

DRAFT BRIDGE NY Program Guidance

Background

On November 10, 2022, the New York State Department of Transportation (NYSDOT) via Region One announced the availability of funding through a redesigned BRIDGE NY Program. The BRIDGE NY Program provides funding assistance to local governments for projects that rehabilitate and replace bridges, particularly projects that address poor structural conditions; mitigate weight restrictions or detours; facilitate economic development; increase economic competitiveness; improve resiliency and/or reduce the risk of flooding. This program is open to ALL public bridge owners.

This guidance document outlines how CDTC intends to merge its federally required transportation planning process with NYSDOT's BRIDGE NY program priorities. CDTC will manage the bridge portion of BRIDGE NY, which utilizes federal transportation funds, while NYSDOT Region One will manage the culvert portion of the program (email R01.BNY@dot.ny.gov for more information).

Eligible Sponsors

Eligible Sponsors include any city, county, town, village, or other political subdivision, including tribal nations/governments and public benefit corporations, authorized to receive and administer State and Federal transportation funding. This program is intended to focus on locally owned structures.

Eligible Projects

Bridge projects must be on a public roadway that carries vehicular traffic; be eligible for Federal aid; and shall follow the federal aid process. Bridges that are owned or on a toll collection facility are excluded from eligibility. Multiuse (Pedestrian/Bicycle) and railroad bridges are also not eligible. Off-System Bridges or bridges on roads that are not part of the federal aid system are encouraged. Roads carrying Off-System Bridges have a functional classification of minor collector, rural local and urban local.

Funding Availability

NYSDOT has allocated federal Bridge Formula Program funding, made available through the Bipartisan Infrastructure Law, to CDTC by county based on the local bridge system extent (number of bridges) and bridge condition. These two factors were weighted equally to determine a funding target for each

county. The funds may not be switched between counties however NYSDOT is retaining 10% of the available regional allocation for program balancing on top of what is shown below. The distribution by county is as follows.

BRIDGE NY Funding Targets for CDTC

County	County Target (90% of Funds) **
Albany	\$2.490 M
Rensselaer	\$6.820 M
Saratoga*	\$3.310 M
Schenectady	\$1.500 M
Total	\$14.120 M

* Some may go to the Town of Moreau/Village of South Glens Falls.

**10% retained by NYSDOT to balance the program.

The funding allocated for this round of the BRIDGE NY program is for State Fiscal Years 2022-23, 2023-24 and a portion of 2024-25, roughly half of what may be available to CDTC over the five years of the 2022-2027 Transportation Improvement Program (TIP). Off-System Bridge projects are encouraged.

To qualify for these funds, all sponsors of selected projects should have funding authorized for construction 24 months from the execution of the State-Local Agreement (SLA); and be completed within 30 months of commencing construction.

Maximum Award/Matching Funds/Cost Estimates

The project cost for each individual bridge shall be no less than \$500,000 and no more than the county wide funding target up to a maximum of \$5 million for a single bridge. NYSDOT reserves the right to modify the maximum project threshold, at its sole discretion, based upon the quantity and quality of the submissions within a given area.

Bridge project applications should include all project costs including design/engineering, right-of-way incidentals and acquisition, construction, and construction inspection costs. Design/Engineering and construction inspection work performed by the Applicant is eligible for reimbursement, provided the work is performed by qualified personnel approved by NYSDOT.

The BRIDGE NY program is a reimbursement program. NYSDOT will provide up to 95% of the originally authorized project costs, matched by 5% in local funds. Any costs incurred beyond an initially authorized project level shall be the sole responsibility of the project Sponsor/asset owner. However, sponsors may request additional support for cost increases as part of the existing capital program planning process. Such support is not guaranteed and is subject to available funding levels and other project needs. It is anticipated that any such cost increases will draw from either existing core program federal aid available through CDTC with a funding split of 80% federal/20% local or through future, yet to be allocated funds.

How to Apply

To apply for BRIDGE NY funds, complete an online application form at [ADD URL] for each candidate bridge project detailing the scope, schedule, and costs of the proposal. **Applications are due on Friday, January 6, 2023 at 5 p.m.**

The application requires Sponsors to provide the following information about each bridge:

- An owner defined responsible point of contact;
- Bridge BIN #;
- Clearly defined scope of work (if not a complete replacement, define the major components being replaced or repaired). Sponsors are strongly encouraged to work with NYSDOT regional staff for an informal pre-review of cost and scope;
- Project Construction and Total cost, including design, right of way acquisition and construction inspection; and
- Estimated schedule by federal fiscal year.

Project Review Process

CDTC's staff will evaluate the proposals utilizing the methodology below. The evaluation methodology was reviewed and approved by CDTC's Planning Committee at its November 2, 2022 meeting. CDTC's staff will also consult with NYSDOT on project element details and cost estimates. The evaluation results and funding recommendations will be provided to CDTC's Planning Committee and Policy Board for review and approval. Once project selections are made, applicants will be notified that their project was either accepted as submitted or not selected.

Project Evaluation Methodology

Criterion	Description	Points available
Facility Importance	Computed as a function of AADT and all available detours using the CDTC STEP Model.	40 points
Condition	Scaled from the 1 to 7 Computed Condition Rating; bridges with condition 3 or below receive the full 40 points.	40 points
Merit/Qualitative	Up to five points awarded for each of the following criteria: • Complete Streets • Freight impact • Security/Resiliency • Equity/Environmental Justice	20 points
	Total	100 points

For additional details, visit:

https://www.cdtcmpo.org/images/planningcommittee/2022_Planning_Committee/November/V-C_CDTC_BridgeNY_2022_V2.pdf

Questions

Questions regarding the application may be directed to Andrew Tracy of the CDTC staff by email to cdtc@cdtcmpo.org or by phone (518-458-2161). For assistance from NYSDOT Region 1, email your request to R01.BNY@dot.ny.gov.

Timeline

- Project Submission Deadline – January 6, 2023
- CDTC Planning Committee Review of Project Evaluations and Prioritization – February 2, 2023
- Public Review of Project Priorities – February 2023
- CDTC Policy Board Review and Approval of Projects for Addition to the TIP – March 2, 2023
- Construction Phase Authorization - All selected projects should have funding authorized for construction 24 months from the execution of the State-Local Agreement (SLA).
- Construction Completion - Projects should be completed within 30 months of commencing construction.

General Information

- This program is intended to fund projects that would not otherwise be completed and cannot be used to supplement funding for projects selected in prior BRIDGE NY Program rounds.
- For any structure over a waterway, effectively sizing and detailing the bridge based on sound hydraulic engineering will reduce the hydraulic vulnerability and increase the resiliency of New York's transportation system. It is often the case that the hydraulic opening of a new structure will be larger than the structure it is replacing. Sponsors are encouraged to provide engineering documentation for required hydraulic opening of replacement structures with the application.
- Delivery of projects on budget and on schedule are important aspects of this program and are the obligation of project Sponsors. Failure to account for survey, coordination or permitting for

environmental resources that are shown on publicly available mapping (including but not limited to streams known to contain threatened or endangered species or mussels) could result in a project being significantly downgraded if justification is not provided. If not accounted for in the application, the Sponsor will be responsible for paying for any required environmental consulting.

- Costs incurred prior to project award, defined as an executed State-Local Agreement, will be ineligible for reimbursement.
- Federal and State regulations require a qualifications-based selection (QBS) process for procuring/obtaining/hiring engineering services. Price cannot be a factor in the selection process. The fee for services is negotiated along with the scope of services after selection has been made. See the NYS County Highway Superintendents Association's web site <https://www.countyhwys.org/> under 2022-2025 Local Design Services Agreement Program, <https://www.countyhwys.org/ldsa>. This web page and section 6.3.2 of the Procedures for Local Projects Manual (LPM) (Chapter 6) describe how to make a "project specific selection" of a firm using the Local Design Services Agreement (LDSA) list. Section 6.3.1 describes the selection process if a Sponsor would like to pursue a project specific selection.
 - A consultant is only eligible to perform the phases of work named in the solicitation. Example of recommended language: "Bridge NY project application development, with the option for design and construction inspection if the application is successful." If later phases are not referenced, and the Sponsor must go through another competitive, qualifications-based selection process, the original consultant cannot be considered due to a conflict of interest. The firm preparing the application would have an unfair advantage as they would have knowledge not available to others as they develop the project application.
- Sponsors can progress project construction through use of Force Account. For bridge projects, there must be a demonstration that proceeding by Force Account is more effective than letting a contract.
- Any contracts let by an Applicant for a bridge project must conform with the provisions of General Municipal Law § 103, as well as any other applicable procurement requirements.
- If any property rights need to be acquired for the proposed project, the Sponsor must identify the property rights to be acquired in the application. Additionally, the Sponsor is responsible for and must certify that it will undertake the acquisition of these property rights, which must be reflected in the project schedule for doing so.
- The Sponsor may provide Proof of Right-of-Way (ROW) ownership through surveys and clearance certificates. A recent survey stamped by a New York State Licensed Land Surveyor showing the public lands is the best proof of ROW. Other acceptable documents for proof of ROW include a highway boundary line on a plan stamped by a New York State or New York City licensed land surveyor; record plans for the highway showing the property boundaries. Tax maps are not sufficient documentation for property boundary lines.

- The data driven approach to distribution of funds outlined in this guidance document is expected to reflect underlying needs as well as to create geographic balance statewide.
- Priority consideration may be given for projects that provide benefits to Environmental Justice Communities.
- All projects advanced through this process must:
 - Conform to the NYSDOT Bridge Design Specifications and Standards;
 - Have a service life appropriate for the level of work being performed:
 - 75 Years for bridge replacements;
 - 30 years for major bridge rehabilitations; and
 - Will be subject to the required federal DBE requirements for federal-aid projects;
 - Begin construction as soon as possible;
 - Must comply with NYSDOT's Local Projects Manual (LPM), <https://www.dot.ny.gov/plafap>.
- Project Sponsors may not substitute BRIDGE NY funds for the local match on a federally aided project.
- While there is no formal pre-review step in this revised process, Project Sponsors are encouraged to work with their respective NYSDOT regions on any questions regarding suitable project cost and scope.