
September 7, 2022

All Directors
MD Public Works
All Counties MD

Dear Directors of Local Government Department of Public Works:

The provisions of the new Federal Infrastructure Investment and Jobs Act (IIJA) has placed an emphasis on aiding local governments (LG) to address their poor rated bridges. The IIJA increases federal aid available for LG bridge replacements, rehabilitations, and preservation. New to the program is the availability of funds specific to off-system bridges with 100 percent federal participation requiring no match. This funding source is extremely limited and can only fund a few projects each year. Additionally, 75 percent of these dollars must be used on poor rated bridges. The IIJA still includes a substantial allocation of funding dedicated to off system bridges with the traditional federal 80 percent/20 percent LG participation split.

The additional funding is anticipated to significantly increase the number of bridge projects that will be undertaken. The Maryland Department of Transportation State Highway Administration (MDOT SHA) Office of Structures has reviewed the current Maryland Local Government Bridge Program and the provisions of the IIJA and is making changes to better align the program with the goal of reducing the number of poor rated bridges in Maryland.

The LG bridge program will continue to provide an allocation of the federal 80 percent/20 percent LG participation split funding to each county based on a formula with each LG having a set allocation. To be eligible for federal funds, local governments will now be required to submit a Structural Management Plan (SMP) yearly. Many LGs have been submitting SMP regularly over the last few years to support MDOT Transportation Asset Management Plan reporting to the Federal Highway Administration (FHWA). This SMP will forecast what bridges the LG intends to fund over the five-year period coinciding with the duration of the IIJA. A new SMP template has been created to reflect changes in the program and aid MDOT SHA in administering the program ensuring this critical funding is used efficiently and effectively to address poor rated bridges.

For the 100 percent federal participation funding, each SMP submission needs to prioritize a project in each fiscal year that the LG would like considered for the 100 percent federal funding. For these prioritized projects, supplemental information must be submitted that provides background about the project and why it should be chosen over other competing projects including information about the condition of the bridge, amount of traffic carried, and overall criticality to the roadway network. A template has been developed for submitting this additional information.

Priority for the exempt funds with 100 percent federal participation will be for projects that are first, ready for construction, and second, ready to start final design. It is important that projects have National Environmental Protection Act (NEPA) approval and have cleared right of way so that these limited dollars can be obligated and spent within the terms of the IIJA. If more projects exist each year than the 100 percent funding allows, priority will be given to local governments who haven't received these funds previously. Federal funding with a 20 percent LG participation will continue to be available for preliminary engineering, final design, and construction.

To get the program started, we are requesting that all LG seeking federal funds submit an SMP **by September 30, 2022**. The new SMP template and 100 percent funding request template is available at the following location on MDOT SHA's webpage: www.roads.maryland.gov and select Business and Manuals, Standards and Publications. Under the category "Bridges and Major Structures" select Federal Highway Bridge Program Guidelines for Local Governments and go to the attachments section.

The MDOT SHA will review and approve each SMP. The MDOT SHA will also evaluate submissions for the 100 percent federal funds and select the projects for the given fiscal year. Owners of the selected bridges will be notified by the end of the year and the list of selected bridges will be posted as an attachment to the LG bridge manual on the MDOT SHA internet page. Following this initial SMP submission, SMP submissions will be due annually by July 1st. This will allow for the SMP to reflect the annual National Bridge Inventory submission and allow time for funds to be programed prior to the end of the federal fiscal year.

Since this program is new, MDOT SHA has scheduled a virtual meeting on **September 22, 2022, at 1:30 pm**. Mr. Jeffrey Robert will provide program details and LG staff will have an opportunity to ask questions. For questions, please contact Mr. Jeffrey Robert, MDOT SHA Office of Structures Local Government Bridge Program Manager, via phone at (410) 545-8327 or at jrobert@mdot.maryland.gov. To receive a link to join the virtual meeting, please send an email to shalclgvmntbridgeprog@mdot.maryland.gov. The MDOT SHA is looking forward to continued collaboration in this important effort to improve the safety mobility of Maryland's bridges.

Sincerely,



Maurice Agostino, P.E.
Acting Deputy Administrator / Chief Engineer
For Planning, Engineering, Real Estate, and Environment

FREQUENTLY ASKED QUESTIONS

Question 1: How much money is available under the new program for local government bridges?

Response 1: The Infrastructure Investment and Jobs Act (IIJA) is anticipated to provide approximately \$36.6 M annually in off system bridge funding. Approximately \$13.2M of the \$36.6 M requires no local government participation while the remaining \$23.4 M requires 20 percent local government participation. Additionally, there is unexpired off system bridge funding available from previous transportation acts. Finally, it is important to note the \$13.2 M in Off-System Bridge funds may only be used for poor rated bridges (75 percent) and fair rated bridges (25 percent).

Question 2: Can new projects only be initiated once a year with the submission of the Structural Management Plan?

Response 2: No, projects addressing poor rated bridges can start preliminary engineering at any time with the appropriate MDOT SHA and FHWA approvals. These projects will continue to be funded using federal funds requiring a 20 percent local government participation. Any new start must be reflected on the LG's approved Structural Management Plan.

Question 3: The IIJA has grant funding available through the Bridge Investment Program. Does the local government need to go through MDOT SHA to apply for these grants?

Response 3: No, grants as part of the IIJA Bridge Investment Program must be applied for directly with the Federal Highway Administration (FHWA) at www.grants.gov. Additional information can also be found at: bridgeinvestmentprogram@dot.gov. The MDOT SHA would appreciate being apprised of any grant submissions.

Question 4: Why are construction funds given priority over design funds when awarding the 100 percent federal funds.

Response 4: Priority is given to construction projects for several reasons. First, the purpose of the federal act is to improve the condition of the infrastructure and there is limited time to spend the money. Focusing this funding on the construction phase helps assure the money doesn't lapse and poor rated bridges are addressed improving safety and mobility of Maryland's overall transportation network. Funding a project in design does not guarantee that a poor rated bridge is eliminated off the system. Many projects start the design process, but never finish for a variety of reasons.

Question 5: If a County gets awarded the 100 percent federal funds for a project, does that get subtracted from the yearly allocation?

Response 5: Yes, the funds are taken from the County's yearly allocation. If a County can deliver more projects, then their allocation allows, the County can request additional funding from MDOT SHA. The MDOT SHA currently has a substantial unobligated balance of off system bridge funding requiring 20 percent local government participation ready to be programmed.

Question 6: Can MDOT SHA handle the processing of the additional projects that is anticipated because of the increased funding?

Response 6: In order to handle the increased workload, MDOT SHA's Office of Structures has made some changes to manage the overall program. An assistant program manager has been added to supplement current staffing and aid in administering the program. Additionally, dedicated engineering consultant help has also been added to help handle much of the day-to-day activities associated with initiating these projects which has caused delays in the past. The local project team leader liaison for each local government will remain the same and will continue to help with specific project development. The MDOT SHA will also continue to provide Architectural and Engineering (A/E) contracts to support local government design efforts. New five-year contracts are currently being given notice to proceed so there is sufficient contract authority to move forward with design. A dedicated email address for local government bridge projects has been established to streamline communication at: shalclgvmntbridgeprog@mdot.maryland.gov.

Question 7: My local government is new to the federal aid process; how can I get started?

Response 7: In addition, MDOT SHA has a guide manual available on the internet. It can be found at the following location on MDOT SHA's webpage: www.roads.maryland.gov and select Business and Manuals, Standards and Publications. Under the category "Bridges and Major Structures" select Federal Highway Bridge Program Guidelines for Local Governments. Each local government is also assigned a liaison within the Office of Structures. The liaisons help guide the local government through each step of the process. Mr. Jeffrey Robert, MDOT SHA Office of Structures Local Government Bridge Program Manager, via phone at (410) 545-8327 or at jrobert@mdot.maryland.gov is also available to answer questions at any time.

Question 8: Is there a time frame for completing a project?

Response 8: Yes, federal funding has time frames established for every stage of the project – preliminary engineering, final engineering, right-of-way acquisition and construction. The MDOT SHA's federal aid office coordinates with the LG's to establish realistic time frames when programming funding with the Federal Highway Administration (FHWA). Extensions can be granted for documented reasons and extenuating circumstances, but there is an expectation that projects move from design to construction within reasonable timeframes. If the established end dates are exceeded, any funds expended beyond the specified end date will not be eligible for federal funds and will be the responsibility of the local government.

Question 9: Can local governments use federal funding to replace roadway structures other than bridges?

Response 9: No, within the context of the IIJA, only structures meeting the definition of a bridge as stipulated in National Bridge Inventory Standards are eligible for federal funding.

Question 10: Can local governments use federal money to perform preventative maintenance and preservation activities on a bridge such as painting of steel girders?

Response 10: Yes, federal money may be used for certain preventative maintenance and preservation activities. These activities must be preapproved in a LG's Structural Management Plan and follow the same federal process as replacement and rehabilitation projects.

Question 11: Are biennial bridge inspections still 100% federally funded?

Response 11: Yes, biennial bridge inspections are still 100% federally funded.

Question 12: What entities can apply for the federal money for bridge rehabilitation / replacements?

Response 12: In order to receive federal money an entity must own the bridge and have a basic understanding of the federal process and agree to obey all federal laws and regulations pertaining to the use of federal funds. Presently MDOT SHA has master agreements that outline the obligations associated with using federal money that have been reviewed and signed by all the Maryland counties and many of the larger cities in Maryland. Entities that have a signed agreement with MDOT SHA can apply for federal funds for bridges directly by submitting a Structural Management Plan to the MDOT SHA Office of Structures. Smaller entities that currently do not have an agreement with MDOT SHA can apply for federal funds through a County that has an agreement or work with MDOT SHA to get an agreement in place.