

**STEWARDSHIP AND OVERSIGHT AGREEMENT  
ON PROJECT ASSUMPTION AND PROGRAM OVERSIGHT  
BY AND BETWEEN  
FEDERAL HIGHWAY ADMINISTRATION, FLORIDA DIVISION  
AND THE  
STATE OF FLORIDA 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 Florida Department of Transportation (FDOT) 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) of 2012 (P.L. 112-141).

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

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

The authority given to the State DOT under Section 106(c)(1) and (2) is limited to specific project approvals listed herein. Nothing listed herein is intended to include assumption of FHWA's decision-making authority regarding Title 23, U.S.C. eligibility or Federal-aid participation determinations. The FHWA always must make the final eligibility and participation decisions for the Federal-aid Highway Program.

Section 106(c)(3) requires FHWA and 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).

## **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 Florida Division Office (FHWA or Division) and the Florida Department of Transportation (State DOT or FDOT) 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. FDOT 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 FDOT and FHWA determine that assumption of responsibilities is appropriate.
- B. Approvals and related activities for which FDOT has assumed responsibilities as shown in Attachment A will apply program wide unless project specific actions for which the FHWA, in its discretion and on a case by case basis, will carry out the approval or related responsibilities. These projects will be 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/>. FHWA, in

coordination with FDOT, will use a risk-based approach to determine which projects are determined to be PoDI/PoCI.

- C. FDOT may not assume responsibilities for Interstate projects that are in high risk categories. (23 U.S.C. 106(c)(1)). High risk categories are identified in Section IX of this agreement.
- D. FDOT is to exercise any and all assumptions of the Secretary responsibilities for Federal-aid projects on the NHS in accordance with Federal laws, regulations and policies.

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

- A. FDOT 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 FDOT determines that assumption of responsibilities is not appropriate. (23 U.S.C. 106(c)(2))
- B. Except as provided in 23 U.S.C.109(o), FDOT is to exercise the Secretary’s approvals and related responsibilities on these projects in accordance with Federal laws.
- C. FDOT, 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. As of the effective date of this Agreement, FDOT does not request for FHWA to carry out any non-NHS approvals or related responsibilities. For a project specific request, FDOT 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.C. 109(o), non-NHS projects shall be designed and constructed in accordance with State laws, regulations, directives, safety standards, design standards, and construction standards.

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

FDOT may permit well-qualified and suitably equipped 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.

The Local Agency Program or “LAP” is a process where local towns, cities and counties develop, design, and construct transportation facilities with federal funds. FDOT is the steward of the federal funds and is responsible for oversight of funded projects on behalf of the Federal

Highway Administration (FHWA). LAP agencies prioritize and fund local projects (through their respective MPO or governing board) and are then eligible for reimbursement for the services provided to the traveling public through compliance with applicable Federal statutes, rules and regulations.

LAP is administered in each transportation District by a District LAP Administrator or Coordinator who provides project level support and oversight for the agencies. Functional area support for the program is provided through the District Offices of Planning, Environmental Management, Design, Right-of-Way, Policy Planning, Federal-Aid, Design, Contracts Administration, Equal Opportunity, Comptroller, and Program Management. The Central Office Statewide Local Program Administrator in turn provides statewide program oversight and policy implementation and guidance through adaptation of program standards based on federal and state requirements, rules, laws and statutes.

Eligibility to participate in LAP is determined via a certification process to determine staff resources and capabilities in transportation projects as well as assess familiarity with federally funded programs. Further discussion of FDOT oversight of Locally Administered Projects is discussed in Section XI.B.

In providing oversight of the LAP Program, FHWA and FDOT should always consider including LAP projects in all project samples for reviews such as Quality Assurance Reviews (QARs), Process Reviews, billing reviews, etc.

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

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

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

- D. Inspections, which include general contract administration, material testing and quality assurance, review, and inspections of Federal-aid contracts as well as final inspection/acceptance.
- E. Approvals and related responsibilities affecting real property as provided in 23 CFR 710.201(i) and any successor regulation in 23 CFR Part 710.

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

- A. Any approval or related responsibility not listed in Attachment A cannot be assumed by FDOT 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 FDOT:
  - Civil Rights Program approvals;
  - Environmental approvals, except those specifically assumed under other agreements. (23 U.S.C. 326 and 327; programmatic categorical exclusion agreements);
  - Federal air quality conformity determinations required by the Clean Air Act;
  - Approval of current bill and final vouchers;
  - Approval of federally-funded hardship acquisition, protective buying, and 23 U.S.C. 108(d) early acquisition;
  - Project agreements and modifications to project agreements and obligation of funds (including advance construction);
  - Planning and programming pursuant to 23 U.S.C. 134 and 135;
  - Special Experimental Projects (SEP-14 and SEP-15);
  - Use of Interstate airspace for non-highway-related purposes;
  - Any Federal agency approval or determination under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), as amended, and implementing regulations in 49 CFR Part 24;
  - Waivers to Buy America requirements;
  - Approval of Federal participation under 23 CFR 1.9(b);
  - Provide pre-approval for preventive maintenance 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, FDOT 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. Assumption of project approvals specified in this matrix will apply program wide. Deviations from this matrix will be documented on project by project basis in accordance with the FHWA PoDI/PoCI Guide.

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

- A. In 23 U.S.C. 106(c), Congress directs that the Secretary shall not assign any approvals or related responsibilities for projects on the Interstate System if the Secretary determines the project to be in a high risk category. Under 23 U.S.C. 106(c)(4)(B), the Secretary may define high risk categories on a national basis, State-by-State basis, or national and State-by-State basis.
- B. As of the effective date of this Agreement, FHWA has determined there are no high risk categories.
- C. The determination of High Risk Categories must be coordinated with the FHWA Office of Program Administration and FDOT

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

- 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 FDOT's financial management system in accordance with 23 U.S.C. 106(g)(2)(A). FHWA will periodically review the FDOT's monitoring of subrecipients pursuant to 23 U.S.C. 106(g)(4)(B).
- C. FHWA shall perform annual reviews that address elements of the project delivery systems of FDOT, 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 FDOT for estimating project costs, awarding contracts, and reducing costs. 23 U.S.C. 106(g)(2) and (3).
- D. To carry out the requirements of 23 U.S.C. 106(g), the FHWA will employ a risk management framework to evaluate financial integrity and project delivery, and balance risk with staffing resources, available funding, and the FDOT's transportation needs. FHWA may work collaboratively with the FDOT 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

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

- Program Assessments;
- FIRE Reviews;
- Program Reviews;
- Certification Reviews;
- Recurring or periodic reviews such as the Compliance Assessment Program (CAP) or Performance Accountability Reviews (PARs);
- Project involvement in Projects of Division Interest (PODI) and/or Projects of Corporate Interest (POCI)
- Project approval actions
- Inspections of project elements or phases.
- Participation in task teams, working groups, or committees as deemed appropriate
- Participation in external reviews or audits (e.g. Office of the Inspector General or General Accountability Office) and a review of the findings or recommendations

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 reviews, etc. These activities will be conducted by individual FHWA staff or by teams including FDOT staff participation.

- E. Program Responsibility Matrix

Attachment B to this S&O Agreement is the Program Responsibility Matrix that identifies all relevant FHWA program actions, and FHWA and FDOT program contact offices.

F. Manuals and Operating Agreements

FDOT manuals, agreements and other control documents that have been approved for use on Federal-aid projects are listed in Attachment C to this S&O Agreement. Any modifications or revisions to the documents listed require FHWA review and approval.

G. Stewardship and Oversight Indicators

The Division and FDOT will 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 FDOT assumption of responsibilities is functioning appropriately. Stewardship and Oversight Indicators will be reviewed on an annual basis. Once developed, the Indicators will be included in an attachment to this agreement.

Additionally, FDOT regularly reports on performance measures spanning the department's operations including, but not limited to, transportation system performance measures, production measures and mission related measures. The Florida Division attends the monthly FDOT Executive Performance Review meeting.

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

A. State DOT Oversight and Reporting Requirements

FDOT 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 FDOT will, at a minimum, do the following:

- Provide stewardship and oversight activities on Federal-aid projects as described in the "Project Action Responsibility Matrix" (Attachment A)
- Provide stewardship and oversight activities on FHWA programs as described in the "Program Responsibility Matrix" (Attachment B)
- Perform Quality Assurance Reviews (QARs) to ensure compliance with Federal requirements; identify inconsistencies in process or program management; identify opportunities for greater efficiencies and improvements to the program; and identify best practices. FDOT Program Manager shares the results with FHWA when completed. FDOT will provide to FHWA a summary of recommendations and action items resulting from QARs when completed or at least by August of each year.



- Ensure that projects requesting federal-aid funding meet all planning requirements, are included in the Statewide Transportation Improvement Program (STIP) and consistent with the statewide long range plan and the metropolitan long range transportation plan, as applicable.
- FDOT will ensure that all ROW acquired for, or in anticipation of, federally funded projects meets Uniform Act requirements by ensuring compliance with FHWA-approved FDOT LAP and ROW Procedures Manual requirements.
- Ensure that the plans and specifications for Federal-aid highway projects will be designed in accordance with AASHTO design criteria; FDOT Design Standards: Standard Specifications for Road and Bridge Construction (including supplemental specifications); pavement design manuals; Drainage Manual; the Plans and Preparation Manual (PPM); and FDOT Structures Manual.
- Conduct construction activities as set forth in the project's construction documents and in accordance with FDOT's Construction Project Administration Manual. Utilize established Quality Control/Quality Assurance Program to assure that the materials and workmanship incorporated into any highway construction project are in reasonable conformity with the requirements of the approved plans and specifications, including any approved changes. A final project material certification is stored in the project file for each Federal-aid project.
- Ensure nondiscrimination in all FDOT programs and activities by conducting both program and project reviews of EEO, DBE, Training Special Provisions (OJT), Title VI, LEP/EJ, ADA/504 and Special Outreach Initiatives. Follow the processes outlined in FDOT's nondiscrimination assurances, the DBE Program Plan, ADA/504 Program and Accessibility Plan, Contractor Compliance Manual, Title VI Implementation Plan, LEP Plan, Public Involvement and Sociocultural Effects Manuals, Local Agency Nondiscrimination Handbook, and other applicable policies, manuals or guidance documents.

In addition, the Department's Office of Inspector General develops and executes a risk based audit plan each fiscal year based on major risks, areas of concern, and possible audit topics provided by the State Construction Office and other units.

Each month FDOT holds an Executive Performance Review of which FHWA executives participate. Certain performance measures reported are related to the delivery of the Federal-aid program including: number of Right of Way (ROW) certifications; ROW parcel acquisition; addendums to PS&E packages; comparison of low bid to planning and engineer's estimates; construction time and cost performance; value engineering; use of Federal-aid obligation authority; and inactive Federal-aid projects.

FDOT will maintain individual Federal-aid project files that will include documentation of all required FHWA actions and FDOT's assumed project approvals as set forth in the S&O Agreement. FDOT will provide FHWA with access to the project files when requested.

FHWA and FDOT program and project managers are expected meet regularly to discuss program status, new initiatives, innovative opportunities, program risks, and areas of improvement.

B. State DOT Oversight of Locally Administered Projects

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

FDOT retains responsibility under Federal law and regulations for all delegated activities including compliance with NEPA. FDOT will have written procedures established for the local agency to follow, that provide the necessary processes, approvals, oversight and reviews that ensure the delegated projects receive adequate supervision and inspection, and are completed in conformance with approved plans and specifications and applicable federal requirements. This can be strengthened by the use of FDOT-developed Local Agency Program (LAP) checklists. While FDOT will offer any training, advice, or other assistance as may be needed by a local agency to aid it in successfully completing its Federal-aid project, it is understood that the project is controlled by the local agency. As such, if the local agency is not following prescribed requirements, FDOT's recourse would be to remove Federal-aid funds from the project and to pursue reevaluation of the local agency's eligibility for LAP certification.

For those LAP projects, in which the environmental documents are prepared by local public agencies or their consultants, FDOT's administrative process for NEPA requires that each environmental document and supporting technical reports be reviewed for acceptance by FDOT and that the documents meet Federal requirements and approved FDOT guidelines, formats, and procedures.

- B.2. Pursuant to 23 U.S.C. 106(g)(4), the FDOT 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 of 2006, PL 109-282 (as amended by PL 110-252).

FDOT will review the local agency's ability to administer Federal-aid projects or specific activities on a case-by-case basis, and the extent of delegation will be dependent on their current staffing level, experience, and past performance. A Local Agency Agreement will be executed between FDOT and the local agency to outline the responsibilities of both FDOT and the local agency.

- B.3. The FDOT 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). FDOT shall carry out these responsibilities using the following actions, programs, and processes:

In accordance with FDOT's Local Agency Program (LAP) Manual, a Local Agency Agreement must be prepared for each federal aid project. Its purpose is to define the project location, scope and federal funding amount of a Federal-aid project. The terms of the agreement between the FDOT and the LAP Certified Local Agency are determined by state and federal laws and regulations. The agreement also specifies the procedure for payment and reimbursement on a project. A LAP Agreement is prepared in advance of requesting Federal-Aid Authorization for a LAP project.

- B.4. The FDOT 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:

FDOT will determine if the local agency is well qualified and adequately staffed to administer projects through a formalized certification process before delegation of any activities.

In accordance with FDOT's Local Agency Program (LAP) Manual, the Department uses the LAP Certification process to determine that Local Agencies are qualified to administer federal-aid projects. Each FDOT District is responsible for certification, recertification, and certification removal. Upon consideration of the input and advice from the Department's experts, the District LAP Administrator will make a recommendation to the District Secretary concerning the Local Agency's certification. The Department grants two types of certification: full and project specific. The Local Agency will complete the Local Agency Certification Qualification Tool (Form No. 525-010-43). The form identifies categories of responsibility associated with different phases of transportation projects funded under the Federal-aid Highway Program (FAHP). The form also identifies training and documentation requirements associated with each category of responsibility.

- B.5. The FDOT 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:

In accordance with FDOT's Local Agency Program (LAP) Manual, the District LAP Administrator will review the Local Agency's request and interview each Agency. The District LAP Administrator and Department employees with

expertise in the areas where LAP Certification is requested will consider the Local Agency's past performance in delivering projects, current staffing, overall capability, and ability to comply with State and Federal requirements. Additionally, the District LAP Administrator will work with the District Title VI representative to conduct a sub-recipient compliance non-discrimination review of the Local Agency.

Local Agencies seeking certification must demonstrate their level of knowledge, skills, ability, and project experience.

- B.6. The FDOT 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:

In accordance with FDOT's Local Agency Program (LAP) Manual, the Department ensures LAP projects receive adequate supervision and inspection and are developed according to approved plans and specifications. The Department final inspects and accepts all LAP projects.

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

In accordance with FDOT's Local Agency Program (LAP) Manual, in the case of projects produced by consultants and contractors, contract management, administration and procurement skills, knowledge and processes are critical. These skills and processes are necessary to secure and ensure adequate oversight of consultants and contractors. In either case, a public employee must be in responsible charge for each project.

The Local Agency's certification package may include consultant staff used to augment Local Agency forces; however, this does not relieve the Local Agency of its responsible charge obligations.

- B.8. FDOT 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.

FDOT's Local Agency Program (LAP) Manual covers the process and required approvals in the following areas:

- a. Consultant selection and management;
- b. Environment;
- c. Design;
- d. Civil Rights;
- e. Financial management including audits and indirect cost allocation plans;
- f. Right-of-way;
- g. Construction monitoring, including Quality Control/Quality Assurance (QC/QA); and
- h. Contract administration including the State DOT's responsibility to approve a sub-recipient to pursue a contract procurement method other than competitive bidding.

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.

FDOT has an oversight team in the Central Office, including a designated Local Program Administrator that provides technical assistance and program oversight. The Local Program Administrator coordinates Quality Assurance Reviews (QARs) in various areas of the LAP program and shares the results with FHWA when completed.

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

- A. This S&O Agreement will take effect as of the effective date of the signature of the FHWA Florida Division Administrator, who shall sign this S&O Agreement last.
- B. The Division and FDOT 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 FDOT or FHWA; or
  - Priorities shift as a result of audits, public perception, or changes in staffing at either the FDOT or Division Office.
- C. The Division and FDOT 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

FDOT 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 (Attachment A) must be approved by the FHWA Office of Infrastructure in writing and documented by an amendment to this S&O Agreement

**EXECUTION BY THE FHWA FLORIDA DIVISION OFFICE**

Executed this August day of 20, 2015.



Signature

James Christian  
Division Administrator

**EXECUTION BY THE Florida Department of Transportation**

Executed this 20<sup>th</sup> day of August, 2015.

  
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Signature

Jim Boxold  
Secretary of the Florida Department of Transportation

**ATTACHMENT A**  
**PROJECT ACTION RESPONSIBILITY MATRIX**  
**(As of February 6, 2015)**

The following matrix identifies Federal-aid highway program (FAHP) project approvals and related responsibilities. The matrix specifies which ones are subject to State assumption under the provisions of 23 U.S.C. 106(c) or other statutory or regulatory authority, as well as those which are reserved to FHWA. While FHWA may not delegate decision-making authority to a State unless authorized by law, FHWA may authorize a State DOT to perform work needed to reach the decision point, or to implement the decision.

In the matrix, actions marked with an asterisk (FHWA\*) are those that FHWA has retained but that could have been assumed by the State through FHWA discretion (on the NHS) or by right (off the NHS). Projects requiring those actions are Projects of Division Interest (PoDIs) projects because of FHWA’s retained authority. Those projects will be governed by a separate PoDI Plan that specifies FHWA and State responsibilities for the project.

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

The State DOT is responsible for ensuring all individual elements of the project are eligible for FAHP funding, but all final eligibility and participation determinations are retained by FHWA.

<b>PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015)</b> <b>(Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
<b>ACTION</b>	<b>AGENCY RESPONSIBLE</b>	
	<b>PROJECTS ON THE NHS</b>	<b>PROJECTS OFF THE NHS</b>
<b>PROGRAMMING (All phases)</b>		
Ensure project in Statewide Transportation Improvement Program (STIP)/Transportation Improvement Program (TIP)	STATE	STATE
Identify proposed funding category	STATE(1)	STATE(1)



<b>PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015)</b> <b>(Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
<b>ACTION</b>	<b>AGENCY RESPONSIBLE</b>	
	<b>PROJECTS ON THE NHS</b>	<b>PROJECTS OFF THE NHS</b>
<b>FINANCIAL MANAGEMENT (All phases)</b>		
Obligate funds/approve Federal-aid project agreement, modifications, and project closures (project authorizations) (Note: this action cannot be assumed by State)	FHWA	FHWA
Authorize current bill (Note: this action cannot be assumed by State)	FHWA	FHWA
Review and Accept Financial Plan and Annual Updates for Federal Major Projects over \$500 million [23 U.S.C. 106(h)] (Note: this action cannot be assumed by State)	FHWA	FHWA
Review Cost Estimates for Federal Major Projects over \$500 million [23 U.S.C. 106(h)] (Note: this action cannot be assumed by State)	FHWA	FHWA
Develop Financial Plan for Federal Projects between \$100 million and \$500 million. [23 U.S.C. 106(i)]	STATE	STATE
<b>ENVIRONMENT (All phases)</b>		
All EA/FONSI, EIS/ROD, 4(f), 106, 6(f) and other approval actions required by Federal environmental laws and regulations. (Note: this action cannot be assumed by STATE except under 23 U.S.C. 327)	FHWA(2)	FHWA(2)
Categorical Exclusion approval actions (Note this action cannot be assumed by the State except through an assignment under 23	FHWA(2)	FHWA(2)

<b>PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015)</b> <b>(Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
<b>ACTION</b>	<b>AGENCY RESPONSIBLE</b>	
	<b>PROJECTS ON THE NHS</b>	<b>PROJECTS OFF THE NHS</b>
U.S.C. 326 or 327, or through a programmatic agreement pursuant to Section 1318(d) of MAP-21 and 23 CFR 771.117(g))		
<b>PRELIMINARY DESIGN (Design Phase)</b>		
Consultant Contract Selection	STATE (3)	STATE (3)
Sole source Consultant Contract Selection	STATE (3)	STATE (3)
Approve hiring of consultant to serve in a “management” role (Note: this action cannot be assumed by State) [23 CFR 172.9]	FHWA	FHWA
Approve consultant agreements and agreement revisions (Federal non-Major Projects) [23 CFR 172.9]	STATE	STATE
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	STATE
Interstate System Access Change [23 USC 111] (Note: this action cannot be assumed by State)	FHWA(4)	N/A
Interstate System Access Justification Report [23 USC 111]	FHWA*(5)	N/A
Airport highway clearance coordination and respective public interest finding (if required) [23 CFR 620.104]	STATE	STATE
Approve Project Management Plan for Federal Major Projects over \$500 million [23 USC	FHWA	FHWA

<b>PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015)</b> <b>(Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
<b>ACTION</b>	<b>AGENCY RESPONSIBLE</b>	
	<b>PROJECTS ON THE NHS</b>	<b>PROJECTS OFF THE NHS</b>
106(h)] (Note: this action cannot be assumed by State)		
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
<b>DETAILED / FINAL DESIGN (Design Phase)</b>		
Provide approval of preliminary plans for unusual/complex bridges or structures on the Interstate. [23 USC 109(a) and FHWA Policy]	FHWA (6)	N/A
Provide approval of preliminary plans for unusual/complex bridges or structures (non-Interstate). [23 USC 109(a) and FHWA Policy]	STATE (6)	STATE
Approve retaining right-of-way encroachments [23 CFR 1.23 (b) & (c)]	STATE	STATE
Approve use of local force account agreements [23 CFR 635.104 & 204]	STATE	STATE
Approve use of publicly owned equipment [23 CFR 635.106]	STATE	STATE
Approve the use of proprietary products, processes [23 CFR 635.411]	FHWA*	STATE
Concur in use of publicly furnished materials [23 CFR 635.407]	FHWA*	STATE

<b>PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015) (Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
<b>ACTION</b>	<b>AGENCY RESPONSIBLE</b>	
	<b>PROJECTS ON THE NHS</b>	<b>PROJECTS OFF THE NHS</b>
<b>RIGHT-OF-WAY (Design and Operational Phases)</b>		
Make feasibility/practicability determination for allowing authorization of construction prior to completion of ROW clearance, utility and railroad work [23 CFR 635.309(b)]	STATE	STATE
Make public interest finding on whether State may proceed with bid advertisement even though ROW acquisition/relocation activities are not complete for some parcels [23 CFR 635.309(c)(3)]	FHWA for Interstate STATE for Non-Interstate	STATE
Ensure compliant ROW certificate is in place [23 CFR 635.309(c)]	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

<b>PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015) (Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
<b>ACTION</b>	<b>AGENCY RESPONSIBLE</b>	
	<b>PROJECTS ON THE NHS</b>	<b>PROJECTS OFF THE NHS</b>
Approve 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
<b>SYSTEM OPERATIONS AND PRESERVATION (Design Phase)</b>		
Accept Transportation Management Plans (23 CFR 630.1012(b))	STATE	STATE
Approval of System Engineering Analysis (for ITS) [23 CFR 940.11]	STATE	STATE
<b>PS&amp;E AND ADVERTISING (Design Phase)</b>		
Approve PS&E [23 CFR 630.201]	STATE	STATE
Authorize advance construction and conversions [23 CFR 630.703]	FHWA	FHWA

<b>PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015) (Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
<b>ACTION</b>	<b>AGENCY RESPONSIBLE</b>	
	<b>PROJECTS ON THE NHS</b>	<b>PROJECTS OFF THE NHS</b>
& 709] (Note: this action cannot be assumed by State)		
Approve utility or railroad force account work [23 CFR 645.113 & 646.216]	STATE	STATE
Approve utility and railroad agreements [23 CFR 645.113 & 646.216]	STATE	STATE
Approve use of consultants by utility companies [23 CFR 645.109(b)]	STATE	STATE
Approve exceptions to maximum railroad protective insurance limits [23 CFR 646.111]	STATE	STATE
Authorize (approve) advertising for bids [23 CFR 635.112, 309]	STATE	STATE
<b>CONTRACT ADVERTISEMENT AND AWARD (Design Phase)</b>		
<b>All contracts to be done by competitive bidding unless otherwise authorized by law</b>		
Approve cost-effectiveness determinations for construction work performed by force account or by contract awarded by other than competitive bidding [23 CFR 635.104 & .204]	STATE	STATE
Approve emergency determinations for contracts awarded by other than competitive bidding [23 CFR 635.104 & .204]	STATE	STATE
Approve construction engineering by local agency [23 CFR 635.105]	STATE	STATE
Approve advertising period less than 3 weeks [23 CFR 635.112]	FHWA*	STATE
Approve addenda during advertising period [23 CFR 635.112]	STATE	STATE

<b>PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015) (Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
<b>ACTION</b>	<b>AGENCY RESPONSIBLE</b>	
	<b>PROJECTS ON THE NHS</b>	<b>PROJECTS OFF THE NHS</b>
Concur in award of contract [23 CFR 635.114]	STATE	STATE
Concur in rejection of all bids [23 CFR 635.114]	STATE	STATE
Approval of Design-Build Requests-for-Proposals and Addenda [23 CFR 635.112]	STATE	STATE
<b>CONSTRUCTION (Construction Phase)</b>		
Approve changes and extra work [23 CFR 635.120]	STATE	STATE
Approve contract time extensions [23 CFR 635.120]	STATE	STATE
Concur in use of mandatory borrow/disposal sites [23 CFR 635.407]	FHWA*	STATE
Accept materials certification [23 CFR 637.207]	STATE	STATE
Concur in settlement of contract claims [23 CFR 635.124]	STATE	STATE
Concur in termination of construction contracts [23 CFR 635.125]	STATE	STATE
Waive Buy America provisions [23 CFR 635.410] (Note: this action cannot be assumed by State)	FHWA	FHWA
Final inspection/acceptance of completed work [23 USC 114(a)]	STATE	STATE
<b>CIVIL RIGHTS (All phases)</b>		
Approval of Disadvantaged Business Enterprise (DBE) Project Contract Goal set by the State DOT under 49 CFR 26.51(d). [49 CFR 26.51(e)(3)]	STATE (7)	STATE (7)
Acceptance of Bidder's Good Faith Efforts to Meet Contract	STATE (7)	STATE (7)

<b>PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015) (Excluding PoDIs, which are subject to separate PoDI Plans)</b>		
<b>ACTION</b>	<b>AGENCY RESPONSIBLE</b>	
	<b>PROJECTS ON THE NHS</b>	<b>PROJECTS OFF THE NHS</b>
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)		
Equal Employment Opportunity (EEO) Contract Compliance Review [23 CFR Part 230, Subpart D].	STATE	STATE
Training Special Provision – Approval of Project Goal for training slots or hours [23 CFR Part 230, Subpart A]	STATE	STATE
Training Special Provision – Approval of New Project Training Programs (Note: this action cannot be assumed by State) [23 CFR 230.111(d), (e)]	FHWA	FHWA

**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. Note: Florida Statutes do not have a provision for sole source consultant contract selection.



4. The Interchange Justification Report (IJR) Programmatic Agreement [23 USC 111(a)] initially approved on April 2, 2015 allows FDOT to receive expedited FHWA approval for certain Interstate access requests, specifically:
  - New and major modifications to existing freeway-to-crossroad (service) interchanges outside of Transportation Management Areas (TMAs)
  - Modifications to service interchanges inside of TMAs and;
  - Completion of basic movements at existing partial interchanges.
5. **STATE** for IJR for new and major modifications to existing freeway-to-crossroad (service) interchanges outside of Transportation Management Areas (TMAs); modifications to service interchanges inside of TMAs; and completion of basic movements at existing partial interchanges. **FHWA** for all other IJR
6. Unusual/Complex bridges and structures are those that the Division determines to have unique foundation problems, new or complex designs, exceptionally long spans, exceptionally large foundations, complex hydrologic (including climate change and extreme weather events) aspects, complex hydraulic elements or scour related elements, or that are designed with procedures that depart from currently recognized acceptable practices (i.e., cable-stay, suspension, arch, moveable, truss, tunnels, or complex geotechnical walls or ground improvement systems)
7. The FDOT DBE program is currently entirely race neutral. According to 49 CFR 26.51(f)(3), contract goals are not permitted.. Without contract goals, good faith efforts do not apply. If the FDOT DBE Program were to revert back to having a race conscious component then this agreement will be updated.

**ATTACHMENT B  
PROGRAM RESPONSIBILITY MATRIX**

**PROGRAM ACTION RESPONSIBILITY**

The following matrix is the current list of program actions. The latest updated version can be found at:  
<http://our.dot.gov/office/fhwa.hq/OfficeofInfrastructure/hipa/SO/Resources/>

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Appropriations, Allotments, Obligations	31 USC 1341(a)(1)(A)& (B); 31 USC 1517(a); 23 USC 118(b), 23 USC 121	As needed	Not Applicable	Office of Chief Financial Officer	Office of Finance	Office of Work Program and Budget	<p>FDOT will monitor appropriations, allotments and obligations to ensure that all funding is used efficiently within each quarter (review of inactive obligations) and use all Obligation Authority (OA) by the end of the year.</p> <p>Emergency Relief projects – Within 15 days of accurately submitted AR.</p> <p>State Delegated Projects – Within 5 business days of an accurately submitted AR.</p> <p>Full Oversight – Within 10 business days of an accurately submitted AR.</p>

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Current Billing		Submission by FDOT as often as desired in coordination with FHWA	Review and Electronic approval by FHWA of FMIS 5.0 (formerly RASPS billing: AC conversion payment – day of transmittal if before 10:30 Regular Bill Payment – day of transmittal or by 9:00 AM the next day	Office of Chief Financial Officer	Office of Finance	Office of Comptroller	Electronic Funds Transfer (EFT) of payment posted to FDOT's account while complying to Cash Management Improvement Act (CMIA)
FFATA Reporting	Federal Funding and Transparency Act	With each award/authorization	FHWA – add the award/authorization to FSRS by 5 <sup>th</sup> calendar day of the month following the month of award/authorization FDOT – Update within 45 days of award/authorization	Office of Chief Financial Officer	Office of Finance	Office of Comptroller	Timely FFATA reporting
Approval of Indirect Cost Allocation Plans (ICAPs)	2 C.F.R Part 200, Subpart E; ASMBC-10	As needed	Not Applicable	Office of Chief Financial Officer	Office of Finance	Office of Comptroller Office of Inspector General	FDOT will certify that the ICAP was prepared in accordance with 2 CFR 200 Subpart E.
FIRE Program Activities	FHWA Order 4560.1C (or as superseded)	Ongoing		Office of Chief Financial Officer	Office of Finance	Office of Comptroller; Office of Work Program and Budget	FDOT will continue to provide oversight and conduct reviews to ensure Federal-aid compliance. FHWA will review and monitor. State responsibilities include multiple tasks in support of risk assessments, conducting reviews and implementation of recommendations.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Audit Coordination/FHWA Financial Statement Audit/State External Audit Reviews/State Internal Audit Reviews	FMFIA2 C.F.R Part 200, Subpart F; GAAP, CFO Act of 1990; DOT Order 8000.1C	As needed	Not Applicable	Office of Chief Financial Officer	Office of Finance	Office of the Comptroller	FDOT assures corrective action is taken to resolve audit findings and FHWA will monitor activities to ensure implementation.
Improper Payments Review	Improper Payments Information Act of 2002, PL 107-300, Improper Payments Elimination and Recovery Act of 2010, PL 111-204, Improper Payments Elimination and Recovery Improvement Act of 2012, PL 112-248	Annually		Office of Chief Financial Officer	Office of Finance	Office of Comptroller	FDOT will provide all information necessary to document sampled payments and FHWA offices will review and complete appropriate data submittal forms.
Transfer of Funds between programs or to other FHWA offices or agencies as requested by State	23 USC 126, 23 USC 132, and FHWA Order 4551.1	As needed	Not Applicable	Office of Chief Financial Officer	Office of Finance	Office of Work Program and Budget	State will submit requests for transfer and FHWA approves and processes the funding transfers between programs, to other States, to other agencies, and to FHWA HQ, Federal Lands, or Research offices.
Reviews of State Transportation Departments Financial Management Systems - Financial Integrity	23 USC 106(g)(2)(A)	Annually	Not Applicable	Office of Chief Financial Officer	Office of Finance	Office of Work Program and Budget; Office of Information Systems; Office of the Comptroller	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).
Review Adequacy of Sub-recipient Project Delivery Systems and Sufficient Accounting Controls to Manage Federal Funds	23 USC 106(g)(4)(A)(i)	As needed	Not Applicable	Office of Chief Financial Officer	Office of Finance	Office of the Comptroller	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Periodic Reviews of States Monitoring of sub-recipients	23 USC 106(g)(4)(B)	As needed	Not Applicable	Office of Infrastructure	Office of Project Delivery/Office of Finance	State Program Management Office	
Approval of Increased Federal Share Agreement (Sliding Scale)	23 USC 120(b)(2)	As determined by the Federal Share Agreement	Not Applicable	Office of Chief Financial Officer	Office of Finance	Office of Work Program and Budget	A State must enter into an agreement with FHWA for use of the increased Federal share allowable under this section, which must be reviewed and updated periodically as agreed to in the agreement. States must demonstrate that they are in compliance with the statute and the agreement.
Prepare / Review Title VI Plan Accomplishments and Next Year's Goals	23 CFR 200.9(b)(10)	Annually	1-Nov	Office of Civil Rights	Civil Rights	Equal Opportunity Office (EEO)/Title VI	Division office reviews and comments; approves program; copies FTA, FRA, FAA
Prepare / EEO Contractor Compliance Plan accomplishments and next year's goals	23 CFR 230, Subpart C, Appendix A, Part I, III	Annually	31-Dec	Office of Civil Rights	Civil Rights	EEO/Contract Compliance	Division office reviews and comments.
Prepare / Review State Internal EEO Affirmative Action Plan (Title VII) Accomplishments and Goals	23 CFR 230.311	Annually	31-DEC	Office of Civil Rights	Civil Rights	EEO/Title VI	Division Office reviews and comments; Courtesy copy to HQ.
Review DBE Program Revisions	49 CFR 26.21(b)(2)	As needed	Not Applicable	Office of Civil Rights	Civil Rights	EEO/DBE	Division sends to HCR for review and approval as
Prepare / DBE Uniform Awards and Commitment Report	49 CFR 26, Appendix B	Semi-Annual	June 1st December 1st	Office of Civil Rights	Civil Rights	EEO/DBE	Division Office reviews and sends to HCR
Prepare / Annual Analysis and Corrective Action Plan (if necessary)	49 CFR 26.47(c)	Annual (as necessary)	December 31st	Office of Civil Rights	Civil Rights	EEO/DBE	Division Office approves sends copy to HCR

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Prepare / State DBE Program Goals	49 CFR 26.45(f)(1)	Triennial	August 1st	Office of Civil Rights	Civil Rights	EOO/DBE	Division reviews and approves; HCC provides legal sufficiency review and approval sends copy to HCR
Prepare / Review On-the-Job-Training (OJT) goals & accomplishments	23 CFR 230.111(b)	Annually	TBA	Office of Civil Rights	Civil Rights	EOO/Contract Compliance	Division office reviews and comments.
Approval of OJT and DBE Supportive Services fund requests	23 CFR 230.113 & 23 CFR 230.204	Annual	TBA	Office of Civil Rights	Civil Rights	EOO/DBE & Contract Compliance	Division recommends approval submits to HCR for final approval
Return of any unused discretionary grant program funding	23 CFR 230.117(2)	Annual	TBA	Office of Civil Rights	Civil Rights	EOO	Division works with HCR and CFO
Prepare / Review of Report on Supportive Services (OJT & DBE)	23 CFR 230.113(g), 230.121(e), 230.204(g)(6)	Quarterly		Office of Civil Rights	Civil Rights	EOO/DBE & Contract Compliance	Division office reviews and comments.
Prepare / Review Annual Contractor Employment Report (Construction Summary of Employment Data (Form PR-1392)	23 CFR 230.121(a); Appendix D to Subpart A, Part 230, General Information and Instructions	Annually	1-Dec	Office of Civil Rights	Civil Rights	EOO/Contract Compliance	Recommendation sent to HQ for approval.
Prepare / Review State DOT Employment Statistical Data (EEO-4)	23 CFR, Subpart C, Appendix A	Biannual	1-Dec	Office of Civil Rights	Civil Rights	EOO/Title VI	Report sent to HQ quarterly for informational purposes and recommendation sent to HQ annually for approval. Copies provided to Division.
Prepare / Review Annual Federal Projected Awards Reports - Historically Black Colleges & Universities/Tribal Colleges & Universities/Hispanic Serving Institutes, American Indian Alaskan Native, Asian Pacific & American Islander.	Presidential Executive Orders: 13230, 13256, 13270, 13361, 13515	Annual	TBA	Office of Civil Rights	Civil Rights	Office of Research; Office of Policy Planning (OPP) & EOO	Divisions submit data to HCR who prepares report for DOOCR

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Prepare / Review ADA Complaint Reports of Investigation	28 CFR 35.190	As needed	Not Applicable	Office of Civil Rights	Civil Rights	Project Management Office	Division office reviews, FHWA HQ approves and issues finding.
Review Americans with Disabilities Act (ADA) /Sec. 504 Program Plan accomplishments and next year's goals	49 CFR 27.11(c), EO 12250	Annually	1-Oct	Office of Civil Rights	Civil Rights	Production Support Office	Division office reviews and comments. Division copies FTA, FRA, and FAA
Return of unexpended funds used for Summer Transportation Institutes	23 CFR 230.117(2)	Annual	August 30; however, State procurement rules may govern	Office of Civil Rights	Civil Rights	EOO	Divisions work with HCR and CFO
Prepare / Review Request for National Summer Transportation Institute (NSTI) Proposals (SOWs)	23 USC 140(b)	Annual	TBA	Office of Civil Rights	Civil Rights	EOO/Contract Compliance	Divisions recommend approval. HCR gives final approval
Prepare / Review NSTI Report (questionnaire)	23 USC 140(b)	Annual	October 15th	Office of Civil Rights	Civil Rights	N/A	Divisions provide to HCR
Receipt of State Consultation Process with Tribal Governments	23 CFR 450.210(c)	As needed	Not Applicable	Office of Federal Lands Highway	Office of Project Development – Environment	State Environmental Management Office	Informational Purposes.
Approval of Contracting Procedures for Consultant Selection	23 CFR 172.5 & 172.9	As needed	Not Applicable	Office of Infrastructure	Office of Project Delivery	Central Procurement Office	FHWA Division Office Approval.
Determination of High Risk Categories - Limitation on Interstate Projects	23 USC 106(c)(4)(B)	As needed	Not Applicable	Office of Infrastructure	Division Administrator	Assistant Secretary for Engineering and Operations	Office of Program Administration determines national categories and must concur on any State designations.
Approval of State 3R Program	23 CFR 625.4(a)(3), 23 USC 109(n)	As needed	Not Applicable	Office of Infrastructure	Office of Project Delivery	Production Support Office	FHWA Division Office Approval.
Verify adoption of Design Standards (National Highway System, including Interstate)	23 CFR 625, 23 USC 109(b), 23 USC 109(c)(2), 23 USC 109(o)	As needed	Not Applicable	Office of Infrastructure	Office of Project Delivery	Roadway Design Office	FHWA HQ regulatory action to adopt NHS standards.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Approval of preliminary plans of Major and Unusual Bridges on the Interstate Highway System	(M1100.A)	As needed	Not Applicable	Office of Infrastructure	Office of Technical Services – Bridge	Structures Design Office	Director of HIBT has approval of preliminary plans of Major and Unusual Bridges on the Interstate Highway System (M1100.A)
Approval of State Standard Specifications	23 CFR 625.3	As needed	Not Applicable	Office of Infrastructure	Office of Technical Services	State Program Management Office	FHWA Division Office Approval.
Verify State Design Exception Policy complies with FHWA Policy	23 CFR 625.3	As needed	Not Applicable	Office of Infrastructure	Office of Project Delivery	Roadway Design Office	FHWA Division Office Approval.
Approval of State Standard Detail Plans	23 CFR 625.3	As needed	Not Applicable	Office of Infrastructure	Office of Project Delivery	Roadway Design Office	FHWA Division Office Approval.
Approval of Pavement Design Policy	23 CFR 626.3	As needed	Not Applicable	Office of Infrastructure	Office of Technical Services	Roadway Design/Pavement Section	FHWA Division Office Approval.
Review of Value Engineering Policy and Procedures	23 CFR 627.1(b)&(c), 23 CFR 627.7 FHWA Order 1311.1B	As needed	Not Applicable	Office of Infrastructure	Office of Project Delivery	Project Review Office	FHWA Division Office Review.
Review of Value Engineering Annual Report	23 CFR 627.7, FHWA Order 1311.1B	Annual	Not Applicable	Office of Infrastructure	Office of Project Delivery	Project Review Office	FHWA Division Office collects, reviews, and submits to HQ for review and reporting.
Review and Approval of Interstate Access Requests	23 USC 111, 23 CFR 710, 74 FR 43743-43746 (Aug. 27, 2009)	As needed	Not Applicable	Office of Infrastructure	Office of Project Delivery	Systems Planning Office	FHWA Division Office approval with concurrence from HQ on more complex access requests.
Approval of Liquidated Damages Rate	23 CFR 635.127	Every 2 years	Not Applicable	Office of Infrastructure	Office of Technical Services – Construction and Materials	State Program Management Office	FHWA Division Office Approval through Specification update.
Approval of Quality Assurance Program	23 CFR 637.205	As needed	Not Applicable	Office of Infrastructure	Office of Technical Services – Construction and Materials	State Materials Office	State administers, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program.



Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Assure Central Laboratory accredited by AASHTO Accreditation Program or FHWA approved comparable program	23 CFR 637.209	As needed	Not Applicable	Office of Infrastructure	Office of Technical Services – Construction and Materials	State Materials Office	State administrators, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program.
Assure Non-STD designated lab performing Independent Assurance sampling and testing accredited by AASHTO Accreditation Program or FHWA approved comparable program	23 CFR 637.209	As needed	Not Applicable	Office of Infrastructure	Office of Technical Services – Construction and Materials	State Materials Office	State administrators, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program.
Assure Non-STD designated lab used in dispute resolution accredited by AASHTO Accreditation Program or FHWA approved comparable program	23 CFR 637.209	As needed	Not Applicable	Office of Infrastructure	Office of Technical Services – Construction and Materials	State Materials Office	State administrators, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program.
Review Independent Assurance Annual Report	23 CFR 637.207	Annually	1-Mar	Office of Infrastructure	Office of Technical Services – Construction and Materials	State Materials Office	State administrators, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program. Due date for FDOT to submit is 1 <sup>st</sup> week of August.
Assure Labor Compliance - Prevailing Wage Rate	23 USC 113	As needed	Not Applicable	Office of Infrastructure	Civil Rights	Construction Office	FHWA Division Office Review and Approval

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Determination of Eligible Preventive Maintenance Activity - Cost-Effective Means of Extending Useful Life Determination	23 USC 116(e)	As needed	Not Applicable	Office of Infrastructure	Office of Technical Services – Construction and Materials	Roadway Design and Structures Design Office	FHWA Division Office Approval
Approval of Utility Master Agreement / Alternate Procedure	23 CFR 645.119	As needed	Not Applicable	Office of Infrastructure	Office of Project Development - ROW	State Program Management Office	FHWA Division Office Approval
Approval of Utility Accommodation Policy	23 CFR 645.215, 23 USC 109(l), 23 USC 123	As needed	Not Applicable	Office of Infrastructure	Office of Project Development - ROW	State Program Management Office	FHWA Division Office Approval
Review Bridge Construction, Geotechnical, and Hydraulics	23 CFR 650	As needed	Not Applicable	Office of Infrastructure	Office of Technical Services - Bridge	Construction, Roadway and Bridge Offices	
Review Plans of Corrective Action established to address NBIS compliance issues	23 CFR 650, 23 USC 144	Annually		Office of Infrastructure	Office of Technical Services - Bridge	State Maintenance Office	Division office performs annual compliance review and reports results to HQ.
Review NBI Data Submittal	23 CFR 650 Subpart C, Annual Memo from HQ, 23 USC 144	Annually	1-Apr	Office of Infrastructure	Office of Technical Services - Bridge	State Maintenance Office	Division resolve errors with States; States submit to HQ.
Review structurally deficient bridge construction Unit Cost submittal	23 USC 144	Annually	1-Apr	Office of Infrastructure	Office of Technical Services - Bridge	State Program Management Office	Submit to HQ.
Review Section 9 of the Rivers and Harbors Act Submittals (Bridge Permits)	23 CFR 650 Subpart H; 33 CFR 114 & 115	As needed	Not Applicable	Office of Infrastructure	Office of Technical Services - Bridge	District Environmental Management Office	
Approval for reduction of expenditures for off-system bridges	23 USC 133(g)(2)(B)	As needed	Not Applicable	Office of Infrastructure	Office of Technical Services - Bridge	State Maintenance Office	The FHWA Administrator may reduce the requirement for expenditures for off-system bridges if the FHWA Administrator determines that the State has inadequate needs to justify the expenditure.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Determination on Adequacy of State's Asset Management Plan	23 USC 119(5)	Annually beginning second fiscal year after establishment of the process	To Be Determined	Office of Infrastructure	Office of Project Delivery	State Maintenance Office	
Certification and Recertification of States Process for Development of State Asset Management Plan	23 USC 119(6)	Recertification every four years after establishment of the process	To Be Determined	Office of Infrastructure	Office of Project Delivery	State Maintenance Office	
Review Reporting on Performance Targets	23 USC 150(e)	Beginning four years after enactment of MAP-21 and biennially thereafter	To Be Determined	Office of Infrastructure	Office of Project Delivery	State Maintenance Office	
Review National Highway System Performance Achievement Plan for Actions to achieve the targets (when State does not achieve or make significant progress toward achieving)	23 USC 119(7)	Required if State does not achieve targets (or significant progress) for 2 consecutive reports	To Be Determined	Office of Infrastructure	Office of Project Delivery	State Maintenance Office	
States and sub-recipient failure to maintain projects - Notice and withholding Federal-aid Funds	23 USC 116(d)	As needed	Not Applicable	Office of Infrastructure	Offices of Project Delivery and Finance	State Maintenance Office	
Emergency Relief (ER) Damage Assessments and Reports	23 CFR 668 23 USC 120 and 125	As needed	Not Applicable	Office of Infrastructure	Office of Project Delivery	Emergency Management Office	Perform with State.
Toll Credit and Maintenance of Effort (MOE) Calculation and Agreement	23 USC 120(i)	Annually		Office of Infrastructure	Office of Finance	Offices of Work Programs and Budget and Comptroller	State will calculate the amount of eligible toll credit and submit for approval. FHWA will review and approve the request.

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

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

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Financial Plan (Other Projects)	23 U.S.C. 106(i)	Prior to first federal authorization of construction funds for an Other Project and then annually.	Annually as noted in the approved Initial Financial Plan	Office of Innovative Program Delivery	Division Office will review and approve Financial Plans for Other Projects in accordance with its stewardship and oversight agreement with the State DOT or Project Sponsor. Offices of Project Delivery and Finance	State DOT or Project Sponsor will prepare and submit annual Financial Plans to the Division Office, only upon request. Office of Comptroller	Other Projects are defined as projects with an estimated total cost of \$100 million or more that have not been designated as Major Projects.
Review Designation and Re-designation of Primary Freight Network	23 USC 167(d)	One year after enactment of MAP-21 and every ten years thereafter	To Be Determined	Office of Operations	Offices of Project Delivery and Development – Planning	Office of State Freight Plan and Logistics	Under development, initial PFN designation scheduled for Spring 2014 completion.
Review Development and Update of National Freight Strategic Plan	23 USC 167(f)	Three years after enactment of MAP-21 and every five years thereafter	To Be Determined	Office of Operations	Offices of Project Delivery/Development – Planning	Office of State Freight Plan and Logistics	OST lead
Review Freight Transportation Conditions and Performance Report	23 USC 167(g)	Two years after enactment of MAP-21 and every two years thereafter	To Be Determined	Office of Operations	Offices of Project Delivery/Development – Planning	Office of State Freight Plan and Logistics	OST lead
Prioritization of projects to Improve Freight Movement -Review request to increase Federal share	23 USC 167 Section 1116	As needed	Not Applicable	Office of Operations	Offices of Project Delivery/Development – Planning	Office of State Freight Plan and Logistics	FDOT will include any projects submitted for increased federal share in their approved Freight Mobility and Trade Plan. FHWA will review projects submitted
Review HOV Operations Report for Tolloed Use and Low-Emission and Energy-Efficient Vehicle Use	23 USC 166(d)	Annually		Office of Operations	Office Of Technical Services – ITS/Traffic Operations	Traffic Engineering and Operations Office	
Traffic Incident Management Self-Assessment	Annual Memo from HQ	Annually	1-Jul	Office of Operations	Office Of Technical Services – ITS/Traffic Operations	Traffic Engineering and Operations Office	Complete with partners and forward to HQ.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Work Zone Self-Assessment	Annual Memo from HQ	Annually	7/1/2013, This project is currently on hiatus and has not been determined whether it will be reestablished or not.	Office of Operations	Office of Technical Services - Safety	State Safety Office	FHWA will alert FDOT when the TIMSA is released. FDOT Central Office will track and assist FDOT Districts, who will be responsible for completing the TIMSA. Division will complete with partners and forward to HQ.
Approval of State-Prepared Manual on Uniform Traffic Control Devices - State Traffic Control Manuals	23 CFR 655.603, 23 USC 109(d)	As needed	Not Applicable	Office of Operations	Office of Technical Services - Safety	Traffic Engineering and Operations Office	FDOT will determine which adoption timeline they will adhere to when the new MUTCD is released. FHWA will be notified of FDOT's adoption process.
MUTCD Request for Experiment (RFE) and Interim Approvals	23 CFR 655.603, 23 USC 109(d)	As needed	Not Applicable	Office of Operations	Office of Technical Services - Safety	Traffic Engineering and Operations Office	FDOT will submit all RFEs and interim approvals to FHWA a minimum of one week prior to submitting to FHWA HQ MUTCD Team.
Review Vehicle Size & Weight Enforcement Plan	23 CFR 657.11, 23 USC 127	Annually	1-Oct	Office of Operations	Office of Program Development – Planning	Maintenance and Office of Motor Carrier Size and Weight (MCSAW)	FDOT will submit the final SEP into the Vehicle Size and Weight System (VSW) via UPACs by July 1 annually. Division reviews and approves.
Review Vehicle Size & Weight Enforcement Certification	23 CFR 657.13, 23 USC 141	Annually	1-Jan	Office of Operations	Office of Program Development – Planning	Maintenance and Office of Motor Carrier Size and Weight (MCSAW)	FDOT will submit the Annual Certification into the VSW/UPACs by Jan 1 for Division review and approval.
Approval of National Network Modifications	23 CFR 658.11	As needed	Not Applicable	Office of Operations	Office of Program Development – Planning	Office of Transportation Statistics	FDOT submits modification proposals to Division Office. The Division Office reviews and coordinates with HQ on Federal Register Notice.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Intelligent Transportation System Architecture & Standards	23 CFR Part 940	As needed	Not Applicable	Office of Operations	Office of Technical Services – ITS/Traffic Operations	Traffic Engineering and Operations Office	FHWA & FDOT will hold an annual assessment with appropriate FDOT Districts to determine if any major changes have occurred to their Architectures. The size of the review will be commensurate with the scope of the changes.
Approval of Work Zone Significant Project Determination	23 CFR 630.1010	As needed	Not Applicable	Office of Operations	Office of Project Delivery	Roadway Design Office	
Approval of Exceptions to Work Zone Procedures for Interstate Projects	23 CFR 630.1010	As needed	Not Applicable	Office of Operations	Office of Project Delivery	Roadway Design Office	
Approval of Work Zone Policy and Procedures Conformance Review	23 CFR 630.1014	At appropriate intervals	Not Applicable	Office of Operations	Office of Technical Services – Safety	State Safety Office	
Process Review of Work Zone Safety and Mobility Procedures	23 CFR 630.1008, 23 USC 109(e)(2), 23 USC 112(g)	Every 2 years	To Be Determined	Office of Operations	Office of Technical Services – Safety	State Safety Office	
Approval of State Planning Work Program and Revisions Subpart A	23 CFR 420.111, 23 CFR 420.115, and 23 CFR 420.209	Annually	Prior to Program Period	Office of Planning, Environment & Realty	Office of Project Development - Planning	Research Center	FHWA Division Office Approval. Division approves consultant scopes of work for federally funded planning activities.
Approval of State Research and Development Work Program (Subpart B)	23 CFR 420.111, 23 CFR 420.115, and 23 CFR 420.209	Annually	Prior to Program Period	Office of Planning, Environment & Realty	Office of Project Development - Planning	Research Center	FHWA Division Office Approval. Division approves consultant scopes of work for federally funded activities not in the original work program 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)	When Revised	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy Planning	FHWA Division Office Approval. Division approves consultant scopes of work for federally funded planning activities.



Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Review of State Public Involvement Procedures	23 CFR 450.210(a)	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy Planning	FHWA Division Office Review to Assure Compliance.
Receipt of State Consultation Process for Non- metropolitan Local Officials	23 CFR 450.210(b)	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy Planning	Informational Purposes.
Review of Long-range Statewide Transportation Plan	23 CFR 450.214	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy Planning	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)	At least every 4 years	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Federal Aid Management Office	Joint FHWA and FTA approval.
Approval of STIP Amendments	23 CFR 450.218(a) & (c)	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy Planning; Federal Aid Management Office	Joint FHWA and FTA approval.
Finding of Consistency of Planning Process with Section 134 and 135	23 USC 135(g)(8), 23 CFR 450.218(b)	Concurrent with STIP approval	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy Planning	FHWA and FTA issue a joint finding concurrent with STIP approval.
Review of State Self-certification that Planning Process is in Accordance with Applicable Requirements	23 CFR 450.218(a)	Submitted with proposed STIP or STIP amendments	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy Planning	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)	Prior to Program End	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy Planning	Division Office approval with FTA concurrence. Division approves consultant scopes of work for federally funded planning activities.
Approval of Non-TMA UPWP	23 CFR 450.308(b) and 23 CFR 420 (Subpart A)	Prior to Program End	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy Planning	May use simplified work statement. Division approves consultant scopes of work for federally funded planning activities.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Approval of UPWP Revisions and Amendments (All MPO's)	23 CFR 420.115	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy Planning	Division Office approval with FTA concurrence. Division approves consultant scopes of work for federally funded planning activities.
Review of UPWP Performance and Expenditure Reports (All MPO's)	23 CFR 420.117(b)	Not more frequently than quarterly	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy Planning	
Approval of Report Before Publication (All MPO's)	23 CFR 420.117(e)	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy Planning	Waiver may be granted.
Approval to use Planning Funds outside Urbanized Areas for States Receiving Minimum Apportionment	23 USC 104(d)(1)(A)(ii)	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Not Applicable	FDOT is not a minimum apportionment State.
Review of Metropolitan Planning Area Boundary (Establishment and Changes)	23 CFR 450.312	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy Planning	Approval by MPO and the Governor, shape files forwarded to HQ. (Comment: No action is required by FHWA/FTA).
Review of Metropolitan Transportation Planning Organizations (MPO) Designation and Re-designation	23 CFR 450.310	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy Planning	Require agreement between Governor and local governments.
Review of Metropolitan Planning Agreements (MPA) for Attainment or Entire Nonattainment Area	23 CFR 450.314(a)	When Completed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy Planning	Between MPO/State DOT/Transit Operator. Included in UPWP or Prospectus (23 CFR 450.314(d)).
Review of MPA - for MPA that do not include the entire nonattainment or maintenance area	23 CFR 450.314(b), 23 USC 109(j)	When Completed	Not Applicable	Office of Planning, Environment & Realty	Not Applicable	Not Applicable	Between MPO/State DOT/State AQ Agency. Florida is an attainment State.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Review of MPO Public Participation Procedures	23 CFR 450.316(a)	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy Planning	Must be developed and published.
Review of Metropolitan Transportation Plan (MTP) in Attainment Areas (and Updates)	23 CFR 450.322	Every 4 years	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy Planning	No direct Federal approval action is required. Review for compliance.
Review of MTP in Non-Attainment and Maintenance Areas (and Updates)	23 CFR 450.322	Every 5 years	Not Applicable	Office of Planning, Environment & Realty	Not Applicable	Not Applicable	Florida is an attainment State.
Review of MTP Amendments	23 CFR 450.322(c)	As Needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy Planning	No direct Federal approval action is required. Review for compliance.
Air Quality Conformity Determination on LRTP in Non-attainment and Maintenance Areas	23 CFR 450.322(d)	Concurrent with LRTP updates at least every 4 years and as needed on amendments	Not Applicable	Office of Planning, Environment & Realty	Not Applicable	Not Applicable	After receipt of MPO determination; Joint FHWA and FTA determination; In consultation with the Environmental Protection Agency (EPA). Florida is an attainment State
Review of Transportation Improvement Program (TIP)	23 CFR 450.300(a); 23 CFR 450.324(b); 23 CFR 450.328(a), 23 USC 134(j)(1)(D)	Prior to Program Period	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy Planning	No direct Federal approval action is required for the TIP. FHWA/FTA approval of the TIP is through the STIP approval process.
Review of TIP Amendments	23 CFR 450.324(a); 23 CFR 450.328(b)	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy Planning	No direct Federal approval action is required for the TIP. FHWA/FTA approval of the TIP is through the STIP approval process.
Approval of Air Quality Conformity Determination on TIP	23 CFR 450.326; 23 CFR 450.328	At least every 4 years, or when the TIP has been modified (unless exempt projects)	Not Applicable	Office of Planning, Environment & Realty	Not Applicable	Not Applicable	Applies to non-attainment and maintenance areas only. After receipt of MPO determination, joint determination with

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
							FTA (in cooperation with 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	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy Planning	At least every four years, joint finding with FTA when STIP is submitted.
In Metropolitan Planning Areas, Review of State and MPO Self-certification that Planning Process is in Accordance with Applicable Requirements	23 CFR 450.334 (a), 23 CFR 218(a)	Annually or concurrent with the STIP/TIP cycle	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy Planning	Required for all 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)	Every 4 years		Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy Planning	Joint FHWA and FTA Certification.
Approval of Federal-Aid Urban Area Boundaries	23 CFR 470.105 (a), 23 USC 101(a)(33)	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Transportation Statistics Office	
Approval of Revision of Functional Classification	23 CFR 470.105 (b)	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Transportation Statistics Office	
Approval by Administrator of Interstate Additions & Revisions	23 USC 103(c)(1)(D), 23 CFR 470.111, 23CFR 470.115 (a)	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Systems Planning Office	Approval by HQ – Administrator.
Approval by Office Director of National Highway System (NHS) Additions and Revisions	23 USC 103(b)(3), 23 CFR 470.113 and 470.115(a)	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Transportation Statistics Office	Approved by HQ - Office Director.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Review of CMAQ Annual Report	CMAQ Guidance Memo October 31, 2006	Annually	1-Mar	Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy 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.
Transportation Planning Excellence Awards		Annually	1-Feb	Office of Planning, Environment & Realty	Office of Project Development - Planning	Office of Policy Planning	Call for entries for the FHWA FTA Transportation Planning and Excellence Awards.
Approval of Local Technical Assistance Program (LTAP) Centers Work Plan and Budget	FHWA LTAP Field Manual	Annually	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Research Center	Florida Division approval.
Approval of Public Involvement Program Procedures	23 CFR 771.111(h), 23 USC 128	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Environment	State Environmental Management Office (SEMO)	
Approval of NEPA Procedures, including Section 4(f)	23 CFR 771; 23 CFR 774; SAFETEA-LU 6007 & 6009, 23 USC 109(h)	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Environment	State Environmental Management Office (SEMO)	
Approval of Noise Policies	23 CFR 772.7, 772.9, and 772.13, 23 USC 109(i)	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Environment	State Environmental Management Office (SEMO)	FHWA approves State' noise abatement policy.
EIS Status Updates	FHWA Strategic Goal - EIS Timeliness	Quarterly	(Fiscal Year - Oct, Jan, Apr, Jul)	Office of Planning, Environment & Realty	Office of Project Development - Environment	State Environmental Management Office (SEMO)	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		Annually	1-Mar	Office of Planning,	Office of Project Development - Environment	State Environmental Management Office (SEMO)	Information is gathered from District Environmental Offices,

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
				Environment & Realty			then submitted to SEMO
Exemplary Ecosystem Initiatives Applications		Annually	1-Apr	Office of Planning, Environment & Realty	Office of Project Development - Environment	State Environmental Management Office (SEMO)	Information is by SEMO and submitted to FHWA.
Federal Infrastructure Projects Permitting Dashboard	2011 Presidential Memorandum on Speeding Infrastructure Development through More Efficient and Effective Permitting and Environmental Review	As Needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Environment	State Environmental Management Office (SEMO)	Information is coordinated by SEMO with FDOT District and submitted to FHWA
Noise Barrier Cost	Office of Management and Budget (OMB) control number 201403-2125-001. 23 CFR 772.13(f)	As Needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Environment	State Environmental Management Office (SEMO)	Information is collected by SEMO with FDOT District and submitted to FHWA
Archaeological Program	Archeological and Historic Preservation Act of 1974 (AHPA); Archaeological Resources Protection Act of 1979 (ARPA)	Annually	February	Office of Planning, Environment & Realty	Office of Project Development - Environment	State Environmental Management Office (SEMO)	Information is collected by SEMO with FDOT District and submitted to FHWA
Approval of Acquisitions, Appraisals, and Relocations Program and Procedures	49 CFR Part 24, The UA	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - ROW	Office of Right of Way	FHWA Division Office Approval
Early Acquisitions	23 CFR 710.501	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - ROW	Office of Right of Way	FHWA Division Office Approval
Local Public Agency Oversight	49 CFR 24.4(b); 23 CFR 710.201	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - ROW	Office of Right of Way	FHWA Division Office Approval
Approval of Highway Facility Relinquishment	23 CFR 620.203	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - ROW	Office of Right of Way	FHWA Division Office Approval

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Approval of ROW Disposal Authorization Request	23 CFR 710.409	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - ROW	Office of Right of Way	FHWA Division Office Approval
Approval of ROW Operations Manual (Organization, Policies and Procedures), Updates, and Certification	23 CFR 710.201	January 1, 2001 and every 3 years thereafter or as required by changes in State law or Federal regulation or law	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - ROW	Office of Right of Way	FHWA Division Office Approval
Approval of Exception to Charging Fair Market Value	23 CFR 710.403 and 23 CFR 710.409	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - ROW	Office of Right of Way	FHWA Division Office Approval
Approval of Interstate Real Property Use Agreements	23 CFR 710.405	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - ROW	Office of Right of Way	FHWA Division Office Approval
Approval of Request for Federal Land Transfer	23 CFR 710.601	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - ROW	Office of Right of Way	FHWA Division Office approval unless land-owning agency has authority for granting interests in land.
Approval of Request for Direct Federal Acquisition	23 CFR 710.603	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - ROW	Office of Right of Way	FHWA Division Office Approval
Approval of Outdoor Advertising Policies and Procedures, and Regulation and Procedure Approval	23 CFR 750.304, 23 CFR 750.705, 23 USC 131	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - ROW	Office of Right of Way	FHWA Division Office Approval
Approval of Requests to Exempt Certain Nonconforming Signs, Displays, and Devices	23 CFR 750.503	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - ROW	Office of Right of Way	FHWA Division Office Approval
Approval of Railroad Agreement Alternate Procedure	23 CFR 646.220	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - ROW	Central Rail Office	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Approval of Uniform Act Waivers and Waivers from Availability of Comparable Replacement Dwelling before Displacement	49 CFR 24.7, 49 CFR 24.204(b)	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - ROW	Office of Right of Way	Requests reviewed and approved by HEPR Office Director.
Review of Uniform Relocation Assistance & Real Property Acquisition Report - (OMB Form 2125-0030)	49 CFR 24.9c & Appendix B 49 CFR 24.603	Annually	15-Nov	Office of Planning, Environment & Realty	Office of Project Development - ROW	Office of Right of Way	Submitted to FHWA Headquarters (HQ) via FHWA Division Office and FDOT Office of ROW.
Review of Real Property Acquisition Statistical Report	FHWA Order 6540.1	Annually	15-Nov	Office of Planning, Environment & Realty	Office of Project Development - ROW	Office of Right of Way	Submitted to FHWA Headquarters (HQ) via FHWA Division Office and FDOT Office of ROW.
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	As needed	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Research Center	FHWA Division Office Approval.
Periodic Review of States Management Process of the Research, Development & Technology Transfer Program	23 CFR 420.209	Periodic	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Research Center	FHWA Division Office Periodic Review.
Approval of Performance and Expenditure Reports for SPR Research Work Programs	23 CFR 420.117	No less frequently than annual and no more frequently than quarterly	90 Days After End Of Period	Office of Planning, Environment & Realty	Office of Project Development - Planning	Research Center	FHWA Division Office Approval.
Approval of SPR research reports	23 CFR 420.117	Prior to publication unless prior approval is waived	Not Applicable	Office of Planning, Environment & Realty	Office of Project Development - Planning	Research Center	FHWA Division Office Approval unless waived. The Florida Division



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

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Transportation Bond Referendums	A Guide to Reporting Highway Statistics, Chapter 9	When Published	When Published	Office of Highway Policy information	Office of Project Development - Planning	Transportation Statistics Office	
State DOT / Toll Authority Audits and Published Annual Reports and Form 539 (optional)	A Guide to Reporting Highway Statistics, Chapter 10	When Published	When Published	Office of Highway Policy information	Office of Project Development - Planning	Transportation Statistics Office	Annually, Due as soon as available.
Finance (536)	A Guide to Reporting Highway Statistics, Chapter 11	30-Sep	30-Sep	Office of Highway Policy information	Office of Project Development - Planning	Transportation Statistics Office	Biennially for odd-numbered years. Due nine months after end of reporting year
Finance (534)	A Guide to Reporting Highway Statistics, Chapter 12	15-Jun	15-Jun	Office of Highway Policy information	Office of Project Development - Planning	Transportation Statistics Office	Annually for State, Biennially for local
Highway Finance and Tax Legislation	A Guide to Reporting Highway Statistics, Chapter 13	When Published	When Published	Office of Highway Policy information	Office of Project Development - Planning	Transportation Statistics Office	
State DOT Budgets and Published Annual Reports	A Guide to Reporting Highway Statistics, Chapter 13	When Published	When Published	Office of Highway Policy information	Office of Project Development - Planning	Transportation Statistics Office	
Motor Fuel Oversight Review	July 24, 2001 HQ Memo	Initial baseline reports no later than December 31, 2003		Office of Highway Policy information	Office of Finance	General Accounting Office	Annual progress reports and statement of verification by June 30. Submitted via UPACS.
Review of Biennial - Toll Facilities in the United States	23 CFR 450.105(b) HPMS Field Manual	Biennially - Odd Years	June 15 (Odd Years)	Office of Highway Policy information	Office of Technical Services – ITS/Traffic Operations	Federal-aid Management Office	Division Office sends to HQ.
State Highway Maps (Tourist)		When Published	When Published	Office of Highway Policy information	Office of Project Development - Planning	Surveying and Mapping Office	Two copies to each Division Office and 100 copies to HQ.
Traffic Flow Maps		When Published		Office of Highway Policy information	Office of Project Development - Planning	Surveying and Mapping Office	When Published.
Vehicle Classification Data	MAP-21, HPMS Field Manual, Traffic Monitoring Guide	15-Jun	15-Jun	Office of Highway Policy information	Office of Project Development - Planning	Transportation Statistics Office	Part of Annual HPMS submittal.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Highway Use Tax Evasion Grant Awards	23 USC 143	Annual	Not Applicable	Office of Highway Policy information	Office of Project Development - Planning	Department of Highway Safety and Motor Vehicles	FHWA along with the Internal Revenue Service will review applications and select awardees for projects designed to reduce or eliminate fuel tax evasion. FHWA will also review annual progress reports on projects.
Heavy Vehicle Use Tax (HVUT) – Certification of verifying proof-of-payment of HVUT	23 CFR 669.7	1-Jul	1-Jul	Office of Highway Policy information	Office of Project Development - Planning	Department of Highway Safety and Motor Vehicles	Each year, the Governor of each State, or a designee must certify that the State is verifying that the HVUT has been paid before they issue or renew registrations on vehicles over 55,000 lbs. The HVUT program is administered by the Internal Revenue Service.
Heavy Vehicle Use Tax (HVUT) – Certification of verifying proof-of-payment of HVUT	23 CFR 669	Annual	1-Jan	Office of Highway Policy information	Office of Project Development - Planning	Department of Highway Safety and Motor Vehicles	Each year, the Governor of each State, or a designee must certify that the State is verifying that the HVUT has been paid before they issue or renew registrations on vehicles over 55,000 lbs. The HVUT program is administered by the Internal Revenue Service.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Program Office	State DOT Responsible Program Office	Remarks
Heavy Vehicle Use Tax (HVUT) – Triennial review of State program	23 CFR 669.21	Triennial	Not Applicable	Office of Highway Policy information	Office of Project Development - Planning	Department of Highway Safety and Motor Vehicles	Every 3 years, the local Division Office will perform a review of the State process for verifying that the HVUT has been paid before a registration can be issued or renewed for vehicles over 55,000 lbs. The HVUT program is administered by the Internal Revenue Service.
Permanent ATR Data	Heavy Vehicle Travel Information System Field Manual	Monthly	Monthly	Office of Highway Policy information	Office of Project Development - Planning	Department of Highway Safety and Motor Vehicles	Submit monthly, within 20 days after the close of the month for which the data were collected.
Continuous Automatic Vehicle Classifier Data	Heavy Vehicle Travel Information System Field Manual	Monthly	Monthly	Office of Highway Policy information	Office of Project Development - Planning	Department of Highway Safety and Motor Vehicles	Send up to one week of data per quarter
Real-Time System Management Information Program	23 CFR 511	As Needed	November 8, 2014 for all interstates; November 8, 2016 for additional Routes of Significance in Major metro areas	Office of Operation	Office of Technical Services – ITS/Traffic Operations	Traffic Engineering and Operations Office	

Weight and Vehicle Classification Data Collected at Weigh-in-motion sites	Heavy Vehicle Travel Information System Field Manual	15-Jun	As needed	Office of Highway Policy information	Office of Project Development - Planning	Office of Transportation Statistics	WIM data collected at non-continuous sites during a year should be submitted by June 15 of the following year. If continuous WIM data are available, then up to one week of data per quarter.
Approval of MAP-21 compliant SHSP update within the legislatively required timeframe.	23 U.S.C. 148 (d)(2)(B)	Non Recurring	By Aug. 1 of the fiscal year after the HSIP final rule is established	Office of Safety	Office of Technical Services - Safety	State Safety Office	FHWA Division Offices provide copy of SHSP process approval letter to HQ.
Highway Safety Improvement Program (HSIP) and Railway-Highway Crossing Program (RHCP) Reports	23 USC 148(h), 23 CFR 924.15	Annually	31-Aug	Office of Safety	Office of Technical Services - Safety	State Safety Office	As per MAP-21 guidance, reports are due to FHWA Division Office by August 31st and to the Office of Safety by September 30.
Transportation Performance Management (TPM) for Safety	23 USC 150, 23 USC 134, 23 USC 135, 23 USC 148(i)	Annually	31-Aug	Office of Safety	Office of Technical Services - Safety	State Safety Office	Per MAP-21, States and MPOs must set targets for established measures. Targets must be assessed for achievement
Review Drug Offender Driver's License Suspension Law & Enforcement Certification (Section 159)	23 USC 159 23, CFR 192.5	Annually	1-Jan	Office of Safety	Office of Technical Services - Safety	State Safety Office	Certifications due to the Division Office by January 1.
Section 154/164 Compliance Status - Funds Reservation	23 USC 154 and 23 USC 164	Annually	30-Oct	Office of Safety	Office of Technical Services - Safety	State Safety Office	States must submit a Shift letter to the Division Office by Oct. 30 indicating how to apply the penalty. New penalty states have additional time. The Office of Safety processes the compilation of information in a memo to the CFO.
Review Safety Belt Compliance Status	23 USC 153, 23 CFR 1215.6	Annually	Annually	Office of Safety	Office of Technical Services - Safety	State Safety Office	NHTSA

High Risk Rural Roads (HRRR) Special Rule	23 USC 148(g)(1)	Annually	Annually	Office of Safety	Office of Technical Services - Safety	State Safety Office	After the final FARS and HPMS data are available, FHWA HQ will inform the States if the HRRR Special Rule applies for the following FY.
Older Drivers and Pedestrians Special Rule	23 USC 148 (g)(2)	Annually	31-Aug	Office of Safety	Office of Technical Services - Safety	State Safety Office	States should include in their annual HSIP reports (due August 31st) the calculations performed, verifying whether the Older Driver Special Rule applies in the State. If the Special Rule applies to a State in a given year, the State must include in its subsequent SHSP strategies to address the increases in the fatality and serious injury rates for drivers and pedestrians over the age of 65.
FHWA Emergency Preparedness Program	Executive Order 12656 and FHWA Order 1910.2C	As needed	Not Applicable	Office of Operations	Office of Project Development	Emergency Management Office	National Programs.

**ATTACHMENT C  
MANUALS AND OPERATING AGREEMENTS**

The Federal Highway Administration Florida Division (FHWA) and Florida Department of Transportation (FDOT) mutually agree to a collaborative document consultation process to ensure smooth, timely and efficient project delivery, consistent with federal law and applicable standards. In support of this process, FDOT and FHWA will identify respective points of contact (POC) from the appropriate program area for all consultation documents identified in Attachment C of the Stewardship and Oversight Agreement. Unless specifically identified by law, all documents will be developed consistent with this consultative process.

The consultation process applies to all documents listed below and consists of the following:

1. As specified documents are updated, the FDOT POC will provide the FHWA POC with a draft of the proposed revisions to the consultation documents.
2. To the extent that FHWA would like to provide comments to the draft document, all such comments must be transmitted from the FHWA POC to the FDOT POC for consideration within 30 calendar days. Failure to provide input within this timeframe will constitute acceptance of the proposed revisions. FDOT will have 14 days to respond to comments and a non-response will constitute acceptance.
3. If no comments are received from FHWA or if there is consensus as to the proposed revisions at the POC level, the consultation process for the specified document will be considered complete and ready for use by FDOT.
4. In those instances where there is disagreement at the POC level concerning document revisions, all documentation will be sent to the Resolution Level 1 representative and a resolution meeting will be scheduled immediately. The Resolution Level 1 meeting will include both of the POCs.
5. FDOT and FHWA will identify the program POCs and as well as those responsible for participation at Resolution Level 1 for each document. The list will be updated on an as needed basis to account for turnover and position changes.
6. Participation in the resolution process will include the FDOT and FHWA representatives as shown in the table below:

	FDOT representative	FHWA representative
Document--Program Office	POC at the program level	FHWA program counterpart
Resolution Level 1	Director level	FHWA counterpart
Resolution Level 2	Chief Engineer/State Transportation Development Administrator/Asst. Secretary	Associate Division Administrator/Chief Operating Officer
Resolution Level 3	Secretary	Division Administrator

7. If consensus is reached as to those revisions of concern, the resolution/resolution process is considered successful and the document will be considered complete and ready for use by FDOT.

8. If there is still disagreement, all documentation will be sent to the Resolution Level 2 personnel and a resolution meeting will be scheduled immediately. The Resolution Level 2 meeting will include the POCs and resolution Level 1 personnel.
9. If consensus is reached as to those revisions of concern, the resolution process is considered successful and the document will be considered complete and ready for use by FDOT.
10. If there is still disagreement, all documentation will be sent to the Secretary and Division Administrator for resolution.

## **Finance**

Indirect Cost Allocation Plan (Cost Pool Composition/Eligibility)

## **Procurement**

Road and Bridge Contract Procurement, Procedure No. 375-000-001

Design Build Procurement and Administration (625-020-010)

Acquisition of Professional Services (Topic 375-030-002)

Preparation of the Authorization/Official Construction Cost Estimate and Contract Bid Review Package (Topic 600-010-001)

Design Build Request for Proposal (RFP) Boilerplates

Emergency Procurement During Governor Declared Emergencies (375-040-130)

## **Planning**

Statewide Transportation Improvement Program

Work Programs

- Local/Tribal Technical Assistance Program (LTAP/TTAP)
- Statewide Planning and Research
- Transportation Management Area/Metropolitan Planning Organization (TMA/MPO)

Project Traffic Forecasting Handbook

Traffic Analysis Handbook

Quality/Level of Service Handbook

## **Civil Rights/EEO**

FDOT Construction Contract Compliance Workbook/Manual

FDOT Disadvantaged Business Enterprise (DBE) Program Plan

FDOT Title VI/Nondiscrimination Implementation Plan

FDOT ADA/504 Program Plan

FDOT EEO/Affirmative Action Plan

## **Local Agency Program**

Local Agency Program Manual

Local Agency Program Bulletins

LAP Professional Services Contracts Checklist



## **Right-of-Way and Utilities**

Right of Way Procedures Manual  
FDOT Utility Accommodation Manual

## **Design**

FDOT Design Standards (Topic 625-010-003)  
Roadway Design Bulletins  
FDOT Plans Preparation Manual (Topic 625-000-007) - Volume 1  
Structures Manual (all volumes) No. 625-020-018  
Structures Design Bulletins  
Drainage Manual, No. 625-040-002  
Soils and Foundation Handbook, (Section 2.2 of Material Manual), No. 675-000-000  
Interstate Access Review User's Guide  
Proprietary Products Review and Certification (Topic 630-020-005)  
Flexible Pavement Design Manual  
Rigid Pavement Design Manual  
Pavement Type Selection Manual

## **Materials**

Materials Manual  
Florida Sampling and Testing Methods  
Construction Aggregate Manual  
District Materials and Research Engineer (DMRE) Memos

## **Construction**

Standard Specifications for Road and Bridge Construction, Supplemental Specifications and Special Provisions  
Construction Project Administration Manual (CPAM) (Topic 700-000-000) - Sections 5.7, 7.2 through 7.5, and 12.1  
District Construction Engineer (DCE) Memos

## **Safety**

Highway Safety Improvement Plan  
Highway Safety Improvement Program (HSIP) Program Guide

## **ITS/ Traffic Operations**

Traffic Engineering Manual (TEM)  
Manual on Uniform Traffic Studies (MUTS)

## **National Bridge Inspection Standards**

Bridge and Other Structures Inspection and Reporting, No. 850-010-030  
Bridge Load Rating, Permitting, and Posting Manual, No. 850-010-035  
Bridge Underwater Operations, No. 850-010-011

**Operating (Programmatic) Agreements**

ETDM interagency agreements (18)

Section 106 Programmatic Agreement, under development

Section 4(f) Memorandum of Understanding with FDEP Rails to Trails Program, 1994

ETDM Agreement with FHWA 2003, Expired; under revision

ETDM Agreements with ETAT Agencies of varying dates (23)

Programmatic Categorical Exclusions Agreement, under development