

MAP-21 FACT SHEET

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SUBJECT: State/local funding split of the NHPP (old HBP portion)

PROBLEM STATEMENT:

MAP-21 establishes new management, performance requirements and penalties for the NHS, eliminated the Highway Bridge Program, and modified the definition of the NHS to incorporate a considerable number of bridges that were previously not on the NHS. With all of these changes, the split of funds between the State and locally owned bridges should be reviewed to determine the appropriate funding levels for the NHS under the MAP-21.

RECOMMENDATION:

The distribution of funds from the NHPP for bridges should be reviewed to determine if historical distributions still make sense. Given the performance management approach required under MAP-21 it is recommended that the distribution of funds consider inventory size (bridge deck area), current condition, vulnerabilities and importance of the bridge to the transportation system. Regardless of the ultimate funding distribution, the results should be reevaluated periodically to adapt to changing conditions on the transportation system.

BACKGROUND:

The NHS as defined under MAP-21 added over 3,000 bridges to the new NHS. The new breakdown of the NHS inventory of bridges is as follows:

Functional Classifications	MAP-21 Program	State Owned Bridge Area (M ²)	Locally Owned Bridge Area (M ²)
Interstate and Principle Arterials (functional classifications 01,02,11,12 and 14)	NHPP / NHS	10,618 Bridges 18,728,332 M ² (90.1%)	1,550 Bridges 2,056,276 M ² (9.9%)
Minor Arterial - Collector (functional classifications 06,07,16 and 17)	NHPP/ STP	2,502 Bridges 2,905,166 M ² (52.5%)	4,764 Bridges 2,629,067 M ² (47.5%)
Minor Collector - Local (functional classifications 08,09 and 19)	STP	754 Bridges 836,877 M ² (35.5%)	5,588 Bridges 1,518,415 M ² (64.5%)

The structurally deficient deck area breakdown is approximately **70-75% state** and **25-30% local** depending on the remaining NHS designations to be made by the FHWA. In light of the inventory composition and the potential penalties included in MAP-21 for NHS bridges, it appears to warrant revisiting distribution of funds from the NBPP for bridges. The historic split for bridges in the recently eliminated Highway Bridge Program (HBP) is 55% local and 45% state.

MAP-21 imposes funding flexibility penalties for "structurally deficient" bridges in excess of the 10% of the total area of bridge on the NHS. The State owns just over 90% of the NHS bridge area and therefore would have the greatest influence over the achievement of the 10% goal. Local agencies own the remaining 10% of the NHS bridge area and would influence the overall performance of the NHS to a much lesser extent. MAP-21 is less concerned with who owns particular bridges as it is with the overall performance of the NHS as a transportation network. Caltrans and local bridge owner need to begin thinking of the NHS as a system that must be managed regardless of ownership.

Prior to MAP-21, bridges were prioritized under the National Bridge Inventory Standards using the Structurally Deficient/Functionally Obsolete (SD/FO) flag and the Sufficiency Rating (SR). Under CTC resolution G97-05, HBP funds are split 55/45 percent for local and state bridges. The ratio is based on the deck area of bridges from the federal Highway Bridge Program (HBP) California Selection List that have a Sufficiency Rating less than or equal to 50. Ratings of SD/FO with SRs less than 50 indicate that major reconstruction or replacement might be needed.

By policy, Caltrans modified the prioritization of projects to ensure that all local seismic and preventive maintenance projects are programmed regardless of their SR rating. Bridges with major structural deficiencies remain the highest priority for programming.

New Performance measures needed to evaluate the condition of California's bridges under MAP-21 are not defined. MAP-21, Section 1203, requires FHWA to establish performance measures not later than 18 months after the date of enactment of MAP-21. When the performance measures are established by FHWA, the State is required to establish performance targets that must be reflected in the Federal Transportation Improvement Program (FTIP).

The performance measures and targets are important for determining how much California should be allocating towards road and bridge projects on the National Highway System (NHS). And further, how much federal funds should be split between State and local bridge projects both on or off the NHS.

California may also decide to implement additional performance measures depending whether a bridge is on or off the NHS, or off the federal aid highway system. Under United State Code Title 23, Section 150(d)(2), a State may, as appropriate, establish different performance targets for urbanized and rural areas.

ALTERNATIVES:

Caltrans has stated that in the near term funding will remain at comparable levels to the planned investment in the old HBP.

The distribution of NHPP funding in the longer term will need to be analyzed to determine the best management approach for all bridges on the NHS regardless of ownership.

PROPOSED IMPLEMENTATION SCHEDULE:

Currently Caltrans is validating the composition of the NHS as a preliminary step for further analysis of the needs on the NHS. It would be premature to undertake a needs analysis until the FHWA establishes the performance measurement to be used to monitor the performance of the NHS. Once the performance measure is known, a comprehensive analysis of the inventory, needs, current performance levels and route importance should be conducted in order to fairly establish an appropriate funding distribution.

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DATE: November 1, 2012

SUBJECT: Local Bridge Funding Eligibility Criteria

PROBLEM STATEMENT:

MAP-21 eliminated the HBP and the associated funding eligibility criteria.

RECOMMENDATION:

Develop project eligibility requirements for local agency bridge projects. The eligibility criteria will need to be appropriately weighted to ensure that the projects on the NHS are given priority if the State fails to meet the established performance criteria for the NHS.

BACKGROUND:

Caltrans needs to determine how funding eligibility for local projects will be determined or decide to delegate the project selection completely to the MPO's. Caltrans is ultimately responsible for the condition of the NHS and could be negatively impacted by poor project selection by the local agencies. The eligibility criteria could possibly be different for NHS and non-NHS bridges. Regardless of the final process, Caltrans has some decisions to make related to how local funds will be allocated to local agency projects in California. This is a decision that Caltrans needs to make with local agency input.

ALTERNATIVES:

- 1) Continue to utilize the current project eligibility criteria even though MAP-21 provides additional flexibility.
- 2) Develop new project eligibility criteria that takes the new MAP-21 funding flexibility into consideration.

IMPACTS:

To the extent that project eligibility criteria is modified, currently planned projects could fail to meet the new requirements. Provisions for transition to any new eligibility criteria would need to be considered.

Historically, the FHWA has determined the "Eligible Bridge List" based on a criteria that has been eliminated in MAP-21. Caltrans could opt to replicate the old FHWA criteria or develop a alternative method.

PROPOSED IMPLEMENTATION SCHEDULE:

October 1, 2014

MAP-21 FACT SHEET

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DATE: 10/11/12

SUBJECT: Regional or State programming of local assistance bridge funds

PROBLEM STATEMENT:

Should local assistance bridge funds be allocated by Caltrans or the Regions?

RECOMMENDATION:

Local assistance bridge funds should be allocated by Caltrans.

Pros:

1. As a safety program, the State has established and enforced uniform priorities for programming limited federal Highway Bridge Program funds on local assistance projects. Examples include seismic retrofit, preventive maintenance, and major reconstruction/replacement of the most structurally deficient local bridges.
2. The State, in partnership with local agencies, has been successful in delivering 100% the local assistance Highway Bridge Program (HBP) since 2006. Processes, similar to the State Highway State Highway Operation and Protection Program (SHOPP) have been successful in ensuring that projects ready to advertise meeting program requirements can be advertised.
3. Since limited bridge funds can be pooled at the state level, funds can be focused on projects anywhere in the State that are ready to advertise and meet program requirements.
4. Current California Transportation Commission (CTC) guidelines do not authorize the redirection of funds from bridge projects that have schedule slippage to road projects or Federal Transit Administration (FTA) projects. This keeps limited bridge funds focused on bridge projects that can be allocated anywhere in the State.
5. If a bridge project fails to deliver in one region of the state, the bridge funds can be used to advance another project in a different location without the difficulty of transferring apportionment between Metropolitan Planning Organizations (MPO). The redirection of funds is streamlined to ensure all bridge projects move forward.
6. Project scope, costs, and standards are monitored by the State to ensure that cost effective projects are being developed.
7. The League of California Cities (LCC), California State Association of Counties (CSAC), and California Association of Councils of Governments (CALCOG) members of the HBP Advisory Committee have strong influence in how the program is administered on their behalf.
8. Caltrans, as the MPO for the non-MPO regions of the State must administer the program for these regions.

9. Caltrans sets the reimbursement rate to the maximum permitted under federal code (88.53%). Toll credits are used for off federal aid highway projects to offset matching requirements and boost delivery of this special federal set aside for off federal aid highway bridge projects.
10. Caltrans can efficiently report on National Highway System (NHS) performance targets required by the Moving Ahead for Progress in the 21st Century Act (MAP-21).

Cons:

1. Caltrans pays for the cost to administer the program on behalf of local agencies.
2. The process of Caltrans producing financially constrained program lists and passing to the MPOs for programming the Federal Transportation Improvement Program (FTIP) is labor intensive. About 84% of the projects are grouped programmed and do not need to be individually listed in the FTIP. (770 projects out of 915 total are grouped programmed projects).

BACKGROUND:

Current practice under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy For Users (SAFETEA-LU) and established under California Streets and Highways Code Section 2413 is for the State to administer the bridge program.

MAP-21 deleted the federal Highway Bridge Program. The activities previously eligible under the federal Highway Bridge Program are now incorporated under the Surface Transportation Program (STP), and the National Highway Performance Program (NHPP).

SAFETEA-LU Highway Bridge Program Facts:

1. The federal HBP was established under Title 23 in 1970.
2. The annual federal HBP apportionment received by California is about \$550 million.
3. CTC Resolution G-97-05 splits the apportionment 55% /45% between local and state highway bridges. The ratio is based on the deck area of bridges from the federal HBP California Selection List that have a "Sufficiency Rating" less than or equal to 50.
4. Section 2400 through 2414 of the Streets and Highways Code provides CTC authority to split the funds between local streets and State Highways and provides authority for Caltrans to enter into contracts with local agencies to perform work consistent with federal bridge program requirements on a reimbursement basis.
5. Local agencies select the projects based on the federal HBP California Selection List (deficient bridges) and California's program guidelines. Local agencies have flexibility in selecting their projects.
6. Based on policies recommended by the HBP Advisory Committee (includes LCC, CSAC, CALCOG, FHWA, and CTC staff), Caltrans prioritizes the projects and financially constrains a program list.
7. The program list is sent to the MPOs for review and approval for incorporation into the FTIP/FSTIP. Once incorporated into the FTIP/FSTIP, funds can be obligated and put under contract so local agencies can be reimbursed for delivering their projects.
8. MAP-21 has deleted the HBP in Title 23 and moved the bridge program activities into a new NHPP and into the STP.
9. Under MAP-21, the Local Assistance Bridge Program currently exists under Caltrans administrative decision provided for under the annual state budget and CTC lump sum allocation of funds.

ALTERNATIVES:

Local assistance bridge funds could be allocated by the regions.

Pros:

1. MPOs could set their own priorities consistent with Federal Highway Administration (FHWA) performance measures.
2. Programming decisions would be made by the same entities that program road and other projects.
3. MPOs could redirect “bridge funds” to road or FTA projects based on local priorities to ensure their region’s funds are fully obligated.
4. MPOs could apply local political pressure to help ensure that projects deliver in the year programmed.
5. MPOs could set their own reimbursement rates in accordance with their own policies.
6. Some savings in Caltrans costs to administer the program. (Federal regulations designate Caltrans as the MPO for the rural regions of the State.)

Cons:

1. MPOs would need to absorb the cost to administer the program. Engineering staff would be needed to evaluate project scopes, to determine consistency with programming performance measures, and performance targets. MPOs would need to produce performance reports.
2. Depending on how federal funds would be sub-allocated to the MPOs, there is a risk there could be less bridge projects delivered since the less populous regions would be allocated significantly less apportionments on annual basis. (Currently funds are allocated to the projects only when the projects are nearly ready to advertise.) There is also a risk that some MPOs may underfund some projects to ensure all projects get some funds. This means that some projects would have an effective local match rate greater than 11.47%.
3. If MPOs redirected “bridge funds” to road or FTA projects, those funds could not be redirected to other regions of the State for bridge projects ready to advertise.
4. MPOs could apply toll credits to all projects reducing the revenue available to program more projects.
5. MPOs would need to comply with NHS performance target reporting requirements in MAP-21. Assembling the data from multiple MPOs could be labor intensive.
6. Under federal regulations, Caltrans will remain the MPO for the rural areas of the state.

PROPOSED IMPLEMENTATION SCHEDULE:

Modify existing Streets and Highways Code in the short term to continue the bridge program as a state program. Review the issue again when FHWA produces performance measures for bridges on and off the NHS, and bridges off federal aid highways.