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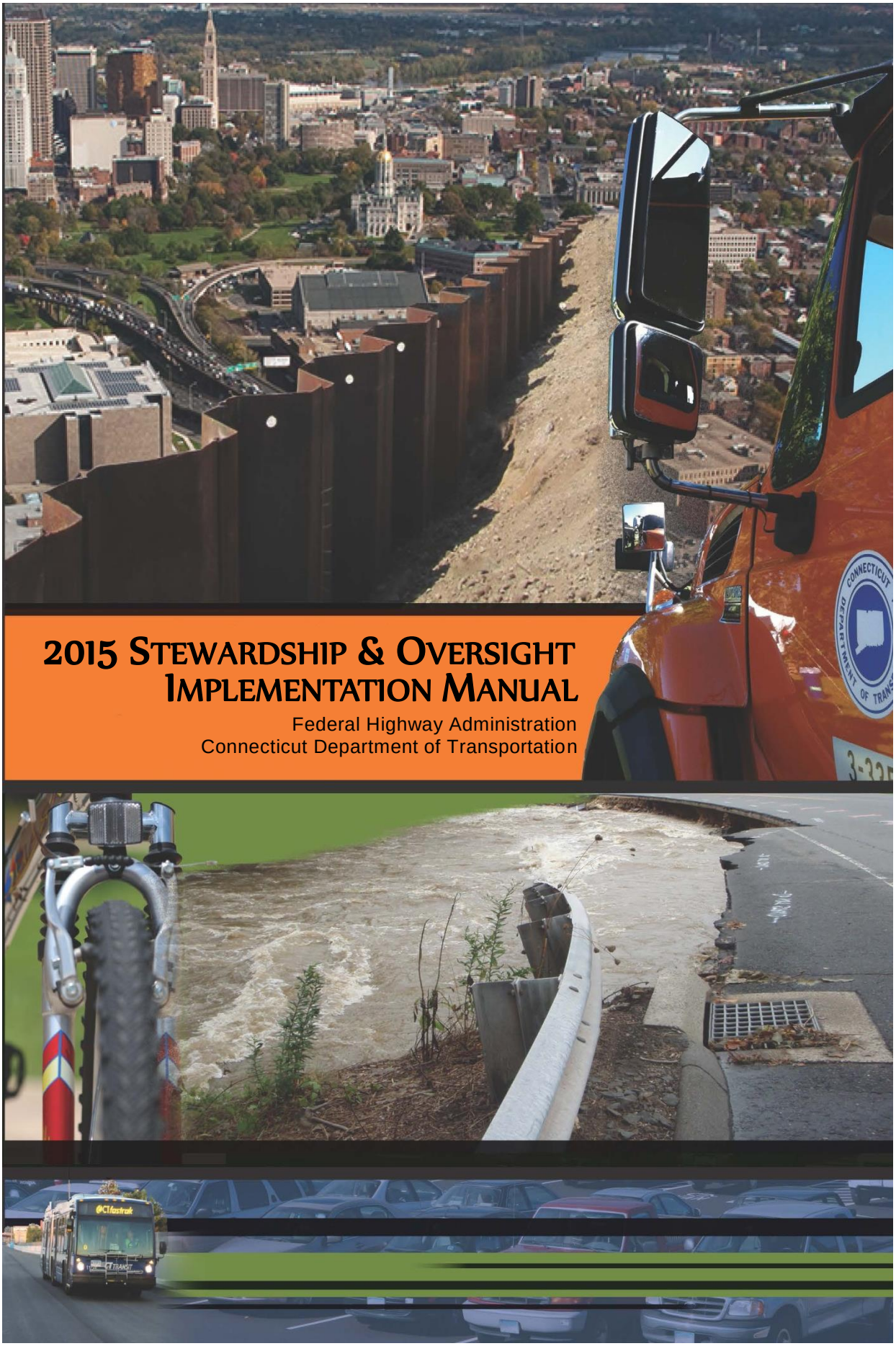

2015 Stewardship & Oversight Implementation Manual

Federal Highway Administration
Connecticut Department of Transportation

U.S. Department of Transportation
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Quick Acronym Reference

AASHTO	American Association of State Highway and Transportation Officials
ACHP	American Council on Historic Preservation
ACOE	Army Corps of Engineers
ADA	Americans with Disabilities Act
ASTM	American Society for Testing and Materials
ATR	Automatic Traffic Recording
BAC	Blood Alcohol Concentration
BSE	Bridge Safety and Evaluation
CAP	Compliance Assessment Program
CAP	Corrective Action Plan
CE	Categorical Exclusion
CFR	Code of Federal Regulations
CHAMP	Connecticut Highway Assistance Program
CMAQ	Congestion Mitigation and Air Quality
CN	Construction
COTS	Commercial off-the-Shelf
CPG	Combined Planning Grant
CPI	Continuous Process Improvement
CTDOT	Connecticut Department of Transportation
CWA	Clean Water Act
DAS	Department of Administrative Services
DBE	Disadvantaged Business Enterprise
DDIR	Detailed Damage Inspection Report
DEIS	Draft Environmental Impact Statement
EA	Environmental Assessment
EEO	Equal Employment Opportunity
EIS	Environmental Impact Statement
EO	Executive Order
ESA	Endangered Species Act
FAHP	Federal-aid Highway Program
FEIS	Final Environmental Impact Statement
FHWA	Federal Highway Administration
FIRE	Financial Integrity Report Evaluation
FMCSA	Federal Motor Carrier Safety Administration
FMFIA	Federal Managers' Financial Integrity Act
FMIS	Federal Management Information System
FONSI	Finding of No Significant Impact
FPR	Final Plan Review
FTA	Federal Transit Administration
HBP	Highway Bridge Program
HOC	Highway Operations Center
HPMS	Highway Performance Monitoring System
HQ	FHWA Headquarters in District of Columbia
HRRR	High Risk Rural Roads
HSIP	Highway Safety Improvement Program
HVUT	Heavy Vehicle Use Tax
IM	Interstate Maintenance
ITS	Intelligent Transportation Systems
LPA	Local Public Agencies
LTAP	Local Technical Assistance Program
MAP-21	Moving Ahead for Progress in the 21st Century Act
MOA	Memorandum of Agreement

MPO	Metropolitan Planning Organization
MUTCD	Manual of Uniform Traffic Control Devices
NBIS	National Bridge Inspection Standards
NEPA	National Environmental Policy Act
NHPP	National Highway Performance Program
NHS	National Highway System
NHTSA	National Highway Traffic Safety Administration
NOI	Notice of Intent
OJT	On the Job Training
OMB	Office of Management and Budget
PD	Preliminary Design
PE	Preliminary Engineering
PL	Planning Funds made available to MPOs
PM	Project Manager
PMS	Pavement Management System
POCI	Project of FHWA Corporate Interest
PODI	Project of FHWA Division Interest
PS&E	Plans, Specifications, and Estimate
QA/QC	Quality Control/Quality Assurance
RASPS	Rapid Approval State Payment System
RFQ	Request for Qualifications
RHGCP	Railway Highway Grade Crossing Program
ROD	Record of Decision
ROW	Rights-of-Way
S&O	Stewardship and Oversight
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users
SEAFORM	Systems Engineering Analysis Form
SEMP	Systems Engineering Management Plan
SEP	Special Experimental Project
SHPO	State Historic Preservation Officer
SHRP	Strategic Highway Research Program
SHSP	Strategic Highway Safety Plan
SLOSS	Suggested List of Study Surveillance Sites
SOP	Standard Operating Procedure
SPR	State Planning and Research
SRTS	Safe Routes to School
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
T2	Technology Transfer
TEA-21	Transportation Equity Act for the 21st Century
TIP	Transportation Improvement Program
TMA	Transportation Management Area
UPACS	User Profile and Access Control System
UPWP	Unified Planning Work Program
U.S.C.	United States Code
USCG	United States Coast Guard
USDOT	United States Department of Transportation
USFWS	United States Fish and Wildlife Service
WIM	Weigh in Motion

Table of Contents

Subject	*Page*
OVERVIEW	**1**
Purpose	
Background	
Introduction	
PROJECT OF DIVISION INTEREST (PODI) DEFINITION	**3**
• Determination of FHWA Interest	
PROJECT DEVELOPMENT & CONSTRUCTION	**5**
• During Preliminary Engineering (Including Design & Contract Approval)	5
• During Construction	9
• For Local Public Agency (Municipal) Administered	12
• For Term and Work Plan Projects	16
• Project Approval Summary for Design-Build	18
PROGRAM RESPONSIBILITIES	**20**
• Bridge Program	20
• Civil Rights	22
• Emergency Relief	25
• Environment	27
• Finance	32
• Intelligent Transportation Systems (ITS)/Operations	41
• Major Projects	47
• Pavement Design and Management	48
• Planning	49
• Quality Assurance for Materials	56
• Research, Development, and Technology	57
• Rights-of-Way	61
• Safety	64
• Miscellaneous Programs	68
• Performance Indicators/Measures	70
APPENDICES:	
A. Acronyms	71
B. Glossary	73
C. Project Oversight Designation Requirement in the Fiscal Management Information System (FMIS)	75
D. Procurements	76
E. Approved Manuals, Standards, or Processes	83
F. Stewardship & Oversight Agreement on Project Assumptions & Program Oversight	87
G. Figures and Tables List	109

Overview

Purpose

The purpose of the Stewardship and Oversight Agreement (contained in Appendix F) and the Implementation Manual is to formalize the roles and responsibilities of the Federal Highway Administration (FHWA) and the Connecticut Department of Transportation (CTDOT) for administering the Federal-Aid Highway Program. The Stewardship and Oversight Agreement/Implementation Manual is intended to result in the efficient and effective management of Federal funds and to ensure that the Federal-Aid Highway Program (FAHP) is delivered consistent with Federal laws, regulations, and policies.

Background

Federal funding is historically provided to assist States in establishing, maintaining and rehabilitating transportation infrastructure through the Federal-Aid Highway Program. By law, these funds are in the form of Federal assistance for State-administered programs. Since 1991, Federal highway legislation has allowed delegating project level responsibilities to States for actions in six areas; design, plans, specifications, estimates, contract awards, and inspection of projects. The Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991; the Transportation Equity Act for the 21st Century (TEA-21) of 1998; the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) of 2005; and the Moving Ahead for Progress in the 21st Century Act (MAP-21) of 2012 have all increased the role of State transportation agencies in project approvals.

Section 106 of Title 23 United States Code (USC), requires that the FHWA and the CTDOT enter into an agreement relating to the extent to which the State assumes the responsibilities. Title 23 is simply a codified compilation of laws pertaining to highways, passed over several bills, and contains most laws that the FHWA and the CTDOT must comply with in the Federal-Aid Highway Program. The Stewardship and Oversight Agreement specifies the project approvals subject to State assumption by the CTDOT, while the Implementation Manual defines the specific roles and actions necessary to be consistent with Federal laws and regulations in upholding these responsibilities, and goes beyond Title 23. These documents form a collaborative approach to administer the Federal-Aid Highway Program

Introduction

The department's Stewardship Committee and the FHWA collectively agreed to update the previous version of the Stewardship and Oversight Agreement in late 2013. The November 23, 2010, S&O agreement is in a user-friendly chart-type format, designed for quick reference, that also includes procedures specific to the CTDOT. It has been the CTDOTs experience that this document has proven to be a useful resource in its existing format. Subsequent to the committee's decision, the FHWA issued revised S&O guidance, dated March 28, 2014, that strongly urged the use of a template S&O agreement provided by the FHWA Headquarters across the 50 States. The intent of the template document is to facilitate a legal sufficiency review, and multiple other States have indicated that the template is generally adhered to. The template, however, does not provide the useful business practice functions to the CTDOT/FHWA Connecticut Division Office that the previous agreement contained. The CTDOTs Stewardship Committee consequently agreed to modify the format of the updated S&O agreement. The bulk of the new document is an Implementation Manual that embodies the authorities of the actual signed S&O agreement, but preserves the usefulness of the previous S&O format. The Implementation Manual is a user-friendly guide for the CTDOT and the FHWA staff on how the FHWA Connecticut Division Office and the State do business under the FAHP. The actual signed template agreement is contained in Appendix F. It is understood that the authorities reflected in the Implementation Manual do not exceed those granted by the S&O agreement in Appendix F.

The Implementation Manual is arranged in two sections, *Project* and *Program Implementation*, which have sub sections to explain both project and program-level actions needed to administer the Federal-Aid Highway Program. The program area chapters are titled to reflect common divisions of work related to highway and bridge projects. The Implementation Manual also includes, not only Title 23-assumed responsibilities, consistent with the signed Stewardship and Oversight Agreement at the end of this manual, but also other approvals as required under the Supercircular (2 CFR 225), Work Plans, cost estimates for the obligation of funds, and various other local products that the CTDOT generates and the FHWA uses to support our approvals.

Under MAP-21 there has been a significant change in the FHWA oversight program's project-level Stewardship and Oversight of the FAHP from previous years--the transition from "full-oversight" of projects to risk-based project stewardship and oversight. The goal of Risk-Based Project Stewardship and Oversight is to monitor the effective and efficient use of funds. At the FHWA division office and State level, Risk-Based Project Stewardship and Oversight has three main components: 1) required project approval actions, 2) data-driven compliance assurance, i.e., the Compliance Assessment Program (CAP), and 3) risk-based stewardship and oversight of Project of Division Interest (PoDI) and Project of Corporate Interest (PoCI). The PoDIs are projects, previously known as "Full" or "FHWA Oversight," identified by the FHWA division office that have an elevated level of risk (threat or opportunity) to the successful delivery of FAHP. The POCIs are a subset of the PODIs that the FHWA deems to be very significant, receiving a higher level of focus

The structure of the Implementation Manual allows the FHWA Connecticut Division Office and the CTDOT, through the Stewardship Committee, to make changes locally within the framework of the Stewardship and Oversight Agreement, and not need a legal review or endorsement from the FHWA Office of Infrastructure in Washington DC. Any proposed changes should be made in writing to the Stewardship Committee through the CTDOT Chief Engineer's Office. In 2008, the CTDOT established the DOT/FHWA Stewardship Standing Committee, whose primary responsibility is to modify the Stewardship and Oversight Agreement and Implementation Manual, as needed, and recommend its approval to the CTDOT Commissioner and FHWA Division Administrator. This Stewardship and Oversight Agreement replaces the prior November 23, 2010 Joint Agreement.

The undersigned have thoroughly reviewed the elements of this Implementation Manual and found them consistent with the signed Stewardship and Oversight Agreement on Project Assumption and Program Oversight dated 4/23/2015 and included as the last appendix to this plan.

FHWA Connecticut Division

Michelle C Hilary 6.2.2015

Signature Date

Michelle Hilary, Assistant Division Administrator, Federal Highway Administration

Connecticut Department of Transportation

Anna M Barry 6-1-2015

Signature Date

Anna M. Barry, Deputy Commissioner, Connecticut Department of Transportation

Project of Division Interest (PODI) Definition

As a clarification of terms from previous agreements, a PODI is similar to the well-known term *Full Oversight*, or *FHWA Oversight*. *Division Interest* means that the FHWA Connecticut Division Office will have a higher level of oversight. The CTDOT will transition their various manuals to phase-out the term *full oversight* and begin to use *PODI.* To further clarify for the end user (the CTDOT and 169 Towns), the term "FHWA" will be inserted in the term PODI. This guidance will use the term "Projects of FHWA Division Interest," but still use the corporate acronym PODI.

Most Planning, Rights-of-Way, Operations, and Research projects, and other term (see Implementation of Term and Work Projects section) projects are designated as the PODIs. Table 6 has project approval responsibilities defined for these types of projects. In addition, the Program Stewardship chapters of this document provide additional details for these special programs.

Determination of FHWA INTEREST (PODI)

The PODI Designation for Preliminary Engineering and Construction Phases:

For each and every PE or CN Federal-aid project, the project oversight is determined to be either:

- A Project of FHWA Division Interest (PODI), or
- Not a Project of FHWA Division Interest (Non-PODI)

The CTDOT performs the first screen of projects as detailed below; then the FHWA determines if the project is a PODI based on risk. The FHWA has an internal Standard Operating Procedure detailing this determination.

The following subset of Federal-aid projects are formally submitted by the CTDOT to the FHWA--usually early in the project initiation phase--for a determination of the FHWA interest of the Preliminary Engineering (design) and Construction phases:

1. All projects on the National Highway System (NHS), which includes the Interstate system;

2. All Intelligent Transportation System (ITS) projects with a construction cost greater than $1 million;

3. Any project involving unusual structural features, unusual hydraulic structures, movable structures, and tunnels. An unusual structure is one that is determined to have:
   - Difficult or unique foundation problems;
   - New or complex designs with unique operational or design features;
   - Bridges with exceptionally long spans; or
   - Bridges being designed with procedures that depart from currently recognized, acceptable practices. Examples of unusual bridges include cable-stayed, suspension, arch, segmental concrete, movable or truss bridges.

4. All projects funded through the Congestion Mitigation Air Quality (CMAQ) Program (Please note: CMAQ Projects must have a CMAQ Program Project Funds Eligibility Determination at some point during project development and before authorization of CMAQ funds. *See Planning Program Table* in the Planning chapter of this Agreement);

5. All construction activities utilizing Department of Administrative Services (DAS)--where DAS formally enters into the contract with the contractor, not the CTDOT--or construction activities performed by State or municipal forces utilizing Force Account.

Design and Construction projects not meeting these criteria are typically not PODIs and don't need to be submitted to the FHWA for formal determination of significance.

Table 1: Determination of FHWA Interest Summary

Work Activity	Projects Meeting Criteria 1-5 Above			Projects not meeting the Criteria Above
	CTDOT Action	FHWA Action		FHWA Action not needed*
Project Determination of Interest	Prepare & Submit	Determine Interest (PODI or Non-PODI)		
		PE and Construction Phases become PODI Follow left-most columns of Tables 2-3 and 6	PE and Construction are not PODI	PE and Construction Phases are not PODI

NOTE:
The FHWA or the CTDOT may elect to have any project which is normally not a PODI, to be a PODI.

When a preliminary engineering project is determined to be a PODI, that same oversight determination is generally applicable to the subsequent construction project(s), as well as, any other 'break-out' projects that result from the original preliminary engineering effort.

The final determination of interest occurs when the specific Federal-aid project is authorized and a formal Federal-aid agreement is entered by the FHWA and the CTDOT, usually in the FHWA's Financial Management Information System. A formal Federal-aid agreement is normally signed for each individual phase: PE, ROW, and Construction.

Project Implementation during Preliminary Engineering (Including Design & Contract Approval)

Background

Project Development is the process that takes a transportation improvement from concept through design. For the purposes of this stewardship plan, this chapter includes all project development up to and including the award of the construction contract.

Overview

The Project Development process typically begins with the authorization of a preliminary engineering project, through the Fiscal Management Information System (FMIS), based on an approved scope, cost estimate and schedule. The product of this authorization is most often an approved PS&E package; however, the scope may be limited to a specific interim product, such as Preliminary Design or an Engineering Report. Ultimately, the FHWA and the CTDOT must ensure that the agreed upon product is acceptably produced and approved. When the scope is to produce a PS&E package, the approval of the PS&E package by the CTDOT and/or the FWHA represents final acceptance of the Project Development effort and will be followed by the authorization of a Project Construction phase.

Operating Procedures

The FHWA and the CTDOT shall conduct their respective project oversight activities on Federal-aid projects to ensure consistent application of the approved policies and procedures, including this Agreement, throughout the Project Development process. The specific project oversight roles and assumed responsibilities are detailed in the Project Implementation Table below and the FHWA's internal PODI plan. Together, these make up the required Project Oversight Agreement:

- FHWA SOP on Determining Projects of Division Interest
- FHWA SOPs and Checklists (Design Reviews, Contract Administration)
- CTDOT's Assignment of Responsibilities and Checklist Pursuant to the Stewardship Agreement for State Oversight Pre-Construction Project Activities, Office of Engineering dated December 2014.

References

- ✓ 23 USC 109
- ✓ 23 CFR 625 and 630
- ✓ *A Policy on Geometric Design of Highways and Streets (the Green Book)*
- ✓ *A Policy on Design Standards – Interstate System*
- ✓ CTDOT's Highway Design Manual, 2003 Edition (including Revisions to February 2013)
- ✓ CTDOT's 2014 Cost Estimating Guidelines
- ✓ FHWA Guidelines on Preparing Engineer's Estimate, Bid Reviews and Evaluation dated 1/20/2004
- ✓ CTDOT's Project Development Guide, October 2012 or later

Table 2: Project Implementation Table for Preliminary Engineering

Work Activity	Projects on the NHS				Projects off the NHS	
	Projects of FHWA Division Interest (PODI)		Non-PODI		Non-PODI	
	Full Oversight or FHWA Oversight (terms no longer used by FHWA but included as a transition for CTDOT)		State Oversight or Delegated (terms no longer used, but included as a transition for CTDOT)		State Oversight or Delegated (terms no longer used, but included as a transition for CTDOT)	
	CTDOT Action[1]	FHWA Action	CTDOT Action[1]	FHWA Action	CTDOT Action[1]	FHWA Action
Project Authorization for Preliminary Engineering (CTDOT informally calls this the obligation date)	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve
Recommended Project Memorandum	Prepare & Submit	File	Prepare & Approve	None	Prepare & Approve	None
Major Scope Revision	Prepare & Submit	Review & Modify the FMIS Agreement if Necessary	Prepare & Approve	Comment	Prepare & Approve	Comment
Use of Consultants in a Management Role	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve
Consultant Contract Selection	Prepare & Approve	None	Prepare & Approve	None	Prepare & Approve	None
Consultant Scope of Services/Agreements for Major Projects[2]	Prepare & Submit	Review and Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review and Approve
Consultant Scope of Services / Agreements for non-Major projects	Prepare & Approve	None[5]	Prepare & Approve	None	Prepare & Approve	None
Sole Source Consultant Contract Selection	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve
Provide approval for complex and other unusual structures on the Interstate	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	NA	NA
Interstate Access Modification	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	NA	NA
Design Exceptions	Prepare & Submit	Review & Approve	Prepare & Approve	Comment at Design Exceptions meeting	Prepare & Approve	None
All EA/FONSI, EIS/ROD, 4(f), 106, 6(f) and other approval actions required by Federal environmental laws and regulations[6]	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve

Table 2: Project Implementation Table for Preliminary Engineering *(continued)*

Work Activity	Projects on the NHS				Projects off the NHS	
	Projects of FHWA Division Interest (PODI)		Non-PODI		Non-PODI	
	Full Oversight or FHWA Oversight (terms no longer used by FHWA but included as a transition for CTDOT)		State Oversight or Delegated (terms no longer used, but included as a transition for CTDOT)		State Oversight or Delegated (terms no longer used, but included as a transition for CTDOT)	
	CTDOT Action[1]	FHWA Action	CTDOT Action[1]	FHWA Action	CTDOT Action	FHWA Action
Categorical Exclusion Approval[8]	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve
Design Approval and Authorize Final Design Activities	Prepare & Submit	Review & Approve	Prepare & Approve	None	Prepare & Approve	None
Project Authorization for Right-of-Way (CTDOT informally calls this the obligation date)	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve
Value Engineering[3]	Prepare, Approve, and Submit	Review & Comment	Prepare & Approve	Review & Comment	NA	NA
Design Plan/Package Submittals (PE, PD, SLD, SF, FPR, etc)	Prepare & Submit & Resolve FHWA Comments	Review & Comment	Prepare & Comment	None	Prepare & Comment	None
Buy America Waiver	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve
Public Interest Findings (Cost Effectiveness): Non-Competitive Bidding; Use of State Force Account	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve
Public Interest Findings: Use of patented or proprietary materials; Use of State-furnished materials; Mandatory use of borrow/disposal sites; Salvaging items	Prepare & Submit	Review & Approve	Prepare & Approve	None	Prepare & Approve	None
PS&E Approval	Prepare & Submit	Review & Approve	Prepare & Approve	None	Prepare & Approve	None
Project Authorization for Construction (CTDOT informally calls this the obligation date)	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve
Addenda	Prepare & Submit	Review & Approve	Prepare & Approve	None	Prepare & Approve	None

Table 2: Project Implementation Table for Preliminary Engineering (continued)

Work Activity	Projects on the NHS				Projects off the NHS	
	Projects of FHWA Division Interest (PODI)		Non-PODI		Non-PODI	
	Full Oversight or FHWA Oversight (terms no longer used by FHWA but included as a transition for CTDOT)		State Oversight or Delegated (terms no longer used, but included as a transition for CTDOT)		State Oversight or Delegated (terms no longer used, but included as a transition for CTDOT)	
	CTDOT Action[1]	FHWA Action	CTDOT Action[1]	FHWA Action	CTDOT Action	FHWA Action
Concurrence in Contract Award	Prepare & Submit	Review & Approve	Prepare & Approve	None	Prepare & Approve	None
Rejection of Low Bidder and/or All Bidders	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve
Transportation Management Plans[5]	Prepare & Approve	None[5]	Prepare & Approve	None	Prepare and Approve	None
Utility and Railroad Agreements	Prepare & Approve	None[5]	Prepare & Approve	None	Prepare & Approve	None
Approve exceptions to maximum railroad protective insurance limits	Prepare & Approve	None	Prepare & Approve	None	Prepare & Approve	None
Approve the use of Consultants by a Utility	Prepare & Approve	None	Prepare & Approve	None	Prepare & Approve	None
State Police MOAs	Prepare & Approve	None[4]	Prepare & Approve	None	Prepare & Approve	None
Waiver of Payback of Preliminary Engineering Expenditures or Time Extension after 10 years	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve
Approval of Advertisement Period of less than 3 weeks	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve
Airport highway clearance coordination and respective public interest finding (if required)	Prepare & Submit	Review & Approve	Prepare & Approve	None	Prepare & Approve	None

NOTE:

[1] All of the CTDOT 'Action' items which indicate that the CTDOT shall 'Submit' to the FHWA, shall be Approved or otherwise endorsed by the CTDOT prior to submission to the FHWA, as applicable.

[2] *See Major Projects Chapter*; this requirement is in accordance with 23 CFR 172.9. Major projects are projects whose cost for all phases exceed $500M

[3] Value Engineering is required for projects over $50M and structures over $40M (the cost estimate is for all phases.)

[4] Available to FHWA upon request

[5] Transportation Management Plans as required specific to meet 23 CFR 630 Part 630, Subpart J, Engineering and Construction Policy #46

[6] If there is a 23 U.S.C. 326 or 325 assignment or Programmatic Categorical Exclusion agreement, decisions are handled in accordance with those assignments or agreements.

Project Implementation During Construction

Background

The overall purpose of the Construction Monitoring Program is to establish procedures for assuring that projects are constructed in accordance with the plans, specifications, and approved changes. The United State Code calls for the construction to be subject to the inspection and approval of the Secretary. FHWA performs that function on behalf of the Secretary.

The specific project oversight roles and assumed responsibilities are detailed in the Project Implementation Table below, the FHWA's internal PODI plan, and Construction Monitoring Program. Together, these make up the required Project Oversight Agreement.

Operating Procedures

- Construction Manual
- Municipal Manual
- Site Manager

References

- ✓ 23 USC 114
- ✓ 23 CFR 635
- ✓ CTDOT Construction Manual, Version 2.3, March 2013 or later
- ✓ CTDOT Standard Specifications for Roads, Bridges and Incidental Construction – Form 816 or later
- ✓ CTDOT Construction Engineering and Inspection, Information Pamphlet for Consulting Engineers, August 2008
- ✓ CTDOT Pamphlet for Monitoring Consultant Performance and Payment Requests for Construction Engineering and Inspection Services 2014
- ✓ FHWA Contract Administration Core Curriculum Manual and Reference Guide

Table 3: Project Implementation Table during Construction

Work Activity	Projects on the NHS				Projects off the NHS	
	Projects of FHWA Division Interest (PODI)		**Non-PODI**		**Non-PODI**	
	Full Oversight or FHWA Oversight (terms no longer used by FHWA but included as a transition for CTDOT)		**State Oversight or Delegated (terms no longer used, but included as a transition for CTDOT)**		**State Oversight or Delegated (terms no longer used, but included as a transition for CTDOT)**	
	CTDOT ACTION	**FHWA ACTION**	**CTDOT ACTION**	**FHWA ACTION**	**CTDOT ACTION**	**FHWA ACTION**
Notification of Pre-construction Meeting	Submit	Information	None	None	None	None
Record of Prior Approval for Major Contract Change Order	Prepare & Approve	Approve scope for eligibility [1]	Approve[4]	None	NA	NA
Change Orders	Prepare & Approve	Approve for eligibility [2]	Prepare & Approve[4]	None	Prepare & Approve[4]	None
Claims	Prepare & Approve	Approve for eligibility	Prepare & Approve	Approve for eligibility	Prepare & Approve	Approve for eligibility
Time Extensions	Prepare & Approve	Approve (agree with increase in incidentals, or application of liquidated damages)	Prepare & Approve	None	Prepare & Approve	None
Suspension of Work	Prepare & Approve	None	Prepare & Approve	None	Prepare & Approve	None
Termination	Prepare & Approve	Concurrence	Approve	Information	Approve	None
FHWA Construction Inspection Reports	Information & Action (if required)	Conduct & Prepare Report, Distribute to CTDOT	Information & Action (if required)	Conduct if Spot Checking	Information & Action (if required)	Conduct if Spot Checking
FHWA Final Construction Inspection	Information	Conduct & Prepare Report	Conduct & Prepare Report	None	Conduct & Prepare Report	None

Table 3: Project Implementation Table during Construction *(continued)*

Work Activity	Projects on the NHS				Projects off the NHS	
	Projects of FHWA Division Interest (PODI)		Non-PODI		Non-PODI	
	Full Oversight or FHWA Oversight (terms no longer used by FHWA but included as a transition for CTDOT)		State Oversight or Delegated (terms no longer used, but included as a transition for CTDOT)		State Oversight or Delegated (terms no longer used, but included as a transition for CTDOT)	
	CTDOT ACTION	FHWA ACTION	CTDOT ACTION	FHWA ACTION	CTDOT ACTION	FHWA ACTION
Final Acceptance (CON-501)	Prepare, Approve & Submit	Review (FHWA approves and files without notification back to CTDOT)	Prepare & Approve	Information	Prepare & Approve	Information
Materials Certification	Prepare & Approve	Information (normally submitted with final acceptance package above)	Prepare & Approve	None	Prepare & Approve	None
Buy America Waiver[3]	Prepare	Approve	Prepare	Approve	Prepare	Approve
Value Engineering Change Proposals	Review & Approve	Information (*See Change Orders above*)	Review & Approve	Information	Review & Approve	None
Acceptance of Bidder's Good Faith Efforts to Meet Contract Goal or of Prime Contractor's Good Faith Efforts to Find Another DBE Subcontractor when DBE Subcontractor is Terminated or Fails to Complete its Work	Prepare & Approve	None	Prepare & Approve.	None	Prepare & Approve	None
Construction Issues Form	Prepare & Submit	Information	Prepare	None	Prepare	None
Federal-aid agreement (modifications, Close-outs, Withdrawals)[5]	Prepare & Submit	Approve	Prepare & Submit	Approve	Prepare & Submit	Approve

NOTE:

[1] Major Contract Change Orders involve changes to: 1) the project scope 2) time extensions totaling 30 days or more and/or effect a contract milestone date 3) cost increases greater than or equal to $100,000 and require a prior approval to proceed from the FHWA. The subsequent change order shall also be submitted to the FHWA for final approval *See the Construction Manual for more details*.

[2] Routine change orders < $100,000 can be approved retroactively by the FHWA.

[3] Value of Permanent and material in excess of 0.1% of the contract value or $2500 whichever is greater

[4] All change orders are delegated even if a change order is changing the scope of the contract. The Non-Competitive approval row in Table 2 does not apply in terms of the FHWA approval. The CTDOT still must assess that it is in the public interest to perform the work via a change order and not by advertising a separate contract. In some cases, the description in the Federal-aid agreement may need to be changed also, prior to the work being performed. See the last row of the above table.

[5] CTDOT's Finance and Administration Section generates these actions

Project Implementation for Local Public Agency (Municipal) Administered

Background

The CTDOT has been given the authority by legislation to provide Federal-aid Highway Program funds to local public agencies (LPAs or municipalities) to perform the work. Municipalities are not recognized as direct recipients of Federal funds, the Federal funds for local aid projects are provided through the CTDOT. As a direct recipient of Federal funds, the CTDOT remains responsible for the sub-recipients' compliance with Federal requirements.

Connecticut General Statute Section 13a-165 authorizes the Commissioner of the CTDOT to accept Federal funds on behalf of municipalities for transportation projects.

The following two tables highlight key project work activities and the actions required by municipalities, the CTDOT and the FHWA.

Applicability

This chapter specifically applies to situations where the municipality holds and administers the construction contract or the consultant agreements.

In the event that a Municipality holds the consultant design agreement or does its own design and the CTDOT administers the construction contract, then this chapter is only valid through the final design package submittal. From the PS&E forward, the assumed responsibilities as outlined in Tables 2 and 3 apply. Also, if a Municipal Project is a PODI, Tables 2 and 3 apply, not Tables 4 and 5.

References

- ✓ 23 U.S.C. 106(c)(2)
- ✓ 23 U.S.C. 109(o)
- ✓ 23 CFR 1.11
- ✓ 23 CFR 635

Table 4: Municipality Administered Project Implementation Table during Preliminary Engineering

Work Activity	Projects off the NHS		
	Not Projects of FHWA Division Interest (non-PODI)		
	LPA (Municipal) ACTION	CTDOT ACTION[1]	FHWA ACTION
Project Scope/Concept	Prepare & Submit	Review & Approve	None, opportunity to comment
Project Authorization for Preliminary Engineering (CTDOT informally calls this the obligation date)[6]	None	Review & Submit	Approve
Major Scope Revision	Prepare & Submit	Review & Approve	None
Consultant Contract Selection	Prepare & Submit	Review & Approve	None
Sole Source Consultant Selection	Prepare & Submit	Review & Endorse	Approve
Consultant Scope of Services/Agreements	Prepare & Submit	Review & Approve	None
Interstate Access Modification[2]	Prepare & Submit	Review & Endorse	Approve
Design Exceptions[3]	Prepare & Submit	Review & Approve	None, Opportunity to comment
All EA/FONSI, EIS/ROD, 4(f), 106, 6(f) and other approval actions required by Federal environmental laws and regulations[5]	Prepare Studies	Prepare & Submit	Review & Approve
Categorical Exclusion Approval[5]	Prepare Studies	Prepare & Submit	Review & Approve
Design Approval and Authorize Final Design Activities	None	Prepare & Approve	None
Project Authorization for Right-of-Way (CTDOT informally calls this the obligation date)[6]	None	Review & Submit	Approve
Value Engineering[4]	Prepare & Submit	Review & Approve	Information
Design Plan/Package Submittals (PE, PD, SLD, SF, FPR)	Prepare & Submit	Review & Approve	None
Public Interest Findings: Sole Source, Proprietary products, Local-Furnished/ Designated Materials, Force Account work done by municipal forces	Prepare & Submit	Review & Approve	None
Buy America Waiver	Prepare & Submit	Review & Endorse	Review & Approve
Public Interest Findings (Cost Effectiveness): Non- competitive Bidding	Prepare & Submit	Review & Endorse	Review & Approve
PS&E Approval	Prepare & Submit	Review & Approve	None
Project Authorization for Construction (CTDOT informally calls this the obligation date)[6]	None	Prepare & Submit	Approve

Table 4: Municipality Administered Project Implementation Table during Preliminary Engineering *(continued)*

Work Activity	Projects off the NHS		
	Not Projects of FHWA Division Interest (non-PODI)		
	LPA (Municipal) ACTION	CTDOT ACTION[1]	FHWA ACTION
Approve construction engineering by local agency	Prepare & Submit	Approve	None
Addenda	Prepare & Submit	Review & Approve	None
Concurrence in Contract Award	Prepare & Submit	Review & Concur	None
Rejection of Low Bidder and/or All Bidders	Prepare & Submit	Review & Endorse	Review & Concur
Waiver of Payback of Preliminary Engineering Expenditures	None	Prepare & Submit	Review & Approve
Approval of Advertisement Period of less than 3 weeks	Prepare & Submit	Review & Approve	None
Airport highway clearance coordination and respective public interest finding (if required)	Prepare & Submit	Review & Approve	None

NOTE:

[1] All of the CTDOT Action items which indicate that the CTDOT shall be submited to the FHWA, must be endorsed by the CTDOT prior to submission to the FHWA, as applicable.

[2] A municipal project requiring Interstate Access Modification would be rare but could also include developer's projects.

[3] The FHWA's approval must be obtained for all Design Exceptions concerning projects affecting the Interstate System, regardless of Oversight determination or funding source.

[4] Value Engineering is required for projects over $50M and structures over $40M (the cost estimate is for all phases.) The CTDOT will submit the Final VE Summary Letter to FHWA for informational purposes.

[5] If there is a 23 U.S.C. 326 or 325 assignment or Programmatic Categorical Exclusion agreement, decisions are handled in accordance with those assignments or agreements.

[6] This is in the Fiscal Management Information System and is submitted by the CTDOT Finance and Administration.

Table 5: Municipality Administered Project Implementation Table during Construction

Work Activity	Projects off the NHS		
	Not Projects of FHWA Division Interest (non-PODI)		
	LPA (Municipality) ACTION	CTDOT ACTION	FHWA ACTION
Notification of Pre-construction Meeting	Prepare & Submit	Review & Attend	None
Change Orders[1]	Prepare & Submit	Review & Approve	None
Claims[2]	Prepare & Submit	Review & Approve	None
Time Extensions	Prepare & Submit	Review & Approve	None
Suspension of Work	Prepare & Submit	Review & Approve	None
Termination	Prepare & Submit	Review & Approve	Information
Certificate of Compliance	Prepare & Submit	Review & Approve	None
Certificate of Final Acceptance	Prepare & Submit	Review & Approve	None
Materials Certification	Submit	Prepare & Approve	None
Buy America Waiver[3]	Prepare & Submit	Review & Concur	Approve
Value Engineering Change Proposals	Prepare & Submit	Review & Approve	None
Public Interest Finding	Prepare & Submit	Review & Approve	None
Federal-aid agreement (modifications, Close-outs, Withdrawals)[4]	None	Prepare and Submit	Approve

NOTE:

[1] All change orders are delegated even if a change order is changing the scope of the contract. The Non-Competitive approval row in Table 4 does not apply in terms of the FHWAs approval. The CTDOT still must assess that it is in the public interest to perform the work via a change order and not by advertising a separate contract. In some cases, the description in the Federal-aid agreement may need to be changed also, prior to the work being performed. See the last row of the above table.

[2] Claims that may set legal precedence should be coordinated with the FHWA.

[3] Not needed when minimal use of foreign steel and iron materials does not exceed 0.1 percent of the total contract amount or $2,500 (the total amount of iron and steel products as delivered to the project), whichever is greater.

[4] The CTDOT Finance and Administration staff takes action on these.

Project Implementation for Term & Work Plan Projects

Background

Work Plan and Term Projects have continued to be a source of confusion when administering Federal-aid projects not termed to be "construction." An examples of Term and Work Plan projects include the funding the Newington Operations Center, a research project, a project to fund National Bridge Inspections, a project to fund the administration of the Safe Routes to Schools Program, or a project to develop and implement an Asset Management System.

In 2009, the FHWA performed a process review for work plan projects relating to the procurement under the then called Common Rule (now called Supercircular.) The conclusions of the process review resulted in clarifications of the FHWA approvals, especially FHWA approval of equipment and resulted in development of the implementation table below, and a CTDOT internal memorandum on purchasing of equipment dated 2/14/2013 (which replaced an earlier memo from 2010.) It also resulted in the FHWA writing appendix D to this manual entitled *Procurements.*

Applicability

This section applies to most projects that are not preliminary engineering (where the product is a PS&E), right-of-way (whose product is to acquire interest in property to construct, operation, or maintain the project as defined in the PS&E), or construction (where the scope is dictated by the approved PS&E).

References

- ✓ 23 CFR 630.106
- ✓ 23 CFR 420.115 and 23 CFR 420.117 (Planning)
- ✓ 23 CFR 420.205 and 23 CFR 420.207 (Research)
- ✓ 2 CFR 200.210 (Information to be included in a Federal award)
- ✓ 2 CFR 200.313 (Equipment)
- ✓ 2 CFR 200.343 (Close-out)

Table 6: Project Implementation Table for Term and Work Plan Projects

Work Activity	Projects of FHWA Division Interest (PODI) and on the NHS		Projects off the NHS Or Non-PODI		Documents/Products
	CTDOT ACTION	FHWA ACTION	CTDOT ACTION	FHWA ACTION	
Work Plan[1]	Prepare & Submit	Approve	Prepare and Approve	None	Scope, Schedule, Budget, and Expected Product
Equipment[1]	Request Equipment is necessary for the successful completion of the project	Approve	Request Equipment is necessary for the successful completion of the project	None	Documentation to the CTDOT approving the equipment which includes both Federal-aid number and State project number
Federal-aid authorization	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Authorization to Proceed and Effective Date to Incur costs
Progress Meetings (as needed, typically quarterly)	Coordinate and Invite	Participate & Document Progress of Project	Hold meeting	None	Meeting Notes
Performance and Expenditure Reports	Prepare & Submit	Use to Monitor the Grant	Prepare and Use to Monitor the Grant	None	Required at least annually, but no more than quarterly as agreed by FHWA (2 CFR 200.328 and 23 CFR 420.117b)
Final Product or Report[2]	Prepare & Submit	Approve	Prepare & Approve	None	Approved Product
Final Voucher including Reconciliation	Prepare & Approve	None	Prepare and Approve	None	Final Acceptance
Federal-aid agreement (modifications, Close-outs, Withdrawals)	Prepare & Submit	Approve	Prepare & Submit	Approve	Modified Federal-aid agreement or Closed Federal-aid agreement

NOTE:

[1] If Supercircular procurement is not covered in the work plan itself, a separate approval is needed as per the CTDOT's 2/14/2013 memorandum signed by Robert Card. If specific equipment is already listed in the approved work plan, a separate equipment approval is not needed.

[2] This could be a final report documenting a summary of products such as listing the number of bridge inspections performed, a MAIN-17 documenting that the Traffic Operations Center is still open, a Research Study, a Planning Study, a Recreational Trail map, a report on the Rideshare Program, a MPO Annual Report, Results of the Pavement Management Program, or any other documentation of the above referenced "Expected Product"

See Appendix D for more information on Supercircular Procurement

Project Implementation for Design-Build

Background

The State of Connecticut recently passed legislation allowing the CTDOT to utilize design-build procurement. Their first design-build project resulted in the FHWA and the CTDOT signing a specific project oversight agreement for that project. That oversight agreement formed the basis for development of the implementation table below.

Applicability

This table applies to any Design-Build project proposed to be funded through the Federal-aid Highway Program.

References

- ✓ 23 CFR 635.112
- ✓ 23 CFR 636
- ✓ FHWA Connecticut Division Standard Operating Procedure entitled: *Design-Build, Project Requirements and Administration* currently dated 5/20/2013.

Table 7: Project Implementation Table for Design-Build

Work Activity	Projects of FHWA Division Interest (PODI) and on the NHS		Projects off the NHS or Non-PODI		Documents/ Products
	CTDOT Action[1]	FHWA Action	CTDOT Action[1]	FHWA Action	
Design Submissions	Follow Table 2 of this Plan except for items in that table expressly Design-Bid-Build				
Environmental Approvals	Follow the Environmental Chapter of this Plan				
Letter of Intent (if utilized)	Issue to Contracting Community & Submit to FHWA	Review & Comment	Issue to Contracting Community	None	Approved Letter of Intent
Request for Statements of Qualifications	Issue & Submit to FHWA	Review & Approve	Issue	None	Approved RFQ Document
Short List of Firms	Review, Invite FHWA to participate, Determine if Firms meet the RFQ	Observe (non-voting member)	Review & Approve	None	Shortlist of Qualified Firms
Draft Request for Proposals	Prepare & Submit	Review & Comment,	Prepare & Approve	None	Request for Proposals

NOTE:
In general, Tables 2 and 3 apply

Table 7: Project Implementation Table for Design-Build *(continued)*

Work Activity	Projects of FHWA Division Interest (PODI) and on the NHS		Projects off the NHS or Non-PODI		Documents/ Products
	CTDOT Action[1]	FHWA Action	CTDOT Action[1]	FHWA Action	
Final Request for Proposals	Review & Submit	Review & Approve	Review, Approve	None	Approved Contract Documents for Design-Build Project
Project Authorization for Design-Build (a Combined Authorization for Final Design and Construction) (CTDOT informally calls this the obligation date)	Prepare & Submit	Review & Approve	Prepare & Submit	Review & Approve	Authorization to Proceed with Design-Build Phase of the Project
Technical Review of Proposals	Review, Invite FHWA to participate in Review & Make recommendation to Commissioner	Observe (non-voting member)	Review & Make Recomme ndation	None	Technical Score
Contract Award	Submit	Approve	Approve	None	Fully executed Design-Build Contract
Quality Assurance Program	Review & Submit	Approve	Review & Approve	None	Approved Quality Assurance Program
Early Release for Construction	Review, Approve, & Notify FHWA	Review and Comment	Review & Approve	None	
Design Packages	Review, Approve, & Notify FHWA	Review and Comment	Review & Approve	None	
Final Design Package	Review, Approve, & Notify FHWA	Review and Comment	Review & Approve	None	
Change Orders	Follow Table 3 of this Manual				
Construction Approvals	Follow Table 3 of this Manual				
Project Close-out	Follow Table 3 of this Manual				

NOTE:

This table applies to Best Value Design-Build. Parts of the table may apply to other variations of the Design-Build project delivery method. The evaluation of applicable parts will be based on the procurement manual developed by the CTDOT and approved by the FHWA.

Program Responsibilities

Program Responsibilities, Bridge

Background

National Bridge Inspection Standards (NBIS) were established by Part 650, Subpart C of 23 CFR and apply to all bridges carrying vehicular traffic that are greater than 20 feet in length and are located on a public road.

Subpart D establishes the procedures for administering the Highway Bridge Replacement and Rehabilitation Program (HBP). The program was established to replace and rehabilitate deficient highway bridges.

MAP-21 eliminates the HBP and replaces it with the NHPP program and the STP set-aside for local bridges.

Operating Procedures

- Bridge Design Manual
- Bridge Inspection Manual
- Local Bridge Program Manual

Please note that capital projects constructing, reconstructing, or rehabilitating bridges (whether or not they are using the HBP) follow the project development and project construction chapters of this plan.

Eligibility for the HBP is based on bridge inspection and inventory data submitted annually to the FHWA Office of Bridge Technology by the CTDOT. A selection list of eligible structures is furnished by the FHWA to the CTDOT. Prior to MAP-21, the distribution of HBP funds to each State is based on unit cost data for bridges, which is prepared annually by the CTDOT. The CTDOT may select any bridge on the selection list for replacement or rehabilitation under this program. Also, these funds may be used for systematic preventative maintenance without regard to whether the bridge is eligible for rehabilitation or replacement.

A NBIS compliance review will be conducted by the FHWA yearly with the CTDOT. The reviews include the following major NBIS elements: inspection procedures, frequency of inspection, qualifications of personnel, quality of the reports and the inventory. The FHWA will also review the CTDOT's QA/QC and Scour Evaluation programs, and their procedures to review, prioritize and make recommendations for repairs. An annual program review report is prepared by the FHWA Division Bridge Engineer and discussed with the CTDOT.

The CTDOT's Bridge Safety and Evaluation Section (BSE) is responsible to manage its bridge inspector certification program in compliance with the NBIS.

References

- ✓ 23 USC 144
- ✓ 23 CFR 650 Bridges, Structures and Hydraulics

Table 8: Bridge Program Summary

Activity	Authority	CTDOT ACTION	FHWA ACTION	Documents/ Products
National Bridge Inspection Program	23 CFR 650	Conduct inspections of structural conditions	Provide guidance and coordination with Federal Procedures.	Inspection Reports, load ratings and load posting. Annual Program Review Report.
	23 CFR 650 Subpart C, Annual Memo from HQ, 23 USC 144	Submit NBI and NBE inventory data to the FHWA annually by April 1.	Process data and resolve errors	Annual NBI Submittal, Selection List for HBP
		Prioritize and make repairs. Generate Annual Bridge List.	Review and comment on BMM's and Annual Bridge List	BMM, Annual Bridge List
	23 CFR 650 Subpart C	Participate in Annual Program Review.	Issue Letter by December 31st each year.	Annual Program Review Report
	23 CFR 650, 23 USC 144	Implement Plans of Corrective Action to address NBIS Compliance Issues	Review and Approve PCAs. Monitor their implementation and report to HQ Office of Infrastructure	
Bridge Replacement & Rehabilitation Program (HBP)	23 USC 144	Furnish unit cost data annually to the FHWA by April 1.	Review unit cost data and submit to the FHWA HQ Office of Infrastructure.	
Approval for reduction of expenditures for off-system bridges	23 USC 133(g)(2)(B)	Submit as needed	Review and Approve	The FHWA Administrator may reduce the requirement for expenditures for off-system bridges if the FHWA determines that the State has inadequate needs to justify the expenditure.

Program Responsibilities, Civil Rights

Background

The FHWA is committed to effectively implementing and enforcing civil rights programs within the CTDOT in its design, planning, construction, and management of the multimodal transportation system. The CTDOT 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***, ***the Civil Rights Restoration Act, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act,*** and the codified Federal regulations that outline these acts.

Operating Procedures

The FHWA provides technical expertise and assistance on all matters affecting compliance with Federal Civil Rights requirements in the CTDOT. This includes, but is not limited to the Office of Contract & Compliance (external program) and the Office of Equal Employment Opportunity & Diversity (internal program).

The FHWA Division Civil Rights Specialist reviews (and approves FWHA required documents) all civil rights program work plans and program documents and provides comments and recommendations to the CTDOT. The FHWA division office Civil Rights Specialist may participate in committees and teams set up by the CTDOT that address civil rights concerns about equal access, goal setting and affirmative action in employment and contracting opportunities.

Oversight Activities

The purpose of the FHWA oversight is to monitor the implementation and effectiveness of the CTDOT's Civil Rights Office program areas that include internal affirmative action/equal employment opportunity, contract compliance, small business development, 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 the CTDOT-initiated civil rights meetings and review activities. FHWA will review and approve the CTDOT's programs on an ongoing basis through process, quality assurance, and program reviews, and through active participation in continuous program evaluation and improvement. Appropriate FHWA representatives will actively participate in the CTDO- initiated reviews, task forces, and other civil rights initiatives upon request and to the extent feasible. Finally, the FHWA will analyze civil rights reports submitted by the CTDOT to help identify trends and provide feedback and recommendations for improvement to the CTDOT.

References

- ✓ Title VI of the Civil Rights Act of 1964 (42 USC 2000d, et seq);
- ✓ Section 162 (a) of the Federal-Aid Highway Act of 1973 (23 USC 324);
- ✓ Section 504 of the Rehabilitation Act of 1973 of 1973 (49 CFR 27);
- ✓ Age Discrimination Act of 1975;
- ✓ Americans with Disabilities Act of 1990 (28 CRF 35 & 49 CFR 37);
- ✓ Civil Rights Restoration Act of 1987;
- ✓ 49 CFR Part 21;
- ✓ 23 CFR Part 200;
- ✓ 23 CFR Part 230;
- ✓ USDOT Order 1050.2;
- ✓ Executive Order #12898 (Environmental Justice);
- ✓ Executive Order #13166 (Limited-English-Proficiency).

Table 9: Civil Rights Program Summary

Activity	Authorities	CTDOT ACTION	FHWA ACTION	REMARKS
DBE Semi-Annual Uniform Report	49 CFR 26.11	Prepare and Submit by December 1 (for the period of April 1 – Sep 30) and June 1 (for the period of Oct 1 – May 31)	Preview and Endorse, submit to the FHWA HQ. (14 days)	1. Review for accuracy of computations 2. Timeliness of submission 3. Implementation of recommendations based on analysis
Annual Contractor Employment Report – PR1392	23 CFR 230.121(a)	Prepare & submit. (no later than September 30).	Review & File. Submit to the FHWA HQ.	1. Review for accuracy of data. 2. Timeliness of submission 3. Implementation of recommendations based on analysis
State Internal Title VII AAP & Annual Updates	23 CFR 230.311(a)(1)&(2) 23 CFR Appendix A to Subpart C of Part 230, Part II	Prepare and Submit AA Plan (every 3 years) and Annual Updates by June 15.	Joint Review with FTA and approve.	Implementation of recommendations
Contractor Compliance Program document & Annual Update Reports including review schedule	23 CFR 230.311(a)(1)&(2) 23 CFR Appendix A to Subpart C of Part 230, Part I 23 CFR 230.413(b)	Prepare and submit Program document (every 3 years) and Annual Updates by Dec. 31.	Review reports and provide comments as appropriate.	Implementation of recommendations
Historically Black College/Minority/ HSI Institution of Higher Education Plan/Report	Executive Orders: 13230 13256 13270	Prepare and submit annual report on funding provided to educational institutions	Review, Prepare & Submit to the FHWA HQ. (14 days)	Review for accuracy Timeliness of submission
State Internal Employment Practice EEO-4 Report	23 CFR Appendix A & Subpart C	Prepare and Submit. (no later than September 30)	Review and File Submit to the FHWA HQ. (14 days)	Review for accuracy Timeliness of submission
Title VI Program & Annual Updates	49 CFR Part 21 & 23 CFR 200.9	Prepare and submit Program document (every 3 years) and Annual Updates by Oct.1st	Review, provide comments, and Approve	Review for completion Timeliness of submission
Title VI Program Reviews	23 CFR 200.9(b)(3)	Prepare schedule and include in Annual Update.	Provide Training & Technical Assistance.	Implementation of recommendations
DBE Program Plan/Update	49 CFR 26.21(b)(2)	Prepare and submit (no later than August 1) any changes as needed and update every 3 years.	Joint Review w/the FTA and approve. Submit to the FHWA HQ by August 31 (if there are changes)	Review data to identify any gaps/trends Timeliness of changes

Table 9: Civil Rights Program Summary *(continued)*

Activity	Authorities	CTDOT ACTION	FHWA ACTION	REMARKS
DBE Program Goals and Methodology	49 CFR 26.45	Prepare and submit (no later than August 1)	Review & Approve. Submit to the FHWA HQ and Resource Center Legal (for legal sufficiency) by Aug.31.	Discuss possible factors impacting goal setting process.
Contractor Compliance Reviews	23 CFR 230.413	Conduct CC reviews & participate in Site record reviews & create CAPs as needed.	None, file and participate as determined necessary.	Reviews performed & CAPs created as needed.
DBE & OJT Supportive Services Programs and Reports	23 CFR 230.113 23 CFR 230.205 23 CFR 230.117(b)(2)	Prepare and submit achievement reports as requested by the FHWA and as applicable	Review and Submit to the FHWA Office of Civil Rights (14 days).	FHWA Office of Civil Rights approves the request for continued funding
ADA Complaint Reports of Investigation	28 CFR 35.190	Prepare and submit achievement reports as requested by the FHWA and as applicable	Review and Submit to the FHWA Office of Civil Rights	FHWA Office of Civil Rights
Americans with Disabilities Act (ADA) /Sec. 504 Program Plan accomplishments and next year's goals	49 CFR 27.11(c), EO 12250	Annually By Oct. 1st	Review and Submit to the FHWA Office of Civil Rights	FHWA Office of Civil Rights
Return of unexpended funds used for Summer Transportation Institutes	23 CFR 230.117(2)	Annual By August 30th however State procurement rules may govern	Reviews	FHWA Office of Civil Rights
Request for National Summer Transportation Institute (NSTI) Proposals (SOWs)	23 USC 140(b)	Annual - TBA	Reviews submission for accuracy	FHWA Office of Civil Rights
NSTI Report (questionnaire)	23 USC 140(b)	Provides feedback on accomplishments/barriers	Provides feedback based on oversight	FHWA Office of Civil Rights

Program Responsibilities, Emergency Relief

Background

The Emergency Relief (ER) program uses allocated funds (non-formula) 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. This program supplements the commitment of resources by States, their political subdivisions, or other Federal agencies to help pay for unusually high expenses resulting from extraordinary conditions.

The ER program funds are not intended to cover all damage repair costs nor interim emergency repair costs that will restore the facility to pre–disaster conditions. Disasters must be of such magnitude as to be considered extraordinary to be considered for ER funding. To be considered extraordinary, the estimated Federal portion of the damage must meet a combined threshold of $700,000. Individual sites must reach a threshold of $5,000 in total cost to be eligible. This threshold is to distinguish a qualifying disaster site from maintenance. The maximum ER funding for an event is $100 million.

The ER funds are available for permanent repairs and for work accomplished more than 180 days after an event at the pro rata Federal-aid share that would normally apply to the Federal-aid facility damaged. For Interstate highways, the Federal share is 90 percent. For all other highway the Federal share is 80 percent. Emergency repair work to restore essential traffic, minimize the extent of damage, or protect the remaining facilities, accomplished in the first 180 days after the occurrence of the disaster, may be reimbursed at 100 percent Federal share. During this 180 day period, permanent repair work is reimbursed at normal pro rata share unless permanent repair is performed as an incidental part of emergency repair work.

Operating Procedures

Soon after an Event

- ✓ The FHWA Engineering Team Leader and various personnel at the CTDOT typically are in continuous contact the first day or two and up to a week after an event. For the next two or three months, the FHWA and the CTDOT may meet every week. Slowly, event specific meetings taper off and the ongoing operating procedures mentioned below continue.

Ongoing

- ✓ Allocations to and from the State of Connecticut are managed, typically once per quarter by reviewing, by event and by Federal-aid project, the obligations on Federal-aid projects, and the unobligated balances. Allocations are requested thru the FHWA division office to its HQ for those ER funds planned to be obligated that FY (and typically in 6 month increments.) Any unobligated balances that the CTDOT and the FHWA Connecticut Division Office agree are no longer needed for an event are de-allocated from the State of Connecticut and returned to HQ.
- ✓ Actual allocation notices are forwarded (like all allocation and apportionment notices) from the Financial Manager at the FHWA to the normal distribution list at the CTDOT.
- ✓ Individual project approvals follow the normal process as non-ER Federal-aid projects. See the Project Oversight section of this plan for more information and Tables 2 thru 5.

References

- ✓ 23 USC 125
- ✓ 23 CFR 668
- ✓ FHWA Emergency Relief Manual http://www.fhwa.dot.gov/programadmin/erelief.cfm
- ✓ FHWA, Connecticut Division, Emergency Relief Supplemental Manual, latest dated 9/18/2013
- ✓ CTDOT Construction Manual, Chapter 18 for projects in which FHWA waives competitive bidding
- ✓ CTDOT Procedures for Emergency Declaration Projects dated March 24, 1994

Table 10: Emergency Relief Program Summary

Work Activity	Authority	CTDOT ACTION	FHWA ACTION	Documents/ Products or Remarks
Request Quick Release Funds	23 CFR 668.111	Communicate with FHWA the extent of the damage (preliminary estimate) Send written request for Quick Release of a certain amount of funds based on preliminary estimate	Review and request Quick Release from HQ	Allocation Memorandum for Quick Release
Approve the Event	23 CFR 668.113	Submit a Letter of Intent Submit Federal-aid agreement(s) requesting obligation of Federal-aid or ER if available	Review & Approve Authorize Federal-aid Projects/Obligate ER funds if available	Letter of Acknowledgement
Request for a Total Allocation for the Event	23 USC 118b 23 USC 125 23 CFR 668.111 and 668.113	Submittal of a request supported by Damage Survey Summary Report (usually supported by preliminary DDIRs)	Review, Endorse, and Approve	Division Administrator's Finding (also known as the ER Funding Application) Allocation memorandums
Individual Detailed Damage Inspection Reports (DDIR) for each site		Prepare & Submit	Review and Approve	Approved DDIRs which forms the Scope and Budget for the individual sites
Individual Project Approvals		Follow Project Oversight Chapter and Tables 2 thru 5		
Final Inspections		Inform FHWA that Construction is complete	Visit project site and prepare a Final Inspection	FHWA Inspection Report
Close Event		Request De-allocation of released Unobligated Balances	De-allocate funds	De-Allocation Notices

Program Responsibilities, Environment

Background

The FHWA is the lead Federal agency responsible for compliance with a wide range of environmental requirements under a single, unified process for transportation decision-making. Pertinent laws and regulations include the National Environmental Policy Act (**NEPA**); implementing regulations of the Council on Environmental Quality (**CEQ**), 40 CFR Part 1500, *et seq.* and FHWA 23 CFR Part 771; Section 4(f) [49 U.S.C. §303] and implementing regulations 23 CFR Part 774; Section 106 of the National Historic Preservation Act (**NHPA**) and implementing regulations 36 CFR Part 800; Section 404 of the Clean Water Act (**CWA**); and Section 7 of the Endangered Species Act (**ESA**). Furthermore, the FHWA has a commitment to the "protection and enhancement of communities and the natural environment" as outlined in the U.S. DOT Strategic Goals.

Operating Procedures

For all projects that require an action or approval by the FHWA, both the CTDOT and the FHWA will work together in the project planning phase to (1) ensure compliance with NEPA and all other applicable laws and regulations, and (2) determine what type of environmental document is appropriate before an alternative is selected (location/design approval). The level of involvement will be commensurate with the degree of environmental impact or project complexity depending upon the class of action. The CTDOT will prepare and document a recommendation on the NEPA class of action required for each project using its *Environmental Review Form*. The CTDOT will be responsible for the preparation of all necessary environmental studies and documentation with guidance provided by FHWA.

Project Oversight

The majority of projects will be categorical exclusions (CEs) covered by the *Programmatic Agreement for Approval of Certain Categorical Exclusions between the Federal Highway Administration and the Connecticut Department of Transportation*, as amended. These projects will be documented by the CTDOT in accordance with the terms of that agreement.

Environmental Impact Statements (EIS), Records of Decision (ROD), Environmental Assessments (EA), Findings of No Significant Impact (FONSI), Section 4(f) Evaluations, Programmatic Section 4(f) Evaluations, and Section 4(f) *de minimis* Impacts Findings will be prepared by the CTDOT in accordance with the FHWA and/or CEQ regulations and guidance and submitted to the FHWA for review and approval.

All documents requiring legal sufficiency review will be forwarded to the FHWA legal counsel by the FHWA division office prior to approval of these documents. Legal sufficiency review comments are typically received by the FHWA division office within 30 days after receipt of the request. Re-evaluations of environmental documents will be assessed by formal written documentation in accordance with the FHWA regulations.

Table 11: Environment Policy/Program Approvals

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Approval of Public Involvement Program Procedures	23 CFR §771.111(h); 23 U.S.C. §128	Submit to FHWA when policy is updated.	Review changes and Approve Policy.	FHWA approves public involvement policy and any updates made.
Approval of NEPA Procedures, including Section 4(f)	23 CFR Part 771; 23 CFR Part 774; SAFETEA-LU §6007 & §6009; 23 U.S.C. §109(h)	Submit to FHWA when procedure/policy is updated.	Review updates and submit to FHWA HQ for review. Approve Procedures.	FHWA approves NEPA procedures updates.
Approval of Noise Policies	23 CFR §772.7; 23 CFR §772.9; 23 CFR §772.13; 23 U.S.C. §109(i)	Submit to FHWA when policy is updated.	Review updates and submit to FHWA HQ for review. Approve Policy updates.	FHWA approves updates made to noise abatement policy.

Table 12: Environment Reporting Requirements Summary

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
EIS Status Updates	FHWA Strategic Goal - EIS Timeliness	Submit quarterly the status of EIS projects to FHWA.	Review and provide information to FHWA HQ through PAPI.	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	16 U.S.C. §1544	Provide information annually.	Review and send information to HQ.	Done annually for reporting requirements under the Endangered Species Act.
Noise Barrier Inventory	23 CFR §772.13(f)	Provide information every 3 years.	Review and send information to HQ.	Done every three years for reporting requirements.
Congressional Report on Federally Sponsored Archaeology	43 CFR §7.19	Provide information annually.	Review and send information to HQ.	Done annually for reporting requirements.
Exemplary Ecosystem Initiatives Applications	FHWA's Vital Few Environmental Goal	Provide information annually.	Review any potential projects for recommendation to FHWA HQ.	

Table 13: NEPA Documentation Summary

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Categorical Exclusions				
Automatic or Programmatic Categorical Exclusion (CE)	23 CFR §771.117 (c) and (d). *Programmatic Agreement for Approval of Certain Categorical Exclusions between FHWA and CTDOT.*	Prepare and Approve Programmatic or Automatic CE.	Periodic Audit.	PA allows for CTDOT to approve CEs for actions listed in 23 CFR §771.117(c) & (d).
Categorical Exclusion (Individual CE)	23 CFR §771.117	Prepare and submit to FHWA for approval.	Review and Approve CE.	
Environmental Assessments and FONSIs				
Draft Environmental Assessment (EA)	23 CFR §771.119(c)	Submit to FHWA for approval.	Approve for Circulation and Public Comment.	
Final EA and Finding of No Significant Impact (FONSI)	23 CFR §771.121	Prepare Final EA and FONSI request. Submit to FHWA.	Review Final EA. Prepare and Issue FONSI.	
Environmental Impact Statements and RODs				
Agency Coordination Plan	23 U.S.C. §139(g)(1)	Prepare Coordination Plan for FHWA approval.	Review, Comment, and Approve Coordination Plan.	
Notice of Intent (NOI)	40 CFR §1508.22 23 CFR §771.123(a)	Provide information for NOI to FHWA.	Prepare NOI and Submit to *Federal Register* for publication.	
Draft Environmental Impact Statement (DEIS)	23 CFR §771.123	Prepare and Submit to FHWA for approval.	Approve DEIS for Circulation for Agency and Public Comment.	
Final Environmental Impact Statement (FEIS)	23 CFR §771.125	Prepare and Submit to FHWA for approval.	Approve FEIS.	Legal sufficiency review and prior concurrence review must be completed by FHWA Legal Counsel and HQ, which can take up to 30 days.
Record of Decision (ROD)	23 CFR §771.127	Prepare draft ROD.	Review, Revise, and Issue ROD.	Legal sufficiency review and prior concurrence review must be completed by FHWA Legal Counsel and HQ, which can take up to 30 days.
Supplemental EIS (SEIS)	23 CFR §771.130	Prepare and Submit to FHWA for approval.	Approve Supplemental EIS.	
Re-evaluations				
Re-evaluation	23 CFR §771.129	Prepare and submit to FHWA for approval.	Review and Approve Re-evaluation.	

Table 14: Section 4(f) Summary

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Section 4(f) *de minimis* Impacts Finding	49 U.S.C. §303(d); 23 U.S.C. §138(b); 23 CFR Part 774	Prepare and Submit to The FHWA for review and approval.	Review and Approve Section 4(f) *de minimis* Impacts Finding.	Must be reviewed by officials with jurisdiction prior to The FHWA approving finding [see 23 CFR §774.5(b)].
Programmatic Section 4(f) Evaluation	Approved Nationwide 4(f) Programmatic Evaluations	Prepare and Submit to the FHWA for review and approval.	Review and Approve Programmatic Section 4(f) Evaluation.	
Draft Section 4(f) Evaluation	49 U.S.C. §303; 23 U.S.C. §138; 23 CFR Part 774	Prepare and Submit to the FHWA for review and circulation for comment.	Review and circulation of Draft Section 4(f) Evaluation.	Must be reviewed by officials with jurisdiction and NPS [see 23 CFR §774.5(a)]. NPS review can take up to 45 days.
Final Section 4(f) Evaluation	49 U.S.C. §303; 23 U.S.C. §138; 23 CFR Part 774	Prepare and Submit to the FHWA for approval.	Review and Approve Final Section 4(f) Evaluation.	Final Section 4(f) evaluation must be reviewed by the FHWA Legal Counsel prior to approval [see 23 CFR §774.7(d)], can take up to 30 days for the FHWA legal sufficiency

Table 15: Section 106 and Tribal Consultation Summary

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Section 106 Consultation	36 CFR Part 800; *PA Among FHWA, CTDOT, CTSHPO, and ACHP Regarding Implementation of Minor Transportation Projects*	Consultation with SHPO and the FHWA. Make determinations of effects for projects included in PA.	Consultation with the SHPO and the CTDOT. Notification to ACHP, if Adverse Effect.	The CTDOT can make effect determinations for minor transportation projects listed in PA. ACHP has 15 days to respond to notification.
Section 106 Memorandum of Agreement (MOA)	36 CFR §800.6	Prepare and sign MOA. Submit to SHPO and the FHWA (and other signatories) to execute.	Review and Execute MOA.	The FHWA will execute MOA once other signatories have been executed.
Tribal Consultation	36 CFR Part 800; E.O. 13175	Prepare documentation for Tribes to review and comment. Submit documentation to the FHWA.	Review and send Tribal Consultation documentation to Tribes.	Tribes have 30 calendar days to respond.

Table 16: Endangered Species Act Summary

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Biological Assessment	Endangered Species Act, Section 7 (16 U.S.C. §1536); 50 CFR §402.12	Conduct species surveys and prepare biological assessment.	Coordination with the CTDOT, USFWS and CTDEEP, if needed.	The USFWS has 30 days to respond whether or not it concurs with BA.
USFWS ESA Section 7 Formal Consultation	Endangered Species Act, Section 7 (16 U.S.C. §1536); 50 CFR §402.14	Consult with the USFWS and the FHWA. Provide necessary information and data to the USFWS.	Coordination with The CTDOT and USFWS.	The USFWS has up to 45 days after completion of formal consultation to issue Biological Opinion.

Table 17: Permitting Summary

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Section 404 Permitting Process	23 U.S.C. §109(h)(1); 33 U.S.C. §1344; E.O. 11990; 33 CFR Part 320; 40 CFR Part 230	Prepare and Review permit application. Submit to U.S. Army Corps of Engineers (ACOE).	Consultation with the ACOE and Federal Agencies, if needed.	
STURAA U.S. Coast Guard (USCG) Bridge Permit Exemption	Surface Transportation Uniform Relocation Assistance Act of 1987; 23 CFR §650.805	Prepare and submit exemption package. Send to the FHWA for review.	Review package and provide exemption, if applicable. Send notification of exemption to the USCG.	

Program Responsibilities, Finance

Background

On July 6, 2012, President Obama signed into law P.L. 112-141, the Moving Ahead for Progress in the 21st Century Act (MAP-21). MAP-21 is the first long-term highway authorization enacted since 2005. MAP-21 represents a milestone for the U.S. economy – it provides needed funds and, more importantly, it transforms the policy and programmatic framework for investments to guide the growth and development of the country's vital transportation infrastructure. MAP-21 creates a streamlined and performance-based surface transportation program and builds on many of the highway, transit, bike, and pedestrian programs and policies established in 1991. The entire Stewardship Agreement provides greater emphasis on financial integrity, project delivery, and major project oversight. Pertinent operating procedures and policies are noted in the Operating Section below.

Operating Procedures

The CTDOT recognizes that sound Federal financial management stewardship and oversight encompasses the entire Federal-aid program from the authorization to proceed with preliminary engineering through construction and project closeout and final vouchering. Further, that the correctness and propriety of all Federal-aid reimbursement are its primary responsibility whether the primary cost document resides with the CTDOT or some third party. This responsibility is fulfilled by the CTDOT maintaining adequate and tested financial and operating policies and procedures and a sound accounting system with proper internal controls together with agreed upon audit activities.

The FHWA recognizes a need for their complete understanding of all pertinent financial and operating policies and procedures of the CTDOT. This includes but is not limited to: Policy Statements, Finance Directives, Purchasing and Stores Directives, State Accounting Manual, RASPS Manual, FMIS Manual, Federal Billing Manual, Procedure Manuals, etc. It is the FHWA's responsibility to provide technical assistance and advice in funding and financial areas in a timely manner to meet the processing needs of the CTDOT.

The culmination of the CTDOT and the FHWA Financial Management Stewardship and Oversight is the annual certification of the Financial Integrity Review and Evaluation (FIRE) Program and Federal Managers' Financial Integrity Act (FMFIA), completed by the FHWA Connecticut Division Office, of internal and financial controls to substantiate the financial statements.

Oversight Responsibilities

- ***Project Agreements***

  The CTDOT enters pertinent statistical, descriptive, and financial information into the FMIS and the project is signed electronically by both the CTDOT and the FHWA. All supporting documentation of the action is provided for full oversight projects as outlined in the project development and project construction chapters. Supporting documentation can be requested for delegated projects at the discretion of the FHWA.

  Amended agreements (modifications) document revised project estimates and corresponding increases or decreases in Federal obligations. The revised estimates take into consideration Core-CT system actual expenditures as well as estimates of the remaining costs to complete the project. The CTDOT enters the revised estimates and other necessary financial information and justification into the FHWA FMIS and the agreement modification is signed electronically by both the CTDOT and the FHWA.

  Advance construction (23 U.S.C. 115; 23 CFR 630 Subpart G) is an effective tool in innovative financing to advance a project's construction time line. An advance construction project must meet the same Agreement requirements and proceed in the same manner as a regular Federal-aid project, except for the following: The FHWA authorization does not constitute any specific

commitment of Federal funds, but does signify eligibility of the scope of work for future Federal participation and reimbursement to the CTDOT which will not occur until the advance construction amounts have been converted to Federal-aid funds. Conversion of advance construction projects requires an amended agreement which is electronically signed by both the CTDOT and the FHWA.

Both the CTDOT and the FHWA are committed to meeting customer requirements within appropriate time frames, to the maximum extent possible. The CTDOT will assure to the maximum extent possible that project authorizations submitted for the FHWA approval have satisfied all Federal regulations and requirements and are carried out in accordance with the approved Stewardship Agreement. The target time frame for the FHWA processing of project authorizations and agreements, and amended project authorizations and agreements is 10 working days.

- ***Reimbursement***

Federal-aid reimbursement to the CTDOT for eligible expenditures incurred is found in 23 U.S.C. 121. In accordance with 23 CFR 1.9(a), Federal-aid funds shall not participate in any cost which is not in conformity with applicable Federal and State law, the regulations in 23 CFR, and policies and procedures prescribed by the FHWA. The FHWA Connecticut Division Office provides oversight of Cost Reimbursement Contracts, pursuant to 23 CFR Part 140, 49 CFR Part 18, and 2 CFR 225 (OMB Circular A-87, "Cost Principles for State, Local, and Indian Tribal Governments"). Likewise, the FHWA must comply with the requirements of the Federal Managers' Financial Integrity Act of 1982 (FMFIA).

In order to facilitate the Federal Billing Process, the CTDOT utilizes the CORE-CT Peoplesoft Projects Costing module. Projects are funded with Federal funds made available in Federal-aid agreements and combined with State and/or other funding if required. This process ensures that the Federal Funds budgeted for projects are loaded and available for various module transaction processing. The CTDOT projects and activities chartfields allow for the integration, accounting, pricing and billing of transactional data from the other financial modules within Core-CT. Core-CT transactions are recorded in the General Ledger module and also in the Project Resource table. The Core-CT Contracts module is used to identify which expenditures are eligible for Federal reimbursement. The primary element that supports the billing process is the accounting distribution related to the project, project activities and source types. The following chart shows the high-level life cycle of a Federal project in the projects module**.**

Figure 1: Project Flowchart

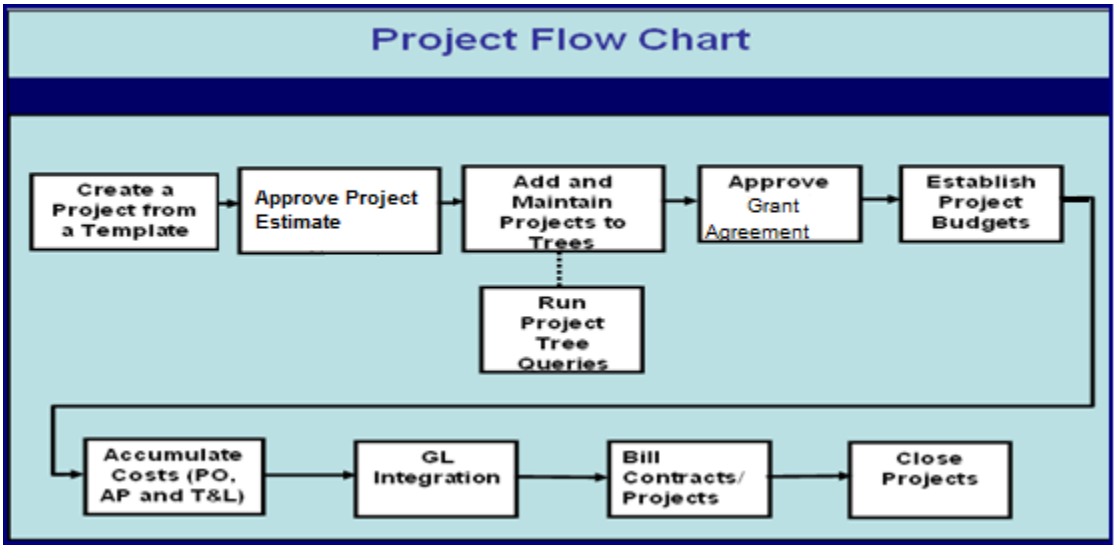
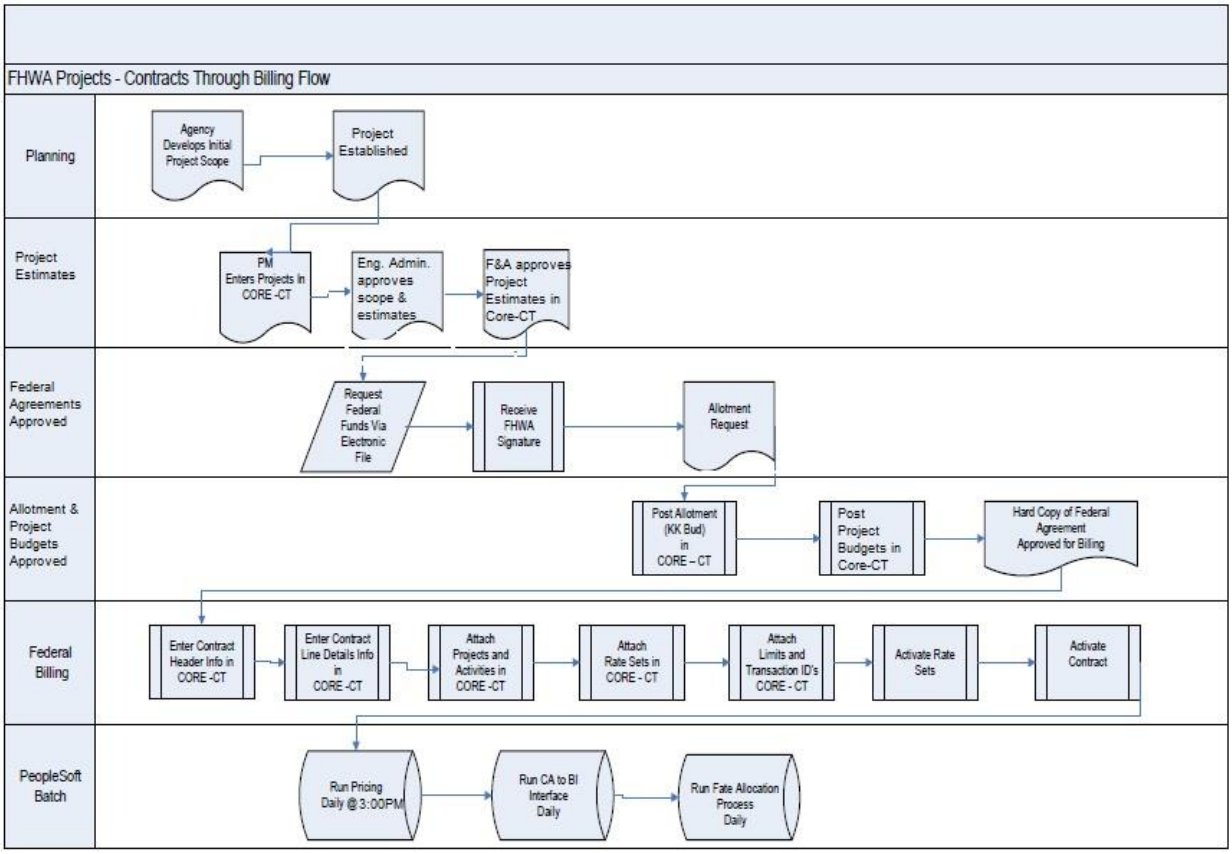


Figure 2: FHWA Projects Contracts through Billing Flowchart

(A high-level view of the FHWA process flow at the CTDOT--from Contract through Billing stages.)



Reimbursement to the CTDOT is presently made through the electronic Federal-aid Rapid Approval State Payment System (RASPS). In the future, starting in FY 2015 reimbursement to the CTDOT will be made through a Billing Module in the FHWA's Fiscal Management Information System (FMIS) 5.0. The Single Audit Act does not preclude the FHWA from performing program reviews. These reviews are undertaken

to facilitate oversight of the Current Billing process. Routine financial management reviews, in accordance with the FHWA Order 4560.1C (FIRE), may be conducted on the CTDOT's accounting systems and records to assure conformance with applicable laws, regulations, and government-wide accounting principles and standards.

- ***Cash Management***

  The Cash Management 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 grants and other programs. The U.S. Treasury and the State of Connecticut have entered into an agreement to describe its fund transfer procedures. The FHWA's involvement is to provide assistance and guidance to the CTDOT to facilitate compliance and to assist in the implementation of cash management improvements. The FHWA and the CTDOT have implemented electronic signature processes for reimbursement of the State's Current Billings and Project Authorizations and Agreements. The RASPS/FMIS 5.0 Billing Module provides the CTDOT with the ability to enter a date that will allow for the State of Connecticut's clearance pattern of checks, in order to satisfy the Cash Management agreement with the Federal Government.

- ***Fiscal Management Information System (FMIS)***

  The Fiscal Management Information System (FMIS) is the FHWA's major financial information system. It contains data related to all projects financed with Federal-aid highway funds. The FHWA uses this information for planning and executing program activities, evaluating program performance, and depicting financial trends and requirements related to current and future funding. Electronic data sharing allows the CTDOT to electronically sign and transmit FMIS data to the FMIS Warehouse database and then the FHWA can review and electronically approve the data. This process provides faster approvals and better control of funds. Both the CTDOT and the FHWA have the ability to access FMIS information to obtain current funding and project related reports. The data contained in FMIS allows both the CTDOT and the FHWA to monitor the level of obligations and ensure responsible management of the Federal funds. The CTDOT produces a monthly Status of Obligations Report which provides information by program on obligations and releases that have occurred in the month.

- ***Federal-aid Funding***

  The Federal-aid Highway Program is made up of a series of separately funded program categories, each having its own specific and separate funding as described in 23 U.S.C. Each of the programs has certain activities for which that funding may be used and are described in law. When an Authorization Act establishes a program, it sets certain ground rules under which the program operates. These rules include the amounts of funds available to the program for each fiscal year, period of availability, Federal participation ratio, Federal source, type of authority, and a listing of eligible activities. In order to be more responsive to Federal budget policy, a limit is placed on the total of funds that can be obligated during the fiscal year (obligation limitation).

  It is the CTDOT's responsibility to program their available funds each fiscal year in accordance with the eligibility criteria for the various programs and to ensure that projects are eligible for the programs under which funds are being requested. The FHWA Connecticut Division, in their role of administering and delivering the Federal-aid program, has a responsibility to provide information, guidance, and assistance to the CTDOT. Although this oversight is ongoing, when a new Authorization Act modifies existing programs, or adds or eliminates programs, the FHWA has a responsibility to advise the CTDOT that significant changes in the program have been made and to assure that appropriate financing procedures are implemented by the CTDOT.

- ***Financial Integrity Review and Evaluation Program (FIRE)***

  The Financial Integrity Review and Evaluation Program (FIRE) (FHWA Order 4560.1C) requires each Federal-aid division office to establish a risk-based financial management program. The FIRE program was established to ensure Federal funds are properly managed and effectively used in accordance with laws, regulations and Federal policies. The FIRE is a critical tool used by the FHWA to manage the risks associated with the Federal-aid program. Under this program, each Federal-aid Division office is required to submit an annual certification of internal and

financial controls to support the financial statements. To support the certification and address the prioritized identified risks, an Annual FIRE Plan is developed and completed during the current year.

Annually the division office conducts a risk assessment of its programs. A FIRE Plan is then developed and implemented. Activities such as financial management reviews, improper payment reviews, inactive obligation reviews, administrative reviews, single audit compliance, and Federal audit follow-up can be included in the Division's FIRE Plan. A majority of these FIRE activities are conducted in coordination with CTDOT and often as a joint division office/CTDOT activity. All findings, observations and recommendations from FIRE activities are required to be adequately addressed timely.

- ***Inactive Federal-aid Project Reviews***

The CTDOT is responsible for establishing a funds management program that will ensure that funds are being used effectively and lapsed funds are limited. This includes a quarterly review of inactive projects for possible release of funds for use on other eligible Federal projects. Currently an inactive project is defined as a project with no Federal billing for 12 months or more.

The FHWA division office will work with the CTDOT to review, on a quarterly basis, inactive projects with unexpended Federal obligations. A listing of projects, that has been prioritized, which the FHWA Connecticut Division Office and the CTDOT should focus its quarterly review will be sent to the Division from the FHWA's Office of the Chief Financial Officer (OCFO). Once excess obligations are identified, the CTDOT is required to take action to promptly de-obligate the funds through modification of the project agreement. Obligations should be revised to reflect the project's validated best cost estimate. The inactive percentage goal is 2% of the State's annual apportionment. The CTDOT will work with the FHWA division office to meet the established goal.

The CTDOT Office of Finance holds internal periodic meetings to discuss project closeout and inactive projects. Discussions about changes and /or improvements to financial processes that will reduce processing time to reduce the percentage of Inactive projects and release funds are discussed.

- ***Project Closeout***

The CTDOT is responsible for monitoring Federal projects for closure. Databases are maintained that include criteria needed to move projects to closure. The CTDOT has implemented a project status path in the Core-CT Project Costing module that will be used to track a project throughout the project closeout process. In addition, lists of projects sorted by authorization date and Federal appropriation are maintained to close out old projects and preclude the lapsing of Federal funds.

The CTDOT holds periodic meetings to discuss project closeout with representatives from the FHWA, the CTDOT Senior Management, and various operational areas. Issues impacting project closeout and final vouchering, as well as inactive project status are brought forward and necessary decisions, policy changes or guidance is provided to remedy the problems and allow the projects to continue along the closeout process.

- ***Audits***

Office of Management and Budget (OMB) Circular No. A-133 was issued pursuant to the Single Audit Act of 1984 [P.L. 98-502] and Amendments of 1996 [P.L. 104-156] for the purpose of setting forth standards for obtaining consistency and uniformity among Federal agencies for the audit of States, local governments, and non-profit organizations expending Federal awards. The United State Department of Health and Human Services, Office of Inspector General is the cognizant agency for audit responsibilities for the Connecticut Department of Transportation. Since the FHWA is the Federal awarding agency to the CTDOT, the FHWA Connecticut Division is administratively cognizant and has certain responsibilities in this area.

The State of Connecticut, Auditors of Public Accounts is responsible for conducting the State Single Audit for the State of Connecticut. The CTDOT, Office of Management and Technology

Services and FHWA will work together to establish an annual CTDOT audit program sufficient to meet the CTDOT audit responsibilities with regard to Federal funding. The FHWA is responsible for ensuring that audits are completed and reports are received in a timely manner, assure that findings are resolved, and corrective actions are taken in a timely manner as required by the FIRE Order. Further, the FHWA has a responsibility to provide technical advice and assistance to the CTDOT and auditors as appropriate, and advise the CTDOT of requirements imposed by Federal laws, regulations or provisions of contracts.

- ***Record Requirements/Retention***
  The CTDOT maintains the official expenditure and billing records for Federal projects. Supporting documentation will be retained by the CTDOT for three years after the modified Federal-aid agreement based on CTDOT's final voucher has been approved by FHWA. Documentation will include (but not be limited to) the Federal voucher report, material certification, project agreements/modifications, final record of costs and the final voucher. Supporting documentation retained by the CTDOT will be available to the FHWA upon request.

Program Evaluation

The CTDOT implemented an upgrade to their financial management system, Core-CT, in State fiscal year 2008. The FHWA has performed reviews of the system to ensure that appropriate controls are in place and functioning as designed. The CTDOT is committed to continuing to work with the FHWA to provide assurance that the CORE system meets requirements for Current Billing. Additionally, the CTDOT and the FHWA are working together to continue to reduce the number of inactive projects and identify procedures to expedite project closeout.

References

- ✓ 23 USC
- ✓ 23 CFR
- ✓ 49 CFR 18
- ✓ Map-21
- ✓ SAFETEA-LU
- ✓ TEA-21
- ✓ FHWA Order 4560.1C
- ✓ FMIS Manual
- ✓ RASPS Manual
- ✓ Chief Financial Officer Act of 1990
- ✓ FMFIA of 1992
- ✓ CMIA Act of 1990
- ✓ 2 CFR 225 (Formerly OMB Circular A-87)
- ✓ OMB Circular A-133
- ✓ Improper Payments Elimination and Recovery Act of 2010
- ✓ Improper Payments Elimination and Recovery Improvement Act of 2012

Table 18: Financial Management Program Summary

Activity	Authority[1]	CTDOT ACTION	FHWA ACTION	Remarks
Advanced Construction	23 U.S.C. 115	Identifies the potential Federal share of project costs as "Advanced Construction" if not Full Obligation when submitting requests for authorization of new projects.	Authorizes the approval of Advance Construction funding (No funds are obligated at this time) At a later date, approves the conversion of Advance Construction amounts to obligated amounts when requested by agreement modification.	Projects are authorized without obligation of apportionment, or impact to limitation, until funds are needed.
Amended/ Modified Project Authorizations and Agreements	23 U.S.C. 106 (b)	Submits approved request using electronic signature.	Amended/ modified authorizations are reviewed and approved by the FHWA Program Managers with the Division Finance Team completing the final approval. All approvals are via electronic signature. Target completion: 10 working days or less.	Electronic signed Amended Authorization/ Agreement executed between CTDOT and the FHWA. Project has been authorized and Federal funds obligated.
Appropriations, Allotments, Obligations	31 USC 1341(a)(1)(A) & (B); 31 USC 1517(a); 23 USC 118(b), 23 USC 121	Monitors appropriations, allotments and obligation authority (OA) throughout the fiscal year to ensure full use of OA by the end of the year.	Throughout the fiscal year, monitors and coordinates with CTDOT to ensure its full use of OA by the end of the fiscal year.	State will monitor appropriations, allotments and obligations to ensure that all funding is used efficiently within each quarter and use all Obligation Authority (OA) by the end of the year.
Approval of Increased Federal Share Agreement (Sliding Scale)	23 USC 120(b)(2)	Not Applicable	Not Applicable	A State must enter into an agreement with the 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.
Approval of Indirect Cost Allocation Plans (ICAPs)	49 CFR Part 18; 2 CFR 200 Subpart E (previously 2 CFR 225); ASMBC-10	Not Applicable	Not Applicable	The State will certify that the ICAP was prepared in accordance with 2 CFR 200 Subpart E

Table 18: Financial Management Program Summary (continued)

Activity	Authority[1]	CTDOT ACTION	FHWA ACTION	Remarks
Audit Coordination/ FHWA Financial Statement Audit/State External Audit Reviews/State Internal Audit	FMFIA, 49 CFR 18.26; OMB Circular A-123, 133; GAAP, CFO Act of 1990; DOT Order 8000.1C	As needed, the CTDOT identifies audit findings and assures corrective action is taken to resolve the findings.	As needed, reviews audit reports and identifies findings applicable to CT. Takes necessary actions to monitor, implement and close out all findings.	State assures corrective action is taken to resolve audit findings and the FHWA will monitor activities to ensure implementation.
Federal-aid Billing Reimbursement	23 U.S.C. 118, 23 U.S.C. 121	Submits electronically to the FHWA, as often as desired.	The FHWA Finance Team approves electronically within 3 days of receipt.	Excess obligations as confirmed by the CTDOT are deobligated.
Finance Plans	23 U.S.C. 106 (h), (i)	See Major Projects Chapter	See Major Projects Chapter	See Major Projects Chapter
FIRE Program Activities	FHWA Order 4560.1C (or as superseded)	FIRE activities are conducted in coordination or jointly with the FHWA. Supporting documentation provided as needed.	Annually for the PY, the division office develops a FIRE Plan. FIRE Plan activities/reviews are accomplished throughout the year. FIRE Certification/FMFIA is completed.	State continues to provide oversight and conduct reviews to ensure Federal-aid compliance. The FHWA will review and monitor. State responsibilities include multiple tasks in support of risk assessments, conducting reviews, and implementation of recommendations.
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, the CTDOT assists with the completion of the data submittal forms and provides source documents.	Annually, the division office conducts a review and prepares the data submittal forms, per the auditors test sampling. Data submittal forms with source documents are submitted to the auditors.	State will provide all information necessary to document sampled payments and the FHWA offices will review and complete appropriate data submittal forms.
Project Authorizations and Agreements	23 U.S.C. 106 (b)	Submits approved request using electronic signature.	Project reviewed and approved by the FHWA Program Managers. Fund obligation approval by Financial Manager. All approvals are via electronic signature Target completion:	Project Authorizations and Agreements

Table 18: Financial Management Program Summary (continued)

Activity	Authority[1]	CTDOT ACTION	FHWA ACTION	Remarks
Innovative Financing	23 USC 601-609, 23 USC 122; GARVEE Guidance 3/14, NHS Act Section 308; 23 USC 610; SIB Guidance 3/14	When the CTDOT determines a non-traditional funding arrangement would be required or preferred, the CTDOT initiates discussion with and submits documentation to the FHWA regarding the proposed financing plan for a project. Examples might be the use of soft match, tapered match or Grant Anticipation Revenue Vehicle Bonds (GARVE).	The FHWA reviews the CTDOT's proposed Finance plan, seeks clarification or additional information and provides concurrence or rejection of the Plan when requested.	The FHWA concurs with or rejects plan. Documentation of the plan is maintained by the CTDOT and referenced in State Remarks in the Federal aid agreement.
Project Authorizations and Agreements	23 U.S.C. 106 (b)	Submits approved request using electronic signature.	Project reviewed and approved by the FHWA Program Managers. Fund obligation approval by Financial Manager. All approvals are via electronic signature Target completion: 10 working days or less.	Electronic signed Project Authorization/Agreement executed between the CTDOT and the FHWA. Project has been authorized and Federal funds obligated.
Project Closeout	23 U.S.C. 118, 23 U.S.C. 121	Monitors internal systems to move projects to closure; submits and electronically signs close out requests.	FMIS close out request reviewed and electronically signed by Program Managers. Final financial close out approved by Financial Manager.	Project closed out.
Reviews of State Transportation Departments Financial Management Systems - Financial Integrity	23 USC 106(g)(2)(A)	Annually See FIRE Program activities	Annually See FIRE Program activities	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)."

Table 18: Financial Management Program Summary (continued)

Activity	Authority[1]	CTDOT ACTION	FHWA ACTION	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, the CTDOT participates in reviews in coordination or jointly with the FHWA.	As needed, the FHWA conducts reviews.	
Transfer of Funds between programs or to other FHWA offices or agencies as requested by State	23 USC 126	As needed, submits Transfer Form requests to FHWA to transfer funds.	As needed, Division reviews, approves and submits the Transfer Request Form to HQ.	State will submit requests for transfer and the FHWA approves and processes the funding transfers between programs, to other States, to other agencies, and to the FHWA HQ, Federal Lands, or Research offices.

NOTE:

[1] 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 guidance); Circulars A-89, A-102, and A-133; and the guidance in Circular A-50 on Single Audit Act follow-up.

Program Responsibilities, Intelligent Transportation Systems (ITS)/Operations

Background

- ***Intelligent Transportation Systems (ITS)***
  Federal regulations (23 CFR 940) define ITS as "…electronics, communications, or information processing used singly or in combination, to improve the efficiency or safety of a surface transportation system." This is a broad definition, covering the range from small, simple devices up to large and complex systems. In addition to this definition, ITS systems should include comprehensive management strategies and apply technologies in an integrated manner. The purpose of ITS integration is to share information and reduce redundant spending between jurisdictions. ITS integration includes both technical and inter-agency aspects of system development. An ITS Project is defined as "any project that in whole or in part funds the acquisition of technologies or systems of technologies that provide or significantly contribute to the provision of one or more ITS user services as defined in the National ITS Architecture."

Funding Programs

- ***CMAQ***
  Section 1808 of SAFETEA-LU expands eligibility of projects or programs that improve transportation systems management and operations that mitigate congestion and improve air quality. This could include establishment or operation of a traffic monitoring, management, and control facility. Projects that improve traffic flow, including efforts to provide signal systemization, streamline intersections, improve transportation systems management and operations that mitigate congestion, improving incident and emergency response and real time traveler information are also eligible.

- ***NHPP***
  The National Highway Performance Program supports funding for capital and operating costs in the ITS program area. Capital and operating costs for traffic and traveler information monitoring, management, and control facilities and programs are eligible using NHPP funds. In addition, infrastructure-based intelligent transportation systems capital improvements (project or activity must be associated with the NHS) are eligible under this program.

- ***STP***
  The Surface Transportation Program provides Federal-aid eligibility for capital and operating costs for traffic monitoring, management, and control facilities and programs. The STP is also eligible for infrastructure-based ITS capital improvements.

Types of ITS Projects

- ***Major Intelligent Transportation Systems Projects (both NHS and non-NHS)***
  A major ITS project is one that implements in whole, or a part, of a statewide or local agency ITS initiative that is new technology, multi-jurisdictional, multi-modal, or affects statewide or local agency integration of ITS systems. A major ITS project has ***one* (or more)** of the following characteristics:

  1) Multi-jurisdictional or multi-modal
  2) Custom software is required
  3) Hardware and communications are “cutting-edge” or not in common use
  4) New interfaces to other systems are required
  5) System requirements are not detailed or not fully documented
  6) Operating procedures are not detailed or not fully documented
  7) Technology service life shortens project life-cycle

  The project manager must submit a Systems Engineering (SE) Analysis Form (SEAFORM) for further determination by the FHWA. Upon approval of the SEAFORM, the project manager must submit a Systems Engineering Management Plan (SEMP) to the FHWA for approval to advance to final design for all major ITS projects classified as a Project of the FHWA division Interest.

- ***Minor ITS Projects***
  Minor ITS projects do not require a Systems Engineering Management Plan approval by the FHWA. However, a SEAFORM must be filled out and approved prior to Preliminary Engineering.

  Minor ITS projects are often referred to as ITS infrastructure expansion. Standard Plans, Standard Specifications, and Standard Special Provisions are well documented. These projects will have all of the following characteristics:

  1) Single jurisdiction; single transportation mode (highway, transit or rail)
  2) No software creation; commercial-off-the-shelf (COTS) or proven software
  3) Proven COTS hardware & communications technology
  4) No new interfaces
  5) System requirements fully detailed in writing

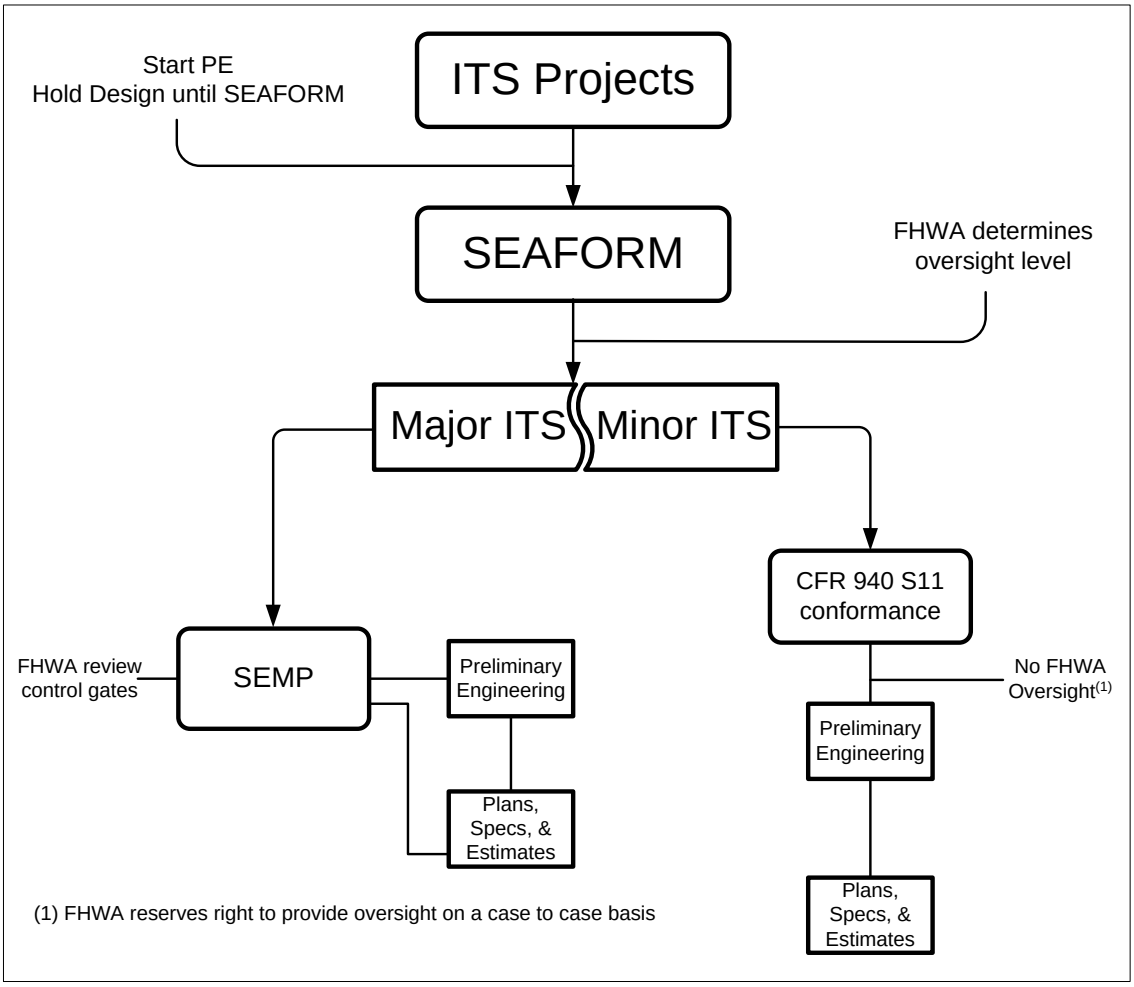
6) Operating procedures fully detailed in writing
7) Project life-cycle not shortened by technology service life

Projects that fit the above definition and characteristics are “minor” ITS projects regardless of project costs. It should be recognized that, although there may be no “formal” Systems Engineering requirements, good procurement practices should ensure the development of detailed systems requirements and specifications plus a thorough acceptance plan. These items are elements of the SE process; hence, this is one example of scaling down the SE process to fit the needs of a minor project.

Operating Procedures

All ITS projects shall follow the process flow diagram shown in Figure 3. Application and control of the SE process is a key element of the PE process on ITS projects. Federal-aid ITS projects shall follow the regular Federal-aid procedures as detailed in the Project Oversight Chapters. The completion of the SEAFORM prior to PE obligation and authorization procedure assures conformity with 23 CFR 940.

Figure 3: PE Process for Intelligent Transportation Systems



➢ Major ITS Projects - Procedures

1. The Project Manager (PM) forwards the SEAFORM to the FHWA for concurrence and oversight determination.

2. The FHWA reviews the SEAFORM for the FHWA oversight determination, comments on the SEAFORM, and sends the information back to the PM.

3. The PM revises the SEAFORM upon receipt from the FHWA. If the project is determined to be a Major ITS project and a Project of the FHWA division Interest, the PM will submit a SEMP and the Systems Engineering process to the FHWA for review and approval.

4. The FHWA notifies the PM that they approved the SEMP and Systems Engineering process.

5. Upon receiving final SEMP and process product(s) approval, the PM may proceed with PE.

➢ Construction

1. If the ITS project includes activities defined as construction; the PM must submit a PS&E package requesting construction authorization. The request includes the necessary Federal-aid paperwork and requirements in accordance with 23 CFR 635.

2. Beyond this point, normal Federal-aid procedures apply for completing the project.

➢ Minor ITS Projects - Procedures

The procedures for minor ITS projects will follow the traditional Federal aid PE procedures. ITS documentation remains a requirement in accordance with the CTDOT oversight requirements. However, no SEMP review and the FHWA review are required.

1. The Project Manager (PM) forwards the SEAFORM to the FHWA for concurrence and oversight level.

2. The FHWA reviews the SEAFORM for the FHWA oversight determination, comments on the SEAFORM, and sends the information back to the PM.

3. The PM revises the SEAFORM upon receipt from the FHWA. If the project is determined to be a Minor ITS project, the PM will proceed with PE.

➢ ITS in Traditional Roadway and Other Federal-aid Projects

The procedure for any ITS elements in traditional roadway or other Federal aid projects shall follow the Operating Procedures described above.

Project Oversight

➢ ITS Regional (Statewide) Architecture – 23 CFR 940.9

The applicable regulation for ITS projects is contained in 23 CFR 940, entitled Intelligent Transportation System Architecture and Standards. This regulation requires States and metropolitan areas to develop regional architectures and to follow a systems engineering process for ITS project development whenever Federal-aid funds are utilized for ITS deployment. ITS projects are defined in 23 CFR 940.3.

Connecticut has developed a Statewide architecture in accordance with the requirements in 23 CFR 940.9. This Statewide architecture shall be a guide to the development of ITS projects and

programs, consistent with ITS strategies and projects contained in applicable transportation plans.

The State shall develop and implement procedures and responsibilities for maintaining the regional ITS architecture as needs evolve within the State.

- **Project Implementation – 23 CFR 940.11**

All ITS projects funded with highway trust funds shall be based on a systems engineering analysis, and the analysis should be on a scale commensurate with the project scope.

The systems engineering analysis shall meet the minimum requirements in 23 CFR 940.11, (c), (1) to (7).

All ITS projects entering final design shall accommodate the interface requirements and information exchanges as specified in the Statewide ITS architecture. If the final design is inconsistent with the Statewide architecture, then the Statewide architecture shall be updated as provided in 23 CFR 940.9.

All ITS projects funded with highway trust funds shall use applicable ITS standards and interoperability that have been adopted through rulemaking by the USDOT.

- **Project Administration – 23 CFR 940.13**

Prior to the authorization of highway trust funds for the construction or implementation of ITS projects, compliance with 23 CFR 940.11 shall be demonstrated.

Compliance with this part will be monitored under Federal-aid oversight procedures as provided in 23 U.S.C. 106 and 133.

Determinations if the Project is of the FHWA Division Interest (PODI) for ITS projects, and the FHWA approval authority will be accomplished in accordance with the framework in the Project Oversight, Project Development, and Project Construction Chapters. These determinations will also consider the process flow for ITS projects described in the “Operating Procedures” section for determining the FHWA oversight on a project case by case basis.

Program Evaluation

Periodic review of Operating Procedures between the FHWA and the CTDOT may be conducted, when necessary, to identify areas for greater efficiency and improvements to the ITS program.

The SEAFORM and SEMP approvals shall be tracked and compared to provide exemplary practices.

Operations Program Activities

Operations program activities are eligible for funding with the use of NHPP and STP Federal-aid funds and also with the use of CMAQ funds for a period not to exceed three years from the date of deployment of an ITS system or project. Operations projects are approved and authorized for Federal-aid funding using regular Federal-aid procedures. The CTDOT and other State agency operations activities below have been previously approved for Federal-aid funding by the Connecticut Division.

The CTDOT will utilize Federal-aid funds to operate the Newington and Bridgeport Highway Operations Centers (HOC). These centers are staffed by system operators on a 24 hour-a-day/7 day-a-week basis. Consultant staff responsible for operating the Bridgeport HOC are procured using the CTDOT’s qualifications based selection process. In addition, engineering staff in the CTDOT Office of Highway Operations will charge their payroll to these Federally-funded projects when working on Operations Center assignments or tasks.

Staff that operate and maintain the CTDOT CHAMP service patrol vehicles will charge their payroll to the Federally-funded Highway Operations Center projects, as appropriate. In addition, Office of Maintenance personnel that respond to after-hour calls involving traffic incidents or traffic signal malfunctions will continue to charge their time to the Highway Operations Center projects.

Federal funds will continue to be provided to the Connecticut State Police for the provision of enhanced incident management patrols along the I-95 Corridor in southern and southwestern Connecticut. These patrols ensure the timely response and clearance of traffic incidents along this corridor.

References

- ✓ SAFETEA-LU Sections: 1201, 1808, 5101(a), 5211, 5305, 5306, 5310(8)
- ✓ 23 U.S.C. 103, 149, 511
- ✓ 23 CFR 940

Table 19: ITS Process Summary for Projects

Activity	CTDOT ACTION	FHWA ACTION	Remarks
SEAFORM and/or SEMP for Systems Engineering Analysis Process	Prepare & Submit	Review and Approve (14 Days)	Begin Preliminary Engineering
Copies of all project reports, quarterly progress reports, correspondence, meeting announcements and minutes	Prepare & Submit for PODI Only	Information	Reports and Updates
Update Regional ITS Architecture	Prepare & Submit	Information	Updated Regional ITS Architecture
ITS Design Project Submittals	*See Project Development and Project Construction Chapters*		
ITS Construction Project Submittals			

ITS Process for Programs

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Traffic Incident Management Self-Assessment	Annual Memo from HQ	Complete annually with the FHWA by August 1	Submit to HQ	
Intelligent Transportation System Architecture & Standards	23 CFR 940	Prepare & Submit	Review and Approve	

Program Responsibilities, Major Projects

Background

Based on Section 1904 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users" (SAFETEA-LU), signed into law on August 10, 2005, a Major Project is defined as "a project with a total estimated cost of $500 million or more that is receiving financial assistance." The FHWA also has the discretion to designate a project with a total cost of less than $500 million as a Major Project. The FHWA may choose to do so in situations where the projects require a substantial portion of the CTDOT's program resources; have a high level of public or congressional interest; are unusually complex; have extraordinary implications for the national transportation system; or are likely to exceed $500 million in total cost. The estimated cost is determined by the scope in the NEPA document and includes entire costs (including non-Federal-aid) associated with preliminary engineering, ROW, and construction based on the projects (and/or portions thereof) scheduled year of expenditure dollars.

Project Oversight Procedures

A Project Management Plan and a Finance Plan are required for all Major Projects, as well as a Cost Estimate Review. In addition, projects with a total cost between $100 million and $500 million, while not classified as Major Projects, require the preparation of Finance Plans that must be made available upon request. Financial Plans are also required to be updated annually. Major projects still follow the regular delegations as outlined in the Project Development and Project Construction chapters of this plan.

References

- ✓ 23 USC 106(h) and 23 USC 106(i)
- ✓ FHWA Innovative Program Delivery website
- ✓ FHWA Financial Plan Guidance dated 12/18/2014

Table 20: Major Projects Summary

Activity	Major Projects (Projects $500M and greater)		Projects over $100M but less than $500M	
	CTDOT ACTION	FHWA ACTION	CTDOT ACTION	FHWA ACTION
Project Management Plan	Prepare & Submit	Review & Approve	Not required	None
Financial Plan	Prepare & Submit	Review & Approve	Prepare & Approve	Review
Financial Plan Annual Update	Prepare & Submit	Review & Approve	Prepare & Approve	Review
Cost Estimate Review	Determine Price Range using Crystal Ball © software (or comparable)	Participate in developing price range of project if possible & Approve	Not required	None
Consultant Agreement	Prepare & Submit	Review & Approve	Prepare & Approve	None

Program Responsibilities, Pavement Design and Management

Background

As part of project development, consideration should be given to pavement design in accordance with applicable laws and regulations set forth in 23 CFR 626. Pavements shall be designed to accommodate current and predicted traffic needs in a safe, durable and cost effective manner. The regulations do not specify the procedures to be followed to meet this requirement. Each State transportation agency is expected to use a design procedure that is appropriate for their conditions. The CTDOT may use the design procedure that is outlined in the *AASHTO Guide for Design of Pavement Structures* or they may use other pavement design procedures that, based on past performance or research, are expected to produce satisfactory pavement designs.

Operating Procedures

The CTDOT elected to establish and implement an operational Pavement Management System (PMS) for the State highway network. Implementation and operation of the PMS and the Pavement Preservation Program is the responsibility of the Pavement Management Unit.

The CTDOT designs pavements in accordance with AASHTO Pavement Design Guidelines, 1993 version. Exceptions for special cases can apply.

Policy on Roadway Pavement Management,12/7/2009, Policy No. EX.O.-28

References

- ✓ 23 U.S.C. 303 (a),(d) and 23 CFR 500.106 (Pavement Management)
- ✓ 23 CFR 626 (Pavement Design Policy)
- ✓ FHWA Preventative Maintenance Eligibility memo dated 10/8/2004
- ✓ FHWA Pavement Preservation Definitions memo dated 9/12/2005
- ✓ *Pavement Preservation FHWA Safety Guidance*, 2/15/09 (Connecticut Division)
- ✓ *AASHTO Guide for Design of Pavement Structures*

Table 21: Pavement Design and Management Summary

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Pavement Management Implementation		Pavement Condition evaluation and analysis of condition trends; development of multi-year prioritized program	Review	Annual Pavement Condition Report; Forecast of Pavement Conditions given budget scenarios; Annual Project Candidate List based on multi-year prioritization.
Pavement Preservation Program		Develop and Maintain Pavement Preservation Guidelines	Review, and Approve if Federal aid is involved	List of approved treatments classified as pavement preservation and program guidelines
Pavement Policy (including design)	23 CFR 626.3	Prepare and Submit	Review and approve	Catalog for special facilities (Bikeways, parking lots); Catalog for new construction and re-construction of State highways – minor projects

Program Responsibilities, Planning

Background

Metropolitan and Statewide Transportation Planning, Statewide Planning and Research (SPR), and data collection and reporting activities are legislated under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFTEA-LU), which was enacted on August 10, 2005 [23 U.S.C. 134, 135 and 49 U.S.C. 5303, 5304, and 23 U.S.C. 505(b) respectively].

The *Metropolitan Transportation Planning* process establishes the national policy that the Metropolitan Planning Organization (MPO) designated for each urbanized area is to carry out a continuing, cooperative, and comprehensive multimodal transportation planning process, including the development of a metropolitan transportation plan [§ 450.322] and a transportation improvement program (TIP) [§ 450.324], that encourages and promotes the safe and efficient development, management, and operation of surface transportation systems to serve the mobility needs of people and freight (including accessible pedestrian walkways and bicycle transportation facilities) and foster economic growth and development, while minimizing fuel consumption and air pollution.

The *Statewide Transportation Planning* process requires that each State department of transportation (State DOT) carry out a continuing, cooperative, and comprehensive statewide multimodal transportation planning process, including the development of a long-range statewide transportation plan [§ 450.214] and statewide transportation improvement program (STIP) [§ 450.216], that facilitates the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight, and that fosters economic growth and development within and between States and urbanized areas, while minimizing fuel consumption and air pollution in all areas of the State. Program oversight is a joint Federal Highway Administration (FHWA)/Federal Transit Administration (FTA) responsibility.

The *SPR Program* establishes statewide Planning and Research Development & Technology Transfer (RD&T) activities undertaken by the State DOT and its sub-recipients, including MPOs, with the FHWA planning and research funds relating to highway, public transportation, and intermodal transportation systems [23 U.S.C. 505(b)].

The State DOT makes all PL funds available to the MPOs in accordance with a formula developed by the State DOT, in consultation with the MPOs, and approved by the FHWA Division Administrator [23 U.S.C. 104(f)]. The MPOs develop a Unified Planning Work Program (UPWP) to define the work activities done by the central staff.

There are also required data collection and reporting activities which require State DOTs to provide data that support the FHWA's responsibilities to the Congress and to the public. These data include (not all-inclusive list) information required for:

- preparing proposed legislation and reports to the Congress
- evaluating the extent, performance, condition, and use of the Nation's transportation system
- analyzing existing and proposed Federal-aid funding methods and levels and the assignment of user cost responsibility
- maintaining a critical information base on fuel availability, use, and revenues generated, and
- calculation of apportionment factors

Activities proposed to be funded with the FHWA planning and research funds are documented and submitted for the FHWA and FTA for approval and authorization [§§420.111 and 420.113].

Operating Procedures

The FHWA provides technical expertise and assistance through participation in committees, Quarterly Program and Research Meetings, and joint Program Process Reviews set up by the FHWA, the CTDOT and the MPOs that address metropolitan and statewide transportation planning, data collection and analysis, as well as coordination on individual topics of interest such as:

1. Congestion Management,
2. Air Quality Conformity,
3. Multimodal and Intermodal Coordination,
4. Freight Issues, etc.

In addition, the FHWA conducts reviews of planning processes and products, such as Highway Performance Monitoring System (HPMS) data, Heavy Vehicle Use Tax Enforcement, Financial Reporting etc.

Oversight Activities

The FHWA and the FTA are jointly responsible for required approval actions on the Statewide Transportation Improvement Program (STIP), the STIP Amendment process and the Public Involvement Policy.

The Statewide Transportation Plan and the Connecticut Process for Consultation and Cooperation with Local Officials in Non-Metropolitan Areas is submitted to the FHWA and the FTA for their information.

The FHWA participates in statewide and MPO planning activities as necessary to ensure a planning finding as part of the STIP approval process.

The MPOs develop the UPWPs in cooperation with the CTDOT and U.S.DOT, which work together to ensure compliance with Federal planning regulations. All three agencies approve the final UPWPs that are endorsed by the MPOs. This same oversight applies to any revisions or amendments that an MPO may wish to undertake during a fiscal year after the initial approval of the plans.

References

- ✓ MAP-21 Section 52001-52003
- ✓ SAFTEA-LU Section 6001
- ✓ Title 23 USC 134 and 135
- ✓ Federal Transit Act
- ✓ 23 CFR 450, Parts A, B, and C
- ✓ 23 CFR 420 and 450
- ✓ 23 CFR 500
- ✓ 23 CFR 460
- ✓ 23 CFR 470 - Highway System
- ✓ 23 U.S.C. 402 (c)
- ✓ 23 U.S.C. 502-503
- ✓ Guide to Reporting Highway Statistics
- ✓ 23 CFR 1.5

Table 22: Planning Summary

ACTIVITY	AUTHORITY	CTDOT Action	FHWA Action	REMARKS
Review Vehicle Size & Weight Enforcement Plan	23 CFR 657.11, 23 USC 127	Submit annually by July 1	Review and approve.	Vehicle size and weight enforcement on Federal-aid highways
Review Vehicle Size & Weight Enforcement Certification	23 CFR 657.13, 23 USC 141	Annually, certify to the FHWA administrator before Jan 1	Review and approve, including certification acceptance.	Vehicle size and weight enforcement on Federal-aid highways
Size & Weight Assessment (Annual)	23 CFR 657.11(b)	Review and Comment, as needed	Oct. 1 Report due in HQ	The FHWA gathers all appropriate information from CTDOT and develops this report for HQ.
Approval of National Network Modifications	23 CFR 658.11	Prepare and Submit per 658.11. As needed	Review compliance and Approve	National Network for Trucks
Approval of State Planning Work Program and Revisions (Part 1)	23 CFR 420.111, 23 CFR 420.115, and 23 CFR 420.209	Submit annually or Biannual, due Prior to Program Period	Review and approve. Written response. Authorizes projects	FHWA division office Approval.
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)	Submit when Revised	Review and approve. Written response	FHWA division office Approval.
Review of State Public Involvement Procedures	23 CFR 450.210(a)	Submit as needed	Review, comment and accept.	FHWA division office Review to Assure Compliance.
Receipt of State Consultation Process for Non- metropolitan Local Officials	23 CFR 450.210(b)	Submit as needed	Review, comment and accept	Informational Purposes.
Review of Long-range Statewide Transportation Plan	23 CFR 450.214	Submit as needed	Review and accept.	FHWA division office Review to Assure Compliance.
Approval of Statewide Transportation Improvement Program (STIP)	23 CFR 450.216, 23 CFR 450.218(a) & (c), 23 USC 135(g)(7)	Submit at least every 4 years	Review and jointly approve w/FTA. Written response.	Joint FHWA and FTA approval.
Approval of STIP Amendments	23 CFR 450.218(a) & (c)	Submit as needed	Review and accept. Written response	Separate FHWA and FTA approvals
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	Review and jointly approve w/FTA. Written response.	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	Review and accept.	Received with STIP.
Approval of Transportation Management Area (TMA) MPO Unified Planning Work Programs (UPWP)	23 CFR 450.308(b) and 23 CFR 420 (Subpart A)	Submit biannual, Prior to Program End	Review and approve jointly w/FTA. Written response.	Joint FTA-FHWA Approval. FHWA responds to the CTDOT's request for CPG funds transfer.
Approval of Non-TMA UPWP	23 CFR 450.308(b) and 23 CFR 420 (Subpart A)	Submit prior to Program End	Review and approve jointly w/FTA. Written response. Authorizes projects.	The FHWA responds to the CTDOT's request for CPG funds transfer

Table 22: Planning Summary (continued)

ACTIVITY	AUTHORITY	CTDOT Action	FHWA Action	REMARKS
Approval of UPWP Revisions and Amendments (All MPO's)	23 CFR 420.115	Submit as needed	Review and approve jointly w/FTA. Written response. Authorizes projects.	
Review of UPWP Performance and Expenditure Reports (All MPO's)	23 CFR 420.117(b)	Submit not more frequently than quarterly	Review & accept	Should be submitted no later than 15 days following end of quarter
Approval of Report Before Publication (All MPOs)	23 CFR 420.117(e)	Submit as needed	Review & accept	Waiver may be granted.
Review of Metropolitan Planning Area Boundary (Establishment and Changes)	23 CFR 450.312	Submit as needed	Review & accept.	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	Submit as needed	Review & accept.	Require agreement between Governor and local governments. Governor agreement forwarded to HQ.
Review of Metropolitan Planning Agreements (MPA) for Attainment or Entire Nonattainment Area	23 CFR 450.314(a)	Submit when Completed	Review & accept.	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)	Submit when Completed	Review & accept.	Between MPO/State DOT/State AQ Agency.
Review of MPO Public Participation Procedures	23 CFR 450.316(a)	Submit as needed	Review & accept. Planning	Must be developed and published. Re-evaluated annually.
Review of Metropolitan Transportation Plan (MTP) in Attainment Areas (and Updates)	23 CFR 450.322	Submit every 4 years	Review & accept.	Coordinate w/the FTA and the CTDOT with any comments.
Review of MTP in Non-Attainment and Maintenance Areas (and Updates)	23 CFR 450.322	Submit every 5 years	Review & accept.	Coordinate w/the FTA and the CTDOT with any comments.
Review of MTP Amendments	23 CFR 450.322(c)	Submit as Needed	Review & accept.	Coordinate w/the FTA and the CTDOT with any comments
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	Review documentation	After receipt of MPO determination; Joint FHWA and FTA determination; In consultation with the Environmental Protection Agency (EPA).
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)	Review prior to Program Period	None	No succinct Federal approval action is required for the TIP. The 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)	Review as needed	None	No succinct Federal approval action is required for the TIP. The FHWA/FTA approval of the TIP is through the STIP approval process.

Table 22: Planning Summary (continued)

ACTIVITY	AUTHORITY	CTDOT Action	FHWA Action	REMARKS
Approval of Air Quality Conformity Determination on TIP	23 CFR 450.326; 23 CFR 450.328	Submit at least every 4 years, or when the TIP has been modified (unless exempt projects)	Review & accept	Applies to non-attainment and maintenance areas only. After receipt of MPO determination, joint determination with the FTA (in cooperation with the EPA).
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	Review & accept.	At least every four years, joint finding with the 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)	Submit annually or concurrent with the STIP/TIP cycle	Review & accept.	Required for all the MPO's. May be included in the STIP, TIP, or UPWP, at least every 4 years.
In TMA's, Certification that Planning Process is in Accordance with Applicable Requirements	23 CFR 450.334(b), 23 USC 134(k)(5)	Submit every 4 years	Jointly conduct with the FTA a quadrennial review. Develop recommendations and report that details finding of certification status.	Fully certified MPO and positive planning finding
Approval of Federal-Aid Urban Area Boundaries	23 CFR 470.105 (a), 23 USC 101(a)(33)	Submit as needed	Review and Accept Coordinate with the FHWA HQ as necessary.	The CTDOT revises maps
Approval of Revision of Functional Classification	23 CFR 470.105 (b)	Submit as needed	Review and Approve Coordinate with the FHWA HQ as necessary.	The CTDOT revises maps
Approval by Administrator of Interstate Additions & Revisions	23 USC 103(c)(1)(D), 23 CFR 470.111, 23CFR 470.115 (a)	Submit as needed	Review & approve.	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)	Submit as needed	Review and approve.	Planning submits revisions to HQ. Approved by HQ - Office Director.
Review of CMAQ Annual Report	Enter CMAQ project data on the FHWA website for the FHWA review CMAQ Guidance Memo October 31, 2006	Submit annually by March 1	Review CMAQ projects Approve and submit to the FHWA HQ 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.
Annual Traffic Reports	Traffic Monitoring Analysis System and Traffic Monitoring Guide reporting		Office of Highway Policy information	When Published

Table 22: Planning Summary (continued)

ACTIVITY	AUTHORITY	CTDOT ACTION	FHWA ACTION	REMARKS
Approval of Annual Field Review Report	HPMS Field Review Guidelines (June 2001) Continuous Process Improvement Model for HPMS(February 2003)	Assist the FHWA Division with Review	Due in HQ by Dec 16 Office of Highway Policy information	Review memo to HQ.
Approval of Certified Public Road Mileage	23 CFR 460.3(b)	Prepare and submit as outlined in CFR	Due in HQ by Jun. 1 Office of Highway Policy information	Each year, the Governor of each State and territory or a designee must certify Public Road Mileage. The 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	Forward as requested	Due in HQ by Jun. 15 Office of Highway Policy information	State DOT sends directly to division office and HQ.
Highway Statistics Reports	Guide to Reporting Highway Statistics	Submit	Office of Highway Policy information	State DOT sends directly to HQ.
Motor Fuels Report	A Guide to Reporting Highway Statistics, Chapter 2	Submit by April 1	Due April 1, Office of Highway Policy information	Due 60 days after end of each reporting month.
Vehicles and Drivers (561, 562, 566, and 571)	A Guide to Reporting Highway Statistics, Chapters 3, 4, 5, and 6	Submit by April 1	Due April 1, Office of Highway Policy information	
Finance (531, 532, 541, 542, and 543 (optional)	A Guide to Reporting Highway Statistics, Chapters 8 and 9	Submit by April 1	Due April 1, Office of Highway Policy information	
Finance (536)	A Guide to Reporting Highway Statistics, Chapter 11	Submit on-line to the FHWA HQ by Oct 1		Biennially for odd-numbered years. Due nine months after end of reporting year
Finance (534)	A Guide to Reporting Highway Statistics, Chapter 12	Submit on-line to the FHWA HQ by May 15		Annually for State, Biennially for local
Highway Finance and Tax Legislation	A Guide to Reporting Highway Statistics, Chapter 13	Submit when published	None.	
State DOT Budgets and Published Annual Reports	A Guide to Reporting Highway Statistics, Chapter 13	Submit when published	None.	
Motor Fuel Oversight Review	July 24, 2001 HQ Memo	Submit initial baseline reports no later than December 31, 2003	Not Applicable	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	Submit by Jun 15 Biennially - Odd Years	See remark	division office sends to HQ.
Traffic Flow Maps	When Published	Submit when Published	When Published	When Published.
Vehicle Classification Data	MAP-21, HPMS Field Manual, Traffic Monitoring Guide	Submit by June 15	Due in HQ June 15	Part of Annual HPMS submittal.

Table 22: Planning Summary (continued)

Activity	Authority	CTDOT Action	FHWA Action	Remarks
Highway Use Tax Evasion Grant Awards	23 USC 143	Submit annually	See remark	The FHWA along with the Internal Revenue Service will review applications and select awardees for projects designed to reduce or eliminate fuel tax evasion. The FHWA will also review annual progress reports on projects.
Heavy Vehicle Use Tax (HVUT) – Certification of verifying proof-of-payment of HVUT	23 CFR 669.7	Submit by July 1	Due in HQ July 1	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	Submit annually	Due in HQ July 1	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) – Triennial review of State program	23 CFR 669.21	Participate in triennial review	FHWA division office led	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	Submit monthly. The CTDOT may forward directly to HPPI-30	Monthly	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	Submit monthly. The CTDOT may forward directly to HPPI-30	Monthly	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	Submit by June 15	As needed	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, send up to one week of data per quarter.
State Highway Maps (Tourist)	None	Submit when published	Distribute two copies to each Division and 100 to HQ	

NOTE: Review and Approve means an FHWA formal approval in writing is transmitted back to the CTDOT. Review and Accept means the FHWA does not notify the CTDOT unless it is unacceptable.

Program Responsibilities, Quality Assurance for Materials

Background

It is necessary for the CTDOT to prepare a written Quality Assurance Program document that addresses the following six (6) core elements: Quality Control, Acceptance, Independent Assurance, Dispute Resolution, Laboratory Accreditation and Qualification, and Personnel Qualification/Certification.

Operating Procedures

New England Transportation Technician Certification Program (NETTCP) QA Program for Materials Acceptance and Assurance Testing Policies and Procedures, July 2009 (CTDOT's Quality Assurance Program for Materials)

References

- ✓ 23 CFR 637
- ✓ AASHTO Accreditation Program
- ✓ AASHTO/ASTM Standards

Table 23: Quality Assurance Program for Materials Summary

Work Activities	Authority	Federal-aid Projects on the NHS or State-administered Projects		Federal-aid Projects: Municipal-administered And off the NHS	
		CTDOT ACTION	FHWA ACTION	CTDOT ACTION	FHWA ACTION
Schedule of Minimum Sampling	23 CFR 637.207	Prepare	Approve	Prepare & Revise as needed	None
Qualified Technician Program	23 CFR 637.209	Maintain NETTCP membership/ requirements	Approve	Prepare & Approve	None
Assure Central Laboratory accredited by AASHTO Accreditation Program	23 CFR 637.209	Maintain accreditation	None if by AASHTO, other programs would require prior approval by the FHWA	Prepare & Approve	None
Independent Assurance Program	23 CFR 637.207	Prepare annual report	Review	Prepare & Approve	None
Quality Assurance Program	23 CFR 637.205	Prepare & Submit	Approve	Approve	None

Program Responsibilities, Research, Development and Technology

Background

The purpose of the program is to implement the provisions of 23 U.S.C. 307 for research, development, technology transfer, programs, and studies undertaken with the FHWA planning and research funds.

STATE PLANNING AND RESEARCH (SPR) PROGRAM

The main requirements under 23 CFR 420 are to create a SPR Work Program, monitor planning and research activities, submit performance and expenditure reports, conduct peer exchanges, develop and maintain an FHWA approved research and development manual, and maintain program certification.

LOCAL TECHNICAL ASSISTANCE PROGRAM (LTAP)

LTAP was created to provide training and technical assistance to rural, small urban, tribal governments, and contractors that do work for local agencies on roads, bridges, and public transportation. The LTAP program is regulated under 23 U.S.C. 504(b). The Technology Transfer (T2) Center at the University of Connecticut was established in 1984 under the Connecticut Transportation Institute (CTI). T2 Center is the local entity that works with the CTDOT and the FHWA to administer LTAP.

Operating Procedures

- ***SPR***
  The SPR Work Program consists of two parts: (1) Part I, Planning, which is prepared by the CTDOT's Bureau of Policy and Planning, and (2) Part II, Research, which is prepared by the CTDOT's Research Unit. The CTDOT is responsible for preparation and overall coordination of the Work Program in accordance with 23 CFR 420. The SPR program operates on a State fiscal-year basis. The CTDOT considers how to address research needs and may, at its option, 1) conduct research with in-house personnel, 2) conduct research through a transportation pooled fund project wherein the CTDOT is the lead agency, such as the New England Transportation Consortium, 3) conduct research through agreement with its land grant State research university, or 4) submit needs to outside a) universities, b) other transportation pooled fund projects, c) one of the national cooperative transportation research programs, or d) and other outside transportation research programs for consideration.

- ***LTAP***
  The T2 Advisory Committee determines the direction for the Connecticut LTAP. The Committee, consisting of CTI personnel, Federal, State, and local government representatives, typically meets quarterly. The Fall Committee meeting reviews, modifies, and approves the content of Connecticut's annual local training and assistance plan. The other three Committee meetings monitor progress, discuss opportunities and needs, develop plans for future programs and associated budget needs. Connecticut's LTAP annual training schedule consistently consists of more than ten courses.

  T2 Center coordinates with the CTDOT and the FHWA to draft an LTAP Work Plan based on a calendar year. The CTDOT and the FHWA review a draft LTAP Work Plan. Comments from both parties are incorporated into the draft and the final version is approved by the FHWA.

- **Experimental Features**
  Procedures for implementing experimental features are outlined in the Research Program Manual. Research acts as coordinator to the CTDOT units that incorporate experimental features into their projects. Research also acts a clearinghouse to disseminate the information learned from the use of experimental features. The FHWA will work with the CTDOT, as appropriate, to disseminate information and encourage the implementation of successfully used experimental features.

Program Oversight

- **SPR**
  The FHWA exercises its oversight responsibilities through review of the annual program prior to approval actions, review of SPR Part II Work Program amendments prior to approval, and ongoing participation of its technical specialists in pooled fund study technical panels. As appropriate, the FHWA personnel participate in peer exchanges.

  The FHWA Division Research Program Manager oversees the administrative aspects and coordinates with the division office specialists for technical aspects.

  The FHWA reviews and approves an updated version of the manual when there are significant changes in the management process or new Federal regulation/policy are enacted.

- **LTAP**
  The FHWA exercises its oversight responsibilities through review of the annual work plan prior to approval actions, review of work plan amendments prior to approval, participation in the T2 Steering Committee, and participation or planning of various LTAP-related activities.

  The CTDOT, T2 Center, and the FHWA coordinate to process amendments to the LTAP. The FHWA also coordinates with the CTDOT for program development, eligibility and fiscal issues.

- **Experimental Features**

  The FHWA exercises oversight for experimental features through review of the project applications prior to approval actions. The FHWA Division Research Program Manager oversees the administrative aspects and coordinates with the division office specialists for technical aspects.

Program Evaluation

- **Program Assessments**
  Periodic Transportation Research Peer Exchanges shall be conducted in compliance with 23 CFR 420 on a periodic basis to assess elements of the program. To assist peer exchange teams in conducting an effective exchange, the State DOT shall provide to them pertinent information and documentation. Travel and other costs associated with the CTDOT's peer exchange may be identified as a line item in the State DOT's work program and will be eligible for 100 percent Federal funding. The peer exchange team shall prepare a written report of the exchange. Peer Exchanges shall identify strengths, weaknesses and opportunities in focus areas selected for the exchange. A final report will be prepared for use by the Department, for submittal the FHWA, and at the State's option, may be shared through the AASHTO Research Advisory Committee national Web Site.

- **Performance Indicators**
  The CTDOT will provide performance/compliance indicator data to the Division in its quarterly and annual reporting, for use in tracking performance trends and to implement countermeasures/actions when the data are not moving in the desired target direction.

References

- ✓ 23 USC Sections 501-508
- ✓ 23 CFR Part 420
- ✓ FHWA State Planning and Research (SP&R) Guide (http://www.tfhrc.gov/sprguide/os.htm)
- ✓ FHWA Transportation Pooled Fund Program Procedures
- ✓ http://research.transportation.org/Documents/RAC%20Docs/TPF_Program_Procedures_Manual_March_2012.pdf
- ✓ FHWA Policy Memo of 11/3/1994 – "State Planning and Research Administration Guidelines"
- ✓ FHWA Policy Memo of 1/16/1997 – "Use of State Planning and Research (SPR) Funds for Technical Certification Program Course Development"
- ✓ FHWA Policy Memo of 1/26/2001 – "FHWA Development and Coordination of the Research and Technology Program"
- ✓ FHWA Order 4410.3A, 8/07/2006 – "Processing Research Projects Under SAFETEA-LU Section 5001"
- ✓ CTDOT Research Manual
- ✓ FHWA Guidelines for Projects Using Experimental Features
- ✓ A Guide to Federal-Aid Programs and Projects, FHWA-IF-99-006, *Updated October 18, 2012*
- ✓ LTAP Manual
- ✓ Administration of FHWA Planning and Research Funds, FHWA-PD-98-053
- ✓ LTAP Handbook
- ✓ 49 CFR 18

Table 24: Research, Development and Technology Program Summary

Activity	Authority	CTDOT Action	FHWA Action	Remarks
Periodic Review of State's Management Process of the Research, Development & Technology Transfer Program	23 CFR 420.209		FHWA division office Periodic Review	Periodic
Peer Exchange	FHWA-HRT-10-048, June 2010 Guide For Peer Exchanges	Sponsor event or participates in other States' peer exchanges	Participate and support	Shared knowledge, improved processes, report
Experimental Work Program	23 CFR 635.411	Develop and submit Experimental Feature/Proprietary Products Work Plan. Submit Final reports to Division for review and approval.	Division Administrator Approval for Interstate or NHS prior to PS&E. Review and Approval of Final Reports, as per SPR guidelines	
Approval of Management Process and Project Selection Procedures and Certification for Research, Development & Technology Transfer Program and Revisions to Process	23 CFR 420.115 and 23 CFR 420.209		FHWA division office Approval	As needed

Table 24: Research, Development and Technology Program Summary *(Continued)*

Activity	Authority	CTDOT Action	FHWA Action	Remarks
Periodic Review of States Management Process of the Research, Development & Technology Transfer Program	23 CFR 420.115 and 23 CFR 420.209		FHWA division office Approval	
Draft SPR Part II Work Program	23 CFR 420.111, 23 CFR 420.115, and 23 CFR 420.209	Prepare draft Part II Work Program. Submit draft to the FHWA	Review and Comment on draft Part II Work Program.	
Final SPR Part II Work Program	23 CFR 420.111 23 CFR 420.115 and 23 CFR 420.209	Submit to the FHWA (no later than December 1)	Review and Approve (30 days)	
Approval of Performance and Expenditure Reports for SPR Part II, Research Work Programs	23 CFR 420.117		FHWA division office Approval	No less frequently than annual and no more frequently than quarterly.
Approval of SPR Part II Research Reports	23 CFR 420.117	Submit to the FHWA for review and comment	FHWA division office Approval unless waived	Research Program Manager works with Division Technical expert to review reports before approval.
SPR Part II Work Program Amendments	49 CFR 18.30	Prepares SPR Part II amendments. Submit to the FHWA as necessary.	Review, Comment (if appropriate), and approve	Addition/reduction of contributions to existing projects, and participation in new projects.
Maintain Certification of SPR Program		Prepare certification statement	Review, Comment, and Approve	Certified compliance with 23 CFR 420.
LTAP Work Plan	23 CFR 420.111 23 CFR 420.115	UConn submits to The FHWA through the CTDOT, annually	Review, Comment and Approve	Final version of LTAP Work Plan
Connecticut Transportation Institute (T2 Center)	23 CFR 420.111 49 CFR Part 19 23 CFR 420.115	UConn submits to the FHWA through the CTDOT, annually	Review, Comment and Approve	Final version of CTI T2 Work Plan
Transportation Pooled Fund Projects	23 CFR 420.113	Submit SOWs to the FHWA for review and comment.	FHWA division office Approval	Research Program Manager works with Division Technical expert to review SOWs before approval.
SHRP2	23 CFR 645.205	The CTDOT submits proposed projects to the FHWA HQ.	Research Program Manager solicits projects from the CTDOT for the FHWA HQ review and approval.	Research Program Manager and/or Division Engineering Technical provide support in project implementation, depending on type of project.

Program Responsibilities, Rights-of-Way

Background

All Federal, State, and local public 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 public agencies using Federal funds for transportation programs administered under Title 23 U.S.C. must adhere to the regulations contained in Title 23 U.S.C. 710 in the administration of their Right-of-Way (ROW) programs.

Operating Procedures

The following oversight functional area involving the Federal-aid ROW program are covered under 49 CFR (24), which has no provision for exemptions under Title 23 U.S.C.:

- Appraisal
- Acquisition
- Relocation

The work activities listed below are covered under 23CFR (part) and require specific approval and/or oversight by the FHWA:

- ROW certification (635.309)
- State ROW operations manual (710.201)
- ROW authorization (710.307)
- Air rights on the interstate (710.405) & NHS (710.201)
- Airspace leases/joint use agreements (710.407)
- Sale/transfer of excess ROW (710.409)
- Early acquisition, protective buying , and hardship (710.501 & 503)
- Functional replacement (710.509)
- Federal land transfers (710.601)
- Highway beautification (750)

The work activities listed below are covered in 23 CFR and do not require specific program or project approvals, but are not exempted from the FHWA oversight under Title 23 U.S.C.:

- Direct eligible costs including administrative, legal and court settlements (710.203 (b))
- Real property donations (710.505)

Project Oversight

Even though there are no exemptions under the law for any functions covered in 49 CFR 24, for practical purposes there are two levels of review of those elements. One level depends on whether the project involves ROW acquisition and has Federal-aid in the ROW project phases. Although the ROW regulations must be followed under both levels, there is less concern about the reasonableness of the actual dollar expenditures in those projects containing no Federal-aid in the ROW. The primary concerns with these projects are to protect the rights of property owners and displaced persons. For the second level of projects, there is a dual concern for the rights of property owners and displaced persons and the stewardship of the Federal dollars. Continuous review of all State activities has proven to be an effective means of assuring that the rights of owners and displaced persons are protected as well as monitoring the expenditure of Federal funds. This will be continued under this stewardship plan.

Process reviews and program evaluations will be conducted when needs or trends are identified at either of the above project levels. The reviews will be conducted jointly with the CTDOT personnel whenever possible.

Municipalities are required to comply with the Uniform Act and its governing regulations found in 49 CFR 24 in the same manner as the CTDOT stipulated in 23 CFR 710.201(b), STAs are responsible for assuring that ROW acquisitions by local public agencies are made in compliance with Federal and State laws and regulations. The CTDOT exercise its oversight responsibilities in the following ways:

- A manual outlining the ROW program provides guidance to the municipalities on how to acquire ROW in accordance with Federal and State regulations.
- A ROW coordinator is assigned to each municipal project and is responsible for instructing the local representatives on the requirements for the use of State and Federal Funds in the ROW process. The coordinator provides oversight during the ROW process and prepares the ROW certificates for those projects.
- The ROW coordinator meets with local representatives on a regular basis to provide technical adherence to applicable Federal and State regulations.

For 23 CFR program areas, recent changes in the regulations have added some flexibility to the oversight responsibilities. With this flexibility the CTDOT will be taking more direct approval and oversight responsibility. If, during the normal approval action, any problems are identified, a process review or CPI review may be scheduled.

Table 25: R-O-W Process Summary

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Project Authorization for Right-of-Way (CTDOT informally calls this the obligation date)		Prepare and Submit (CTDOT Finance Section)	Review and Approve	Authorization to Acquire Right-of-Way
Right-of-Way Authorization Package		Prepare and Submit	Review	Note that the FHWA approval of this is inherent in the Project Authorization for Right-of-Way approval above
Right-of-Way Waivers	23 CFR 635.309(b)	Prepare and Submit	Review & Approve	Permission to advertise the Federal-aid contract without all right-of-way available
Right-of-Way Certificates	23 CFR 635.309(c)	Prepare and Submit	Review & File	Closure on status of outstanding right-of-way
Air-Space Lease (for Interstate only)	23 CFR 710.405	Prepare and Submit	Review & Approve	Assure safe and proper operation and maintenance of the facility
Approve retaining right-of-way encroachments	23 CFR 1.23(b) & (c) and 23 CFR 403(a)	Prepare & Submit (Interstate) Prepare and Approve (non-Interstate)	Review & Approve (Interstate) None (non-Interstate)	An encroachment may remain if it is determined that it is in the public interest to remain, or the removal would pose an extreme hardship on the property owner. In addition, the encroachment must not impair the highway or interfere with the free and safe flow of traffic, and must be located outside the clear zone as defined in the most recent edition of the AASHTO Roadside Design Guide.

Table 25: R-O-W Process Summary (continued)

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Non-Highway Use Agreement	23 CFR 1.23(c) and 23 CFR 710.407	Prepare & Submit (Interstate) Prepare and Approve (non-Interstate)	Review & Approve (Interstate) None (non-Interstate)	Determination that non-highway use does not impair the highway or interfere with safety and integrity of the Federally funded facility
Disposal of Real Property Interests at fair market value	23 CFR 710.409	Prepare & Submit (Interstate) Prepare and Approve (non-Interstate)	Review & Approve (Interstate) None (non-Interstate)	Approval by the FHWA is needed for any change of use of property along the Interstate
Disposal of Real Property Interests for less than fair market value	23 USC 156	Prepare & Submit	Review & Approve	Public Interest Determination consistent with 23 CFR 710.409(d)
Early acquisition, protective buying, and hardship	23 CFR 710.501 and 503	Prepare & Submit	Review & Approve	
Functional Replacement	23 CFR 710.509	Prepare & Submit	Review & Approve	Determination that functional replacement is in the public interest
Requests for credits toward non-Federal share of construction costs for early acquisitions, donations, or other contributions	23 CFR 710.501	Prepare & Submit	Review & Approve	Coordination with Innovative Finance Plan
Federal Land Transfers	23 CFR 710, Subpart F	Prepare & Submit	Review & Approve	
Direct Federal Acquisition	23 CFR 710.603	Prepare & Submit	Review & Approve	Only applicable if the CTDOT is unable to acquire or obtain possession with sufficient promptness
Waivers from Availability of Comparable Replacement Dwelling before Displacement	49 CFR 24.7; 49 CFR 24.204(b)	Prepare & Submit	Review & Approve	Approved by the FHWA HQ (HEPR Office Director)
Review of Uniform Relocation Assist-ance & Real Property Acquisition Report (OMB Form 2125-0030)	49 CFR 24.9c & Appendix B49 CFR 24.603	Submit Annually by 15-Nov	Review	Submitted to the FHWA HQ
Review of Real Property Statistical Report	FHWA Order 6540.1	Submit annually by 15-Nov	Review	
Approval of Requests to Exempt Certain Nonconforming Signs, Displays, and Devices	23 CFR 750.304; 23 CFR 750.705; 23 USC 131	Submit as needed	Review and Approve	

Program Responsibilities, Safety

Background

SAFETEA-LU established the **Highway Safety Improvement Program** (HSIP) as a core Federal-aid program. The overall purpose of this program is to achieve a significant reduction in traffic fatalities and serious injuries on all public roads through the implementation of infrastructure-related highway safety improvements and non-infrastructure projects. MAP-21 continued this program and expanded it by over 2 times the apportionment for CT.

As part of the HSIP, the **Railway-Highway Grade Crossings Program** (RHGCP) (23 U.S.C. 130) provides funds for the elimination of hazards and the installation of protective devices at public railway-highway crossings. The **High Risk Rural Roads special rule** provides funding for construction and operational improvements on rural major or minor collectors and rural local roads, if applicable.

Safe Routes to Schools (SRTS) was a Federal-aid safety program to substantially improve the ability of primary and middle school students to walk and bicycle to school safely. The SRTS program facilitated the planning, development, and implementation of projects to improve safety and reduce traffic in the vicinity of schools. A dedicated SRTS program was discontinued under MAP-21, but remains an eligible activity under the Transportation Alternatives Program..

MAP-21 provides additional funding sources for safety activities besides the HSIP or RHGCP programs. Safety funding can be found in other programs such as the State Traffic Safety Information System Improvement Grants (Section 408) or the Highway Safety Program under 23 U.S.C, Section 402.

To encourage enactment of State laws, there are several Federal laws which contain sanctions. If a State does not pass legislation, there are mandatory transfers of funds from infrastructure programs to fund safety activities. These Federal laws are as follows: Repeat Offenders for DUI under 23 U.S.C. 164, Open Container under 23 U.S.C. 154, Drug Offender's Driver's License Suspension under section 23 U.S.C. 159, and Blood Alcohol Concentration (0.08 BAC) under 23 U.S.C. 163. In SAFETEA-LU, the 0.08 BAC law requirement changed from providing an incentive for compliance to a penalty for non-compliance.

Operating Procedure

States are required to develop and implement a Strategic Highway Safety Plan (SHSP) to produce a program of projects or strategies to reduce identified safety problems under the requirements of Title 23 section 148(c)(1). The HSIP now requires a State DOT to develop a SHSP with a process that is data driven, comprehensive, and includes consultation with State, local, tribal, public, and private participation.

Stewardship Activities

The FHWA meets monthly with various CTDOT Safety personnel to continually review the Safety Program. This meeting includes NHTSA and FMSCA. The FHWA participates with the State in the following safety-related committees and/or teams: Connecticut Traffic Records Coordinating Committee, Crash Data Improvement Program; the Roadway Departure Working Group, Work Zone Safety Awareness Committee, Strategic Highway Safety Plan Steering Committee, Work Zone Improvement Plan Working Groups, Design Exceptions Committee, Design Standards Committee, Standard Specifications Committee, Project Scoping Committee and related subcommittees.

In addition, the FHWA and the CTDOT work together on safety issues related to geometric design, roadside safety and appurtenances, the highway safety improvement program, work zone safety, traffic operations and control, traffic incident management, railroad-grade crossing program, and pedestrian and bicycle safety. In each instance, sharing of knowledge occurs through discussions, meetings, committee or team participation, and through project or program reviews.

Although the Federal Motor Carrier Safety Administration (FMCSA) is the State's primary Federal partner for motor carrier safety issues, the FHWA provides assistance, as necessary, whenever FMCSA is not directly involved. The FHWA also coordinates withCTDOT and the National Highway Traffic Safety Administration (NHTSA) with addressing driver behavior issues (such as impaired drivers, speed, and occupant protection) and traffic records programs.

Project Oversight Activities

The FHWA role in project oversight is described in the Project Development and Project Construction Chapters. Additional requirements apply to Federal-aid projects funded under the HSIP, including planning, implementation, evaluation and annual reporting (*See 23 CFR 924*). HSIP projects must be consistent with a data-driven SHSP. The FHWA approves the CTDOT's annual Suggested List of Study Surveillance Sites (SLOSSS) developed to define those locations which have the greatest promise of accident reduction.

References

- ✓ 23 USC 130
- ✓ 23 USC 148
- ✓ 23 USC 152
- ✓ 23 USC 153
- ✓ 23 USC 154
- ✓ 23 USC 159
- ✓ 23 USC 163
- ✓ 23 USC 164
- ✓ 23 CFR 630 Subparts J and K
- ✓ 23 CFR 655
- ✓ 23 CFR 924
- ✓ Highway Safety Roadmap

Table 26: Safety Program Summary

Work Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Strategic Highway Safety Plan (SHSP)	23 USC 148(d)(2)(B)	Prepare and submit by August 1 of the fiscal year after the HSIP final rule is established.	Review and Approve the Process. Provide a copy of approval letter to HQ.	To provide a comprehensive framework for reducing highway fatalities and serious injuries on all public roads.
Highway Safety Improvement Program (HSIP)	23 USC 148 (h) 23 CFR 924.15	Prepare HSIP annual report and submit to the FHWA division office by August 31. Prepare the State's SLOSSS list and submit to the FHWA for approval by August 1 of each calendar year.	Review and comment on annual program report and submit the final CTDOT Annual Safety Report to the FHWA-HQ by Sept. 30. Review and comment on SLOSSS list within 14 business days of receipt of list.	To achieve a significant reduction in traffic fatalities and serious injuries on all public roads.
Rail-Highway Grade Crossing Program (RHGCP)	23 USC 130(g); 23 CFR 924.15	Prepare annual program report (included in the CTDOT Annual Safety Report), and submit to the FHWA division office by August 31.	Review and comment on annual program report and submit the final CTDOT Annual Safety Report to the FHWA-HQ by Sept. 30.	To reduce the occurrence of crashes at railway-highway crossings.

Table 26: Safety Program Summary (continued)

Work Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Older Drivers and Pedestrians Special Rule	23 USC 148(g)(2)	Include in HSIP report the calculations performed verifying whether the Older Driver Special Rule Applies		If the Special rule applies, include in its next SHPS update strategies to address the increases in the fatality and serious injury rates for drivers and pedestrians over the age of 65.
High Risk Rural Roads (HRRR) Special Rule	23 USC 148(g)(1)	Keep FARS and HPMS data up-to-date	After data is available, inform CTDOT if special rule applies for the following FY	FHWA HQ analyzes the data and informs the States
Safe Routes to School (SRTS)		State administers the program with a full-time SRTS coordinator funded by the CTDOT with SRTS funds, and partners with enforcement, educators, and engineering to substantially improve the ability of primary and middle school students to walk and bicycle to school safely.	Monitor and document outcomes and trends for the FHWA-HQ report to Congress.	To enable and encourage children to walk and bicycle to school, and to encourage a healthy lifestyle for children.
Review Safety Belt Compliance Status	23 USC 153; 23 CFR 1215.6	CT is in Compliance	HQ Reviews (no action by Division office	NHTSA also reviews annually
Open Container	23 USC 154 23 CFR 1270	If the State certifies to NHTSA that it meets the requirements by September 30 then no action is needed. If the State does not meet these requirements, then the State must (1) submit a "shift letter" notifying the FHWA of its desired distribution of the transfer of funds from certain apportionments by October 30; and (2) No later than 60 days after the penalty funds are reserved, CTDOT's Governor's Representative for Highway Safety and the Commissioner must jointly submit a split letter.	FHWA Division review and forward "shift letter" and/or split letter" to FHWA HQ to take appropriate action.	Encourage State to enact and enforce open container law

Table 26: Safety Program Summary (continued)

Work Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Repeat Intoxicated Driver	23 USC 164	If State certifies to NHTSA that it meets these requirements by September 30 then no action is needed by the FHWA.	The FHWA monitors continued compliance with these requirements.	Encourage the State to continue to enforce Repeat Intoxicated Driver laws
Review Drug Offender Driver's Suspension Law & Enforcement Certification	23 USC 159; 23 CFR 192.5	Governor shall certify by compliance letter to the division office whether the State opposes or comply with 159 requirements before January 1. The State initiates the process with the Governor.	If State does not send proper certification by Jan 1 then 10% withheld from certain apportionments on Oct 1. By July 1, Advance Notice for Next Fiscal year will reflect State's penalty. Monitor for continued compliance.	Encourage State to enact and enforce drug offender's driver's license
Blood Alcohol Concentration (0.08BAC)	23 USC 163	State must enact & enforce law by October 1 or be subject to 8% penalty (FY 2007 and thereafter) from NHS, STP, and IM program apportionments.	FHWA monitors to determine compliance	Encourage State to enact and enforce a BAC law
Approval of Work Zone Policy and Mobility Procedures	23 CFR 630.104	Submit at appropriate intervals	Review & Approve	The CTDOT's latest plan is dated 8/6/2007
Process Review of Work Zone Safety and Mobility Procedures	23 CFR 630.1008	Conduct biennial review and Submit results to the FHWA	Work in partnership with State	Improvement of Work Zone procedures and policies
Approval of Exceptions to Work Zone Procedures for Interstate Projects	23 CFR 630.1010	Prepare & Submit	Review & Approve	
Transportation Performance Management (TPM) for Safety	23 USC 150; 23 USC 134; 23 USC 135; 23 USC 148(i)	Submit Annually by 31-Aug (not in effect until one year after final rulemaking)	Review and Assess Achievement of Targets	Per MAP-21, the States and MPOs must set targets for established measures. Targets must be assessed for achievement.
Eligibility Determinations for Safety Hardware		Submit Request for each system	The FHWA-HQ Generates and Acceptance Letter	

Program Responsibilities, Miscellaneous

Background

Some programmatic approvals and submissions in the current Stewardship Guidance, Attachment B do not fit neatly into a Chapter. For those approvals, they are listed in the table below.

Table 27: Miscellaneous Table

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Review of Value Engineering Policy and Procedures	23 CFR 627.1(b)&(c) 23 CFR 627.7 FHWA Order 1311.1B	Update as needed and Submit	Review & Approve	
Review of Value Engineering Annual Report	23 CFR 627.7 FHWA Order 1311.1B	Submit Annually by 1-Jan	Review and Submit to HQ	
Approval of Liquidated Damages Rate	23 CFR 635.127	Update and Submit every two years	Review & Approve	Last update 11/14/2012
Approval of Utility Agreement/Alternate Procedure	23 CFR 645.119	Submit as needed	Review & Approve	
Determination of Eligible Preventative Maintenance Activity/Cost-Effective Means of Extending the Useful Life Determination	23 USC 116(e)	Submit as needed	Review & Approve	Bridge Preventative Maintenance Activities were approved on 8/29/2005.
Tolling Authority Requests	23 USC 129; TEA-21 Section 1216(b); ISTEA Section 1012(b)	Submit as needed	Review & Approve	Coordination with HQ required
Section 166 HOV/HOT Lanes Tolling Authority Requests	23 USC 166(d)	Submit as needed	Review & Approve	Coordination with HQ required
Determination on Adequacy of State's Asset Management Plan	23 USC 119(5)	Submit Annually beginning second fiscal year after establishment of the process	Review & Approve	
Certification and Recertification of State's Process for Development of State Asset Management Plan	23 USC 119(6)	Submit every four years after establishment of the process	Review & Approve	
Review Reporting on Performance Targets	23 USC 150(e)	Submit four years after enactment of MAP-21 and biennially thereafter	Review & Approve	

Table 27: Miscellaneous Table *(continued)*

Activity	Authority	CTDOT ACTION	FHWA ACTION	Remarks
Review National Highway System Performance Achievement Plan for Actions to achieve the targets	23 USC 119(7)	See above	Determine Significant Progress	Required if State does not achieve targets (or significant progress) for 2 consecutive reports
Approval of Railroad Agreement Alternative Procedure	23 CFR 646.220	Submit as needed	Review & Approve	
CTDOT's Policy on Sponsorship Acknowledgment in the highway right-of-way	FHWA Order 5160.1A	Submit as needed	Review for consistency with the MUTCD	
CTDOT's Sponsorship agreements for acknowledgment on Interstates	FHWA Order 5160.1A	Submit as needed	Review for consistency with the MUTCD	

Program Responsibilities, Performance Indicators/Measures

Currently both the CTDOT and the FHWA collect and evaluate many performance measures and indicators. They are an integral part of this stewardship and oversight agreement. The CTDOT Performance Measures program is managed in the Bureau of Policy and Planning. The performance measures report can be found on the Department's website at www.ct.gov/dot. The measures are reported quarterly, and posted on the website.

Both Agencies agree to use the performance measures and indicators to track and monitor the health of the Federal Aid Program. An evaluation of those performance measures and indicators will provide the tools to determine where changes should be made in the oversight of projects, or where to focus our collective stewardship. The indicators will also be used to gauge the effectiveness of the Federal-aid program in the State. Quarterly discussions between the FHWA and the CTDOT shall occur to review the trends of these measures and indicators to determine if attention or action needs to be refocused.

Table 28: Stewardship/Oversight Indicators

Stewardship/Oversight Indicators	
Area of Focus	**Indicator**
Civil Rights	• DBE project goal versus actual payment • Cumulative progress toward statewide DBE goal
Financial Management	• Use of obligation authority vs. time of year • Advanced Construction authorization balances as a percentage of annual apportionment • Inactive Obligations as a percentage of annual apportionment • Number of inactive projects
Bridge/NBIS	• Percent of routine inspections on schedule • The number of bridges behind on Underwater Inspections. • The number of bridges behind on Fracture Critical Inspections.
Planning	• Percentage of STIP advanced
Environment	• Average time to complete EISs, EAs and CEs
Safety	• Percent of Highway Safety Improvement Program funds obligated
Construction	• Percentage of projects completed on time

APPENDIX A – Acronyms

AASHTO	American Association of State Highway and Transportation Officials
ACHP	American Council on Historic Preservation
ACOE	Army Corps of Engineers
ADA	Americans with Disabilities Act
ASTM	American Society for Testing and Materials
ATR	Automatic Traffic Recording
BAC	Blood Alcohol Concentration
BSE	Bridge Safety and Evaluation
CAP	Compliance Assessment Program
CAP	Corrective Action Plan
CE	Categorical Exclusion
CFR	Code of Federal Regulations
CHAMP	Connecticut Highway Assistance Program
CMAQ	Congestion Mitigation and Air Quality
CN	Construction
COTS	Commercial off-the-Shelf
CPG	Combined Planning Grant
CPI	Continuous Process Improvement
CTDOT	Connecticut Department of Transportation
CWA	Clean Water Act
DAS	Department of Administrative Services
DBE	Disadvantaged Business Enterprise
DDIR	Detailed Damage Inspection Report
DEIS	Draft Environmental Impact Statement
EA	Environmental Assessment
EEO	Equal Employment Opportunity
EIS	Environmental Impact Statement
EO	Executive Order
ESA	Endangered Species Act
FAHP	Federal-aid Highway Program
FEIS	Final Environmental Impact Statement
FHWA	Federal Highway Administration
FIRE	Financial Integrity Report Evaluation
FMCSA	Federal Motor Carrier Safety Administration
FMFIA	Federal Managers' Financial Integrity Act
FMIS	Federal Management Information System
FONSI	Finding of No Significant Impact
FPR	Final Plan Review
FTA	Federal Transit Administration
HBP	Highway Bridge Program
HOC	Highway Operations Center
HPMS	Highway Performance Monitoring System
HQ	FHWA Headquarters in District of Columbia
HRRR	High Risk Rural Roads
HSIP	Highway Safety Improvement Program
HVUT	Heavy Vehicle Use Tax
IM	Interstate Maintenance
ITS	Intelligent Transportation Systems
LPA	Local Public Agencies
LTAP	Local Technical Assistance Program

MAP-21	Moving Ahead for Progress in the 21st Century Act
MOA	Memorandum of Agreement
MPO	Metropolitan Planning Organization
MUTCD	Manual of Uniform Traffic Control Devices
NBIS	National Bridge Inspection Standards
NEPA	National Environmental Policy Act
NHPP	National Highway Performance Program
NHS	National Highway System
NHTSA	National Highway Traffic Safety Administration
NOI	Notice of Intent
OJT	On the Job Training
OMB	Office of Management and Budget
PD	Preliminary Design
PE	Preliminary Engineering
PL	Planning Funds made available to MPOs
PM	Project Manager
PMS	Pavement Management System
POCI	Project of FHWA Corporate Interest
PODI	Project of FHWA Division Interest
PS&E	Plans, Specifications, and Estimate
QA/QC	Quality Control/Quality Assurance
RASPS	Rapid Approval State Payment System
RFQ	Request for Qualifications
RHGCP	Railway Highway Grade Crossing Program
ROD	Record of Decision
ROW	Rights-of-Way
S&O	Stewardship and Oversight
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users
SEAFORM	Systems Engineering Analysis Form
SEMP	Systems Engineering Management Plan
SEP	Special Experimental Project
SHPO	State Historic Preservation Officer
SHRP	Strategic Highway Research Program
SHSP	Strategic Highway Safety Plan
SLOSS	Suggested List of Study Surveillance Sites
SOP	Standard Operating Procedure
SPR	State Planning and Research
SRTS	Safe Routes to School
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
T2	Technology Transfer
TEA-21	Transportation Equity Act for the 21st Century
TIP	Transportation Improvement Program
TMA	Transportation Management Area
UPACS	User Profile and Access Control System
UPWP	Unified Planning Work Program
U.S.C.	United States Code
USCG	United States Coast Guard
USDOT	United States Department of Transportation
USFWS	United States Fish and Wildlife Service
WIM	Weigh in Motion

APPENDIX B – 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 the 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).*

Major Project – *As defined under 23 USC 106(h), a project whose total cost for all phases is equal to or greater than $500M.*

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 the FHWA involvement to enhance meeting project objectives.*

For PoDIs, the 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 the 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.*

APPENDIX C – 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 the FHWA would need no such notation.) These are projects where the 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 the FHWA would need no such notation.) These are projects where the 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.

APPENDIX D – Procurement

Federal-aid Procurement Overview

The procurement of goods and services utilizing Federal-aid funding is guided by the stipulations found in the Code of Federal Regulations (CFR) Title 23 Parts 172, 420, 635 and 2 CFR 200. Specifically, these regulations define the following three procurement methods:

A. Engineering and Design Related Service Contracts
B. Construction Contracts
C. Non-engineering/Non-architectural Contracts ("Supercircular" previously termed "Common Rule")

The specific procurement method to be implemented depends upon the type of goods/services to be procured. The following sections summarize these three procurement methods and the types of goods/services that are typically procured by each method as agreed to by the CTDOT and the FHWA. Additional discussions on the topic of procurements are provided in the FHWA Memorandum dated 6/26/2008 and titled 'Procurement of Federal-aid Construction Projects'

A. Engineering and Design Related Service Contracts:

Engineering and design related service contracts [per 23USC112(b)(2)(a)] are regulated under Title 23CFR Part 172.5, which generally specifies three methods for procuring engineering and design service contracts:

1. **Competitive Negotiation (also termed 'Quality Based Selection' or QBS)** – "These contracts shall use qualifications-based selection procedures in the same manner as a contract for architectural and engineering services is negotiated under Title IX of the Federal Property and Administrative Services Act of 1949…. Price shall not be used as a factor in the analysis and selection phase."
2. **Small Purchases** – "Relatively simple and informal procurement method where an adequate number of qualified sources are reviewed and the total contact costs do not exceed the simplified acquisition threshold fixed in 41 U.S.C. 403(11)." *(Note: The 'simplified acquisition threshold fixed in 41 U.S.C. 403(11)' is currently set at $150,000)*
3. **Noncompetitive Negotiation** – "Circumstances under which a contract may be awarded by noncompetitive negotiation are limited to the following:
   - i The service is available only from a single source;
   - ii There is an emergency which will not permit the time necessary to conduct competitive negotiations; or
   - iii After solicitation of a number of sources, competition is determined to be inadequate".

Federal-aid engineering and design related service contracts, including consultant Engineering and Inspection Services, that are administered by the CTDOT are procured utilizing a Competitive Negotiations process as defined by the CTDOT's 'Professional Services Consultant Selection Procedures Manual'.

Federal-aid engineering and design related service contracts administered by a **local government sub-recipient** (municipality) under the oversight of the CTDOT are procured as defined by the CTDOT's 'Consultant Selection, Negotiation and Contract Monitoring Procedures for Municipal Administered Projects' document.

Federal-aid engineering and design related service contracts which qualify as **Small Purchases procurements** and for which the CTDOT elects to not utilize the Competitive Negotiations process, are

procured in a manner consistent with the State's small purchase procedures, which are detailed in the Connecticut Department of Administrative Services (DAS) General Letter No. 71.

Procurement of Federal-aid engineering and design related service contracts utilizing a **Noncompetitive Negotiation** approach must be individually approved by the FHWA CT division office. For each noncompetitive negotiations contract proposed, the CTDOT must provide a detailed justification and proposed methodology to the FHWA CT division office for review and approval before using this contract award method.

Per 23CFR 1.11, 'Cost of engineering services performed by the "CTDOT" may be eligible for Federal participation only to the extent that such costs are directly attributable and properly allocable to specific projects.'

Consultant staff responsible for operating the Bridgeport HOC are procured using this qualifications based selection process.

B. Construction Contracts:

Procurement of Construction [per 23USC101(a)(3)] Contracts is regulated by Title 23CFR Part 635.104, which states that "Actual construction work shall be performed by contract awarded by competitive bidding…. the STD shall assure opportunity for free, open and competitive bidding…" Furthermore, 23USC112(b)(1) clarifies that 'Contracts for the construction of each project shall be awarded only on the basis of the lowest responsive bid submitted by a bidder meeting established criteria of responsibility. All Federal-aid construction contracts administered by the CTDOT are procured as defined by the approved CTDOT Bidding and Award Manual, the CTDOT Standard Specifications for Roads, Bridges and Incidental Construction – Form 816, and the CTDOT Construction Manual.

Per the regulations, an exception from the procurement through competitive bidding requirement can be made if "the STD demonstrates to the satisfaction of the Division Administrator that some other method is more cost effective" such as Force Account work by State Forces, "or that an emergency exists."

Federal-aid construction contracts administered by a **local government sub recipient** (municipality) under the oversight of CTDOT are procured in a manner consistent with the above regulations and as specified by the CTDOT.

The FHWA recognizes and accepts that the CTDOT utilizes the **Department of Administrative Services** (DAS) to provide public notice of construction contracts available for bid. However, through discussions between the FHWA and the CTDOT, it has been determined that the current DAS *contracting* procedures are *not* compliant with Federal contracting regulations, and therefore the DAS cannot be utilized to contract Federally-funded, low bid construction contracts.

Per 23CFR 635.205(b) the adjustment of **railroad or utility** facilities and similar types of facilitates owned or operated by a public agency, a railroad or a utility company by Force Account has been determined to be cost effective, and therefore prior FHWA approval for these efforts is not required. When the railroad/utility is not adequately staffed to pursue the work through its own forces the work may be done by a contract awarded by the utility/railroad to the lowest qualified bidder based on appropriate solicitation, a contract by a certified continuing contractor, as part of the Department's highway construction contract or a contract awarded by the Department. The CTDOT shall enter into and execute agreements with the appropriate railroad/utility company in accordance with their approved the CTDOT Standard Specifications for Roads, Bridges and Incidental Construction – Form 816 and the CTDOT Construction Manual, and in accordance with the 23CFR Parts 645 and 646.

C. Non-Engineering/Non-Architectural Contracts (Supercircular):

Procurement of goods and services that do not meet the legal definitions of "construction" [per 23UCS101(a)(3)] or "engineering and design service" [per 23USC112(b)(2)(a)] may be conducted in accordance with 2 CFR 200. This includes service contracts, equipment purchases, limited software development and other goods and services.

Per 2 CFR 200.317 which states "when procuring property and services under a grant, a State will follow the same policies and procedures it uses for procurements from its non-Federal funds", the CTDOT will utilize the same procedures for procuring goods and services with Federal funds that are utilized for State funds. The procurement, therefore, will be made in accordance with Title 4A, Chapter 58 (Purchases and Printing) of the Connecticut General Statutes and the CT Department of Administrative Services State Purchasing Procedures described in the Regulations of State Agencies, Title 4A –"Administrative Services".

Connecticut Department of Administrative Services (DAS) General Letter No. 71 provides the State's general process for the purchases of goods and/or services costing less than $50,000.00. As required by DAS General Letter 71, goods and services that are already the subject of existing DAS or Department of Information Technology (DOIT) contracts will be purchased against those existing contracts, and goods and services which cost in excess of $50,000.00 shall be procured through the DAS.

The following is a listing of specific 'unique' procurements for which the CTDOT and the FHWA have agreed may be procured under the 'Supercircular':

- The procurement of property, equipment and services with the FHWA planning and research funds;
- Services contracts for ITS projects which are not 'construction' (e.g. … do not 'directly facilitate and control traffic flow') and which are not 'engineering services' such as:
  - Video camera, variable message sign and traffic flow monitor operational support;
  - Highway Operations data transport communications system operational support;
  - Fiber-optic communications system support;
- Equipment purchases, including:
  - Traffic control signals, equipment and parts;
  - Highway Operations Center goods and services;
  - CHAMP service patrol vehicle purchase;
  - CHAMP service patrol vehicle parts
- Materials procurement for eligible Force Account activities;
- Materials procurement for railroad and utility work which require long lead times;
- Highway Operations telecommunications costs;
- Call Before You Dig (CBYD) registration costs for traffic control systems and traffic management systems
- 511 Deployment and Operations
- Non-highway construction projects that are located outside the right-of-way, and which are not linked to, dependent upon, or would not exist except to fulfill a separate requirement of another highway project. (*See FHWA Memorandum dated 11/12/1996 titled 'Procurement of Transportation Enhancement Projects' for additional discussion)*
- Test Boring for Subsurface

Federal laws and regulations also allow consultant services, which are not design related and which are not directly related to a construction project, to be procured utilizing 'Supercircular'. However, the definition of the terms 'consultant' and 'consultant services' per Connecticut State statutes [Sec. 13b-20] requires a more restrictive application of the Federal Supercircular. In general, the State statutes stipulate that the CTDOT's procurement of professional consultant services be conducted in a manner that is effectively consistent with the 'Competitive Negotiations' (or QBS) process as described above.

Therefore, per the State statutes, the Supercircular procurement approach may not be utilized by the CTDOT in procurement of professional consultant services.

NOTE: Per 2 CFR 200.319: "All procurement transactions will be conducted in a manner providing full and open competition consistent with the standards of this section. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, and invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

1) Placing unreasonable requirements on firms in order for them to qualify to do business,
2) Requiring unnecessary experience and excessive bonding,
3) Noncompetitive pricing practices between firms or between affiliated companies,
4) Noncompetitive awards to consultants that are on retainer contracts,
5) Organizational conflicts of interest,
6) Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance of other relevant requirements of the procurement, and
7) Any arbitrary action in the procurement process."

A procurement for which the CTDOT and the FHWA have agreed violates the above is the DAS small business and minority program for which only CT businesses can be applicants. When the DAS list for a good or service has been awarded as a small business or minority business set aside, CTDOT will disregard the list and instead follow the procedures that are used when a DAS contract does not exist for the good or service which is being procured.

Additional Procurement Information

The following sections provide additional discussions and information on some other unique procurement elements within the Federal-aid program and the CTDOT. These sections are provided to expand on the common understanding and agreements between the CTDOT and the FHWA as to how these specific procurements are addressed.

Innovative Contracting:

Currently the CTDOT does not utilize any Innovative Contracting Practices as defined by the FHWA's Special Experimental Project No. 14 (SEP-14), and therefore these procurement methods are not detailed herein.

Design-Build Contracting:

Design-Build is allowed by Federal regulations under 23CFR636. A Design-Build project will follow Table 7 of this manual, or a project specific Action Responsibility Matrix will be developed and agreed upon between the FHWA and the CTDOT, or between CTDOT and a Municipality.

Procurement of Task-Based Consultant Services:

Municipalities and the Department may utilize Task-Based Consultants for multiple, complete project assignments, or for specific partial project assignments, provided the multiple projects/assignments are specifically identified, and the scope is sufficiently defined in advance of selection so said selection is based on the qualifications necessary for the specific project/assignments.

Some Task-Based Consultant Service contracts that the CTDOT has utilized include the following:

- Project Management & Liaison (i.e. Bridge, State Roads, Transportation Enhancement)
- Design Specific tasks (i.e. Traffic Engineering, Hydrology & Drainage)
- Highway Operations tasks
- Construction Claims & Scheduling
- Coatings Inspection
- Constructability Reviews
- Environmental Compliance
- Value Engineering
- Environmental Planning

The type of Task-Based services being procured will define the procurement method to be utilized. Typically these contracts are procured by the CTDOT utilizing their QBS process.

The FHWA and the CTDOT have agreed that the Task-Based services Request for Qualification and the resulting contract must include a finite number of tasks that can be assigned during the contract duration. The contract must be capped at a certain dollar value appropriate for the services intended. Furthermore, per the CTDOT Administrative Memorandum #48 dated March 26, 2015, the Task-Based contract must be limited in duration to 5 years and negotiations of new assignments after the maximum five-year period will not be allowed. All uncompleted task order assignments will be allowed to continue until the work is completed. The consultant's performance will be formally evaluated by the CTDOT every 6 months while the agreement is active. These limitations on Task-Based assignments will also be applied to any other municipal or regional agency to which Federal funding may be appropriately allocated.

All Task-Based costs shall be clearly defined and charged to the applicable Federal-aid project for which the work activity directly relates. General costs incurred and time expended for the oversight, management and administration of a Task-Based contract which are not directly related to a single Federal-aid project are not eligible for Federal reimbursement. The CTDOT shall ensure that such costs are not billed to any Federal-aid project.

Procurement Practices for Relocation of Public Service Facilities/Railroads on Federal-aid Projects – Preliminary Engineering Services

The preliminary engineering activities associated with utility/railroad relocation work are typically done by the Public Service Company's/Municipality's/Railroad's engineering forces. The CTDOT's Utilities Section retains the preliminary engineering services from the public service companies, municipalities and railroads for their relocation work as required by State Highway Projects. When the Public Service Company/Municipality/ Railroad is not adequately staffed to pursue the necessary preliminary engineering work activities, the work is generally done by a qualified engineering consultant selected by the Public Service Company/Municipality/ Railroad as allowed under 23 CFR 645.109. Since this preliminary engineering work does not directly lead to 'highway construction', this work may be procured in accordance with the Department's approved procedures which are titled: *"Procedure for Retaining a Consultant Engineer to Render Services in Connection with Adjustments to Public Service Facilities Affected by State Highway Construction Projects."*

Office of Maintenance - Construction by State Forces (Force Account)

Per previous approval by the FHWA, State forces may perform force account work to address specific works items identified on the established list of eligible items requiring rapid response for critical/urgent deficiencies. This list was submitted to the FHWA in the Department's May 3, 2006 letter and approval was received by DOT from the FHWA on May 17, 2006.

Force account construction may therefore be used by the Office of Maintenance to accomplish work that is to be performed by some method other than a contract awarded by competitive bidding in accordance with 23 CFR635, Subpart B. The authorization for this force account construction program will not be longer than two years. The Department will provide the FHWA with a scope (consistent with Priority Codes A and B for Bridge Maintenance Memorandums) and a cost estimate (based on prior year's expenditures for these types of activities) for all construction work activities conducted under this authorization. In addition, the department will provide the FHWA with incident reporting forms as the work progresses. Lastly, in order to close the Federal-aid project, the Department will provide a report of actual work accomplished along with the actual costs. This report will be required prior to the next authorization.

Procurement for the Division of Research

The Department, through the Division of Research, enters into Personal Service Agreements with the University of Connecticut to conduct transportation research on topics and issues of interest to the Department, one of which is for the operation of the Connecticut Local Transportation Assistance Program Center at the University of Connecticut. The University of Connecticut is a land-grant university and the only transportation research university in the State.

The Department will document the use of these Personal Service Agreements on an annual basis. This report will be submitted by January 1st on a calendar year basis.

Procurement for Property Management Contracting (by the Office of Rights-of-Way)

The Property Management Division is responsible for maintenance and safety of all land and structures acquired for transportation projects. The FHWA considers all property management contracting as 'Non-Engineering/Non-Architectural' in nature. Therefore, per the Supercircular, procurement of property management contracts follows the CTDOT's State approved procurement procedures as described in the above section 'Non-Engineering/Non-Architectural Contracts (Supercircular)'. The FHWA notes that this understanding does not mean all property management contracts are eligible for Federal-aid. All such determinations of eligibility shall be made on an individual basis in coordination with the FHWA.

Environmental Testing, Remediation, Asbestos Abatement, & Demolition Contracting (by the Office of Rights-of-Way)

The Office of Rights of Way obtain environmental testing, asbestos abatement, site remediation efforts, and demolition of structures services as part of the Right of Way authorization to determine, document, and eliminate environmental and structural liabilities on a project site. When these services are completed prior to the highway 'construction' activity, then the procurement of these services shall follow the CTDOT's State approved procurement procedures as described in the above section 'Non-Engineering/Non-Architectural Contracts (Supercircular)'. When these services are included as a necessary part of a highway 'construction' contract, then the CTDOT may utilize their Construction Contracting low bid procurement procedures.

Procurement of Fee Appraiser Services (by the Office of Rights-of-Way)

When the CTDOT is required to have a second opinion by the Attorney General's office, or by the FHWA, or when the workload of the Office of Rights of Way dictates, the Office of Rights of Way retains the services of Fee Appraisers. The FHWA considers all fee appraisers as 'Non-Engineering/Non-Architectural' in nature. Therefore, procurement of fee appraiser services shall follow the CTDOT's State approved procurement procedures as described in the above section 'Non-Engineering/Non-Architectural Contracts (Supercircular)'

Local Public Agency Performs Right Of Way Activities (Municipal Buy)

At times, a Local Public Agency (or municipality) is involved in the acquisition of property for a variety of Federal or State funded construction programs. When the Local Public Agency (LPA) is administering the project, they are required to follow State requirements as stated in the approved Local Public Agency Manual.

APPENDIX E – Approved Manuals, Standards, or Processes

While each sub-section of this manual contains basic procedures for the oversight of the program or project phase, more detailed procedures are found in a number of manuals and operating agreements. The following chart lists State manuals and operating agreements that are either formally approved by the FHWA or endorsed by the FHWA for use on Federal-aid projects. Some of these manuals are followed but do not need any action by the FHWA, and are denoted below. The chart contains the latest versions.

Manuals Submitted to the FHWA for approval - The FHWA's approval is by letter or by stamping; some type of communication from the FHWA back to the CTDOT is expected. It is assumed that new editions and major revisions will be submitted. Minor revisions do not need to be explicitly approved by the FHWA, but can fall into the second category on the chart below.

Description	Bureau	Last Update	Owner	Approver	Availability	Basis
MANUALS/STANDARDS/PROCESSES						
Affirmative Action Plan	Commissioner	2010	Equal Op./ Diversity	EEO Director	Website	23 CFR Part 230
Bridge Design Manual, 2003 Edition	Engr. & Const.	March 2009	Bridge Design Unit	Manager of Bridge Design	Website	23 CFR Part 625
Bridge Inspection Manual	Engr. & Const.	March 14, 2008	Bridge Insp. Unit	Chief Engineer or Manager of BSE	Website	23 CFR Part 650
Construction Contract Bidding and Award Manual	Fin. & Admin.	Sept. 17, 2010	Contracts Admin.	Manager of Contracts	Website	23 CFR 635.110
Construction Manual	Engr. & Const.	April 2009	Const. Div. Chief	Const. Admin.	Website	23 CFR 635.123
Consultant Administration & Project Development Manual	Engr. & Const.	Sept. 2008	CE Design	Manager of Highway Design	Website	23 CFR 625 & 630B 23 CFR 172.9
Consultant Procurement Procedures for Municipalities	Engr. & Const.	Pending	Local Roads Unit	Manager of Highway Design	Website	23 CFR 172.9
Contract Compliance Plan	Fin. & Admin.	2008	Contract Compliance	Manager Contract Comp.	Hard Copy	23 CFR Part 230
DBE Plan	Fin. & Admin.	2009	Contract Compliance	Manager Contract Comp.	Hard Copy	49 CFR Part 26
Environmental Process Manual	Policy & Plan.				Website	23 CFR Part 771
Highway Design Manual, 2003 Edition	Engr. & Const.	Revised Jan 2009	Principal Engineer for the Highway Design/State Design Unit	Engr. Admin.	Website	23 CFR Part 625

Description	Bureau	Last Update	Owner	Approver	Availability	Basis
Local Bridge Program Manual	Engr. & Const.	2016	CE Structures Design	Manager of Bridges	Website	23 CFR 635.110 &23 CFR 630 Subpart B
Municipality Manual	Engr. & Const.	2013	Const. Div. Chief	Const. Admin	Website	23 CFR 635.123
MUTCD Supplement Compliance	Com-missioner	2002	State Traffic Commission	Executive Director	Website	MUTCD
Policy & Procedures for New or Revised Interstate Access Approval	Policy & Plan.	May 2009		Transportation Assistant Planning Director	Hard Copy	23 USC 111
Professional Services Consultant Selection Procedures Manual	Commission er	January 2010	Consultant Selection	Commissioner	Website	23 CFR 172.9
Public Involvement Guidance Manual	Policy & Plan.	2009	By Steering Committee		Website	23 CFR 771.111-(h)
QA Program for Materials, Acceptance and Assurance Testing Policies and Procedures	Engr. & Const.	July 2009	Research & Materials	Const. Admin.	Website	23 CFR Part 637
ROW Division of Acquisition-Relocation	Engr. & Const.	2006	Division of Acquisition-Relocation	ROW Admin.	Hard Copy	23 CFR 710.201c
ROW Division of Administration	Engr. & Const.	2006	Division of Admin.	ROW Admin.	Hard Copy	23 CFR 710.201c
ROW Division of Appraisals	Engr. & Const.	2006	Division of Appraisals	ROW Admin.	Hard Copy	23 CFR 710.201c
ROW Property Management Division	Engr. & Const.	2006	Property Managemen t Division	ROW Admin.	Hard Copy	23 CFR 710.201c
ROW Division of Titles	Engr. & Const.	2006	Division of Titles	ROW Admin.	Hard Copy	23 CFR 710.201c
Standard Drawings	Engr. & Const.	Various	Design Dev. Unit	Engr. Admin.	Website	23 CFR 630B
Standard Specifications	Engr. & Const.	July 2010	Standing Comm.	Chief Engineer	Website	23 CFR 630 Subpart B
Title VI Plan	Fin. & Admin.	2008	Contract Compliance	Manager, Contract Comp.	Hard Copy	23 CFR Part 200
Utility Accommodation Manual	Engr. & Const.	2009	Utilities	Chief Engineer	Website	23 CFR 645.211

Description	Bureau	Last Update	Owner	Approver	Availability	Basis
Value Engineering Program	Engr. & Const.	Nov. 2009	Office of Quality Assurance	Manger of Quality Assurance	Website	23 CFR Part 627

Manuals (including changes) listed below are submitted to the FHWA for endorsement and information - The FHWA's responsibility is to notify the CTDOT only if a provision specifically violates an FHWA policy; communication back to the CTDOT is not needed otherwise.

Description	Bureau	Last Update	Owner	Approver	Availability	Basis
ADA Transition Plan	Fin. & Admin.	Pending	Equal Op./ Diversity	EEO Director	-----	Various
Constructability Review Program	Engr. & Const.	June 2009	Office of Quality Assurance		Website	23 USC 106
Construction Engineering and Inspection Information Pamphlet for Consultants	Engr. & Const.	January 2000				23 CFR 172.9
CTDOT 2014 Cost Estimating Guidelines		2014				23 CFR 630.106(a)(3)
DOT Federal Billing Manual	Fin. & Admin.	May 14, 2010	Division of Capital Services, Federal Billing Unit	Manager of Federal Billing	Hard Copy	Title 2, Part 225
Drainage Manual	Engr. & Const.	Dec. 2003	Hydraulics & Drainage	Engr. Admin.	Website	23 CFR Part 650
Procedure for Preparing Engineer's Estimates and Bid Analyses		October 6, 2014				23 CFR 630.106(a)(3)
Force Account Construction Recordkeeping, Volume 1 and 2	Highway Operations	2012	Bureau of Highway Operations	Bureau Chief	Hard Copy and Electronic	23 CFR 635.123 (if used for Federal-aid)
Geotechnical Engineering Manual, 2005 Edition	Engr. & Const.	Revised, Feb 2009	Soils & Foundations	Principal Engr.	Website	Various

Description	Bureau	Last Update	Owner	Approver	Availability	Basis
Information Guide for ROW Acquisition Activities	Engineering & Construction	2006	ROW Division of Administration	ROW Admin.	Hard Copy	23 CFR Part 710
Public Service Facility Policy and Procedures for Highways in CT	Engineering & Construction	Nov. 2008	Utilities	Chief Engineer	Website	Various
State Accounting Manual	Office of the State Comptroller	January 2006	Office of the State Comptroller	State Comptroller	Website	Title 2, Part 225
Traffic Control Signal Design Manual	Engineering & Construction	2009	Traffic Engineering	Manager of Traffic Engineer	Website	MUTCD, STC Regulations

Manuals that do not need to be submitted to the FHWA -. The FHWA need not be notified of changes. These manuals are for the FHWA's information and can be provided upon request if needed.

Description	Bureau	Last Update	Owner	Approver	Availability	Basis
Digital Design Environment Guide	Engineering & Construction	October 2007	Engineering Applications	Manager of Quality Assurance	Website	Various
Highway Division Route	Highway Operations	Various	Highway Operations	Principal Engineer	Website	
Maintenance Manual	Highway Operations	2001	Maintenance Planning	Bureau Chief	Hard Copy	23 CFR 1.27
Standard Operating Procedures and User Manual	Highway Operations	2012	Highway Operations	Principal Engineer	Electronic or Hard Copy	

APPENDIX F: Stewardship & Oversight Agreement

as signed by Amy Jackson-Grove (FHWA) and Jim Redeker (CTDOT)

U.S. Department of Transportation
Federal Highway Administration

STEWARDSHIP AND OVERSIGHT AGREEMENT

ON PROJECT ASSUMPTION AND

PROGRAM OVERSIGHT

BY AND BETWEEN

FEDERAL HIGHWAY ADMINISTRATION,

CONNECTICUT DIVISION

AND THE

STATE OF CONNECTICUT

DEPARTMENT OF TRANSPORTATION

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 State of Connecticut Department of Transportation (State DOT) on the roles and responsibilities of the FHWA and the State DOT with respect to Title 23 project approvals and related responsibilities, and FAHP oversight activities.

The scope of FHWA responsibilities, and the legal authority for State DOT 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) of2012 (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 I 06), 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)(l)) 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 the State DOT under Section 106(c)(l) 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 the State DOT to enter into an agreement relating to the extent to which the State DOT 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).

The Connecticut General Statutes, Volume 4, Titles 13, 13a and 13b are the governing statutes that allow the State of Connecticut to enter into a Stewardship Agreement, including all CTDOT directives and Commissioners Administrative Memoranda.

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 Connecticut Division Office and Connecticut Department of Transportation (CTDOT) 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. The State DOT 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 the State DOT 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 Guide (FHWA PoDI/PoCI Guide) located at http://www.fhwa.dot.gov/federalaid/stewardship/140328_podipoci.pdf

C. The State DOT may not assume responsibilities for Interstate projects that are in high risk categories. (23 U.S.C. 106(c)(1).)

(Information Note: High Risk Categories are discussed in Section IX oj the S&O Agreement Guidance and there are no High Risk Categories in Connecticut.)

D. The State DOT 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

(lnformation Note: Assumption of responsibilities off the NHS is discussed in Section II of the S&O Agreement Guidance.)

A. The State DOT 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)) CTDOT has determined that the assumption of responsibilities is not appropriate for some items in a letter from the Chief Engineer dated November 26,2014. This is reflected in Attachment A.

B. Except as provided in 23 U.S.C.l09(o), the State DOT is to exercise the Secretary's approvals and related responsibilities on these projects in accordance with Federal laws.

C. The State DOT, 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. They have done so in a letter from the Chief Engineer dated November 26, 2014; this is reflected in Attachment A. For a project specific request, the State may request FHWA carry out any approval or related responsibility listed in Attachment A off the NHS. Such project-specific requests shall be documented in accordance with the FHWA PoDI/PoCI Guide.

D. Pursuant to 23 U.S.C109(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

(Information Note: LPAs are discussed in Section II of the S&O Agreement Guidance.)

The State DOT may permit local public agencies (LPAs) to carry out the State DOT's assumed responsibilities on locally administered projects. The State DOT 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, and 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 Patt 710.

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

(Information Note: Responsibilities that may not be assumed are discussed in Section II of the S&O Agreement Guidance.)

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 the State DOT:
- 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 CPR Part 24;
- Waivers to Buy America requirements;
- Approval of Federal participation under 23 CPR 1.9(b);
- Provide pre-approval for preventive maintenance project (until FHWA concurs with State DOT procedures);
- 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, the State DOT 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

(Information Note: High risk categories are discussed in Section III of the S&O Agreement Guidance.)

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)(8), the Secretary may define high risk categories on a national basis, State-by-State basis, or national and State-by-State basis.

B. The Division has determined there are no high risk categories.

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

(Information Note: The FHWA Oversight Program is discussed in Section IV of the S&O Agreement Guidance.)

A. 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.

B. 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 subrecipients pursuant to 23 U.S.C.106(g)(4)(B).

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 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. I 06(g)(2) and (3).

D. To carry out the requirements of23 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 State DOT 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):

The FHWA CT division office and CTDOT use all of the above listed techniques. CTDOT routinely are members of our Program Review Teams and provide action plans for any findings. CTDOT support our FIRE Reviews by providing necessary source documents. CTDOT receive our CAP reviews and respond to findings and do the same for our regular inspections. CTDOT also provide input to our Program Assessments and Risk statements.

E. Program Responsibility Matrix

Attachment B contains a link to the Program Responsibility Matrix that identifies all relevant FHWA program actions.

F. Manuals and Operating Agreements

State DOT manuals, agreements and other control documents that have been approved for use on Federal-aid projects are listed in another document.

G. Stewardship and Oversight Indicators

The Division and State DOT may jointly establish Stewardship and Oversight 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. Indicators can provide documented evidence that the State DOT assumption of responsibilities is functioning appropriately. Stewardship and Oversight Indicators should be reviewed on an annual basis. If utilized, the Indicators shall be incorporated by reference to this S&O Agreement.

SECTION XI. STATE DOT OVERSIGHT AND REPORTING REQUIREMENTS

(Information Note: The FHWA Oversight Program is discussed in Section IV of the S&O Agreement Guidance.)

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 CTDOT provides FHWA the following control documents: the monthly obligation plan, the monthly listing of all active federal-aid projects, the monthly Site Manager reports, access to the Project Wise system, performance measures reports, and responds to ad-hoc requests for information from FHWA as allowed in 23 CPR 1.5.

B. State DOT Oversight of Locally Administered Projects

B.l. State DOT's are required to provide adequate oversight of sub-recipients including oversight of any assumed responsibilities the State DOT delegates to a LPA.

B.2. Pursuant to 23 U.S.C. 106(g)(4), the State DOT shall be responsible for determining that sub-recipients of Federal funds have adequate project delivery systems for locally administered projects and sufficient accounting controls to properly manage such Federal-aid funds. The State DOT 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 of2006, PL 109-282 (as amended by PL 110-252).

B.3. The State DOT 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 State DOT shall carry out these responsibilities using the following actions, programs, and processes:

- Administration of the Master Municipal Agreement and individual
- State/Municipal agreements
- Maintenance of information via their website
- CTDOT populates their project files with progress during design and construction
- Also, CTDOT manages their in-actives and the 10 year rule of their PE agreements.

B.4. The State DOT 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:

- Administration of the Master Municipal Agreement and individual State/Municipal agreements
- Maintenance of information via their website.
- CTDOT populates their project files with progress during design and construction.

- Also, CTDOT manages their in-actives and the 10 year rule of their PE agreements.

B.5. The State DOT 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:

- Chapter 21 of the Construction Manual
- The Municipal Manual, November 2013
- The overall administration of the Municipal Services Action Team (MSAT.)

B.6. The State DOT 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:

- Chapter 21 of the Construction Manual
- The Municipal Manual, November 2013
- The overall administration of the Municipal Services Action Team (MSAT.)

B.7. The State DOT shall ensure that when LPAs elect to use consultants for engineering services, the LPA, as provided under 23 CFR 635.1 05(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:

- Chapter 21 of the Construction Manual
- The Municipal Manual, November 2013
- The overall administration of the Municipal Services Action Team (MSAT.)

B.8. The State DOT shall ensure that project actions will be administered in accordance with all applicable Federal laws and regulations. The State DOT will use the following process on required approvals on sub-recipient projects, and approved on sub-recipient administered projects. The CTDOT performs this function with the following actions, programs, and processes:

- Consultant Selection, Negotiation and Contract Monitoring Procedures for Municipally Administered Projects

- CTDOT's Assignment of Responsibilities and Checklist Pursuant to the Stewardship Agreement for State Oversight Pre-Construction Project Activities, Office of Engineering dated July, 2010.
- Advertising Procedures for Construction Contracts Administered by Municipalities
- Master Municipal Agreements
- CTDOT Construction Manual, Chapter 21 specifically
- CTDOT Municipality Manual, November 2013

B.9. The State DOT shall document its oversight activities for LPA- administered projects and findings, and how it will share this information with the FHWA. See all of the above bullets for a description of how the CTDOT documents its oversight activities.

SECTION XII. IMPLEMENTATION AND AMENDMENTS

A. This S&O Agreement will take effect as of the effective date of the signature of the FHWA Connecticut Division Administrator, who shall sign this S&O Agreement last.

B. The Division and State DOT 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 the State DOT or FHWA; or
- Priorities shift as a result of audits, public perception, or changes in staffing at either the State DOT or division office.
- As agreed to by the Stewardship Committee

A standing committee was originally established on January 8, 2008. The primary responsibility of this Committee is to modify this agreement when needed and recommend its approval to the CTDOT Commissioner and the FHWA Division Administrator. The members have changed twice since 2008, and now consist of the following:

- Hugh Hayward, Bureau of Engineering and Construction, Chairperson
- Robert Obey, Bureau of Engineering and Construction
- Colleen A. Kissane, Bureau of Policy and Planning
- David W. Nardone, FHWA, Engineering
- Eloise Powell, FHWA, Planning, Environment, and Research
- Debra P. Ramirez, FHWA, Finance
- Michelle Hilary, FHWA, Assistant Division Administrator

C. The Division and State DOT 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 the Attachments and documents incorporated by reference will not require the Division and State DOT 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 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 must be approved by the FHWA Office of infrastructure in writing and documented by an amendment to this S&O Agreement.

This agreement replaces the November 23, 2010 agreement between the FHWA and the CTDOT.

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EXECUTION BY THE FHWA CONNECTICUT DIVISION OFFICE

Executed this 23 day of April, 2015.

Signature

Amy Jackson-Grove
Division Administrator

EXECUTION BY THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION

Executed this 23 day of April, 2015.

Signature

James Redeker
Commissioner

ATTACHMENT A
PROJECT ACTION RESPONSIBILITY

PROJECT RESPONSIBILITY MATRIX (as of February 6, 2015 (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	**AGENCY RESPONSIBLE**	
	PROJECTS ON THE NHS	**PROJECTS OFF THE NHS**
PROGRAMMING (All phases)		
Ensure project in Statewide Transportation Improvement Program (STIP)/ Transportation Improvement Program (TIP)	STATE	STATE
Identify proposed funding category	STATE (I)	STATE (I)
FINANCIAL MANAGEMENT (All Phases)		
Obligate funds/approve Federal-aid project agreement, modifications, and project closures (project authorizations) (Note: this action cannot be assumed by the State)	FHWA	FHWA
Authorize current bill (Note: this action cannot be assumed by State)	FHWA	FHWA
Review and Accept Financial Plan for Federal Major Projects over $500 million [23 U.S.C. 106(h)] (Note: this action cannot be assured by State)	FHWA	FHWA
Review Cost Estimates for Federal Major Projects over $500 million [23 U.S.C. 106(h)] (Note: this action cannot be assured by State)	FHWA	FHWA
Develop Financial Plan for Federal Projects between $100 million and $500 million. [23 U.S.C. 106(i)]	FHWA	FHWA
ENVIRONMENT (All phases)		

PROJECT RESPONSIBILITY MATRIX (as of February 6, 2015) (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	**AGENCY RESPONSIBLE**	
	PROJECTS ON THE NHS	**PROJECTS OFF THE NHS**
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 CFR771.117(g)	FHWA(2)	FHWA(2)
PRELIMINARY DESIGN (Design Phase)		
Consultant Contract Selection	STATE (3)	STATE (3)
Sole source Consultant Contract Selection	FHWA (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
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)]	STATE (5)	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))	STATE	N/A

PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015) (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	**AGENCY RESPONSIBLE**	
	PROJECTS ON THE NHS	**PROJECTS OFF THE NHS**
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 project (until FHWA concurs with STATE procedures) (Note: this action cannot be assumed by State)	FHWA	FHWA
DETAILED/FINAL DESIGN (Design Phase)		
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
Provide approval of preliminary plans for unusual/complex bridges or structures (non-Interstate) [23 USC 109(a) and FHWA Policy]	STATE (4)	STATE
Approve retaining right-of-way encroachments [23 CFR 1.23 (b) & (c)]	STATE (6)	STATE
Approve use of local force account agreements [23 CFR 635.104 & 204]	FHWA	STATE (7)(8)
Approve use of publicly owned equipment [23 CFR 635.106]	STATE (5)	STATE

PROJECTS ACTION RESPONSIBILITY MATRIX (As of February 6, 2105) (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	**AGENCY RESPONSIBLE**	
	PROJECTS ON THE NHS	**PROJECTS OFF THE NHS**
Approve the use of proprietary products, processes [23 CFR 635.411]	STATE (5)	STATE
Concur in use of publicly furnished materials [23 CFR 635.407]	STATE (5)	STATE
RIGHT-OF-WAY (Design and Operational Phases)		
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	FHWA (8)
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 CFR635.309(c)]	FHWA	FHWA (8)
Ensure compliant ROW certificate is in place [23 CFR 635.309(c)]	STATE	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 Interest Use Agreements [23 CFR 710.405] (Note: this action cannot be assumed by State)	FHWA	N/A
Approve non-highway use and occupancy [23 CFR 1.23(c)]	FHWA for Interstate STATE for Non-Interstate (3)	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

PROJECTS ACTION RESPONSIBILITY MATRIX (As of February 6, 2105) (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	**AGENCY RESPONSIBLE**	
	PROJECTS ON THE NHS	**PROJECTS OFF THE NHS**
Approve disposal at fair market value of federally funded right-of-way, including disposals of access control [23 CFR 710.409] (Note: 23 CFR 710.201 authorizes FHWA and STATE to agree to scope of property-related oversight and approvals for all actions except those on the Interstate System)	FHWA for Interstate STATE for Non-Interstate (3)	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
SYSTEM OPERATIONS AND PRESERVATION (Design Phase)		
Accept Transportation Management Plans (23 CFR 630.1012(b))	STATE	STATE
Approval of System Engineering Analysis (for ITS) [23 CFR 940.11]	STATE (5)	STATE
PS&E AND ADVERTISING (Design Phase)		
Approve PS&E [23 CFR 630.201]	STATE (5)	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

PROJECTS ACTION RESPONSIBILITY MATRIX (As of February 6, 2105) (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	**AGENCY RESPONSIBLE**	
	PROJECTS ON THE NHS	**PROJECTS OFF THE NHS**
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 (5)	STATE
CONTRACT ADVERTISEMENT AND AWARD (Design Phase) **All contracts to be done by competitive bidding unless otherwise authorized by law**		
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(7)(8)
Approve emergency determinations for contracts awarded by other than competitive bidding [23 CFR 635.104 &.204]	FHWA	STATE (7)(8)
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 (7)(8)
Approve addenda during advertising period [23 CFR 635.112]	STATE (5), whichever approved PS&E	STATE
Concur in award of contract [23 CFR 635.114]	STATE (5)	STATE
Concur in rejection of all bids [23 CFR 635.114]	FHWA	FHWA (8)
Approval of Design-Build Requests-for-Proposals and Addenda [23 CFR 635.112]	STATE (5)	STATE

PROJECTS ACTION RESPONSIBILITY MATRIX (As of February 6, 2105) (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	**AGENCY RESPONSIBLE**	
	PROJECTS ON THE NHS	**PROJECTS OFF THE NHS**
CONSTRUCTION (Construction Phase)		
Approve changes and extra work [23 CFR 635.120]	STATE (5)	STATE
Approve contract time extensions [23 CFR 635.120]	STATE (5)	STATE
Concur in use of mandatory borrow/disposal sites [23 CFR 635.407]	STATE (5)	STATE
Accept materials certification [23 CFR 637.207]	STATE (5)	STATE
Concur in settlement of contract claims [23 CFR 635.124]	FHWA	STATE
Concur in termination of construction contracts [23 CFR 635.125]	STATE (5)	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 (5)	STATE
CIVIL RIGHTS (All phases)		
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
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

PROJECTS ACTION RESPONSIBILITY MATRIX (As of February 6, 2105) (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	**AGENCY RESPONSIBLE**	
	PROJECTS ON THE NHS	**PROJECTS OFF THE NHS**
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

FOOTNOTES:

(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.

(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.
(3) State's process and modifications to, or variation in process, require FHWA approval.
(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 hydraulic 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)
(5) FHWA if the overall project is determined a PODI
(6) FHWA if on the Interstate
(7) FHWA only if State administered (if LPA administered, State.)
(8) CTDOT requested FHWA carry out this approval.

ATTACHMENT B
PROGRAM RESPONSIBILITY MATRIX
PROGRAM ACTION RESPONSIBILITY

The Connecticut Division should refer to
http://our.dot.gov/office/fhwa.hg/OfficeoflnfrastructureIhipa/SO/Resources/

Covered more thoroughly in the Program Responsibility Chapters of the Stewardship and Oversight Implementation Manual.

ATTACHMENT C.
MANUALS AND OPERATING AGREEMENTS

Intentionally left blank; covered in Appendix E of the Stewardship and Oversight Implementation Manual.

APPENDIX G: Figures and Tables List

Figure/Table	Subject	Page
Figure 1	Project Flowchart	**34**
Figure 2	FHWA Projects Contracts through Billing Flowchart	**34**
Figure 3	PE Process for Intelligent Transportation Systems	**43**
Table 1	Determination of FHWA Interest Summary	**4**
Table 2	Project Implementation Table for Preliminary Engineering	**6**
Table 3	Project Implementation Table during Construction	**10**
Table 4	Municipality Administered Project Implementation Table during Preliminary Engineering	**13**
Table 5	Municipality Administered Project Implementation Table during Construction	**15**
Table 6	Project Implementation Table for Term and Work Plan Projects	**17**
Table 7	Project Implementation Table for Design-Build	**18**
Table 8	Bridge Program Summary	**21**
Table 9	Civil Rights Program Summary	**23**
Table 10	Emergency Relief Program Summary	**26**
Table 11	Environment Policy/Program Approvals	**28**
Table 12	Environment Reporting Requirements Summary	**28**
Table 13	NEPA Documentation Summary	**29**
Table 14	Section 4(f) Summary	**30**
Table 15	Section 106 and Tribal Consultation Summary	**30**
Table 16	Endangered Species Act Summary	**31**
Table 17	Permitting Summary	**31**
Table 18	Financial Management Program Summary	**38**
Table 19	ITS Process Summary for Projects - ITS Process for Programs	**46**
Table 20	Major Projects Summary	**47**
Table 21	Pavement Design and Management Summary	**48**
Table 22	Planning Summary	**51**
Table 23	Quality Assurance Program for Materials Summary	**56**
Table 24	Research, Development and Technology Program Summary	**59**
Table 25	R-O-W Process Summary	**62**
Table 26	Safety Program Summary	**65**
Table 27	Miscellaneous Table	**68**
Table 28	Stewardship/Oversight Indicators	**70**

2015 Stewardship & Oversight Implementation Manual

Federal Highway Administration
Connecticut Department of Transportation