

NDOR Local Bridge Selection Policy - May 29, 2012 Draft
Public Comments and NDOR's Responses

Comment	Public Comment on Local Bridge Selection Policy May 29, 2012 Draft	NDOR Reponse
1	Overall Impact of Bridge Selection Policy: Many of the comments I hear are “that Local Public Agencies don’t fully understand the new bridge selection policy, and say that they will just have to take what they get”	NDOR has explained the policy and its intent to various audiences since the fall of 2011. The upcoming RC annual workshop is another forum we can use to discuss it. We welcome any suggestions to help clarify the policy.
	a. Some still think they will be able to build a few federal aid bridges in the future. The selection policy will reduce the number of local bridges that the NDOR has to manage, but will also significantly reduce the number of local bridges built with federal aid. LPA's a will be able to use their FFPP dollars supplemented with local funds or save up FFPP dollars to build local bridges.	NDOR agrees with the comment. It is an accurate reflection of the policy and the Background and Summary dated June 4, 2012.
	b. The significant local bridge policy will divert 25% of the previous on system local FFPP dollars to the significant local on-system bridges using state funds from the FFPP program. The significant local on-system bridge funds are already reduced to 80 cents on the dollar under the FFPP before being allocated towards significant local on-system bridges as non-federal aid projects.	NDOR agrees with the comment, if the actual funding levels turn out to match the assumptions made to date.
	c. The NDOR has to be careful they don’t unnecessarily burden the significant local on-system bridge program to further reduce the dollars that get used to build bridges. I think local letting will help, but the NDOR must avoid making these bridges go through many of the same hoops as a federal aid bridge. In the state of Nebraska, a federal aid bridge costs almost 21% more to construct than a locally funded bridge. Nationwide a federal aid bridge costs over 9% more to construct than a locally funded bridge. The numbers are either an indication that the federal rules in Nebraska are overbearing or that the local standards are significantly lower in Nebraska.	There will be far less hoops in comparison to Federal-aid projects. NDOR believes that a few checks are required to update project estimates so as to keep a balance on the committed funds within the program.

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	<p>d. The nationwide bridge statistics show that the percent of deficient bridges nationwide is increasing, but the percent of deficient off-system rural bridges is increasing faster than the percent of deficient bridges on arterials, collectors and off-system urban streets. Be careful that off-system rural bridges don't decline.</p>	<p>As mentioned in the Background and Summary dated June 4, 2012 the amount of Federal funds available is small and not nearly enough to address local agency bridge replacement and rehabilitation needs. Local agency needs must be addressed mostly with local funds. NDOR believes it is appropriate to dedicate a portion of the few Federal funds that the state does receive specifically for bridges on the Federal-aid system; these roads are the arterials and major collectors which carry most of the traffic.</p>
	<p>e. The current policy will allocate all off-system bridge funds to significant off-system bridges.</p>	<p>NDOR agrees with the comment. There will be a transition period during which bridges not meeting the selection criteria will be federally funded.</p>
2	Federal Fund Purchase Program (FFPP) impacts of the policy	
	<p>a. STP Re-purchase: Does the bridge selection policy have any impact on the STP funds that are proposed for FFPP? What are the current projections for distribution of STP dollars under FFPP?</p>	<p>The bridge selection policy is separate from the FFPP distribution of STP funds. They are two different sources of funds. Preliminary projections for distribution of STP dollars will be made around May, 2013 (so that counties can plan for their budget) and be refined around October, 2013.</p>

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	<p>b. On-System Bridges Re-purchase: The dollar amount of FFPP funds that were initially estimated as being distributed to LPA's was reduced by 25% to set aside some BHP funds for significant local on-system bridges. While some are asking to set aside more BHP funds for significant local on-system bridges, I don't think the set aside dollar amount should be increased. It's my understanding that the existing local on-system significant bridge needs can be met in 25 years. There are still on-system bridge needs in counties and cities on smaller bridges that don't rise to the level of the significant bridges. If additional BHP funds are taken out of the on-system bridge FFPP, this will hinder LPA's ability to fund a reasonable on-system locally funded bridge program. We have many less significant bridges around 100' long that need replaced, but we only have one significant bridge that meets the sufficiency qualification criteria as a significant bridge. We need the FFPP dollars, both on and off system to try to meet our bridge program needs. What are the current projections for distribution of on-system bridge FFPP dollars?</p>	<p>NDOR appreciates this input. Preliminary projections for distribution of bridge funds will be made around May, 2013 (so that counties can plan for their budget) and be refined around October, 2013.</p>
	<p>c. Off-System Bridges will continue to be built with federal aid, but the dollars will be limited to significant local bridges.</p>	<p>NDOR agrees with the comment, again with the understanding that there will be a transition period during which bridges not meeting the selection criteria will be federally funded.</p>
3	Federal Aid Off-System bridge project funds:	
	<p>a. Page 2 of 6 in the NDOR's Local Bridge Selection Policy states that the significant on-system local bridge program size will be determined by the Director State Engineer prior to each selection. The dollar amount of the significant on-system local bridge program for LPA's should remain somewhat level from year to year.</p>	<p>This comment is noted and has been shared with our incoming Director.</p>
	<p>b. Not all LPA's understand that increasing the size of the program for significant on-system local bridges reduces the dollars distributed to LPA's under the FFPP.</p>	<p>Thank you for this comment and NDOR will make it a point to emphasize it in future discussions of this policy.</p>

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4	On-System Bridge Process: I understand that the funds for the on-system local bridge program will use state funds from the FFPP. While the level of documentation and approvals needed is less than what is required for a federal aid bridge, I still feel the process could be further simplified. For example there are 4 plan reviews by the NDOR.	NDOR believes that a few checks are required to update project estimates and to keep a balance on the committed funds within the program. Although local agencies will not be held accountable to Federal requirements, the State funds will be held accountable to State requirements and will be subject to State audits.
5	On-System Bridge – PE/CE Funds: If project development phases such as preliminary engineering, environmental requirements, and ROW are locally funded, will the construction and CE be 100% funded with state funds made available through the FFPP?	Construction Engineering is an eligible expense for on-system bridges funded through this program. See Section III of the draft policy.
6	Off-System Bridges: With a reduced workload for the NDOR and FHWA from fewer projects in the pipeline, the NDOR should take a more active role in the management of the project. Many Local Public Agencies will only have a federal aid projects once every 10 years and it is not practical to expect them to be an expert when they only practice once every 10 years. For example the NDOR should take a much more aggressive and even active & responsible role in pushing a project through the environmental process.	NDOR appreciates this input on this and it has been shared with our incoming Director.
7	Ranking Criteria – User Impact	
a.	The discussion and formula on maximum value can be confusing. I recommend changing the 2nd sentence on page 5 of 6 in the NDOR's Local Bridge Selection Policy as follows: The points will be assigned based on the following linear formula with the maximum value for user impact being capped at 50 points	NDOR agrees with the comment and will revise the policy accordingly.

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	<p>b. I recommend the NDOR use the information in the bridge data base to see how bridges score using the suggested criteria and formula to ensure the formula has the desired outcome. I understand the importance Average Daily Traffic counts and the detour length should have in ranking bridges for funding. LPA's should be creative in their own ranking of bridges for funding and consider the criteria as well and sometimes even consider removing some of the bridges and closing the roads/streets.</p>	<p>NDOR agrees with the comment. The list of bridges meeting the qualifications of this policy will be published after the policy is finalized and the selection process is underway.</p>
	<p>c. I believe that this part of the bridge selection process will push projects towards populated areas and away from rural Nebraska. Please be careful with what you do.</p>	<p>The decreased ADT and increased detour length in the rural areas tend to offset each other in the formula. NDOR believes the selection results will be relatively balanced according to the number of existing rural and urban bridges.</p>