

**Stewardship and Oversight Agreement
on Project Assumption and Program Oversight
by and between
Federal Highway Administration, Arizona Division
and
the Arizona 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 Arizona Department of Transportation (ADOT) 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 Arizona Division Office (FHWA or Division) and Arizona Department of Transportation (ADOT) 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. ADOT *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 ADOT and FHWA determine that assumption of responsibilities is appropriate.
- B. Approvals and related activities for which ADOT has assumed responsibilities as shown in Attachment A will apply program wide unless project specific actions for which the Division will carry out the approval or related responsibilities are documented in accordance with the FHWA Project of Division Interest/Project of Corporate Interest Guide (FHWA PoDI/PoCI Guide) located at:
<http://www.fhwa.dot.gov/federalaid/stewardship/>

- C. ADOT may not assume responsibilities for Interstate projects that are in high risk categories. (23 U.S.C. 106(c)(1))
- D. ADOT 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. ADOT *shall assume* the FHWA’s Title 23 responsibilities for design, PS&Es, contract awards, and inspections, with respect to *Federal-aid projects off the NHS (non-NHS)* unless the *ADOT* 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), ADOT is to exercise the Secretary’s approvals and related responsibilities on these projects in accordance with Federal laws.
- C. ADOT, in its discretion, may request FHWA carry out one or more non-NHS approvals or related responsibilities listed as “State” in Attachment A on a program-wide basis. For a project specific request, ADOT 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

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

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 ADOT

- A. Any approval or related responsibility not listed in Attachment A cannot be assumed by ADOT 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 ADOT:
 - 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 ADOT 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, ADOT will comply with Title 23 and all applicable non-Title 23, U.S.C. Federal-aid program requirements, such as metropolitan and statewide planning; environment; procurement of engineering and design related service contracts (except as provided in 23 U.S.C. 109(o)); Civil Rights including Title VI of the *Civil Rights Act*, and participation by Disadvantaged Business Enterprises; prevailing wage rates; and acquisition of right-of-way, etc.
- C. This Agreement does not modify the FHWA’s non-Title 23 program approval and related responsibilities, such as approvals required under the Clean Air Act; National Environmental Policy Act, Executive Order on Environmental Justice (E.O. 12898), and other related environmental laws and statutes; the Uniform Act; and the Civil Rights Act of 1964 and related statutes.

SECTION VIII. PROJECT ACTION RESPONSIBILITY MATRIX

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

SECTION IX. HIGH RISK CATEGORIES

- A. In 23 U.S.C. 106(c), Congress directs that the Secretary shall not assign any approvals or related responsibilities for projects on the Interstate System if the Secretary determines the project to be in a high risk category. Under 23 U.S.C. 106(c)(4)(B), the Secretary may define high risk categories on a national basis, State-by-State basis, or national and State-by-State basis.

FHWA Headquarters coordinates establishment of national high risk categories. Presently, the only national high risk category is for high risk grantees, pursuant to 49 CFR 18.12. A State that has been designated as a high risk grantee may not assume any of the Secretary's responsibilities for design, PS&E, contract awards, and project inspections for any project on the Interstate System.

- B. Divisions also may establish high risk categories for projects on the Interstate System on a State-by-State basis. Divisions may establish high risk categories that are specific to a particular Interstate project or group of Interstate projects or a particular project delivery method being employed on Interstate projects. Divisions must receive concurrence from FHWA Headquarters prior to designating any high risk category.

The Division has determined there are no high risk categories in Arizona.

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 ADOT's processes and management practices, including those involved in carrying out the approvals and related responsibilities assumed by ADOT 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 ADOT's financial management system in accordance with 23 U.S.C. 106(g)(2)(A). FHWA will periodically review ADOT's monitoring of sub-recipients pursuant to 23 U.S.C. 106(g)(4)(B).
- C. The FHWA shall perform annual reviews that address elements of the project delivery systems of ADOT, 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 ADOT 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 Arizona's transportation needs. The FHWA may work collaboratively with ADOT 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

Annually, the Arizona Division conducts a risk assessment at the unit level that identifies unit risks and response strategies to carry out the requirements of 23 U.S.C. 106(g).

Typical techniques and processes the Division utilizes to mitigate risk (opportunity and threat) include the following:

- Project Level Involvement
 - Required Project Actions - Actions that cannot be delegated as prescribed in Federal law. The majority of these actions are outlined in *Attachment A – Project Action Responsibility Matrix*.
 - Risk-based Project Involvement – Additional activities within the Project Action Responsibility that may be delegated to the State however the Division is electing to remain engaged based on identified risks (opportunities or threats). These activities will be monitored to determine whether risk has been mitigated and responsibility can be delegated to the State.
 - Compliance Assessment Program (CAP) - Data-driven compliance assurance effort where project engagement is based on a statistically valid sample of projects. Program is designed to ensure that Federal-aid projects are being carried out in reasonable compliance with Federal laws and regulations.
 - Projects of Division Interest (PoDIs) – Division selects based on a consistent set of criteria and boundaries. Division involvement will be defined and will vary from project to project.
 - Projects of Corporate Interest (PoCIs) – These projects are a subset of PoDIs and are not selected by the Division.

- Program Level Involvement
 - Required Program Actions – Actions that cannot be delegated as prescribed in Federal law. The majority of these actions are outlined in *Attachment B – Program Responsibility Matrix*.
 - Risk-based Program Involvement – Program engagement based on analysis of identified risks. These activities may include items such as program assessments and reviews.
 - National Strategic Implementation Plan (SIP) and Program Stewardship & Oversight Plan Efforts – Support of national level initiatives which were determined based on strategic goals, objectives and national priorities informed by FHWA corporate risks.

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, PoDIs, CAP, etc.

E. Program Responsibility Matrix

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

F. Manuals and Operating Agreements

ADOT 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.

G. Stewardship and Oversight Indicators

The Division and ADOT may jointly establish Stewardship and Oversight Indicators (Indicators). The Indicators should set targets, track trends, and implement countermeasures and actions when the data is moving away from the desired target direction. Indicators can provide documented evidence that ADOT assumption of responsibilities is functioning appropriately. Stewardship and Oversight Indicators should be reviewed on an annual basis. If utilized, the Indicators shall be incorporated by reference to this S&O Agreement.

SECTION XI. ADOT OVERSIGHT AND REPORTING REQUIREMENTS

A. ADOT Oversight and Reporting Requirements

ADOT 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, ADOT plans, programs, develops, designs, constructs, and operates the state highway system in accordance with the manuals and operating agreements listed in

Attachment C. Additionally, ADOT provides oversight activities on federal-aid projects as described in the Project Action Responsibility Matrix (Attachment A) and FHWA programs as described in the Program Responsibility Matrix (Attachment B).

Environmental

The ADOT Environmental Planning (EPG) will develop and maintain guidance, provide training, develop a Public Involvement Plan, and create a Quality Assurance Quality Control (QA/QC) Plan for the preparation of Categorical Exclusions. Once completed and approved, ADOT EPG will follow the *Programmatic Agreement between FHWA and ADOT regarding the Department of Transportation's Process for Determining Categorical Exclusions* and environmental guidance in preparing environmental documents for federal-aid projects in compliance with the National Environmental Policy Act of 1969 and other environmental laws. ADOT EPG will monitor the process annually and inform FHWA of any corrective actions or changes to the QA/QC Plan.

Right-of-Way

The ADOT Right-of-Way (ROW) Group completes the appraisal, acquisition, and property management of real property and displacement of people from real property for the construction of federal-aid projects in compliance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 and FHWA-approved *ADOT Right of Way Procedures Manual*. The ADOT ROW Group reports annually to FHWA on ROW expenditures and acquisition and relocation figures.

Roadway and Bridge Design

ADOT uses several design guidelines when designing federal-aid projects. These guidelines include, but are not limited to:

- AASHTO's *A Policy on Geometric Design of Highways and Streets* (Green Book)
- AASHTO's *Load and Resistance Factor Design (LRFD) Bridge Design Specifications*
- AASHTO's *Manual for Bridge Evaluation*
- AASHTO's *Standard Specifications for Highway Bridges*
- FHWA's *Manual on Traffic Control Devices* (MUTCD)
- *ADOT Standard Specification for Road and Bridge Construction*
- *ADOT Stored Specifications*
- *ADOT Roadway Design Guidelines*
- *ADOT Construction Standard Drawings*
- *ADOT Structure Detail Drawings*
- *ADOT Bridge Practice Guidelines* (LRFD)
- *ADOT Bridge Hydraulics Guidelines*
- *ADOT Bridge Load Rating Guidelines*

Construction

ADOT conducts construction activities in accordance with the project's construction documents, *ADOT Construction Manual*, and *ADOT Standard Specifications for Road and Bridge Construction* and *ADOT Stored Specifications*.

The ADOT Construction Group provides oversight of the Statewide Construction Program and provides staff support to the districts and field offices to ensure that all projects are built in conformance with the construction documents, project specifications, and engineer's estimate. The ADOT Construction Group uses quantitative lists or quantlists to document the level or degree of conformance of the work with the plans and specifications.

Within the ADOT Construction Group, Field Reports serves as the Labor Compliance Office. Field Reports reviews every project based on the standard and stored specifications, special provisions, and various manuals. Field Reports prepares the final package for project closeout for FHWA.

Bridge Inspections

The ADOT Bridge Group inspects bridges within Arizona in accordance with 23 CFR 650, Subpart C, National Bridge Inspection Standards, and maintains them as part of the National Bridge Inventory in compliance with the *ADOT Bridge Inspection Guidelines*. The Bridge Management Section within the ADOT Bridge Group employs in-house and consultant bridge inspection teams to perform safety bridge inspections. To enhance the quality of the Bridge Inspection Program, the Bridge Management Section conducts regularly scheduled training refreshers, independent office reviews of inspection documents, and QA/QC of field inspections to ensure accuracy of bridge condition ratings and coding.

Civil Rights

ADOT ensures nondiscrimination by following the processes outlined in the FHWA-approved *ADOT FHWA DBE Program Plan*, *Equal Employment Opportunity Contractor Compliance Plan*, *On the Job Training Plan*, *Title VI Nondiscrimination Implementation Plan*, and *Americans with Disabilities Act: Transition Plan for Public Rights-of-Way*.

The ADOT Business Engagement and Compliance Office (BECO) establishes Disadvantaged Business Enterprise (DBE) goals, monitors DBE requirements, and reports DBE utilizations. ADOT BECO conducts Equal Employment Opportunity contractor compliance reviews and reports on contractor and subcontractor compliance to FHWA for the determination of compliance. ADOT BECO assigns and monitors On the Job Training goals through the FHWA-approved ADOT *On the Job Training Plan*, which requires oversight and annual reporting.

The ADOT Civil Rights Office (CRO) monitors Title VI Program areas and subrecipients and reports on affirmative action accomplishments. The ADOT Intermodal Transportation Division and CRO work to implement the *ADA Self-Evaluation* and *Americans with Disabilities Act: Transition Plan for Public Rights-of-Way*.

Project Documentation

ADOT maintains individual federal-aid project files that include documentation of all required FHWA actions and ADOT's assumed project approvals as set forth in

Attachment A. ADOT makes all project files accessible to FHWA for review. ADOT retains all project files for the required retention period.

Audit and Analysis

ADOT Audit and Analysis performs internal audits of ADOT's processes, functions, and federal-aid project costs and reviews Single Audits of federal funds passed through ADOT to local public agencies in Arizona. ADOT Audit and Analysis transmits the audit reports, highlighting any concerns and recommendations, to ADOT program managers. ADOT Audit and Analysis submits copies of the internal audit reports, annual equipment services rate, and Indirect Cost Allocation Plan (ICAP) to FHWA.

B. ADOT Oversight of Locally Administered Projects

- B.1. ADOT is required to provide adequate oversight of sub-recipients including oversight of any assumed responsibilities ADOT delegates to a LPA.
- B.2. Pursuant to 23 U.S.C. 106(g)(4), ADOT 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).
- B.3. ADOT 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).

Through this agreement, ADOT accepts responsibility for sub-recipient compliance with all applicable laws and requirements. ADOT delegates authority to sub-recipients to administer projects through a Certification Acceptance program or the Self-Administration process.

Through the Certification Acceptance Program, certified Local Public Agencies (LPAs), known as Certification Acceptance (CA) Agencies, are authorized to independently manage most aspects of the project development process with ADOT's approval and FHWA concurrence. The Certification Acceptance Program requires CA Agencies to have the capability, experience, and resources to develop and administer projects according to all applicable agency, state, federal, and tribal laws, regulations, and requirements.

Self-administration (SA) is a process through which ADOT can authorize LPAs to administer specific project activities related to development/design and construction on a project-by-project basis, with FHWA's concurrence.

ADOT has communicated the responsibilities regarding CA and SA delegated authority through the Oversight and Monitoring (O&M) Plan, which states:

“Title 23 United States Code (USC) does not recognize local entities as direct recipients of Federal funds; therefore,

- ADOT is responsible and accountable for ensuring that Federal-aid requirements are met on all LPA projects. FHWA will work in partnership with ADOT to ensure Federal-aid requirements are met.
- ADOT serves as the prime recipient of federal transportation funds and is the supervising agency in accordance with 23 Code of Federal Regulation (CFR) Part 635.105. As such, ADOT is responsible for the delivery of all Federal-aid projects, and is not relieved of such responsibility by authorizing performance of the work by a local agency.
- ADOT is responsible for ensuring LPA projects receive adequate supervision and inspection so projects are completed in conformance with approved plans and specifications and federal requirements.
- ADOT will review and take actions necessary to assure local compliance with all requirements of state and federal laws, regulations, and policies. Title 23 USC Section 106 specifically charges States with the responsibility for determining that sub-recipients of Federal funds (including local public agencies) have adequate project delivery systems for projects and sufficient controls to properly manage Federal funds.”

ADOT accepts responsibility for determining the capacity of sub-recipients to deliver federal aid projects. ADOT documents how oversight responsibilities will be completed in the O&M Work Plan which summarizes how ADOT will complete these responsibilities.

In order to achieve its oversight responsibilities, ADOT LPA Section does the following:

- Certifies or approves LPAs to participate in programmed FAHP programs, such as the CA and SA programs;
- Conducts Quality Assurance reviews of LPA’s programs and projects under CA and SA; and
- Inspects and reviews CA and SA programs and projects for conformance with state and federal requirements.

The O&M Work Plan provides further details as to how these activities will be accomplished.

To ensure that LPAs performing under CA and SA are aware of current requirements, ADOT uses a combination of communication and oversight tools.

ADOT utilizes the *Local Public Agency Projects Manual* to provide information and guidance to assist LPAs (i.e., counties, cities, towns and tribal governments) with projects funded by the FHWA, from planning to final acceptance. The manual outlines the ADOT and FHWA procedures that federally funded LPA projects must follow. The manual provides local agencies with guidance on developing and delivering the FAHP.

ADOT's O&M Work Plan then describes how ADOT will ensure that Federal aid projects are developed and delivered by local agencies, will be administered with financial integrity; comply with federal and state requirements; and follow the guidelines outlined in ADOT's Local Public Agency Project Manual. This work plan is intended to serve as a comprehensive monitoring and reporting document to identify the work activities, budget, schedule and resources for the ADOT LPA Section's O&M program.

ADOT enters into a Certification Acceptance Agreement with each CA Agency for the purpose of documenting the roles and responsibilities of the CA Agency, ADOT, and FHWA with respect to oversight, stewardship, and delivery of the FAHP.

Non-CA Agencies may apply for SA on a project-by-project basis. When an agency is approved for SA on a specific project, ADOT enters into an agreement with the local agency by an Intergovernmental Agreement (IGA) that documents the roles, responsibilities, and financial obligations of the local agency and ADOT for delivery of that FAHP project.

B.4. ADOT 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:

Pursuant to 23 C.F.R. 1.11 and 635.105, ADOT delegates certain activities, under supervision, to LPAs for FAHP projects that meet the criteria for federal-aid under 23 U.S.C. 117. ADOT delegates authority under CA and SA processes.

Per the *Local Public Agency Projects Manual, Chapter 4 – Certification Acceptance*, ADOT's Certification Acceptance Program requires CA Agencies to have the capability, experience, and resources to develop and administer projects according to all applicable agency, state, federal, and tribal laws, regulations, and requirements. Through the Certification Acceptance Program, ADOT:

- Systematically and rigorously evaluates the local agency's ability to successfully develop federal-aid projects;
- Evaluates the CA Agency's performance throughout the project development process to ensure that all applicable state, federal, and tribal laws, regulations, and requirements are being met;

- Evaluates the CA Agency’s performance on the initial project; and
- Reevaluates the CA Agency’s ability to retain certification every 4 years through its Certification Acceptance recertification process, or more frequently if ongoing issues or concerns regarding the CA Agency’s ability to properly administer projects are identified.

Per the *Local Public Agency Projects Manual, Chapter 3 – Self-Administration*, ADOT’s SA process requires an LPA demonstrate its capability, experience, and resources to develop and administer approved activities for the given project in accordance with all applicable agency, state, federal, and tribal laws, regulations, and requirements. Under self-administration, ADOT:

- Systematically and rigorously evaluates the LPA’s ability to successfully develop and implement federal-aid projects; and
- Evaluates the LPA’s performance throughout the project development and implementation process to ensure that all applicable state, federal, and tribal laws, regulations, and requirements are being met.

Performance by LPAs, under CA or SA, will be evaluated by ADOT, in accordance with the processes outlined in the O&M Work Plan. When ADOT finds an LPA is not performing satisfactorily under delegated authority, the ADOT LPA Section will implement a three-tiered level of corrective action process. According to the severity of the violation, the levels are defined as (1) unsatisfactory performance, (2) probation, and (3) suspension. The purpose of corrective action will be to notify the LPA of the wrongdoing and create an understanding with the LPA of the reason for the action. The LPA will develop a plan for improving performance so the violation does not occur in the future, or the LPA may be placed on probation or suspension, depending upon the severity of the violation. The corrective action process will create a formal record, documenting the steps taken towards process improvement and Federal compliance.

B.5. ADOT 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:

ADOT’s CA Agreement includes requirements that the CA Agency shall be adequately staffed and equipped to perform necessary work efficiently and cost effectively, including the supervision and training of staff. Per the agreement, ADOT is ensuring that the CA Agency employs the following key personnel:

- Designated approval authority
- CA Agency Liaison

- Engineer
- Responsible charge – design
- Responsible charge – construction
- Title VI coordinator
- Disadvantaged Business Enterprise (DBE) liaison
- Qualified ROW agent
- Qualified utilities coordinator
- Qualified materials QA engineer
- Qualified lead inspector
- Financial manager
- Contract manager
- Compliance manager
- Auditor, if applicable

ADOT will use the O&M Work Plan as the mechanism to oversee the LPAs and ensure adequate staffing and supervision exists to manage the Federal project(s) compliance.

- B.6. ADOT 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:

ADOT's LPA Projects Manual, Chapter 13 – Construction, states that LPA's under CA and SA are responsible for ensuring that all inspection and testing staff have the required certifications and training to conduct their assigned roles and duties. LPAs must monitor and inspect all aspects of project construction and must assume responsibility for Quality Assurance.

ADOT will utilize the O&M Work Plan as the mechanism to oversee the CA and SA LPAs and ensure adequate inspection is being performed on projects in accordance with federal compliance. ADOT LPA Section will conduct periodic project and program performance reviews of CA and SA projects to evaluate how the LPAs are complying with federal and state requirements.

- B.7. ADOT 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. ADOT's process to ensure compliance with this requirement is documented by the following actions, programs, and processes:

Per the LPA Projects Manual, Chapters 3 & 4, LPAs that are granted CA or SA must commit sufficient resources, including a person in responsible charge and qualified staff with the appropriate credentials and registrations to ensure that the project is developed according to ADOT and FHWA requirements. The person in

responsible charge must be a full-time LPA staff member (not a consultant) who is qualified to successfully complete projects in accordance with all applicable state, federal, and tribal laws, regulations, and requirements. He or she will serve as the project administrator and must have the training, experience, and knowledge needed to review and make critical decisions about a project as it progresses to completion. The LPA's person in responsible charge does not have to be an engineer; however, if an engineer is not used, the LPA must have access to engineering expertise when needed.

ADOT will utilize the O&M Work Plan and the audit process as mechanisms to oversee LPAs and ensure that LPAs provide a full-time employee of the agency to be in responsible charge of FAHP projects.

B.8. ADOT shall ensure that project actions will be administered in accordance with all applicable Federal laws and regulations. ADOT will use the following process on required approvals on sub-recipient projects:

ADOT utilizes the *Local Public Agency Projects Manual* to provide information and guidance to assist local public agencies (i.e., counties, cities, towns and tribal governments) with projects funded by the FHWA, from planning to final acceptance. The manual outlines the ADOT and FHWA procedures that federally funded local public agency projects must follow.

a. Consultant selection and management; *Local Public Agency Projects Manual, Chapter 18*

ADOT Engineering Consulting Services (ECS) oversees procedures for architectural and engineering consultant contracts, which are solicited and administered by the LPA in accordance with ADOT approved procedures. ADOT ECS reviews and approves LPA's consultant contracting procedures for CA and SA.

b. Environmental; *Local Public Agency Projects Manual, Chapter 9*

ADOT Environmental Planning Group (EPG) oversees the environmental clearance process and is responsible for ensuring that the process is applied correctly to CA and SA projects and for reviewing environmental documents to ensure that the documents comply with environmental requirements.

c. Design; *Local Public Agency Projects Manual, Chapter 8*

CA and SA projects may follow the LPA's own development/design process upon approval by ADOT. All projects receiving federal-aid funds for design or any other project activities must comply with all applicable federal design standards, requirements, and regulations.

- d. Civil Rights; *Local Public Agency Projects Manual, Chapter 16*
ADOT Civil Rights Office (CRO) and Business Engagement and Compliance Office (BECO) are responsible for monitoring and ensuring compliance with the LPA's signed assurances that all programs, activities, services, and benefits are free of discrimination, as a basis for receipt of federal-aid funds. Important regulations that apply to the assurance of civil rights include Title VI of the Civil Rights Act, EEO, ADA, and DBE requirements. LPAs under CA and SA are required to provide assurances—written statements of contractual agreement signed by an authorized official stating that the LPA will administer federally assisted programs in accordance with civil rights laws and regulations.
- e. Financial management including audits and indirect cost allocation plans; *Local Public Agency Projects Manual, Chapter 17*
ADOT Financial Management Services (FMS) is responsible for ensuring compliance of financial requirements and procedures for federally funded LPA transportation projects.
- f. Right-of-way (ROW); *Local Public Agency Projects Manual, Chapter 10*
The ADOT ROW Group oversees the ROW process and clearances for LPA projects under CA and SA. LPAs must follow the procedures included in Chapter 10 if federal-aid funds are used for any part of the LPA project, whether or not those funds are used for ROW activities.
- g. Construction monitoring, including Quality Control/Quality Assurance (QC/QA); and *Local Public Agency Projects Manual, Chapter 13*
Certified LPAs under CA are responsible for administering the construction of federally funded transportation projects. Through CA, ADOT delegates authority to the CA Agency to be responsible for ensuring that the CA Agency projects are in compliance with all applicable state, federal, and tribal requirements; provide adequate inspection and supervision during construction of approved PS&Es; and meet FHWA closeout requirements.
- During the construction phase, LPAs that self-administer projects are required to follow the procedures in ADOT's *Standard Specifications for Road and Bridge Construction* and the *ADOT Construction Manual*.

- h. Contract administration including the State DOT's responsibility to approve a sub-recipient to pursue a contract procurement method other than competitive bidding. *Local Public Agency Projects Manual, Chapter 18*

Before the LPA under CA or SA is allowed to self-administer contractor and consultant selection, ADOT must review and approve the LPA's written procurement policies and procedures, in accordance with 23 CFR 172.9(a).

CA Agencies are responsible for procuring construction contractor services, architectural and engineering consultant services, and materials for all exempt and nonexempt projects. Every four years, the CA Agency's contracting; consultant selection and material procurement process is reviewed and reapproved by ADOT as part of the recertification process to ensure that the CA Agency remains in compliance with state and federal laws and regulations. If the CA Agency makes any changes to the approved process or agreement, they must notify and obtain approval from ADOT prior to implementation. The CA Agency's written procedures for contractor and consultant procurement processes must address the same requirements as ADOT's written procedures (23 CFR 172.9[a]).

- B.9. ADOT shall document its oversight activities for LPA-administered projects and findings, and how it will share this information with the FHWA.

Per the O&M Work Plan, ADOT LPA Section will conduct periodic project and program performance reviews of CA and SA projects to evaluate how the LPAs are complying with federal and state requirements. The ADOT LPA Section will document the findings of each program and project performance review and provide the review findings to the LPA. The LPA will be provided an opportunity to respond to each finding in writing for incorporation into the final report. ADOT LPA Section will coordinate with the LPA to discuss implementation of mitigation measures and best practices into the LPA's process and procedures. Upon agreement by the LPA, the corrective action plan for improvements will be documented in a final performance report to the LPA. ADOT LPA Section will follow-up with the LPA to ensure modifications are incorporated into the LPA's procedures.

An annual O&M Summary Report will be prepared to document the oversight activities performed by the LPA Section throughout the year. The summary report will be provided to FHWA as a year-end final progress report. The annual report is an evaluation of activities over the year and is to be distributed to ADOT management, ADOT FMS and FHWA.

SECTION XII. IMPLEMENTATION AND AMENDMENTS

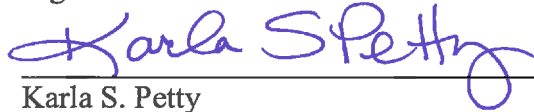
- A. This S&O Agreement will take effect as of the effective date of the signature of the FHWA Arizona Division Administrator, who shall sign this S&O Agreement last.
- B. The Division and ADOT agree that updates to this Agreement will be considered periodically on a case-by-case basis or when:
- Significant 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 ADOT or FHWA; or
 - Priorities shift as a result of audits, public perception, or changes in staffing at either ADOT or Division Office.
- C. The Division and ADOT 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 ADOT 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 Attachment A - Project Action Responsibility Matrix must be approved by the FHWA Office of Infrastructure in writing and documented by an amendment to this S&O Agreement.

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EXECUTION BY THE FHWA ARIZONA DIVISION OFFICE

Executed this 9th day of April, 2015.

Signature



Karla S. Petty
Division Administrator

EXECUTION BY THE ARIZONA DEPARTMENT OF TRANSPORTATION

Executed this 9th day of April, 2015.

Signature



John S. Halikowski
Director

**ATTACHMENT A
PROJECT ACTION RESPONSIBILITY MATRIX**

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

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).

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.

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

PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015) (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
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
ENVIRONMENT (All phases)		
All EA/FONSI, EIS/ROD, 4(f), 106, 6(f) and other approval actions required by Federal environmental laws and regulations. (Note: this action cannot be assumed by STATE except under 23 U.S.C. 327)	FHWA ⁽²⁾	FHWA ⁽²⁾
Categorical Exclusion approval actions (Note this action cannot be assumed by the State except through an assignment under 23 U.S.C. 326 or 327, or through a programmatic agreement pursuant to Section 1318(d) of MAP-21 and 23 CFR 771.117(g))	FHWA ⁽²⁾	FHWA ⁽²⁾
PRELIMINARY DESIGN (Design Phase)		
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

PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015) (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
Approve consultant agreements and agreement revisions on Federal Major Projects [23 CFR 172.9] (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve exceptions to design standards [23 CFR 625.3(f)]	FHWA *	STATE
Interstate System Access Change [23 USC 111] (Note: this action cannot be assumed by State)	FHWA	N/A
Interstate System Access Justification Report [23 USC 111] (Note: action may be assumed by State pursuant to 23 USC 111(e))	STATE	N/A
Airport highway clearance coordination and respective public interest finding (if required) [23 CFR 620.104]	STATE	STATE
Approve Project Management Plan for Federal Major Projects over \$500 million [23 USC 106(h)] (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve innovative and Public-Private Partnership projects in accordance with SEP-14 and SEP-15 (Note: this action cannot be assumed by State)	FHWA	FHWA
Provide pre-approval for preventive maintenance project (until FHWA concurs with STATE procedures) (Note: this action cannot be assumed by State)	FHWA	FHWA
DETAILED / FINAL DESIGN (Design Phase)		
Provide approval of preliminary plans for unusual/complex bridges or structures on the Interstate. [23 USC 109(a) and FHWA Policy]	FHWA ⁽⁴⁾	N/A

PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015) (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
Provide approval of preliminary plans for unusual/complex bridges or structures (non-Interstate). [23 USC 109(a) and FHWA Policy]	STATE ⁽⁴⁾	STATE
Approve retaining right-of-way encroachments [23 CFR 1.23 (b) & (c)]	STATE	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]	STATE	STATE
Concur in use of publicly furnished materials [23 CFR 635.407]	STATE	STATE
RIGHT-OF-WAY (Design and Operational Phases)		
Make feasibility/practicability determination for allowing authorization of construction prior to completion of ROW clearance, utility and railroad work [23 CFR 635.309(b)]	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: action cannot be assumed by State)	FHWA	FHWA

PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015) (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
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
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
Process Federal land transfers [23 CFR 710, Subpart F] (Note: this action cannot be assumed by State)	FHWA	FHWA
Concur on functional replacement of property [23 CFR 710.509] (Note: this action cannot be assumed by State)	FHWA	FHWA

PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015) (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
SYSTEM OPERATIONS AND PRESERVATION (Design Phase)		
Accept Transportation Management Plans (23 CFR 630.1012(b))	STATE	STATE
Approval of System Engineering Analysis (for ITS) [23 CFR 940.11]	STATE	STATE
PS&E AND ADVERTISING (Design Phase)		
Approve PS&E [23 CFR 630.201]	STATE	STATE
Authorize advance construction and conversions [23 CFR 630.703 & 709] (Note: this action cannot be assumed by State)	FHWA	FHWA
Approve utility or railroad force account work [23 CFR 645.113 & 646.216]	STATE	STATE
Approve utility and railroad agreements [23 CFR 645.113 & 646.216]	STATE	STATE
Approve use of consultants by utility companies [23 CFR 645.109(b)]	STATE	STATE
Approve exceptions to maximum railroad protective insurance limits [23 CFR 646.111]	STATE	STATE
Authorize (approve) advertising for bids [23 CFR 635.112, 309]	STATE	STATE
CONTRACT ADVERTISEMENT AND AWARD (Design Phase) All contracts to be done by competitive bidding unless otherwise authorized by law		
Approve cost-effectiveness determinations for construction work performed by force account or by contract awarded by other than competitive bidding [23 CFR 635.104 & .204]	STATE	STATE

PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015) (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
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]	STATE	STATE
Approve addenda during advertising period [23 CFR 635.112]	STATE	STATE
Concur in award of contract [23 CFR 635.114 (b)]	STATE	STATE
Concur in rejection of all bids [23 CFR 635.114 (h)]	STATE	STATE
Approval of Design-Build Requests-for-Proposals and Addenda [23 CFR 635.112]	STATE	STATE
CONSTRUCTION (Construction Phase)		
Approve changes and extra work [23 CFR 635.120]	STATE	STATE
Approve major change orders and claims (Over \$1 million, 20% of total project costs, work outside project limits, or major changes of scope) [23 CFR 635.120(a) & .124]	FHWA *	STATE
Approve contract time extensions [23 CFR 635.120]	STATE	STATE
Concur in use of mandatory borrow/disposal sites [23 CFR 635.407]	STATE	STATE
Accept materials certification [23 CFR 637.207]	STATE	STATE
Concur in settlement of contract claims [23 CFR 635.124]	STATE	STATE
Concur in termination of construction contracts [23 CFR 635.125]	STATE	STATE

PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015) (Excluding PoDIs, which are subject to separate PoDI Plans)		
ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS
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
CIVIL RIGHTS (All phases)		
Approval of Disadvantaged Business Enterprise (DBE) Project Contract Goal set by the State DOT under 49 CFR 26.51(d). [49 CFR 26.51(e)(3)]	STATE	STATE
Acceptance of Bidder's Good Faith Efforts to Meet Contract Goal [49 CFR 26.53] or of Prime Contractor's Good Faith Efforts to Find Another DBE Subcontractor When a DBE Subcontractor is Terminated or Fails to Complete Its Work [49 CFR 26.53(g)] (Note: this action cannot be performed by the FHWA)	STATE	STATE
Equal Employment Opportunity (EEO) Contract Compliance Review [23 CFR Part 230, Subpart D]).	STATE	STATE
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

**PROJECT ACTION RESPONSIBILITY MATRIX (as of February 6, 2015)
(Excluding PoDIs, which are subject to separate PoDI Plans)**

ACTION	AGENCY RESPONSIBLE	
	PROJECTS ON THE NHS	PROJECTS OFF THE NHS

FOOTNOTES:

- * FHWA is retaining an action that could have been assumed by the State.
- (1) State is responsible for ensuring that all individual elements of the project are eligible. FHWA will check that the scope of the project as described in submitted project agreement is eligible for the category of funding sought. All final eligibility and participation determinations are retained by FHWA.
- (2) If there is a 23 U.S.C. 326 or 325 assignment or PCE agreement, decisions are handled in accordance with those assignments or agreements.
- (3) State's process and modifications to, or variation in process, require FHWA approval.
- (4) Unusual/Complex bridges and structures are those that the Division determines to have unique foundation problems, new or complex designs, exceptionally long spans, exceptionally large foundations, complex 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, segmental concrete, moveable, truss, tunnels, or complex geotechnical walls or ground improvement systems)

**ATTACHMENT B
PROGRAM RESPONSIBILITY MATRIX**

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Individual	FHWA Division Team	Discipline	State DOT Responsible Program Office	State DOT Responsible Individual	Remarks
Appropriations, Allotments, Obligations	31 USC 1341(a)(1)(A)& (B); 31 USC 1517(a); 23 USC 118(b), 23 USC 121	Annually	30-Sep	Office of Chief Financial Officer	Roman Moreno	Finance	Finance	FMS	Federal Aid Administrator Patrick Stone	FHWA/State will monitor appropriations, allotments and obligations to ensure that all funding is used efficiently within each quarter and use all Obligation Authority (OA) by the end of the year.
Approval of Indirect Cost Allocation Plans (ICAPs)	2 CFR Part 200, Subpart E; ASMBC-10	Annually	1-Jul	Office of Chief Financial Officer	Roman Moreno	Finance	Finance	FMS	Controller Keith Fallstrom	The State will certify that the ICAP was prepared in accordance with 2 CFR 200 Subpart E. Arizona's agreement indicates a 12 month cycle due on July 1st.
FIRE Program Activities	FHWA Order 4560.1C (or as superseded)	Ongoing		Office of Chief Financial Officer	Roman Moreno	Finance	Finance	FMS	Controller Keith Fallstrom	State will continue to provide oversight and conduct reviews to ensure Federal-aid compliance. FHWA will review and monitor. State responsibilities include multiple tasks in support of risk assessments, conducting reviews and implementation of recommendations.
Audit Coordination/FHWA Financial Statement Audit/State External Audit Reviews/State Internal Audit Reviews	FMFIA, 2 CFR Part 200, Subpart F; GAAP, CFO Act of 1990; DOT Order 8000.1C	As needed		Office of Chief Financial Officer	Roman Moreno	Finance	Finance	FMS	Controller Keith Fallstrom	State assures corrective action is taken to resolve audit findings and FHWA will monitor activities to ensure implementation.
Improper Payments Review	Improper Payments Information Act of 2002, PL 107-300, Improper Payments Elimination and Recovery Act of 2010, PL 111-204, Improper Payments Elimination and Recovery Improvement Act of 2012, PL 112-248	Annually		Office of Chief Financial Officer	Nantambu Carlock	Finance	Finance	FMS	Controller Keith Fallstrom	State will provide all information necessary to document sampled payments and FHWA offices will review and complete appropriate data submittal forms. Last review was 10/29/2014
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		Office of Chief Financial Officer	Roman Moreno	Finance	Finance	FMS	Federal Aid Administrator Patrick Stone	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		Office of Chief Financial Officer	Roman Moreno	Finance	Finance	FMS	Controller Keith Fallstrom	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		Office of Chief Financial Officer	Roman Moreno	Finance	Finance	FMS	Controller Keith Fallstrom	
Periodic Reviews of States Monitoring of sub-recipients	23 USC 106(g)(4)(B)	As needed		Office of Infrastructure	Sharon Gordon	Project Delivery	Project Delivery - LPA	FMS	FMS	
Approval of Increased Federal Share Agreement (Sliding Scale)	23 USC 120(b)(2)	As determined by the Federal Share Agreement	31-Jan	Office of Chief Financial Officer	Roman Moreno	Finance	Finance	FMS	Federal Aid Administrator Patrick Stone	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. Arizona's agreement indicates a 24 month cycle due on Jan 31st.
Prepare / Review Title VI Plan Accomplishments and Next Year's Goals	23 CFR 200.9(b)(10)	Annually	1-Oct	Office of Civil Rights	Lisa Neie	System Performance	Civil Rights	Civil Rights Office	Civil Rights Office	Division office reviews and comments.
Prepare / EEO Contractor Compliance Plan accomplishments and next year's goals	23 CFR 230, Subpart C, Appendix A, Part I, III	Annually	1-Oct	Office of Civil Rights	Lisa Neie	System Performance	Civil Rights	BECO	BECO	Division office reviews and comments.
Prepare / Review State Internal EEO Affirmative Action Plan (Title VII) Accomplishments and Goals	23 CFR 230.311	Annually	1-Oct	Office of Civil Rights	Lisa Neie	System Performance	Civil Rights	Civil Rights Office	Civil Rights Office	Courtesy copy to HQ.
Review DBE Program Revisions	49 CFR 26.21(b)(2)	As needed		Office of Civil Rights	Lisa Neie	System Performance	Civil Rights	BECO	BECO	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	Lisa Neie	System Performance	Civil Rights	BECO	BECO	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	Lisa Neie	System Performance	Civil Rights	BECO	BECO	Division Office approves sends copy to HCR
Prepare / State DBE Program Goals	49 CFR 26.45(f)(1)	Triennial	August 1st	Office of Civil Rights	Lisa Neie	System Performance	Civil Rights	BECO	BECO	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	Lisa Neie	System Performance	Civil Rights	BECO	BECO	Division office reviews and comments.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Individual	FHWA Division Team	Discipline	State DOT Responsible Program Office	State DOT Responsible Individual	Remarks
Approval of OJT and DBE Supportive Services fund requests	23 CFR 230.113 & 23 CFR 230.204	Annual	1-Apr	Office of Civil Rights	Lisa Neie	System Performance	Civil Rights	BECO	BECO	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	Lisa Neie	System Performance	Civil Rights	BECO	BECO	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	Lisa Neie	System Performance	Civil Rights	BECO	BECO	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	Lisa Neie	System Performance	Civil Rights	BECO	BECO	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	Lisa Neie	System Performance	Civil Rights	Civil Rights Office	Civil Rights Office	Report sent to HQ quarterly for informational purposes and recommendation sent to HQ annually for approval.
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	Lisa Neie	System Performance	Civil Rights	BECO	BECO	Divisions submit data to HCR who prepares report for DOCR
Prepare / Review ADA Complaint Reports of Investigation	28 CFR 35.190	As needed		Office of Civil Rights	Lisa Neie	System Performance	Civil Rights	Civil Rights Office	Civil Rights 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	Lisa Neie	System Performance	Civil Rights	Civil Rights Office	Civil Rights Office	Division office reviews and comments.
Return of unexpended funds used for Summer Transportation Institutes	23 CFR 230.117(2)	Annual	August 30; however, State procurement rules may govern	Office of Civil Rights	Lisa Neie	System Performance	Civil Rights	BECO	BECO	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	Lisa Neie	System Performance	Civil Rights	BECO	BECO	Divisions recommend approval. HCR gives final approval
Prepare / Review NSTI Report (questionnaire)	23 USC 140(b)	Annual	15-Oct	Office of Civil Rights	Lisa Neie	System Performance	Civil Rights	BECO	BECO	Divisions provide to HCR
Receipt of State Consultation Process with Tribal Governments	23 CFR 450.210(c)	As needed		Office of Federal Lands Highway	Romare Truely	PEAR	Planning	EPG	Director Paul O'Brien	Informational Purposes.
Approval of Contracting Procedures for Consultant Selection	23 CFR 172.5 & 172.9	Every 4 years		Office of Infrastructure	Tom Deitering	Project Delivery	Project Delivery - Contract Administration	ECS	Manager Michael DenBleyker	FHWA Division Office Approval. Last approval 8/13/2010
Determination of High Risk Categories - Limitation on Interstate Projects	23 USC 106(c)(4)(B)	As needed		Office of Infrastructure	Tom Deitering	Project Delivery		State Engineer's Office	Division Director Steve Boschen	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		Office of Infrastructure	Ammon Heier	Project Delivery		State Engineer's Office	Division Director Steve Boschen	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		Office of Infrastructure	Eunice Chan	Project Delivery	Project Delivery - Design			FHWA HQ regulatory action to adopt NHS standards.
Approval of preliminary plans of Major and Unusual Bridges on the Interstate Highway System	(M1100.A)	As needed		Office of Infrastructure	Marissa Romero	System Performance	Infrastructure - Bridge	State Engineer's Office	Deputy State Engineer Contracts Barry Crockett	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		Office of Infrastructure	Eunice Chan	Project Delivery	Project Delivery - Design	Roadway	Roadway Engineer Annette Riley	FHWA Division Office Approval.
Verify State Design Exception Policy complies with FHWA Policy	23 CFR 625.3	As needed		Office of Infrastructure	Eunice Chan	Project Delivery	Project Delivery - Design	State Engineer's Office	Deputy State Engineer Design Steve Boschen	FHWA Division Office Approval.
Approval of State Standard Detail Plans	23 CFR 625.3	As needed		Office of Infrastructure	Eunice Chan	Project Delivery	Project Delivery - Design	State Engineer's Office	Division Director Steve Boschen	FHWA Division Office Approval.
Approval of Pavement Design Policy	23 CFR 626.3	As needed		Office of Infrastructure	Ammon Heier	Project Delivery	Project Delivery - Design	Construction	Construction Engineer Julie Kliewer	FHWA Division Office Approval.
Review of Value Engineering Policy and Procedures	23 CFR 627.1(b)&(c), 23 CFR 627.7	As needed		Office of Infrastructure	Eunice Chan	Project Delivery	Project Delivery - VE	Roadway	Roadway Engineer Annette Riley	FHWA Division Office Review.
Review of Value Engineering Annual Report	23 CFR 627.7, FHWA Order 1311.1B	Annual		Office of Infrastructure	Eunice Chan	Project Delivery	Project Delivery - VE	Construction	Construction Engineer Julie Kliewer	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		Office of Infrastructure	Tom Deitering	Project Delivery	Project Delivery - Design	Materials	Materials Engineer	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		Office of Infrastructure	Aryan Lirange	Project Delivery	Construction	Materials	Materials Engineer	FHWA Division Office Approval. Last approval 7/1/2014
Approval of Quality Assurance Program	23 CFR 637.205	As needed		Office of Infrastructure	Ammon Heier	Project Delivery	Infrastructure - Pavement and Materials	Materials	Materials Engineer	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 Individual	FHWA Division Team	Discipline	State DOT Responsible Program Office	State DOT Responsible Individual	Remarks
Assure Central Laboratory accredited by AASHTO Accreditation Program or FHWA approved comparable program	23 CFR 637.209	As needed		Office of Infrastructure	Ammon Heier	Project Delivery	Infrastructure - Pavement and Materials	Materials	Materials Engineer	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		Office of Infrastructure	Ammon Heier	Project Delivery	Infrastructure - Pavement and Materials	Materials	Materials Engineer	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		Office of Infrastructure	Ammon Heier	Project Delivery	Infrastructure - Pavement and Materials	Materials	Materials Engineer	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	Ammon Heier	Project Delivery	Infrastructure - Pavement and Materials	Materials	Materials Engineer	State administrators, with programmatic agreement by the Division Office, as part of their materials testing and construction quality assurance/acceptance program.
Assure Labor Compliance - Prevailing Wage Rate	23 USC 113	As needed		Office of Infrastructure	Aryan Lirange	Project Delivery	Construction	Construction	Construction Engineer Julie Klierer	FHWA Division Office Review and Approval
Determination of Eligible Preventive Maintenance Activity - Cost-Effective Means of Extending Useful Life Determination	23 USC 116(e)	As needed		Office of Infrastructure	Ammon Heier	Project Delivery	Infrastructure - Pavement and Materials	Materials	Materials Engineer	FHWA Division Office Approval
Approval of Utility Agreement / Alternate Procedure	23 CFR 645.119	As needed		Office of Infrastructure	Kimberly Utley	Project Delivery	Project Delivery - Utilities	Utilities and Railroad	Utilities and Railroad Manager Vicki Beaver	FHWA Division Office Approval
Approval of Utility Accommodation Policy	23 CFR 645.215, 23 USC 109(I), 23 USC 123	As needed		Office of Infrastructure	Kimberly Utley	Project Delivery	Project Delivery - Utilities	Utilities and Railroad	Utilities and Railroad Manager Vicki Beaver	FHWA Division Office Approval
Review Bridge Construction, Geotechnical, and Hydraulics	23 CFR 650	As needed		Office of Infrastructure	Marissa Romero	System Performance	Infrastructure - Bridge	Bridge	Bridge Engineer David Benton	
Review Plans of Corrective Action established to address NBIS compliance issues	23 CFR 650, 23 USC 144	Annually		Office of Infrastructure	Marissa Romero	System Performance	Infrastructure - Bridge	Bridge	Bridge Engineer David Benton	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	Marissa Romero	System Performance	Infrastructure - Bridge	Bridge	Bridge Engineer David Benton	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	Marissa Romero	System Performance	Infrastructure - Bridge	Bridge	Bridge Engineer David Benton	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		Office of Infrastructure	Marissa Romero	System Performance	Infrastructure - Bridge	Bridge	Bridge Engineer David Benton	
Approval for reduction of expenditures for off-system bridges	23 USC 133(g)(2)(B)	As needed		Office of Infrastructure	Marissa Romero	System Performance	Infrastructure - Bridge	Bridge	Bridge Engineer David Benton	The FHWA Administrator may reduce the requirement for expenditures for off-system bridges if the FHWA Administrator determines that the State has inadequate needs to justify the expenditure.
Determination on Adequacy of State's Asset Management Plan	23 USC 119(5)	Annually beginning second fiscal year after establishment of the process		Office of Infrastructure	Jennifer Brown	System Performance	Transportation Performance Management (TPM)	MPD	Performance Mangement and Research Director Jean Nehme	
Certification and Recertification of States Process for Development of State Asset Management Plan	23 USC 119(6)	Recertification every four years after establishment of the process		Office of Infrastructure	Jennifer Brown	System Performance	Transportation Performance Management (TPM)	MPD	Performance Mangement and Research Director Jean Nehme	
Review Reporting on Performance Targets	23 USC 150(e)	Beginning four years after enactment of MAP-21 and biennially thereafter		Office of Infrastructure	Jennifer Brown	System Performance	Transportation Performance Management (TPM)	MPD	Performance Mangement and Research Director Jean Nehme	
Review National Highway System Performance Achievement Plan for Actions to achieve the targets (when State does not achieve or make significant progress toward achieving)	23 USC 119(7)	Required if State does not achieve targets (or significant progress) for 2 consecutive reports		Office of Infrastructure	Jennifer Brown	System Performance	Transportation Performance Management (TPM)	MPD	Performance Mangement and Research Director Jean Nehme	
States and sub-recipient failure to maintain projects - Notice and withholding Federal-aid Funds	23 USC 116(d)	As needed		Office of Infrastructure	Tom Deitering	Project Delivery	Operations - Maintenance	State Engineer's Office	Deputy State Engineer Urban Operations Brent Cain	
Emergency Relief (ER) Damage Assessments and Reports	23 CFR 668 23 USC 120 and 125	As needed		Office of Infrastructure	Ammon Heier	Project Delivery	Emergency Relief	Maintenance	Maintenance Engineer Lonnie Hendrix	Perform with State.
Toll Credit and Maintenance of Effort (MOE) Calculation and Agreement	23 USC 120(i)	Annually		Office of Infrastructure	Toni Whitfield	System Performance	Operations - ITS/Traffic Mgmt	State Engineer's Office	Deputy State Engineer Urban Operations Brent Cain	State will calculate the amount of eligible toll credit and submit for approval. FHWA will review and approve the request. Does not apply to Arizona at this time.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Individual	FHWA Division Team	Discipline	State DOT Responsible Program Office	State DOT Responsible Individual	Remarks
Local Public Agency (LPA) Oversight	2 CFR 200.331; 23 USC 106(g)(4)	As needed		Office of Infrastructure	Sharon Gordon	Project Delivery	Project Delivery - LPA	LPA	LPA Manager Bahram Dariush	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		Office of Infrastructure	Romare Truely	Pear		MPD	MPD Director	Division Office reviews and submits for Office of Program Administration for Administrator Approval
Territorial Highway Program - Approval of Territory Agreement	23 USC 165(c)(5)	Reviewed and Revised as needed every two years		Office of Infrastructure	Tom Deitering	Project Delivery		MPD	MPD Director	Division Office works with Office of Program Administration and HCC
TIFIA Credit Program	23 USC 601-609	As needed		Office of Innovative Program Delivery	Roman Moreno	Finance	Finance	FMS	Debt Management and Compliance Administrator Lisa Danka	Project sponsors submit requests for credit assistance to the TIFIA JPO for review; approval by the Secretary
GARVEEs	23 USC 122;	As needed		Office of Innovative Program Delivery	Roman Moreno	Finance	Finance	FMS	Debt Management and Compliance Administrator Lisa Danka	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		Office of Innovative Program Delivery	Roman Moreno	Finance	Finance	FMS	Debt Management and Compliance Administrator	If utilized, the division sends copy of report to OIPD. SIB submits annual report to Division Office.
Section 129 Tolling Authority Requests	23 USC 129(a)	As needed		Office of Innovative Program Delivery	Toni Whitfield	System Performance	Operations - ITS/Traffic Mgmt	State Engineer's Office	Division Director Transportation Dallas Hammit	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		Office of Innovative Program Delivery	Toni Whitfield	System Performance	Operations - ITS/Traffic Mgmt	State Engineer's Office	Division Director Transportation Dallas Hammit	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		Office of Innovative Program Delivery	Toni Whitfield	System Performance	Operations - ITS/Traffic Mgmt	State Engineer's Office	Division Director Transportation Dallas Hammit	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		Office of Innovative Program Delivery	Toni Whitfield	System Performance	Operations - ITS/Traffic Mgmt	State Engineer's Office	Division Director Transportation Dallas Hammit	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); SAFETEA-LU Section 1604(b)(3)(A); ISTEA Section 1012(b)(3); TEA-21 Section 1216(b)(5)(B);	Annually		Office of Innovative Program Delivery	Toni Whitfield	System Performance	Operations - ITS/Traffic Mgmt	State Engineer's Office	Division Director Transportation Dallas Hammit	Division Office to receive the reports. There is not a uniform date during the year by which they (audits 8 certifications) are to be submitted. This requirement applies to states that have toll facilities on Federal aid highways.
Project Management Plan (Major Projects)	23 U.S.C. 106(h)(2)	Prior to first federal authorization of construction funds for a Major Project		Office of Innovative Program Delivery	Aryan Lirange	Project Delivery	Project Delivery - Design	State Engineer's Office	Sr. Deputy State Engineer Major Projects Robert Samour	State DOT or Project Sponsor will prepare and submit Project Management Plan. 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	Aryan Lirange	Project Delivery	Project Delivery - Design	State Engineer's Office	Sr. Deputy State Engineer Major Projects Robert Samour	State DOT or Project Sponsor will prepare and submit annual Financial Plans. Division Office will provide approval after receiving concurrence from HQ Office of Innovative Program Delivery.
Financial Plan (Other Projects)	23 U.S.C. 106(i)	Prior to first federal authorization of construction funds for an Other Project and then annually.	Annually as noted in the approved Initial Financial Plan	Office of Innovative Program Delivery	Aryan Lirange	Project Delivery	Project Delivery - Design	State Engineer's Office	Sr. Deputy State Engineer Major Projects Robert Samour	State DOT or Project Sponsor will prepare and submit annual Financial Plans to the Division Office, only upon request. Other Projects are defined as projects with an estimated total cost of \$100 million or more that have not been designated as Major Projects.
Review Designation and Re-designation of Primary Freight Network	23 USC 167(d)	One year after enactment of MAP-21 and every ten years thereafter		Office of Operations	Romare Truely	PEAR	Operations - Freight	MPD	Mike Kies	Under development, initial PFN designation scheduled for Spring 2014 completion.
Review Development and Update of National Freight Strategic Plan	23 USC 167(f)	Three years after enactment of MAP-21 and every five years thereafter		Office of Operations	Romare Truely	PEAR	Operations - Freight	MPD	Mike Kies	OST lead
Review Freight Transportation Conditions and Performance Report	23 USC 167(g)	Two years after enactment of MAP-21 and every two years thereafter		Office of Operations	Toni Whitfield	System Performance	Operations - Freight	MPD	Mike Kies	OST lead
Review HOV Operations Report for Tolloed Use and Low-Emission and Energy-Efficient Vehicle Use	23 USC 166(d)	Annually	1-Feb	Office of Operations	Toni Whitfield	System Performance	Operations - ITS/Traffic Mgmt	MPD	Mike Kies	Arizona reports annually on Feb 1st.
Congestion Partnerships Assessment	Annual Memo from HQ	Annually	1-Jul	Office of Operations	Toni Whitfield	System Performance	Operations - ITS/Traffic Mgmt	MPD	Mike Kies	Complete with partners and forward to HQ.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Individual	FHWA Division Team	Discipline	State DOT Responsible Program Office	State DOT Responsible Individual	Remarks
Traffic Incident Management Self-Assessment	Annual Memo from HQ	Annually	1-Jul	Office of Operations	Toni Whitfield	System Performance	Operations - ITS/Traffic Mgmt	State Engineer's Office	Deputy State Engineer Urban Operations Brent Cain	Complete with partners and forward to HQ.
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	Ammon Heier	Project Delivery	Operations - ITS/Traffic Mgmt	State Engineer's Office	Deputy State Engineer Statewide Operations Todd Emery	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		Office of Operations	Kelly LaRosa	System Performance	Operations - ITS/Traffic Mgmt	Traffic	Traffic Engineer Maysa Hanna	Due in 2 years after effective date in rule making.
State DOT submits Vehicle Size & Weight Enforcement Plan	23 CFR 657.11, 23 USC 127	Annually	1-Jul	Office of Operations	Toni Whitfield	System Performance	Operations - Freight	ECD	Assistant Director Terry Conner	
State DOT submits Vehicle Size & Weight Enforcement Certification	23 CFR 657.13, 23 USC 141	Annually	1-Jan	Office of Operations	Toni Whitfield	System Performance	Operations - Freight	ECD	Assistant Director Terry Conner	
Approval of National Network Modifications	23 CFR 658.11	As needed		Office of Operations	Toni Whitfield	System Performance	Operations - Freight	TTG	TTG Manager Reza Karimvand	
Intelligent Transportation System Architecture & Standards	23 CFR Part 940	As needed		Office of Operations	Toni Whitfield	System Performance	Operations - ITS/Traffic Mgmt	State Engineer's Office	Deputy State Engineer Statewide Operations Todd Emery	
Approval of Work Zone Significant Project Determination	23 CFR 630.1010	As needed		Office of Operations	Ammon Heier	Project Delivery	Operations - ITS/Traffic Mgmt	State Engineer's Office	Deputy State Engineer Statewide Operations Todd Emery	
Approval of Exceptions to Work Zone Procedures for Interstate Projects	23 CFR 630.1010	As needed		Office of Operations	Ammon Heier	Project Delivery	Operations - ITS/Traffic Mgmt	State Engineer's Office	Deputy State Engineer Statewide Operations Todd Emery	
Approval of Work Zone Policy and Procedures Conformance Review	23 CFR 630.1014	At appropriate intervals		Office of Operations	Ammon Heier	Project Delivery	Operations - ITS/Traffic Mgmt	State Engineer's Office	Deputy State Engineer Statewide Operations Todd Emery	
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		Office of Operations	Ammon Heier	Project Delivery	Operations - ITS/Traffic Mgmt	State Engineer's Office	Deputy State Engineer Statewide Operations Todd Emery	Arizona's last review was Sept 2014.
Approval of State Planning Work Program and Revisions (Part 1)	23 CFR 420.111, 23 CFR 420.115, and 23 CFR 420.209	Annually	1-Jul	Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	FHWA Division Office Approval. AZ develops based on State FY.
Approval of State Research and Development Work Program (Part 2)	23 CFR 420.111, 23 CFR 420.115, and 23 CFR 420.209	Annually	1-Jul	Office of Planning, Environment & Realty	Romare Truely	PEAR	Planning	MPD	Performance Mangement and Research Director Jean Nehme	FHWA Division Office Approval. AZ develops based on State FY.
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		Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	FHWA Division Office Approval.
Review of State Public Involvement Procedures	23 CFR 450.210(a)	As needed		Office of Planning, Environment & Realty	Alan Hansen	PEAR	Planning	MPD	MPD Director	FHWA Division Office Review to Assure Compliance.
Receipt of State Consultation Process for Non-metropolitan Local Officials	23 CFR 450.210(b)	As needed		Office of Planning, Environment & Realty	Alan Hansen	PEAR	Planning	MPD	MPD Director	Informational Purposes.
Review of Long-range Statewide Transportation Plan	23 CFR 450.214	As needed		Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	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	1-Dec	Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	Joint FHWA and FTA approval. AZ Division requires reports to be completed annually although regulations call for every 48 months.
Approval of STIP Amendments	23 CFR 450.218(a) & (c)	As needed		Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	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		Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	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		Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	Received with STIP.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Individual	FHWA Division Team	Discipline	State DOT Responsible Program Office	State DOT Responsible Individual	Remarks
Approval of Transportation Management Area (TMA) MPO Unified Planning Work Programs (UPWP)	23 CFR 450.308(b) and 23 CFR 420 (Subpart A)	As needed		Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	
Approval of Non-TMA UPWP	23 CFR 450.308(b) and 23 CFR 420 (Subpart A)	Annually	1-Jul	Office of Planning, Environment & Realty	Romare Truely	PEAR	Planning	MPD	MPD Director	May use simplified work statement. AZ elects to review annually based on State FY.
Approval of UPWP Revisions and Amendments (All MPO's)	23 CFR 420.115	As needed		Office of Planning, Environment & Realty	Romare Truely	PEAR	Planning	MPD	MPD Director	
Review of UPWP Performance and Expenditure Reports (All MPO's)	23 CFR 420.117(b)	Not more frequently than quarterly		Office of Planning, Environment & Realty	Roman Moreno	Finance	Finance	MPD	MPD Director	
Approval of Report Before Publication (All MPO's)	23 CFR 420.117(e)	As needed		Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	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		Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	
Review of Metropolitan Planning Area Boundary (Establishment and Changes)	23 CFR 450.312	As needed		Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	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		Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	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		Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	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		Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	Between MPO/State DOT/State AQ Agency.
Review of MPO Public Participation Procedures	23 CFR 450.316(a)	As needed		Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	Must be developed and published.
Review of Metropolitan Transportation Plan (MTP) in Attainment Areas (and Updates)	23 CFR 450.322	Every 4 years		Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	Due date varies by MPO.
Review of MTP in Non-Attainment and Maintenance Areas (and Updates)	23 CFR 450.322	Every 5 years or as needed		Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	
Review of MTP Amendments	23 CFR 450.322(c)	As needed		Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	Due date varies by MPO.
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	1-Dec	Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	After receipt of MPO determination; Joint FHWA and FTA determination; In consultation with the Environmental Protection Agency (EPA). AZ has chosen a 12 month cycle, regulations require 48 months.
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		Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	No succinct Federal approval action is required for the TIP. FHWA/FTA approval of the TIP is through the STIP approval process.
Review of TIP Amendments	23 CFR 450.324(a); 23 CFR 450.328(b)	As needed		Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	No succinct Federal approval action is required for the TIP. FHWA/FTA approval of the TIP is through the STIP approval process.
Approval of Air Quality Conformity Determination on TIP	23 CFR 450.326; 23 CFR 450.328	At least every 4 years, or when the TIP has been modified (unless exempt projects)		Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	Applies to non-attainment and maintenance areas only. After receipt of MPO determination, joint determination with FTA (in cooperation with EPA).

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Individual	FHWA Division Team	Discipline	State DOT Responsible Program Office	State DOT Responsible Individual	Remarks
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	1-Dec	Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	At least every four years, joint finding with FTA when TIP is submitted.
In Metropolitan Planning Areas, Review of State and MPO Self-certification that Planning Process is in Accordance with Applicable Requirements	23 CFR 450.334 (a), 23 CFR 218(a)	Annually or concurrent with the STIP/TIP cycle		Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	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	Ed Stillings	PEAR	Planning	MPD	MPD Director	Joint FHWA and FTA Certification.
Approval of Federal-Aid Urban Area Boundaries	23 CFR 470.105 (a), 23 USC 101(a)(33)	As needed		Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	
Approval of Revision of Functional Classification	23 CFR 470.105 (b)	As needed		Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	
Approval by Administrator of Interstate Additions & Revisions	23 USC 103(c)(1)(D), 23 CFR 470.111, 23CFR 470.115 (a)	As needed		Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	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		Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	Approved by HQ - Office Director.
Review of CMAQ Annual Report	CMAQ Guidance Memo October 31, 2006	Annually	1-Mar	Office of Planning, Environment & Realty	Ed Stillings	PEAR	Planning	MPD	MPD Director	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	Alan Hansen	PEAR	Planning	MPD	MPD Director	Call for entries for the FHWA FTA Transportation Planning and Excellence Awards.
Approval of Local Technical Assistance Program (LTAP) Centers Work Plan and Budget	FHWA LTAP Field Manual	Annually	31-Mar	Office of Planning, Environment & Realty	Sharon Gordon	Project Delivery	Planning	Training	ITD Technical Training Manager Jay Ziemann	FHWA HQ approval.
Approval of Public Involvement Program Procedures	23 CFR 771.111(h), 23 USC 128	As needed		Office of Planning, Environment & Realty	Alan Hansen	PEAR	Project Delivery - Environment	EPG	Director Paul O'Brien	
Approval of NEPA Procedures, including Section 4(f)	23 CFR 771; 23 CFR 774; SAFETEA-LU 6007 & 6009, 23 USC 109(h)	As needed		Office of Planning, Environment & Realty	Rebecca Yedlin	PEAR	Project Delivery - Environment	EPG	Director Paul O'Brien	
Approval of Noise Policies	23 CFR 772.7, 772.9, and 772.13, 23 USC 109(i)	As needed		Office of Planning, Environment & Realty	Tremaine Wilson	PEAR	Project Delivery - Environment	EPG	Director Paul O'Brien	FHWA approves State's noise abatement policy.
EIS Status Updates	FHWA Strategic Goal - EIS Timeliness	Quarterly	(Fiscal Year - Oct, Jan, Apr, Jul)	Office of Planning, Environment & Realty	Rebecca Yedlin	PEAR	Project Delivery - Environment	EPG	Director Paul O'Brien	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, Environment & Realty	Tremaine Wilson	PEAR	Project Delivery - Environment	EPG	Director Paul O'Brien	
Exemplary Ecosystem Initiatives Applications		Annually	1-Apr	Office of Planning, Environment & Realty	Rebecca Yedlin	PEAR	Project Delivery - Environment	EPG	Director Paul O'Brien	
Approval of Acquisitions, Appraisals, and Relocations Program and Procedures	49 CFR Part 24, The UA	As needed		Office of Planning, Environment & Realty	Layne Patton	PEAR	Project Delivery - ROW	ROW	Manager Paula Gibson	As received or special circumstances
Early Acquisitions	23 CFR 710.501	As needed		Office of Planning, Environment & Realty	Layne Patton	PEAR	Project Delivery - ROW	ROW	Manager Paula Gibson	Only if federal project.
Local Public Agency Oversight	49 CFR 24.4(b); 23 CFR 710.201	As needed		Office of Planning, Environment & Realty	Layne Patton	PEAR	Project Delivery - ROW	ROW	Manager Paula Gibson	
Approval of Highway Facility Relinquishment	23 CFR 620.203	As needed		Office of Planning, Environment & Realty	Layne Patton	PEAR	Project Delivery - ROW	ROW	Manager Paula Gibson	
Approval of ROW Disposal Authorization Request	23 CFR 710.409	As needed		Office of Planning, Environment & Realty	Layne Patton	PEAR	Project Delivery - ROW	ROW	Manager Paula Gibson	

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Individual	FHWA Division Team	Discipline	State DOT Responsible Program Office	State DOT Responsible Individual	Remarks
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		Office of Planning, Environment & Realty	Layne Patton	PEAR	Project Delivery - ROW	ROW	Manager Paula Gibson	
Approval of Exception to Charging Fair Market Value	23 CFR 710.403 and 23 CFR 710.409	As needed		Office of Planning, Environment & Realty	Layne Patton	PEAR	Project Delivery - ROW	ROW	Manager Paula Gibson	
Approval of Interstate Real Property Use Agreements	23 CFR 710.405	As needed		Office of Planning, Environment & Realty	Layne Patton	PEAR	Project Delivery - ROW	ROW	Manager Paula Gibson	
Approval of Request for Federal Land Transfer	23 CFR 710.601	As needed		Office of Planning, Environment & Realty	Layne Patton	PEAR	Project Delivery - ROW	ROW	Manager Paula Gibson	
Approval of Request for Direct Federal Acquisition	23 CFR 710.603	As needed		Office of Planning, Environment & Realty	Layne Patton	PEAR	Project Delivery - ROW	ROW	Manager Paula Gibson	
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		Office of Planning, Environment & Realty	Layne Patton	PEAR	Project Delivery - ROW	ROW	Manager Paula Gibson	
Approval of Requests to Exempt Certain Nonconforming Signs, Displays, and Devices	23 CFR 750.503	As needed		Office of Planning, Environment & Realty	Layne Patton	PEAR	Project Delivery - ROW	ROW	Manager Paula Gibson	
Approval of Railroad Agreement Alternate Procedure	23 CFR 646.220	As needed		Office of Planning, Environment & Realty	Kimberly Utley	Project Delivery	Project Delivery - ROW	Utilities and Railroad	Manager Vicki Beaver	
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		Office of Planning, Environment & Realty	Layne Patton	PEAR	Project Delivery - ROW	ROW	Manager Paula Gibson	Requests reviewed and approved by HEPR Office Director.
Review of Uniform Relocation Assistance & Real Property Acquisition Report	49 CFR 24.9c & Appendix B 49 CFR 24.603	Annually	15-Nov	Office of Planning, Environment & Realty	Layne Patton	PEAR	Project Delivery - ROW	ROW	Manager Paula Gibson	Submitted to FHWA Headquarters (HQ).
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		Office of Planning, Environment & Realty	Romare Truely	PEAR	Planning	MPD	Performance Mangement and Research Director Jean Nehme	FHWA Division Office Approval.
Periodic Review of States Management Process of the Research, Development & Technology Transfer Program	23 CFR 420.209	Periodic		Office of Planning, Environment & Realty	Romare Truely	PEAR	Planning	MPD	Performance Mangement and Research Director Jean Nehme	FHWA Division Office Periodic Review. Arizona does this through the Research Advisory Council (RAC). FHWA participation in the RAC is used to accomplish this 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	Romare Truely	PEAR	Planning	MPD	Performance Mangement and Research Director Jean Nehme	FHWA Division Office Approval. Arizona currently doing this quarterly, but may want to go to an annual review which is allowable.
Approval of SPR research reports	23 CFR 420.117	Prior to publication unless prior approval is waved		Office of Planning, Environment & Realty	Romare Truely	PEAR	Planning	MPD	Performance Mangement and Research Director Jean Nehme	FHWA Division Office Approval unless waived.
Annual Traffic Reports	Traffic Monitoring Analysis System and Traffic Monitoring Guide reporting	When Published		Office of Highway Policy information	Romare Truely	PEAR	Planning	MPD	Transportation Analysis Section Mark Catchpole	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	Romare Truely	PEAR	Planning	MPD	Transportation Analysis Section Mark Catchpole	Review memo to HQ.
Approval of Certified Public Road Mileage	23 CFR 460.3(b)	Annually	1-Jun	Office of Highway Policy information	Ed Stillings	PEAR	Planning	MPD	Transportation Analysis Section Mark Catchpole	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	Romare Truely	PEAR	Planning	MPD	Transportation Analysis Section Mark Catchpole	State DOT sends directly to Division Office and HQ. Division role is only to ensure that State is submitting data by June 15.
Highway Statistics Reports	Guide to Reporting Highway Statistics			Office of Highway Policy information	Romare Truely	PEAR	Planning	MPD	Transportation Analysis Section Mark Catchpole	State DOT of Division Office sends directly to HQ.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Individual	FHWA Division Team	Discipline	State DOT Responsible Program Office	State DOT Responsible Individual	Remarks
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	Romare Truely	PEAR	Planning	MPD	MPD Director	
Vehicles and Drivers (561, 562, 566, and 571)	A Guide to Reporting Highway Statistics, Chapters 3, 4, 5, and 6	Annually	1-Apr	Office of Highway Policy information	Romare Truely	PEAR	Planning	MPD	MPD Director	
Finance (531, 532, 541, 542, and 543 (optional))	A Guide to Reporting Highway Statistics, Chapters 8 and 9	Annually	1-Apr	Office of Highway Policy information	Romare Truely	PEAR	Planning	MPD	MPD Director	
Transportation Bond Referendums	A Guide to Reporting Highway Statistics, Chapter 9	When Published		Office of Highway Policy information	Romare Truely	PEAR	Planning	MPD	MPD Director	
State DOT / Toll Authority Audits and Published Annual Reports and Form 539 (optional)	A Guide to Reporting Highway Statistics, Chapter 10	When Published		Office of Highway Policy information	Romare Truely	PEAR	Planning	MPD	MPD Director	Annually, Due as soon as available.
Finance (536)	A Guide to Reporting Highway Statistics, Chapter 11	Biennially for odd number years.	30-Sep	Office of Highway Policy information	Romare Truely	PEAR	Planning	MPD	MPD Director	Biennially for odd-numbered years. Due nine months after end of reporting year
Finance (534)	A Guide to Reporting Highway Statistics, Chapter 12	Annually	15-Jun	Office of Highway Policy information	Romare Truely	PEAR	Planning	MPD	MPD Director	Annually for State, Biennially for local.
Highway Finance and Tax Legislation	A Guide to Reporting Highway Statistics, Chapter 13	When Published		Office of Highway Policy information	Romare Truely	PEAR	Planning	MPD	MPD Director	
State DOT Budgets and Published Annual Reports	A Guide to Reporting Highway Statistics, Chapter 13	When Published		Office of Highway Policy information	Romare Truely	PEAR	Planning	ECD	ECD	
Motor Fuel Oversight Review	July 24, 2001 HQ Memo	Annually	30-Jun	Office of Highway Policy information	Toni Whitfield	System Performance	Operations - Freight	ECD	ECD	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	Toni Whitfield	System Performance	Operations - ITS/Traffic Mgmt	ITD	Deputy Director Transportation Dallas Hammit	Division Office sends to HQ.
State Highway Maps (Tourist)		When Published		Office of Highway Policy information	Tom Deitering	Project Delivery		MPD	Transportation System Analysis Keith Killough	Two copies to each Division Office and 100 copies to HQ.
Traffic Flow Maps		When Published		Office of Highway Policy information	Romare Truely	PEAR	Planning	MPD	Transportation System Analysis Keith Killough	When Published.
Vehicle Classification Data	MAP-21, HPMS Field Manual, Traffic Monitoring Guide	Annually	15-Jun	Office of Highway Policy information	Romare Truely	PEAR	Operations - Freight	MPD	Transportation System Analysis Keith Killough	Part of Annual HPMS submittal.
Highway Use Tax Evasion Grant Awards	23 USC 143	Annual		Office of Highway Policy information	Toni Whitfield	System Performance	Operations - Freight	ECD	ECD	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	Annual	1-Jan	Office of Highway Policy information	Toni Whitfield	System Performance	Operations - Freight	ECD	ECD	Each year, the Governor of each State, or a designee must certify that the State is verifying that the HVUT has been paid before they issue or renew registrations on vehicles over 55,000 lbs. The HVUT program is administered by the Internal Revenue Service.
Heavy Vehicle Use Tax (HVUT) – Triennial review of State program	23 CFR 669.21	Triennial	7/1/2017	Office of Highway Policy information	Toni Whitfield	System Performance	Operations - Freight	ECD	ECD	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	Romare Truely	PEAR	Operations - Freight	MPD	Transportation System Analysis Keith Killough	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	Romare Truely	PEAR	Operations - Freight	MPD	Transportation System Analysis Keith Killough	Send up to one week of data per quarter
Weight and Vehicle Classification Data Collected at Weigh-in-motion sites	Heavy Vehicle Travel Information System Field Manual	Annually	15-Jun	Office of Highway Policy information	Romare Truely	PEAR	Operations - Freight	MPD	Transportation System Analysis Keith Killough	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)	By Aug. 1 of the fiscal year after the HSIP final rule is established		Office of Safety	Kelly LaRosa	System Performance	Safety	Traffic	Traffic Engineer Maysa Hanna	FHWA Division Offices provide copy of SHSP process approval letter to HQ. Last SHSP approved 10/22/2014.
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	Kelly LaRosa	System Performance	Safety	Traffic	Traffic Engineer Maysa Hanna	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	Kelly LaRosa	System Performance	Safety	MPD	Performance Mangement and Research Director Jean Nehme	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	Kelly LaRosa	System Performance	Safety	Government Relations	John Carlson	Certifications due to the Division Office by January 1.

Activity	Authority	Frequency	Due Date	FHWA HQ Program Office	FHWA Division Responsible Individual	FHWA Division Team	Discipline	State DOT Responsible Program Office	State DOT Responsible Individual	Remarks
Section 154/164 Compliance Status - Penalty Transfer Provision	23 USC 154 and 23 USC 164	Annually	30-Oct	Office of Safety	Kelly LaRosa	System Performance	Safety	Government Relations	John Carlson	NHTSA annually provides a determination. States with a penalty must submit a Shift letter to the Division Office by Oct. 30 indicating how to apply the penalty. New penalty states have additional time.
Review Safety Belt Compliance Status	23 USC 153, 23 CFR 1215.6	Upon receipt from NHTSA	Annually	Office of Safety	Kelly LaRosa	System Performance	Safety	Government Relations	John Carlson	
High Risk Rural Roads (HRRR) Special Rule	23 USC 148(g)(1)	As needed		Office of Safety	Kelly LaRosa	System Performance	Safety	Traffic	Traffic Engineer Maysa Hanna	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	Kelly LaRosa	System Performance	Safety	Traffic	Traffic Engineer Maysa Hanna	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		Office of Operations	Nantambu Carlock	Finance	Operations - ITS/Traffic Mgmt	Maintenance	Emergency Manager Courtney Perrier	National Programs.
State submits Vehicle Size & Weight (VSW) Certification Statements in UPACs	23 CFR 657.13, 23 USC 141	Annually	42005	Office of Operations	Toni Whitfield	System Performance	Operations - ITS/Traffic Mgmt	ECD	Assistant Director Terry Conner	
State submits Vehicle Size & Weight (VSW) State Enforcement Plan (SEP)	23 CFR 657.11, 23 USC 127	Annually	42186	Office Of Operations	Toni Whitfield	System Performance	Operations - ITS/Traffic Mgmt	ECD	Assistant Director Terry Conner	

**ATTACHMENT C
MANUALS AND OPERATING AGREEMENTS**

Program Area	Manual or Operating Agreement	MANUALS AND OPERATING AGREEMENTS	Approval by FHWA required per regulation	CFR Reference
Bridge	Bridge Practice Guidelines (LRFD)	http://www.azdot.gov/business/engineering-and-construction/bridge/guidelines	No	
	Bridge Hydraulics Guidelines	http://www.azdot.gov/business/engineering-and-construction/bridge/guidelines	No	
	Bridge Load Rating Guidelines	http://www.azdot.gov/docs/default-source/bridge-group/loadratingguidelines.pdf?sfvrsn=2	No	
	Bridge Inspection Guidelines	http://www.azdot.gov/business/engineering-and-construction/bridge/guidelines/guidelines-bridge-inspection	No	23 CFR 650 Subpart C
Civil Rights	Affirmative Action Plan	http://www.azdot.gov/docs/businesslibraries/affirmative-action-plan-(aap).pdf?sfvrsn=2	No	23 CFR 230 Subpart C
	Disadvantaged Business Enterprise (DBE) Plan	http://www.azdot.gov/docs/default-source/beco-library/adot_fhwa_dbe_plan.pdf?sfvrsn=4	No	49 CFR 26.21
	External EEO Contractor Compliance	http://www.azdot.gov/business/business-engagement-and-compliance/external-equal-employment-opportunity-contractor-compliance	Yes	23 CFR 230 Subparts A and D
	Title VI Implementation Plan	http://www.azdot.gov/docs/business/title-vi-implementation-plan.pdf?sfvrsn=2	No	23 CFR 200.9
Construction	Construction Manual	http://www.azdot.gov/business/engineering-and-construction/construction/ConstructionManual/construction-manual	No	
Consultant Selection (ECS)	ADOT ECS Contract Award and Administration Rules	http://azdot.gov/docs/business/ecs-rules.pdf?sfvrsn=0	Yes	23 CFR 172.9a
Contract Administration (C&S)	Policy and Procedural Manual	Not available online - Controlled Document	No	
Design	Construction Standard Drawings	http://www.azdot.gov/docs/default-source/roadway-engineering-library/2012constructionstandarddrawings.pdf	Yes	23 CFR 625
	Traffic – Signing and Marking Standard Drawings	http://azdot.gov/business/engineering-and-construction/traffic/signing-and-marking-standard-drawings	No	
	Traffic – Signals and Lighting Standard Drawings	http://azdot.gov/business/engineering-and-construction/traffic/signals-and-lighting-standard-drawings	No	
	Structure Detail Drawings	http://www.azdot.gov/business/engineering-and-construction/bridge/structure-detail-drawings	No	
	2008 Standard Specifications for Road and Bridge Construction	http://www.azdot.gov/docs/business/2008-standards-specifications-for-road-and-bridge-construction.pdf?sfvrsn=0	Yes	23 CFR 625
	Roadway Design Guidelines	http://azdot.gov/business/engineering-and-construction/roadway-engineering/roadway-design-standards-and-guidelines/roadway-design-guidelines	No	
	2008 Stored Specifications	http://www.azdot.gov/docs/default-source/business/download-2008-stored-specifications-122713.exe?sfvrsn=10	Yes	23 CFR 625
Drainage	Highway Design Drainage Manual - Hydrology	http://www.azdot.gov/docs/default-source/roadway-engineering-library/2014_adot_hydrology_manual.pdf?sfvrsn=8	No	
	Highway Design Drainage Manual - Hydraulics	http://www.azdot.gov/docs/business/highway-drainage-design-manual-hydraulics.pdf?sfvrsn=0	No	

Program Area	Manual or Operating Agreement	MANUALS AND OPERATING AGREEMENTS	Approval by FHWA required per regulation	CFR Reference
Environment	Environmental Guidance Documents	http://www.azdot.gov/business/environmental-services-and-planning/environmental-guidance-documents	No	
	2012 Update to the 2010 Operating Agreement concerning Categorical Exclusions	http://www.azdot.gov/docs/planning/adt-fhwa-operating-agreement---expediting-categorical-exclusion-groups-one-and-two-projects.pdf?sfvrsn=0	Yes	23 CFR 771.117
Finance	Financial Services Manual	Under Development	No	
ITS and Traffic Operations	ADOT Ramp Metering Design Guide	http://azdot.gov/docs/default-source/intelligent-transportation-systems/adt-ramp-metering-design-guide_november2013.pdf?sfvrsn=2	No	
	FMS Design Guidelines	http://azdot.gov/docs/default-source/business/adt-fms_guidelines.pdf?sfvrsn=2	No	
	ITS Standard Drawings	http://azdot.gov/docs/default-source/business/its_standards.pdf?sfvrsn=2	No	
	ADOT Transportation and Technology Documents	http://azdot.gov/business/engineering-and-construction/transportation-technology/documents	No	
LPA	Local Public Agency Project Manual	https://www.azdot.gov/business/programs-and-partnerships/LocalPublicAgency/lpa-projects-manual	No	
	Oversight and Monitoring Work Plan	https://www.azdot.gov/business/programs-and-partnerships/LocalPublicAgency/lpa-projects-manual	No	
Materials	Materials Testing Manual	http://www.azdot.gov/business/engineering-and-construction/MaterialsGroup	No	
	ADOT Materials Quality Assurance Program	http://www.azdot.gov/docs/default-source/businesslibraries/qa-program-0114.pdf?sfvrsn=18	Yes	23 CFR 637.205
	ADOT Policy and Procedures Directives Manual (PP&D)	http://www.azdot.gov/business/engineering-and-construction/MaterialsGroup	No	
	Geotech Design Manual	Under Development	No	
Planning	ADOT, MPO and COG Guidelines and Procedures Manual	http://www.azdot.gov/aaMPOManual/	No	
Right of Way	Right of Way Procedures Manual	http://www.azdot.gov/business/RightofWay_Properties/booklets-and-manuals	Yes	23 CFR 710.201
Safety	Highway Safety Improvement Program Manual	http://www.azdot.gov/docs/default-source/traffic-library/azhsip2010.pdf?sfvrsn=2	No	23 USC 148(h)
Traffic	ADOT Policies, Guidelines and Procedures (PGP)	http://www.azdot.gov/business/engineering-and-construction/traffic/policies-guidelines-and-procedures-(pgp)	No	
	ADOT Manual of Approved Signs	http://www.azdot.gov/business/engineering-and-construction/traffic/manual-of-approved-signs	No	
	MUTCD	http://mutcd.fhwa.dot.gov/	No	
	Arizona Supplement to the MUTCD	http://www.azdot.gov/docs/business/arizona-supplement-to-the-manual-on-uniform-traffic-control-devices-(2009-mutcd-edition).pdf?sfvrsn=0	Yes	23 CFR 655
Utilities	ADOT Policy for Accommodating Utilities on Highway Rights of Way	http://www.azdot.gov/docs/business/accommodating-utilities-guide.pdf?sfvrsn=0	Yes	23 CFR 645.215
	ADOT Utility Coordination Guide for Design Consultants	http://www.azdot.gov/docs/business/utility-coordination-guide.pdf?sfvrsn=0	No	
	FHWA Longitudinal Accommodation Of Utilities in the Interstate System Right-of-Way	http://www.fhwa.dot.gov/real_estate/practitioners/right-of-way/policy_and_guidance/guidutil_a.cfm	Yes (when proposed)	
Workzone Safety and Mobility	Implementation Guidelines for Work Zone Safety and Mobility, 2009	http://www.azdot.gov/docs/business/workzone-safety-and-mobility-implementation.pdf?sfvrsn=0	No	23 CFR 630.1014