

Program Management Updates

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DEPARTMENT OF TRANSPORTATION

AGENDA

- IIJA/BIL Overview
- State Transportation Improvement Program (STIP)/MPO TIP
- New Federal Oversight Category: Risk Based Projects
- Program Management Improvements

IIJA/BIL Overview

- **Funds highway programs for five years (FY 22-26)**
- \$350.8 B (FY 22-26) for highway programs
 - \$303.5 B in Contract Authority from the Highway Trust Fund
 - +\$47.3 B in advance appropriations from the General Fund
- More than a dozen new highway programs, both formula and discretionary.
- More opportunities for local governments and other non-traditional entities to access new funding
- \$90 B transfer (GF->HTF), which will keep the HTF Highway Account solvent for years

When will the dollars for year one start to flow?

- The answer varies by agency and by individual programs the legislation creates or expands.
- Funds from other new programs established under the IJA will move more slowly as the Federal agencies hire more staff, develop grant-selection criteria and issue guidance.

Has the eligibility for existing federal-aid highway formula programs been changed?

The IIJA continued existing formula-based highway programs (NHPP, STBG, HSIP, CMAQ, etc.) that were included under the previous surface transportation authorization, the FAST Act.

While many of the existing eligibilities will continue under the IIJA, there are some new eligibilities included, depending on the program.

How will the new formula programs work?

How the new formula programs will work will be made clearer after FHWA makes additional details available

- Nebraska will receive a minimum of \$45 million each year for the Bridge Preservation Formula Program (15% set-aside for off-system bridges) for highway bridge replacement, rehab, preservation, protection or construction.
- The PROTECT Resiliency program will help states improve climate resiliency of transportation infrastructure.
- The Carbon Reduction Program is intended to reduce transportation-related emissions.
- The National Electric Vehicle Infrastructure (NEVI) Program will provide funds to states to “strategically deploy electric vehicle charging infrastructure and to establish and interconnected networks to facilitate data collection, access and reliability”.
 - NDOT Strategic Planning Division staff are working on development of the required state plan for submission by August.

Overview of BIL highway provisions

- Summary of major provisions
 - Changes to existing programs
 - Summaries of key new programs and provisions
 - Program-specific funding levels

- Available to public online:

<https://www.fhwa.dot.gov/bipartisan-infrastructure-law/summary.cfm>

BIPARTISAN INFRASTRUCTURE LAW (BIL)*
Overview of Highway Provisions

U.S. Department of Transportation
Federal Highway Administration

*Also known as the "Infrastructure

[Division J]

[NEW] National Electric Vehicle Formula Program (formula and discretionary*)

Purpose	Strategically deploy electric vehicle (EV) charging infrastructure and establish an interconnected network to facilitate data collection, access, and reliability
Funding	55 B (FY 22-26) in advance appropriations from the GF
Recipients	• States (including DC and Puerto Rico)
Distribution formula	• Same shares as Federal-aid highway apportionments
Other key provisions	• Funded projects must be located along designated all fuel corridors • Sets aside 10% of funding for discretionary grants to State and local governments that require additional assistance to strategically deploy EV charging infrastructure • States must submit a letter to DOT describing planned use of funds in (or carry it out), DOT may withhold or rebate within the State, or to other States • Federal Office of Energy and Transportation to national EV charging corridors to movement • at least one grant; also if DOT withholds or rebates to local governments in the same State.

Other Safety-related Provisions

Program/Topic	Provisions in the Law
Increasing Safe and Accessible Transportation Options (§11206)	<ul style="list-style-type: none"> • Defines Complete Streets standards and policies • Requires each State and MPO to carry out transportation planning activities related to complete streets or multimodal travel using— <ul style="list-style-type: none"> ◦ State: at least 2.5% of its State Planning and Research (SPR) funds ◦ MPO: at least 2.5% of its Metropolitan Planning (PL) funds
Manual on Uniform Traffic Control Devices (MUTCD) (§§11129, 11135)	<ul style="list-style-type: none"> • Adds to MUTCD purposes inclusion and mobility for all users • Requires MUTCD update within 18 months, every 4 years thereafter • Requires first update to provide for protection of vulnerable road users to the greatest extent possible, among other specified elements

Other explanatory Materials

	URL	Provides (or will provide) information on
Guidance	https://www.fhwa.dot.gov/bipartisan-infrastructure-law/guidance.cfm	<ul style="list-style-type: none"> • Bridge Formula Program • [By 2/12/22] National Electric Vehicle Infrastructure (NEVI) Formula Program
Technical assistance/ support	https://www.fhwa.dot.gov/bipartisan-infrastructure-law/technical_support.cfm	<ul style="list-style-type: none"> • Federal-aid Division contacts • Office of Tribal Transportation • FHWA Resource Center • Local/Tribal technical assistance programs
Fact sheets	https://www.fhwa.dot.gov/bipartisan-infrastructure-law/fact_sheets.cfm	<ul style="list-style-type: none"> • [Coming days] legacy formula programs • [Later] new BIL programs
Funding Notices	https://www.fhwa.dot.gov/bipartisan-infrastructure-law/funding.cfm	<ul style="list-style-type: none"> • BIL highway authorizations • Apportionment/ob limit notices • Other funding notices

BIPARTISAN INFRASTRUCTURE LAW



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Guidance & Regulations

Policy Framework: Building a Better America – Together

- [Policy on Using Bipartisan Infrastructure Law Resources to Build a Better America](#)

Bridge

- [Bridge Formula Program \(BFP\) Implementation Guidance](#)

Safety

- [Highway Safety Improvement Program \(HSIP\) Eligibility Guidance](#)
- [HSIP Special Rules Guidance: Vulnerable Road User, High Risk Rural Roads Rule and Older Drivers and Pedestrians Rule](#)

Electric Vehicles

- [The National Electric Vehicle Infrastructure \(NEVI\) Formula Program Guidance](#)

Environment, Planning, and Realty

- [Transportation Alternatives Set-Aside Guidance](#)

Operations

- [Equal Access for Over the Road Buses Reporting Requirements](#)

The FHWA will continue to add new guidance/resources to this page over the weeks and months to come.

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Fact Sheets

The [Infrastructure Investment and Jobs Act \(IIJA\) \(Public Law 117-58, also known as the "Bipartisan Infrastructure Law"\)](#) is a once-in-a-generation investment in our infrastructure that will help grow the economy, enhance U.S. competitiveness, create good jobs, and build our safe, resilient, and equitable transportation future.

The FHWA is here to educate our stakeholders and the public on key information on the Bipartisan Infrastructure Law's highway provisions.

- [Apportionment](#) (PDF 172 kb)
- [Bridge Formula Program \(BFP\)](#) (PDF 132 kb)
- [Congestion Mitigation and Air Quality \(CMAQ\) Improvement Program](#) (PDF 139 kb)
- [Highway Safety Improvement Program \(HSIP\)](#) (PDF 190 kb)
- [Metropolitan Planning Program \(MPP\)](#) (PDF 170 kb)
- [National Electric Vehicle Infrastructure \(NEVI\) Formula Program](#) (PDF 150 kb)
- [National Highway Freight Program \(NHFP\)](#) (PDF 140 kb)
- [National Highway Performance Program \(NHPP\)](#) (PDF 136 kb)
- [Railway-Highway Crossings Program \(RHCP\)](#) (PDF 157 kb)
- [Surface Transportation Block Grant \(STBG\)](#) (PDF 169 kb)
- [Territorial and Puerto Rico Highway Program](#) (PDF 127 kb)
- [Transportation Alternatives \(TA\)](#) (PDF 142 kb)

For additional information on State by State benefits, visit [USDOT Fact Sheets](#).

The FHWA will add summary materials (fact sheets) to this page over the weeks and months to come.

STIP/MPO TIP

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Nebraska Statewide Transportation Improvement Program (STIP)/MPO TIP

- 4 Year listing of projects using Federal Aid or considered regionally significant
- Consistent with Long Range Transportation Plan
- Fiscally Constrained
 - Demonstrate sufficient state, local, private and federal funds to implement the program and operate and maintain the system

STIP/TIP guidelines:

<https://dot.nebraska.gov/media/2829/stip-pd-guidelines.pdf>

Nebraska Statewide Transportation Improvement Program (STIP)/MPO TIP

- Project Estimates must be within \$2m or 20% of the published Federal Contribution in the STIP/TIP in order to obligate Federal Aid
- Correct Funding types in correct phases
PE/NEPA, ROW, Construction, CE
- STIP/TIP amendments can take as long as 3 months to complete Public Involvement, MPO and FTA/FHWA approvals
- **Important to keep close coordination to reflect changes in forecasted estimate to prevent schedule delays in upcoming phases**

New Federal Oversight Category: Risk Based Projects (RBP)

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Annual FHWA Stewardship and Oversight Activities include:

- Stewardship and Oversight (S&O) Agreement
- Program or Process Reviews
- Compliance Assessment Program (CAP)
- Billing Reviews
- Spot Checks
- Risk Based Projects (RBP)

Evolution of FHWA Project Involvement

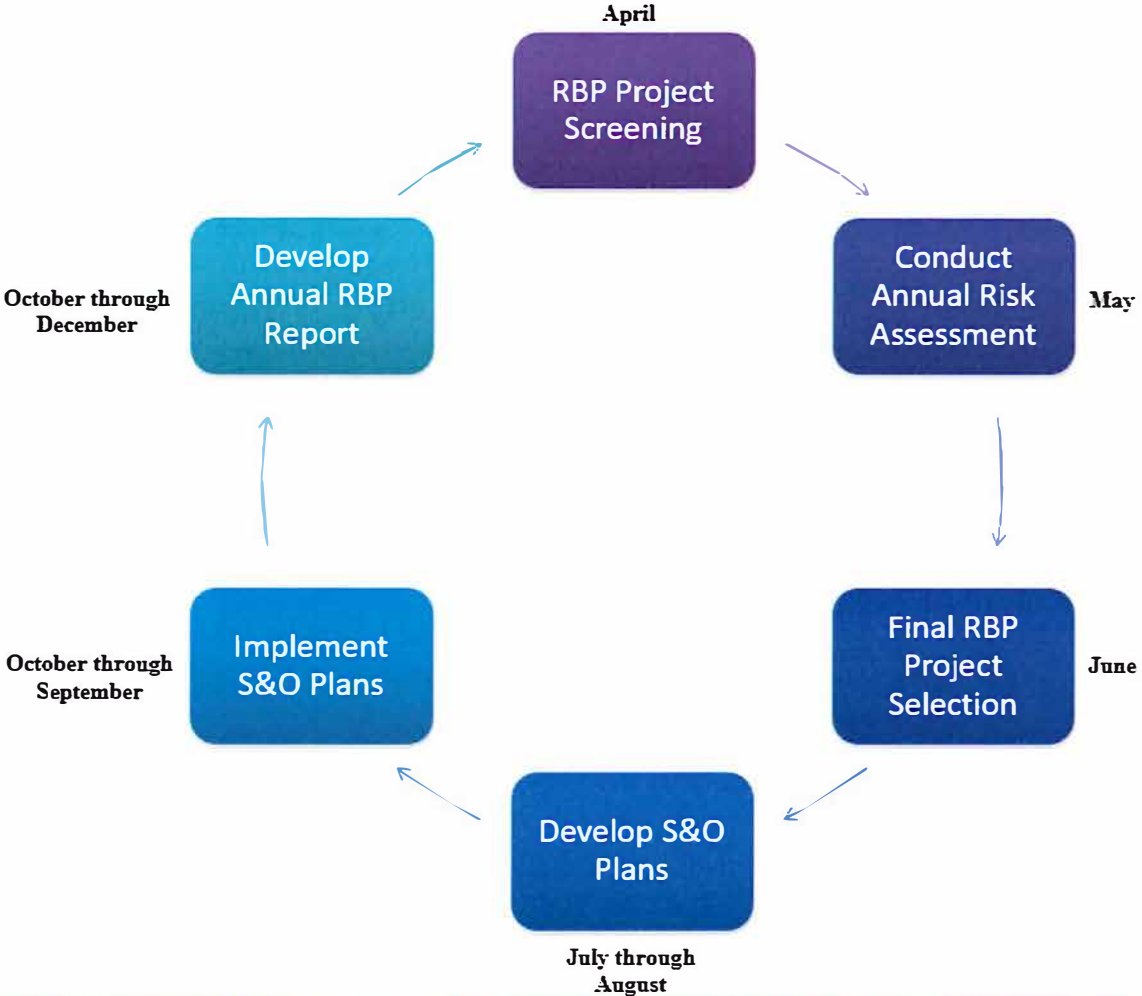
- Full Oversight – ended FY2014
- Projects of Division Interest (PoDI) – FY2015 to FY2021
- Risk Based Project (RBP) – Begin FY2022

Risk Base Projects (RBP)

- Focus on project risks
- Only involved in project activities related to risk
- Stewardship and Oversight Agreement delegated activities remain delegated to NDOT in most cases
- FHWA main involvement is participation, review, and comment
- Increased coordination between FHWA and NDOT

RBP Program Timeline

Annual FY RBP Project Selection Cycle



Federal Fiscal Year 22

- **RBP Projects in Delivery:**
 - Coordinating with FHWA primarily during existing Environmental and Delivery coordination meetings
- **RBP Projects in Construction:**
 - Majority of projects will not require FHWA signature for Change orders
 - No projects in FY2022 will require FHWA signature
 - Prior coordination with FHWA is still required
 - Change Order Environmental Review Form (NDOT 194) still required
 - Final executed change orders sent to FHWA
- Clarity and AASHTOware currently reflect RBP status for all FY 22 Projects

New Program Management at NDOT

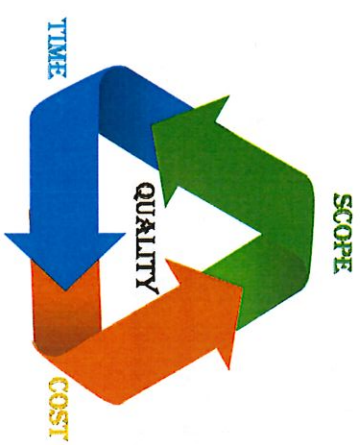
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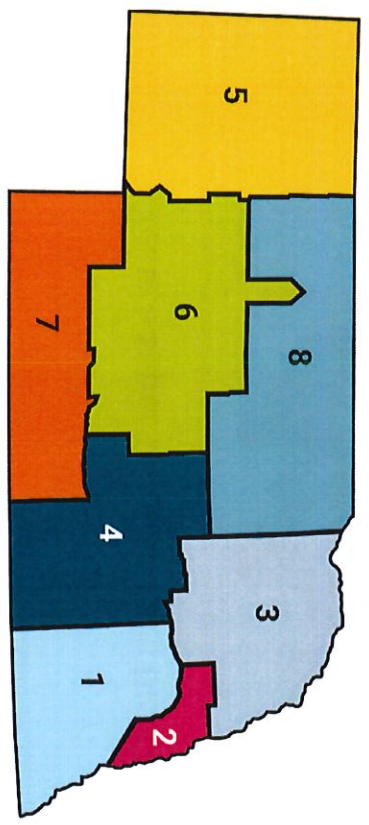
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Areas to Improve

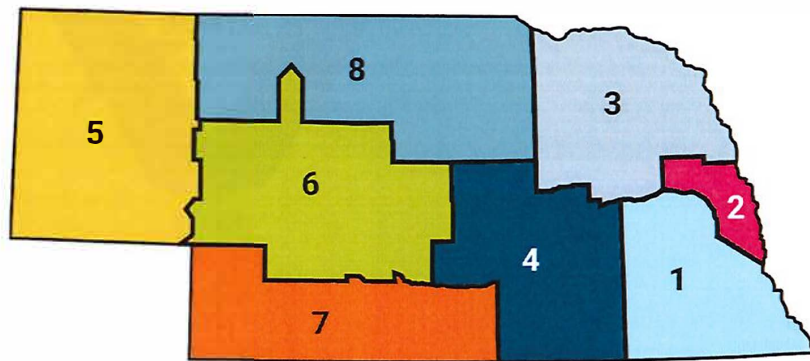
Connections between Delivery and Construction



Project and Program Management



Restructure



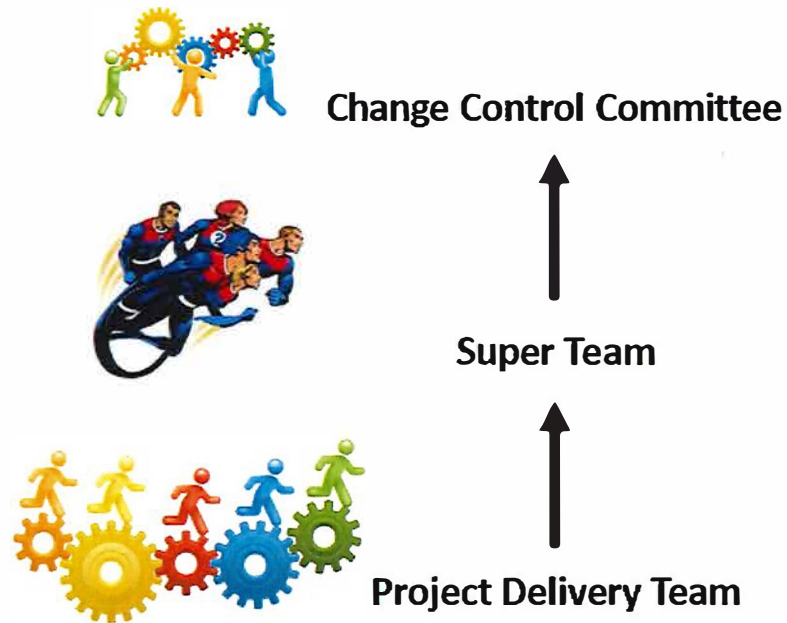
Align Delivery Staff by District



Create a Super Team for Each District



Accountability



Accountability

New Tools



New Performance Measures

Questions?

