

Bridge Health and Safety - Testimony by Matthew Macey, PE

Hello. My name is Matt Macey, a professional engineer and Chief Operating Officer for CDR Maguire, an engineering firm engaged in the delivery of significant infrastructure projects in PA. Our company has been engaged in advocating for and drafting legislation focused on addressing the backlog of locally owned poor bridges. On behalf of my company, I appreciate the opportunity to testify to the Committee today.

With increased funding, an intense focus, and expanded procurement options through P3, PennDOT has done well reducing the number of structurally deficient bridges on the state-owned transportation system. However, according to PennDOT data from March 2021, there are 6,663 locally-owned bridges in the Commonwealth with 1,755 (26%) of those considered to be in poor condition and in need of replacement or rehabilitation. The available funding on current TIP updates to support local government, whether City, County, or municipality, is not sufficient to address current needs, let alone reduce the backlog of locally-owned poor rated bridge inventories. The estimated programming cost to replace the 1,755, structurally deficient, locally-owned bridges is more than \$2B.

Our view of the issues with local bridges is resource driven. First and foremost, the lack of financial resources, secondarily, the lack of resources for staff oversight at the local level, including consultant procurement, and PennDOT staff availability to support an expanded and expedited program, etc. This problem is exacerbated by local government's knowledge of the TIP process. Education of local municipal staff alone will not solve the problem. Additional and alternative means of project financing and delivery are needed to help local governments address this major issue. This is demonstrated by PennDOT's use of unsolicited P3s as well as the Rapid Bridge Replacement P3 project. However, this approach is not available to local governments as readily as they are to PennDOT. In accordance with Act 88, a local government cannot participate in a solicited or unsolicited P3 without an approved "Authority" acting as the Proprietary Public Entity (PPE). This may not be an issue at the County level where Authorities such as the Port Authority of Allegheny County or Southeast PA Transit Authority (SEPTA) exist, however at the Township/municipal level, these types of Authorities may not be available. Additionally, the use of county and regional level transit authorities to address infrastructure needs at the local level would not be the most effective method to address this situation.

In 2020, CDR Maguire had worked with various government officials to introduce Legislation (HB 2065) which would amend Act 88 to permit Counties and 2nd Class cities to pursue P3 projects acting as their own PPEs. This Legislation was well received in both the House and the Senate; however, it was tabled in November 2020 after the announcement of the plan to toll Interstate bridges. The tabling of the Act 88 modification essentially stopped an unsolicited P3 for Mercer County which would have had the potential to replace 16 bridges over 20' and 11 structures under 20,' because the County does not have an approved Authority to act as the PPE. On a much larger scale, this proposed modification of Act 88 would allow the City of Pittsburgh to participate in a P3 to potentially replace or rehabilitate structurally deficient bridges.

The aforementioned 1,755 structurally deficient local bridges are the responsibility of hundreds of different jurisdictions, which makes a P3 bundle like PennDOT used on the RBR more difficult to implement. Therefore, an additional program is needed to assist local governments to aggressively tackle their deficient bridges and expand the delivery options available to those local governments. One such solution is a "Local Bridge Trust Fund" which would provide the financial and management

resources for local governments to replace their poor rated bridges and enable those municipalities to establish a sustainable approach to maintaining their inventory of bridges going forward.

A Local Bridge Trust could be modeled after the Commonwealth's PENNVEST program to provide grants and technical support to local governments that apply. That is, an authority would be created with a Board of Directors appointed by the Governor and/or the legislature. The Local Bridge Trust would have limited staff to manage the program. Like PENNVEST, it would utilize private engineering/management companies, on an as needed basis, to provide the technical resources to assist local governments that receive grants and which need assistance to implement their project(s). Those same engineering companies would also provide oversight of funded projects to ensure that:

1. Designs are in accordance with AASHTO and/or PennDOT standards,
2. Environmental permitting regulations are followed and permits are received, and that
3. Acceptable administrative contracting procedures are followed.

CDR Maguire has worked with the House and Senate Transportation Committees to draft Local Bridge Trust Fund legislation which was introduced as HB 2557. Changes in state law to advance legislation for both of these efforts, coupled with revenue streams to support them, could substantially aid local governments in addressing their significant backlog of poor bridges.

Again, I would like to thank you for the opportunity to provide testimony and encourage the Senate Transportation Committee to support this type of legislation.