

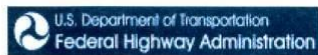
**STEWARDSHIP AND OVERSIGHT AGREEMENT  
ON PROJECT ASSUMPTION AND PROGRAM OVERSIGHT  
BY AND BETWEEN THE  
FEDERAL HIGHWAY ADMINISTRATION, GEORGIA DIVISION  
AND THE  
GEORGIA DEPARTMENT OF TRANSPORTATION**



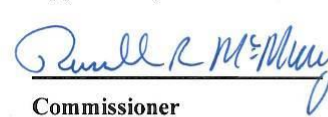
Approved by FHWA

  
Division Administrator

5/6/2015  
Date



Approved by GDOT

  
Commissioner

4/30/2015  
Date



## **TABLE OF CONTENTS**

<b>SECTION I. BACKGROUND AND INTRODUCTION.....</b>	<b>4</b>
<b>SECTION II. INTENT AND PURPOSE OF S&amp;O AGREEMENT.....</b>	<b>5</b>
<b>SECTION III. ASSUMPTION OF RESPONSIBILITIES – ON NHS.....</b>	<b>5</b>
<b>SECTION IV. ASSUMPTION OF RESPONSIBILITIES – OFF NHS.....</b>	<b>6</b>
<b>SECTION V. ASSUMPTION OF RESPONSIBILITIES – LOCAL PROJECTS.....</b>	<b>6</b>
<b>SECTION VI. PERMISSABLE AREAS OF ASSUMPTION.....</b>	<b>6</b>
<b>SECTION VII. FEDERAL APPROVALS THAT MAY NOT BE ASSUMED.....</b>	<b>7</b>
<b>SECTION VIII. PROJECT ACTION RESPONSIBILITY MATRIX.....</b>	<b>8</b>
<b>SECTION IX. HIGH RISK CATEGORIES.....</b>	<b>8</b>
<b>SECTION X. FHWA OVERSIGHT PROGRAM UNDER 23 U.S.C. 106(g).....</b>	<b>8</b>
Federal Risk Management Framework, by Program Area:	
• Bridge Monitoring.....	9
• Civil Rights.....	10
• Compliance Assessment Program (CAP) .....	10
• Construction.....	10
• Consultant Selection and Management.....	11
• Contract Administration.....	11
• Design.....	11
• Emergency Relief.....	13
• Environment.....	13
• Every Day Counts.....	14
• Financial Management.....	15
• Local Agency Program.....	16
• Local Technical Assistance Program.....	16
• Maintenance Monitoring.....	16
• Materials Acceptance.....	17
• Operations.....	17
• Pavement Preservation.....	17
• Planning.....	18
• Preventive Maintenance.....	18
• Projects of Division Interest (PoDI) and Projects of Corporate Interest (PoCI).....	18
• Research.....	19
• Right of Way.....	20
• Safety.....	20
• Technical Transfer (T2).....	20

<b>SECTION XI. STATE DOT OVERSIGHT AND REPORTING REQUIREMENTS....</b>	<b>21</b>
A. State DOT Oversight and Reporting Requirements.....	21
• Bridge Monitoring.....	21
• Construction.....	22
• Consultant Selection and Management.....	22
• Contract Administration.....	23
• Design Monitoring.....	23
• Emergency Relief.....	23
• Environment.....	23
• Financial Management.....	24
• Low Impact Bridge Replacement Program.....	25
• Planning.....	25
• Research.....	26
• Right of Way .....	26
• Safety.....	27
• Transportation Data.....	27
B. State DOT Oversight of Locally Administered Projects.....	28
<b>SECTION XII. IMPLEMENTATION AND AMENDMENTS.....</b>	<b>31</b>
<b>ATTACHMENT A. PROJECT ACTION RESPONSIBILITY MATRIX.....</b>	<b>34</b>
<b>ATTACHMENT B. PROGRAM RESPONSIBILITY MATRIX.....</b>	<b>42</b>
<b>ATTACHMENT C. MANUALS AND OPERATING AGREEMENTS.....</b>	<b>74</b>
<b>ATTACHMENT D. GLOSSARY.....</b>	<b>76</b>
<b>ATTACHMENT E. PROJECT OVERSIGHT DESIGNATION IN FMIS.....</b>	<b>78</b>

## **SECTION I. BACKGROUND AND INTRODUCTION**

The Federal-aid Highway Program (FAHP) is a federally-assisted program of State-selected projects. The Federal Highway Administration (FHWA) and the State Departments of Transportation have long worked as partners to deliver the FAHP in accordance with Federal requirements. In enacting 23 U.S.C. 106(c), as amended, Congress recognized the need to give the States more authority to carry out project responsibilities traditionally handled by FHWA. Congress also recognized the importance of a risk-based approach to FHWA oversight of the FAHP, establishing requirements in 23 U.S.C. 106(g). This Stewardship and Oversight (S&O) Agreement sets forth the agreement between the FHWA and the Georgia Department of Transportation (GDOT) on the roles and responsibilities of the FHWA and GDOT with respect to Title 23 project approvals and related responsibilities, and FAHP oversight activities.

The scope of FHWA responsibilities, and the legal authority for GDOT assumption of FHWA responsibilities, developed over time. The U.S. Secretary of Transportation delegated responsibility to the Administrator of the FHWA for the FAHP under Title 23 of the United States Code, and associated laws. (49 CFR 1.84 and 1.85) The following legislation further outlines FHWA's responsibilities:

- Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991;
- Transportation Equity Act for the 21st Century (TEA-21) of 1998;
- Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) of 2005; and
- Moving Ahead for Progress in the 21st Century Act (MAP-21) of 2012 (P.L. 112-141).

The FHWA may not assign or delegate its decision-making authority to a State Department of Transportation unless authorized by law. Section 106 of Title 23, United States Code (Section 106), authorizes the State to assume specific project approvals. For projects that receive funding under Title 23, U.S.C., and are on the National Highway System (NHS) including projects on the Interstate System, the State may assume the responsibilities of the Secretary of the U.S. Department of Transportation under Title 23 for design, plans, specifications, estimates, contract awards, and inspections with respect to the projects unless the Secretary determines that the assumption is not appropriate. (23 U.S.C. 106(c)(1)) For projects under Title 23, U.S.C. that are not on the NHS, the State shall assume the responsibilities for design, plans, specifications, estimates, contract awards, and inspections unless the State determines that such assumption is not appropriate. (23 U.S.C. 106(c)(2))

For all other project activities which do not fall within the specific project approvals listed in Section 106 or are not otherwise authorized by law, the FHWA may authorize a State DOT to perform work needed to reach the FHWA decision point, or to implement FHWA's decision. However such decisions themselves are reserved to FHWA.

The authority given to GDOT under Section 106(c)(1) and (2) is limited to specific project approvals listed herein. Nothing listed herein is intended to include assumption of FHWA's decision-making authority regarding Title 23, U.S.C. eligibility or Federal-aid participation

determinations. The FHWA always must make the final eligibility and participation decisions for the Federal-aid Highway Program.

Section 106(c)(3) requires FHWA and GDOT to enter into an agreement relating to the extent to which GDOT assumes project responsibilities. This Stewardship and Oversight Agreement (S&O Agreement), includes information on specific project approvals and related responsibilities, and provides the requirements for FHWA oversight of the FAHP (Oversight Program), as required by 23 U.S.C. 106(g).

## **SECTION II. INTENT AND PURPOSE OF S&O AGREEMENT**

The intent and purpose of this S&O Agreement is to document the roles and responsibilities of the FHWA's Georgia Division Office and GDOT with respect to project approvals and related responsibilities, and to document the methods of oversight which will be used to efficiently and effectively deliver the FAHP.

The Project Action Responsibility Matrix, Attachment A to this S&O Agreement and as further described in Section VIII of this S&O Agreement, identifies FHWA FAHP project approvals and related responsibilities State DOT assumes from FHWA on a program-wide basis pursuant to 23 U.S.C. 106(c) and other legal authorities. Upon execution of this agreement, Attachment A shall be controlling and except as specifically noted in Attachment A, no other agreements, attachments, or other documents shall have the effect of delegating or assigning FHWA approvals to State DOT on a program-wide basis under 23 U.S.C 106 or have the effect of altering Attachment A.

## **SECTION III. ASSUMPTION OF RESPONSIBILITIES FOR FEDERAL-AID PROJECTS ON THE NATIONAL HIGHWAY SYSTEM**

- A.** GDOT *may assume* the FHWA's Title 23 responsibilities for design; plans, specifications, and estimates (PS&E); contract awards; and inspections, with respect to *Federal-aid projects on the National Highway System (NHS)* if both the *State DOT* and *FHWA* determine that assumption of responsibilities is appropriate.
- B.** Approvals and related activities for which GDOT has assumed responsibilities as shown in Attachment A will apply program wide unless project specific actions for which the Division will carry out the approval or related responsibilities are documented in accordance with the FHWA Project of Division Interest/Project of Corporate Interest (PoDI/PoCI) Guide located at: <http://www.fhwa.dot.gov/federalaid/stewardship/>.
- C.** GDOT may not assume responsibilities for Interstate projects that are in high risk categories. (23 U.S.C. 106(c)(1))
- D.** GDOT is to exercise any and all assumptions of the Secretary responsibilities for Federal-aid projects on the NHS in accordance with Federal laws, regulations and policies.

#### **SECTION IV. ASSUMPTION OF RESPONSIBILITIES FOR FEDERAL-AID PROJECTS OFF THE NATIONAL HIGHWAY SYSTEM**

- A.** GDOT *shall assume* the FHWA's Title 23 responsibilities for design, PS&Es, contract awards, and inspections, with respect to *Federal-aid projects off the NHS (non-NHS)* unless the *State DOT* determines that assumption of responsibilities is not appropriate. (23 U.S.C. 106(c)(2))
- B.** Except as provided in 23 U.S.C.109(o), GDOT is to exercise the Secretary's approvals and related responsibilities on these projects in accordance with Federal laws.
- C.** The GDOT, in its discretion, may request FHWA carry out one or more non-NHS approvals or related responsibilities listed as "State" in Attachment A on a program-wide basis. For a project specific request, the State may request FHWA carry out any approval or related responsibility listed in Attachment A for non-NHS projects. Such project-specific requests shall be documented in accordance with the FHWA PoDI/PoCI Guide.
- D.** Pursuant to 23 U.S.C. 109(o), non-NHS projects shall be designed and constructed in accordance with State laws, regulations, directives, safety standards, design standards, and construction standards.

#### **SECTION V. ASSUMPTION OF RESPONSIBILITIES FOR LOCALLY ADMINISTERED PROJECTS**

GDOT may permit local public agencies (LPAs) to carry out GDOT's assumed responsibilities on locally administered projects. GDOT is responsible and accountable for LPA compliance with all applicable Federal laws and requirements.

#### **SECTION VI. PERMISSABLE AREAS OF ASSUMPTION UNDER 23 U.S.C. 106(c)**

An assumption of responsibilities under 23 U.S.C. 106(c) may cover only activities in the following areas:

- A.** Design, which includes preliminary engineering, engineering, and design-related services directly relating to the construction of a FAHP-funded project, including engineering, design, project development and management, construction project management and inspection, surveying, mapping (including the establishment of temporary and permanent geodetic control in accordance with specifications of the National Oceanic and Atmospheric Administration), and architectural-related services.
- B.** PS&E, which represents the actions and approvals required before authorization of construction. The PS&E package includes geometric standards, drawings, specifications, project estimates, certifications relating to completion of right-of-way acquisition and relocation, utility work, and railroad work
- C.** Contract awards, which include procurement of professional and other consultant services

and construction-related services to include advertising, evaluating, and awarding contracts.

**D.** Inspections, which include general contract administration, material testing and quality assurance, review, and inspections of Federal-aid contracts as well as final inspection/acceptance.

**E.** Approvals and related responsibilities affecting real property, as provided in 23 CFR 710.201(i) and any successor regulation in 23 CFR Part 710.

## **SECTION VII. FEDERAL APPROVALS AND RELATED RESPONSIBILITIES THAT MAY NOT BE ASSUMED BY THE STATE DOT**

**A.** Any approval or related responsibility not listed in Attachment A cannot be assumed by the State without prior concurrence by FHWA Headquarters. The following is a list of the most frequently-occurring approvals and related responsibilities that may not be assumed by GDOT:

- Civil Rights Program approvals;
- Environmental approvals, except those specifically assumed under other agreements. (23 U.S.C. 326 and 327; programmatic categorical exclusion agreements);
- Federal air quality conformity determinations required by the Clean Air Act;
- Approval of current bill and final vouchers;
- Approval of federally-funded hardship acquisition, protective buying, and 23 U.S.C. 108(d) early acquisition;
- Project agreements and modifications to project agreements and obligation of funds (including advance construction);
- Planning and programming pursuant to 23 U.S.C. 134 and 135;
- Special Experimental Projects (SEP-14 and SEP-15);
- Use of Interstate airspace for non-highway-related purposes;
- Any Federal agency approval or determination under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), as amended, and
- implementing regulations in 49 CFR Part 24;
- Waivers to Buy America requirements;
- Approval of Federal participation under 23 CFR 1.9(b);
- Provide pre-approval for preventive maintenance activities outside the scope of the preventive maintenance agreement;
- Requests for credits toward the non-Federal share of construction costs for early acquisitions, donations, or other contributions applied to a project;
- Functional replacement of property;
- Approval of a time extension for preliminary engineering projects beyond the 10-year limit, in the event that actual construction or acquisition of right-of-way for a highway project has not commenced;
- Approval of a time extension beyond the 20-year limit for right of way projects, in the event that actual construction of a road on the right-of-way is not undertaken;

- Determine need for Coast Guard Permit;
  - Training Special Provision – Approval of New Project Training Programs; and
  - Any other approval or activity not specifically identified in Attachment A unless otherwise approved by the FHWA, including the Office of Chief Counsel.
- B.** For all projects and programs, GDOT will comply with Title 23 and all applicable non-Title 23, U.S.C. Federal-aid program requirements, such as metropolitan and statewide planning; environment; procurement of engineering and design related service contracts (except as provided in 23 U.S.C. 109(o)); Civil Rights including Title VI of the *Civil Rights Act*, and participation by Disadvantaged Business Enterprises; prevailing wage rates; and acquisition of right-of-way, etc.
- C.** This Agreement does not modify the FHWA’s non-Title 23 program approval and related responsibilities, such as approvals required under the Clean Air Act; National Environmental Policy Act, Executive Order on Environmental Justice (E.O. 12898), and other related environmental laws and statutes; the Uniform Act; and the Civil Rights Act of 1964 and related statutes.

## **SECTION VIII. PROJECT ACTION RESPONSIBILITY MATRIX**

Attachment A, Project Action Responsibility Matrix, to this S&O Agreement identifies FAHP project approvals and related responsibilities. The Matrix specifies which approvals and related responsibilities are assumed by the State under 23 U.S.C. 106(c) or other statutory or regulatory authority, as well as approvals and related responsibilities reserved to FHWA.

## **SECTION IX. HIGH RISK CATEGORIES**

- A.** In 23 U.S.C. 106(c), Congress directs that the Secretary shall not assign any approvals or related responsibilities for projects on the Interstate System if the Secretary determines the project to be in a high risk category. Under 23 U.S.C. 106(c)(4)(B), the Secretary may define high risk categories on a national basis, State-by-State basis, or national and State-by-State basis.
- B.** The Georgia Division has determined there are no high risk categories.

## **SECTION X. FHWA OVERSIGHT PROGRAM UNDER 23 U.S.C. 106(g)**

1. In 23 U.S.C. 106(g), Congress directs that the Secretary shall establish an oversight program to monitor the effective and efficient use of funds authorized to carry out the FAHP. This program includes FHWA oversight of the State’s processes and management practices, including those involved in carrying out the approvals and related responsibilities assumed by the State under 23 U.S.C. 106(c). Congress defines that, at a minimum, the oversight program shall be responsive to all areas relating to financial integrity and project delivery.
2. The FHWA shall perform annual reviews that address elements of the State DOT’s financial management system in accordance with 23 U.S.C. 106(g)(2)(A). FHWA will periodically



review the State DOT's monitoring of sub-recipients pursuant to 23 U.S.C. 106(g)(4)(B).

3. The FHWA shall perform annual reviews that address elements of the project delivery systems of the State DOT, which elements include one or more activities that are involved in the life cycle of project from conception to completion of the project. The FHWA will also evaluate the practices of the State DOT for estimating project costs, awarding contracts, and reducing costs. 23 U.S.C. 106(g)(2) and (3).
4. To carry out the requirements of 23 U.S.C. 106(g), the FHWA will employ a risk management framework to evaluate financial integrity and project delivery, and balance risk with staffing resources, available funding, and the State's transportation needs. The FHWA may work collaboratively with the State DOT to assess the risks inherent with the FAHP and funds management, and how that assessment will be used to align resources to develop appropriate risk response strategies

Techniques the Division and GDOT may use to identify and analyze risks and develop response strategies include the following:

- Program Assessments;
- FIRE Reviews;
- Program Reviews;
- Certification Reviews;
- Recurring or periodic reviews such as the Compliance Assessment Program (CAP); and
- Inspections of project elements or phases.

These techniques will be carried out in a manner consistent with applicable Division Standard Operating Procedures or other control documents relating to program assessments, FIRE, program reviews, CAP, etc.

The following techniques and processes will be used to carry out the requirements of 23 U.S.C. 106(g):

### **Bridge Monitoring**

The FHWA Georgia Division Bridge Engineer is responsible for ensuring that GDOT complies with National Bridge Inspection Standards (NBIS). These standards are contained in 23 CFR 650 Subpart C. Georgia Division internal controls are contained in the Standard Operating Procedures for the Georgia Division Bridge Engineer and are guided by the NBIS program review process developed by the FHWA National Bridge Inspection Program Oversight Team. 23 CFR 650 requires that a compliance review be conducted at least once each year. The review includes a random sampling and evaluation of bridge inspection reports, records, and field reviews of selected bridges. The NBIS compliance review will address 23 metrics in the 5 categories in 23 CFR 650(C), which are Bridge Organization (1 metric), Qualifications of Personnel (4 metrics), Inspection Frequency (6 metrics), Inspection Procedures (10 metrics), and Inventory (2 metrics). It will also cover the adequacy of the maintenance activities, including personnel, equipment and activities. The review will include field verification in at least three GDOT inspection areas and two GDOT Districts coinciding with the inspection areas.

### **Civil Rights**

The FHWA Division Office is committed to effectively implement and enforce civil rights programs within GDOT in its design, planning, construction, and management of the multimodal transportation system. GDOT is obligated to ensure nondiscrimination in all programs and activities, and in the provisions of all services and benefits, as a basis for continued receipt of FHWA funds according to Titles VI and VII of the Civil Rights Act and the codified Federal regulations that outline these acts.

The purpose of FHWA oversight is to monitor the implementation and effectiveness of GDOT's Civil Rights Office program areas that include Affirmative Action/Equal Employment Opportunity, Disadvantaged Business Enterprise (DBE), Americans with Disabilities Act (ADA) and the Title VI compliance programs. FHWA will be an advocate of the civil rights program and provide training, technical assistance, and active participation in GDOT-initiated civil rights meetings and review activities. FHWA will review and approve GDOT's programs on an ongoing basis through process and program reviews, and through active participation in continuous program evaluation and improvement.

### **Compliance Assessment Program (CAP)**

The purpose of the CAP is to provide reasonable assurance, at both the national and local level, that Federal-aid highway construction projects are in compliance with key federal requirements. It does this by providing a framework to make statistically valid inferences across national and local populations. The approach is objective and defensible and will inform risk assessments with statistically valid information and data.

### **Construction**

Title 23 requirements apply to all projects on the NHS regardless of oversight process. Non-Title 23 requirements apply to all projects and are subject to review regardless of oversight process. The primary objectives of the FHWA construction-monitoring program are:

- To evaluate GDOT's control of the projects and the quality and progress of work
- To maintain an effective working relationship with GDOT construction staff
- To promote quality improvements
- To promote work zone safety
- To assure that projects are completed in reasonably close conformance with the approved plans and specifications and approved changes
- To ensure incorporation of environmental commitments.

The types of construction reviews that will be undertaken by FHWA include:

- Compliance Assessment Program (CAP) Reviews
- Construction Inspections: For Projects of Division Interest (PoDI), regular inspections will be conducted at a frequency as indicated on the Project Specific Stewardship and Oversight Plan. The primary objectives are the same as those of the FHWA construction- monitoring program.
- Process Reviews/Product Evaluations (PR/PE): FHWA will lead or participate in construction PR/PE.

- Project Actions: For Projects of Division Interest (PoDI), approvals of project specific actions (supplemental agreements, claims, final acceptance, etc.) will be in accordance with the Project Specific Stewardship and Oversight Plan.

### **Consultant Selection and Management**

All engineering and architectural services procured by GDOT and using Federal-aid highway funding must comply with GDOT's Architectural and Engineering Services Procurement Manual. This document references policies and procedures on procuring, managing, and administering architectural and engineering services provided to GDOT and its subrecipients and is updated by the GDOT Office of Procurement. The consultant selection procedures are reviewed and updated as needed for compliance with requirements. These policies and procedures are approved by FHWA.

### **Contract Administration**

FHWA authorization to advertise the physical construction for bids or to proceed with force account construction thereof shall not be given until all of the following conditions have been met in accordance with 23 CFR 635.

- PS&E is complete and ready for advertisement
- ROW Certification
- Utilities Coordinated
- Railroad Agreements obtained
- Permits obtained
- Environmental documents approved and appropriate environmental commitments have been included in the PS&E

GDOT will provide all required documentation to FHWA at least 14 calendar days prior to the date authorization is requested for projects with this phase identified as a Project of Division Interest (PoDI). All documentation will be provided to FHWA in a single submittal. For projects that are state delegated, GDOT will provide a request for authorization 7 calendar days prior to the date authorization is requested.

In the event that a PS&E Addendum is needed, major addenda to projects designated as PoDI will be approved by FHWA within 2 days if the PS&E was approved by FHWA.

Occasional exceptions may be made to the ROW, utility and railroad requirements above when meeting one or more of these conditions are not "feasible or practical." In these cases, the PS&E must adequately account for these exceptions.

### **Design**

On the program level, FHWA approves design standards for new construction, reconstruction, resurfacing, restoration, or rehabilitation of the Interstate System and other highways on the National Highway System (NHS). FHWA provides guidance to GDOT and other public agencies on the implementation and conformance to Federal laws, regulations, and policies pertaining to preliminary and detailed design activities.

Through Risk-based Oversight on a limited number of selected PoDI projects, FHWA formally reviews and approves various engineering-related submissions, participates in project development decisions through routine reviews, ensures the design parameters and environmental commitments imposed on projects through the NEPA decision remain satisfied, and determine the eligibility of Federal-aid participation in the cost for items of work. FHWA will conduct reviews in accordance with Project Specific Stewardship and Oversight Plans and in accordance with Attachments A and B of this Agreement.

For all new construction, reconstruction, and resurfacing, restoration, and rehabilitation (3R) projects on the NHS, GDOT design standards, approved by FHWA as meeting or exceeding AASHTO apply. For standards not specifically listed, AASHTO design standards, approved by FHWA Headquarters Office, will apply. These standards apply to all NHS projects regardless of funding sources. FHWA Division Office approval is required for all standard plans, amendments, specifications, and general special provisions, intended for use on Federal-aid construction projects on the NHS. Review timeframes for these approvals will be in accordance with Attachment B.

The purpose of a design monitoring program is to establish procedures for assuring that Federal-aid projects are constructed in accordance with all applicable laws and regulations. It is FHWA policy that FHWA personnel make sufficient reviews of Federal-aid projects to assure they are designed in accordance with the applicable standards and in consideration of appropriate cost-effective strategies.

The types of design reviews that may be undertaken by FHWA include:

- Planning/Concept Reviews: FHWA's participation in developing possible transportation solutions or concept development meetings, prior to any public meetings, should be included on Federal-aid projects of a scope that is likely to require an Environmental Assessment, Environmental Impact Statement, an Interchange Modification Request/Interchange Justification Request (IMR/IJR), or a FHWA PoDI.
- Intermediate Reviews (Preliminary Plans, Constructability, ROW Plans and Final Plans): FHWA will participate in intermediate reviews on PoDI projects as identified in the Project Specific Stewardship and Oversight Plan. GDOT staff, as much as possible, should coordinate with FHWA staff to determine mutually convenient dates for these intermediate reviews.
- Plans, Specifications, and Estimate (PS&E) Reviews: FHWA will review and authorize all PoDI projects for construction.
- Design Process Reviews/Product Evaluations (PR/PE): FHWA will lead or participate in design PR/PE.

Review timeframes as provided in Attachment A or B may be considered inadequate for Major Projects, Public-Private Partnerships, or complex Design-build projects. Review timeframes for these types of projects may be negotiated with FHWA on a project-by-project basis.

### **Emergency Relief (ER)**

Emergency Relief is a special program that uses non-formula funds for the repair or reconstruction of Federal-aid highways that have suffered serious damage as a result of (1) natural disasters or (2) catastrophic failures from an external cause. FHWA will complete Detailed Damage Inspection Reports for all sites identified by GDOT. FHWA will conduct periodic and final inspections of all ER projects designated as PoDI in accordance with the Project Specific Stewardship and Oversight Plan.

### **Environment**

The Georgia Division's Environmental Team is responsible for ensuring that the federal environmental requirements are met on all transportation projects in Georgia that involve a federal action (funding or approval). These requirements are detailed in the Georgia Division's NEPA and Section 4(f) Review and Approval Standard Operating Procedure (SOP) and include, but are not limited to:

- FHWA's environmental regulations (23 CFR Part 771 – Environmental Impact and Related Procedures, 23 CFR Part 772 – Procedures for Abatement of Highway Traffic Noise and Construction Noise, 23 CFR Part 774 – Parks, Recreation Areas, Wildlife and Waterfowl Refuges, and Historic Sites, and 23 CFR Part 777 – Mitigation of Impacts to Wetlands and Natural Habitat);
- The National Environmental Policy Act of 1969 (NEPA) and the Council for Environmental Quality implementing regulations;
- Section 106 of the National Historic Preservation Act
- Endangered Species Act
- Clean Air Act
- Clean Water Act
- US Fish and Wildlife Coordination Act
- Migratory Bird Treaty Act
- Civil Rights Act

Under 23 U.S.C. 106(g), annual reviews are required that address elements of the project delivery system of a State, which elements include one or more activities that are involved in the lifecycle of a project from conception to completion of the project. The NEPA process is an element of the project lifecycle that involves numerous activities performed both by Division staff and the Georgia DOT.

The Georgia Division internal controls are contained in the Standard Operating Procedures (SOP) for NEPA and Section 4(f) Review and Approval. These procedures ensure that FHWA's oversight activities for the environmental process are documented, that Division staff(s) understands the requirements, responsibilities and authorities, and that the oversight process is implemented consistently. These procedures ensure that FHWA's decisions related to NEPA are compliant with laws, regulations and FHWA policies and are based upon reliable information. Internal procedures are updated periodically as requirements or authorities change.

The Division's stewardship and oversight of the state's environmental program is the responsibility of the Georgia Division's Environmental Team. Projects identified as PoDI)

or Projects of Corporate Interest (PoCI also involve oversight by the Georgia Division's Project Development Team. This oversight is accomplished through:

- Coordinating with the state regarding federal requirements;
- Reviews of environmental documents and Section 4(f) analyses for individual projects to ensure compliance with NEPA and other applicable laws before an alternative is selected to advance to right-of-way acquisition and construction;
- Periodic reviews of the State DOT's compliance with FHWA/GDOT programmatic agreements and memoranda of understanding and implementing corrective actions as warranted;
- Annual reviews of the State DOT's compliance with FHWA regulations (23 CFR) pertaining to the completion of the environmental process and authorization of project funding through the Compliance Assessment Program (CAP);
- Periodic field reviews to evaluate whether commitments made during the environmental process are being implemented as required;
- Assessment of the state program through the annual risk assessment process performed as part of the Division's annual processes.

The Georgia Division Environmental Team and GDOT Office of Environmental Services have identified the following responsibilities and agreed to the commitments listed below with respect to specific activities required by each party as part of the environmental process. The turnaround times listed below are to be assumed by GDOT for project baseline schedule development.

The GDOT is responsible for the implementation of internal controls to ensure that the submittals for which it requests FHWA action are complete. Oversight of the implementation of these processes is the responsibility of GDOT. The GDOT is responsible for ensuring that the oversight and review stipulations contained programmatic agreements are implemented. The GDOT is also responsible for ensuring through its internal controls that commitments made during the environmental process are included in the project and fully implemented.

### **Every Day Counts**

Every Day Counts (EDC) is designed to identify and deploy innovations aimed at reducing the time it takes to deliver highway projects, enhance safety, and protect the environment. Innovations are selected by FHWA Headquarters through a formal solicitation process. FHWA Headquarters sets national performance measures for each innovation.

When new EDC initiatives are selected, the GA Division will work with GDOT to decide which initiatives to pursue and to what extent to pursue them. Representatives from the GA Division and GDOT will attend the EDC Summit that precedes the start of each new EDC round to learn about each initiative. Appropriate GA Division and GDOT staff will serve as Champions and team members for each initiative that is chosen to pursue.

Champions and team members will attend webinars, peer exchanges, showcases, workshops, and other training as appropriate. The EDC Coordinator at the GA Division will alert the teams of all upcoming training opportunities. The teams will assist with the selection and

deployment of pilot projects for each initiative, support the project team as needed, and promote the initiative towards widespread use.

The GA Division Champions will fill out and submit to the GA Division EDC Coordinator update forms every six months, or as requested, for each initiative. The EDC Coordinator will submit these forms to FHWA Headquarters. GDOT will provide any requested information for this form or any other correspondence in a timely manner.

The State Transportation Innovation Council (STIC) will provide multi-stakeholder leadership to perpetuate the deployment of innovation throughout the state. The objectives and duties of the STIC shall be to identify and recommend ways to ensure that Georgia responds to key issues and challenges that impact the highway program. The STIC will meet as needed. Items presented for STIC review shall be circulated electronically for members' review far enough in advance of the meeting to allow members time to review documents in a meaningful way.

### **Financial Management**

It is the responsibility of FHWA to ensure that the State Department of Transportation establishes and maintains internal controls and cash management procedures. FHWA will annually evaluate and report on the controls and financial systems that protect the integrity of Federal programs. Federal guidance also requires the Government Accountability Office (GAO) to issue standards for internal control in government. FHWA also has the responsibility to assure such processes are in place and providing desired results as well as to provide technical assistance and advice in funding and financial areas. FHWA provides assistance and maintenance to GDOT for the electronic data sharing and electronic signature environment.

The correctness and propriety of all Federal-aid claims are the primary responsibility of GDOT whether the primary cost documentation originates within GDOT or with some third party agency (Locals and Contractors, etc.). This responsibility is fulfilled by GDOT maintaining adequate operating policies and procedures and a sound accounting system with proper internal controls together with suitable audit activities.

The Financial Integrity Review and Evaluation (FIRE) Program (FHWA Order 4560.1C) requires each Federal-aid office to establish an effective oversight program to ensure that Federal funds are properly managed and effectively used in accordance with Federal policies. Under this program, each State receiving Federal-aid funds is required to perform grant financial management process reviews based on risk assessments that are intended to assess State management, accountability and fraud prevention activities used in the areas of (1) Funds Management, (2) Federal-aid Billing, (3) Major Projects, (4) project authorizations, modifications and vouchers, and (5) Locally Administered Projects. Annual pre-certification and certification is required by FHWA.

The Cash Management Improvement Act of 1990 (31 CFR Part 205) prescribes rules and procedures for the transfer of funds between the federal government and the states for federal grant and other programs. The U.S. Treasury and the State of Georgia have entered into an

agreement to describe its funds transfer procedures. FHWA's involvement is to provide assistance and guidance to GDOT to facilitate compliance and to assist in the implementation of cash management improvements.

The Georgia Department of Audits and Accounting (DOAA), State Accounting Office (SOA), Single Audits Reports Section conducts a Single Audit review process, monitored by FHWA, which evaluates GDOT's financial management of the American Recovery and Reinvestment Act (ARRA) funding as well as standard Federal-aid Highway funding. In the event that DOAA makes a material finding, FHWA works with GDOT to resolve the issue to the satisfaction of DOAA.

### **Local Agency Programs**

The FHWA Division Office is responsible for ensuring that the State DOT follows the Locally Administered Projects (LAP) Manual and follows regulations 23 CFR 635.105 and 710.201 pursuant to the delegations of certain Federal-aid projects authorities to adequately qualified and staffed local public agencies. Under 23 U.S.C 106 (g), FHWA will provide oversight of the State's processes and management practices, including those involved in carrying out the approvals and related responsibilities assumed by the State under 23 U.S.C. 106 (c). The LAP Certification process will be used to determine if Local Public Agencies will qualify to administer Federal-aid projects.

The FHWA shall perform annual reviews that address elements of the project delivery systems of the State DOT, which elements include one or more activities that are involved in the life cycle of the project from conception to completion of the project. FHWA monitoring will primarily be done program-wide using process reviews. See Section XI. B. for additional detail.

### **Local Technical Assistance Program (LTAP)**

FHWA reviews and approves an annual budget for LTAP. The FHWA Transportation Engineer with the LTAP collateral duty attends the quarterly LTAP Advisory Committee meeting. LTAP may eventually be integrated into the broader Local Public Agency assistance effort.

### **Maintenance Monitoring**

Per 23 USC 116, it is the duty of GDOT to maintain, or cause to be maintained, any project constructed as part of the Federal-aid system. The FHWA Georgia Division's oversight of the state's maintenance activities will apply to both NHS and non-NHS routes and will be conducted on an ongoing basis during routine travel activities. In addition, FHWA staff may conduct in-depth maintenance reviews. If FHWA finds that any project constructed under the provisions of this chapter is not being properly maintained, FHWA will call this to the attention of GDOT.

FHWA's Bridge Engineer will monitor the GDOT NBIS program. Please see the Bridge Monitoring section.



### **Materials Acceptance**

The Materials Quality Assurance (QA) program is detailed in 23 CFR 637.205 Policy, subpart (a) and 637.207 QA Program. Under this program, the State must ensure that the materials and workmanship incorporated into each Federal-aid highway construction projects on the NHS are in conformity with the requirements of the approved plans and specifications. FHWA must approve the QA program. In addition the State shall maintain an adequate, qualified staff to administer its QA program. The State shall also maintain a central laboratory.

### **Operations**

GDOT works cooperatively with FHWA and MPOs in development and implementation of operation initiatives in Georgia. Some primary focus areas of the operations program are traffic incident management, work zones, traffic operations, congestion management, and traveler information systems, all of which can be addressed through Intelligent Transportation Systems (ITS) initiatives. The operations program is regulated by, among others, Sections 511, 630, 655, and 940 of Title 23 of the Code of Federal Regulations.

Real-Time System Management Information Program, 23 CFR 511, requires states to establish a real-time information program that makes travel information available for all Interstate highways and other routes of significance as identified by the State in collaboration with other stakeholders.

Work Zone Safety and Mobility, 23 CFR 630, Part J, requires states to systematically address safety and mobility impacts of work zones and develop strategies to manage these impacts on all Federal-aid highway projects.

Traffic Control Devices on Federal-aid and Other Streets and Highways, 23 CFR 655, Subpart F, prescribes policies to obtain basic uniformity of traffic control devices on all streets and highways.

Intelligent Transportation System (ITS) Architecture and Standards, 23 CFR 940, governs the development and implementation of ITS projects. All States are required to develop a regional ITS architecture that is consistent with the National ITS Architecture, and subsequently, all ITS projects are then required to adhere to the regional ITS architecture and be based on a systems engineering analysis.

ITS projects and programs are eligible for various types of federal-aid funding, either as standalone projects or as components of larger projects. Infrastructure-based ITS projects are typically funded with STP funds while ITS program initiatives and projects that implement ITS strategies are typically funded with CMAQ funds.

### **Pavement Preservation**

Pavement preservation is the subject of multiple policy memorandums from FHWA HQ. It encompasses any effort focused on extending pavement life. It includes Minor Rehabilitation and Preventative Maintenance. GDOT and FHWA periodically sign an agreement detailing specific PP activities authorized for federal reimbursement. The most recent agreement

providing pre-approval for preventive maintenance activities was signed June 29, 1999 and is still in effect. FHWA and GDOT are currently developing an updated pavement preservation agreement.

### **Planning**

Transportation planning activities are codified in 23 CFR Part 450. FHWA Georgia Division Office and FTA Region 4 Office are jointly responsible for required approval actions such as: Certification of the metropolitan planning process in each Transportation Management Area not less often than once every four years, review and approval of the Unified Planning Work Program (UPWP) and its amendments, and review and approval of the State Transportation Improvement Program (STIP) and its amendments and transportation conformity determinations.

FHWA participates in statewide and MPO planning activities as necessary to develop a planning finding as part of the STIP approval. FHWA provides technical expertise and assistance through participation in committees and meetings set up by the MPOs and GDOT that address data collection and analysis issues as well as coordination on individual topics of interest. In addition, FHWA conducts regular reviews of planning processes and products such as Highway Performance Monitoring System (HPMS), Motor Fuel data, etc.

### **Preventive Maintenance**

Preventive maintenance activities are eligible for Federal assistance if the state demonstrates that the activity is a cost-effective means of extending the useful life of a Federal-aid highway. While routine maintenance activities are not eligible for Federal participation, some activities that were previously considered routine maintenance may now be considered preventive maintenance if performed on an area/corridor or system-wide basis. FHWA and GDOT periodically develop agreements that document the preventive maintenance activities that may be considered eligible for Federal aid. The most recent agreement providing pre-approval for preventive maintenance activities was signed June 29, 1999 and is still in effect. FHWA and GDOT are currently developing an updated agreement.

### **Projects of Division Interest (PoDI) and Projects of Corporate Interest (PoCI)**

Annually, typically in the spring, the FHWA Project Delivery Team Leader meets with the GDOT State Project Review Engineer to schedule a meeting with appropriate GDOT Offices to discuss the risks of potential Projects of Division Interest. Projects to be selected as PoDI will use the criteria below:

- Major Projects (>\$500 M)
- Appalachian Development Highway Projects
- TIGER Discretionary Grant Projects
- NHS Projects with Retained FHWA Project Approvals (projects where FHWA has retained responsibility for one or more of the project approval actions listed in 23 USC 106(c)(1))
- Non-NHS Projects with Retained FHWA Project Approvals (as determined by GDOT, projects where FHWA has retained responsibility for one or more of the project approval actions listed in 23 USC 106(c)(2))

- Projects Selected for Risk-based Stewardship and Oversight (any Federal-aid highway project that the Division identifies as having an elevated level of risk)

On PoDI projects, the FHWA Division Office will prepare a Project Specific Stewardship and Oversight Plan. FHWA Division Office personnel will review and approve project actions as specified in the Plan. Project actions may include, but are not limited to, approval of project designs, concurrence in advertise/approval of Plans, Specifications and Estimates (PS&Es), concurrence in award, approval of changes in contract (change orders, supplemental agreements, time extensions, claims, etc.), project final acceptance, allotment requests, and conducting construction project inspections.

When a potential PoDI project has been identified that is within 18 weeks of letting, GDOT will notify FHWA. When possible, FHWA will make accommodations needed to maintain project schedules.

Involvement on Other Projects – The FHWA may become involved with any Federal-aid project, including those for which GDOT has assumed oversight responsibility. FHWA oversight of delegated projects will be through project level activities, such as PR/PE, Continuous Process Improvement (CPI), spot check reviews, Compliance Assessment Program (CAP) Reviews, etc.

PoCIs are a subset of PoDIs. These are projects deemed to be so significant that FHWA is willing to commit additional resources beyond those available at the individual Division level to help ensure successful delivery of the project. Project selection will be conducted nationally and be risk-based. The stewardship and oversight activities should be directed toward addressing the identified risks. When projects are identified by FHWA as PoCI, GDOT will be informed.

### **Research**

The requirements for the State's research, development and technology transfer (RD&T) activities are found in 23 CFR 420, Subparts A. and B.

RD&T activities are performed by the GDOT Office of Research. Oversight and technical assistance is provided by the FHWA Division Pavements, Materials and Research Engineer in the Technology Applications Team. Georgia Division internal controls and procedures are contained in the Standard Operating Procedures for the FHWA Georgia Division Research Engineer.

FHWA's oversight of GDOT's RD&T program includes the review and approval of GDOT's Research & Development Manual and updates to it, review and approval of GDOT's annual Research Work Program and acceptance of the Programs' certification that it is in compliance with 23 USC 505, review and approval of amendments to the Work Program, review and acceptance of GDOT's annual Research Implementation report, review of GDOT research reports, authorization of GDOT's research projects, assurance that a periodic RD&T Peer Exchange is conducted, periodic review of GDOT's research management process, and

confirmation that electronic copies of research reports are submitted to the appropriate libraries.

FHWA technical assistance to GDOT's RD&T program by the FHWA Georgia Division Research Engineer includes participation on the semiannual Research Technical Advisory Group (RTAG) meetings, working with FHWA Georgia Division staff to encourage FHWA subject matter experts to stay involved with GDOT's RD&T program, participation on periodic peer exchanges, and attendance at the FHWA/GDOT monthly research status meeting.

To keep all parties apprised of issues and opportunities within the research program, GDOT and FHWA participate in monthly research status meetings.

### **Right of Way**

The Georgia Division Office is responsible for ensuring that the State DOT's Right of Way Office complies with all Federal Regulations including, but not limited to 49 CFR Part 24 and 23 CFR Part 710. FHWA will provide oversight of the State's processes and management practices, including those involved in carrying out the approvals and related responsibilities assumed by the State under 23 U.S.C. 106 (c).

The FHWA shall perform annual reviews that address elements of the project delivery systems of the State DOT, which elements include one or more activities that are involved in the life cycle of the project from conception to completion of the project. FHWA monitoring will primarily be done program-wide using process reviews. There will be one subject review performed annually, based upon the results of yearly program assessments.

### **Safety**

Section 148 of Title 23 of the United States Code requires the State to administer a highway safety improvement program (HSIP). Section 924 of Title 23 of the Code of Federal Regulations further regulates how the program is to be managed.

With the passage of MAP-21, the HSIP became a core Federal-aid funding program with the purpose of making roads safer for all users. States are required to develop, implement, and evaluate on an annual basis a comprehensive HSIP that has the objective of significantly reducing fatalities and serious injuries on all public roads. The HSIP requires that each State develop a data-driven Strategic Highway Safety Plan (SHSP) in accordance with 23 USC 148.

FHWA will exercise its oversight responsibilities through the aforementioned annual review, periodic process reviews, and reviews of other safety programs. FHWA will also partner with GDOT and local agencies in areas including, but not limited to, roadside safety, geometric design, pedestrian safety, work zone safety, and updates of the SHSP.

### **Technical Transfer (T2)**

Technical transfer is a key part of various FHWA initiatives like the Strategic Highway Research Program (SHRP2) and Every Day Counts (EDC). It is also closely aligned with the

Research and Development (R&D) program detailed in 23 CFR 420. Under this program States spend Statewide Planning and Research (SPR) dollars to develop or refine technologies to lower cost, increase safety and increase operational efficiency on federal-aid roadways. Section 420.205 encourages States to include T2 in the R&D program to share the results of their R&D efforts. In addition FHWA provides States with a small amount of annual direct funding for T2.

## **5. Program Responsibility Matrix**

Attachment B to this Agreement is the Program Responsibility Matrix that identifies all relevant FHWA program actions, and Georgia Division and GDOT program contact offices.

## **6. Manuals and Operating Agreements**

GDOT manuals, operating agreements, Memoranda of Understanding (MOUs), Memoranda of Agreement (MOAs) and other control documents that have been approved for use on Federal-aid projects are listed in Attachment C to this Agreement.

## **7. Stewardship and Oversight Performance Measure Indicators**

The Georgia Division and GDOT have jointly established Stewardship and Oversight Performance Measure Indicators (Indicators). The Indicators should set targets, track trends, and implement countermeasures and actions when the data is moving away from the desired target direction. The Indicators will provide documented evidence that GDOT assumption of responsibilities is functioning appropriately. Stewardship and Oversight Indicators should be reviewed on an annual basis. The Indicators and reporting timelines are covered in the GDOT/FHWA-GADIV Performance Indicators MOU.

# **SECTION XI. STATE DOT OVERSIGHT AND REPORTING REQUIREMENTS**

## **A. State DOT Oversight and Reporting Requirements**

The State DOT is responsible for demonstrating to the FHWA how it is carrying out its responsibilities in accordance with this S&O Agreement. In order to fulfill this responsibility, the following techniques and processes will be used:

### **Bridge Monitoring**

National Bridge Inspection Standards (NBIS), 23 CFR Part 650, Subpart C, applies to all bridges/culverts carrying vehicular traffic that are greater than 20 feet in length and are located on a public road. The NBIS requires GDOT to ensure that all public highway bridges within its borders, including county and municipal owned bridges, are inspected in accordance with the NBIS. GDOT has responsibility for the inspection of all public vehicular bridges within the state, except for those that are federally owned, tribally owned, and bridges not carrying public roads.

All bridges over 20 feet in length are also required to be listed on GDOT's inventory, and their inventory information is to be submitted annually to FHWA to be included in National Bridge Inventory (NBI).

Upon the identification of a structure that is rated below the State's legal load, GDOT's procedures require the immediate notification of the owner to post and/or repair the deficient structure. If not posted within 90 days, the bridge owner will be declared non-compliant with the NBIS and that county will not be eligible for Federal Funding until becoming compliant. Section 1.36 of 23 CFR has been used to withhold project approvals or Federal-aid highway funds from States in various instances, and the courts have recognized it as giving FHWA legal authority to do so. GDOT publishes a list each month of those counties that are not in compliance with the NBIS.

The GDOT's process of closing a bridge is similar to the posting process. The GDOT policy is to close bridges rated three tons or below. GDOT verbally notifies the bridge owner within four hours of all critical deficiencies requiring closure. Within 24 hours, GDOT sends a certified letter of their recommendation to close. The bridge owner is encouraged to immediately repair or close the bridge before being declared non-compliant with the NBIS. Federal funds are not authorized for owners in a non-compliance status.

### **Construction**

GDOT has the responsibility of ensuring that the construction of all Federal-aid projects receives adequate supervision and inspection to ensure that projects are completed in accordance with approved plans and specifications.

GDOT is responsible for all project construction activities, unless otherwise outlined in the Project Specific Stewardship and Oversight Plan.

### **Consultant Selection and Management**

GDOT has adopted formal policies and procedures that outline the acquisition of professional services provided by consultants for architectural and engineering work that is financed in part or fully with Federal-aid highway or state funds. It is the policy of the GDOT to procure all architectural and engineering consultant professional services using the Qualification Based Selection (QBS) process as required by the Brooks Act, as well as in accordance with the current version of 23 CFR Part 172, and to ensure that all Federal projects managed by local agencies comply with Federal requirements. The method used may be the "One-Step Process" or "Two-Step Process" as deemed necessary and outlined in the procedures in the Georgia Department of Transportation Architectural and Engineering Services Procurement Manual.

All consultant firms seeking to provide architectural and engineering services for GDOT shall be prequalified in the appropriate area class or classes by the GDOT in accordance with the guidelines for prequalification as outlined in the GDOT's Consultant Prequalification Manual.

GDOT will review and update their policies and procedures as needed for compliance with requirements. GDOT administered projects are subject to joint FHWA-GDOT process reviews and inspections and must comply with applicable Federal requirements.

### **Contract Administration**

On Federal-aid projects where GDOT has the delegated authority to act for FHWA, authorization to advertise the physical construction for bids shall not be given until all of the following conditions have been met in accordance with 23 CFR 635.

- PS&E is complete and ready for advertisement
- ROW Certification
- Utilities Coordinate
- Railroad Agreements obtained
- Permits obtained
- Environmental documents approved and appropriate environmental commitments have been included in the PS&E

GDOT will provide a request for authorization 7 calendar days prior to the date authorization is requested.

GDOT will also provide the following reports: a monthly Letting Day Report to FHWA documenting that conditions in accordance with 23 CFR 635 were met; and semi-annual Notice to Proceed Report documenting time from authorization.

### **Design Monitoring**

On Federal-aid projects where GDOT has the delegated authority to act for FHWA in design monitoring, a similar type of program of independent reviews to those in Section X.D. will be conducted. GDOT-administered projects are subject to joint FHWA-GDOT process reviews and inspections and must comply with applicable Federal requirements. For Federal-aid projects off the NHS, the objective of the design monitoring program is to ensure that non-Title 23 U.S.C. requirements are met.

### **Emergency Relief**

GDOT will execute emergency and permanent contracts to repair ER eligible sites. All projects must be in compliance with Federal Regulations, including NEPA, and the most recent version of the FHWA Emergency Relief Manual.

### **Environment**

The GDOT Office of Environmental Services (OES) is ultimately responsible for ensuring that each environmental report and document is prepared by a qualified subject matter expert (SME), uses standard formats and contents, and meets applicable policies and regulations. Studies completed in compliance with the laws, regulations and Executive Orders noted in Section X above follow protocols established in the Environmental Procedures Manual

(EPM). Multi-disciplinary personnel possessing appropriate combination of education, skills, experience and training staff the OES. Consultants (both GDOT and local) performing this work must be prequalified in accordance with GDOT's prequalification requirements.

All environmental reports and documents prepared undergo both Quality Control and Quality Assurance reviews by subject matter experts in accordance with OES procedures which are defined in the EPM.

Several procedures ensure that commitments made during the environmental process are fulfilled. An environmental commitments table (a.k.a. the "Green Sheet") accompanies every environmental document and catalogues every environmental commitment made during project development. The Environmental Resource Impact table (ERIT) bridges the gap between NEPA and the contractor. An ERIT is included in the general notes section of contract documents and provides instruction to the contractor for fulfilling these commitments.

### **Financial Management**

The GDOT is responsible for auditing their own operations. Audits and reviews include but are not limited to Pre-Award Reviews; Accounting Systems Reviews; Overhead Audits; Final Filling Audits; Final Billing Reviews; A-133 CPA Audit Reviews; Heavy Vehicle Use Tax Review; and force account billings reviews from railroads and public and private utilities.

The GDOT manages the Federal-aid program in accordance with 23 U.S.C. 121 and in accordance with 23 CFR 1.9(a). The GDOT ensures that Federal-aid funds shall not be used to participate in any cost which is not incurred in conformity with applicable Federal and State Law, the regulations in 23 CFR, and policies and procedures prescribed by FHWA. The FHWA Georgia Division provides oversight of Cost Reimbursable Contracts, pursuant to 23 CFR Part 140 and 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. Likewise, FHWA must comply with the requirements of the Federal Managers' Financial Integrity Act of 1982 (FMFIA).

The GDOT is responsible for funds management, which includes monitoring un-obligated balances of the various funds to ensure funds are being used effectively and lapsable funds are limited. This includes a review of older projects that have had no activity for possible release of funds for use on other eligible federal projects. FHWA evaluates the effectiveness of this program quarterly.

The GDOT maintains the official records for Federal projects. Supporting documentation is retained by GDOT for three years after the final voucher and includes (but is not limited to) the final contractor pay estimate, material certification, projects' agreement/modification statement of overruns and underruns, and final Right of Way Certification, in accordance with current requirements. Supporting documents retained by GDOT are available upon request to FHWA.



Reimbursement to GDOT is made through an electronic signature Federal-aid Rapid Approval and State Payment System (RASPS). The Single Audit Act does not preclude FHWA from performing program reviews and these activities are undertaken by FHWA to facilitate oversight of the current billing process. Per 2 CFR 200, these routine financial management reviews may be conducted on GDOT's accounting systems and records to assure conformance with applicable laws, regulations, and government-wide accounting principles and standards.

The GDOT maintains an adequate system of management control and promotes effective program delivery and efficiency. FHWA promotes the conduct of joint FHWA-GDOT Quality Financial Management Initiatives (QFMI) that provide reasonable assurance that only allowable costs are reimbursed, thus ensuring the integrity of the Federal-aid program. Further, these joint cooperative efforts between FHWA and GDOT help to establish opportunities for continuous improvements specifically in areas with any potential compliance weaknesses.

The GDOT may be reimbursed for the federal share of eligible Construction Engineering & Inspection (CEI) costs as described in 23 CFR 140 and 2 CFR Part 200. The GDOT reviews the CEI rate used on projects annually to determine that the CEI limitation as described in 23 CFR 140 has not been exceeded.

Occasionally, there might be exceptions to the processing of claims via the electronic current billing process and in these instances, hand vouchers are prepared and sent to FHWA Division for processing the payment. FHWA reviews claims and forwards requests to Washington for payment. These are projects with special funding from Washington that cannot be added to the current billing system. These include reopened projects that have been removed from the current billing system.

### **Low Impact Bridge Replacement Program**

In an effort to reduce structurally deficient off-system bridges, GDOT has developed a Low Impact Bridge Replacement Program (LIBP) to provide expedited project delivery for least complicated type bridge replacement projects. GDOT LIBP Manual outlines the steps for the plan development process for this Program. Bridges located on the NHS will not be considered under this program. Candidates for this process will require minimal permits, no ROW acquisition, minor utility impacts, minimal FEMA coordination, no on-site detour, and meet other low-impact characteristics as identified in this Manual. Projects that ultimately qualify for this expedited process also must not exceed established environmental impact thresholds and thus qualify as a Categorical Exclusions in compliance with the National Environmental Policy Act.

### **Planning**

The Official Code of Georgia Annotated (OCGA) outlines the roles and responsibilities of Georgia government and the various state agencies and authorities. The Georgia Department of Transportation receives its authority from Title 32 and the Planning Division from O.C.G.A. § 32-2-43.

The Division of Planning is organized along geographic areas, allowing for each MPO to have an assigned planner. Georgia currently has 16 MPOs and along with the MPOs, each planner is also assigned rural counties around the state.

The Division of Planning has a group dedicated to working on air quality issues around the state and in working with CMAQ funds and CMAQ projects. This same group is responsible for developing and maintaining the travel demand models utilized by 14 of the 16 MPOs for the development of their Long Range Plans. The Atlanta MPO and the Chattanooga MPO develop their own travel demand model.

The Division of Planning is responsible for the development of the Statewide Transportation Plan (SWTP) which is the federal long range transportation plan and is also responsible for the state mandated Statewide Strategic Transportation Plan (SSTP). The SSTP is more of the “business case” for transportation and not so much as a “typical” planning document. These two processes and documents are in the process of being combined into one comprehensive transportation planning document.

The development of the Statewide Transportation Improvement Program (STIP) is a major responsibility of the Division of Planning. While the federal requirement to update this document is on a four-year cycle, the Georgia Department of Transportation elects to update on an annual basis. The reasoning behind this process is to maintain our program and keep a handle on priorities and to lessen the necessity to amend the document. The STIP is approved by the Governor, the State Transportation Board and by USDOT. The Division of Planning works with the other Divisions in the Department to ensure that the projects identified in the STIP meet the Governor’s Strategic Goals for Georgia, the goals identified in the Statewide Transportation Plan and the goals of the Georgia Department of Transportation.

The Division of Planning oversees the planning process at the statewide and at the metropolitan levels. The deliverables outlined previously demonstrate how the Georgia DOT conducts the transportation planning process for the state of Georgia. These activities are captured in the Transportation Planning Work Program (TPWP) which is developed on an annual basis and details out the work agenda for Planning.

### **Research**

GDOT Office of Research develops, establishes, implements and describes a research management process within its Research and Development Manual. The process uses the vehicle of the semi-annual RTAG meetings to assess research proposals presented at these meetings and incorporate some of them into its annual Research Work Program. These projects are further examined and winnowed at Research Advisory Council (RAC) meetings that provide an additional level of supervision and control. The RAC is composed of GDOT’s division heads and higher level leaders.

### **Right of Way**

The State DOT is responsible for demonstrating to the FHWA how it is carrying out its responsibilities in accordance with the S& O Agreement. In order to fulfill this responsibility, the state DOT will ensure that all Federal, State and local agencies (and others receiving Federal financial assistance for public programs and projects requiring the acquisition of real property)

must comply with the policies and provisions set forth in the Uniform Act and its amendments. The current regulations implementing the Uniform Act were first published in the Federal Register of March 2, 1989, and are codified in the Code of Federal Regulations, Title 49, Part 24. These regulations contain the standards and procedures that acquiring agencies must follow in their appraisal, acquisition, and relocation assistance programs.

Additionally, state and local agencies using Federal funds for transportation programs administered under Title 23 U.S.C. must adhere to the regulations contained in 23 CFR Part 710 in the administration of their Right-of-Way (ROW) programs. Local agencies are required to comply with the Uniform Act and its governing regulations found in 49 CFR Part 24 in the same manner as GDOT. As stipulated in 23 CFR 710.201(b), GDOT is responsible for assuring that ROW procedures and acquisitions by local public agencies are made in compliance with GDOT Local Public Agency Right of Way Manual Federal and State laws and regulations.

Certain ROW activities are not covered specifically by either 49 or 23 CFR but are a combination of sound business practice and the occasional national emphasis areas, which affect the ROW program. Joint reviews of these topics and their application will be conducted as needed. Quarterly process reviews will be completed of the ROW program.

### **Safety**

GDOT will carry out the HSIP and annually submit a report to FHWA that describes the progress in project selection and implementation and also assesses the effectiveness of the improvements by showing general highway safety trends and how the improvements contribute to the reduction in the number of highway injuries and fatalities and their corresponding rates.

### **Transportation Data**

The Office of Transportation Data's (OTD) mission is to produce and provide quality transportation data and information to better serve the Department and our customers. This office is the Georgia Department of Transportation's principal source for highway and traffic data. The office gathers data directly through automated means and indirectly through field personnel or other government entities in the areas of Highway Infrastructure and Highway Usage.

Road inventory collection of all public highways contributes to the Department's Official written mileage record, Geographic Information System (GIS), and Highway Performance Monitoring System (HPMS). These systems support federal, statewide, and regional transportation planning, analysis, modeling and reporting. In addition, OTD collects a video log of the state highway system and the centerline of the public highway system. OTD also produces the Official Highway and Transportation map, County map and specialty maps for internal customers.

The Office of Transportation Data also maintains comprehensive paper and electronic records defining highway systems, routes, and boundaries to include the Highway Functional

Classification System, National Highway System, State Highway System, National System of Interstate and Defense Highways, Limited Access Highway System, U.S. Route Numbered Systems and Urban Area Boundaries. Maintaining accurate records requires extensive coordination with a wide range of state government departments, federal agencies and local governments. Classification of roads plays a major role in establishing maintenance responsibility, liability, and funding eligibility for many of these governmental agencies.

OTD collects traffic data using traffic counters at permanent and temporary traffic count stations throughout the state of Georgia. These data are used to determine actual and estimated Georgia's traffic statistics like AADT (Annual Average Daily Traffic), truck percentage, traffic adjustment factors and Vehicle Miles Traveled (VMT). OTD also maintains the official list of all portions or features of the State Highway System that have been named by an Act or Resolution by the State Transportation Board or the General Assembly.

## **B. State DOT Oversight of Locally Administered Projects**

1. The GDOT is required to provide adequate oversight of subrecipients including oversight of any assumed responsibilities the State DOT delegates to a LPA.

The GDOT will provide oversight and review to ensure that delegated projects receive adequate supervision and inspection, and are completed in conformance with approved plans, specifications and applicable Federal and State requirements. These procedures will be reviewed and concurred on by the Division Office. The Georgia DOT's Locally Administered Projects (LAP) Manual details all of these processes and procedures.

2. Pursuant to 23 U.S.C. 106(g)(4), the GDOT shall be responsible for determining that subrecipients of Federal funds have adequate project delivery systems for locally administered projects and sufficient accounting controls to properly manage such Federal-aid funds. The GDOT is also responsible for ensuring compliance with reporting and other requirements applicable to grantees making sub-awards, such as monthly reporting requirements under the Federal Funding Accountability and Transparency Act of 2006, PL 109-282 (as amended by PL 110-252).

The LAP Certification application, as established by GDOT, will be used to determine if Local Public Agencies will qualify to administer federal-aid projects. There is a tier level of applications:

Full Certification Acceptance (CA) Status. This status delegates some or all authority to a qualified local agency for approving project development and construction administration.

Non-CA Status Option 1. The Non-CA Local Government could enter into an agreement with a CA Local Government to administer all aspects of the project. There must be a jurisdictional relationship (for example a CA County could have an agreement with a Non-CA City that is within its jurisdictional boundaries).

This agreement requires approval by GDOT.

Non-CA Status Option 2. The GDOT acts as the CA for the Local Government through an approved plan for the administration of projects, which are executed between GDOT and the Local Government.

Training is also a requirement of the certification process. Each Local Agency will be required to attend: Local Administered Projects Training, Right-of-Way Acquisition Training for LPAs, Title VI Training and Project Development Process Training.

3. The GDOT acknowledges that it is responsible for sub-recipient awareness of Federal grant requirements, management of grant awards and sub-awards, and is familiar with and comprehends pass through entity responsibilities (2 C.F.R 200.331 Requirements for Pass- thru Entities). The GDOT shall carry out these responsibilities using the following actions, programs, and processes:

The GDOT may, pursuant to 23 CFR 635.105 and 710.201, delegate certain Federal-aid project authorities to adequately qualified and staffed local public agencies. Title 23 does not recognize local entities as direct recipients of Federal –aid funds. The GDOT is responsible for all the requirements of the Federal-aid program whether these requirements stem from Title 23 or non-title 23 statutes.

Title 23 U.S.C. 106 (g)(4) assigns responsibility for locally administered projects to the States, declaring that “States shall be responsible for determining the Sub-recipients of Federal funds have adequate project delivery systems for projects approved under this section; and sufficient accounting controls to properly manage such Federal funds.” The GDOT must commit sufficient staff and other resources to project and program administration to ensure that all applicable State and Federal requirements are met, and the work is accomplished efficiently.

4. The GDOT shall assess whether a sub-recipient has adequate project delivery systems and sufficient accounting controls to properly manage projects, using the following actions, programs, and processes:

The GDOT will oversee and monitor the Certification Process to ensure the resource capacity and ability of the Local Public Agency (LPA) to successfully manage, administer and execute the policies and procedures for Federal and State compliance in order to receive federal funding participation.

5. The GDOT shall assess whether a sub-recipient is staffed and equipped to perform work satisfactorily and cost effectively, and that adequate staffing and supervision exists to manage the Federal project(s), by using the following actions, programs, and processes:

The GDOT will require LAP Recertification every three years for all Locals that administer Federal-Aid projects.

6. The GDOT shall assess whether sub-recipient projects receive adequate inspection to ensure they are completed in conformance with approved plans and specifications, by using the following actions, programs, and processes:

The GDOT will review 20 percent of projects for accuracy of execution of the Federal process annually to assess whether the sub-recipient projects receive adequate inspection to ensure they are completed and in conformance with approved plans and specifications.

7. The GDOT shall ensure that when LPAs elect to use consultants for engineering services, the LPA, as provided under 23 CFR 635.105(b), shall provide a full-time employee of the agency to be in responsible charge of the project. The State DOT's process to ensure compliance with this requirement is documented by the following actions, programs, and processes:

The GDOT will ensure that when the LPAs elect to use consultants for engineering services that are prequalified by GDOT by making this a requirement at the time of certification. Certification will also require the LPAs to an identified full-time employee to be in responsible charge for all federally administered projects.

8. The GDOT shall ensure that project actions will be administered in accordance with all applicable Federal laws and regulations. Program elements that will not be delegated to local agencies include, but are not limited to:

- NEPA approval
- Sole source approval
- Approval of force accounts
- Design exception approval
- Approval of right of way certification
- Approval of engineering plans
- Approval of contract modification
- Approval of DBE goals
- Approval and audit of labor compliance
- Final inspection
- Project acceptance
- Contract procurement method other than competitive bidding
- Any other approvals in Section 1 or 2 that have not been delegated to GDOT

The LAP Manual outlines the roles and responsibilities of FHWA, GDOT and local governments. The manual establishes written procedures, approvals, oversight and reviews to ensure that local governments meet all applicable Federal and State requirements when administering a Federal-aid project. The GDOT is responsible for ensuring that the LAP Manual is up-to-date. The Manual is periodically updated to reflect the GDOT's and FHWA's policies and requirements. All revisions of the Manual are submitted to FHWA for concurrence.

9. The GDOT shall document its oversight activities for LPA-administered projects and findings, and how it will share this information with the FHWA. If Local Public Agencies do not following prescribed requirements, GDOT's recourse would be to remove Federal-aid funds from the project. These methods will be used to ensure subrecipients of Federal Funds have adequate project delivery systems for locally administered projects and sufficient accounting controls to properly manage such Federal-aid funds.

See discussion of LAP Manual in B.1. and B.9.

## **SECTION XII. IMPLEMENTATION AND AMENDMENTS**

- A. This S&O Agreement will take effect as of the effective date of the signature of the FHWA Georgia Division Administrator, who shall sign this S&O Agreement last.
- B. The Division and GDOT agree that updates to this Agreement will be considered periodically on a case-by-case basis or when:
  - Significant new legislation, Executive orders, or other initiatives affecting the relationship or responsibilities of one or both parties to the S&O Agreement occurs;
  - Leadership, or leadership direction, changes at GDOT or FHWA; or
  - Priorities shift as a result of audits, public perception, or changes in staffing at either GDOT or FHWA Georgia Division Office.
- C. The Georgia Division and GDOT agree that changes may occur to the contents of the Attachments to this S&O Agreement and documents incorporated by reference into the S&O Agreement. Except as provided in paragraph XII.D and E, changes to attachments and documents incorporated by reference will not require the Division and GDOT to amend this S&O Agreement. The effective date of any revisions to one of these documents shall be clearly visible in the header of the revised document. This Agreement and any revised document shall be posted on the Division's S&O Agreement internet site within five (5) business days of the effective date.
- D. Any additions or changes to the high risk categories must be documented by an amendment to this S&O Agreement.
- E. Any changes to the Project Action Responsibility Matrix (Attachment A) must be approved by the FHWA Office of Infrastructure in writing and documented by an amendment to this S&O Agreement.

**EXECUTION BY THE FHWA - GEORGIA DIVISION OFFICE**

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

Signature

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Rodney Barry  
Division Administrator

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**EXECUTION BY THE GEORGIA DEPARTMENT OF TRANSPORTATION**

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Signature

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Russell McMurry  
Commissioner

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## ATTACHMENT A. PROJECT ACTION RESPONSIBILITY MATRIX

The following matrix identifies Federal-aid highway program (FAHP) project approvals and related responsibilities on a program-wide basis. The matrix specifies which actions are assumed by the State under the provisions of 23 U.S.C. 106(c) or other statutory or regulatory authority, as well as those which are reserved to FHWA. Projects classified as PoDI projects are not covered by the matrix, as those projects will be governed by a separate PoDI plan that specifies FHWA and State responsibilities for the project.

The State DOT is responsible for ensuring all individual elements of the project are eligible for FAHP funding, but all final eligibility and participation determinations are retained by FHWA. While FHWA may not delegate decision-making authority to a State unless authorized by law, FHWA may authorize a State DOT to perform work needed to reach the decision point, or to implement the decision.

<b>PROJECT ACTION RESPONSIBILITY MATRIX</b>		
<b>(Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
<b>ACTION</b>	<b>AGENCY RESPONSIBLE</b>	
	<b>PROJECTS ON THE NHS</b>	<b>PROJECTS OFF THE NHS</b>
<b>PROGRAMMING (All phases)</b>		
Ensure project in Statewide Transportation Improvement Program (STIP)/Transportation Improvement Program (TIP)	STATE	STATE
Identify proposed funding category	STATE (1)	STATE(1)
<b>FINANCIAL MANAGMENT (All phases)</b>		
Obligate funds/approve Federal- aid project agreement modifications and project closures (project authorizations) (Note: this action cannot be assumed by State)	FHWA	FHWA
Authorize current bill (Note: this action cannot be assumed by State)	FHWA	FHWA
Review and Accept Financial Plan and Annual Updates for Federal Major Projects over \$500 million [23 U.S.C. 106(h)] (Note: this action cannot be assumed by State)	FHWA	FHWA

<b>PROJECT ACTION RESPONSIBILITY MATRIX</b> <b>(Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
Review Cost Estimates for Federal Major Projects over \$500 million [23 U.S.C. 106(h)] (Note: this action cannot be assumed by State)	FHWA	FHWA
Develop Financial Plan for Federal Projects between \$100 million and \$500 million. [23 U.S.C. 106(i)]	STATE	STATE
<b>ENVIRONMENT (All phases)</b>		
All EA/FONSI, EIS/ROD, 4(f), 106, 6(f) and other approval actions required by Federal environmental laws and regulations. (Note: this action cannot be assumed by STATE except under 23 U.S.C. 327)	FHWA (2)	FHWA (2)
Categorical Exclusion approval actions (Note this action cannot be assumed by the State except through an assignment under 23 U.S.C. 326 or 327, or through a programmatic agreement pursuant to Section 1318(d) of MAP-21 and 23 CFR 771.117(g))	FHWA (2)	FHWA (2)
<b>PRELIMINARY DESIGN (Design Phase)</b>		
Consultant Contract Selection	STATE (3)	STATE (3)
Sole source Consultant Contract Selection	STATE (3)	STATE (3)
Approve hiring of consultant to serve in a “management” role (Note: this action cannot be assumed by State) [23 CFR 172.9]	FHWA	FHWA
Approve consultant agreements and agreement revisions (Federal non-Major Projects) [23 CFR 172.9]	STATE	STATE

<b>PROJECT ACTION RESPONSIBILITY MATRIX</b> <b>(Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
<b>ACTION</b>	<b>AGENCY RESPONSIBLE</b>	
	<b>PROJECTS ON THE NHS</b>	<b>PROJECTS OFF THE NHS</b>
Approve consultant agreements and agreement revisions on Federal Major Projects [23 CFR 172.9] (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve exceptions to design standards [23 CFR 625.3(f)]	FHWA for Interstate State for Non-Interstate	STATE
Interstate System Access Change [23 USC 111] (Note: this action cannot be assumed by State)	FHWA	N/A
Interstate System Access Justification Report [23 USC 111] (Note: action may be assumed by State pursuant to 23 USC 111(e))	FHWA	N/A
Airport highway clearance coordination and respective public interest finding (if required) [23 CFR 620.104]	STATE	STATE
Approve Project Management Plan for Federal Major Projects over \$500 million [23 USC 106(h)] (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve innovative and Public-Private Partnership projects in accordance with SEP-14 and SEP-15 (Note: this action cannot be assumed by State)	FHWA	FHWA
Provide pre-approval for preventive maintenance activities outside the scope of the preventive maintenance agreement (Note: this action cannot be assumed by State);	FHWA	FHWA
<b>DETAILED / FINAL DESIGN (Design Phase)</b>		
Provide approval of preliminary plans for unusual/complex bridges or structures on the Interstate. [23 USC 109(a) and FHWA Policy]	FHWA (4)	N/A

<b>PROJECT ACTION RESPONSIBILITY MATRIX</b> <b>(Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
Provide approval of preliminary plans for unusual/complex bridges or structures, non-Interstate. [23 USC 109(a) and FHWA Policy]	FHWA (4)	STATE
Approve retaining right-of-way encroachments [23 CFR 1.23 (b) & (c)]	FHWA	STATE
Approve use of local force account agreements [23 CFR 635.104 & 204]	FHWA	STATE
Approve use of publicly owned equipment [23 CFR 635.106]	STATE	STATE
Approve the use of proprietary products, processes [23 CFR 635.411]	FHWA	STATE
Concur in use of publicly furnished materials [23 CFR 635.407]	STATE	STATE
<b>RIGHT-OF-WAY (Design and Operational Phases)</b>		
Make feasibility/practicability determination for allowing authorization of construction prior to completion of ROW clearance, utility and railroad work [23 CFR 635.309(b)]	FHWA for Interstate State for Non-Interstate	STATE
Make public interest finding on whether State may proceed with bid advertisement even though ROW acquisition/relocation activities are not complete for some parcels [23 CFR 635.309(c)(3)]	FHWA for Interstate State for Non-Interstate	STATE
Ensure compliant ROW certificate is in place [23 CFR 635.309(c)]	FHWA for Interstate State for Non-Interstate	STATE
Approve Hardship and Protective Buying [23 CFR 710.503] (If a Federal-aid project) (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve Interstate Real Property	FHWA	N/A

<b>PROJECT ACTION RESPONSIBILITY MATRIX</b> <b>(Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
Interest Use Agreements [23 CFR 710.405] (Note: this action cannot be assumed by State)		
Approve non-highway use and occupancy [23 CFR 1.23(c)]	FHWA for Interstate State for Non-Interstate	STATE (3)
Approve disposal at less than fair market value of federally funded right-of-way, including disposals of access control [23 U.S.C. 156] (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve disposal at fair market value of federally funded right-of-way, including disposals of access control [23 CFR 710.409]	FHWA for Interstate State for Non-Interstate	STATE (3)
Requests for credits toward the non-Federal share of construction costs for early acquisitions, donations or other contributions applied to a project (note: this action cannot be assumed by State)	FHWA	FHWA
Federal land transfers [23 CFR 710, Subpart F] (Note: this action cannot be assumed by State)	FHWA	FHWA
Functional replacement of property [23 CFR 710.509] (Note: this action cannot be assumed by State)	FHWA	FHWA
<b>SYSTEM OPERATIONS AND PRESERVATION (Design Phase)</b>		
Accept Transportation Management Plans (23 CFR 630.1012(b))	STATE	STATE
Approval of System Engineering Analysis (for ITS) [23 CFR 940.11]	FHWA	STATE
<b>PS&amp;E AND ADVERTISING (Design Phase)</b>		

<b>PROJECT ACTION RESPONSIBILITY MATRIX</b> <b>(Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
Approve PS&E [23 CFR 630.201]	STATE	STATE
Authorize advance construction and conversions [23 CFR 630.703 & 709] (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve utility or railroad force account work [23 CFR 645.113 & 646.216]	STATE	STATE
Approve utility and railroad agreements [23 CFR 645.113 & 646.216]	STATE	STATE
Approve use of consultants by utility companies [23 CFR 645.109(b)]	STATE	STATE
Approve exceptions to maximum railroad protective insurance limits [23 CFR 646.111]	STATE	STATE
Authorize (approve) advertising for bids [23 CFR 635.112, 309]	STATE	STATE
<b>CONTRACT ADVERTISEMENT AND AWARD (Design Phase)</b> <b>All contracts to be done by competitive bidding unless otherwise authorized by law</b>		
Approve cost-effectiveness determinations for construction work performed by force account or by contract awarded by other than competitive bidding [23 CFR 635.104 & .204]	FHWA	STATE
Approve emergency determinations for contracts awarded by other than competitive bidding [23 CFR 635.104 & .204]	FHWA	STATE
Approve construction engineering by local agency [23 CFR 635.105]	STATE	STATE
Approve advertising period less than 3 weeks [23 CFR 635.112]	FHWA	STATE
Approve addenda during advertising period [23 CFR 635.112]	STATE	STATE

<b>PROJECT ACTION RESPONSIBILITY MATRIX</b> <b>(Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
Concur in award of contract [23 CFR 635.114]	STATE	STATE
Concur in rejection of all bids [23 CFR 635.114]	STATE	STATE
Approval of Design-Build Requests-for-Proposals and Addenda [23 CFR 635.112]	STATE	STATE
<b>CONSTRUCTION (Construction Phase)</b>		
Approve changes and extra work [23 CFR 635.120]	STATE	STATE
Approve contract time extensions [23 CFR 635.120]	STATE	STATE
Concur in use of mandatory borrow/disposal sites [23 CFR 635.407]	STATE	STATE
Accept materials certification [23 CFR 637.207]	STATE	STATE
Concur in settlement of contract claims [23 CFR 635.124]	STATE	STATE
Concur in termination of construction contracts [23 CFR 635.125]	STATE	STATE
Waive Buy America provisions [23 CFR 635.410] (Note: this action cannot be assumed by State)	FHWA	FHWA
Final inspection/acceptance of completed work [23 USC 114(a)]	STATE	STATE
<b>CIVIL RIGHTS (All phases)</b>		
Approval of Disadvantaged Business Enterprise (DBE) Project Contract Goal set by the State DOT under 49 CFR 26.51(d). [49 CFR 26.51(e)(3)]	STATE	STATE



<b>PROJECT ACTION RESPONSIBILITY MATRIX</b> <b>(Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
Acceptance of Bidder's Good Faith Efforts to Meet Contract Goal [49 CFR 26.53] or of Prime Contractor's Good Faith Efforts to Find Another DBE Subcontractor When a DBE Subcontractor is Terminated or Fails to Complete Its Work [49 CFR 26.53(g)] (Note: this action cannot be performed by the FHWA)	STATE	STATE
Equal Employment Opportunity (EEO) Contract Compliance Review [23 CFR Part 230, Subpart D]).	STATE	STATE
Training Special Provision – Approval of Project Goal for training slots or hours [23 CFR Part 230, Subpart A]	STATE	STATE
Training Special Provision – Approval of New Project Training Programs (Note: this action cannot be assumed by State) [23 CFR 230.111(d), (e)]	FHWA	FHWA
<b>FOOTNOTES:</b>		
<p>(1) State is responsible for ensuring that all individual elements of the project are eligible. FHWA will check that the scope of the project as described in submitted project agreement is eligible for the category of funding sought. All final eligibility and participation determinations are retained by FHWA.</p> <p>(2) If there is a 23 U.S.C. 326 or 325 assignment or PCE agreement, decisions are handled in accordance with those assignments or agreements.</p> <p>(3) GDOT's process and modifications to, or variation in process, require FHWA approval.</p> <p>(4) Unusual/Complex bridges and structures are those that the Division determines to have unique foundation problems, new or complex designs, exceptionally long spans, exceptionally large foundations, complex hydrologic (including climate change and extreme weather events), complex hydraulic elements or scour related elements, or that are designed with procedures that depart from currently recognized acceptable practices (i.e., cable-stay, suspension, arch, segmental concrete, moveable, truss, tunnels, or complex geotechnical walls or ground improvement systems).</p>		

## ATTACHMENT B. PROGRAM RESPONSIBILITY MATRIX

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Appropriations, Allotments, Obligations <sup>1</sup>	31 USC 1341(a)(1)(A)& (B); 31 USC 1517(a); 23 USC 118(b), 23 USC 121	As needed	Not Applicable	Office of Chief Financial Officer	Financial Team	Office of Financial Management	State will monitor appropriations, allotments and obligations to ensure that all funding is used daily and use all Obligation Authority (OA) by the end of the year.
Approval of Indirect Cost Allocation Plans (ICAPs)	2 CFR 200 Subpart E (previously 2 CFR 225); ASMB-10	As needed	Not Applicable	Office of Chief Financial Officer	Financial Team	Office of Financial Management	The State will certify that the ICAP was prepared in accordance with 2 CFR 200 Subpart E. GDOT does not have an ICAP, and following 2 reviews, does not intend to submit such a plan.
FIRE Program Activities	FHWA Order 4560.1C (or as superseded)	Ongoing		Office of Chief Financial Officer	Financial Team	Office of Financial Management	State will continue to provide oversight and conduct reviews to ensure Federal-aid compliance. FHWA will review and monitor. State responsibilities include multiple tasks in support of risk assessments, conducting reviews and implementation of recommendations.

<sup>1</sup> All actions taken on or after December 26, 2014, shall be governed by the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR Part 200. Part 200 of 2 CFR supersedes 49 CFR Parts 18 and 19, and requirements from OMB Circulars A-21, A-87, A-110, and A-122 (which have been placed in OMB guidances); Circulars A-89, A-102, and A-133; and the guidance in Circular A-50 on Single Audit Act follow-up.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Audit Coordination/FHWA Financial Statement Audit/State External Audit Reviews/State Internal Audit Reviews	FMFIA, 2 CFR Part 200, Subpart F; GAAP, CFO Act of 1990; DOT Order 8000.1C	As needed	Not Applicable	Office of Chief Financial Officer	Financial Team	Office of Audits Office of General Accounting	State assures corrective action is taken to resolve audit findings and FHWA will monitor activities to ensure implementation.
Improper Payments Review	Improper Payments Information Act of 2002, PL 107-300, Improper Payments Elimination and Recovery Act of 2010, PL 111-204, Improper Payments Elimination and Recovery Improvement Act of 2012, PL 112-248	Annually		Office of Chief Financial Officer	Financial Team	Office of Financial Management	State will provide all information necessary to document sampled payments and FHWA offices will review and complete appropriate data submittal forms.
Transfer of Funds between programs or to other FHWA offices or agencies as requested by State	23 USC 126, 23 USC 132, FHWA Order 4551.1	As needed	Not Applicable	Office of Chief Financial Officer	Financial Team	Office of Financial Management	State will submit requests for transfer and FHWA approves and processes the funding transfers between programs, to other States, to other agencies, and to FHWA HQ, Federal Lands, or Research offices.
Reviews of State Transportation Departments Financial Management Systems - Financial Integrity	23 USC 106(g)(2)(A)	Annually	Not Applicable	Office of Chief Financial Officer	Financial Team	Office of Program Control	23 USC 106(g)(2)(A) states that the Secretary shall perform annual reviews that address elements of the State transportation departments' financial management systems that affect projects approved under subsection (a).

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Review Adequacy of Sub-recipient Project Delivery Systems and Sufficient Accounting Controls to Manage Federal Funds	23 USC 106(g)(4)(A)(i)	As needed	Not Applicable	Office of Chief Financial Officer	Financial Team	Office of Financial Management	
Periodic Reviews of States Monitoring of sub-recipients	23 USC 106(g)(4)(B)	As needed	Not Applicable	Office of Infrastructure	LPA Program Coordinator	Office of Program Control	
Approval of Increased Federal Share Agreement (Sliding Scale)	23 USC 120(b)(2)	As determined by the Federal Share Agreement	Not Applicable	Office of Chief Financial Officer	Financial Team	Office of Financial Management	A State must enter into an agreement with FHWA for use of the increased Federal share allowable under this section, which must be reviewed and updated periodically as agreed to in the agreement. States must demonstrate that they are in compliance with the statute and the agreement.
Prepare / Review Title VI Plan Accomplishments and Next Year's Goals	23 CFR 200.9(b)(10)	Annually	1-Oct	Office of Civil Rights	Civil Rights Specialist	Equal Employment Opportunity Office	Division Offices work with STAs to assess the implementation of the STA's core civil rights programs: Title VI, DBE, ADA/504, Contractor Compliance, and State Internal EEO. Results will be submitted through an electronic survey instrument submitted directly to the Division Offices and HCR. In addressing deficiencies, STAs will be expected to give priority to those issues that receive a red color indicator.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Prepare / EEO Contractor Compliance Plan accomplishments and next year's goals	23 CFR 230, Subpart C, Appendix A, Part I, III	Annually	1-Oct	Office of Civil Rights	Civil Rights Specialist	Equal Employment Opportunity Office	When the STA submits any CR Program Document for approval, the Division Office will review and provide an electronic copy of the approval letter to HCR. These programs primarily reside in Divisions, but subject to HCR sampling audits.
Prepare / Review State Internal EEO Affirmative Action Plan (Title VII) Accomplishments and Goals	23 CFR 230.311	Annually	1-Oct	Office of Civil Rights	Civil Rights Specialist	Equal Employment Opportunity Office	When the STA submits any CR Program Document for approval, the Division Office will review and provide an electronic copy of the approval letter to HCR. These programs primarily reside in Divisions, but subject to HCR sampling audits.
Review DBE Program Revisions	49 CFR 26.21(b)(2)	As needed	Not Applicable	Office of Civil Rights	Civil Rights Specialist	Equal Employment Opportunity Office	When the STA submits any CR Program Document for approval, the Division Office will review and provide an electronic copy of the approval letter to HCR. These programs primarily reside in Divisions, but subject to HCR sampling audits.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Prepare / DBE Uniform Awards and Commitment Report	49 CFR 26, Appendix B	Semi-Annual	June 1st December 1st	Office of Civil Rights	Civil Rights Specialist	Equal Employment Opportunity Office	When the STA submits any CR Program Document for approval, the Division Office will review and provide an electronic copy of the approval letter to HCR. These programs primarily reside in Divisions, but subject to HCR sampling audits.
Prepare / Annual Analysis and Corrective Action Plan (if necessary)	49 CFR 26.47(c)	Annual (as necessary)	December 31st	Office of Civil Rights	Civil Rights Specialist	Equal Employment Opportunity Office	Division Office approves sends copy to HCR
Prepare / State DBE Program Goals	49 CFR 26.45(f)(1)	Triennial	August 1st	Office of Civil Rights	Civil Rights Specialist	Equal Employment Opportunity Office	Division Office reviews goals and methodology, forward decision document, i.e., explanation of goal and methodology to the regional HCC with copy to HCR for legal sufficiency review. The Division Office will send the date the STA goal was received by the Division, a copy of the approved decision document and a copy of the Division's letter to the STA approving the methodology to HCR.
Prepare / Review On-the-Job-Training (OJT) goals & accomplishments	23 CFR 230.111(b)	Annually	TBA	Office of Civil Rights	Civil Rights Specialist	Equal Employment Opportunity Office	Division office reviews and comments.
Approval of OJT and DBE Supportive Services fund requests	23 CFR 230.113 & 23 CFR 230.204	Annual	TBA	Office of Civil Rights	Civil Rights Specialist	Equal Employment Opportunity Office	Division recommends approval submits to HCR for final approval

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Return of any unused discretionary grant program funding	23 CFR 230.117(2)	Annual	TBA	Office of Civil Rights	Civil Rights Specialist	Equal Employment Opportunity Office	Division works with HCR and CFO. Division Office will send confirmation to HCR of STA's commitment to obligate all funding or if funds are to be returned to HCR.
Prepare / Review of Report on Supportive Services (OJT & DBE)	23 CFR 230.113(g), 230.121(e), 230.204(g)(6)	Quarterly		Office of Civil Rights	Civil Rights Specialist	Equal Employment Opportunity Office	Division office reviews and comments. Upon notification from HCR, Division will notify STA to submit work statement for approval in accordance the most recent guidelines issued by HCR.
Prepare / Review Annual Contractor Employment Report (Construction Summary of Employment Data (Form PR-1392)	23 CFR 230.121(a); Appendix D to Subpart A, Part 230, General Information and Instructions	Annually	1-Dec	Office of Civil Rights	Civil Rights Specialist	Equal Employment Opportunity Office	STA will submit to Division Office for review and verification of data. Division Office will submit to HCR when review is complete. Recommendation sent to HQ for approval.
Prepare / Review State DOT Employment Statistical Data (EEO-4)	23 CFR, Subpart C, Appendix A	Biannual	1-Dec	Office of Civil Rights	Civil Rights Specialist	Equal Employment Opportunity Office	Report sent to HQ quarterly for informational purposes and recommendation sent to HQ annually for approval. Upload to Sharepoint.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Prepare / Review Annual Federal Projected Awards Reports - Historically Black Colleges & Universities/Tribal Colleges & Universities/Hispanic Serving Institutes, American Indian Alaskan Native, Asian Pacific & American Islander.	Presidential Executive Orders: 13230, 13256, 13270, 13361, 13515	Annual	TBA	Office of Civil Rights	Civil Rights Specialist	Equal Employment Opportunity Office	Divisions submit data to HCR who prepares report for DOCR. All reports must be uploaded to SharePoint in the MIHE Program Area.
Prepare / Review ADA Complaint Reports of Investigation	28 CFR 35.190	As needed	Not Applicable	Office of Civil Rights	Civil Rights Specialist	Equal Employment Opportunity Office	Division office reviews, FHWA HQ approves and issues finding.
Review Americans with Disabilities Act (ADA) /Sec. 504 Program Plan accomplishments and next year's goals	49 CFR 27.11(c), EO 12250	Annually	1-Oct	Office of Civil Rights	Civil Rights Specialist	Equal Employment Opportunity Office	Division office reviews and comments.
Return of unexpended funds used for Summer Transportation Institutes	23 CFR 230.117(2)	Annual	August 30; however, State procurement rules may govern	Office of Civil Rights	Civil Rights Specialist	Equal Employment Opportunity Office	Divisions work with HCR and CFO. Division will send confirmation to HCR of STA's commitment to obligate all funding or if funding will be returned to HCR.
Prepare / Review Request for National Summer Transportation Institute (NSTI) Proposals (SOWs)	23 USC 140(b)	Annual	TBA	Office of Civil Rights	Civil Rights Specialist	Equal Employment Opportunity Office	Divisions recommend approval. HCR gives final approval. Div will notify STA to submit proposals to initiate host sites. Div will review/ approve recommended host site SOWs and upload to SharePoint in the NSTI Program Area.
Prepare / Review NSTI Report (questionnaire)	23 USC 140(b)	Annual	October 15th	Office of Civil Rights	Civil Rights Specialist	Equal Employment Opportunity Office	Divisions provide to HCR. Host sites(s) must complete questionnaire to submit directly to HCR. New links will be sent from HCR annually.



Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Receipt of State Consultation Process with Tribal Governments	23 CFR 450.210(c)	As needed	Not Applicable	Office of Federal Lands Highway	Environmental Team	Office of Environmental Services	Informational Purposes.
Approval of Contracting Procedures for Consultant Selection	23 CFR 172.5 & 172.9	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Transportation Services Procurement	FHWA Division Office Approval.
Determination of High Risk Categories - Limitation on Interstate Projects	23 USC 106(c)(4)(B)	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Office of Organizational Performance Management	Office of Program Administration determines national categories and must concur on any State designations.
Approval of State 3R Program	23 CFR 625.4(a)(3), 23 USC 109(n)	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team/Technology Application Team	Office of Maintenance	FHWA Division Office Approval. New or revised procedures will be reviewed and comments or approval within 30 days. FHWA approvals to project requests that are not in accordance with GDOT procedures will be reviewed and comments or approval within 14 days.
Verify adoption of Design Standards (National Highway System, including Interstate)	23 CFR 625, 23 USC 109(b), 23 USC 109(c)(2), 23 USC 109(o)	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Office of Design Policy and Support	FHWA HQ regulatory action to adopt NHS standards. FHWA will review and approve or provide comments of GDOT standards within 14 days.
Approval of preliminary plans of Major and Unusual Bridges on the Interstate Highway System	(M1100.A)	As needed	Not Applicable	Office of Infrastructure	Technology Application Team/Bridge Engineer	Office of Bridge Design	Director of HIBT has approval of preliminary plans of Major and Unusual Bridges on the Interstate Highway System (M1100.A)

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Approval of State Standard Specifications	23 CFR 625.3	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team/Technology Application Team	Office of Construction Claims/Office of Engineering Service/Office of Construction Bidding Administration/Office of Materials and Testing/Office of Traffic Operations	FHWA Division Office Approval. FHWA will review and provide comments or approve within the timeframes set forth in GDOT's process (14 days during internal reviews and 21 days during external reviews)
Verify State Design Exception Policy complies with FHWA Policy	23 CFR 625.3	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Office of Design Policy and Support	FHWA Division Office Approval. FHWA will review and provide comments or approval of the Policy within 14 days.
Approval of State Standard Detail Plans	23 CFR 625.3	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team/Technology Application Team	Office of Design Policy and Support	FHWA Division Office Approval.
Approval of Pavement Design Policy	23 CFR 626.3	As needed	Not Applicable	Office of Infrastructure	Technology Applications Team/Pavement Engineer	Office of Materials and Testing	FHWA Division Office Approval.
Review of Value Engineering Policy and Procedures	23 CFR 627.1(b)&(c), 23 CFR 627.7 FHWA Order 1311.1B	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Office of Engineering Services	FHWA Division Office Review. FHWA will review and provide comments or approve the Policy within 21 days. FHWA will review and provide comments or approve project submittals within 14 days.
Review of Value Engineering Annual Report	23 CFR 627.7, FHWA Order 1311.1B	Annual	Not Applicable	Office of Infrastructure	Project Delivery Team	Office of Engineering Services	FHWA Division Office collects, reviews, and submits to HQ for review and reporting. FHWA will review and provide comments or forward to headquarters within 21 days.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Review and Approval of Interstate Access Requests	23 USC 111, 23 CFR 710, 74 FR 43743-43746 (Aug. 27, 2009)	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Office of Planning/Office of Roadway Design/Office of Traffic Operations	FHWA Division Office approval with concurrence from HQ on more complex access requests.
Approval of Liquidated Damages Rate	23 CFR 635.127	Every 2 years	Not Applicable	Office of Infrastructure	Project Delivery Team	Office of Construction	FHWA Division Office Approval.
Approval of Quality Assurance Program	23 CFR 637.205	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team/Technology Application Team	Office of Materials and Testing	State administers, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program.
Assure Central Laboratory accredited by AASHTO Accreditation Program or FHWA approved comparable program	23 CFR 637.209	As needed	Not Applicable	Office of Infrastructure	Technology Applications Team	Office of Materials and Testing	State administers, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program.
Assure Non-STA designated lab used in dispute resolution accredited by AASHTO Accreditation Program or FHWA approved comparable program	23 CFR 637.209	As needed	Not Applicable	Office of Infrastructure	Technology Applications Team	Office of Materials and Testing	State administers, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Review Independent Assurance Annual Report	23 CFR 637.207	Annually	1-Mar	Office of Infrastructure	Technology Applications Team	Office of Materials and Testing	State administrators, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program.
Assure Labor Compliance - Prevailing Wage Rate	23 USC 113	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Office of Construction	FHWA Division Office Review and Approval
Determination of Eligible Preventive Maintenance Activity - Cost-Effective Means of Extending Useful Life Determination	23 USC 116(e)	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team/Technology Application Team	Office of Maintenance/Office of Organizational Performance Management	FHWA Division Office Approval
Approval of Utility Agreement / Alternate Procedure	23 CFR 645.119	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Office of Utilities	FHWA Division Office Approval
Approval of Utility Accommodation Policy	23 CFR 645.215, 23 USC 109(l), 23 USC 123	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Office of Utilities	FHWA Division Office Approval
Review Bridge Construction, Geotechnical, and Hydraulics	23 CFR 650	As needed	Not Applicable	Office of Infrastructure	Technology Applications Team/Bridge Engineer	Office of Bridge Design/Office of Construction	
Review Plans of Corrective Action established to address NBIS compliance issues	23 CFR 650, 23 USC 144	Annually		Office of Infrastructure	Technology Applications Team /Bridge Engineer	Office of Bridges & Structures	Division office performs annual compliance review and reports results to HQ.
Review NBI Data Submittal	23 CFR 650 Subpart C, Annual Memo from HQ, 23 USC 144	Annually	1-Apr	Office of Infrastructure	Technology Application Team/Bridge Engineer	Office of Bridges & Structures	Division resolve errors with States; States submit to HQ.
Review structurally deficient bridge construction Unit Cost submittal	23 USC 144	Annually	1-Apr	Office of Infrastructure	Technology Application Team/Bridge Engineer	Office of Bridges & Structures	Division office reviews and submits to HQ.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Review county bridge posting and closing report	23 CFR 650	Monthly	1 <sup>st</sup>	Office of Infrastructure	Technology Application Team/Bridge Engineer	Office of Bridges & Structures	Division office withholds Federal-aid project approvals from within the non-compliant locality until becoming compliant.
Review NBIS Item 113 (scour critical) report	23 CFR 650	Semi-annually	4/15 & 10/15	Office of Infrastructure	Technology Application Team/Bridge Engineer	Office of Bridges & Structures	
Review critical finding report from bridge inspections	23 CFR 650	Quarterly	3/1, 6/1, 9/1 & 12/1	Office of Infrastructure	Technology Application Team/Bridge Engineer	Office of Bridges & Structures	
Review status report for plan of actions of unknown foundation bridges	23 CFR 650	Quarterly	1/15, 4/15, 7/15 & 10/15	Office of Infrastructure	Technology Application Team/Bridge Engineer	Office of Bridges & Structures	
Review Section 9 of the Rivers and Harbors Act Submittals (Bridge Permits)	23 CFR 650 Subpart H; 33 CFR 114 & 115	As needed	Not Applicable	Office of Infrastructure	Technology Application Team/Bridge Engineer	Office of Bridge Design/Office of Environmental Services	
Approval for reduction of expenditures for off-system bridges	23 USC 133(g)(2)(B)	As needed	Not Applicable	Office of Infrastructure	Technology Application Team/Bridge Engineer	Office of Bridges & Structures	The FHWA Administrator may reduce the requirement for expenditures for off-system bridges if the FHWA Administrator determines that the State has inadequate needs to justify the expenditure.
Determination on Adequacy of State's Asset Management Plan	23 USC 119(5)	Annually beginning second fiscal year after establishment of the process		Office of Infrastructure	Asset Management/Quality Specialist	Office of Organizational Performance Management	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Certification and Recertification of States Process for Development of State Asset Management Plan	23 USC 119(6)	Recertification every four years after establishment of the process		Office of Infrastructure	Asset Management/Quality Specialist	Office of Organizational Performance Management	
Review Reporting on Performance Targets	23 USC 150(e)	Beginning four years after enactment of MAP-21 and biennially thereafter		Office of Infrastructure	Asset Management/Quality Specialist	Office of Organizational Performance Management	
Review National Highway System Performance Achievement Plan for Actions to achieve the targets (when State does not achieve or make significant progress toward achieving)	23 USC 119(7)	Required if State does not achieve targets (or significant progress) for 2 consecutive reports		Office of Infrastructure		Office of Organizational Performance Management	
States and sub-recipient failure to maintain projects - Notice and withholding Federal-aid Funds	23 USC 116(d)	As needed	Not Applicable	Office of Infrastructure	Finance Team	Division of Field Districts	
Emergency Relief (ER) Damage Assessments and Reports	23 CFR 668 23 USC 120 and 125	As needed	Not Applicable	Office of Infrastructure	Project Delivery Team	Office of Maintenance	Perform with State.
Toll Credit and Maintenance of Effort (MOE) Calculation and Agreement	23 USC 120(i)	Annually		Office of Infrastructure	Finance Team	Office of Financial Management	State will calculate the amount of eligible toll credit and submit for approval. FHWA will review and approve the request.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Local Public Agency (LPA) Oversight	2 CFR 200.331; 23 USC 106(g)(4)	As needed	Not Applicable	Office of Infrastructure	LPA Program Coordinator/ Technology Applications Team	Office of Program Control/Office of Right of Way/Office of Materials and Testing	States are responsible to ensure that LPAs are aware of all the applicable Federal-aid Program requirements; States are responsible to ensure monitoring and oversight to assure compliance with Federal requirements. 23 USC further reinforces stressing accountability on "project delivery systems" and "accounting controls."
Approval to Sell, Lease or Otherwise Dispose of a Ferry Purchased with Federal-aid Funds	23 USC 129 (c)(6)	As needed	Not Applicable	Office of Infrastructure	ROW Officer	N/A	Division Office reviews and submits for Office of Program Administration for Administrator Approval
Territorial Highway Program - Approval of Territory Agreement	23 USC 165(c)(5)	Reviewed and Revised as needed every two years		Office of Infrastructure	ROW Officer	Office of Environmental Services	Division Office works with Office of Program Administration and HCC
TIFIA Credit Program	23 USC 601-609	As needed	Not Applicable	Office of Innovative Program Delivery	Project Delivery Team	Office of Innovative Program Delivery/P3	Project sponsors submit requests for credit assistance to the TIFIA JPO for review; approval by the Secretary
GARVEEs	23 USC 122; GARVEE Guidance 3/14	As needed	Not Applicable	Office of Innovative Program Delivery	Finance Team	Office of Financial Management	MOUs strongly suggested for each GARVEE issue. FM contacts OIPD for review/concurrence before final approval
State Infrastructure Banks	NHS Act Section 308; 23 USC 610; SIB Guidance 3/14	Annual Report	Not Applicable	Office of Innovative Program Delivery	Finance Team	Office of Financial Management/Office of Innovative Delivery	Division sends copy of report to OIPD. SIB submits annual report to Division Office.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Section 129 Tolling Authority Requests	23 USC 129(a)	As needed	Not Applicable	Office of Innovative Program Delivery	Finance Team	Office of Innovative Delivery	At the option of the project sponsor, may execute a Tolling Eligibility MOU with the Division Office; HIN coordinates FHWA HQ review
Section 166 HOV/HOT Lanes Tolling Authority Requests	23 USC 166(d)	As needed	Not Applicable	Office of Innovative Program Delivery	Finance Team	Office of Innovative Delivery	At the option of the project sponsor, may execute a Tolling Eligibility MOU with the Division Office; HIN coordinates FHWA HQ review
Value Pricing Pilot Program Tolling Authority Requests	ISTEA Section 1012(b)	As needed	Not Applicable	Office of Innovative Program Delivery	Finance Team	Office of Innovative Delivery	Requests submitted to HIN to coordinate review; approval by the Administrator
Interstate System Reconstruction and Rehabilitation Pilot Program Tolling Authority Requests	TEA-21 Section 1216(b)	As needed	Not Applicable	Office of Innovative Program Delivery	Finance Team	Office of Innovative Delivery	Applications submitted to HIN to coordinate review; approval by the Administrator
Annual Audit of Toll Facility Records and Certification of Adequate Maintenance - Report Submittal	23 USC 129(a)(3)(B); TEA-21 Section 1216(b)(5)(B); SAFETEA-LU Section 1604(b)(3)(A); ISTEA Section 1012(b)(3)	Annually		Office of Innovative Program Delivery	Finance Team	Office of Financial Management	Division Office to receive the reports.
Project Management Plan (Major Projects)	23 U.S.C. 106(h)(2)	Prior to first federal authorization of construction funds for a Major Project	Not Applicable	Office of Innovative Program Delivery	Division Office will conduct concurrent review with HQ Office of Innovative Program Delivery.	State DOT or Project Sponsor will prepare and submit Project Management Plan. Office of Innovative Delivery	Division Office will provide approval after receiving concurrence from HQ Office of Innovative Program Delivery.



Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Financial Plan (Major Projects)	23 U.S.C. 106(h)(3)	Prior to first federal authorization of construction funds for a Major Project and then annually.	Annually as noted in the approved Initial Financial Plan	Office of Innovative Program Delivery	Division Office will conduct concurrent review with HQ Office of Innovative Program Delivery.	State DOT or Project Sponsor will prepare and submit annual Financial Plans. Office of Financial Management	Division Office will provide approval after receiving concurrence from HQ Office of Innovative Program Delivery.
Financial Plan (Other Projects)	23 U.S.C. 106(i)	Prior to first federal authorization of construction funds for an Other Project and then annually.	Annually as noted in the approved Initial Financial Plan	Office of Innovative Program Delivery	Division Office will review and approve Financial Plans for Other Projects in accordance with its stewardship and oversight agreement with the State DOT or Project Sponsor.	State DOT or Project Sponsor will prepare and submit annual Financial Plans to the Division Office, only upon request. Office of Financial Management/Office of Innovative Delivery	Other Projects are defined as projects with an estimated total cost of \$100 million or more that have not been designated as Major Projects.
Review Designation and Re-designation of Primary Freight Network	23 USC 167(d)	One year after enactment of MAP-21 and every ten years thereafter		Office of Operations	Planning Team	Office of Planning	Under development, initial PFN designation scheduled for Spring 2014 completion.
Review Development and Update of National Freight Strategic Plan	23 USC 167(f)	Three years after enactment of MAP-21 and every five years thereafter		Office of Operations	Planning Team	Office of Planning	OST lead
Review Freight Transportation Conditions and Performance Report	23 USC 167(g)	Two years after enactment of MAP-21 and every two years thereafter		Office of Operations	Planning Team	Office of Operations/Office of Planning	OST lead
Review HOV Operations Certification Letter/Report for Tolloed Use and Low-Emission and Energy-Efficient Vehicle Use	23 USC 166(d)	Annually		Office of Operations	Planning Team	Office of Traffic Operations	
Congestion Partnerships Assessment	Annual Memo from HQ	Annually	1-Jul	Office of Operations	Planning Team	Office of Planning	Complete with partners and forward to HQ.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Traffic Incident Management Self-Assessment	Annual Memo from HQ	Annually	Mid-year	Office of Operations	Technology Applications Team	Office of Traffic Operations	Complete with partners and forward to HQ.
Systems Engineering Analysis	23 CFR 940	As needed	NA	Office of Operations	Technology Applications Team		GDOT: Prepare & Approve for State Administered FHWA: Review and comment or approve for FOS. (14 days)
MUTDC (Traffic Control Devices on all Public Roads)	23 CFR 655.603	As needed	NA	Office of Operations	Technology Applications Team	Office of Traffic Operations/Office of Design Policy and Support	GDOT: Review plans for MUTCD compliance. Provide training to local governments through LTAP. FHWA: Ensure compliance & provide technical support as requested.
Review Vehicle Size & Weight Enforcement Plan	23 CFR 657.11, 23 USC 127	Annually	1-Oct	Office of Operations	Technology Applications Team	Office of Traffic Operations	
Review Vehicle Size & Weight Enforcement Certification	23 CFR 657.13, 23 USC 141	Annually	1-Jan	Office of Operations	Technology Applications Team	Office of Traffic Operations	
Approval of National Network Modifications	23 CFR 658.11	As needed	Not Applicable	Office of Operations	Technology Applications Team	Office of Traffic Operations/Office of Bridge Design/Office of Transportation Data	
Intelligent Transportation System Architecture & Standards	23 CFR Part 940	As needed	Not Applicable	Office of Operations	Technology Applications Team	Office of Traffic Operations	GDOT: Work with MPOs FHWA: Concurrence as ready for use (45 days).
Approval of Work Zone Significant Project Determination	23 CFR 630.1010	As needed		Office of Operations	Technology Applications Team	Office of Construction	
Approval of Exceptions to Work Zone Procedures for Interstate Projects	23 CFR 630.1010	As needed		Office of Operations	Technology Applications Team	Office of Construction	
Approval of Work Zone Policy and Procedures Conformance Review	23 CFR 630.1014	At appropriate intervals		Office of Operations	Technology Applications Team	Office of Construction	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Process Review of Work Zone Safety and Mobility Procedures	23 CFR 630.1008.23 USC 109(e)(2). 23 USC 112(g)	30 September of even number years		Office of Operations	Technology Applications Team	Office of Construction	GDOT: Conduct process review every 2 years FHWA: Conduct review for conformance with 23 CFR 630 Subpart J
Approval of State Planning Work Program and Revisions (Part 1)	23 CFR 420.111, 23 CFR 420.115, and 23 CFR 420.209	Annually	Prior to Program Period	Office of Planning, Environment & Realty	Planning Team	Office of Planning	FHWA Division Office Approval.
Approval of State Research and Development Work Program (Part 2) which includes certification that the state is compliant with 23 USC 505	23 CFR 420.111, 23 CFR 420.115, and 23 CFR 420.209 23 USC 505	Annually	July 1	Office of Planning, Environment & Realty	Technology Applications Team	Office of Research	FHWA Division Office Approval within 15 days
Approval of Revisions to State Research and Development Work Program (Part 2)	23 CFR 420.111, 23 CFR 420.115, and 23 CFR 420.209	As needed	As needed	Office of Planning, Environment & Realty	Technology Applications Team	Office of Research	FHWA Division Office Approval within 15 days
Approval of individual research projects in FMIS	23 CFR 420.115	As needed	As needed	Office of Planning, Environment & Realty	Technology Applications Team	Office of Research	FHWA Division Office Approval within 5 days
Approval of State's Distribution of Planning Funds Formula - Allocation Formulas for PL Funds	23 CFR 420.109, 23 USC 104(d)(2)(A)(i)	When Revised	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	FHWA Division Office Approval, 30 days
Review of State Public Involvement Procedures	23 CFR 450.210(a); 23 CFR 771.111(h), 23 USC 128	As needed	Not Applicable	Office of Planning, Environment & Realty	Environmental Team/Planning Team	Office of Planning/Office of Environmental Services/Division of Communications	FHWA Division Office Review to Assure Compliance, 30 days
Receipt of State Consultation Process for Non- metropolitan Local Officials	23 CFR 450.210(b)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	Informational Purposes.
Review of Long-range Statewide Transportation Plan	23 CFR 450.214	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	FHWA Division Office Review to Assure Compliance, 30 days

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Approval of Statewide Transportation Improvement Program (STIP)	23 CFR 450.216, 23 CFR 450.218(a) & (c), 23 USC 135(g)(7)	At least every 4 years	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	Joint FHWA and FTA approval, 30 days. Draft~8/1; Final~9/15
Approval of STIP Amendments	23 CFR 450.218(a) & (c)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Financial Management	Joint FHWA and FTA approval, 14 days
Finding of Consistency of Planning Process with Section 134 and 135	23 USC 135(g)(8), 23 CFR 450.218(b)	Concurrent with STIP approval	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	FHWA and FTA issue a joint finding concurrent with STIP approval.
Review of State Self-certification that Planning Process is in Accordance with Applicable Requirements	23 CFR 450.218(a)	Submitted with proposed STIP or STIP amendments	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	Received with STIP. FHWA will approve STIP to demonstrate concurrence with GDOT's approval recommendation.
Approval of Transportation Management Area (TMA) MPO Unified Planning Work Programs (UPWP)	23 CFR 450.308(b) and 23 CFR 420 (Subpart A)	Prior to Program End	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	Joint FHWA and FTA approval. 30 days for draft, 14 days for final.
Approval of Non-TMA UPWA	23 CFR 450.308(b) and 23 CFR 420 (Subpart A)	Prior to Program End	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	Joint FHWA and FTA approval.
Approval of UPWP Revisions and Amendments (All MPO's)	23 CFR 420.115	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	14 day turnaround
Review of UPWP Performance and Expenditure Reports (All MPO's)	23 CFR 420.117(b)	Not more frequently than quarterly	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	
Approval of Report Before Publication (All MPO's)	23 CFR 420.117(e)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	FHWA Division Office Review, if necessary.
Approval to use Planning Funds outside Urbanized Areas for States Receiving Minimum Apportionment	23 USC 104(d)(1)(A)(ii)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Review of Metropolitan Planning Area Boundary (Establishment and Changes)	23 CFR 450.312	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	Approval by MPO and the Governor, shape files forwarded to HQ. (Comment: No action is required by FHWA/FTA).
Review of Metropolitan Transportation Planning Organizations (MPO) Designation and Re-designation	23 CFR 450.310	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	Require agreement between Governor and local governments.
Review of Metropolitan Planning Agreements (MPA) for Attainment or Entire Nonattainment Area	23 CFR 450.314(a)	When Completed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	Between MPO/State DOT/Transit Operator. Included in UPWP or Prospectus (23 CFR 450.314(d)).
Review of MPA - for MPA that do not include the entire nonattainment or maintenance area	23 CFR 450.314(b), 23 USC 109(j)	When Completed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	Between MPO/State DOT/State AQ Agency.
Review of MPO Public Participation Plan	23 CFR 450.316(a)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	Must be developed and published.
Review of Metropolitan Transportation Plan (MTP) in Attainment Areas (and Updates)	23 CFR 450.322	Every 4 years	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	No Federal approval
Review of MTP in Non-Attainment and Maintenance Areas (and Updates)	23 CFR 450.322	Every 5 years	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	No Federal approval
Review of MTP Amendments	23 CFR 450.322(c)	As Needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	No Federal approval

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Air Quality Conformity Determination on LRTP in Non-attainment and Maintenance Areas	23 CFR 450.322(d)	Concurrent with LRTP updates at least every 4 years and as needed on amendments	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	After receipt of MPO determination; Joint FHWA and FTA determination; In consultation with the Environmental Protection Agency (EPA). 30 days
Review of Transportation Improvement Program (TIP)	23 CFR 450.300(a); 23 CFR 450.324(b); 23 CFR 450.328(a), 23 USC 134(j)(1)(D)	Prior to Program Period	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	No succinct Federal approval action is required for the TIP. FHWA/FTA approval of the TIP is through the STIP approval process.
Review of TIP Amendments	23 CFR 450.324(a); 23 CFR 450.328(b)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	No succinct Federal approval action is required for the TIP. FHWA/FTA approval of the TIP is through the STIP approval process.
Approval of Air Quality Conformity Determination on TIP	23 CFR 450.326; 23 CFR 450.328	At least every 4 years, or when the TIP has been modified (unless exempt projects)	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	Applies to non-attainment and maintenance areas only. After receipt of MPO determination, joint determination with FTA (in cooperation with EPA). 30 days
Federal Finding of Consistency of Planning Process with Section 134 and 135	23 CFR 450.218(b); 23 CFR 450.334(a)	Concurrent with (S)TIP submittal	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	At least every four years, joint finding with FTA when TIP is submitted.
In Metropolitan Planning Areas, Review of State and MPO Self-certification that Planning Process is in Accordance with Applicable Requirements	23 CFR 450.334 (a), 23 CFR 218(a)	Annually or concurrent with the STIP/TIP cycle	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning	Required for all MPO's. May be included in the STIP, TIP, or UPWP, at least every 4 years.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
In TMA's, Certification that Planning Process is in Accordance with Applicable Requirements	23 CFR 450.334(b), 23 USC 134(k)(5)	Every 4 years		Office of Planning, Environment & Realty	Planning Team	Office of Planning	Joint FHWA and FTA Certification.
Approval of Federal-Aid Urban Area Boundaries	23 CFR 470.105 (a), 23 USC 101(a)(33)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning/Office of Transportation Data	
Approval of Revision of Functional Classification	23 CFR 470.105 (b)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Planning/Office of Transportation Data	
Approval by Administrator of Interstate Additions & Revisions	23 USC 103(c)(1)(D), 23 CFR 470.111, 23CFR 470.115 (a)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Transportation Data	Approval by HQ – Administrator.
Approval by Office Director of National Highway System (NHS) Additions and Revisions	23 USC 103(b)(3), 23 CFR 470.113 and 470.115(a)	As needed	Not Applicable	Office of Planning, Environment & Realty	Planning Team	Office of Transportation Data	Approved by HQ - Office Director.
Review of CMAQ Annual Report	CMAQ Guidance Memo October 31, 2006	Annually	1-Mar	Office of Planning, Environment & Realty	Planning Team	Office of Planning	Division provides information on CMAQ projects including: amount of obligation, project description and location, and air quality benefits. The report must be submitted via the web-based CMAQ Tracking System by March 1 annually.
Transportation Planning Excellence Awards		Annually	1-Feb	Office of Planning, Environment & Realty	Planning Team	Office of Planning	Call for entries for the FHWA FTA Transportation Planning and Excellence Awards.
Approval of Local Technical Assistance Program (LTAP) Centers Work Plan and Budget	FHWA LTAP Field Manual	Annually	31-Mar	Office of Planning, Environment & Realty	Planning Team/ Technology Applications Team	Office of Training and Development	FHWA HQ approval.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Approval of NEPA Procedures, including Section 4(f)	23 CFR 771; 23 CFR 774; SAFETEA-LU 6007 & 6009, 23 USC 109(h)	As needed	Not Applicable	Office of Planning, Environment & Realty	Environment Team	Office of Environmental Services	
Approval of Noise Policies	23 CFR 772.7, 772.9, and 772.13, 23 USC 109(i)	As needed	Not Applicable	Office of Planning, Environment & Realty	Environment Team	Office of Environmental Services	FHWA approves State's noise abatement policy.
EIS Status Updates	FHWA Strategic Goal - EIS Timeliness	Quarterly	(Fiscal Year - Oct, Jan, Apr, Jul)	Office of Planning, Environment & Realty	Environment Team	Office of Environmental Services	Monitor time required to complete EIS's. Determine projects which have exceeded recommended timeline (3 years). Identify projects which should be listed as dormant. Submit to HEPE.
Endangered Species Act Cost Report	ESA Amendments of 1988 (Public Law 100-478)	Annually	1-Mar	Office of Planning, Environment & Realty	Environment Team	Office of Environmental Services	Call for information about costs of implementing ESA.
Exemplary Ecosystem Initiatives Applications		Annually	1-Apr	Office of Planning, Environment & Realty	Environment Team	Office of Environmental Services	Call for entries for the FHWA Exemplary Ecosystem Initiatives Awards
National Park Service Report to Congress on Federal Archaeology Program		Annually	30-Jun		Environment Team	Office of Environmental Services	Provide data about archaeological investigation, protection, management, recovery, education, and collections management activities carried out under Federal authority for NPS use in report to Congress.
Environmental Excellence Awards		Biennially	As requested	Office of Planning, Environment & Realty	Environmental Team	Office of Environmental Services	Call for entries for the FHWA Environmental Excellence Awards
Noise Barrier Listing		Triennially	As requested	Office of Planning, Environment & Realty	Environmental Team	Office of Environmental Services	Provide list of information about noise barriers constructed over rolling 3-year period.



Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
MAP 21 Section 1306 Report to Congress		Every 120 days	February 1, June 1, and October 1	Office of Planning, Environment & Realty	Environmental Team	Office of Environmental Services	Provide data to FHWA HQ on the status and progress of a sample of not less than 5 percent of EISs or EAs, as well as all projects estimated to cost between \$100 million and \$500 million.
Approval of Acquisitions, Appraisals, and Relocations Program and Procedures	49 CFR Part 24, The UA	As needed	Not Applicable	Office of Planning, Environment & Realty	ROW Officer	Office of Right of Way	
Early Acquisitions	23 CFR 710.501	As needed	Not Applicable	Office of Planning, Environment & Realty	ROW Officer	Office of Right of Way	
Local Public Agency Oversight	49 CFR 24.4(b); 23 CFR 710.201	As needed	Not Applicable	Office of Planning, Environment & Realty	ROW Officer	Office of Right of Way	
Approval of Highway Facility Relinquishment	23 CFR 620.203	As needed	Not Applicable	Office of Planning, Environment & Realty	ROW Officer	Office of Right of Way	
Approval of ROW Disposal Authorization Request	23 CFR 710.409	As needed	Not Applicable	Office of Planning, Environment & Realty	ROW Officer	Office of Right of Way	
Approval of ROW Operations Manual (Organization, Policies and Procedures), Updates, and Certification	23 CFR 710.201	January 1, 2001 and every 3 years thereafter or as required by changes in State law or Federal regulation or law	Not Applicable	Office of Planning, Environment & Realty	ROW Officer	Office of Right of Way	
Approval of Exception to Charging Fair Market Value	23 CFR 710.403 and 23 CFR 710.409	As needed	Not Applicable	Office of Planning, Environment & Realty	ROW Officer	Office of Right of Way	
Approval of Interstate Real Property Use Agreements	23 CFR 710.405	As needed	Not Applicable	Office of Planning, Environment & Realty	ROW Officer	Office of Right of Way	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Approval of Request for Federal Land Transfer	23 CFR 710.601	As needed	Not Applicable	Office of Planning, Environment & Realty	ROW Officer	Office of Right of Way	
Approval of Request for Direct Federal Acquisition	23 CFR 710.603	As needed	Not Applicable	Office of Planning, Environment & Realty	ROW Officer	Office of Right of Way	
Approval of Outdoor Advertising Policies and Procedures, and Regulation and Procedure Approval	23 CFR 750.304, 23 CFR 750.705, 23 USC 131	As needed	Not Applicable	Office of Planning, Environment & Realty	ROW Officer	Office of Maintenance	
Approval of Requests to Exempt Certain Nonconforming Signs, Displays, and Devices	23 CFR 750.503	As needed	Not Applicable	Office of Planning, Environment & Realty	ROW Officer	Office of Traffic Operations/Office of Maintenance	
Approval of Railroad Agreement Alternate Procedure	23 CFR 646.220	As needed	Not Applicable	Office of Planning, Environment & Realty	ROW Officer	Office of Utilities	
Approval of Uniform Act Waivers and Waivers from Availability of Comparable Replacement Dwelling before Displacement	49 CFR 24.7, 49 CFR 24.204(b)	As needed	Not Applicable	Office of Planning, Environment & Realty	ROW Officer	Office of Right of Way	Requests reviewed and approved by HEPR Office Director.
Review of Uniform Relocation Assistance & Real Property Acquisition Report -(OMB Form 2125-0030)	49 CFR 24.9c & Appendix B 49 CFR 24.603	Annually	15-Nov	Office of Planning, Environment & Realty	ROW Officer	Office of Right of Way	Submitted to FHWA Headquarters (HQ).
Review of Real Property Acquisition Statistical Report	FHWA Order 6540.1	Annually	15-Nov	Office of Planning, Environment & Realty	ROW Officer	Office of Right of Way	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Approval of Management Process and Project Selection Procedures and Certification for Research, Development & Technology Transfer Program and Revisions to Process. Certification to be included in Work Program.	23 CFR 420.115 and 23 CFR 420.209	As needed	Not Applicable	Office of Planning, Environment & Realty	Technology Applications Team	Office of Research	FHWA Division Office Approval within 15 days
Periodic Review of States Management Process of the Research, Development & Technology Transfer Program	23 CFR 420.209	Periodic	Not Applicable	Office of Planning, Environment & Realty	Technology Applications Team	Office of Research	FHWA Division Office Periodic Review.
Approval of Performance and Expenditure Reports for SPR Research Work Programs	23 CFR 420.117	Annually	90 Days After End Of Period – October 1	Office of Planning, Environment & Realty	Technology Applications Team	Office of Research	FHWA Division Office Approval within 15 days
Approval of SPR research reports	23 CFR 420.117	Prior to publication unless prior approval is waived	Not Applicable	Office of Planning, Environment & Realty	Technology Applications Team	Office of Research	FHWA Division Office Approval unless waived.
Conduct SPR Peer Exchange	23 CFR 420.209	Periodic	Not Applicable	Office of Planning, Environment & Realty	Technology Applications Team	Office of Research	FHWA Division Participation
TRID Database Use	23 CFR 420.209	Annual	End of Program Year	Office of Planning, Environment & Realty	Technology Applications Team	Office of Research	FHWA ensures that GDOT uses TRID database for reporting RD&T reports.
Annual Traffic Reports	Traffic Monitoring Analysis System and Traffic Monitoring Guide reporting	When Published	As needed	Office of Highway Policy information	Technology Applications Team	Office of Transportation Data	When Published

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Approval of Annual HPMS Field Review Report	HPMS Field Review Guidelines (June 2001) Continuous Process Improvement Model for HPMS( February 2003)	Annually	1-Nov	Office of Highway Policy information	Technology Applications Team	Office of Transportation Data	Review memo to HQ with HPMS report.
Approval of Certified Public Road Mileage	23 CFR 460.3(b)	Annually	1-Jun	Office of Highway Policy information	Planning Team	Office of Transportation Data	Each year, the Governor of each State and territory or a designee must certify Public Road Mileage. FHWA division reviews the Mileage and sends to HQ with division review/concurrence. This is reported to NHTSA for Apportionment of Safety Funds.
Approval of Data Submittal	23 CFR 420.105(b), HPMS Field Manual	Annually	15-Jun	Office of Highway Policy information	Planning Team	Office of Transportation Data	State DOT sends directly to Division Office and HQ.
Highway Statistics Reports	Guide to Reporting Highway Statistics			Office of Highway Policy information	Planning Team	Office of Transportation Data	State DOT of Division Office sends directly to HQ.
Motor Fuels Report	A Guide to Reporting Highway Statistics, Chapter 2	Due 60 days after end of each reporting month		Office of Highway Policy information	Planning Team	Office of Transportation Data	FHWA Motor Fuel review, as needed.
Vehicles and Drivers (561, 562, 566, and 571)	A Guide to Reporting Highway Statistics, Chapters 3, 4, 5, and 6	1-Apr	1-Apr	Office of Highway Policy information	Planning Team	Office of Transportation Data	
Finance (531, 532, 541, 542, and 543 (optional))	A Guide to Reporting Highway Statistics, Chapters 8 and 9	1-Apr	1-Apr	Office of Highway Policy information	Planning Team	Office of Transportation Data	
Transportation Bond Referendums	A Guide to Reporting Highway Statistics, Chapter 9	When Published	When Published	Office of Highway Policy information	Planning Team	Special Assistant to the Commissioner - Legislative	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
State DOT / Toll Authority Audits and Published Annual Reports and Form 539 (optional)	A Guide to Reporting Highway Statistics, Chapter 10	When Published	When Published	Office of Highway Policy information	Finance Team	Office of Transportation Data	Annually, Due as soon as available.
Finance (536)	A Guide to Reporting Highway Statistics, Chapter 11	30-Sep	30-Sep	Office of Highway Policy information	Planning Team	Office of Transportation Data	Biennially for odd-numbered years. Due nine months after end of reporting year
Finance (534)	A Guide to Reporting Highway Statistics, Chapter 12	15-Jun	15-Jun	Office of Highway Policy information	Planning Team	Office of Transportation Data	Annually for State, Biennially for local
Highway Finance and Tax Legislation	A Guide to Reporting Highway Statistics, Chapter 13	When Published	When Published	Office of Highway Policy information	Planning Team	Special Assistant to the Commissioner - Legislative	
State DOT Budgets and Published Annual Reports	A Guide to Reporting Highway Statistics, Chapter 13	When Published	When Published	Office of Highway Policy information	Planning Team	Office of the Treasurer	
Motor Fuel Oversight Review	July 24, 2001 HQ Memo	Initial baseline reports no later than December 31, 2003		Office of Highway Policy information	Finance Team	Office of Transportation Data	Annual progress reports and statement of verification by June 30. Submitted via UPACS.
Review of Biennial - Toll Facilities in the United States	23 CFR 450.105(b) HPMS Field Manual	Biennially - Odd Years	June 15 (Odd Years)	Office of Highway Policy information	Finance Team	Division of Finance/State Roadway and Toll Authority	Division Office sends to HQ.
State Highway Maps (Tourist)		When Published	When Published	Office of Highway Policy information	Planning Team	Office of Transportation Data	Two copies to each Division Office and 100 copies to HQ.
Traffic Flow Maps		When Published		Office of Highway Policy information		Office of Transportation Data	When Published.
Vehicle Classification Data	MAP-21, HPMS Field Manual, Traffic Monitoring Guide	15-Jun	15-Jun	Office of Highway Policy information	Planning Team/ Technology Applications Team	Office of Transportation Data	Part of Annual HPMS submittal.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Highway Use Tax Evasion Grant Awards	23 USC 143	Annual	Not Applicable	Office of Highway Policy information	Technology Applications Team	Office of Financial Management	FHWA along with the Internal Revenue Service will review applications and select awardees for projects designed to reduce or eliminate fuel tax evasion. FHWA will also review annual progress reports on projects.
Heavy Vehicle Use Tax (HVUT) – Certification of verifying proof-of-payment of HVUT	23 CFR 669	1-Jul	1-Jul	Office of Highway Policy information	Finance Team	Office of Budget	Each year, the Governor of each State, or a designee must certify that the State is verifying that the HVUT has been paid before they issue or renew registrations on vehicles over 55,000 lbs. The HVUT program is administered by the Internal Revenue Service.
Heavy Vehicle Use Tax (HVUT) – Certification of verifying proof-of-payment of HVUT	23 CFR 669	Annual	1-Jan	Office of Highway Policy information	Finance Team	Office of Budget	Each year, the Governor of each State, or a designee must certify that the State is verifying that the HVUT has been paid before they issue or renew registrations on vehicles over 55,000 lbs. The HVUT program is administered by the Internal Revenue Service.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Heavy Vehicle Use Tax (HVUT) – Triennial review of State program	23 CFR 669.21	Triennial	Not Applicable	Office of Highway Policy information	Finance Team	Office of Budget	Every 3 years, the local Division Office will perform a review of the State process for verifying that the HVUT has been paid before a registration can be issued or renewed for vehicles over 55,000 lbs. The HVUT program is administered by the Internal Revenue Service.
Permanent ATR Data	Heavy Vehicle Travel Information System Field Manual	Monthly	Monthly	Office of Highway Policy information	Technology Applications Team	Office of Transportation Data	Submit monthly, within 20 days after the close of the month for which the data were collected.
Continuous Automatic Vehicle Classifier Data	Heavy Vehicle Travel Information System Field Manual	Monthly	Monthly	Office of Highway Policy information	Technology Applications Team	Office of Transportation Data	Send up to one week of data per quarter
Weight and Vehicle Classification Data Collected at Weigh-in-motion sites	Heavy Vehicle Travel Information System Field Manual	15-Jun	As needed	Office of Highway Policy information	Technology Applications Team	Office of Transportation Data	WIM data collected at non-continuous sites during a year should be submitted by June 15 of the following year. If continuous WIM data are available, then up to one week of data per quarter.
Approval of MAP-21 compliant SHSP update within the legislatively required timeframe.	23 U.S.C. 148 (d)(2)(B)	Non Recurring	By Aug. 1 of the fiscal year after the HSIP final rule is established	Office of Safety	Technology Applications Team	Office of Traffic Operations	FHWA Division Offices provide copy of SHSP process approval letter to HQ.
Highway Safety Improvement Program (HSIP) and Railway-Highway Crossing Program (RHCP) Reports	23 USC 148(h), 23 CFR 924.15	Annually	31-Aug	Office of Safety	Technology Applications Team	Office of Traffic Operations/Office of Utilities	As per MAP-21 guidance, reports are due to FHWA Division Office by August 31st and to the Office of Safety by September 30.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Transportation Performance Management (TPM) for Safety	23 USC 150, 23 USC 134, 23 USC 135, 23 USC 148(i)	Annually	31-Aug	Office of Safety	Technology Applications Team	Office of Traffic Operations	Per MAP-21, States and MPOs must set targets for established measures. Targets must be assessed for achievement
Review Drug Offender Driver's License Suspension Law & Enforcement Certification (Section 159)	23 USC 159 23, CFR 192.5	Annually	1-Jan	Office of Safety	Technology Applications Team	Office of Traffic Operations	Certifications due to the Division Office by January 1.
Section 154/164 Compliance Status - Funds Reservation	23 USC 154 and 23 USC 164	Annually	30-Oct	Office of Safety	Technology Applications Team	Office of Traffic Operations	States must submit a Shift letter to the Division Office by Oct. 30 indicating how to apply the penalty. New penalty states have additional time. The Office of Safety processes the compilation of information in a memo to the CFO.
Review Safety Belt Compliance Status	23 USC 153, 23 CFR 1215.6	Annually	Annually	Office of Safety	Technology Applications Team	Office of Traffic Operations	NHTSA. GDOT obtains this information from GOHS.
High Risk Rural Roads (HRRR) Special Rule	23 USC 148(g)(1)	Annually	31-Aug	Office of Safety	Technology Applications Team	Office of Traffic Operations	After the final FARS and HPMS data are available, FHWA HQ will inform the States if the HRRR Special Rule applies for the following FY.



Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Older Drivers and Pedestrians Special Rule	23 USC 148 (g)(2)	Annually	31-Aug	Office of Safety	Technology Applications Team	Office of Traffic Operations	States should include in their annual HSIP reports (due August 31st) the calculations performed, verifying whether the Older Driver Special Rule applies in the State. If the Special Rule applies to a State in a given year, the State must include in its subsequent SHSP strategies to address the increases in the fatality and serious injury rates for drivers and pedestrians over the age of 65.
FHWA Emergency Preparedness Program	Executive Order 12656 and FHWA Order 1910.2C	As needed	Not Applicable	Office of Operations	Project Delivery Team	Office of Maintenance	National Programs.
Real-Time System Management Information Program	23 CFR 511	As needed	8/11/14 (interstate) 8/11/16 (other routes)	Office of Safety	Technology Applications Team	Office of Traffic Operations	GDOT: Demonstrate methods to gauge accuracy and availability of real-time information and remedial actions if necessary. FHWA: Concurrence that methods provide reasonable checks.

## **ATTACHMENT C. MANUALS AND OPERATING AGREEMENTS**

### **Manuals**

Access Policy Affirmative Action Plan  
Bid Evaluation Procedures  
GDOT Bridge Design Manual  
Bridge and Structures Design Policy Manual  
GDOT Drainage Manual  
Georgia DOT Geotechnical Manual  
Bridge Structures Maintenance and Rehabilitation Repair Manual  
GDOT Low Impact Bridge Replacement Manual  
Consultant Selection Process  
Contract Administration Manual  
Contract Compliance Plan  
Disadvantaged Business Enterprise (DBE) Plan  
Environmental Procedures Manual  
Financial Services Manual Highway  
Safety Improvement Plan  
Local Public Agency (LPA) Guidelines and Manuals  
Materials Manual  
Right of Way Manual  
Standard Drawings  
State DOT Design Manual  
State Design Build Manual  
Statewide Transportation Improvement Program  
Supplemental and Standard Specifications  
Subrecipient Monitoring Policy and Procedures  
Title VI Plan  
Traffic Operations Manual (e.g. MUTCD supplement)  
Transportation Improvement Program  
Utility Accommodations and Policy Standards Manual  
Work Programs:

- Local/Tribal Technical Assistance Program (LTAP/TTAP)
- Transportation Planning Work Program (TPWP)
- Unified Planning Work Program (UPWP)
- GDOT Research and Development Manual

### **Operating (Programmatic) Agreements**

Programmatic Agreement for CMAQ Program (1995)  
FHWA/GDOT Cultural Resource Survey Guidelines (1987)  
MOU – No Potential to Cause Effects, GDOT Maintenance and Minor Highway Projects (as amended 10/16/2014)  
Programmatic Agreement – Implementation of TE Activities under the ISTEA of 1991 (1994)  
Letter Regarding No Historic Properties Affected Document (2001)  
Local NEPA/404(b)(1) Coordination Procedures (LCP) (2002)  
Joint Coordination Procedures for the Endangered Species Act and Fish and Wildlife Coordination Act (2007)

MOU Regarding Reevaluation of Environmental Documents for Section 106 Compliance with NHPA of 1966 as Amended (2003)

Programmatic Agreement between FHWA, GSHPO, ACHP for Taking Into Account Historic Properties under the Emergency Relief Program (2012)

NEPA Re-evaluation Procedures Letter (1999)

Letter to GDOT regarding Logical Termini (2007)

Implementation of Section 106 NHPA for Transportation Enhancement Activities under ISTEA 1991 (2004)

Waiver of HPD Concurrence on Historic Properties Affected document when no National Register eligible resources are within APE (2005)

Streamlined AOE Agreement for Sidewalk and Curb Cut (Wheelchair Ramp) Projects (2006)

Change to Format of No Historic Properties Affected Document (2005)

Exemption Regarding Historic Preservation Review Process for effects to the Interstate Highway System

Project Level PM 2.5 Procedures Memorandum of Agreement (2006)

Archaeological Reports with Negative Findings Streamlining Agreement (2007)

Exemption Regarding Historic Preservation Review Process for effects to the Interstate Highway System (2006)

Exemption Regarding Historic Preservation Review Process for effects to the Interstate Highway System in Georgia (2008)

Programmatic Categorical Exclusion Process Agreement (2013)

Deminimis 4(f) Determinations (2006)

Electronic Transfer Agreement – Section 106 Documents (2010)

Tribal Consultation Memoranda of Understanding (2006)

Tribal Consultation MOU – Thlopthlocco Tribal Town (2008)

Tribal Consultation MOU – Seminole Nation of Oklahoma (2002)

Low Impact Bridge Program – Section 106 MOA (2014)

MOA - GDOT/FHWA-GADIV Performance Indicators (2015)

MOA – Environmental Accountability (2015)

Risk-Based Project Level Oversight

GDOT Bridge Structures Maintenance Plan

## **ATTACHMENT D. GLOSSARY**

Assumption of Responsibilities – The act of State DOT to accept responsibility for carrying out and approving certain actions in the place of the FHWA. Such actions are to be taken by the State DOT in conformance with Federal laws, regulations, and policies.

Assumed Projects – Federal projects that the State DOT reviews in the place of the FHWA and has the authority to approve certain specified actions pertaining to design; plans, specifications, and estimates; contract awards; and inspections.

Certification Reviews – A review that formalizes the continuing oversight and day-to-day evaluation of the planning process.

Control Document – Applicable laws, regulations, standards, policies, and standard specifications approved by FHWA for use on Federal-aid highway projects.

Core Functions – Activities that make up the primary elements of the division office’s Federal-aid oversight responsibilities based on regulations and national policies. Core functions in the division office are Planning, Environment, Right-of-Way, Design, Construction, Finance, Operations, System Preservation, Safety, and Civil Rights.

Locally Administered Projects – For the purpose of the S&O Agreement, a Federal-aid project in which an entity other than a traditional State DOT is a sub-recipient and this entity is administering the particular phase being authorized, i.e., Preliminary Engineering, ROW, or Construction. These would include projects where the non-traditional entity will either perform the work itself or enter into a contract for services or construction. State DOT remains responsible for the local public agency’s compliance on locally administered projects.

Local Public Agency (LPA) – Any organization, other than a traditional State DOT, with administrative or functional responsibilities that are directly or indirectly affiliated with a governmental body of any Tribal Nation, State, or local jurisdiction. LPAs would most often include cities or counties. However, an LPA, as defined here, could also include a State entity as well, perhaps even a part of a State DOT. An example could include a Port Authority or Toll Authority that had not traditionally worked with the Federal-aid highway program (FAHP).

Oversight – The act of ensuring that the FAHP is delivered consistent with laws, regulations, and policies.

Program Assessments – This evaluation technique may take many forms, including joint risk assessments and self-assessments. These tools are based on the common concepts of identifying strengths, weaknesses, and opportunities and the identification and sharing of “best” practices to continually improve the program.

Program Reviews – A thorough analysis of key program components and the processes employed by the State DOT in managing the program. The reviews are conducted to: 1) ensure compliance with Federal requirements; 2) identify areas in need of improvement; 3) identify opportunities for greater efficiencies and cost improvement to the program; and/or 4) identify exemplary practices.

Projects of Division Interest (PoDIs) – PoDIs are those projects that have an elevated risk, contain elements of higher risk, or present a meaningful opportunity for FHWA involvement to enhance meeting project objectives. For PoDIs, FHWA has made a risk-based decision to retain project approval actions or conduct stewardship and oversight activities for the project as provided for in 23 USC 106.

Recurring Reviews – Reviews that the division office conducts annually or on a regular periodic basis. Examples include NBIS, HPMS, HVUT, etc.

Risk Assessment – The process of identifying a risk event, determining the likelihood of the event happening, determining the impact (positive or negative) of the event on the delivery of the FAHP, and identifying an appropriate risk response strategy.

Risk-Based Approach – Incorporating risk assessment and risk management into investment and strategic decision making (the means by which limited resources are focused).

Risk Management – The systematic identification, assessment, planning, and management of threats and opportunities faced by FHWA projects and programs.

Stewardship – The efficient and effective management of the public funds that have been entrusted to the FHWA.

Unit Performance Plan – The annual performance plan prepared by an individual FHWA unit that address unit responsibilities and priorities taking into account the National Performance Objectives and National Initiatives identified in the FHWA's Strategic Implementation Plan (SIP) as well as specific initiatives identified at the unit level based on risk.

## **ATTACHMENT E. PROJECT OVERSIGHT DESIGNATION REQUIREMENT IN THE FISCAL MANAGEMENT INFORMATION SYSTEM (FMIS)**

**PoDI/State Administered** – Projects of Division Interest that are administered by the State DOT. If specific 106(c) responsibilities are assumed by the State DOT, the responsibilities assumed should be noted in the project description and/or remarks fields. (Projects where all six 106(c) responsibilities are retained by FHWA would need no such notation.) These are projects where FHWA will review and approve actions pertaining to one or more of the following (design; plans, specifications, and estimates; contract awards; and project inspections) and may also include additional areas of focus by the division.

**PoDI/Locally Administered** – Projects of Division Interest that are locally administered. If specific 106(c) responsibilities are assumed by the State DOT, the responsibilities assumed should be noted in the project description and/or remarks fields. (Projects where all six 106(c) responsibilities are retained by FHWA would need no such notation.) These are projects where FHWA will review and approve actions pertaining to one or more of the following (design; plans, specifications, and estimates; contract awards; and project inspections) and may also include additional areas of focus by the division.

**Assumed/State Administered** – Projects where *responsibility for all six Section 106(c) items* is assumed by the State DOT and the project is administered by the State DOT. These are projects where the State DOT has assumed responsibility for review and approval actions pertaining to all of the following: design; plans, specifications, and estimates; contract awards; and project inspections.

**Assumed/Locally Administered** - Projects where *responsibility for all Section 106(c) items* is assumed by the State DOT and the project is administered by a local agency. These are projects where the State DOT has assumed responsibility for review and approval actions pertaining to all of the following: design; plans, specifications, and estimates; contract awards; and project inspections.

**Other** – There may be situations that do not fit the previous categories. In cases where the project is identified as “Other,” additional details should be provided in the project description and/or remarks fields. Examples could include non-State DOT direct recipients.

## **References:**

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## **History:**

annual review: 03/22/22

added to Manual of Guidance: 09/14/87

Reviewed: 3/3/2022