



Date: October 2, 2023

To: Wanda S. Page, City Manager
Through: Keith Chadwell, Deputy City Manager
From: Sean C. Egan, Director of Transportation
Subject: Municipal Agreement with the North Carolina Department of Transportation for NC 98 & Lynn Road Intersection Improvements TIP #HS-2005N

Executive Summary

The City of Durham’s Transportation Department (City) and the North Carolina Department of Transportation (NCDOT) have jointly identified an existing safety concern associated with left-turn crashes on NC 98 (Holloway Street) at Lynn Road. To address this existing crash pattern, NCDOT has proposed the construction of eastbound and westbound left-turn lanes on NC 98 (Holloway Street) at the Lynn Road intersection. This project is currently a federally-funded Transportation Improvement Program (TIP) project with the ID #HS-2005N.

In addition to improving the safety of the roadway at the intersection, this project will also include complete street elements, such as sidewalks or side-paths, pedestrian crosswalks, curb ramps, and bus stop improvements, to improve multimodal transportation and connectivity in the area.

The total estimated cost of this project is \$1,785,000. The City has pledged to commit \$500,000 of funding towards the project. This amount will count as the City’s full and complete payment. It is understood by NCDOT, as well as written out in the Municipal Agreement, that this amount will not increase if project costs are to increase.

Motion

To authorize the City Manager to execute the Municipal Agreement with the North Carolina Department of Transportation for the NC 98 & Lynn Road Intersection Improvements project (TIP # HS-2005N) in the amount of \$500,000.

Background

In 2021, this project was identified as a Highway Safety Improvement Program (HSIP) location. At that time, the estimated cost of the project was \$1,500,000, and NCDOT only had \$1,000,000 in safety funding available. In order for the project to be fully funded, NCDOT requested a \$500,000 contribution from the City.

Because this project will provide additional roadway capacity along with the needed safety improvements, it is eligible to use previously collected street impact fees. The project is located in street impact fee Zones 5 and there is adequate funding available in Zone 5 to fund the requested contribution.

In December of 2021, this project was brought to City Council and a motion was approved to designate payment of \$500,000 of capital costs to this project. The \$500,000 was appropriated

as a function of the FY24 CIP; Zone 5 street impact fees are the source of funding for this project.

This project is located in an area of East Durham where the City has historically invested less in Transportation infrastructure than other areas of the City. There is significant pedestrian activity, but a lack of sidewalks (only present in the Northwest quadrant of the intersection). Transit service is provided along NC 98 (Holloway Street) via GoDurham bus route 3B with an eastbound bus stop located just west of the NC 98 & Lynn Road intersection, and the stop is well-utilized.

This project's location has been identified in several categories of the DCHC MPO's Environmental Justice Report, such as concentration of historically disadvantaged racial groups (African-American and Hispanic), zero-car households, and Limited English Proficiency (LEP). Specifically, the communities of Birchwood Heights and Rochelle Manor are both close to the proposed area and are low-income communities. With a high concentration of zero-car households in the area immediately adjacent to the project, the non-motorized transportation components of this project would provide significant benefits to these community residents.

Issues and Analysis

While it is typical procedure for NCDOT to request the total cost share of funding up front from municipalities for HSIP projects, the City of Durham has never been a direct recipient of such funding. Funding for this project was originally requested by NCDOT at the time of execution of the Municipal Agreement, however, after repeated email correspondence with NCDOT and meetings with the CAO, NCDOT agreed to shift the funding requirement at the point of construction authorization. The final Municipal Agreement includes language that states that NCDOT will return any funds to the City in the case that NCDOT does not follow through with construction of the project.

Since initial discussions with NCDOT, the project cost has increased to \$1,785,000; despite this cost increase, the City's contribution has not, and will not, increase from the \$500,000 contribution.

The City would be responsible for long-term maintenance of any multimodal facilities constructed as part of this project including shared use paths, sidewalks, and bus stop amenities.

Alternatives

The Durham City Council could decide to:

- Approve the Municipal Agreement with NCDOT; or,
- Send the item back to staff for further review; or,
- Not approve the agreement. Not approving the agreement would prevent NCDOT from authorizing the construction phase of this project.

Financial Impact

Funding for this project is available in the following account:

Fund	Organization Code	Object Code	Project Code	Amount
Special Contractual Services	3000L000	728600	LC523	\$500,000

Equal Business Opportunity Summary

Municipal Agreements require that the City follow NCDOT procedures for these projects. This item was not reviewed for compliance with the Ordinance to Promote Equal Business Opportunities in City Contracting.

Contractor Workforce Diversity & Hiring Practices

Due to the nature of this agenda item, obtaining Contractor Workforce Diversity & Hiring Practices information is not applicable.

Attachments

NCDOT Municipal Agreement for NC 98 & Lynn Road (TIP #HS-2005N)