

DATE: April 18, 2002

430-02-15

SUBJECT: Stewardship and Oversight Agreement Procedures

TO: All District Engineers/Administrator

FROM: Gary L. Hoffman, P.E. /s/
Chief Engineer for
Highway Administration

Subsequent to the distribution of Strike-off-Letter 430-02-10, it was discovered that some minor revisions to the Stewardship and Oversight Agreement were necessary.

Attached are the revised Page 7 (Appendix A) and 13 (Appendix B). The revisions included:

1. Revising the number of volumes contained in Pub. 15 (Structures) to 3 volumes in Appendix A.
2. Adding Pub. 15M (Structures) in Appendix A.
3. Adding a table entry for Force Account Method of Construction in Appendix B.

These revised pages should be incorporated into your copy of the agreement, and the old pages discarded.

Any questions related to the revision to the Stewardship and Oversight Agreement should be directed to Daryl Kerns, P.E., at 717-787-0185 of the Bureau of Design.

Attachment(s)

4320/DLK/aaa/SOA-Sol-M

cc: B. L. Mallory, Secretary of Transportation
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APPENDIX A

FHWA/PENNDOT OVERSIGHT AGREEMENT POLICIES

INTRODUCTION

The FHWA/PENNDOT Stewardship and Oversight Agreement (Agreement) presents the current procedures for the administration of the Federal-aid Highway program in Pennsylvania. The general intent of the Agreement is to delegate much of FHWA's approval authority to PENNDOT for certain preliminary engineering, construction contract administration, and right-of-way activities on or related to Federal-aid projects.

1. **Project Development Process (Including Public Involvement In The Development of Projects And Title VI Requirements As Related To Minority Group Participation)**

Procedures for project development and public involvement are as provided in the following:

- a. Design Manual, Part 1, Transportation Project Development Process (Publication 10) and Design Manual, Part 1A, Transportation Engineering Procedures (Publication 10A).
- b. Application of procedures as established in PENNDOT Design Manuals and Environmental Handbooks.
- c. Public Involvement Handbook (Pub. 295).
- d. Pennsylvania Act 120 of 1970 (This Act provides for coordination with certain State agencies).

2. **Application of Appropriate Design and Construction Standards**

Appropriate design and construction standards are provided by the application of the following:

- a. Manual on Uniform Traffic Control Devices (MUTCD).
- b. Design Manual, Part 2, Highway Design (Pub. 13M).
 - Design criteria in Design Manual, Part 2 (DM-2) meets and in some cases exceeds the criteria in the AASHTO Green Book. For any designs on NHS projects that do not meet the criteria in DM-2, but conform to the minimum criteria in the AASHTO Green Book, a design exception is not required to be approved by FHWA, but requires Bureau of Design (BOD) approval.
- c. Design Manual, Part 3, Highway Plans Presentation (Publication 14M).
- d. Design Manual, Part 4 (3 Volumes (2 Volumes)), Structures (Pub. 15 (Pub. 15M)), Procedures - Design - Plans Presentation.
- e. Design Manual, Part 5, Utility Relocation (Publication 16M).
- f. Eminent Domain Appraisal Guide (Pub. 94).
- g. Standards for Roadway Construction, Series RC-1M - RC-100M.
- h. Standards for Bridge Design, BD-600 Series (Pub. 218) and BD-600M Series (Pub. 218M).
- i. Standards for Bridge Construction, BC-700M Series (Pub. 219M).

Signing/Traffic Signal Approvals	PENNDOT (Pubs. 111, 148, 149)	PENNDOT 13)	PENNDOT 13)
Pavement Design	PENNDOT (Pub. 242)	FHWA	PENNDOT
NEPA Approvals	PENNDOT (Pub. 294)	FHWA 10)	FHWA 10)
Proprietary/Patented Items	Oversight Agreement	FHWA	PENNDOT
Force Account Method of Construction (Including Utility and Railroad Adjustments)	Oversight Agreement	FHWA	PENNDOT

Oversight Agreement Program Action Matrix		
ACTIVITY	BASIS OF DELEGATION	OVERSIGHT
ROW Joint Use Lease Approval	PENNDOT (R/W Manual)	PENNDOT 3)
Limited Access Highway Utility Occupancy Permit	PENNDOT (DM-5)	PENNDOT 4)
Limited Access Highway Occupancy Permit	PENNDOT (Pub. 170)	PENNDOT 14)
Disposal of Excess ROW from Federal-aid ROW or Construction Projects	PENNDOT (DM-1 & 1A & R/W Manual)	PENNDOT 3)
New/Experimental Products- Product Evaluations/Approvals-General	Oversight Agreement	PENNDOT 7)
Federal Lands Highway Program Approvals	FHWA (DTFH71-97-X-00030) PENNDOT (SOL 430-97-63)	PENNDOT 9)
Emergency Relief	FHWA (FHWA-PD-93-051)	FHWA
Highway/Railroad Crossings	Oversight Agreement	PENNDOT

- 1) Consultant agreements for Management Services must be approved by FHWA.
- 2) FHWA approves Type 2 & 3 Right-of-Way certificates for Interstate Projects.
- 3) FHWA approval is required for actions affecting the Interstate System.
- 4) FHWA's prior concurrence is required when:
 - a) The approved installation is not in accordance with 23 CFR or PENNDOT Design Manual, Part 5.
 - b) Longitudinal installation of private lines are proposed.
- 5) As per Project Office Manual.
- 6) Until written procedures for Construction Claim Reviews/Settlements are approved by FHWA, approval authority for PO NHS is with FHWA.
- 7) Approval of project specific specifications is required by FHWA.
- 8) Consultation with FHWA per DM-4 Approval Matrix is required.
- 9) NEPA & 4(f) approvals retained by FHWA.
- 10) PENNDOT approval of Categorical Exclusion Evaluations (CEE's) is as specified in Pub. 294.
- 11) Exceptions to HBRR program eligibility criteria must be approved by FHWA.
- 12) Projects must conform to ITS Architecture requirements in 23 CFR Part 940.
- 13) Projects must conform to MUTCD or FHWA approval is required.
- 14) FHWA approval required for Permanent HOPs involving Interstates.