

FHWA/MoDOT Partnering Agreement

Bridge Program

2021

I. Definitions

Projects of Division Interest (PoDIs) - Projects that have an elevated risk, contain elements of higher risk, or present a meaningful opportunity for FHWA involvement to enhance meeting program or project objectives.

II. Roles and Responsibilities of MoDOT

MoDOT's Role – Ensure the Bridge Division performs in accordance with state and federal laws and regulations while achieving MoDOT's priorities and goals. For our program area, the following tasks are considered the most important and we will work with FHWA as true partners to ensure success.

- Develop bridge contract plans in accordance with MoDOT's established policies and procedures.
- Extend invitations to FHWA bridge staff to meetings they express interest in attending or in which they could benefit or contribute.
- Collaborate with FHWA bridge staff on major changes in bridge design, construction, inspection, and maintenance policies/practices.
- Submit bridge documents on projects identified as a PoDI project (refer to PoDI Matrix in EPG Article 123.1.1) to FHWA per the following table.

<u>PoDI Activity</u>	<u>Submittal Documents</u>	<u>Preferred Schedule</u>
Preconstruction - Bridge TS&L Review	Bridge Type, Size, and Location information	Ten (10) working days prior to expected response
Preconstruction - Design Exceptions	Bridge-related Design Exceptions (refer to EPG Article 131.1)	Ten (10) working days prior to expected response
Preconstruction - Bridge 90% Plan Review	90% bridge plans	Ten (10) working days prior to expected response
Preconstruction - Bridge PS&E Review	Bridge Plans, Specifications, and Estimates	When submitted to Design

- Maintain the National Bridge Inventory (NBI) data, element level inspection data for bridges on the National Highway System (NHS), and National Tunnel Inventory (NTI) data for Missouri. Submit the NBI and the element level inspection data to FHWA for acceptance by March 15th each year. Submit the NTI data by March 15th each year.
- Administer the bridge inspection program and tunnel inspection program in Missouri to ensure compliance with the National Bridge Inspection Standards (NBIS) and the National Tunnel Inspection Standards (NTIS).
- Actively pursue mitigation of any Plans of Corrective Action and program risks.

III. Roles and Responsibilities of FHWA

FHWA's Role – Ensure FHWA's Bridge Program is administered in accordance with federal laws and regulations while implementing FHWA's Performance Plan and required stewardship and oversight. For our program area, the following tasks are considered the most important and we will work with MoDOT as true partners to ensure success.

- Participate in bridge project development activities in coordination with MoDOT's Bridge Division and with FHWA's Transportation Engineers. Provide bridge project review and approval on designated PoDI projects in accordance with the current Oversight Agreement between MoDOT and FHWA.
- Maintain consistent communication with MoDOT's Bridge Division regarding status of identified PoDI projects and identify those projects FHWA bridge staff would like to more fully participate.
- Review bridge submittals on PoDI projects within ten (10) working days.
- Coordinate the annual submittal of NBI data, element-level inspection data for NHS bridges, and NTI data for Missouri to FHWA HQ by March 15th each year.
- Perform oversight and review of the National Bridge Inspection Program (NBIP) in Missouri, including the NBIS and NBI.
- Perform oversight, review, and assistance in the implementation of the tunnel inspection program in Missouri including the NTIS and NTI.

- Apprise MoDOT of changes in the NBIS, NBIP, NBI, NTIS, NTIP, and NTI.

IV. Ground Rules

We agree to concentrate efforts in improving our work by following these ground rules.

- We will respect each other by acting professionally and listening to respective points of view.
- We will communicate by the most effective methods available (e.g. phone, e-mail, and meetings).
- We will make decisions by mutual agreement whenever possible. When unable to do this, we will elevate to a higher level in accordance with the conflict resolution process.
- We will conduct quarterly or semiannual meetings between MoDOT and FHWA staff to discuss any items or issues of mutual interest. These meetings will serve as a regular opportunity to assess performance and ensure our offices continue to work well together.
- We will work together to annually conduct a risk assessment and to participate in the FHWA Strategic Advance.
- We will collaborate in the annual development of the bridge-related portions of FHWA's Performance Plan.
- We will present a unified voice to internal and external customers. We will discuss matters together before responding to customers.
- We will abide by the decisions made through the dispute resolution process and will share that decision with staff.
- We will revisit this partnering agreement annually to determine if changes need to be made.

V. Conflict Resolution

Conflicts are to be resolved at the lowest level possible between FHWA and MoDOT staff. After exhausting all possibilities and an agreement cannot be reached between MoDOT's State Bridge Engineer and FHWA's Division Bridge Engineer, the issue will be elevated in the following manner:

- Elevate the discussion to MoDOT's State Bridge Engineer and FHWA's Program Implementation Team Leader. We will make every effort to solve the conflict at our level.
- If unresolved issues persist, we will be present our cases both verbally and in writing to MoDOT's Assistant Chief Engineer and FHWA's Deputy Division Administrator no more than two (2) weeks after hearing from the parties involved.
- Unresolved issues between MoDOT's Assistant Chief Engineer and FHWA's Deputy Division Administrator will be handled through senior management's partnering agreement.

VI. Performance Evaluation

We will measure our partnering progress and success by the following performance indicators. If either partner indicates these measures may not be met, then mitigation actions will be taken until the performance is met.

- Project actions involving FHWA reviews, approvals, and decisions completed within ten (10) working days of submittal.
- MoDOT responses to FHWA review comments within ten (10) working days.

We will measure our Bridge Program strength by the following. These measures will continue to be monitored and reported as indicated. Measures may be added, modified, or deleted by agreement through revision to this partnering agreement.

- Percent of Structurally Deficient Deck Area on NHS (MoDOT Tracker measure 2c). Desired trend: Down, Goal: \leq FAST Act Threshold of 10%.
- Number of active Plans of Corrective Action (PCA) on the NBIP and NTIP as determined through annual reviews. Desired trend: Down, Goal: On track to successfully complete all active PCAs.
- Number of Truss Bridges Awaiting Gusset Plate Analysis (Bridge D-Tracker measure 2b). Desired trend: Down, Goal: 0.

VII. Program Assessment

The objective of FHWA's risk management process is to establish a consistent approach to identify and prioritize program area risks. Applying the principles of risk makes it possible to identify threats and opportunities; assess and prioritize those threats and

opportunities; and determine and prioritize strategies so we can decide how to address future issues affecting the Federal-aid Highway Programs.

MoDOT Bridge and FHWA staff agree to coordinate yearly meetings to identify Bridge Program risk areas for the next FHWA performance year.

The FHWA PY2021 program assessment identified the following top five risks. MoDOT Bridge and FHWA staff agree to partner together to identify strategies to mitigate these risks.

- Meeting inspection frequencies specified in 23 CFR 675.311 with restrictions placed on staff due to the COVID pandemic.
- Ensuring MoDOT and local agencies install appropriate load postings for bridges within 30 days. This requirement went into effect October 2019.
- Complying with bridge-related Transportation Asset Management Plan (TAMP) requirements as specified in 23 CFR 515. Note: MoDOT Transportation Planning staff will lead any compliance efforts, as they are responsible for MoDOT's TAMP, and MoDOT Bridge and FHWA staff will serve as resources to their efforts.
- Completing PCA on Metric 13 – Load Rating from the PY2019 NBIP review. This includes a substantial effort to perform a parametric study of the load models and then to load rate bridges across Missouri per the parametric study findings.
- Developing National Tunnel Inspection Program (NTIP) policies and procedures to meet the new National Tunnel Inspection Standards (NTIS) and the associated 15 Metrics for the NTIP review.

VIII. Communicating with Management

We will keep management informed of our activities and how our partnering is working by regularly informing our immediate supervisors of significant activities in the Bridge Program area and providing updates on how this partnering agreement is working.

DATE: October 15, 2020

MISSOURI DEPARTMENT OF TRANSPORTATION	FHWA
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