




U.S. Department
of Transportation

Federal Highway
Administration

Memorandum

Subject: **ACTION:** Implementation of FY 2019
Bridge Replacement and Rehabilitation
Program

Date: June 21, 2019

From: Shay K. Burrows, P.E. 
Acting Director, Office of Bridges and
Structures

In Reply Refer To:
HIBS

To: Division Administrators
Director of Fields Services

Purpose

This memorandum provides guidance for the implementation of the Bridge Replacement and Rehabilitation (BRR) Program authorized in the Consolidated Appropriations Act, 2019, title I of division G, Public Law 116-6 (“2019 Appropriations Act” or “the Act”). This guidance clarifies eligible projects and implementation of the provision related to population density.

Background

The 2019 Appropriations Act appropriated \$475,000,000 for a bridge replacement and rehabilitation program. Among other things, the Act requires these funds to be distributed to any qualifying State for which the percentage of total deck area of bridges classified as in poor condition in such qualifying State is at least 7.5 percent as determined based on the National Bridge Inventory as of December 31, 2017. FHWA Notice N4510.835 (<https://www.fhwa.dot.gov/legsregs/directives/notices/n4510835/>) provides more information and statutory requirements that are applicable to these funds. The following are qualifying States: Alaska, Connecticut, Illinois, Iowa, Louisiana, Maine, Massachusetts, Michigan, Missouri, Montana, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Dakota, West Virginia, and Wyoming.

Guidance

Eligible projects are highway bridge replacement and rehabilitation projects on public roads. For purposes of this program the following definitions apply for State, Public

road, Highway, Bridge, Replacement, and Rehabilitation:

- “State” is defined in the Act as any of the 50 States or the District of Columbia for this program.
- “Public road” is defined in Title 23, United States Code (U.S.C.), § 101(a)(22) as any road or street under the jurisdiction of and maintained by a public authority and open to public travel.
- “Highway” is defined in 23 U.S.C. 101(a)(11) as a road, street, and parkway; a right-of-way, bridge, railroad-highway crossing, tunnel, drainage structure, including public roads on dams, sign, guardrail, and protective structure, in connection with a highway; and a portion of any interstate or international bridge or tunnel and the approaches thereto, the cost of which is assumed by a State transportation department, including such facilities as may be required by the United States Customs and Immigration Services in connection with the operation of an international bridge or tunnel.
- “Bridge” is defined in Title 23, Code of Federal Regulations (CFR), Part 650.305 as a structure including supports erected over a depression or an obstruction, such as water, highway, or railway, and having a track or passageway for carrying traffic or other moving loads, and having an opening measuring along the center of the roadway of more than 20 feet between undercopings of abutments or spring lines of arches, or extreme ends of openings for multiple boxes; it may also include multiple pipe culverts, where the clear distance between openings is less than half of the smaller contiguous opening.
- “Replacement” is defined in 23 CFR 650.405 as total replacement of a bridge with a new facility constructed in the same general traffic corridor. A nominal amount of approach work, sufficient to connect the new facility to the existing roadway or to return the gradeline to an attainable touchdown point in accordance with good design practice, is also eligible. The replacement structure must meet the current geometric, construction and structural standards required for the types and volume of projected traffic on the facility over its design life.
- “Rehabilitation” is defined in 23 CFR 650.405 as the project requirements necessary to perform the major work required to restore the structural integrity of a bridge as well as the work necessary to correct major safety defects except as noted in 23 CFR 650.405(c) under ineligible work. Examples of bridge rehabilitation include, but are not limited to: partial or complete deck replacement, superstructure replacement, and substructure/culvert strengthening or partial/full replacement. Incidental widening is often associated with some of these activities.

The Act requires funds to be obligated for eligible projects located in areas of a qualifying State that have a population of 200,000 or fewer individuals. To implement this requirement, Urbanized Areas with a population greater than 200,000 individuals are excluded from eligibility, unless one of the conditions specified below is met. A list of Urbanized Areas and their respective populations based on the 2010 census can be found in the *Federal Register*, Vol. 77, No. 59, Tuesday, March 27, 2012, Part IV, Department of Commerce, Bureau of the Census, Qualifying Urban Areas for the 2010 Census; Notice.¹ The attachment includes a list of the Urbanized Areas of qualifying States with a population greater than 200,000 individuals.

¹ The Census list for urbanized areas reflects 50,000 or more people. Please see footnote 2 on page 559, <https://www.govinfo.gov/content/pkg/FR-2012-03-27/pdf/FR-2012-03-27.pdf>

If a qualifying State demonstrates that there are no bridges in areas of the State with a population of 200,000 or fewer individuals, or there are insufficient bridge replacement or rehabilitation needs in such areas, the State may use BRR Program funds for eligible projects in any area of the State. A qualifying State may demonstrate that they meet one of these conditions as follows:

- For a State that has no bridges in areas of the State with a population of 200,000 or fewer individuals – A State may provide to its respective division office information utilizing maps or a Geographic Information System (GIS) that overlays the Urbanized Area boundaries with a population greater than 200,000 individuals and their bridges. Upon review of the information provided by the State, if the Division Administrator finds that the information substantiates the State's assertion that there are no bridges in such areas, the Division Administrator shall issue a concurrence memorandum to the State allowing the use of BRR Program funds in Urbanized Areas with a population greater than 200,000 individuals with a copy to the Office of Bridges and Structures via Mr. Douglas Blades (douglas.blades@dot.gov).
- For a State that has insufficient bridge replacement or rehabilitation needs in areas of the State with a population of 200,000 or fewer individuals – The State may coordinate with local agencies who own bridges in areas with a population of 200,000 or fewer individuals to determine needs for bridge rehabilitation and replacement projects in such areas. In consultation with these agencies, the State should develop a list of all potential State and local projects in areas with 200,000 or fewer individuals along with the estimated costs of those projects. The State should also determine the probability for any projects in areas with 200,000 or fewer individuals to obligate funds by September 30, 2022, and expend funds by September 30, 2027. The State should then finalize its list of projects and costs that will use BRR Program funds, and calculate if funds remain available that could be used in areas with a population greater than 200,000 individuals. After submitting all this information to its respective division office, the division office shall determine if it concurs with the State's assessment. Upon review of the information provided by the State, if the Division Administrator finds that the information substantiates the State's assertion, the Division Administrator shall issue a concurrence memorandum to the State allowing the use of BRR Program funds in Urbanized Areas with a population greater than 200,000 individuals with a copy to the Office of Bridges and Structures via Mr. Douglas Blades (douglas.blades@dot.gov).

If you have any questions, please contact Shay Burrows (202-366-4675 or shay.burrows@dot.gov) or Douglas Blades (202-366-4622 or douglas.blades@dot.gov).

Attachment 1 – Urbanized Areas

Bridge Replacement and Rehabilitation Program Qualifying States Urbanized Areas

<u>State</u>	<u>Urbanized Area</u>	<u>Population</u>
Alaska	Anchorage	251,243
Connecticut	Bridgeport—Stamford	923,311
	Hartford	924,859
	New Haven	562,839
	New York—Newark	18,351,295
	Norwich—New London	209,190
	Springfield	621,300
	Worcester	486,514
Illinois	Chicago	8,608,208
	Davenport	280,051
	Peoria	266,921
	Rockford	296,863
	Round Lake Beach—McHenry—Grayslake	290,373
	St. Louis	2,150,706
Iowa	Davenport	280,051
	Des Moines	450,070
	Omaha	725,008
Louisiana	Baton Rouge	594,309
	Lafayette	252,720
	New Orleans	899,703
	Shreveport	298,317
Maine	Portland	203,914
Massachusetts	Barnstable Town	246,695
	Boston	4,181,019
	Nashua	226,400
	Providence	1,190,956
	Springfield	621,300
	Worcester	486,514
	Michigan	Ann Arbor
Detroit		3,734,090
Flint		356,218
Grand Rapids		569,935
Kalamazoo		209,703
Lansing		313,532
South Bend		278,165
Toledo		507,643
Missouri		Fayetteville—Springdale—Rogers
	Kansas City	1,519,417
	Springfield	273,724
	St. Louis	2,150,706
New Hampshire	Boston	4,181,019
	Nashua	226,400

Bridge Replacement and Rehabilitation Program Qualifying States Urbanized Areas

<u>State</u>	<u>Urbanized Area</u>	<u>Population</u>
New Jersey	Allentown	664,651
	Atlantic City	248,402
	New York—Newark	18,351,295
	Philadelphia	5,441,567
	Poughkeepsie—Newburgh	423,566
New York	Trenton	296,668
	Albany—Schenectady	594,962
	Bridgeport—Stamford	923,311
	Buffalo	935,906
	New York—Newark	18,351,295
	Poughkeepsie—Newburgh	423,566
	Rochester	720,572
North Carolina	Syracuse	412,317
	Asheville	280,648
	Charlotte	1,249,442
	Concord	214,881
	Durham	347,602
	Fayetteville	310,282
	Greensboro	311,810
	Hickory	212,195
	Myrtle Beach—Socastee	215,304
	Raleigh	884,891
	Wilmington	219,957
	Winston-Salem	391,024
Pennsylvania	Allentown	664,651
	Harrisburg	444,474
	Lancaster	402,004
	Philadelphia	5,441,567
	Pittsburgh	1,733,853
	Reading	266,254
	Scranton	381,502
	York	232,045
Rhode Island	Youngstown	387,550
	Boston	4,181,019
	Norwich—New London	209,190
West Virginia	Providence	1,190,956
	Huntington	202,637