

Draft Bridge NY 2023 Program Guidance

Background

On November 21, 2023 the New York State Department of Transportation (NYSDOT) announced the availability of funding through the 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 is a continuation of the 2022 Bridge NY Program, which awarded more than \$516 million statewide for 141 local governments.

This guidance document outlines how the Capital Region Transportation Council (Transportation Council) intends to merge its federally required transportation planning process with NYSDOT's Bridge NY program priorities. The Transportation Council will manage the bridge portion of Bridge NY, which utilizes federal transportation funds, while NYSDOT Region 1 will manage the culvert portion of the program. A separate call for projects for culverts was provided by Region 1 for the entire eight counties (email R01.BNY@dot.ny.gov for more information).

Eligible Sponsors

Eligible Sponsors should 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 state-owned or on a toll collection facility are excluded from eligibility for Bridge NY funds. 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 established funding targets by county based on the amount of locally owned deck area in combination with the amount of deficient deck area. These funding targets assign 100% of the Bridge NY funding available. There is no 10% target reserve retained by Region 1 as with the last call for projects to “balance” the final totals. These Bridge NY targets are Federal Aid and represent 95% of the project cost.

Capital Region Transportation Council Bridge NY 2023 Funding Targets

County	County Target (Federal Funds)
Albany	\$2.870 M
Rensselaer	\$7.860 M
Saratoga*	\$3.810 M
Schenectady	\$1.730 M
Total	\$16.270 M

* Some may go to the Town of Moreau/Village of South Glens Falls in the AGFTC planning area.

This table represents 100% of the Bridge NY funds allocated to the Transportation Council. As noted, Region 1 does NOT have any reserve to help round out project budgets. Of the projects to receive funding, somewhere between 60-75% need to be Off-System or off the federal aid highway system.

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 the Capital Region Transportation Council 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 12, 2024 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.
- Estimated schedule by federal fiscal year.

Before beginning the application, have these documents ready:

- **Required:** Signed cover letter from chief elected official or equivalent committing the Sponsor to the project and the local match requirement.
- (Optional) Letter of support, if Applicant is not the owner of the bridge.
- (Optional) Consultant agreement or resolution, if a consultant has already been hired.
- (Optional) Signed letter from consultant describing project impacts and potential mitigations, if preliminary design has progressed far enough to identify.
- (Optional) Any additional supporting documents.

Questions

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

Project Review Process

Capital Region Transportation Council staff will evaluate the proposals utilizing the methodology below. The evaluation methodology was reviewed and approved by the Transportation Council's Policy Board at its December 7th, 2023 meeting. The evaluation methodology remains largely the same as last year, with only minor changes made. Transportation Council staff will also consult with NYSDOT on project element details and cost estimates. The evaluation results and funding recommendations will be provided to the Transportation Council 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	Value of the bridge to the regional transportation network; measured as the additional transportation cost of all vehicle travel if the bridge is closed. Takes into account AADT and all available detours routes. Calculated using the 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 four points awarded for each of the following criteria: • Complete Streets • Freight impact • Project Delivery • Security/Resiliency • Equity/Environmental Justice	20 points

	Total	100 points
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For additional details on the evaluation methodology, visit:

[\[Link to PDF with full evaluation rubric\]](#)

Timeline

- Project Submission Deadline – January 12, 2024
- Planning Committee Packet (scores finalized) – January 31, 2024
- Planning Committee Review of Project Evaluations and Prioritization – February 7, 2024
- Public Review – February 2024
- Policy Board Review and Approval of Projects for Addition to the TIP – March 7, 2024
- 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 the 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.