



## COMMONWEALTH of VIRGINIA

### Commonwealth Transportation Board

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*Agenda item # 3*

### RESOLUTION OF THE COMMONWEALTH TRANSPORTATION BOARD

September 16, 2020

#### MOTION

**Made By: Mr. Rucker, Seconded By: Dr. Smoot**

**Action: Motion Carried, Unanimously**

#### **Title: Approval of Federal Asset Condition Performance Target Adjustment**

**WHEREAS**, pursuant to §[2.2-229](#) of the *Code of Virginia*, it is the responsibility of the Office of Intermodal Planning and Investment (OIPI) to develop measures and targets related to the performance of the Commonwealth's surface transportation network for the Commonwealth Transportation Board's (Board) approval, including any performance measurement required by Title 23 or 49 of the United States Code; and

**WHEREAS**, Public Law 112-141, the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21) amended 23 USC 150, providing that, “[p]erformance management will transform the Federal-aid highway program and provide a means to the most efficient investment of Federal transportation funds by refocusing on national transportation goals, increasing the accountability and transparency of the Federal-aid highway program, and improving project decision-making through performance-based planning and programming.” Pursuant to 23 USC 150, the Federal-aid highway program is to be focused on national transportation goals in the areas of safety, infrastructure condition, congestion reduction, system reliability, freight movement and economic vitality, environmental sustainability, and reduced project delivery delays; and

**WHEREAS**, MAP-21 also amended 23 USC 150 to direct the United States Secretary of Transportation, in consultation with State departments of transportation, metropolitan planning organizations, and other stakeholders, to promulgate a rulemaking that establishes performance measures and standards relating to the national transportation goals and to require each state to set performance targets that reflect the performance measures established in said rule(s); and

**WHEREAS**, various federal regulations were promulgated to address and set forth the requirements for, among other things, measures and targets relating to asset condition, system performance, congestion, and air quality, including 23 CFR §§490.105, 490.307, 490.407, 490.507, 490.607, 490.707, and 490.807, which require State Departments of Transportation and Metropolitan Planning Organizations to set targets for twelve measures; and

**WHEREAS**, more specifically, 23 CFR §§490.105, 490.307 and 490.407, collectively require the state to set Asset Condition Performance Targets, which apply to the National Highway System (NHS), for the following six measures: percentage of pavement in good condition and percentage of pavement in poor condition on Interstate highways; percentage of pavement in good condition and percentage of pavement in poor condition on Non-Interstate NHS highways; and percentage of deck area of bridges in good condition and percentage of deck area of bridges in poor condition on the NHS; and

**WHEREAS**, 23 CFR §490.107(b)(2)(E) provides State DOTs with the option to adjust, among others, Asset Condition Performance Targets as part of the Mid Performance Period Progress Report due to the Federal Highway Administration by October 1, 2020; and

**WHEREAS**, 23 CFR §490.107(b)(2)(E) requires State DOTs to provide a basis for the target adjustment and demonstrate how the adjusted target supports the state's longer range plans, such as the asset management plan and long-range transportation plan; and

**WHEREAS**, on September 18, 2018, the Board adopted 2-year and 4-year federal performance targets for CY2019 and CY2021, respectively, including Asset Condition Performance Targets, and since that date, OIPI and Virginia Department of Transportation (VDOT) has monitored the Commonwealth's progress toward meeting federal performance targets; and

**WHEREAS**, in July 2020, the Board received an update on the Commonwealth's progress toward meeting federal performance targets, including Asset Condition Performance Targets, and the rationale for adjusting one Asset Condition Performance Target, the percentage of deck area of bridges in good condition for National Bridge Inventory (NBI) structures on the NHS; and

**WHEREAS**, adjusting the target for the percentage of deck area of bridges in good condition aligns the target with current performance, accounts for corrected baseline condition data, and recognizes the influence of a previous investment strategy focused on reducing the number of bridges in poor condition; and

**WHEREAS**, OIPI in consultation with VDOT recommends adoption of the proposed adjustment to one Asset Condition Performance Target set forth in Table A below:

**Table A**

<b>Asset Condition Performance Measure</b>	<b>Established 2-year Target (2019)</b>	<b>Established 4-year Target (2021)</b>	<b>Adjusted 4- year Target (2021)</b>
Percentage of deck area of bridges in good condition (NBI on NHS)	33.5%	33.0%	30.5%

**NOW THEREFORE, BE IT RESOLVED**, that the Commonwealth Transportation Board hereby approves the Adjusted 4-year Target for the percentage of deck area of bridges in good condition (NBI on NHS) set forth in Table A.

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## CTB Decision Brief

### Approval of Federal Asset Condition Performance Target Adjustment

**Issue:** In accordance with §2.2-229 of the *Code of Virginia*, the Commonwealth Transportation Board (CTB) must approve measures and targets related to the performance of the Commonwealth's surface transportation network, including any performance measurement required by Title 23 or 49 of the United States Code. In accordance with 23 CFR §§ 490.105, 490.107, 490.307 and 490.407, among others, targets for six federally mandated performance measures (Federal Asset Condition Performance Targets) must be established by State DOTs every four years, beginning in 2018, with the option to adjust targets at the midpoint of each 4-year performance period. While the CTB previously approved these and other federally mandated performance targets in 2018, the Office of Intermodal Planning and Investment (OIPI) and Virginia Department of Transportation (VDOT) are now recommending and seeking CTB approval of a proposed adjustment to one of the Federal Asset Condition Performance Targets previously approved.

**Facts:** In 2012, Congress passed the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) Act and, in 2015, the Fixing America's Surface Transportation (FAST) Act that mandated and continued the mandate for establishment of performance management to transform the Federal-aid highway program and provide a means to the most efficient investment of Federal transportation funds by refocusing on national transportation goals, increasing the accountability and transparency of the Federal-aid highway program, and improving project decision-making through performance-based planning and programming. Pursuant to 23 USC 150 as amended by these acts, the Federal-aid highway program is to be focused on national transportation goals in the areas of safety, infrastructure condition, congestion reduction, system reliability, freight movement and economic vitality, environmental sustainability, and reduced project delivery delays.

Pursuant to MAP-21 and the FAST Act, various federal regulations were promulgated to address and set forth the requirements for, among other things, asset condition performance measures and targets, including 23 CFR §§490.105, 490.307 and 490.407, which collectively require State Departments of Transportation and Metropolitan Planning Organizations to set Asset Condition Performance Targets for six measures. Federal Asset Condition Performance Targets were first established and reported in 2018 with CTB approval.

Further, 23 CFR §490.107(b)(2)(E) provides State DOTs with the option to adjust Federal Asset Condition Performance Targets as part of the Mid Performance Period Progress Report due to the Federal Highway Administration by October 1, 2020, and requires State DOTs to provide a basis for the target adjustment and demonstrate how the adjusted target supports the state's asset management plan and long-range transportation plan.

Since the date that the Federal Asset Condition Performance Targets were first approved and reported in 2018, OIPI and VDOT have monitored the Commonwealth's progress toward meeting federal performance targets. As a result of the information collected, OIPI has coordinated and worked collaboratively with VDOT and agreed on adjusting one Asset

Condition Performance Target, the percentage of deck area of bridges in good condition for National Bridge Inventory (NBI) structures on the NHS. The proposed target adjustment for the one measure, the percentage of deck area of bridges in good condition for National Bridge Inventory structures on the NHS, is set forth below:

**Table A**

<b>Asset Condition Performance Measure</b>	<b>Established 2-year Target (2019)</b>	<b>Established 4-year Target (2021)</b>	<b>Adjusted 4-year Target (2021)</b>
Percentage of deck area of bridges in good condition (NBI on NHS)	33.5%	33.0%	30.5%

Adjusting the target for the percentage of deck area of bridges in good condition aligns the target with current performance, accounts for corrected baseline condition data, and recognizes the influence of a previous investment strategy focused on reducing the number of bridges in poor condition. The CTB received a briefing on this topic at its July 2020 meeting.

**Recommendations:** OIPI in consultation with VDOT recommends the approval of the proposed adjustment to one Asset Condition Performance Target.

**Action Required by CTB:** The CTB will be presented with a resolution for a formal vote to approve the adjustment to one Asset Condition Performance Target.

**Result, if Approved:** If approved, the adjusted target will be reported to FHWA prior to the October 1 deadline.

**Options:** Approve, Deny, or Defer.

**Public Comments/Reactions:** None