daily Total Vehicle Trip
Origins/Destinations by Neighborhood**

Neighborhood	2005	2015	2025	% Increase 2005-2015	% Increase 2015-2025	% Increase 2000-2020
Central Billings	89,900	95,090	103,180	5.8%	8.5%	14.8%
Northwest Billings	87,420	92,940	101,310	6.3%	9.0%	15.9%
West End	78,190	84,680	94,390	8.3%	11.5%	20.7%
West Central	71,140	74,150	78,740	4.2%	6.2%	10.7%
Heights West	46,390	52,680	62,410	13.6%	18.5%	34.5%
South Central	32,040	34,510	38,260	7.7%	10.9%	19.4%
Heights East	22,420	27,330	34,900	21.9%	27.7%	55.7%
Lockwood	18,470	23,920	33,050	29.5%	38.2%	79.0%
Shiloh West	15,840	20,540	27,620	29.6%	34.5%	74.4%
Outlying NE	9,970	13,250	18,740	33.0%	41.4%	88.0%
Shiloh NW	10,000	12,550	16,390	25.5%	30.6%	63.9%
External West	8,610	9,590	11,100	11.4%	15.8%	29.0%
External East	5,430	6,570	8,370	21.1%	27.4%	54.2%
Outlying North	1,410	2,460	4,290	74.7%	74.8%	205.3%
External NW	60	80	100	24.8%	31.1%	63.6%
Total Trip Origins/Destinations	499,280	552,360	634,880	10.6%	14.9%	27.2%

Table 1: Billings Urban Area Daily Total Vehicle Trip Origins/Destinations by Neighborhood

Source: Montana Department of Transportation, Billings Travel Demand Model

This project will maintain, protect and enhance the environment as evidenced by its avoidance of adverse environmental impacts and by its environmental benefits. This project has already been approved by MDT and the FHWA as meeting the requirements for classification as Categorical Exclusion. This is indicative of the nature of the project as having no adverse environmental impact. The Environmental document goes on to say that the improvements as proposed by this project will improve air quality by improving the Level of Service for the facilities, thus reducing congestion and increasing average speed. This will reduce overall emissions for the project area.

7.1.5. Safety

This project will improve safety and reduce the number, rate and consequences of surface transportation related crashes, injuries and fatalities amongst drivers and pedestrians. There were a total of 259 accidents during the two year study period. 69% of these were rear end collisions. Given that the current traffic on Main Street is stop and go during rush hours, numerous rear end collisions occur when the vehicle in front suddenly hits the brakes. Reducing the congestion will reduce the stop and go traffic, which in turn will reduce the accidents. Additionally, because the current at grade intersections with Main Street have such a high volume of traffic, the number of intersection related crashes is very high at 92% related to the intersection. Reducing the volume of vehicles in the intersections should reduce the number of intersection related crashes. Currently, pedestrians are only

able to use the at grade intersections at Main Street. This project will provide a grade separated crossing under Main Street that will increase safety for the pedestrians and bicyclist and provide less interruption to the flow of vehicles on Main Street.

This project will provide protection of a high pressure petroleum pipeline owned by ConocoPhillips that carries crude oil to their refinery in Billings. As part of this project, the pipeline will be relocated deeper underground to prevent any unintended rupture or release of a hazardous material.

7.2 Evaluation of Expected Project Costs and Benefits

The benefit to cost ratio of 18.73 for this project clearly demonstrate the need and economic benefits for this project. This analysis identifies, quantifies and compares the expected benefits and costs to a common unit of measurement in present day dollars. A 7% discount rate to present day dollars was utilized in the analysis in compliance with OMB in Circulars A-4 and A-94. The Departments guidance on economic values for benefits computation, values of time, statistical lives, social benefits of reducing crash costs, pollutant emissions and other externalities in the Final Regulatory Impact Analysis of the NHTSA rulemaking on Corporate Average Fuel Economy for MY 2011 Cars and Trucks were all used in this analysis. A value of \$33 per metric ton of carbon was used in this B/C analysis as a placeholder to measure the global benefits of reducing CO2 emissions. This value is reflected in the Environmental benefits shown below. Also shown below in Figure 8 is the travel time savings being the predominate benefit in the analysis; and rightfully so. As mentioned previously, Main Street has the highest volume of traffic of any highway in Montana along with stop and go traffic congestion. With the completion of this project, the stop and go congestion is eliminated by providing another parallel route to Main Street that equates to a relatively large benefit.

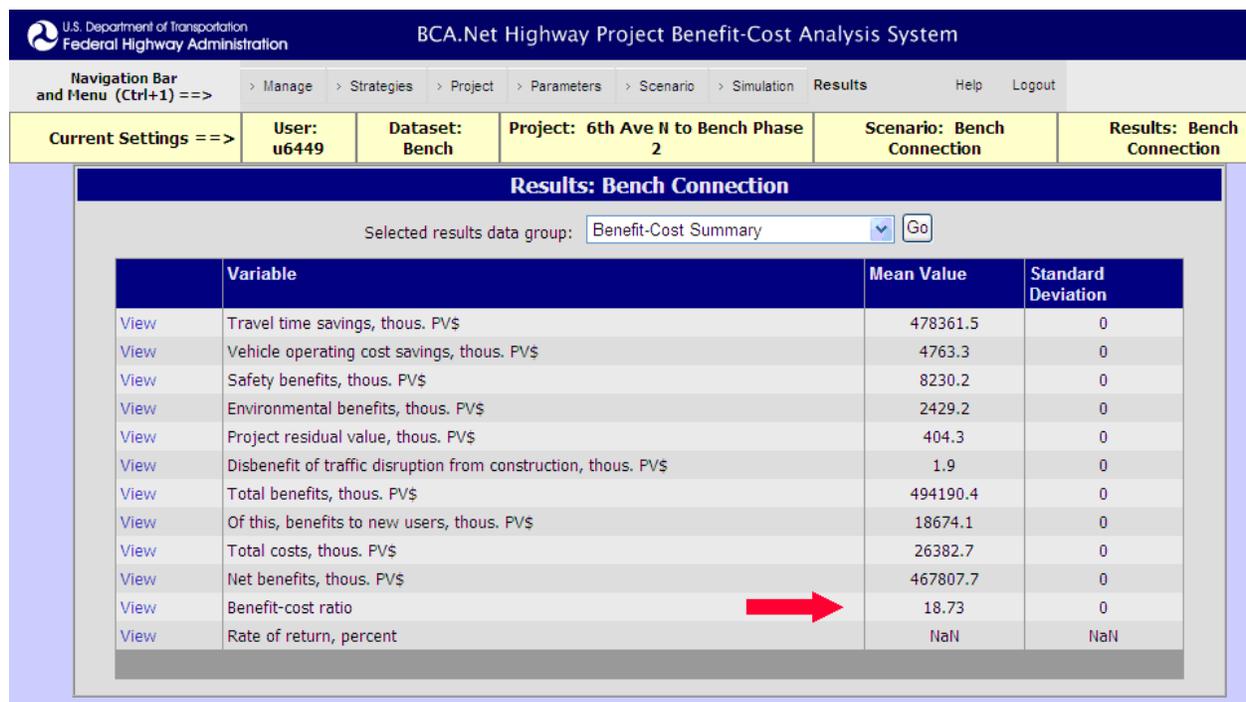


Figure 8: BCA

7.3. Evaluation of Project Performance

The Montana Department of Transportation has developed a data gathering and reporting process for all American Recovery and Reinvestment Act of 2009 funded projects. The process complies with Office of Management and Budget and Management (OMB), Transportation & Infrastructure Committee, Federal Highway Administration (FHWA), and the Montana State Governor's Office reporting requirements. If the TIGER Discretionary Grant funds are received for this project, full data collection and reporting will be implemented on this project. The reporting will evaluate the success of the project and measure the short- and long-term performance, specifically with respect to the economic recovery measures and long-term outcomes specified in this notice.

7.4 Job Creation & Economic Stimulus

MDT will promote the short and long term creation or preservation of jobs and rapidly promote new and expanded business opportunities during construction of the project or thereafter. The project will provide continued employment in the construction sector as well as material and equipment suppliers. The shovel ready nature of this project is indicative of how quickly these funds can be put to use with this worthwhile project.

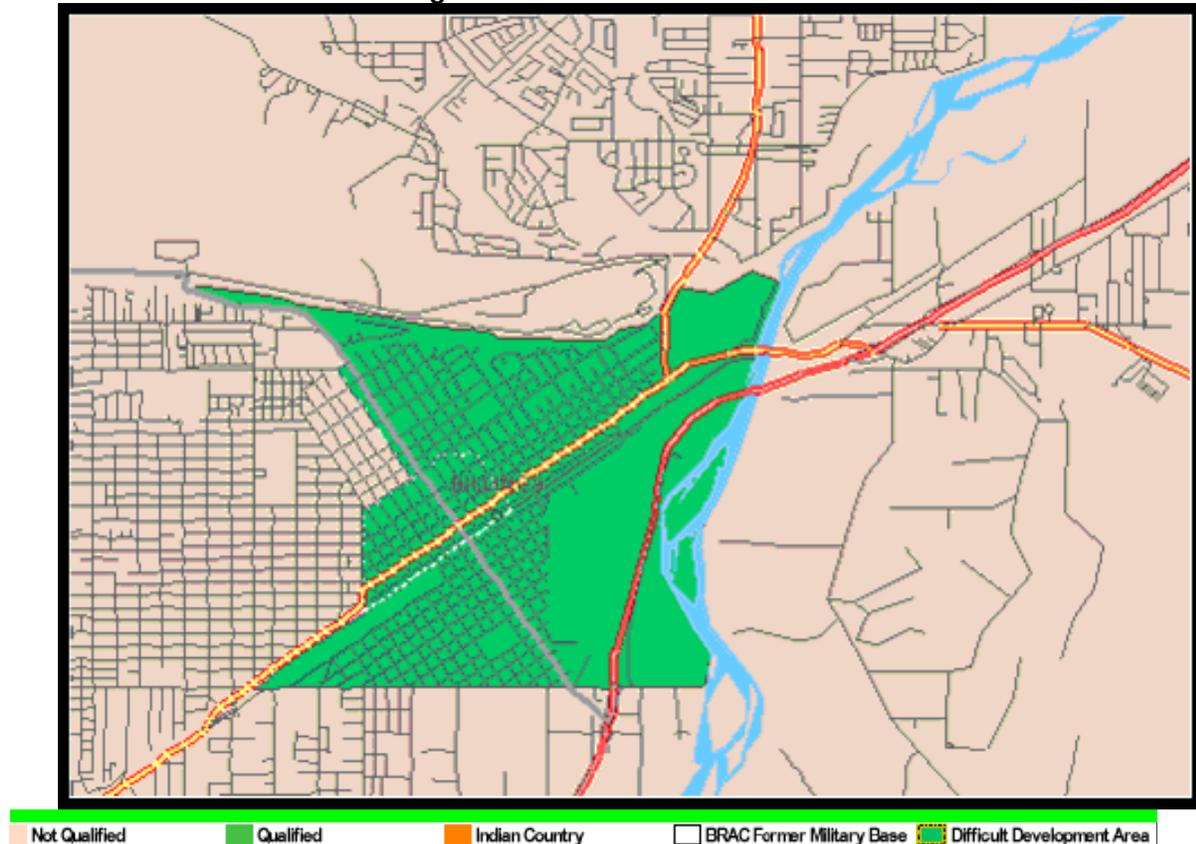
Promote the Creation of Job Opportunities for Low-Income workers: The project will promote the creation of job opportunities for low-income workers by utilizing best practice hiring and apprenticeship (including pre-apprenticeship) programs. The State of Montana, Department of Transportation has MEMORANDUMS OF UNDERSTANDING with all seven Tribal Governments throughout the state. In accordance with these MOU's, a negotiated number of trainees will be hired for the project, as will any qualified tribal members. These MOU's emphasizes Montana's commitment to Indian employment as a means of strengthening tribal communities and increasing employment opportunities for Native Americans residing on or near the reservation. Each Tribal Employment Rights Office works with contractors and sub-contractors to ensure technically qualified and reasonably priced employees are available. Goals are set in each contract for Indian employment in those trades where there are qualified Indian workers available. Firms that are 100% Indian owned, operated and managed also receive the highest employment preference from the Tribe. These rules ensure the local economy will benefit, provide for increased benefits from employment, and promote a stable labor force to insure the steady growth of commerce on the reservation.

Maxim Practicable Opportunities for Small Business and Disadvantaged Business Enterprises (DBE's): The MDT Disadvantaged Business Enterprise program encourages and supports the participation of companies owned and controlled by socially and economically disadvantaged individuals in transportation contracts. MDT's supportive Services Program also provides business assistance to contribute to the self-sufficiency of DBE companies through skill development, training, and assistance with bonding and financing. There are currently seventy-seven (77) Disadvantage Business Entities certified throughout the state of Montana. While it is not likely to serve as the prime on large contracts, it is likely to be hired as a sub-contractor. MDT and prime contractors have pledged to work together to promote Disadvantaged Business Enterprise contractors. Given available opportunities, additional firms may develop. Small business entities are common in rural Montana areas and any construction activity will have a beneficial financial impact.

This project will provide minimum practicable opportunities for small businesses and disadvantaged business enterprises including veteran owned small businesses and service

disabled veteran owned small businesses. This project is located in an area that is currently designated as a Historically Underutilized Business zone by the Small Business Administration. Small and Disadvantaged business enterprises located in this area can pursue federal contracting opportunities based on this designation. Further, the area can become a magnet for other businesses wanting to locate in the area to take advantage of a HUB designation. The development potential of the area after this project has been completed and operational is high as the HUB Zone designation (Figure 9) is an attractive attribute for many businesses.

Figure 9: HUB ZONE DESIGNATION



Community-Based Organizations: The project will make effective use of community-based organizations in connecting disadvantaged workers with economic opportunities. There are a variety of community and economic development organizations throughout the state. These organizations partner with MDT to promote development in the area by assisting in training and job skills and connecting workers with employment. Resources in this area include Big Sky Economic Development Authority, Job Service Workforce Center, Human Resources Development Council, Veterans Upward Bound, and the Veterans Transitional Home located in the Billings Heights.

Labor Practices and Compliance: The project will support entities that have a sound track record on labor practices and compliance with federal laws ensuring that American workers are safe and treated fairly. The Director of the Montana Department of Transportation signed the STATE ASSURANCE WITH REGARD TO EQUAL EMPLOYMENT OPPORTUNITY AS REQUIRED BY THE FEDERAL-AID HIGHWAY ACT OF 1968 on April 15, 2009. This agreement assures that employment in connection with all proposed

projects will be provided without regard to race, color, creed, or national origin. It also includes the requirements for a system to ascertain whether contractors and sub-contractors are complying with their equal employment opportunity contract obligations and the degree to which such compliance is producing substantial progress on the various project sites in terms of minority group employment.

Best Practices: The project implements best practices, consistent with our nation’s civil rights and equal opportunity laws, for ensuring that all individuals— regardless of race, gender, age, disability, and national origin—benefit from the Recovery Act. There are firms throughout Montana capable of taking on this level of work and many low-income individuals actively seeking work.

7.5. Project Schedule

This project has a feasible and sufficiently detailed project schedule demonstrating that the project can begin construction quickly upon receipt of the TIGER Grant and funds will be spent steadily and expeditiously once construction starts. The following project schedule report in Figure 10 demonstrates this project can begin design and construction quickly upon receipt of the TIGER Grant and funds will be spent steadily and expeditiously once construction starts.

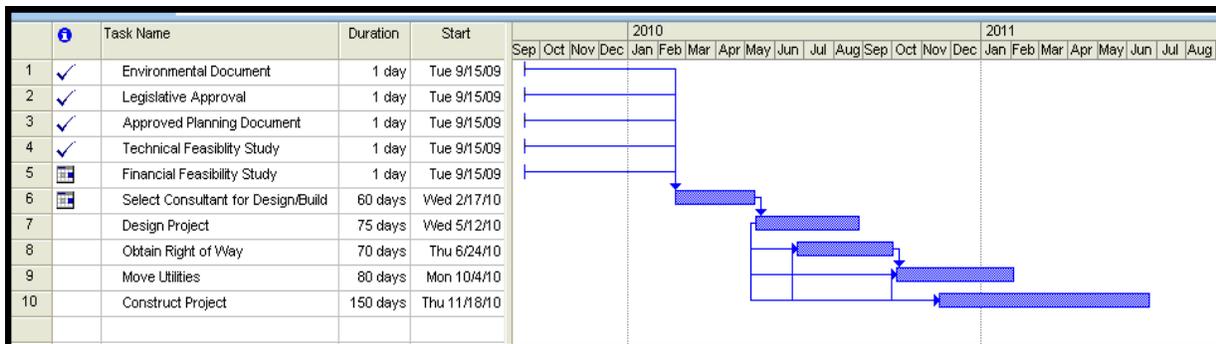


Figure 10: Project Schedule

7.6 Environmental Approvals

All environmental approvals necessary for the project to proceed to construction have been obtained. The Montana Department of Transportation, the City of Billings, Yellowstone County and the Federal Highway Administration have all agreed this project meets the requirements of a Categorical Exclusion. The categorical exclusion was signed by FHWA on January 14, 2008.

7.7. Legislative Approvals

This project does not require additional legislative approval. The project is broadly supported by the local and community and is being carried forward by MDT.

7.8. State and Local Planning

The 6th Avenue-Bench Connector project will have all necessary approvals and is supported by Federal, State, and Local officials. The Yellowstone County Planning Board is the designated Metropolitan Planning Organization (MPO) and oversees transportation planning for the Billings Urban Area. The area encompasses the City of Billings as well as a

planning area extending approximately 4.5 miles outside the City limits. The MPO prepares a Unified Planning Work Program (UPWP) each year that contains:

- A. Discussion of projects to undertake during the upcoming program year
- B. Funding information
- C. Staffing information
- D. Schedule for each project

The UPWP is supplemented by a five-year Transportation Improvements Plan (TIP). The TIP is a fiscal planning program for federally assisted highway and transit improvements for the Billings Urban Area. Every five to 10 years, the MPO prepares an Urban Area Transportation Plan that assesses the transportation needs and recommends actions to address those needs. The Planning Division is currently wrapping up the process to update the 2005 Transportation Plan. The Planning Division provides staff support to the MPO as well as two advisory committees that support MPO activities, the Policy Coordinating Committee and the Technical Advisory Committee.

This project has been in planning for over 20 years and has been a part of the City County Transportation Plan for over 10 years. At the time the project was included in the Transportation Plan, the Transportation Plan was required to be fiscally constrained to prioritize and fund included projects.

Evidence of support for this project includes letters from the following persons and agencies:

Max Baucus – Senator, State of Montana
Jon Tester – Senator, State of Montana
Denny Rehberg– Representative, State of Montana
Bill Kennedy – Yellowstone County Board of Commissioners
Ron Tussing – Mayor, City of Billings

This project is included in the relevant State, metropolitan and local planning documents. This project is consistent with all relevant federal, state, local and regional efforts to maintain a transportation facility in a state of good repair. The Federal Highway Association, the Montana Department of Transportation, the City of Billings and Yellowstone County all recognize the need for the project. It is listed in the 2009-2013 State Transportation Improvement Plan (STIP) and MPO TIP.

7.9 Technical Feasibility

This project has substantial preliminary engineering work completed in the development of both Phase I and II. The scope of work, preliminary traffic report, final biological report, final traffic noise study, determination of no effect by the State Historic Preservation office, preliminary right of way ownership report, existing road sign inventory, preliminary hydraulics report, preliminary geotechnical report are all complete. Phase I design is underway will be completed in the fall of 2009 with scheduled construction the summer 2010. Phase II will be completed under a design/build contract that will enable the immediate fusion of funds into the economy and funds will be spent steadily and expeditiously once construction starts.

7.10 Financial Feasibility

This project has viability and completeness of the project's financing package including evidence of stable and reliable finance commitments and contingency reserves as appropriate and evidence of the grant recipient's ability to manage grants. The State of Montana Department of Transportation has a history of successfully managing Federal Transportation projects. With its partners in the Bench Boulevard connector project, MDT will have a proven team to complete this project.

8. SELECTION CRITERIA - Secondary Selection Criteria

8.1 Innovation

Innovation is an essential element in this project's conception, design and construction. The very existence of this project is a prime example of innovation. This project began with a concept spearheaded by Federal, State and Local representatives to provide another route into and out of the Billings Heights. It has taken numerous public meetings, studies, financing alternatives, design concepts, project phasing and innovative thinking by all involved to bring this project to where it is today. As this project moves forward, the proposed design/build technique used for this project will allow and foster innovation as well. Engineers and contractors from both the private and public sector will be partners as they design and construct the best facility possible. High performance materials such as poly modified oils and low permeability/high strength concrete will be incorporated into the design and construction of the project to extend its life and reduce long term costs.

8.2 Partnership

This project will involve non Federal entities and the use of non Federal funds, including project development and funding. The original 6th Ave N to Bench Blvd-Billings project was split into two phases due to funding limitations. Phase I is being funded with Yellowstone County, the City of Billings, the State of Montana and the FHWA earmark funds. The City of Billings is the lead agency for the design and project development while Yellowstone County, the State of Montana and FHWA are partners with the City of Billings by providing coordination and approvals as the project has developed. Phase II is proposed to be funded by TIGER Discretionary Grant funds and once again, the City of Billings, Yellowstone County, the State of Montana and FHWA are all partners in the project development and delivery.

8.3 Disciplinary Integration

This project is supported financially and otherwise by non transportation public agencies that are pursuing similar objectives. Big Sky Economic Development Authority (Big Sky EDA) is a trade port authority, created by the Yellowstone County Commissioners in 1989. Its purpose is to advance the trade and commerce of the area. Big Sky EDA supports projects that promote business growth and success, create jobs, and increase quality of life in the community. Big Sky EDA recognizes the importance of transportation infrastructure in laying the groundwork for business opportunities and for safe connections between commercial and residential areas of the community.

Staff at Big Sky EDA participates in the writing and procurement of grants and funding for various community desired enhancement projects. Their staff supports this project and participated in the writing of this TIGER Grant application. They donated time and resources towards this process.

9. PROGRAM SPECIFIC CRITERIA

This project meets the design standards outlined in 23 CFR 625 – Design Standards of Highways. This is a highway construction project to construct to current standards a connection route to Billings Main Street by constructing a bridge on Main Street that will enable Bench Boulevard to connect to 6th Ave North under Main Street.

10. FEDERAL WAGE RATE REQUIREMENT

This project implements best practices, consistent with our nation's civil rights and equal opportunity law, for ensuring that all individuals – regardless of race, gender, age, disability, and national origin – benefit from the Recovery Act. Montana has a high minority population. There are firms throughout Montana capable of taking on this level of work and many low-income individuals actively seeking work.

MDT certifies it complies with the requirements of subchapter IV of chapter 31 of title 40 U.S. code regarding federal wage rate requirements in relation to the Recovery act. MDT requires contractor training certification, payroll monitoring, and a formal complaint process to assure contractor compliance with Davis-Bacon wage rates and fringe benefits

11. NATIONAL ENVIRONMENTAL POLICY ACT REQUIREMENT

This project has been evaluated for and does not have any adverse direct effect on land use, farmlands, pedestrian and bicyclist use, noise, air quality, hazardous substances, stream crossing, water quality, flood plains, common species of terrestrial and aquatic resources, rare and sensitive species, threatened and endangered species, wetlands, noxious weeds, social and economics, historical and cultural resources, section 6(f) properties, environmental justice and ADA. A link to the completed and approved NEPA document for this project can be found at the following address:

http://www.mdt.mt.gov/pubinvolve/docs/eis_ea/ce_blg6thave.pdf

12. ENVIRONMENTALLY RELATED FEDERAL, STATE AND LOCAL ACTIONS

Yellowstone County determined Metra Park is a Section 4(f) property and also concurred the project will have a *de minimis* impact on the Park because the transportation use of the Section 4(f) resources, including conservation of impact avoidance, minimization and mitigation or enhancement measure does not adversely affect the activities, features and attributes that qualify the resources for protection n under Section 4(f).

13. PROTECTION OF CONFIDENTIAL BUSINESS INFORMATION

All information submitted is publicly available data and the methodologies presented herein are accepted by industry practice and standards. No data in this application contains confidential business information nor does it contain personal information that allows for the identification any one particular individual.

14. SUMMARY

The expenditure of TIGER Discretionary Grant funds on the 6th Ave N to Bench Blvd-Billings project will stimulate the economy by creating new short and long term jobs. It will deliver programmatic results by enhancing traveler mobility and safety and achieve long-term public benefits by increasing economic efficiency while improving the quality of life in and

around Yellowstone County. The project is located in an urban environment and is located adjacent to the Crow Indian Reservation that is an economically distressed area.

This project has the support of Governor Schweitzer, Senator Baucus, Senator Tester, Representative Rehberg, Mayor Tussing and the Yellowstone County Commissioners. Multiple entities are funding this project including Yellowstone County, the City of Billings, the State of Montana and the Federal Highway Administration.

The development of this project has been coordinated with the Federal Highway Administration, the Fish and Wildlife Service, the Natural Resources Conservation Service, the Corp of Engineers, the Department of Natural Resources and Conservation, the Department of Fish, Wildlife and Parks, the Department of Environmental Quality, the Natural Heritage Program, District 2 Public Schools, Yellowstone River Parks Association, the Big Sky Economic Development Center, Yellowstone County and the City of Billings.

The Montana Department of Transportation (MDT) is committed if the requested TIGER Discretionary Grant Funds for the Billings – 6th Ave North to Bench Blvd – Phase II project are received to obligate and expend the funds according to grant requirements. If when the project is let additional funds are necessary, MDT commits to funding the remainder due to actual costs coming in above estimated amounts.

The Billings – 6th Ave North to Bench Blvd – Phase II project will:

- Meet the requirements of the grant by delivering programmatic results;
- Achieve economic stimulus by optimizing economic activity and the number of jobs created or saved in relation to the Federal dollars obligated;
- Achieve long-term benefits by improving the quality of life, investing in transportation, improving the environment, protection of the environment, that provides for long-term economic benefits; and
- Satisfies the Recovery Act's transparency and accountability objectives.