

Local Assistance
Highway Bridge Program (HBP) Advisory Committee Meeting
December 2, 2021—Decisions Made, Action Items and Summary

Attendees

Mark Samuelson, DLA
Linda Newton, DLA
Robert Peterson, DLA
Andy Chou, DLA
Roberta Jensen, DLA
Eileen Crawford, DLA
Sudhakar Vatti, SLA
Jim Perrault, DLAE D6
Parminder Singh, DLAE D10
Jon Pray, CTC
Dan Hawk, FHWA

Max Katt, FHWA
Michael Chung, San Joaquin County
Matt Randall, Placer County
Jason Vivian, Tulare County
Jesse Gothan, City of Sacramento
Rebecca Neves, City of Placerville
Robert Newman, City of Santa Clarita
José Luis Cáceres, SACOG
Kenneth Kao, MTC
Susan Herman, CSUS

Decisions

No decisions were made at the meeting.

Action Items

All completed or closed Action Items will be removed from the list for the next meeting summary.

Item Number	Status	Who	Action	Date Created	Target Date
A110	Open	CSAC reps	Contact county agencies whose unprogrammed bridge projects appear on the scour critical list coded 1 or 2, to promote awareness of HEC 23 chapter 2 (Scour Plan of Action and Countermeasures), available mitigation funding, and HBP prioritization criteria.	2/21/19	2022

Item Number	Status	Who	Action	Date Created	Target Date
A114	Open	All	Discuss possible changes to 6-A scoping document to help estimate project cost more precisely.	4/18/19	2022
A120	Open	DLA	Circulate letter for comment to 6 county agencies whose yet-to-be programmed bridge projects appear on the scour critical list coded 2, seeking response on Scour Plan of Action and Countermeasures.	8/22/19	2022
A131	Open	DLA	Prepare Office Bulletin on high-cost bridge policy reform for posting in early 2022.	8/26/21	2022

Discussions

1. Welcome and Introductions

- Kenneth Kao has replaced Ross McKeown from MTC and joins Jose Luis on the committee as the alternate CALCOG representative.
- Robert Newman and Ross McKeown have both retired.
- Debbie O’Leary stepped down from the committee. Two Southern California-based League of Cities representatives will be needed for the committee.
- Today is Susan Herman’s last meeting as notetaker.

2. Agenda Review

Item 4 was moved to later in the meeting, preceding Item 9.

3. Review of 8/26/21 Draft Action Summary

- A95 complete.
- A112 complete.
- A127 complete.
- A130 complete.

4. CA Statewide Local Streets and Roads Need Assessment

Matt Randall shared the bridge needs assessment reports. These are also on the Save California Streets website www.savecaliforniastreet.org

- Local agencies can use these reports to inform, talking points with their own staff, boards, public, etc.
- Two web tools were also completed. Matt shared a preview (not available publicly yet):
 - California Statewide Bridge Inventory Web Application. Symbols indicate the condition of the bridge.
 - Story Map, "California's Local Bridges: Lifelines Connecting our Communities and the Economy." Good for communicating with public and elected officials.
- Matt gave kudos to Quincy Engineering, Placer County's ArcGIS staff, and Chris Lee of California State Association of Counties (CSAC) for helping create these helpful communication materials.
- At the CSAC conference earlier this week, legislative analysts shared a breakdown of the transportation provisions of the Infrastructure Investments and Jobs Act (IIAJ). The memo included the following implementation goal: "Ensure a fair and needs-based allocation of funding between state and local bridges with a goal of a combined allocation of at least \$800 million annually for local bridges from the formula program STBG off-system set-aside, and NHPP funding for on-system bridges."
- Margo Yapp of NCE represented the Local Streets & Roads Needs Assessment Committee in a presentation to California Transportation Commission (CTC) in November. Matt will follow up on whether CTC shared substantive comments on the bridge section.

5. Financial Status

HBP managers shared the end of year summary for Federal Fiscal Year (FFY) 2021

- Payback to the Highway Safety Improvement Program of \$8 million in 2021, now complete (HBP had borrowed funds due to the 2019 rescission).
- Apportionment received \$284.6 million.
- De-obligated \$21.6 million.
- In 2021 the program obligated \$274.4 million.
- \$23.7 million unused apportionment; this has been programmed in the next FFY.
- There was \$87 million of RSTP loans that could have been executed in the event regions didn't deliver their projects; as the FFY closed, none of these loans were executed. Regions were able to use all their obligation authority (OA).
- HBP used 100% of OA by end of May 2021; by end of FFY it had delivered 121.5% of OA. This \$253 million includes amount received in August redistribution.

HBP managers shared the Fund Status report as of 11/2/21

- Projected apportionment is \$284.6 million. The funds status is based on assumption that FFY 2022 would be funded at same level as previous years.
- Projected OA allocation based on same amount as last year, \$249 million. Accounting for OA carryover, August redistribution, DLA salaries/wages, actual will be approximately \$224.4 million.
- Still working under a continuing resolution. Infrastructure bill has passed but not the appropriation bill, which allows the program access to the obligation authority.
- De-obligations so far for FFY 2022 are \$3 million.

6a. Project Status

HBP managers shared the 2019-2020 HBP Advanced Construction (AC) CON Authorizations report:

- 29 projects went to construction during 2019-2020.
- \$283.9 million of AC was converted.
- \$176.4 remains to be converted. This number includes 3 high-cost bridge projects.

6b. Project Status, Continued

HBP managers shared the FFY 2021 HBP Construction Authorizations by Subprogram report:

- 21 projects went to construction. Most of these were seismic projects.
- Of these the vast majority (16 projects, \$156.5 million) were under AC, five projects representing \$11.3 million were funded with true Federal funds.
- Project costs for bridges have escalated over past few years, such that Local agencies are now requesting to AC even low-cost projects under \$1 million. It is preferable to use AC with mid-level and high-cost projects. Hopefully with the new federal infrastructure act, the HBP program can return to normal business operations.
- For those agencies with AC remaining to convert, they are using local self-help measures, bonds, other financing tools. Amount shown as “total CON AC” funds does not represent the actual amount the agency is fronting. Agencies have a cash flow process to spread the cost over time.

6c. Project Status, Financial Constraint Summary

On and Off System Combined

- 744 projects
- 2021 FSTIP is \$1.1 billion (four years); “Beyond” amounts including PE, ROW, and CON total \$3.7 billion.
- This represents 17 years of programming demand on the HBP.
- All numbers based on funding levels from the FAST Act of \$289 million/year.

6d. Cash flow spreadsheet for High-Cost Bridge Projects

- Fewer projects are included this year due to new definition of “high-cost” in recently adopted HBP policy.
- Two projects have both Right of Way (R/W) and construction high-cost phases.
- Total HBP need including all projects, plus inspections, through 2035 is \$4.9 billion (\$1.7 billion of this is high-cost bridge projects). Future high-cost funding agreements may need to be scheduled around FFY 24/25 in compliance with the High-Cost Bridge Project Programming Policy, whereby high-cost projects should not exceed 50% of available programming capacity.
- Programming capacity through 2035 is \$4.2 billion, based on a 15-year program. The current programming demands are 17% over a 15-year program, based upon FAST Act funding

6e. HBP Projects by Local Agency

HBP shared a snapshot report of all HBP projects by agency and how many are in each phase, after October financial constraint. The report allows the HBP managers to monitor each agency’s progress in getting projects completed.

- 739 bridge projects are included in the report, which does not include inspections or Preliminary Engineering studies.
- Total number in each phase: No Phase =79 (projects not started), PE = 353, ROW = 187, CON = 114.
- Rebecca Neves reported that, due to Covid, her agency has seen extended administrative review periods with 4-F documents, SHPO, etc. and many staff retirements and turnover. Construction schedules have been less impacted. She recommended that these considerations be included when monitoring agencies’ progress.
- Jesse Gothan reported on permitting delays due to California Fish & Wildlife personnel being moved over to Covid-related duties; railroad staffing levels affected work also.
- FHWA can grant time extensions; Caltrans recommends supporting extension requests when factors outside the local agency’s control have affected PE or another phase.

7. Expedited Project Selection Procedures (EPSP) & Post Programming Priorities

- Slight modification from last year to actively manage advancements of de-obligated funds. Sponsors of seismic retrofit projects who are requesting advancement due to cost increases may have to wait until FFY 2023.
- This year, demand was \$637 million and programming capacity was \$289 million.
- The below priorities will be used for advancing projects in FFY 2022:
 1. Projects in construction requesting project close out.
 2. Projects in construction based upon oldest award date. Projects that have utilized AC may receive a partial AC conversion, at the local agency’s request.

- 3. R/W evaluated on a case-by-case basis.
- 4. Preliminary Engineering evaluated on a case-by-case basis.
- Local Assistance Procedures Manual states that local agency must understand the risk that the federal funds may never become available. HBP policy states that a construction contract must be awarded before AC conversion occurs.

8. Seismic Update

The HBP Seismic Retrofit Program manager shared the 54-project list from the mandatory seismic projects with updated delivery status.

- Since December 2020, 5 projects have completed construction and 4 projects have moved from the design phase into construction.
- Initially 40 projects (21 local agency sponsors) required a Project Delivery Agreement (PDA); 39 PDAs were signed; one bridge has been removed from the program and no longer requires a PDA.
- 12 projects, coded red in the report, have not completed the phase within the date specified on their PDA. They are out of compliance and the local agency sponsor will not be eligible for additional HBP funding until they are back in compliance.

9. Review Action Items

No action items added

10. Roundtable

- HBP manages indicated the City of Barstow has requested to be on a future meeting agenda with the Advisory Committee regarding a change to their existing bridge project, 54C0089. The City will be invited to the February meeting. HBP managers will request the City to present their specific “ask”, before doing a full project description and background report.
- Jesse requested a report-out at next meeting from Caltrans on the IIJA and how that affects the bridge program. <https://www.fhwa.dot.gov/bipartisan-infrastructure-law/summary.cfm>
 - SACOG did a lunch presentation on the IIJA: https://youtu.be/iWGojy_69xg.
 - Apportionment numbers for the states will be released on December 15. Availability in FMIS will be 30-60 days after that. For now, existing allocations will continue under FAST Act extension.
 - The state budget needs to be approved after the federal funds get to California.
 - Specific plans for how the money will be divided among varying pots for transportation is still being developed.
 - There will likely be new, competitive grant programs geared toward the higher cost bridges.
 - Robert Peterson will participate in meetings; Cal STA is also heavily involved. Dates of meetings have not yet been determined.

- Cal STA analysis came out last week: increased flexibility in funding should enable an ~\$300M increase for local bridge program.
- A local representative noted that when local agencies utilize their own funds to purchase R/W, they are at risk of being penalized under the PE greater than 10-year rule.
 - HBP managers responded that there is a process for agencies to document that R/W is being performed. The documentation may satisfy the federal PE greater than 10 year rule. HBP managers can work with agencies to get them off the PE greater than 10-year list.
 - Local agencies should also ensure they are following the Uniform Act requirements in their R/W acquisition process, whenever federal funding is being used for *any* phase of the project.
- With three new members on to the committee, a review of the HBP Advisory Committee charter will be done once the committee representatives have been determined.
- A local representative asked for an update on the issue about RTPAs being held accountable for inactive projects in their regions and the process for getting information on inactive projects to answer to FHWA.
 - In past 18 months Division of Local Assistance's Office of Implementation has been working with local agencies, Districts and FHWA to reduce inactive projects. They have also been working on tool for monitoring inactive project as well as incorrect Project End Dates.

Adjourn

The meeting adjourned at 2:35pm