

STIP Process to Add NY Works Accelerated Bridge & Pavement Preservation Programs

Frequently Asked Questions (FAQ's)

1 - **What is this accelerated transportation program?**

In December 2011, Governor Cuomo outlined a comprehensive plan through "New York Works" to implement a new economic development strategy for the State. This strategy included a \$1.2 billion plan to advance several important projects across the state that have been delayed due to lack of funding and two statewide transportation preservation programs: an **Accelerated Pavement Preservation Program**, which will preserve more than 2,000 lane miles of roads with low cost preservation treatments; and an **Accelerated Bridge Program** to rehabilitate over 100 Bridge Decks. The Governor has directed that this investment be provided to projects that can be accelerated to create jobs as soon as the state fiscal year begins. These statewide programs will create thousands of construction jobs across the State.

2 - **Where is the funding coming from?**

The Program will be funded with 80% federal funds and 20 % state funds. The Governor's Executive Budget includes \$234M in new state funding which will leverage \$917M in federal funding. We do not anticipate receiving an increase in federal dollars. Therefore, to provide the necessary level of investment, New York State is increasing the level of federal "Advanced Construction" funding we are willing to maintain. This will allow us to accelerate \$917M in federal aid and deliver these additional projects; enabling a bump up in the capital program of \$1.2 Billion in SFY 2012-13.

3 - **How does this not negatively affect future funding? Will spending the federal dollars ahead affect my MPO's future planning targets?**

NYSDOT will maintain a higher balance of Advanced Construction needed to support the Accelerated Program; therefore this balance will not impact the base capital program going forward. NYSDOT will accomplish this through cash management of the federal obligated funds balance available to us in relation to expenses billed to FHWA against these obligations. This cash management process allows us to create enough additional program capacity to fund the accelerated programs with minimum impact on our state finances and no impact on our planning targets.

4 - Does every Region/MPO get a specific program level or planning targets for these programs?

No, these are statewide programs spanning multiple MPOs and multiple regions. The specific projects were identified based on need as described below.

5 - How were the projects identified?

Engineering need and Preservation First Strategy - The selection of projects for the statewide initiative is based on engineering need. This initiative implements a Preservation First strategy that will best maintain the highway system within available funding. NYSDOT's overall transportation investment strategy is focused on a system preservation approach. Under this preservation strategy, emphasis is on preserving infrastructure before it becomes deficient. That means investing in less costly treatments while the infrastructure is in good or fair condition to extend the overall life of the existing infrastructure and thus maximize what can be achieved with limited resources.

ABP Criteria - Technical criteria used to identify candidate projects for the Accelerated Bridge Program included, but was not limited to: bridges listed on the current state and FHWA deficient bridge deck list; those with low deck condition ratings; those where no right-of-way acquisition was necessary to complete the work; and those where the work required raised the bridge's repaired condition rating to a 5.4 or better. Typical bridge project work will be the removal and replacement of bridge decks, bearing repair or replacement, railing replacement, replacing bridge joints, and other miscellaneous improvements in order for bridges to be removed from the deficient bridge list.

APPP Criteria - Pavement Preservation Projects are selected through a pavement management model that looks at the condition of pavements and determines what the most cost-effective treatment is and when to apply that treatment. This effort will make

significant inroads to reverse the past trend towards poor pavement conditions. Projects will use low-cost preservation treatments like single course overlays and liquid asphalt treatments at the optimum time in a pavement's service life to arrest pavement deterioration before conditions deteriorate to a point where expensive treatments like pavement reconstruction would be needed. This approach keeps a much higher percentage of the system in good condition. It also better treats the whole highway system rather than treating far fewer locations with much more costly treatments.

Scheduling is Critical - To ensure that we put people to work immediately at the beginning of this construction season, the Accelerated Pavement Preservation and Accelerated Bridge Programs will be put out for bid in April, May and June using both traditional and innovative delivery methods.

6 - What is the MPO being asked to do?

The Accelerated Pavement Preservation and Accelerated Bridge Programs are statewide initiatives. As such, they are being added to the State Transportation Improvement Program (STIP) in two statewide funding blocks. The public review for these programs occurs at the STIP level and began on March 2. However, in order to meet federal requirements to obligate federal funding in metropolitan areas, the MPOs need to endorse the programs by showing them on the TIP **for information purposes** as quickly as possible. This action should not require an amendment and at most may require a resolution, in keeping with the federal provision that allows for requirements allowing grouped projects to be put on the STIP. An MPO may be able to simply document the discussion at a planning or policy meeting and show support for the program by showing the statewide accelerated transportation program funding blocks (as shown on the STIP) on the TIP "for information".

7 - Why does this need to be put on the TIP?

Federal regulations stipulate that when portions of a statewide program reside within a Metropolitan Planning Organization's (MPO) area of planning responsibility, the MPO will have to endorse the program on its TIP in order for those portions of the program to progress. This is in accordance with 23 CFR 450.324 (c): "The TIP shall include capital and non-capital surface transportation projects (or phases of projects) within the boundaries of the metropolitan planning area proposed for funding under 23 U.S.C. and 49 U.S.C. Chapter 53."

8 - Does the MPO incur any financial responsibility?

The state is assuming all financial responsibility for this initiative.

9 - How will air quality conformity review of the ABP and APP programs take place?

During the Program's public review for the STIP, the Air Quality Section staff in NYSDOT's Environmental Sciences Bureau will confirm "exempt" classification and categories with the AQ Interagency Consultation Group as referenced in 23 CFR 0.216(j) for grouped projects...in non-attainment and maintenance areas...project classifications must be consistent with EPA exempt project classifications.

10 - Does the MPO need to do a public review for this action?

No, the statewide programs are undergoing public review at the STIP level. (See the STIP website <https://www.dot.ny.gov/programs/stip/draftstip>)

11 - When does the MPO need to endorse this by?

In order to meet federal requirements to obligate federal funding in metropolitan areas, the MPOs need to endorse the programs by showing them on the TIP for information purposes as quickly as possible. This can potentially occur at the upcoming MPO Policy Committee meetings scheduled for the first weeks in March. Timely action will allow construction lettings to proceed beginning in April and enable us to create jobs as soon as the weather permits.

12 - What if an MPO has to do an amendment? This takes time.

Neither we nor FHWA believe TIP amendments are required for the Accelerated Bridge Program and the Accelerated Pavement Preservation Program. We recommend MPOs take the most expedient action possible to show these programs on the TIPs for information. However, if the MPO determines an amendment is necessary according to their procedures, we ask that any amendment be endorsed as soon as possible.

13 - What happens if an MPO does not endorse the statewide programs on the TIP?

If an MPO decides not to endorse the programs on the TIP, Federal rules do not allow the state to expend federal funds on any projects from these statewide programs in that MPO area.

14 - How does this relate to the current effort to fiscally constrain the TIPs and STIP?

This Accelerated program is independent of the current effort to fiscally constrain the TIP and STIP. We are still projecting that the federal funds authorized will be far less than the amount programmed on the current STIP. The need to right size the TIP and STIP is still a critical action that needs to be taken by all of us.

15 - Why can't the list of projects for these programs be shared?

The accelerated bridge and pavement preservation programs are parts of the Governor's New York Works initiative proposed in the SFY 12/13 Executive Budget. Currently, the Executive and the Legislative branches are actively engaged in the budget negotiations. The initial selection of the bridge and pavement project locations was based on engineering criteria and transportation system needs. It is based on the Preservation First strategy that will best maintain the highway system within the given funding envelope. The list of projects will be available once the budget negotiations on this proposed new funding are completed.

16 - When will the project lists be available?

This will likely happen in the coming weeks. Project lists for the ABP and APPP will be released prior to federal authorization or advertisement for the programs. NYSDOT will process administrative modifications to the STIP when specific project locations and details are known. The MPOs will also be receiving the project specifics contained in the STIP administrative modifications.

17 - Why aren't any existing, local projects included in this program?

Because it is New York State that is taking on the additional risk of Advance Construction, by pledging State funds to make reimbursement in lieu of the availability of federal funds; and because these projects are to be delivered on an incredibly tight time frame to insure jobs are on the street for this construction season; we are limiting this set of projects in the accelerated program to NYS let projects.

18 - Will this have an impact on the schedule or funds available for projects on the STIP?

Please note that because we are creating additional programming capability for State projects using Advanced Construction, no projects on existing TIPs will have to be delayed as a result of this program.