

CHAPTER 21B

NEW JERSEY BRIDGE REHABILITATION AND IMPROVEMENT AND RAILROAD RIGHT-OF-WAY PRESERVATION BOND ACT OF 1989 FUNDING RULES

Authority

N.J.S.A. 27:1A-5, 27:1A-6, 27:7-13, 27:7-47 and the New Jersey Bridge Rehabilitation and Improvement and Railroad Right-of-Way Preservation Bond Act of 1989, P.L.1989, c.180.

Source and Effective Date

R.1995 d.657, effective November 21, 1995.
See: 27 N.J.R. 3764(a), 27 N.J.R. 5033(b).

Executive Order No. 66(1978) Expiration Date

Chapter 21B, New Jersey Bridge Rehabilitation and Improvement and Railroad Right-of-Way Preservation Bond Act of 1989 Funding Rules, expires on November 21, 2000.

Chapter Historical Note

Chapter 21B, New Jersey Bridge Rehabilitation and Improvement and Railroad Right-of-Way Preservation Bond Act of 1989 Funding Rules, was adopted as new rules by R.1990 d.589, effective December 3, 1990. See: 22 N.J.R. 2901(b), 22 N.J.R. 3630(b). Pursuant to Executive Order No. 66(1978), Chapter 21B was readopted as R.1995 d.657, effective November 21, 1995. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. GENERAL PROVISIONS, BRIDGE FUNDING

16:21B-1.1 Bridge bond funds

(a) This chapter implements bridge funding provisions of the New Jersey Bridge Rehabilitation and Improvement and Railroad Right-of-Way Preservation Bond Act of 1989, P.L. 1989, c.180. The funds are for rehabilitation or improvements to bridges on State, county and municipal roads, including railroad overhead bridges (highway over rail), as appropriated by the Legislature. These funds shall be referred to in this chapter as "bridge bond funds".

(b) The Commissioner of Transportation, after consultation with local officials, shall make the final selection of projects to be funded with bridge bond funds.

(c) Bridge projects for which bridge bond funds have been appropriated shall be advanced and under contract within three years of the appropriation. Funds shall be returned to the Commissioner to reallocate if a bridge project for which funds have been appropriated is not under contract after three years.

(d) A bridge, for the purposes of this chapter, is a structure with a minimum clear span of five feet.

Amended by R.1995 d.657, effective December 18, 1995.
See: 27 N.J.R. 3764(a), 27 N.J.R. 5033(b).

16:21B-1.2 Project shares

(a) Bridge bond funds shall defray 100 percent of the cost of those bridges which carry State highways and which are constructed, owned or maintained by the State and those railroad overhead bridges over and across a railroad or electric railway operated by the State.

(b) The maximum State share of the local projects shall equal 90 percent of the costs and the county or municipality share shall equal a minimum of 10 percent of the costs.

(c) Notwithstanding the provisions of chapter 12 of Title 48 (Railroads) of the Revised Statutes, the railway company whose tracks or right-of-way the bridge crosses, shall furnish, at its own expense, necessary track safety services and engineering reviews for railroad overhead bridges.

(d) The cost of a local project shall be determined after first reducing the total project cost by the amount of available Federal funds.

Amended by R.1995 d.657, effective December 18, 1995.
See: 27 N.J.R. 3764(a), 27 N.J.R. 5033(b).

16:21B-1.3 Standards

(a) Bridge projects shall conform to applicable design criteria of the American Association of State Highway and Transportation Officials (AASHTO) or applicable New Jersey Department of Transportation standards. Any exceptions to these design criteria must be justified by the engineer responsible for the project to be in the public interest.

(b) Construction and materials shall conform with the applicable New Jersey State Department of Transportation Standard Specifications for Road and Bridge Construction.

(c) Evaluations, ratings, and reports shall conform to the national bridge inspection standards as contained in the current AASHTO Manual for Maintenance Inspection of Bridges.

Amended by R.1995 d.657, effective December 18, 1995.
See: 27 N.J.R. 3764(a), 27 N.J.R. 5033(b).

16:21B-1.4 Audits

(a) Entities receiving bridge bond funds shall comply with audit requirements of the New Jersey Department of the Treasury and of the New Jersey Department of Transportation, and with any Federal audit requirements associated with Federal funding of projects.

(b) Local governments shall comply with the State of New Jersey Single Audit Policy defined by the Department of Treasury, Office of Management and Budget and the Single Audit Act of 1984 (Federal OMB Circular A-128).

(c) A single audit of a local government shall be performed annually by an independent auditor or public accountant who meets the independence standards in conformity with State audit policy.

(d) Department of Transportation agreements shall be subjected to audit compliance tests in accordance with requirements delineated in the Department of Treasury, OMB publication entitled "New Jersey Grants Management Information System Manual."

(e) Audit costs shall not be reimbursable by the Department.

Amended by R.1995, d.657, effective December 18, 1995.
See: 27 N.J.R. 3764(a), 27 N.J.R. 5033(b).

SUBCHAPTER 2. STATE AID TO LOCAL GOVERNMENTS FOR BRIDGE PROJECTS

16:21B-2.1 Applications for bridge bond funding

(a) Any county or municipality may submit project applications for bridge bond funds to the New Jersey Department of Transportation through the Local Aid District Office.

(b) Applications shall contain executed agreements and resolutions. Forms are available at the Local Aid District Office.

(c) Applications shall provide an engineering description of the existing road and bridge and a description of the proposed improvement indicating the length of span, proposed load limit, right-of-way width, paved and graded widths, shoulder widths, type and depth of proposed pavement, and an estimate of the cost of the proposed work for both the bridge and approach roadways.

(d) Applications will be reviewed and evaluated by the Local Aid District Office. Recommendations for approval will be presented to the Commissioner of Transportation or designee for execution.

(e) All approved applications shall be implemented by contract in accordance with the provisions of this chapter, unless otherwise approved by the State.

Amended by R.1995, d.657, effective December 18, 1995.
See: 27 N.J.R. 3764(a), 27 N.J.R. 5033(b).

16:21B-2.2 Local government responsibility

(a) The local government shall be responsible for engaging a professional engineer registered in the State of New Jersey to prepare construction plans and specifications and to provide construction engineering and inspection and material testing as required for the project.

(b) The local government shall provide such maps, reports, construction plans and specifications, contract documents, bridge ratings, or other information as may be required by the State.

(c) The local government shall be responsible for obtaining all necessary permits, right-of-way, easements, and slope rights required.

(d) The local government shall be responsible for engaging a qualified consulting engineering firm to inspect, rate and prepare bridge evaluation reports.

(e) The local government shall submit two copies of any consultant proposal to the Local Aid District Office for review and approval prior to executing an agreement with a consulting firm.